



Colac Otway  
SHIRE

**AGENDA**

ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL

28 SEPTEMBER 2011

at 3:00 PM

COPACC Meeting Rooms

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

28 SEPTEMBER 2011

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NOTICE is hereby given that the next *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC Meeting Rooms on 28 September 2011 at 3:00 pm.

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## AGENDA

### 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**

### 3. **APOLOGIES**

### 4. **MAYORAL STATEMENT**

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

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.

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.<sup>1</sup>

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

I remind you that you must ask a question, if you do not have a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

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

5. QUESTION TIME

6. DECLARATION OF INTEREST

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 24/08/11
- Special Council Meeting held on the 14/9/11.

**Recommendation**

*That Council confirm the above minutes.*



## OFFICERS' REPORTS

### Chief Executive Officer

- OM112809-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM112809-2 LOCAL LAWS REVIEW STEERING COMMITTEE
- OM112809-3 MEN'S SHED FORREST

### Corporate and Community Services

- OM112809-4 RENAMING OF PART OF EGAN ST, COLAC
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30 MCLELLAN CRT, WYE RIVER

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- OM112809-8 COLAC-ELLIMINYT COMMUTER FOOTPATH STRATEGY
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- OM112809-10 SPECIAL CHARGE SCHEME - MORLEY AVENUE DRAINAGE

### Sustainable Planning and Development

- OM112809-11 APOLLO BAY HARBOUR PRECINCT REDEVELOPMENT  
PRESENTATION OF MARKET RESEARCH RESULTS
- OM112809-12 SUBMISSION TO STATE GOVERNMENT CAR PARKING PROVISIONS  
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- OM112809-13 SUBMISSION TO THE VICTORIAN PLANNING SYSTEM MINISTERIAL  
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- OM112809-14 DRAFT COLAC CBD AND ENTRANCES PROJECT REPORT
- OM112809-15 LOCAL GOVERNMENT INFRASTRUCTURE PROGRAM AND  
REGIONAL DEVELOPMENT AUSTRALIA FUND

### General Business

- OM112809-16 ASSEMBLY OF COUNCILLORS

**Rob Small**  
Chief Executive Officer



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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>OM112809-1      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 notes the CEO's Progress Report to Council.</i></p>		
<p><b><u>OM112809-2      LOCAL LAWS REVIEW STEERING COMMITTEE</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council appoints Cr ..... to the Colac Otway Shire Council Local Laws Review Steering Committee for the review of Local Laws 1, 2 and 3.</i></p>		
<p><b><u>OM112809-3      MEN'S SHED FORREST</u></b></p> <p>Department: Executive</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. Approves of the use of the section of the Forrest depot fronting Blundy Street and the two sheds located there for use by the Forrest Men's Shed group for a period of one year with a right to extend that use for a further one year on the basis that grant applications for a permanent facility are progressing.</i></b></li> <li><b><i>2. Enters into a licence to occupy on this basis.</i></b></li> <li><b><i>3. Assists the Forrest Men's Shed group in pursuing grant funding for a permanent facility.</i></b></li> </ol>		

**Recommendation**

*That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.*

**MOVED** .....

**SECONDED** .....

**OM112809-1****CEO'S PROGRESS REPORT TO COUNCIL**

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

**EXECUTIVE****Great South Coast Municipalities Group**

The CEO attended Great South Coast (GSC) CEO Forums on 26 August 2011 and 16 September 2011.

The agenda for the August CEOs' Forum included:

- Project Prioritisation for key Great South Coast Projects
- Great South Coast Constitution
- Establishment of Pillar Groups.

Great South Coast CEOs attended a Department of Planning and Community Development (DPCD) Regional Growth Plan meeting prior to the GSC CEOs Forum.

The agenda for the September CEOs' Forum included:

- Regional Development Australia funding round one
- Priority projects
- Business Excellence Framework
- Lobbying for an earlier National Broadband Network roll-out.

The implementation of the Green Triangle Freight Action Plan was discussed at a meeting held prior to the CEOs' Forum.

The Great South Coast Municipalities Group Mayors and CEOs attended a Board meeting on 23 September 2011. The meeting discussed the future structure and membership of Pillars. This matter is significant to the development of regional projects of a strategic nature and for the involvement of the community more broadly.

At the conclusion of the Board meeting, the Mayor and CEO, together with Council's Municipal Association of Victoria (MAV) delegate, Cr Stephen Hart, attended the Rural South West MAV Delegates, Mayors & CEO's Forum. As part of their presentation at the forum, the Colac Otway Shire representatives raised the following issues:

- An update on the Australian Rural Roads Group
- The timing and imposts of government levy charges (landfill and fire services)
- Coal Seam Gas Exploration
- Town Planning with respect to wind farm applications.

**Barwon South West Regional Management Forum**

The CEO attended the Barwon South West Regional Management Forum in Warrnambool on 31 August 2011. The meeting included:

- A presentation on the Fire Services Property Levy Options Paper
- A presentation on Neighbourhood Renewal – Colac
- Great South Coast Prioritisation Process

- Sustainability Steering Group update
- Liveability Steering Group update
- Productivity and Connectivity Steering Group update.

Directly following this meeting, the Great South Coast CEOs met with Department of Planning & Community Development Executive Director Urban Development, Julian Hill, and Rob Byrne from Regional Development Victoria.

### **G21 Geelong Regional Alliance**

#### **Board meeting**

The Mayor attended the G21 Board Meeting in Torquay on 26 September 2011. Agenda items included:

- Annual financial report
- Regional Development Australia Fund – External Applications
- An update on the Avalon Airport
- Economic Development Strategy update
- Barwon South West Regional Development Australia Update
- Barwon South West Regional Management Forum Update

#### **Meeting with Minister Powell**

The Mayor and CEO were invited to meet with the Minister for Local Government, Jeanette Powell MP, whilst she was in Warrnambool on 19 September 2011 to attend the first regional sitting of Cabinet in Warrnambool. The Mayor and CEO took the opportunity to raise the issue of local government agencies being given the role of acting as a collection agency for State Government (landfill levy) and a request for consideration to be given to a more equitable funding model for rural Councils. He also raised the issue of coal seam fracking as an undesirable practice given the importance of aquifer water in the south west agricultural production.

These messages were again reinforced during the luncheon with the Victorian Premier, Ted Baillieu MP, and Victorian Government Ministers held later that day.

#### **Storm Damage to Great Ocean Road and Apollo Bay Foreshore**

On behalf of the Colac Otway Shire Council, the CEO has written to Vic Roads, the Otway Coastal Committee and the Department of Sustainability and Environment (DSE) expressing concern at recent damage to the Apollo Bay foreshore and Great Ocean Road. The letters also requested information on what works will be done to repair the damage and to prevent further reoccurrence. Copies of these letters were also provided to our local State Government Member of Parliament, Minister Terry Mulder. Responses have been received back from all three authorities and the Colac Otway Shire has been invited by DSE to take part in a stakeholder meeting to discuss the erosion issues and to gain support for a study to investigate the recent damage.

#### **Deposit Scheme for Recycling Bottles**

A parliamentary enquiry is being held into the Deposit Scheme for Recycling Bottles proposal which is intended to provide a stronger incentive for the collection of used bottles and cans. The same scheme has been operating in South Australia for many years. Cr Stephen Hart was responsible for the remit to MAV's State Council meeting which recommended that the State re-examine this question.

## CORPORATE & COMMUNITY SERVICES

### Aged & Disability Services

#### **Change of Service Title**

The intended new title for Aged and Disability Services, **Older Persons & Ability Support Services**, demonstrates a respect for service users and people who will request our services in the future. This new title aims to reflect a positive and achievable outcome for people that use our services.

Our current service title of *Aged and Disability Services* has a negative connotation as it focuses on the need for the service not what the service can support people to achieve. The term *Aged Care* is generally associated with older people, unable to live at home any longer and now live in a residential care facility. The word *Disability* focuses on what a person is unable to do. The unit would rather think of our service as providing the *Ability Support* to assist people achieving what they would like to do. Sometimes individual and community attitudes create barriers that are solely linked to the disability and not to whom the person is; what they can achieve; and their expectations are to live as a community member. The Meeting Place is an example of how we try to achieve this outcome.

Over the past 5 years changes to our Home & Community Care (HACC) program have us now focussing on diversity and individuality. This has led to a strengthened assessment and shared-care planning process, underpinned by an Active Service Model (ASM) approach that we will soon deliver for people in our communities.

In the broad policy context set out in “*A Fairer Victoria (2005)*”, there is an emphasis on early intervention and prevention throughout services for older people and people with a disability by helping them to ‘*stay involved in everyday activities, to maintain or rebuild their confidence and stay active and healthy*’.

People receiving our services come with a huge variety of circumstances which can include recovery from a stroke, an acquired brain injury (ABI), short or long term mental health issues, an intellectual or physical disability, acute illness, frailty, and a nervous system disorder. Our service seeks to support rehabilitation, daily activities, health literacy, and social inclusion.

The new initiatives are based on the philosophy that “***the person is at the centre***”, supported by family/carer, with services and systems working in a coordinated and integrated way to support them.

### Maternal & Child Health

The service has returned to the average birth notification number of 21 this month after a high of 32 last month. The service still needs to carry out an increased number of Key Age and Stage Assessments and additional consultations as a result so the peak moves through different stages in the workload. The Maternal & Child Health team have been doing a lot of work in preparation for the development of our Service Improvement Plan for the Department of Education and Early Childhood Development (DEECD). We plan to put extra emphasis on the services provided to vulnerable and high risk families.

Over the last financial year we opened over 50 cases in our Enhanced Home Visiting Service and identified 116 families with particular needs requiring additional support.

Number of infants enrolled from birth notifications 21  
 First Time mothers 13

### Key Ages and Stages Consultations for the month of August 2011

Home visits	22	8mths	12
2wks	29	12mths	16
4wks	29	18mths	12
8wks	23	2yrs	16
4mths	17	3.5 yrs	12

Other activities included:

- 107 additional consultations
- 36 phone consults
- 9 opportunistic immunisations
- 34 referrals - up from 20 last month
- 49 counselling
- 3 new parents groups sessions in Colac
- Paediatric Occupational Therapist Consulting Session Queen St
- 33 families currently enrolled under Enhanced Home Visiting service (Vulnerable and at risk families)

Meetings attended by staff include:

- Southern KEYS network meeting – Apollo Bush Playgroup meeting,
- Enhanced Team meeting Shire of Greater Geelong,

### **Rural Access**

#### **Council is National Relay Service Friendly**

The National Relay Service (NRS) is a phone based solution for people who are deaf or have a hearing or speech impairment. It is an initiative of the Australian Government that allows people with these disabilities to contact Council and directly conduct business with a Council staff member of their choice, just like any community members without a disability.

Council does not require any additional equipment to handle calls through the NRS. This allows Council to cease its existing and costly TTY phone ('teletype' / tele-text phone) rental service, located at the Customer Service Office in Rae Street. Council's current TTY phone system only enables TTY users to converse with a customer service officer, and not necessarily directly with the staff they called.

Colac Otway Shire Council promotes the NRS on its website in the "Contact Us" section; letting NRS users know they can easily contact Council through this relay service.

In using this service, a 'relay officer' is the central link in the phone call, relaying what is said by both parties. NRS uses call the relay service and often type their conversation on a TTY phone and the typed words are read out to Council staff by the relay officer. The relay officer then types what the Council staff says, back to the NRS user. The relay officer stays on the line throughout each call to make sure it goes smoothly but does not interfere with



what is being said. The use of NRS relay officers is specifically recognised as being compliant with privacy legislation.

Over the next few months, Council's customer relations coordinator will ensure Council's customer service procedures make it easy, are helpful, and provide good service for NRS callers to do business with staff. Customer service staff will receive disability awareness training, and the resources they need to receive and make calls as well as promote and encourage people it may benefit to use the NRS.

Some older people in the community can be reluctant to admit to their hearing loss or the severity of their speech difficulties and feel increasingly uncomfortable about making phone calls or asking friends or family to make calls for them. A relay service can empower people to easily make calls independently.

The NRS is not only a service for deaf people, but also for those who otherwise have difficulty speaking on the phone, eg; people who have suffered a stroke or cerebral palsy. The relay officer, who is experienced in listening to people with speech impediments or synthetic speech programs, can re-speak all or part of what the customer says to the other person as needed. The presence of the relay officer on the line can also take the tension out of making a call to a customer.

There are many good business reasons to be Relay Service friendly. It ensures Council maintains good customer service relations and better meets the needs of customers who are deaf, or have a hearing or speech impairment; it prepares for the rapidly growing group of aging population customers, and meets obligations relating to disability access under the Disability Discrimination Act.

### **Family Day Care**

Council's newly appointed Family & Children's Services coordinator is settling into her role and has met all Family Day Care (FDC) Educators who provide Family Day Care on behalf of Colac Otway Shire.

Several of our FDC Educators have achieved milestones of years of service and Council will be holding an event on 29 September 2011 to congratulate them on these milestones including 2 FDC Educators achieving 10 years of service, 2 at 15 years and 1 achieving 25 years of service.

The Family & Children's Services coordinator attended the Family Day Care Victoria State Conference & Annual General Meeting (AGM) in Richmond earlier this month. Guest speakers from the early childhood sector as well as representatives from the Department of Education and Early Childhood Development and Department of Education, Employment and Workplace Relations attended the conference. Elections were held for the FDCV Executive Board. Council's Family & Children's Services coordinator will be retaining her position on the board as Western Rural Region representative for the next 12 months.

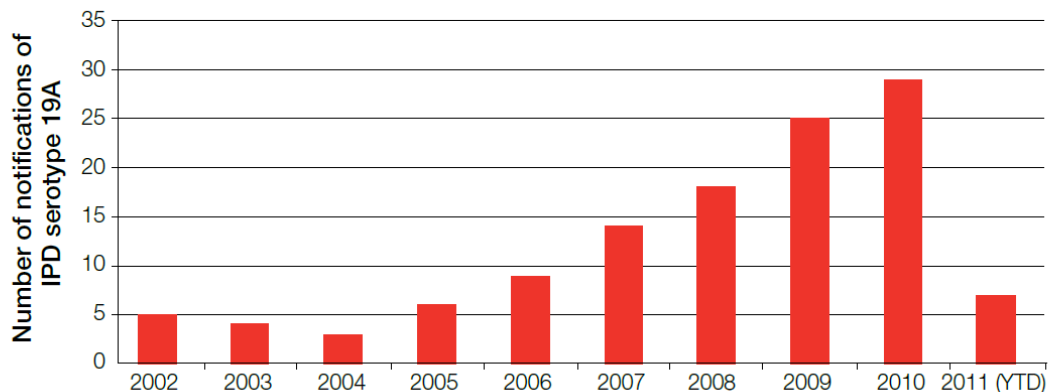
Professional development training has been arranged with Lady Gowrie to provide an Early Years Learning Framework workshop with the FDC Educators. This will be a foundation session and Council will be able to build onto this in the lead up to the implementation of the new National Quality Standards in January 2012.

## Environmental Health

### **Immunisation**

Prevenar vaccine for infant pneumococcal disease was replaced by the new vaccine Prevenar 13 which now protects against 13 different strains of the disease. Acceptance by the parents is very good and the introduction of the vaccine is in response to an 800 per cent increase in the disease between 2003 and 2010. The following graph highlights the increasing incidence of serotype 19A.

**Incidence of notified invasive pneumococcal disease serotype 19A in children aged 0-4 years in Victoria.**



### **Health Education – August 2011 Statistics**

- Of a total of 367 food premises, 30 Inspections were carried out in August 2011.
- 35 inspections of selling points for tobacco were also carried out to ensure legislative requirements are being met.
- 12 prescribed accommodation premises were inspected.
- 4 caravan parks were inspected.
- 18 septic tank inspections were carried out with 2 permits to install and 5 permits to use systems being issued.
- 2 food recalls were received.
- 5 complaints were investigated in relation to hygiene, food handling, registration and a foreign object.

### **Legal Action / Orders Current**

A bandaid was found in a wrap sandwich sold by a local food store. Investigation indicated that it probably originated from a jar of spices. A report for prosecution will be prepared and the case will most likely proceed to court.

### **Water Sampling**

Water samples were taken from Separation Creek, Wye River, and Skenes Creek and tested for indications of faecal contamination. Levels recorded were higher than those recommended for recreational waters and is probably due to faecal matter washing into the streams during recent heavy rains. The streams are usually tested once every 2 months during winter and at least once a month during the holiday season.

## **Community Services**

### **Food Bank**

Representatives from a range of local agencies, including Council, have been meeting over a number of months to discuss food insecurity. It has become very evident from these meetings that there is a large number of people within our area who are food insecure. This means they are unable to get food at certain times due to:

- a lack of money to purchase the food or to pay for transport to get to a food outlet
- are suffering severe ill- health or a mental health issue or
- have a dependency which means that they or their family may go without food.

The representatives are working towards establishing a food bank within Colac to support agencies that provide food vouchers and parcels to people in need of food. The group of representatives is actively seeking local and state wide funding to support the building of a food bank facility. Current estimates for this facility are around \$30,000. A site for this facility has been made available for this use.

### **Apollo Bay Kindergarten**

Meetings have been held by Apollo Bay early years providers, a council officer and the Department of Education and Early Childhood Development (DEECD) to investigate the opportunity for the local kindergarten to be relocated. The kindergarten is on Council land. The kindergarten committee has developed a survey that will be distributed to the Apollo Bay community to gauge their response to this possibility. Results from this survey and the proposed direction following this survey will be raised with Council in the future.

### **Universal Access Preparedness**

Council engaged Glastonbury Community Services to undertake a Capacity Assessment Report of all 12 kindergarten services within the Shire around their ability to achieve Universal Access by 2013 (providing 15 hours of kinder each week, instead of the current 10 hours). This information was submitted to DEECD at the end of August.

Council is currently working with Glastonbury to develop Action Plans, with 10 individual kindergartens, that document what they need to do to achieve Universal Access by 2013. This planning needs to be completed by the end of September 2011. Working in partnership with Glastonbury on these planning processes has been very constructive and informative.

## **RECREATION ARTS AND CULTURE**

### **Australia Day 2012**

An Australia Day sub-committee has been formed with members of the Beeac Progress Association and is currently working with Council to develop 2012 Australia Day Celebrations in Beeac. The event will be held under the trees in the Avenue of Honour in Wallace and Coulstone Streets. The Australia Day sub-committee is currently working on the programming of Australia Day 2012. This year the celebrations will feature the official ceremony, followed by a Devonshire Tea and Community BBQ, musical entertainment, children's activities and a local food and produce market. Other possible activities include dog jumping, whip cracking and a free to the community Australia Day Cake.

Nominations for this year's Australia Day Ambassador have been completed by the Australia Day Advisory Committee and forwarded to Australia Day Victoria. The Australia Day Awards program will open in the coming weeks and nomination forms will be distributed to local community groups and clubs and advertised in local media and on Council's website.

## **Events**

### **Amy's Gran Fondo – 18 September 2011**

3,000 bike riders challenged the Great Ocean Road and the Otways for the inaugural Amy's Gran Fondo. The race began in Lorne then wound its way along the Great Ocean Road to Skenes Creek, up to Forrest, across to Barwon Downs, Murroon, Deans Marsh and ended at Benwerrin. The Amy Gillett Foundation promotes a safe competitive mass participation event that provides a challenge for both recreational and competitive riders. The event promoted the Foundation's safe bicycling awareness messages for bike riders and motorists. It also raised funds to support the Foundation's safety programs. The intention of the Amy's Gran Fondo was to also raise the profile of the region as a tourism destination, through interstate and local promotion.

### **Colac Garden and Lifestyle Expo – 24 September 2011**

The Colac Garden and Lifestyle Expo was run by the Parents and Friends of St Mary's Primary School. The event has become a significant and valued event of this region and is highly regarded, attracting in excess of 75 exhibitors. The Expo attracted over 3,000 patrons who were entertained by guest speakers and demonstrators, presenting on various aspects of gardening and lifestyle.

### **Upcoming Events**

Events which will be held throughout the Colac Otway Shire in October 2011 include: The Hunt for the Golden Gumboot on the Old Beechy Rail Trail throughout October; The Hunt for the Golden Gumboot BBQ in Gellibrand – 30 October; Birregurra Weekend Festival – 7 to 9 October; Colac Orchid Show – 8 and 9 October; Creek Connections – 20 October; Warrion 101<sup>st</sup> Flower Show – 26 October and the Colac Otway Woodturners Exhibition – 29 and 30 October.

## **Recreation**

### **Old Beechy Rail Trail – The Hunt for the Golden Boot**

The Golden Gumboot event is an initiative of G21's Healthy Parks Health People program which is a joint pilot program of Parks Victoria, People and Parks Foundation and G21 – Geelong Regional Alliance. Geelong's Active in Parks program aims to connect our community to parks and open spaces as a way of enhancing their physical and mental health.

The Hunt for the Golden Gumboot is a family based event to be held during "Walktober". Each week from October 4 to 28, ten Golden Gumboots will be hidden along the Old Beechy Rail Trail between Barongarook and Watson & Facey's near Kawarren. Everyone who finds a Golden Gumboot wins an instant prize, and goes into the draw to win a major prize. To claim a prize, individuals must register to be part of the hunt – visit [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) or by contacting Council on 5232 9400. Walk, cycle, even take your dog on a leash and join the gold rush on the Old Beechy Rail Trail.

### **Old Beechy Rail Trail – Interpretive Signage Project**

The final 24 screen printed graphic panels will be delivered by the end of September and installed along the Old Beechy Rail Trail during October 2011. The new signs will enrich the experience of users of the trail by providing detailed historical, environmental and cultural information.

### **Elliminyt Playground Proposal**

Council is preparing to lodge an application for funding under the State Government's 2012/2013 Community Facility Funding Program (Minor Facilities) to install a new

playground in Elliminyt. The proposed location is the South Colac Recreation Reserve, between the tennis courts and football oval. The anticipated total project budget is \$150,000. It is expected that the project will include new playground equipment, landscaping, fencing and pathways.

A number of community meetings have been held providing local residents and interested community members with opportunities to provide input into the development of the proposal.

### **Public Open Space Strategy**

The exhibition period for the Draft Public Open Space Strategy has closed. A number of community meetings, interviews and targeted stakeholder meetings have been held. In addition, a number of written submissions have been received by Council. The Project Steering Committee will meet in early October to discuss the consultation feedback and submissions. It is anticipated that the Final Public Open Space Strategy will be presented to the Council's October 2011 meeting.

### **Tennis Court Upgrade Project**

In the lead up to the 2010 State Government election, five tennis clubs across the Shire received a commitment of \$175,000 to upgrade their tennis courts (Barwon Downs, Beeac, Cororooke, Forrest and Swan Marsh. Council is working with the five clubs to undertake further design work and develop cost estimates. It is anticipated that works will be undertaken immediately following the 2011/12 tennis season.

## **COPACC**

### **School holidays**

COPACC has a busy school holidays programme planned for September 2011 with two performances of "The Grimstones – Mortimer Revealed", a gothic marionette family show. COPACC is also hosting "The Grimstones Laboratory" for two days. Children will have the opportunity to enter a gothic world and learn to create puppets, write and test spells and stir the cauldron. The Laboratory was a hit at last year's Sydney Children's Festival.

COPACC is also hosting a workshop for children in connection with the Old Beechy Rail Trail Hunt for the Golden Gumboot promotion.

### **Business Events**

Business events revenue for August and September was strong. In August, COPACC hosted 89 events which attracted 6,484 people. Forecasts show COPACC is in line for a record month in October and a very busy November.

### **Exhibitions**

The photography exhibition "A Year in the Life of COPACC" was well received by the community and has now been replaced by "Missing Lives" – a moving photography exhibition about the International Red Cross Movement's Tracing Service. The exhibition tells the stories of 15 families whose loved ones remain unaccounted for following the wars in Serbia, Bosnia, and Croatia and the conflict in Kosovo. The Tracing Service works across international borders to help families separated by war, conflict or disaster to re-establish contact with lost loved ones, exchange family news and clarify the state of the missing.

### **Blue Water Fitness Centre**

Bluewater Fitness Centre has experienced a very consistent number of members over the past month with a current total of 962 members. Membership entry has been the highest

since February 2011. When combined with the increased casual visits this demonstrates great all round use of the Centre.

Gym sales have shown an increasing trend since the start of 2011. The Centre has achieved a yearly high of 473 for the month of August which is 30 more than the previous yearly high of 443.

The Learn to Swim program for Term 3 has increased to 245 enrolments which is a 14% increase in capacity when compared to 2010. The total number of enrolments has increased by 38 children and the program is now at 82% capacity. In Term 4, extra classes will be introduced to cater for the waiting list for the Minnow's squad.

Water Recreation Squads' strong performance has continued with the highest ever recorded visitation for a month, eclipsing the previous record from July 2011.

Two new companies have joined the Bluewater Fitness Centre corporate list – AKD Softwoods and CMTP Packaging. AKD provide an exciting opportunity as they employ over 300 staff and will actively promote the corporate entitlement across their organisation.

Occasional Care continues to grow within the Bluewater crèche due to word of mouth. As a result, crèche patronage has begun to even out over the five weekdays largely due to the increase in occasional care clients on Mondays and Tuesdays.

Contractors have been engaged to undertake a full assessment and service of all pool plant and equipment including providing relevant condition reports and recommendations for future improvements. This will also include an electrical engineers survey of the current electrical configuration of the plant room.

### **Youth Council**

Colac Otway Shire Youth Council held a successful road safety presentation for Colac Secondary College Year 11 students and other Colac district learner drivers on Wednesday 21 September 2011. Youth councillors invited Norm Robinson to present his powerful presentation "Face to Face with Road Trauma" to Colac district young people. The Robinson family's presentation is supported by TAC Victoria and draws on their personal experience with road trauma in the 60 minute presentation which aims to help positively influence driver behaviour. The event was held in the Colac Community Library and Learning Centre's Theatre.

## **INFRASTRUCTURE & SERVICES**

### **CAPITAL WORKS UNIT**

#### **Old Beechy Rail Trail**

The Cultural Heritage Management Plan (CHMP) that was required for the construction of the rail trail near Beech Forest has recently been resubmitted to Aboriginal Affairs Victoria (AAV).

Detailed survey and design review is continuing for the Beech Forest to Ferguson extension. Council Officers are working closely with stakeholders for the construction of the trail section from Colac Train Station through to Hearn Street. A request has been submitted to V/Line

regarding the construction of a short section of trail along the southern boundary of the Colac station land, and the plans have been sent to the Central Reserve Committee for comment to finalise the section proposed through the reserve to Hearn Street.

Quotation documentation is being prepared for the fencing of the section between Ditchley Park and Dinmont, with works expected to be awarded by the end of November 2011, and fencing completed by end of December 2011. Once the fencing has been completed, trail alignment plans can be finalised and construction of the trail can commence.

### **Rail Crossing Safety Interface Agreements**

Safety Interface Agreement (SIA) for the Geelong- Warrnambool line has been signed and returned to V/Line. Council has now signed the SIA's with both V/Line and Australian Rail Track Corporation (ARTC).

### **Apollo Bay Drainage Strategy**

Council's consultants have completed a hydraulic model of the existing drainage network for Apollo Bay. This has allowed for analysis of the impacts of various storm events.

Drainage improvement requirement options are currently being considered for detailed modelling, with community consultation proposed after the first draft of the report has been received.

### **Rae Street, Car Parking**

Alterations to on-street car parking along Rae Street, between Gellibrand Street and Corangamite Street have been completed.

## **SUSTAINABLE ASSETS UNIT**

### **Building Maintenance and Renewal**

<i>SP&amp;D Accommodation</i>	Tenders closed on 7 September 2011. The evaluation of tenders has been undertaken by Officers with the intention to award a contract to complete works.
<i>COPACC</i>	The fire safety audit report from Council's contractor Exova Warrington Fire was received on 13 September 2011. The report recommends changes to the number and location of smoke detectors in Auditorium 1 and to the sensitivity settings of all detectors. The full report also makes recommendations for changes to the fire detection systems in the remainder of COPACC. The report will be distributed to COPACC management and Council's Risk Services Officer for consideration. The specification for the replacement of the packaged air conditioning unit which services the COPACC foyer has been completed by Council's contractor. Following a review of the specification, tender documents will be prepared with a view to advertising the tender in early October 2011.
<i>Eastern Reserve Clubrooms</i>	A contractor has been engaged to repair the structural cracking in the brickwork at the clubrooms. Council will liaise with the netball association regarding the timing of works.

<i>Beech Forest Hall</i>	Works have recommenced at the hall with the asbestos lining boards having been removed from the kitchen/supper room and adjacent foyer. Council engaged a licensed asbestos remover to undertake the works. Air monitoring was conducted during the removal and a clearance certificate has been provided to enable kitchen refurbishment works to continue.
<i>Cororooke Hall</i>	All works at the hall have been completed. This included painting, refurbishment of the existing toilets, and provision of a disabled access ramp. This project was made possible through funding received from Regional and Local Community Infrastructure Program (RLCIP).
<i>Pennyroyal Hall</i>	The electrical upgrade at the hall has been completed to address safety issues.
<i>Colac Cricket Clubrooms</i>	Interior painting at the clubrooms is now complete. This project is part of Council's 2011/12 Building Renewal Programme.
<i>Barwon Downs Hall</i>	Interior painting of the hall has been finalised.
<i>Stonyford Hall</i>	Interior painting of the hall is underway. Additional works have been included for 2011/12 to compliment other recent refurbishment works to the kitchen and external areas.
<i>Apollo Bay Office</i>	Installation of security cameras is now complete.
<i>Essential Safety Measures</i>	Installation of Building Code Australia (BCA) compliant door hardware is ongoing and nearing completion.

### **Electric Line Clearance Audit**

Energy Safe Victoria (ESV) completed an audit of Council's compliance with the *Electricity Safety (Electric line Clearance) Regulations 2010*. The audit focused on two (2) key aspects of Council's management of the clearance of trees in the vicinity of overhead powerlines; the maintenance of vegetation clearance limits required under the Regulations; and the compliance of Council's Electric Line Clearance Management Plan with the relevant Code of Practice. The audit consisted of a desk top audit of Council's documents and systems, and a field inspection of the declared area which Council manages trees under overhead powerlines. Initial feedback from the ESV representative conducting the audit was that Council's management practices and clearance plan are largely compliant with the relevant regulations. Some suggestions for improvement have been made which officers have taken on board and are at present revising minor sections the Electric Line Clearance Management Plan for resubmission to ESV. A more detailed report of the audit findings will be provided to ESV which Council officers will be required to respond to.

### **COSWORKS**

**Old Beechy Rail Trail:** Signage has been installed at Beech Forest, Ditchley Park and Gellibrand Store. Maintenance on the section of trail between Maggios Road and Burnam Station has also been completed.

**Street Tree Clearance under Power lines Colac:** Works are 90% complete in Colac.



**Storm Damage:** There has been minor storm damage in the Coastal areas and the Otways.

**Road Regrading:** Road regrading has increased due to the improved weather conditions in all areas of the Shire.

**Road Pavement Minor Patching:** There has been an increased effort on minor patching on sealed roads in all areas.

**Gravel Road Re-sheeting:** Resheeting works have been undertaken on Monkton Estate Road, Bungador School Road, Salt Creek Lane, Airey Street, Benwerrin- Mt Sabine Road, Sunnyside Road, Gellibrand Carlisle Road, Stones Road, Shurvells Road, Yeodene Birregurra Road, Carsons Road, Hargeaves Track, Lucas Road, School Road, Football Road and Frys Road.

**Routine Drainage Works:** Routine drainage works have been completed in Wye River, Kennett River, Separation Creek, Elliminyt and Barwon Downs. Weed spraying on the Colac open drains (north side) has commenced.

**Bridge Maintenance:** Anti-slip treatment works were undertaken on pedestrian bridges on the "Hugh Murray Reserve" in Birregurra. The guardrail on Sunnyside Road has also been replaced.

**Major Drainage Works:** Major drainage works have been undertaken in Benwerrin-Mt Sabine Road, Sunnyside, Hickeys Cutting, Old Hordern Vale Road, Wild Dog Road, Binns Road and Old Coach Road.

**Guide Posts:** The installation of 650 guide posts at various locations around the Shire has been completed.

**Vegetation Control:** Vegetation control works were undertaken in Carlisle, Gellibrand and Lardeners Track.

**Footpath Maintenance:** Footpath maintenance works were undertaken in Birregurra, Lavers Hill, Gellibrand and Colac townships.

**Tree Maintenance:** Tree maintenance works were undertaken in Birregurra, Barwon Downs, Elliminyt, Eurack, Swan Marsh and Irrewillipe areas.

**Township Mowing:** Township mowing continues as per the maintenance program.

**Gardens:** General maintenance of all gardens has been undertaken during the previous month.

**Playground Maintenance:** Playground maintenance has been completed as per recommendations and inspections required under the playground audits.

**Western District Employment Access (WDEA):** Reserves clearing of vegetation, mulching and clean up of areas not previously undertaken by Council is continuing and is working very well. This team is making a significant impact on the amenity of areas there they have been working.

**Special Events:** Work was undertaken at Central and Western Reserves in preparation for Football finals.

**MAJOR CONTRACTS/WASTE UNIT****Barwon Regional Waste Management Group Board (BRWMG) Meeting 25 August 2011**

A presentation was made by General Manager Infrastructure & Services and the CEO on an alternative resource recovery treatment opportunity. It was highlighted in the presentation the need for the construction of an alternative resource recovery facility. The BRWMG is currently investigating criteria for the establishment of such a facility. Discussion was held on the future decision making process. It is recommended that a Reference Sub Committee be formed which will work with an Advisory Team and a Working Group to allow in depth research and analysis of proposals prior to making recommendations.

The other key issues discussed at the Board Meeting were:

1. Barwon Regional Household Audit Tender – acceptance of regional tender;
2. SKM Recycling Regional Tender – endorsement of Terms of Reference to Contract Performance Monitoring and Marketing and Community Education Program;
3. Household Asbestos Program – The Board is in favour of this program to be delivered under the banner of EPA in order to mitigate the risk liability issues associated with member Councils;
4. Update on status of Sustainability Victoria (SV) review was presented and a discussion held on a submission by BRWMG on the matter; and
5. BRWMG Business Plan Status Report 2011/12.

It has been recommended that the BRWMG Board meeting be held on a two (2) monthly basis in the near future to deal with some of the priority items.

**Tenders**

Tenders opened since the last reporting period:

1117 – Office Redevelopment – Sustainable Planning & Development

Major Quotations opened:

Q2011/038 Cressy Bowling Club BBQ Area Construction (Quote)

Tenders awarded since the last reporting period are:

1111 – Marengo Landfill Rehabilitation & Associated Works – to Deja Eight Pty Ltd

Tenders advertised since the last reporting period are:

1116 – Bituminous Sealing Works, closing 5 October 2011

1118 – J Barrys Road Bridge Design & Construct, closing 5 October 2011

1123 – Linemarking Services, closing 5 October 2011

**Subdivision Works**

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

<b>Subdivision</b>	<b>Status</b>
Apollo Bay Industrial Estate Stage 1 9 lots	A certificate of compliance has been issued and outstanding works guaranteed with a security bond. The developer is continuing to complete all works for stage 1 and improvement with weather conditions will expedite that process.
Wyuna Estate Footpath Construction	Recent design issues have delayed completion of the final stages of footpath construction in Scanlan Drive, Banksia Drive and Rose Drive. The developer's consultant is expected to arrange for completion of works within the next couple of weeks.

38-46 Cawood Street Subdivision 20 lots & reserve	Commencement of work on this subdivision has been delayed due to poor weather conditions. It is expected that the developer will start later in 2011.
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### **Colac Youth Club Refurbishment**

Work on the Colac Youth Club refurbishment is now due for completion in November, 2011. Unforeseen poor subgrade conditions have caused delays of between two and three weeks after existing floors were removed and excavation for concrete slabs started.

Over the past month construction of internal works has continued with timber flooring to the main hall installed and external painting done.

## **SUSTAINABLE PLANNING & DEVELOPMENT**

### **New State Bushfire Prone Area Map (and Regulations)**

The Building Amendment (Bushfire Construction) Regulations 2011 came into effect on 8 September 2011 and replace interim regulations which were put in place following the February 2009 bushfires. Following the Black Saturday bushfires the whole of Victoria was declared a bushfire prone area. Under the new Regulations, the Minister for Planning has designated bushfire prone areas across the State for the purposes of the building control system. This means that only those landowners or developers seeking to build new homes in designated bushfire prone areas will need to undertake a Bushfire Attack Level (BAL) assessment to determine the specific construction requirements for their homes.

A minimum construction requirement is now required to be applied in bushfire prone areas. Under the new Regulations all new homes in bushfire prone areas are required to be built to a minimum BAL 12.5 providing some level of ember protection as recommended by the Victoria Bushfire Royal Commission. Ember attack is the predominant bushfire attack mechanism and most houses that are burnt in a bushfire are burnt because of ember attack. The new requirements retain the integration of the planning and building system introduced in March 2010 by continuing the requirement for building surveyors to accept a BAL assessment obtained in the planning system.

The Government is intending to introduce new planning provisions relating to bushfire hazard over the coming months, which will result in changes to the mapping of the Wildfire Management Overlay in the Planning Scheme (WMO), and replacement of the WMO with a Bushfire Management Overlay (BMO). These changes have not yet been announced.

Given the reduction in area of mapped bushfire hazard, there should be less onerous requirements for some people, although it is noted that much of the Colac Otway Shire is included in the new mapping, meaning there will be little change in this Shire.

### **State Government Bushfire Planning Grant**

Officers will be working with the State Government over the coming months to develop a scope of work to be undertaken to spend the \$120,000 grant received in June. These funds are for the purpose of developing local planning policy to address bushfire risk in the Shire. Colac Otway Shire was one of ten councils to be offered the funding. Scoping of the work is on hold awaiting an announcement of the State Government's new bushfire planning provisions.

**Rural Living Strategy**

Submissions received to the draft Rural Living Strategy are currently being considered. A revised Strategy, that addresses issues raised in submissions, is being prepared for consideration at a Council meeting late in 2011.

**Birregurra Neighbourhood Character Study and Structure Plan**

The first round of community consultation for the Birregurra Neighbourhood Character Study was concluded late in August after a drop-in information session held on 20 August 2011 in front of the Birregurra General Store. The purpose of the consultation was to introduce the project to the Birregurra Community and gain an understanding of what elements of town character are considered important to the community. Further consultation on the project is planned for later in 2011 once the 'Issues Analysis' paper has been completed.

The Structure Plan has been placed on-hold whilst the Neighbourhood Character Study is prepared, and will be further revised in 2012 following completion of that project and to incorporate the outcomes of other projects such as the Open Space Strategy and Birregurra Community Infrastructure Project.

**Apollo Bay Settlement Boundary and Urban Design Review**

The draft report is currently on public exhibition. The consultation period is for six weeks, finishing on Friday 7 October 2011. Written submissions should be received by that date. A 'drop in' community consultation session was successfully held on Saturday 10 September 2011 from 9.30 to 12.30pm at the Apollo Bay Community Market. This followed an extensive mail out of the community bulletin including a feedback form to all owners and occupiers of land in the township areas of Apollo Bay and Marengo.

**Colac Lions Park**

The Colac Lions Park Redevelopment is progressing well with a key element in the project being a tree planting day. Sustainable Planning & Development staff planted various grasses, lilies and sedges in the Colac Lions Park around the new shelter area and toilet block, around the Scout Hall and along the Barongarook Creek. This allowed for the project to be ready for the next stage, that being the new pathway.

**Colac Marketing Strategy**

The draft report including branding has been developed by consultant group Warne Marketing. There will be market testing of the branding concepts before recommendations are made to Council in November.

**Small Town Improvement Program (STIP)**

Projects under the 2011/12 STIP are now underway. The coming year's program will include projects in Cressy, Beeac, Birregurra, Wye River, Gellibrand, Forrest, Beech Forest, Barwon Downs and Carlisle River, as well as the development of a Community Infrastructure Plan, for the newly formed Red Rock Progress Association.

**Visitor Centres**

Both Visitor Centres are preparing for the upcoming September school holidays, which are traditionally a busy period for the region. This preparation includes familiarisation tours of the region's attractions and tourism businesses, which ensures that staff and volunteers have an up to date knowledge to pass onto visitors.

**Regional Tourism Restructure**

Tourism Victoria has convened a meeting on 29 September 2011 for regional CEOs to discuss the restructure of the Great Ocean Road Tourism Region. This will be an opportunity to express Council's concerns over the structure, and the financing of the new Regional Tourism Board into the future.

**Municipal Emergency Planning**

Council has been working with key stakeholder agencies on a number of emergency management plans that are now nearing completion. It is expected that the updated Municipal Emergency Management Plan and the new Municipal Relief and Recovery and Municipal Fire Management Plans will be submitted to Council for endorsement in December 2011. These plans are critical to Council working effectively with other key agencies and the community before, during and after an emergency to try to minimise the impact of the event and to help us recover as quickly as possible.

**Neighbourhood Safer Places – Places of Last Resort**

Council is continuing to work hard with partner agencies to establish Neighbourhood Safer Places – Places Of Last Resort in suitable locations around the municipality. Works are continuing on potential sites in Forrest, Barwon Downs and Carlisle along with sites at Gellibrand and Apollo Bay. Council has also referred sites at Birregurra and Beeac to CFA for assessment. Council is hopeful that a number of the sites will be established as Neighbourhood Safer Places – Places of Last Resort by the end of 2011. However a number of the sites will require substantial vegetation removal prior to establishment and there are a number of steps that need to be taken before this work can be done, including engagement of the local community.

**Preparation for the Fire Danger Period**

Council is preparing for the coming Fire Danger Period that starts on 1 November 2011. After this date a permit is required to burn off vegetation. As a result Council is working closely with the CFA to ensure brigades are issued permits in a timely fashion to enable the burns to be carried out as soon as possible. Council will send all property owners a reminder letter prior to the start of the Fire Danger Period that explains the responsibilities for fire prevention on their property. As done in previous years Council will then undertake inspections to ensure people are maintaining the properties to a suitable standard.

**Animal Registrations**

In accordance with the requirements of the Domestic Animals Act (1994) all dogs and cats residing within the municipality are required to be registered with Council by 10 April 2011 each year. Registering a dog or cat greatly improves their chances of being returned to the owner if they become lost. Registration fees also allow council to provide a whole range of other important services such as responding to calls relating to wandering dogs and dog attacks, including the removal of aggressive dogs from the streets, so that pet owners can walk in safety with their pet. A proportion of registration fees goes to the Department of Primary Industries/ Bureau of Animal Welfare for education programs in primary schools and many pre schools throughout Victoria. A large proportion of the fees funds the operation of a code compliant Pound Facility. At the present time there are approximately 420 dog/cat 2009/2011 registrations that have not been renewed for the 2011/2012 registration period. A number of these cases may be explained by deceased animals or the fact that the animal has left the municipality. However a number have failed to re-register their pet for no legitimate reason five months after the due date. Local Laws Officers are now following up on these non-renewals and if a legitimate explanation cannot be provided an Infringement Notice will be issued to the owner for failing to register their animal.

**Solar Hot Water System Project**

As part of Round 3 of the Federal Government stimulus funding to local councils, Council received funding to install environmentally friendly water heating options for sporting and community facilities. The Solar and Heat Pumps for Community Facilities Project will see several of our sporting fields and recreation reserves upgraded to solar hot water service units with instantaneous gas or electric boosts to reduce electricity consumption and greenhouse emissions associated with these facilities, reduce operational costs, and

promote the use of green technologies to the community while also demonstrating Council's commitment to resource conservation and energy efficiency. Some of the facilities under consideration are Central Reserve, Lake Oval, South Colac Football Ground, Eastern Reserve and Memorial Square. The federal funding allows Council to upgrade the hot water systems at these facilities to ensure that the most sustainable and environmentally sound solution is found in each case. Tender documents are currently being compiled to carry out the works that are expected to be completed by the end of 2011.

### **Environmental Activities**

In early September Council Officers took 54 grade 5 students from South West primary school to Forrest's West Barwon Dam to learn about our waterways and the environment. The students all did a project on an endangered species which they proudly presented to Council Officers a few weeks later. On 7 September 2011 Council worked in partnership with Greening Australia and Corangamite CMA to promote National Threatened Species Day. A series of educational workshops as well as indigenous grassland planting was conducted at Red Rock for pupils of Colac Specialist School, St Brendan's Primary School and Alvie Consolidated School. Council has been working closely with the Colac Specialist School doing environmental projects around the school and also at the Lake Colac Bird Reserve. These activities help educate kids about the importance of the environment but they also help them realise that they can play an active role in protecting the environment in their local area. Council's Sustainable Planning and Development department also conducted a corporate planting day in September with approximately 25 staff members planting over 2,000 grasses, lilies and sedges to build on revegetation works along Barongarook Creek.

### **Attachments**

Nil

### **Recommendation(s)**

***That Council notes the CEO's Progress Report to Council.***

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**OM112809-2****LOCAL LAWS REVIEW STEERING COMMITTEE**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | GEN00159  |

**Purpose**

To seek a Councillor representative on the Colac Otway Shire Council Local Laws Review Steering Committee which has been established for the review of Local Laws 1, 2 and 3.

**Declaration of Interests**

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

**Background**

The objective of a Local Law review is to ensure that Local Laws remain relevant to the general expectations of the community so that Local Laws will:

- Provide for the peace, order and good governance of the municipal district
- Promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community
- Prevent and suppress the nuisances, which may adversely affect the enjoyment of life, or the health, safety and welfare of persons within the municipal district.

At present the Colac Otway Shire has five Local Laws, being:

- *Local Law Number 1 – 2005 – Consumption of Liquor in a Public Place*
- *Local Law Number 2 – 2005 – General Local Law*
- *Local Law Number 3 – 2007 – Livestock Local Law*
- *Local Law Number 4 – 2009 – Council Meeting Procedures & Common Seal*
- *Local Law Number 5 – 2005 – Colac Livestock Selling Centre.*

A steering group comprising of the General Manager Sustainable Planning & Development, Manager Environment & Community Safety, Manager Capital Works and the Local Laws Coordinator has been established for the review of Local Laws 1, 2 and 3 which are currently administered by the Local Laws Team.

Councillors were briefed on the proposed Local Laws Review process at the Councillor Workshop held on 14 September 2011. At this workshop, Councillors agreed that a Councillor be nominated as the Councillor representative on the Local Laws Review Steering Committee.

**Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Issues / Options**

Local Laws have a working life of 10 years at which time they must be reviewed before the expiration date. Although the Local Laws proposed for review still have a working life of between four to six years it is considered to be appropriate to review these laws now to ensure they are relevant and meeting community expectations and to give consideration to whether any additional laws are required.

**Proposal**

To ensure that Councillors are represented on the Local Laws Review Steering Committee, it is proposed that a Councillor be appointed to this committee.

**Financial and Other Resource Implications**

The human resourcing required for the management of this project will be serviced by current staff. It is expected the financial impact on Council associated with acquiring legal advice will also be able to be catered for within existing operational budgets

**Risk Management & Compliance Issues**

The review of the Local Laws will be undertaken in line with the requirements of the *Local Government Act 1989*.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

As the membership of this steering group is limited to Council officers and Councillors, there will be no requirement to engage with the community with respect to this matter. However there will be opportunity for community engagement during the Local Laws Review process.

**Implementation**

If Council adopts the proposed recommendation, a Councillor will be appointed to the Local Laws Review Steering Committee and invited to participate in the review process.

**Conclusion**

The development, review and implementation of Local Laws are extremely important functions of Local Government. It is therefore considered appropriate that a Councillor is represented on Council's Local Laws Review Steering Committee which has been established to review Council's Local Laws 1, 2 and 3.

**Attachments**

Nil

**Recommendation(s)**

***That Council appoints Cr ..... to the Colac Otway Shire Council Local Laws Review Steering Committee for the review of Local Laws 1, 2 and 3.***

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**OM112809-3****MEN'S SHED FORREST**

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

**Purpose**

To seek Council's approval to enter into an agreement with a Men's Shed organisation to use Council land in Forrest, initially on a short term basis, to operate a Men's Shed.

**Declaration of Interests**

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

**Background**

Men's Sheds have become a popular means of connecting men within a community around pursuits such as woodwork, mechanics or similar manual skills activities.

In particular, Men's Sheds provide men in the older retiree cohort with support through these facilities. The basis of their operation is men gathering around common handyman interests but there is an underlying function of creating informal support and friendships which is a more beneficial product of the operation of Men's Sheds.

A successful Men's Shed is already in operation on Skills Connect managed land in Pound Road, Colac. Many others exist in communities around Australia.

The Mayor, CEO and the General Manager Infrastructure and Services received an application from a group in Forrest to use the Council works depot in the town for this purpose.

An initial meeting with the group saw approximately thirty local men in attendance.

The group is seeking the temporary use of Council sheds at the depot to establish the group more formally. They would then apply for grants from the Department of Planning and Community Development to build a facility of their own. The proposal is eventually to use the rear half of the property to establish this new facility.

**Council Plan / Other Strategies / Policy****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.

**Issues / Options**

The depot at Forrest is used only intermittently for storage of materials and garaging of a truck overnight.

While we do not want to give up use of the site altogether and will need to store materials and plant in the future, it is possible to have an effective depot and share the space with local users.

There have been a number of requests for land on which to place facilities in recent months from members of Forrest community groups. Among these has been a space to locate a small building to house heritage items and a request for the Tiger Trail Group to locate equipment.

The depot site does present challenges for non-works related activities due to possible site contamination with petro-chemicals. For that reason, it is not appropriate for many uses. A Men's Shed is consistent with the existing usage.

Council can either accommodate this request for use of part of the site on a temporary basis with a view to a possible long term lease on part of the site or refuse this request and seek an alternative solution. To date, no suitable alternative sites have been located.

### **Proposal**

After some negotiation, an arrangement which it appears would be satisfactory, is as follows:

- In the short-term, fence off the rear portion of the land from two existing Council sheds on the section of the land abutting Blundy Street (front portion).
- Enter into a short term agreement for use of this "front" portion for the use of the Men's Shed group for a one year term with a right of renewal for a further 12 months on a \$1 per year basis.
- Utilise access off Grant Street to the "rear" section of the land to garage the Council truck overnight in the remaining shed located there.
- Support the Men's Shed in applying for funding for a shed on the rear of the land.
- Enter into a long term lease agreement with the Men's Shed group to house their permanent facility once grants have been secured and permit conditions are met.

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

The only financial implications are the erection of the fence between the two areas and the legal process in drawing up a lease for a permanent site if needed. The initial arrangements can be achieved either by way of a temporary licence to occupy or an exchange of letters.

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

The Men's Shed organisation nationally has insurance cover for its members. The Forrest group is registered with this national body. The site contamination is an issue for some uses but would not be a concern for this use.

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

Not applicable.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

At this stage there is no need to do anything other than inform. If in the future the longer term lease that is proposed here was to be approved, it would require public notification if it exceeded a term of 10 years.

The method selected would be inform.

### **Implementation**

The Council, if it approves of this proposal, needs to enter into a temporary licence to occupy with the Forrest Men's Shed group.

**Conclusion**

The use of the depot site as outlined in this report for temporary use of the section of the depot fronting Blundy Street is an appropriate use for this community group.

**Attachments**

Nil

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

- 1. Approves of the use of the section of the Forrest depot fronting Blundy Street and the two sheds located there for use by the Forrest Men's Shed group for a period of one year with a right to extend that use for a further one year on the basis that grant applications for a permanent facility are progressing.***
- 2. Enters into a licence to occupy on this basis.***
- 3. Assists the Forrest Men's Shed group in pursuing grant funding for a permanent facility.***

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

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | D | W |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM112809-4      RENAMING OF PART OF EGAN ST,<br/>COLAC</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. Resolves that the northern section of Egan Street, Colac, located between Pound Road and Hearn Street Colac be renamed "North Egan Street" in accordance with the provisions of section 206 and clause 5 of schedule 10 of the Local Government Act 1989.</i></b></li> <li><b><i>2. Publishes the Council's resolution in the Victorian Government Gazette.</i></b></li> <li><b><i>3. Advises the owners of properties abutting the section to be named North Egan Street of Council's resolution.</i></b></li> </ol> |   |   |
| <p><b><u>OM112809-5      REVIEW OF PROCUREMENT POLICY</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council adopts the Revised Procurement Policy No. 3.2.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |   |

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| <p><b><u>OM112809-6</u></b>      <b><u>S86 COMMITTEE OF COUNCIL RE-ELECTION - BIRREGURRA PUBLIC HALL</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>1. <b><i>Pursuant to Section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Birregurra Public Hall Committee of Management until 28 September 2014:</i></b><br/><br/><b><i>Gary McCormack, Ian McDonald, Sue Bateson, Margaret McDonald, Bryan Sanders, Brian Lawrence, Greg McKay, Jane Dennis, Belinda Stewart</i></b></li> <li>2. <b><i>In accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.</i></b></li> <li>3. <b><i>Advises the Committee that a copy of minutes of 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><u>OM112809-7</u></b>      <b><u>LEASE RENEWAL - WYE RIVER FIRE STATION 30 MCLELLAN CRT, WYE RIVER</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>1. <b><i>Commences the statutory procedure pursuant to the provisions of section 190 of the Local Government Act 1989 to enter into a lease with the Country Fire Authority for them to continue to occupy the Council owned land at 20 McLellan Street, Wye River.</i></b></li> <li>2. <b><i>Agrees with the terms and conditions of the proposed lease. A term of 10 years with two five year options at a rental of \$1 per year.</i></b></li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |

|                                                                                                                                                                                                |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p>3. <b><i>Determines that any submissions to the proposed lease be considered at the Council meeting to be held on 23 November 2011 following a 6 week period submission period.</i></b></p> |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

**Recommendation**

***That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.***

**MOVED** .....

**SECONDED** .....





**OM112809-4****RENAMING OF PART OF EGAN ST, COLAC**

|             |                                |           |                               |
|-------------|--------------------------------|-----------|-------------------------------|
| AUTHOR:     | Paul Carmichael                | ENDORSED: | Colin Hayman                  |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN00617<br>Property/Renaming |

**Purpose**

The purpose of the report is for Council to consider the renaming of the northern section of Egan Street, Colac located between Pound Road and Hearn Street, Colac.

**Declaration of Interests**

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

**Background**

A two lot plan of subdivision was received for the property at 167 Forest Street, Colac. The resulting new lot would have a frontage to Egan Street (which runs parallel to Forest Street). The section of Egan Street concerned is the unmade section of road located between Pound Road and Hearn Street.

All nine properties addressed to Egan Street are in the southern section of this street (extending from Pound Road to Airey Street) Rural Road number (RRN) addresses commence at Pound Road and ascend towards Airey Street. As a result, new lots created in the northern section of the street are unable to be numbered.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

**Physical Infrastructure and Assets**

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

The renaming will seek to provide a framework for addressing new lots likely to be created in the northern section of Egan Street.

**Issues / Options**

Options considered were:-

- (a) Renumbering all of Egan Street requiring all currently addressed properties to be readdressed.
- (b) Renaming the northern section of Egan Street to differentiate it from the southern section and allocate RRN addresses for the renamed section only.

It was decided option (b) above was the preferred option and the name to be allocated to this section of Egan Street be "North Egan Street".

The proposed name:

- will provide the necessary differentiation with Egan Street;
- will meet naming protocols required by Council's database system; and

- is not likely to be a contentious name.

**Proposal**

Council on 29th June 2011 resolved to commence statutory procedures to rename the northern section of Egan Street.

The proposal was advertised in the Colac Herald on 13 July 2011 and submissions from interested people were invited to be lodged by 31 August 2011, in accordance with Council's Community Engagement Policy.

Letters advising of the proposal were also sent to owners of properties abutting Egan Street.

No submissions were received.

**Financial and Other Resource Implications**

Council will be required to pay for the erection of new street nameplates at either end of the newly named "North Egan Street". The estimated cost of this is \$300.

**Risk Management & Compliance Issues**

Not applicable.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy followed the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected was to inform and include written communication to abutting owners together with advertising.

**Implementation**

The statutory procedure thus far has been implemented in accordance with the provisions of the Local Government Act and Council's Community Engagement policy. Council now needs to make a final resolution to conclude the matter.

**Conclusion**

As there have been no submissions lodged in regard to the proposal, it is recommended that Council resolve that the section of Egan Street, Colac located between Pound Road and Hearn Street, be renamed as "North Egan Street"

**Attachments**

Nil

**Recommendation(s)**

***That Council:***

- 1. Resolves that the northern section of Egan Street, Colac, located between Pound Road and Hearn Street Colac be renamed "North Egan Street" in accordance with the provisions of section 206 and clause 5 of schedule 10 of the Local Government Act 1989.***
- 2. Publishes the Council's resolution in the Victorian Government Gazette.***
- 3. Advises the owners of properties abutting the section to be named North Egan Street of Council's resolution.***

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**OM112809-5****REVIEW OF PROCUREMENT POLICY**

|             |                                |           |                   |
|-------------|--------------------------------|-----------|-------------------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small         |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN01688 Policies |

**Purpose**

The purpose of this report is to present for Council's consideration a revised Procurement Policy for adoption.

**Declaration of Interests**

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

**Background**

Section 186A of the *Local Government Act 1989* (the Act) provides the details on "Procurement Policy".

**186A Procurement Policy**

- (1) *A Council must prepare and approve a procurement policy.*
- (2) *A Council must within 12 months after the commencement of section 67 of the Local Government Amendment (Councillor Conduct and Other Matters) Act 2008 prepare and approve a procurement policy.*
- (3) *A procurement policy must include any matters, practices or procedures which are prescribed for the purposes of this section.*
- (4) *A Council must have regard to guidelines made under subsection (5) in preparing a procurement policy.*
- (5) *The Minister may make guidelines with respect to the form or content of a procurement policy.*
- (6) *Guidelines made under subsection (5) must be published in the Government Gazette.*
- (7) *At least once in each financial year a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.*
- (8) *A copy of the current procurement policy must be available for inspection by the public –*
  - (a) *at the Council office; and*
  - (b) *on the Council's internet website*
- (9) *A Council must comply with its procurement policy.*

- (10) *In this section procurement policy means the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council.*

### **Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The review of the Procurement Policy is also consistent with the key action “Review of Council’s Policies”.

### **Issues / Options Review of Policy**

#### Municipal Association of Victoria (MAV)

The review of the policy has taken into consideration relevant points from the updated MAV Model Procurement Policy.

#### Review of Other Councils

A review was undertaken of procurement policies of other Councils. A number have a similar policy to Colac Otway where they have used the MAV model policy as the basis for the development of their policy.

#### Changes Made

The revised policy has had a number of additions and alterations made to it.

The changes include:

- Additional paragraph under Background 1.1
- Additional definitions under Section 1.5
  - Expression of Interest (EOI)
  - Procurement
  - Request for Proposal
- Revised wording for section 2.1.4 – Conflict of Interest
- Additional wording under Standards section 2.2.2
- Additional wording under section 3.3.2 – Delegations
- Additional wording under section 3.6.1 – Risk Management General
- Additional section 3.11 on e-tendering
- Additional wording under section 4.1 – Integration with Council Strategy
- Revised wording for section 4.6.1. – Support of Local business
- Additional list of references under section 8

A number of parts have also been deleted where they are not seen as necessary in the Council policy.

The policy has also been reformatted.

### **Proposal**

That Council adopt the revised Procurement Policy.

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

Council spends millions of dollars in the procurement of goods and services each year and the significant procurement activity supports the delivery of services in the Council Plan.

The Procurement needs to be undertaken in a manner that ensures value for money and accountability to the community for the expenditure of public monies.

The purpose of the policy is to:

- Provide guidance to Council to allow consistency and control over procurement activities;
- Demonstrate accountability to ratepayers;
- Provide guidance on ethical behaviour in public sector purchasing;
- Demonstrate the application of elements of best practice in purchasing; and
- Increase the probability of obtaining the right outcome when purchasing goods and services.

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

The Background in this report provides details of section 186A of the *Local Government Act 1989* related to procurement.

#### Clause 3.6 of the Policy – Risk Management

##### ***Risk Management***

###### **General**

*Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.*

*Risk Management will be carried out in accordance with the stated requirements in the Risk Management Policy and the Guidelines for Occupational Health and Safety Management of Contractors and any Federal or State regulatory requirements.*

###### **Supply by Contract**

*The provision of goods, services and works by contract potentially exposes the Council to risk.*

*The Council will minimise its risk exposure by measures such as:*

- *standardising contracts to include current, relevant clauses;*
- *requiring security deposits where appropriate;*
- *referring specifications to relevant experts;*
- *requiring contractual agreement before allowing the commencement of work;*
- *use of or reference to relevant Australian Standards (or equivalent); and*
- *effectively managing the contract including monitoring and enforcing performance.*

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

Section 4.4 – “Sustainability” of the policy provides details on the approach to environmental issues.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected in the review of the policy has been to consult. The policy was considered by the Procurement Steering Committee and reviewed by the Executive.

This is an internal policy and does not require community engagement which is consistent with the current Procurement Policy.

**Implementation**

It is proposed that should this policy be adopted then the policy would be updated in Council's register and on the Council's website.

**Conclusion**

The Procurement Policy has been reviewed in accordance with the *Local Government Act 1989*.

**Attachments**

1. Revised Procurement Policy

**Recommendation(s)**

***That Council adopts the Revised Procurement Policy No. 3.2.***

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# PROCUREMENT POLICY

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**Policy No: 3.2**

**Date Adopted: 23 June 2010**

**File No: GEN01688**

**Revised: 28 September 2011**

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## 1 PRINCIPLES

### 1.1 Background

In November 2008, amendments to the Local Government Act were passed which included a new section, s186A that requires a council to “prepare and approve a procurement policy. A procurement policy must include any prescribed matter and a council must have regard to Ministerial Guidelines made under this section when preparing its policy. A Council must review its procurement policy annually and make it available for public inspection.”

Colac Otway Shire Council:

- Recognises that:
  - Developing a procurement strategy and adopting appropriate best practice tendering and procurement principles, policies, processes and procedures for all goods, services and works by Council, which will enhance achievement of council objectives..
  - The elements of best practice applicable to local government procurement incorporate:
    - broad principles covering ethics, value for money, responsibilities and accountabilities;
    - guidelines giving effect to those principles;
    - a system of delegations (i.e. the authorisation of officers to approve a range of functions in the procurement process);
    - procurement processes, with appropriate procedures covering minor simple procurement to high value complex procurement; and
    - a professional approach.
- Requires that Council's tendering, purchasing and contract management activities:
  - support the Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
  - span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
  - achieve value for money and quality in the acquisition of goods, services and works by the Council;
  - can demonstrate that public money has been well spent;
  - are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;

- seek continual improvement including embracing innovative and technological initiatives such as electronic tendering processes to reduce activity cost; and
- generate and support business in the local community.

## 1.2 Scope

This Procurement Policy is made under Section 186A of the *Local Government Act 1989*.

This section of the Act requires the Council to prepare, approve and comply with a procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

This policy applies to all tendering and procurement activities at Council and is binding upon Councillors, Council Officers and temporary employees, contractors and consultants while engaged by the Council.

## 1.3 Purpose

The purpose of this Policy is to:

- provide guidance to Council to allow consistency and control over procurement activities;
- demonstrate accountability to rate payers;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and
- increase the probability of obtaining the right outcome when purchasing goods and services.

## 1.4 Treatment of GST

All monetary values stated in this policy include GST, except where specifically stated otherwise.

1.5 Definitions and Abbreviations

| Term                              | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Act                               | <i>Local Government Act 1989</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Commercial in Confidence          | Information that, if released, may prejudice the business dealings of a party eg prices, discounts, rebates, profits, methodologies and process information, etc.                                                                                                                                                                                                                                                                                                                  |
| Contract Management               | The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.                                                                                                                                                                                                      |
| Council Staff                     | Includes full time and part-time council officers, and temporary employees, contractors and consultants while engaged by the Council.                                                                                                                                                                                                                                                                                                                                              |
| Expression of Interest (EOI)      | An invitation for persons to submit an EOI for the provision of the Goods and/or Services generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract.                                                                                                                                                                                                                                                              |
| Probity                           | Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the outset.<br>These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably. |
| Procurement                       | Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.                                                                                                                                                                                                                       |
| Request for Proposal              | A request for proposal is generally sent to the supplier market, designed to capture commercial information and pricing. Allows Council to assess suitability and evaluate responses against a set of pre defined requirements.                                                                                                                                                                                                                                                    |
| Standing Offer Arrangements (SOA) | A contract that sets out rates for goods and services which are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.                                                                                                                                                                                                                                                        |
| Sustainability                    | Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.                                                                                                                                                                                                                                                                                                                                                          |
| Tender Process                    | The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.                                                                                                                                                                                                                                                                                                   |

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Value for Money | <p>Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:</p> <ul style="list-style-type: none"> <li>• contribution to the advancement of the Council's priorities;</li> <li>• non-cost factors such as fitness for purpose, quality, service and support; and</li> <li>• cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.</li> </ul> |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 2 EFFECTIVE LEGISLATIVE AND POLICY COMPLIANCE AND CONTROL

### 2.1 Ethics and Probity

#### 2.1.1 Requirement

The Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible scrutiny.

#### 2.1.2 Conduct of Councillors and Council Staff

##### 2.1.2.1 General

Councillors and Council Staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence such as Tender prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest.
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

Council Staff who are responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.

### **2.1.2.2 Members of Professional Bodies**

Councillors and Council Staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

### **2.1.3 Tender Processes**

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

### **2.1.4 Conflict of Interest**

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff involved in the procurement process, in particular preparing tender documentation, including writing tender specifications, tender opening, and tender evaluation panels, must:

- **Avoid** conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council Staff, plus their relatives and close associates
- **Declare** that there is no conflict of interest. Where future conflicts, or relevant private interests arise Council Staff must make their manager, or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise
- **Observe** prevailing Council, VGPB and e-hub guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

Members of a tender evaluation panel must sign a Declaration of Conflict of Interest and Confidentiality prior to the tender evaluation.

### **2.1.5 Fair and Honest Dealing**

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained in selecting contractors and suppliers so that no action is taken that could evoke criticism of the Council.

The commercial interests of existing and potential suppliers must be protected.



Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

### **2.1.6 Accountability and Transparency**

Accountability in procurement means being able to explain and evidence what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with the Council's procurement policies and procedures as set out in this policy and related Council policies and procedures.

Additionally:

- all Council Staff must be able to account for all procurement decisions made over the life cycle of all goods, services and works purchased by the Council and provide feedback on them; and
- all procurement activities are to provide an audit trail for monitoring and reporting purposes.

### **2.1.7 Gifts and Hospitality**

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved, with any matter that is connected with the duties of the officer, or in which the Council is interested.

Councillors and Council Staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO and dealt with in accordance with the Fraud Prevention Policy.

### **2.1.8 Disclosure of Information**

Commercial in-confidence information received by the Council must not be disclosed and is to be stored in a secure location.

Councillors and Council staff are to protect, by refusing to release or discuss the following:

- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Councillors, Council Staff and independent panel members are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the Tender approval process being finalised other than authorised pre-contract negotiations.

## 2.2 Governance

### 2.2.1 Structure

The Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and audit ability of all procurement decisions made over the life cycle of all goods, services and works purchased by the Council;
- ensure that the Council's procurement structure:
  - is flexible enough to purchase in a timely manner the diverse range of materials, goods, works and services required by Council;
  - ensures that prospective tenderers and suppliers are afforded an equal opportunity to tender/quote;
  - encourages competition; and
  - ensures that policies that impinge on the purchasing policies and practices are communicated and implemented.

### 2.2.2 Standards

The Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with the:

- The Act;
- The Council's policies, guidelines and procedures;
- The Council's Code of Conduct and the Staff Code of Conduct;
- Local Government Procurement Best Practice Guidelines; and
- Other relevant legislative requirements such as but not limited to the *Trade Practices Act*, *Goods Act* and the *Environmental Protection Act*.

### 2.2.3 Methods

The Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- petty cash;
- credit card;
- purchase order following a quotation process from suppliers for goods or services that represent best value for money under direct quotation thresholds;
- under contract following a tender or quotation process; or
- using aggregated purchasing arrangements with other Councils, MAV Procurement, Victorian Government, or other bodies;

unless other arrangements otherwise authorised by the Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies.

The Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically a multi-stage tender process will commence with a registration of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

Registrations of Interest (ROI) may be appropriate where:

- the requirement is complex, difficult to define, unknown or unclear;
- the requirement is capable of several technical solutions;
- the Council wishes to consider ahead of formal tender processes such issues as whether those tendering possess the necessary technical, managerial and financial resources to successfully complete the project;
- tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;
- it is necessary to pre-qualify suppliers and goods to meet defined standards; and
- the requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

Additionally, for highly complex projects the Council may run sequential tenders, the first to solicit solutions, the second to compete to provide the solution selected by Council. Such sequential tenders may or may not be preceded by the registration of interest phase as required by the Council based on the actual needs of the project.

#### **2.2.4 Responsible Financial Management**

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle: the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

Council funds, must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

### **3 PROCUREMENT THRESHOLDS AND COMPETITION**

The Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by the Council based on the size and complexity of the proposed Procurement activities.

#### **3.1 Minimum Spend Competition Thresholds**

##### **3.1.1 Tenders**

Council's policy is that the value of all tenders estimated to be over the value of \$150,000 must be undertaken by public tender.

However, should the CEO, or their delegate consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below the threshold, having regard to best value principles..

##### **3.1.2 Quotations**

Purchase of goods, services and works having a total valuation of \$150,000 or less may be undertaken using the procurement by quotation method as described below.

To establish that the Council is receiving value for money, quotations should be obtained in accordance with the following thresholds:

- **Items with a value up to \$10,000**

A minimum of one oral or written (can be by email) quotation must be obtained and the details recorded before placing an order (similar details must be recorded where more than one supplier has quoted). One or more quotes may also be sought from an approved purchasing scheme.

- **Items with a value \$10,001 to \$50,000**

Procurement in this range must be obtained by one or more of the following:

- A Council supply contact/service agreement; or
- An approved purchasing scheme; or
- Obtaining a minimum of three written (including email) quotations; or
- Inviting tenders by public notice.

A brief specification/scope of works including selection criteria is desirable.

The order must be placed with the supplier offering the “Best Value for Money” for acceptable goods or services and details of quotation recorded.

Details of the suppliers contacted and their quotations must be recorded in the Contracts or Quotation Register. All tenders or quotations received must be recorded in Council’s Document Management System.

- **Items with a value \$50,001 to \$150,000**

Procurement in this range must be obtained by:

- A Council supply contact/service agreement; or
- An approved purchasing scheme; or
- Obtaining at least three written quotations; or
- Inviting tenders or expressions of interest by public notice.

A brief specification must be prepared.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome.

The original supplier’s quotations and other relevant documentation must be maintained in the contract file including the basis for the selection of the preferred quote. This must be recorded in Council’s Document Management System.

### **3.1.3 Insufficient quotations**

The situation may arise where insufficient quotations are received to satisfy the above requirements.

In certain situations the Chief Executive Officer or a General Manager may authorise less than 3 quotations. These may include:

- (a) Emergency orders;
- (b) Shortage of suppliers;
- (c) Procurement effort affects value for money – usual low cost off the shelf items;
- (d) Highly specialised work or services; and

(e) Demonstrated overall benefit for Council, based on previous experience.

In these cases, the details of the contacted suppliers must be documented and retained in the relevant Council Document Management record and an appropriate comment recorded.

### **3.1.4 Where preferred Tender/Quote is not the lowest**

Where the recommendation is not to award the Tender/quotation to the lowest quote, a brief summary is to be provided by the Responsible Officer to the Manager, General Manager or CEO (in line with purchasing limits) as to the reasoning for the recommendation. This would normally include the signed Evaluation Panel Matrix which would outline the reasons for not accepting a particular tender/quotation.

## **3.2 Public Advertising**

Tenders and Quotations may be advertised at the Council Staff member's discretion in addition to the methods above. This may occur when a field of potential tenderers hasn't been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

## **3.3 Delegation of Authority**

### **3.3.1 Requirement**

The limit of delegated authority for individual officers to undertake procurement and purchases is defined in The Council's "*S7. Instrument of Sub-Delegation by the Chief Executive Officer*".

Delegations define the limitations within which Council Staff are permitted to work. Delegation of procurement authority allows specified Council Staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

As such, the Council has delegated responsibilities relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for Contract Management activities.

### **3.3.2 Delegations**

#### **3.3.2.1 Council Staff**

Council shall maintain a documented scheme of procurement delegations, identifying Council Staff authorised to make such Procurement commitments in respect of goods, services and works on behalf of the Council, to include but not necessarily be limited to the following:

- Power to authorise and issue order forms for goods and services;

- Power to enter into contracts within approved budget; and
- Contract Variations.

The requisition and authorisation of purchases cannot be processed by the same officer.

### **3.3.2.2 Delegations Reserved for the Council**

Commitments and processes which exceed the CEO's delegation and which must be approved by the Council are:

- Signing and sealing of contract documents;
- Tender recommendations and contract approval for all expenditure over \$250,000 in value; and
- Contract term extensions (requiring additional budget).

## **3.4 Internal Controls**

The Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

## **3.5 Commercial Information**

Procurement activities will be carried out in a way that supports Council staff in meeting their obligations - to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Council guidelines.

## **3.6 Risk Management**

### **3.6.1 General**

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and

enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

Risk Management will be carried out in accordance with the stated requirements in the Risk Management Policy and the Guidelines for Occupational Health and Safety Management of Contractors and any Federal or State regulatory requirements.

### **3.6.2 Supply by Contract**

The provision of goods, services and works by contract potentially exposes the Council to risk.

The Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract including monitoring and enforcing performance.

### 3.7 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be obtained from the appropriate member of Council Staff. A request for such an approval should be supported with procurement and legal advice as relevant.

To protect the best interests of the Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Council to risk and thus must be authorised by the appropriate member of Council staff.

### 3.8 Endorsement

Council Staff must not endorse any products or services. Individual requests received for endorsement must be referred to the CEO or relevant General Manager.

### 3.9 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.



### 3.10 Contract Management

The purpose of contract management is to ensure that the Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing a system monitoring and achieving the responsibilities and obligations of both parties under the contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions; and
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives Value for Money.

### 3.11 e-Tendering

e-Tendering is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services` and works.

By utilising e-tendering the Council aims to:

- reduce transaction costs
- achieve greater leverage
- make processes more efficient;
- improve management information and visibility of spend;
- increasing control and consistency of processes, and
- improve spend compliance.

## 4 DEMONSTRATE SUSTAINED VALUE

### 4.1 Integration with Council Strategy

The Council procurement strategy shall support Council's corporate strategy, aims and objectives as outlined in the Council Plan 2009-2013 relating to the six key result areas of:

- Leadership and Governance;
- Physical Infrastructure and Assets;
- Land Use and Development;

- Environmental Management;
- Economic Development; and
- Community Health and Wellbeing.

## 4.2 Achieving Value for Money

### 4.2.1 Requirement

The Council's procurement activities will be carried out on the basis of obtaining Value for Money.

This means minimising the total cost over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinant of value for money.

### 4.2.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout;
- effective use of competition;
- using aggregated contracts and standing offer arrangements where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing a cost efficient tender process including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements; and
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

### 4.2.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to the Council's Value for Money objectives through being written in a manner that:

- ensures impartiality and objectivity;
- clearly defines the Council's requirements;
- encourages the use of standard products;

- encourages sustainability; and
- eliminates unnecessarily stringent requirements.

#### 4.3 Performance Measure and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance against metrics and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within the Council and performance against these targets will be measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- highlight trend and exceptions where necessary to enhance performance;
- improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- facilitate relevant programmes to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

#### 4.4 Sustainability

##### **4.4.1 General**

The Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on, or contribute to the environment including but not limited to the following:

- waste management;
- recycling;
- energy management;
- emission management;
- water conservation;
- green building design; and
- procurement.

##### **4.4.2 Sustainable Procurement**

The Council is committed to adopting a Green Procurement approach by supporting the principles of sustainable Procurement within the context of purchasing on a Value for Money basis.

Value for Money purchasing decisions made by the Council are made on the basis of cost and non cost factors including contribution to the Council's sustainability objectives.

The Council prefers to purchase environmentally preferred products whenever they achieve the same function and value for money outcomes.

The Council will therefore consider the following environmental sustainability criteria:

- Reduce, Reuse, and Recycle:

The Council is committed to reduce resources, consumption and minimise waste during the procurement life cycle including:

- Encouraging and preferring Eco-friendly products which are more power efficient;
- Selecting energy, fuel and water efficient products (ideally Energy and Water Star Rating of 4 and above);
- Preferring to purchase from a source which is less polluting or uses clean technology; and
- Always considering the provision of re-use and recycling as part of the project planning process, including the consideration of whole-life costs and disposal considerations; and

- Buy Recycled:

The Council is committed to buy recycled/part recycled products to optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to the landfill.

- Green the Supply Chain:

The Council shall encourage Council suppliers to adopt good environmental practices.

The Council will actively promote green procurement throughout its supply chain and ensure selection which has minimum environmental impact.

#### 4.5 Diversity

Promoting equality through procurement can improve competition, value for money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

## 4.6 Support of Local Business

### 4.6.1 Support of Local Business

Council is committed to buying from local businesses where such purchases may be justified on Value for Money grounds.

Wherever practicable Council will fully examine the benefits available through purchasing works, goods or services from suppliers/contractors within the Colac Otway Shire.

In all contracts and quotations a 5% weighting shall be included where there are more than 3 selection criteria. The weighting shall be given to suppliers who demonstrate how they intend to support local suppliers, contractors and services.

See 4.6.2 for Light Fleet Vehicle Purchases.

Local is defined as within the Colac Otway Shire.

Council will also seek from prospective suppliers/contractors where applicable what economic contribution they will make to the Colac Otway Shire.

Such examples may include:

- (1) Engaging and contracting with local suppliers.
- (2) Engaging local sub contractors.
- (3) Suppliers/contractors participation in any apprenticeship schemes or employment of apprentices.
- (4) Contributing to the financial, social and environmental well being of the Shire.
- (5) Enable the business expansion, growth and servicing of local business and contractors.
- (6) Existing local business.

### 4.6.2 Light Fleet Vehicle Purchases

All Council light vehicles purchased shall be subject to a competitive process managed by the Fleet Manager. This will involve obtaining competitive prices in writing in accordance with the Councils Procurement Policy. Prices shall be obtained from suppliers based on all suppliers quoting on specific vehicle details as advised in writing by Council.

The tenderer who submitted the best value price shall always be accepted, subject to the following:

- when evaluating tenders, an allowance discount of \$200 **for service convenience** with local suppliers in the municipality shall be applied to the tendered price.

## 5 APPLY A CONSISTENT AND STANDARD APPROACH

The Council will provide effective and efficient commercial arrangements for the requisition of goods and services.

### 5.1 Standard Processes

The Council will provide effective commercial arrangements covering standard products and standard service provisions across the Council to enable employees to source requirements in an efficient manner.

This will be achieved via a combination of the following areas:

- pricing where relevant;
- processes, procedures and techniques;
- tools and business systems (e.g. implementing the e-tendering, e-evaluation, e-catalogue, or e-sourcing arrangements);
- reporting requirements ; and
- application of standard contract terms and conditions.

### 5.2 Management Information

#### **5.2.1 Performance Indicators**

A list of performance indicators will be developed to measure procurement performance.

They may include criteria such as:

- the proportion of spend against corporate contracts;
- user and supplier satisfaction levels;
- knowledge and skill of Council employees in procurement process;
- level of compliance and understanding of Council procurement policies; and
- measuring the success of procurement initiatives.

#### **5.2.2 Management Information**

The Council seeks to improve its performance by capturing and analysing procurement management information in a variety of areas, including:

- volume of spend;
- number of transactions per supplier;

- supplier performance;
- user satisfaction;
- category management; and
- green spend.

The Council will also use external sources of management information to assist with the procurement decision making process including:

- benchmarking data;
- information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia; and
- supplier reports.

## 6 BUILD AND MAINTAIN SUPPLY RELATIONSHIPS

Council recognises that in order to achieve sustainable value, a strategic assessment of the 'channel to market' should be undertaken – whether to 'do it yourself', participate in regional or sector aggregated projects or panels access State Government panel agreements or other means. Council will consider which supply arrangement delivers best value outcomes in terms of time, expertise cost, value and outcome.

### 6.1 Developing and Managing Suppliers

Council recognises the importance of effective and open working relationships with its suppliers, and is committed to the following:

- managing existing suppliers, via the appropriate development programmes and performance measurements to ensure the benefits are delivered;
- maintaining approved supplier lists; and
- developing new suppliers and improving the capability of existing suppliers where appropriate.

### 6.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations, offering business diversity include:

- local businesses ;
- green suppliers;
- small to medium sized enterprises (SME's);
- social enterprises ;

- ethnic and minority business ; and
- voluntary and community organisations.

### 6.3 Relationship Management

The Council is committed to developing constructive long-term relationships with suppliers.

It is important that the Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- size of spend across the Council;
- criticality of goods / services supplier, to the delivery of the Council's services;
- availability of substitutes; and
- market share and strategic share of suppliers.

### 6.4 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners to the Council. The external website will be updated and provide:

- information about Council and how to become an approved supplier;
- a list of existing and forthcoming Tender opportunities;
- guidelines for doing business with Council;
- standard documentation used in the procurement process; and
- links to other relevant sites.

## 7 CONTINUAL IMPROVEMENT

The Council is committed to continuous improvement and will review the procurement policy on an annual basis, to ensure that it continues to meet its wider strategic objectives.

## 8 REFERENCES

- Council Plan 2009 2013
- Councillor Code of Conduct
- Staff Code of Conduct;



- Colac Otway Shire Operational Procedure – “Quotations/Tendering and Purchasing Procedure”
- Tender Evaluation Panel Policy
- Confidential Information Policy
- Gifts, Benefits and Hospitality Policy
- Fraud Prevention Policy
- Risk Management Policy
- Occupational Health and Safety Policy

## 9 APPENDIX

Nil Attached



OM112809-6

**S86 COMMITTEE OF COUNCIL RE-ELECTION -  
BIRREGURRA PUBLIC HALL**

|             |                                   |           |                                 |
|-------------|-----------------------------------|-----------|---------------------------------|
| AUTHOR:     | Colin Hayman                      | ENDORSED: | Rob Small                       |
| DEPARTMENT: | Corporate &<br>Community Services | FILE REF: | 42-44 Main Street<br>Birregurra |

**Purpose**

To consider appointment of newly elected committee members to the Birregurra Public Hall Committee of Management.

**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 for a three year term.

A meeting to appoint new Committee members was conducted on the following date:

- Birregurra Public Hall            10 August 2011

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

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 current three year term for the Birregurra Public Hall Committee of Management has been completed and the nominations of community persons have been put forward to be on the committee for a period of three years for Council endorsement.

### **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 until September 2014.

|                        |                                                                                                                                       |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Birregurra Public Hall | Gary McCormack, Ian McDonald, Sue Bateson, Margaret McDonald, Bryan Sanders, Brian Lawrence, Greg McKay, Jane Dennis, Belinda Stewart |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------|

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

The Committee holds their own bank account and administers budgets set by the Committee in accordance with funds within these accounts.

The Committee is required to provide copies of annual financial statements/treasurer's report to Council.

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

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

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

Not applicable.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected was to inform and consult. Advertisements were placed in the local media seeking nominations to the committee. Consultation also took place with Committee members as to the preferred time for the meetings to be held.

### **Implementation**

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

### **Conclusion**

The decision to appoint the Committee as a Special Committee of Council is in keeping with Council's policy of working with its community in the management of halls, reserves and other facilities throughout the Shire.

### **Attachments**

Nil

**Recommendation(s)**

**That Council:**

1. ***Pursuant to Section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Birregurra Public Hall Committee of Management until 28 September 2014:***  
  
***Gary McCormack, Ian Mcdonald, Sue Bateson, Margaret McDonald, Bryan Sanders, Brian Lawrence, Greg McKay, Jane Dennis, Belinda Stewart***
2. ***In accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.***
3. ***Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided annually.***

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**OM112809-7****LEASE RENEWAL - WYE RIVER FIRE STATION  
30 MCLELLAN CRT, WYE RIVER**

|             |                                |           |                                |
|-------------|--------------------------------|-----------|--------------------------------|
| AUTHOR:     | Paul Carmichael                | ENDORSED: | Colin Hayman                   |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | PF: 30 McLellan Crt, Wye River |

**Purpose**

The purpose of the report is to obtain Council's approval to commence statutory procedures to renew a lease between Council and the Country Fire Authority (CFA) for the Wye River Fire Station, which is located on Council owned land at 30 McLellan Court, Wye River.

**Declaration of Interests**

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

**Background**

The former Otway Shire entered into a twenty year lease in 1989 with the CFA for the Wye River Fire Station. The lease has since expired and the CFA have continued to occupy the site under the previous conditions.

The lease provided for the CFA to pay a "peppercorn" rental.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

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

**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.

**Issues / Options**

The CFA's presence in Wye River is considered an essential service to the Wye River/Separation Creek community as well as providing an important social institution. It is considered vital that this institution be encouraged to continue its occupation of the site.

It is considered however their occupation of their site should be formalised with a new lease.

The main issues to be considered are:

- (a) the rental amount to be charged (ie: previously it was a "peppercorn"); and
- (b) the term of the lease

The CFA agreed with Council that the occupancy should be subject to a lease and a draft lease was prepared and submitted to them for consideration.

**Proposal**

Given the importance of the facility to the local community, it was proposed to offer a lease term of 10 years with two five year options at a rental of \$1 per year. The options are to be at Council's discretion.

The CFA will be responsible for:

- all maintenance of the property, buildings and fixtures thereon;
- payment of any rates, charges, taxes or levies raised in relation to the property, other than municipal general rates (which will not be charged);
- payment of any Waste Management Charge raised by the Shire; and
- indemnifying Council against any claim, loss or disadvantage caused as a result of actions by the CFA or its staff, volunteers or representatives.

The above conditions are consistent with a lease with the CFA for the fire shed at Lavers Hill (except the term for that lease was 50 years).

Another variation from the Lavers Hill fire shed lease is that under this lease, all buildings, fixtures and fittings are to be forfeited by the CFA at the expiration of the lease unless Council determines otherwise, in which case the CFA must remove all buildings, fixtures and fittings at its own cost within six months of the expiration and reinstate the site as a vacant (unimproved) residential block.

This allows Council to either retain the buildings etc for community use if the CFA leave or relocate or have the land cleared for development for some other use.

All of the above conditions have been agreed to by the CFA.

Before Council can execute the lease it is required to undertake statutory procedures required by the provisions of the *Local Government Act 1989*. These provisions require Council to advertise the proposal and consider any submissions that are made before making a final decision.

**Financial and Other Resource Implications**

Costs incurred by Council to undertake this procedure would include advertising of the proposal (approximately \$400). The lease document was prepared "in house", negating the need for legal costs.

**Risk Management & Compliance Issues**

The advertising of the lease will be undertaken in accordance with sections 190 and 223 of the *Local Government Act 1989*.

**Environmental and Climate Change Considerations**

Nil

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be "inform" and "consult". This will be achieved by advertising the proposed lease and considering submissions in accordance with section 223 of the *Local Government Act 1989* and Council's Community Consultation & Engagement Policy. The policy allows a period of 6 weeks for submissions to be lodged. Submitters may speak in support of their submission at the meeting when Council considers submissions but must request in writing to do so when they lodge their submission.



**Implementation**

The statutory process would be expected to take three months to complete.

**Conclusion**

It is vital that the CFA continue their presence in Wye River/Separation Creek.

Given this, it is preferable for the CFA to have a formal lease agreement with Council to occupy this site. The proposed lease terms and conditions are consistent with a similar lease for the same purpose at Lavers Hill (with a couple of exceptions) and are agreeable to the CFA.

Council should therefore proceed to undertake the statutory procedure required to facilitate execution of a lease agreement.

**Attachments**

1. Lease - 30 McLellan Crt, Wye River

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

- 1. Commences the statutory procedure pursuant to the provisions of section 190 of the Local Government Act 1989 to enter into a lease with the Country Fire Authority for them to continue to occupy the Council owned land at 20 McLellan Street, Wye River.***
- 2. Agrees with the terms and conditions of the proposed lease. A term of 10 years with two five year options at a rental of \$1 per year.***
- 3. Determines that any submissions to the proposed lease be considered at the Council meeting to be held on 23 November 2011 following a 6 week period submission period.***

~~~~~\)



## **Parties**

This lease is entered into and made between the following parties:-

**Colac Otway Shire** of 2-6 Rae St, Colac, Vic, 3250 (being the Landlord)

and

**Country Fire Authority** of 8 Lakeside Drive, East Burwood, Vic, 3151 (being the Tenant).

## **Conditions**

### **1. Basic Obligations**

#### **The Lease**

1.1 The landlord leases to the tenant the premises described in Item 1 in schedule 1 for the term stated in item 2 of Schedule 1.

#### **Quiet Enjoyment**

1.2 The tenant is entitled to quiet enjoyment of the premises described in Schedule 1 and may occupy such premises free of interruption or interference from the landlord or anyone claiming to be or representing the landlord.

#### **Duty to Pay Rent**

1.3 The tenant must pay the landlord the rent stated in Item 5 of Schedule 1.

### **2. Other Payments**

#### **Rates and Taxes**

2.1 The tenant must pay all rates. Levies, assessment and taxes imposed by any authority in relation to the property described in Item 1 of Schedule 1, with the exception of rates levied by the Colac Otway Shire. The tenant will however be required to pay the annual Waste Management Charge Levied by the Colac Otway Shire if such charge is levied.

#### **Service /Utility Charges**

2.2 The tenant must pay the charges levied for all utility services used or supplied to the property.

#### **Legal Costs**

2.3 Each party will be responsible for payment of their own costs in connection with the preparation and execution of this lease.

### **3. Comply with Laws and Severability**

3.1 This lease is governed by the laws of the State of Victoria.

3.2 The tenant must comply, at the tenants expense, with any law, statute or other requirement that affects this lease or the tenant's occupation of the property. This includes ensuring that all employees, contractors and agents of the tenant comply with all laws and statutes.

3.3 If a clause or part of a clause can be interpreted in a way that makes it illegal, unenforceable or invalid, but can also be interpreted in a way that makes it legal, enforceable and valid, it should be interpreted in the latter way. Any clause or part of a clause that is illegal, unenforceable or invalid shall be treated as being removed from this lease without affecting the rest of the lease.

3.4 The parties acknowledge this is not a lease governed by the Retail Leases Act 2003.

#### **4. Premises**

##### **Purpose and Use of the Premises**

- 4.1 The tenant must use the property and premises located thereon for the purpose stated in Item 6 of Schedule 1. The property and/or premises shall not be used for any other purpose without the written consent of the landlord and any relevant permits having been obtained.
- 4.2 The buildings, fixtures and fittings located in the property shall be maintained in good working order by the tenant at their own cost.
- 4.3 The said buildings, fixtures and fittings shall be insured appropriately by the tenant who shall maintain such insurance coverage at all times.

#### **5. Liability and Indemnity**

##### **Exclusion of Liability**

- 5.1 The landlord is not liable for any damage or loss to any property, or injury to any person, no matter how it occurs, except to the extent that the landlord or someone acting for or on behalf of the landlord is responsible for causing such damage, loss or injury, whether by intention or negligence.

##### **Indemnity**

- 5.2 The tenant must continually indemnify the landlord against any liability, loss, damage or expense arising for any reason as a result of the tenant's occupancy of the property.
- 5.3 Such indemnity does not extend to any liability, loss, damage or expense arising for any reason as a result of actions or omissions by the landlord or someone acting for or on behalf of the landlord.
- 5.4 The tenant must provide proof they have adequate insurance coverage for appropriate types of insurance relevant to the occupancy of the property.

#### **6. Extension of Lease**

##### **Tenant's Right for Extension**

- 6.1 The tenant has no right to exercise an option for the term of this lease.
- 6.2 Any option specified in Item 2 of Schedule 1 will be exercised at the discretion of the landlord after consultation with the tenant. Such option shall however not unreasonably be withheld by the landlord if the terms of this lease have been met and complied with by the tenant.
- 6.3 Consultation regarding the exercise of an option for the term of this lease can be initiated by either party, but shall not be considered by the landlord any earlier than six months before the expiration of the current term.

##### **Terms Applicable to An Extension of Term**

- 6.4 The extension of term granted by exercising an option referred to in Item 2 of Schedule 1 will be limited to the period of time referred to in the aforesaid item. The terms and conditions applicable to the extension term will be the same as those applicable to the initial term of the lease.

##### **Occupying Property After Expiration of Lease Period**

- 6.5 If for any reason the tenant occupies the property after the expiration of the lease, (including options referred to in Item 2 of Schedule 1), the tenant will continue to occupy the property on the following basis:-
  - The tenant will be considered as a yearly tenant
  - The conditions applicable to this lease shall apply to period of continued occupancy
  - Either party may terminate the tenancy by giving the other three months written notice.

## **7. Termination of Lease**

### **Landlord's Entitlement to Terminate Lease**

- 7.1 The landlord may terminate this lease at any time by giving the tenant twenty eight days notice of its intention.
- 7.2 Such notice shall only be given if any of the following occurs:-
- The tenant has breached any obligation under this lease and fails to rectify such breach within fourteen days of being requested in writing by the landlord or it's agent to do so
  - The tenant goes into liquidation, becomes bankrupt, insolvent or ceases to exist as a public emergency service.

## **8. Tenant's Duties When Vacating Property**

- 8.1 The tenant must ensure the property including buildings, fixtures and fittings are left in clean and operable condition (where appropriate). All rubbish and items of disused machinery, metal or any other material that is not affixed to the property is to be removed at the cost of the tenant.
- 8.2 At the expiration of the lease or any extension term granted, or upon termination of the lease for any reason, all buildings, fixtures and fittings situated on the property are forfeited by the tenant and become the property of the landlord regardless of the fact they were provided initially by the tenant, unless the landlord determines otherwise.
- 8.3 If the landlord determines it does not wish to take possession of the buildings, fixtures and fitting situated on the property, the tenant shall remove all such buildings, fixtures and fittings at its own cost within six months of the expiration of the lease and reinstate the site as a vacant (unimproved) residential block.

## **9. Assignment of Lease**

- 9.1 The tenant shall not assign the lease to another party without the written consent of the landlord and section 144 of the Property Law Act 1958 shall not apply.
- 9.2 If assignment of the lease to another party is agreed to by the landlord, the lease shall continue for the benefit of and binds the successor to the right and obligations so assigned in the lease.

## **10. Breach of Lease**

- 10.1 If the tenant breaches any obligation under this lease, the landlord may give the tenant written notice of such breach and require the tenant to rectify the breach within a time frame the landlord considers reasonable, being not less than seven days.
- 10.2 The timeframe for rectification of breaches will as much as possible be determined in consultation with the tenant however the landlord maintains the right to arbitrarily specify a timeframe if an agreed timeframe cannot be reached with the tenant.
- 10.3 If the tenant fails to take remedial action within the required timeframe, the landlord may arrange for such action to be taken and the cost incurred by the landlord is to be reimbursed by the tenant.
- 10.4 Any other right of the landlord is not affected.

## **11. Responsibility in Relation to Employees, Contractors etc**

- 11.1 The tenant shall ensure that all employees, agents, contractors and all other people accessing the property do not do or fail to do anything on the premises that would, if the tenant did or failed to do such action, would constitute a breach of the lease.

- 11.2 The tenant shall ensure that all employees, agents, contractors and all other people accessing the property do not conduct any illegal activities on the property.

## **12. Issue of Notices**

- 12.1 All notices issued to either party shall be posted to the address specified in Items 8 and 10 of Schedule 1 of this lease (as appropriate).
- 12.2 It is the obligation of the parties to ensure the other party is advised in writing of any change of mailing address.
- 12.3 A notice will be deemed to have been served if it has been delivered by hand and left at the current mailing address or if sent by post, after the expiration of two business days
- 12.4 Where practicable, email advice of the posting of the notice should also be sent to the other party to make them aware the notice is being posted or delivered.

## **13. Interest on Overdue Amounts**

- 13.1 The tenant will be required to pay interest on any money that is due to the landlord but not paid by the due date. Interest will be calculated daily and compounded monthly and shall be calculated from the due date until the outstanding amount is paid in full. The rate of interest applicable shall be the penalty rate of interest applicable for the time being as set under the Penalty Interest Rates Act 1983.
- 13.2 Clause 12.2 shall not apply in relation to unpaid Waste Management Charge or any municipal rates and charges levied by the Colac Otway Shire. Interest on outstanding amounts in this instance shall be applied as prescribed by the Local Government Act 1989.

## **14. Good and Services Tax (GST)**

- 14.1 If a party makes a taxable supply in connection with this lease for a consideration which represents the value of the supplied item, the party liable to pay for the taxable supply must also pay at the same time and in the same manner as the value, the amount of any GST payable in respect of that taxable supply.
- 14.2 Unless otherwise stated, the consideration payable by any party under this lease represents the value of any taxable supply for which payment is to be made.
- 14.3 A party's right to payment is subject to a valid tax invoice being issued to the party liable to pay for the taxable supply.

**Execution of Lease**

The parties having read and understood the terms and conditions of this lease agree to such terms and conditions and affix their signatures hereto:-

Dated the .....day of .....2011

The Common Seal of the Colac Otway Shire Council  
was affixed hereto in accordance with its Local Law  
No: 4

..... Chief Executive Officer

Signed for and on behalf of the Country Fire Authority by the delegated officer.

..... (Signature of Delegated Officer)

Name of Officer: .....

Address: 8 Lakeside Drive, BURWOOD EAST Vic 3151

## Schedule 1

| Item No: | Type of Item                                | Details                                                                                                                                                                                                                    |
|----------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1        | <b>Property</b>                             | The property is addressed as 30 McLellan Court, WYE RIVER and is described as being Lot R2 on PS 336954.                                                                                                                   |
| 2        | <b>Term of Lease</b>                        | Ten (10) years with two (2) x five (5) year options<br><br>The options are renewable at the landlord's discretion.                                                                                                         |
| 3        | <b>Commencement Date of Lease</b>           | <b>TBA</b>                                                                                                                                                                                                                 |
| 4        | <b>Expiry Date of Lease</b>                 | <b>TBA</b>                                                                                                                                                                                                                 |
| 5        | <b>Rent Payable</b>                         | \$1.00 per annum payable in advance upon signing of the lease (if requested).                                                                                                                                              |
| 6        | <b>Use of Property</b>                      | The property is to be used as a Country Fire Authority rural fire station at the Wye River township.                                                                                                                       |
| 7        | <b>Landlord</b>                             | Colac Otway Shire                                                                                                                                                                                                          |
| 8        | <b>Address of Landlord</b>                  | PO Box 286, COLAC Vic 3250<br><br>Office located at 2-6 Rae St, COLAC Vic 3250                                                                                                                                             |
| 9        | <b>Tenant</b>                               | Country Fire Authority (CFA)                                                                                                                                                                                               |
| 10       | <b>Address of Tenant</b>                    | 8 Lakeside Drive, BURWOOD EAST Vic 3151                                                                                                                                                                                    |
| 11       | <b>Maintenance Responsibility</b>           | The CFA is responsible for maintaining:-<br>- all buildings, fixture and fittings located on the property and<br>- the physical surrounds of the subject property.                                                         |
| 12       | <b>Responsibility for Rates and Charges</b> | The tenant is responsible for payment of :-<br><ul style="list-style-type: none"> <li>- Waste Management Charge levied by Colac Otway Shire</li> <li>- any taxes, charges or rates levied by other authorities.</li> </ul> |



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

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | D | W |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>INFRASTRUCTURE AND SERVICES</u></b></p> <p><b><u>OM112809-8 COLAC-ELIMINYT COMMUTER FOOTPATH STRATEGY</u></b></p> <p>Department: Infrastructure</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. Endorses the draft Colac-Elliminyt Commuter Footpath Strategy for public consultation; and</i></b></li> <li><b><i>2. Places the Draft Colac-Elliminyt Commuter Footpath Strategy on exhibition until Friday 18 November 2011</i></b></li> </ol>                                                                                                                                                                                                                                                                                                                                                                       |   |   |
| <p><b><u>OM112809-9 LOCAL PORTS GOVERNANCE REVIEW DISCUSSION PAPER</u></b></p> <p>Department: Infrastructure</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. Receives the report on Port Governance Discussion Paper;</i></b></li> <li><b><i>2. Provides a response to Local Ports Division, Department of Transport outlining the issues raised within the report advising that the current model of Council acting as the Committee of Management for Port of Apollo Bay management is working well and is the preferred Council model; and</i></b></li> <li><b><i>3. Advises the Local Ports Division, Department of Transport, that Council would prefer the setting of Fees and Licencing of Berths and Moorings be managed Statewide through the Department of Transport and its Registration Agency.</i></b></li> </ol> |   |   |

**OM112809-10 SPECIAL CHARGE SCHEME - MORLEY AVENUE DRAINAGE**

Department: Infrastructure

**Recommendation(s)**

***That Council:***

***Resolves with respect to the construction of a common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River, to give notice of its Intention to Declare a Special Charge Scheme for the construction of these works such that:***

1. ***The construction of a common underground drainage pipe and associated works will be of special benefit to properties described in paragraph (e) and shown on the attached plan by way of:***
  - ***Controlled stormwater discharge, and***
  - ***Improved site and land stability.***
2. ***A special charge be declared for the period commencing on 28 September 2011 and concluding on 28 September 2016.***
3. ***A special charge scheme be declared for defraying any expenses in relation to the installation of an underground stormwater pipe system comprising of a 375mm stormwater pipe along the rear of 37, 41, 45, and 49 Morley Avenue, Wye River.***
4. ***The following be described as the area for which the special charge is declared;***
  - ***The properties that can directly connect to the underground drainage line located along the rear of 37, 41, 45, and 49 Morley Avenue, Wye River and applying to properties described in paragraph 5.***
5. ***The following be declared as the land in relation to which the special charge is so declared;***
  - ***37 Morley Avenue, Wye River***
  - ***39 Morley Avenue, Wye River***
  - ***41 Morley Avenue, Wye River***
  - ***43 Morley Avenue, Wye River***
  - ***45 Morley Avenue, Wye River***
  - ***47 Morley Avenue, Wye River***
  - ***49 Morley Avenue, Wye River***
6. ***The following be specified as the criteria which forms the basis of the special charge so declared;***
  - ***Ownership of the land described in paragraph 5 of the recommendation.***

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b>7. The following be specified as the manner in which the special charge so declared be assessed and levied;</b></p> <ul style="list-style-type: none"> <li><b>• The unit of assessment is one (1) benefit unit per property who can directly connect to the underground common drainage line. The unit benefit equates to an estimated \$3,677.</b></li> </ul> <p><b>8. Having regard to the proceeding parts of this Resolution but subject to Section 166(1)(b) of the Local Government Act 1989:</b></p> <ul style="list-style-type: none"> <li><b>i. it can be confirmed that the owner of each rateable land described in Column 1 of the Schedule will therefore be liable for the respective amounts set out in Column 2 of the Schedule; and</b></li> <li><b>ii. it be recorded that each owner may, subject to Section 167(4) of the Local Government Act 1989 and any further Resolution of Council pay the special charge in the following manner;</b> <ul style="list-style-type: none"> <li><b>a) payment of quarterly instalments (commencing within one calendar month of the issue of the notice requesting payment) over 4 years with interest paid on the remaining principal at the Council overdraft rate and that a penalty interest rate be applied to late instalment repayments only; or</b></li> <li><b>b) payment by lump sum to be paid within one calendar month of the issue of notice requesting payment.</b></li> </ul> </li> </ul> <p><b>9. The Chief Executive Officer be authorized to give public notice of Council's intention to declare a special charge scheme in accordance with Section 163(1C) of the Local Government Act 1989,</b></p> <p><b>10. It be recorded that, subject to Section 163A and 168(1)(b) of the Local Government Act 1989, Council proposes to use the money from the special charge so declared in the manner set out in the "Estimate" annexed to this resolution,</b></p> <p><b>11. Council appoints two (2) Councillors as a Special Committee to consider submissions pursuant to Section 223 of the Local Government Act 1989, and that this Special Committee hears such submissions at Council's Rae Street Offices at 5pm on Wednesday, 9 November 2011.</b></p> <p><b>12. If all parties enter into a Private Agreement, to the satisfaction of Council, within a reasonable time, that the Special Charge Scheme be abandoned.</b></p> |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

**Recommendation**

***That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.***

**MOVED** .....

**SECONDED** .....

**OM112809-8****COLAC-ELIMINYT COMMUTER FOOTPATH STRATEGY**

|             |                           |           |                                                    |
|-------------|---------------------------|-----------|----------------------------------------------------|
| AUTHOR:     | Paula Gardiner            | ENDORSED: | Neil Allen                                         |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | Gen00016-Road Street & Bridges-Pavement Management |

**Purpose**

To present this draft Colac-Elliminyt Commuter Footpath Strategy to Council seeking resolution to commence public consultation.

**Declaration of Interests**

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

**Background**

It has become apparent through community feedback and through Council's own monitoring of its footpath network that there are some issues with the footpath network that are not being addressed through Council's existing Footpath Rehabilitation Program.

Residential subdivision development which has occurred in recent years in surrounding areas, has created connectivity issues between the main Colac township, the surrounding community nodes and to other public areas. Concerns have been raised concerning the suitability of the footpaths for use by handicapped users – particularly mobility and visually impaired users. There have been comments about poor street lighting in some areas of Colac.

Footpaths are used to access all of the many public facilities available including schools, local sporting facilities, community and health facilities, the business centre and parks. Access to these facilities should be available to all members of the community including disabled pedestrians.

A footpath network should:

- Be safe;
- Be accessible;
- Not limit or restrict different categories of users;
- Be constructed to an appropriate standard; and
- Provide connectivity between different areas within the community.

These elements assist in making a network conducive for people to use rather than one that isolates various categories of users.

Perceived and actual lack of road safety, together with personal security hazards, deters walking. By ensuring footpaths are safe and attractive, residents and visitors alike will benefit from an improvement of the amenity and accessibility for pedestrians within the township.

**Council Plan / Other Strategies / Policy**

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

**Issues / Options**

There are a number of issues with the footpath network that provide opportunities for improvement.

Discontinuity and lack of connectivity is seen in several locations. Typically, where residential developments have occurred which do not abut the existing footpath network, footpaths have been constructed within the development but not between the development and the existing footpath network.

The need to provide appropriately for disabled footpath users has, at times, been poorly addressed. Pedestrians who use mobility aids need a relatively smooth travel path, however, many of the kerb ramps (pram crossings) have a small step built into them which frequently causes considerable discomfort to users of mobility aids ("gophers"). Visually handicapped pedestrians find Tactile Ground Surface Indicators (TGSIs) to be of great benefit and an aid to safety. There are many locations where TGSIs have not been installed or have not been installed to current standards. At a number of the disabled parking bays, access from the parking area to the footpath is made difficult by the presence of barrier kerb. Access to disabled parking bays should comply with the requirements of AS 2890.5.

Street lighting greatly aids safety and promotes security at night. There are some areas of the footpath network where the quality of the street lighting is below the general standard of areas in Colac. The lighting within those poorly lit areas should be improved.

Most of the footpath network has no provision for seating. Provision of seating at gathering point near shops or parks on the more highly used footpaths can help promote walking as a form of transportation.

**Proposal**

This draft strategy –

- Describes a number of issues with the existing footpath network and what can be done to address those issues.
- Proposes a revised footpath hierarchy which helps to better define the differing types of footpath based on function. It includes proposed levels of service and construction standards for each of the hierarchy levels.
- Recommends how any works are to be funded.
- Proposes a prioritised Works Program with estimated costs.

It is proposed that Council endorses this draft Strategy for public consultation.

**Financial and Other Resource Implications**

The works program recommended within this strategy includes:

- An additional \$35,000 annually for a five year period to address issues on the proposed primary network.
- That the remainder of the proposed Works Program be included in Council's Long term Capital Works program.
- That extension of the secondary network be funded through Special Charge Schemes.
- That funding for Council's current footpath renewal program be increased from \$300,000 annually to \$400,000 annually.

**Risk Management & Compliance Issues**

There are hazards associated with the provision of a public footpath network and this strategy will assist Council in better managing those associated risks.

**Environmental and Climate Change Considerations**

There are no environmental or climate change issues to be considered as part of this strategy.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. “Consult” has been the chosen method of engagement and will involve public meetings if necessary.

The strategy has been circulated internally and those comments have already been incorporated into the draft strategy.

**Implementation**

Following Council’s consideration of the Draft Footpath Strategy Plan, Council officers will commence the public awareness process by placing copies of the document in Colac and Apollo Bay at accessible locations, and make the public aware that the strategy is available for public comment through advertisements in the local media. A minimum of six weeks will be given for lodgement of written submissions.

**Conclusion**

There have been some issues identified within the existing footpath network within the Colac and Elliminyt areas. The Colac-Elliminyt Commuter Footpath Strategy, defines the issues, provides a basis for categorising the necessary works and proposes a prioritised program of works to address the issues raised.

The strategy provides a structure for the long term management of Council’s commuter footpath network within Colac and Elliminyt.

By endorsing this document for public exhibition and comment, Council will provide the opportunity for community input to further refine the strategy’s recommendations.

**Attachments**

1. Commuter Footpath Strategy

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

1. ***Endorses the draft Colac-Elliminyt Commuter Footpath Strategy for public consultation; and***
2. ***Places the Draft Colac-Elliminyt Commuter Footpath Strategy on exhibition until Friday 18 November 2011***

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Colac-Elliminyt Commuter Footpath Strategy  
Draft August 2011



# Colac-Elliminyt Commuter Footpath Strategy

- 1 -





Colac-Elliminyt Commuter Footpath Strategy  
Draft August 2011

## Colac - Elliminyt Commuter Footpath Strategy

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## 1. Introduction

Footpaths play a vital role within communities. They provide a means of access within urban areas to facilities and services and promote greater health and wellbeing of the communities. The need for footpaths is very dependent upon the traffic and physical conditions on any street, road or other location and the nature of the pedestrian demand at that location. Having a well connected footpath network across the community provides a benefit to residents and visitors alike.

This *Commuter Footpath Strategy* addresses the issues of providing convenient and safe access to facilities and services, to the widest possible range of pedestrians within the Colac community. The strategy is aimed at defining service levels for the footpaths used by pedestrian commuters; it does not attempt to address the issues around recreational paths. Recreational path service levels are defined in the Open Space Strategy.

This strategy should be read in conjunction with the recommendations of the –

- Colac Central Business District and City Entrances Project
- Colac Otway Public Open Space Strategy
- and the proposed Active Transport Strategy

### 1.1. Definitions

- Commuter Footpath - primarily used by pedestrians to travel to a chosen destination
- Shared/Recreational paths – primarily used for recreational purposes and which may be used by other than pedestrians eg shared with cyclists
- Pedestrians – any legal user of a footpath including people using mobility aids but generally excluding cyclists

## 2. Objectives

To ensure that the urban areas of Colac and Elliminyt promote walkability as an attractive alternative form of transport for all people, Colac Otway Shire has adopted the following key objectives for the development of Strategic Footpath Network

- To provide varying levels of pedestrian access within Colac as appropriate to the expected usage and requirements.
- To provide safe, convenient and universally accessible footpath for all users.
- To promote and facilitate walkability as an attractive alternative to private vehicle use for the health and wellbeing of all users.

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Footpath shall be constructed at the time of development in accordance with the guidelines provided in the Infrastructure Design Manual

Along all shop frontages within the CBD and at local shopping centres (where the shops have direct access onto the footpath), generally concrete footpath shall be provided extending from the property boundary to the back of the kerb and channel.

The above requirements will need to be modified where pedestrian generators, such as retirement villages, significant bus stops and other generators, impact on footpath demand. The need to provide a logical and well connected footpath network may also affect the ultimate network shape.

## 2.1. Walkability

Clause 56 of the Victorian Planning Provisions requires planners to guide developments to ensure they create "liveable and sustainable communities". The objective is to create compact and walkable neighbourhoods and allow easy movement through and between neighbourhoods for all people.

Walkability is a term that is used to describe how attractive the footpath is to use for pedestrians. A Walkability Toolkit has been developed to assess the walkability of footpaths. This toolkit can be used to assess proposed footpaths to provide an indication of how attractive the footpath will be to those most likely to use it.

Consideration should be given to assessing all the Primary Footpaths to help ensure that Colac Otway Shire's most important pedestrian linkages are providing a safe and usable alternative form of transport.

## 3. Existing Footpath Network

The Colac/Elliminyt urban area has a permanent population of around 11,000. 20% of those are children attending schools in Colac and 36% are over the age of 50 (2006 census). Most of these population categories tend to use footpath network as a method of regular transport of short journeys and to schools in the area. Elliminyt is a fast developing and popular residential area in which residents travel to Colac town for their day today businesses.

### 3.1. Description

The existing footpath locations have been identified (shown on the plan attached – Appendix A). The plan shows the existing pathway network providing access between the centre of the township and other residential areas such as Elliminyt and Sinclair Street South.

The current Council asset database indicates that the Colac and Elliminyt footpath network has a length of 138 kilometres of footpaths along street frontages. The

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overall street frontage footpath network has been assessed as 94% footpath are from fair to excellent condition and only a 6% with poor condition ratings.

The main users of the footpath network include;

- school aged children and parents.
- youth
- families;
- mature and elderly people
- tourists and holiday makers

These categories of users utilise the local streets and existing network to access schools, local sporting facilities, travel between community areas, health facilities, and walk between residential areas and business centres.

Footpath condition is assessed annually and maintenance issues are addressed as proscribed in Council's Road Management Plan. Where a section of footpath does not meet service standards, it is considered for upgrading to the appropriate service level condition.

### 3.2. Issues

The development of the footpath network within Colac town has proceeded in step with the road network where roads have mainly evolved from their original constructions; hence the footpath network is largely developed within the township.

#### 3.2.1. Discontinuity

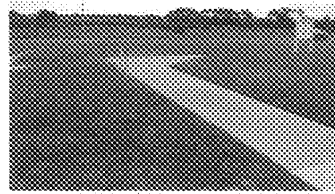
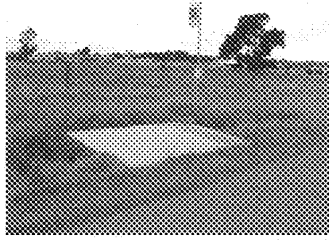
However, due to the manner in which residential subdivision development has occurred in the last few years, there are some connectivity issues between the main Colac town and the surrounding community nodes and to other public areas.

The existing network is, in places, not fully continuous and lacks connectivity with;

- Main community facilities;
- township precincts; and
- areas where high volumes of pedestrian traffic;

This has left pedestrians with little alternative but to walk along the roads or alternatively on road verges or nature strips. The mix of pedestrians and vehicles utilising the same road space is not conducive to a safe road environment.

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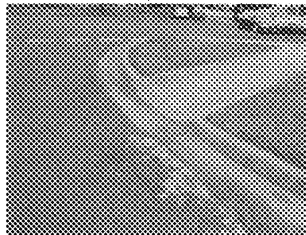
Two examples of lack of connection to the rest of the network

### 3.2.2. Difficulty of use by disabled users

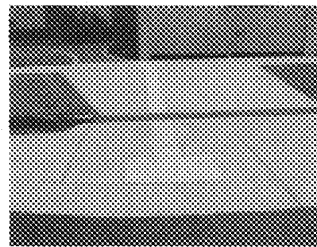
There is a growing use of our footpaths by pedestrians of all abilities. This will continue with an ageing population, increased growth and a stronger disability support sector in Colac. Vision and mobility within the CDB and around the footpath network systems are two of the key issues that require universal solutions. All community members have requirements for footpath safety and usability and many parts of the existing network lack the elements which make footpath universally accessible.

#### 3.2.2.1. Tactile Ground Surface Indicators

Tactile Ground Surface Indicators (TGSIs or "Tactiles"), which assist the visually impaired to safely negotiate hazards, have only been installed in relatively recent years. Much of the older network lacks Tactiles. Tactiles should be installed at road crossings.



No TGSIs installed



Recent TGSi installation

#### 3.2.2.2. Pram Crossings

Pedestrians of all abilities, whether using aids or not often find crossing roads difficult and possibly unsafe. The existing "pram crossings" at intersections

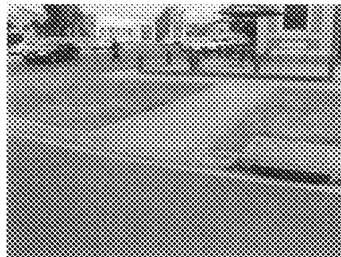


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often have a lip or are not square to the line of travel. The lack mobility for some pedestrians for whatever reason can make negotiating these "pram crossings" very difficult and in some instances creates a barrier that cannot be overcome unless personal assistance is provided. Universally accessible "pram crossings" should be made as smooth as possible.

The lack of a "pram crossing" for some pedestrians can create a discontinuity in the footpath network. Where no "pram crossing" has been provided, particularly where there is barrier kerb and channel, it is often quite difficult for some pedestrians to proceed any further without using the road as a footpath. "Pram crossings" should be provided at road crossings.



Lips (bulldozes) at Kerb Ramps are difficult to negotiate with mobility aids

### 3.2.2.3. Access from Disabled Parking Bays

At most of the disabled parking bays in Colac Otway Shire, the access between the parking area and the footpath is limited. Usually there is a standard 1.5m wide "pram crossing" provided somewhere within the disabled parking bay. However, with disabled users leaving the vehicle from the driver's door, one of the passenger doors, or the rear of the vehicle (having retrieved a mobility aid from the boot), frequently the single "pram crossing" is not conveniently placed and users have to negotiate the kerb to get onto the footpath. Larger "pram crossing" should be provided at disabled parking bays.



No ramp access from the disabled carpark to the footpath



### 3.2.3. Streetlighting

Well lit pathways are essential for safe pedestrian use of footpaths at night.

In the established parts of the urban residential area, street lighting has generally been provided at each road intersection and, in long blocks, at mid block. In these areas, streetlights are generally spaced at 80 to 120m. It has not been established whether this meets the standards nominated in AS1158 Lighting for Roads and Public Spaces.

There are a numbers of areas where street lighting does not meet the standard proposed.

### 3.2.4. Seating

There is a need to locate seating at specific gathering points (bus stop near a senior centre), near shops, near parks and at areas of interest that pedestrian may wish to stop and enjoy. Seating should be considered when developing primary footpath networks.

## 4. Proposed Footpath Network

It is proposed that the footpath network be categorised so that footpaths can be provided which are most appropriate for the expected use. It is appropriate that a minimum standard of footpath be provided at as many locations as possible however, in locations where there is high use or special need, higher or different standards of footpaths be provided. It is also important to consider the staging of a footpath network, which may take a number of years, to install it in a way that best supports community needs. In this way Council will, in time, be able to provide appropriate standards of footpaths within its available budget.

It is proposed that the footpath network be categorised into Primary, Secondary Local and Minor footpaths. These footpaths provide for pedestrian traffic generally between residential areas and popular destinations such as shopping, recreation, sporting and other public facilities.

It should be noted that, while the footpath hierarchy shares similar name terminology as the road network, the road hierarchy is not necessarily reflected in the footpath hierarchy. It is likely that mismatches occur such as a secondary road having an access level footpath.

Shared paths are for recreational use (rather than commuter use) and are generally shared by pedestrians and cyclists. These are dealt with in the Open Space Strategy.

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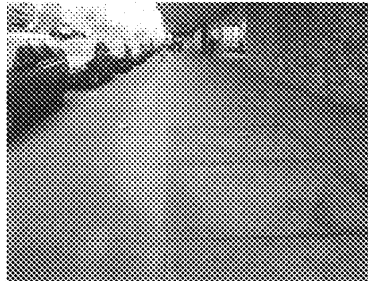


#### 4.1. Primary Footpaths

The key objective of a Primary footpath is to provide connectivity between the different communities to the most popular destinations such as shopping, medical, sporting, recreational and other public facilities. Primary footpaths provide broad benefit to the wider community through high quality, safe, convenient and comfortable pedestrian access. The Primary Footpaths should cater well for disabled users and for night use.

Typically, Primary footpaths provide a connection between the secondary footpaths and the popular destinations. It is recommended that the Primary Footpath Network have very high standards of comfort and safety to encourage use by all pedestrians during day or night.

The footpaths providing access to busy retail and commercial areas are regarded as part of the Primary Footpath Network. Footpaths in these areas differ in that they generally extend from the kerb and channel to the property boundary.



Proposals for any works on footpaths in and around the Central Business District should be referred to the recommendations contained within the Colac Central Business District and City Entrances Project.

The primary network is essentially established. There are some possible network extensions (see Appendix B2) that Council should consider for inclusion in the capital works budget. The Primary Network extensions suggested are not urgent and in all locations are duplicating an existing footpath on the other side of the street. As such their construction could be deferred until the existing paths reach capacity.

An inspection of the existing network has shown that there are a range of minor works which should be addressed in order to bring it up to the proposed standards. It is estimated that the cost of these minor works is \$162,000. These works consist of installation of tactile, additional lighting and improvement to grant crossings. It is recommended that these issues are the highest priority and should be addressed as soon as practicable within budgetary constraints.

The establishment of the Primary Footpath Network to the recommended standard is viewed as having a high priority.

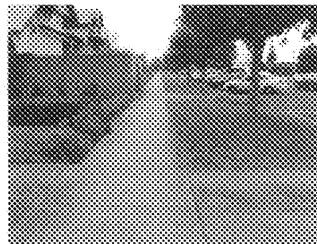


#### 4.2. Secondary Footpaths

Typically, Secondary Footpaths provide a connection between Local Footpaths and the Link Footpaths.

The existing concrete footpath network generally meets the proposed standard, however, there may be some instances where this is not the case and some work may be needed to improve existing footpaths.

The completion of the Secondary Footpath Network to the recommended standard is viewed as having a medium priority



#### 4.3. Local Footpaths

Local footpaths provide linkages between property frontages in residential areas (defined as the Planning Zone - Residential 1) and the Secondary/Primary Footpath network.

The existing concrete footpath network generally meets the proposed standard.

There are a number of residential areas where there is no constructed footpath link to the Primary footpaths. It is estimated that there is approximately 6000m (See Appendix B4) of footpaths to be constructed to complete the Local network. It is estimated that the cost of this construction is \$796,000.

The completion of the Local Footpath network to the recommended standard is viewed as having a medium to low priority

#### 4.4. Minor Footpaths

It is recognised that there are some footpaths that do not meet the above standards. There are some gravel paths and some unformed paths that exist. Where Council has maintained these paths in the past, Council will continue to maintain these paths at the existing standard.

The improvement of Minor Footpaths to Local standard is viewed as having a low priority. Generally, Council will not undertake improvements to Minor Footpaths unless a specific need has been demonstrated, usually by adjoining landowners.

#### 4.5. Shared Paths

There are also some shared paths within the Colac urban area. Shared paths are those pathways that have been provided for recreational purposes and have been constructed to an appropriate standard for use by both pedestrians and cyclists. Shared paths do not form part of this strategy other than to be included as a likely destination. Shared paths are to be dealt with within the Colac Otway Open Space Strategy which is currently being prepared.

In relation to this Commuter Footpath Strategy, Shared paths should be considered as a destination and therefore the commuter footpath network should provide high quality access to the Shared Footpath Network

Shared paths are usually only constructed as a result of recommendations of a recreational strategy or a specific need that has been identified.

#### 4.6. Proposed Standards

A revised set of standards have been developed to address the varying requirements of the different types of footpaths. These standards are detailed in Appendix C.

Parts of the existing network do not meet the proposed standards and it is these areas that have been prioritised within the works program. The proposed works program shows the works required to bring the existing network up to the proposed standards including realistic timing and funding for those works.

Where new installations are planned, it is proposed that these be constructed to the proposed standard.

Appendices B1 and B2 provide summaries of the network extensions (where sections of footpath are missing), while Appendix B3 summarises the required improvements to the existing parts of the primary footpaths up to the standards proposed.

##### 4.6.1. Construction Standards

The general construction standards that apply to all concrete footpaths are detailed in the Infrastructure Design Manual (IDM) and the associated Standard Drawings. The standards proposed in this Strategy shall not be used to reduce or diminish the footpath construction standards defined in the IDM.

Longitudinal grades on footpaths are of concern in that, ideally, footpath grades should be restricted to the standards described in AS 1428 – Design for Access and Mobility. In practice however, it is common for road grades to be well in excess of the maximum grade of 1 in 14 as defined in AS1428 for walkways. The Infrastructure Design Manual recommends a preferred maximum road grade of 10% and allows an absolute maximum grade of 20%. In effect, these grades become the default standards for footpaths. While these gradients are well outside the standard of AS1428, it is, at times, practically impossible to achieve those standards.



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## 5. Funding Mechanisms

The cost of providing the footpath network can be met from a variety of sources.

Council funding will be generally be the only funding available for upgrading any of the existing network. However, in addition to Council funds, new footpaths might be funded through Special Charge Schemes, inclusion in the construction of new subdivisions or through external funding such as that available from either State or Federal governments

Any new development should consider the expected level of pedestrian access. The new development should include any required extension of the existing footpath network (at a standard consistent with the expected pedestrian use) as part of the works required for that development.

### 5.1. Primary Footpaths

Extensions and upgrades of the existing Primary footpath network shall be constructed within the context of Council's capital works program. Funding will be on a shared basis between Council and the abutting property owners. An assessment of the benefit to the general community will be made to ascertain Council's share of the funding.

The range of minor works defined in Appendix B1 has been estimated to cost \$162,000. This should be wholly funded directly by Council and be undertaken as a matter of high priority. It is recommended that a provision of \$35,000 to \$40,000 annually be made to address these works over the next 5 year period.

Where a new public facility is to be constructed, extending the existing Primary Footpath network to the facility should be considered as part of the works and be funded as part of the cost of those works.

### 5.2. Secondary footpaths

Any extension of the existing Secondary Footpath Network, to service existing residential areas, will usually be constructed by way of special charge scheme where benefitting ratepayers make a financial contribution to the works.

The cost of this construction has been estimated at \$546,600 (Appendix B3). It is proposed that these works -

- Generally be funded using Special Charge Schemes
- Council provides funding on the basis of the assessed community benefit

With the bulk of the proposed Queens St footpath being in the Rural Living Zone, it is unlikely that a Special Charge Scheme for footpath construction would be acceptable. Also, because an important function of this footpath is to provide access between the eastern half of Elliminyt and the Colac Secondary College, there would be a high Community benefit which Council would be responsible for. It is proposed that Queens St be constructed over the short to medium term and be funded by



Council at an estimated cost of \$235,000 (this is in addition to necessary drainage works)

As the Queens St footpath may also form part of the Old Beechy Rail Trail, the construction of a shared path along the west side of Queens St may qualify for recreation based funding. This option is currently being explored. Construction of a shared path will also make provision for cyclist to be off-road rather than use bike lanes along the southern part of Queens St.

Where new subdivisions are being constructed, footpaths shall be provided, throughout the development, in accordance with the standards in Appendix C and as prescribed in Council's Infrastructure Design Manual.

### **5.3. Local footpaths**

Similar to the funding of Secondary footpaths, extensions to the Local Footpath Network will generally be funded by way of Special Charge Schemes with Council's contribution being based on the assessed community benefit. Schemes will be developed based on community demand and Council's available budget.

The estimated cost of extending the Local Footpath Network to those well developed residential areas that are currently without any footpath within the street has been estimated at \$813,500 (Appendix B4). It should be noted that this cost provides footpath on one side of the street only – footpaths on both side will cost double this (Est \$1.63 million).

Where new subdivisions are being constructed, footpaths shall be provided, throughout the development, in accordance with the standards in Appendix C and as prescribed in Council's Infrastructure Design Manual.

### **5.4. Minor footpaths**

Minor footpaths shall not be constructed by Council. Where they currently exist and have been maintained by Council in the past, Council will continue to maintain Minor paths to a minimum standard

### **5.5. Shared Paths**

Shared Paths shall usually be constructed within the context of Council capital works program. In general, however, external funding (eg from State or Federal Government) will be sourced to supplement Council funding.

### **5.6. Renewal and Maintenance**

Renewal and maintenance of the whole of the footpath network will be managed and funded by Council. It is unlikely that Council will be able to source external funding for renewal and maintenance.

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Where renewal of footpaths is required, the renewal should include any works required to provide the appropriate footpath to the standards shown in Appendix C.

## 6. Works Program

The program of works required to improve the existing footpath network to the proposed standards should be undertaken within Council's budgetary constraints. It is proposed that the works required to achieve the proposed standard on the existing Primary Footpaths be undertaken over a period of 5 years. This proposed works schedule (Appendix B1) will require an average annual expenditure of \$35,000.

In addition to this, Appendix B2 lists the sections of the Primary Footpaths that are missing. The estimated cost of these projects is \$242,000. As noted in Section 4.1 above, these works are not regarded as urgent and can be deferred until the paths on the other side of the streets reach capacity.

The construction of Queens St commenced in 2010/11 and includes sealed shoulders to provide a bike path. Consideration should be given to including the footpath works with the road and drainage construction.

Extension of the Secondary footpath network (with the exception of the Queen St footpath) to areas of residential areas without concrete footpaths is expected to proceed based on requests from property owners. Because of the recent amalgamation of the Colac High School and the Colac Technical School onto the single campus at Queen St access to this site has increased in importance and as such has been placed at the top of the works program.

Appendix B5 is a prioritised works program for the works identified in Appendices B1 to B4

### 6.1. Prioritisation of Works

The value of the proposed works is well in excess of the likely available budget and therefore any proposed works need to be prioritised. The proposed footpath works should be prioritised by a weighted rating method based on criteria such as hierarchical level, current functionality current and expected levels of levels of usage, safety issues.

## 7. Footpath Renewal and Maintenance

Renewal and maintenance includes all the work required to ensure the ongoing performance of the footpaths to the service levels required.

### 7.1. Footpath Renewal

Renewal is generally regarded as the replacement of larger sections of footpath that have reached the end of their useful life. Typically, footpath due for renewal is



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characterised by multiple previous repair works, excessive loss of the concrete surface, undulating surface of the footpath (eg from multiple root intrusions) and the like.

The existing footpath renewal program is estimated to cost \$ 2,000,000 to complete. The budgeted 2011/12 expenditure is \$ 300,000 annually , however it is estimated to properly address the footpath renewal requirement, Council needs to spend \$400,000 annually

## 7.2. Footpath Maintenance

Footpath maintenance is generally regarded as the smaller works required to ensure that the footpaths continue to meet the minimum safety standards. Typically, maintenance work is removal of trip hazards (caused by severe cracking, differential settlement of adjoining slabs, subsidence or tree root intrusion) or vegetation management (such as weed removal or trimming back of trees and shrubs).

Footpath maintenance, at the existing intervention standards is under control as the list of those areas of footpath out of intervention is being addressed within the specified time limits.

Essentially, footpath maintenance (on the concrete footpaths) is triggered by trip hazards. Currently the intervention standard is a dislocation in the surface greater than 25mm. There is some concern that this is no longer in line with industry standards and it is recommended that the footpath intervention standard for trip hazards should be reviewed. Any significant reduction in the intervention standard will require additional funding to address the issue.

A cause for comment about recent works is that some maintenance works have resulted in a patchwork appearance where there have been multiple repairs done in a small area. It is recommended that in commercial areas, where there are multiple footpath failures close together, consideration be given to replacement of whole areas of footpath to avoid a patchwork appearance.

## 8. Recommendations

To facilitate the implementation of the proposed Footpath Network, as described in this plan, in Colac it is recommended that -

1. Council adopt this Colac-Elliminyt Strategic Network Plan
2. Council adopt the standards shown in Appendix C
3. Council includes the works shown in the Works Program (Appendix B5) in its long term Capital Works program
4. Council provides the funding required for the works available by including an annual budget of \$35,000 for improvements to the Primary footpath network (as shown in Appendix B3).
5. Council make provision for extension of the Secondary footpath network through Special Charge Schemes.

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6. Increase the Renewal expenditure on footpaths to \$ 400,000 annually
7. Review the intervention standard for footpath trip hazards

## 9. Appendices

- 9.1. Appendix A - Plans
- 9.2. Appendix B – Works Program and Cost Estimates
- 9.3. Appendix C – Proposed Standards

### References:

An Australian vision for active transport, alga, 2011  
Blueprint for an active Australia, Heart Foundation, 2009  
A Walkability Toolkit  
AS 1428 – Design for Access and Mobility  
Colac Otway Public Open Space Strategy  
Colac Central Business District and City Entrances Project  
Infrastructure Design Manual

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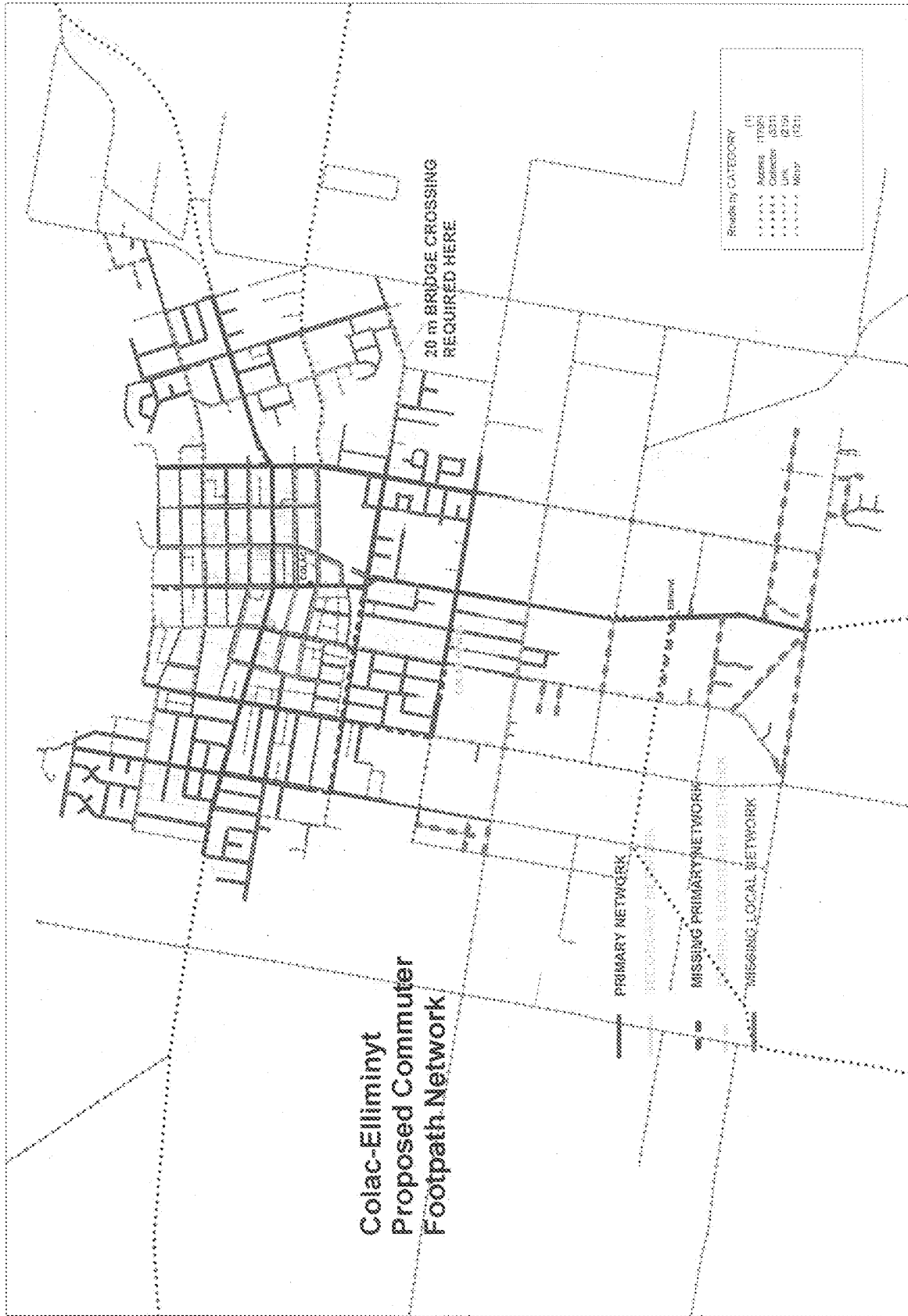


# Appendix A

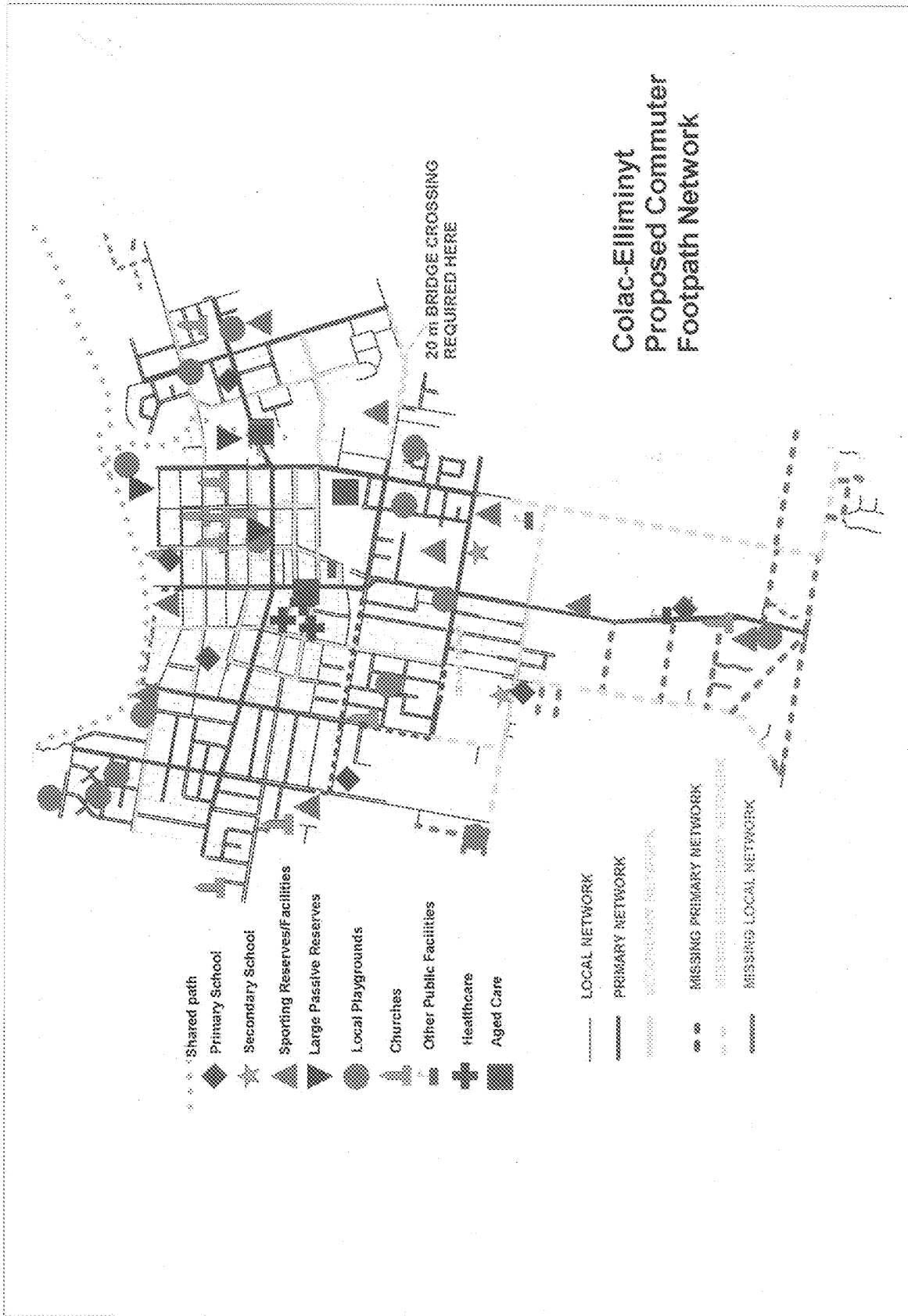
# Plans

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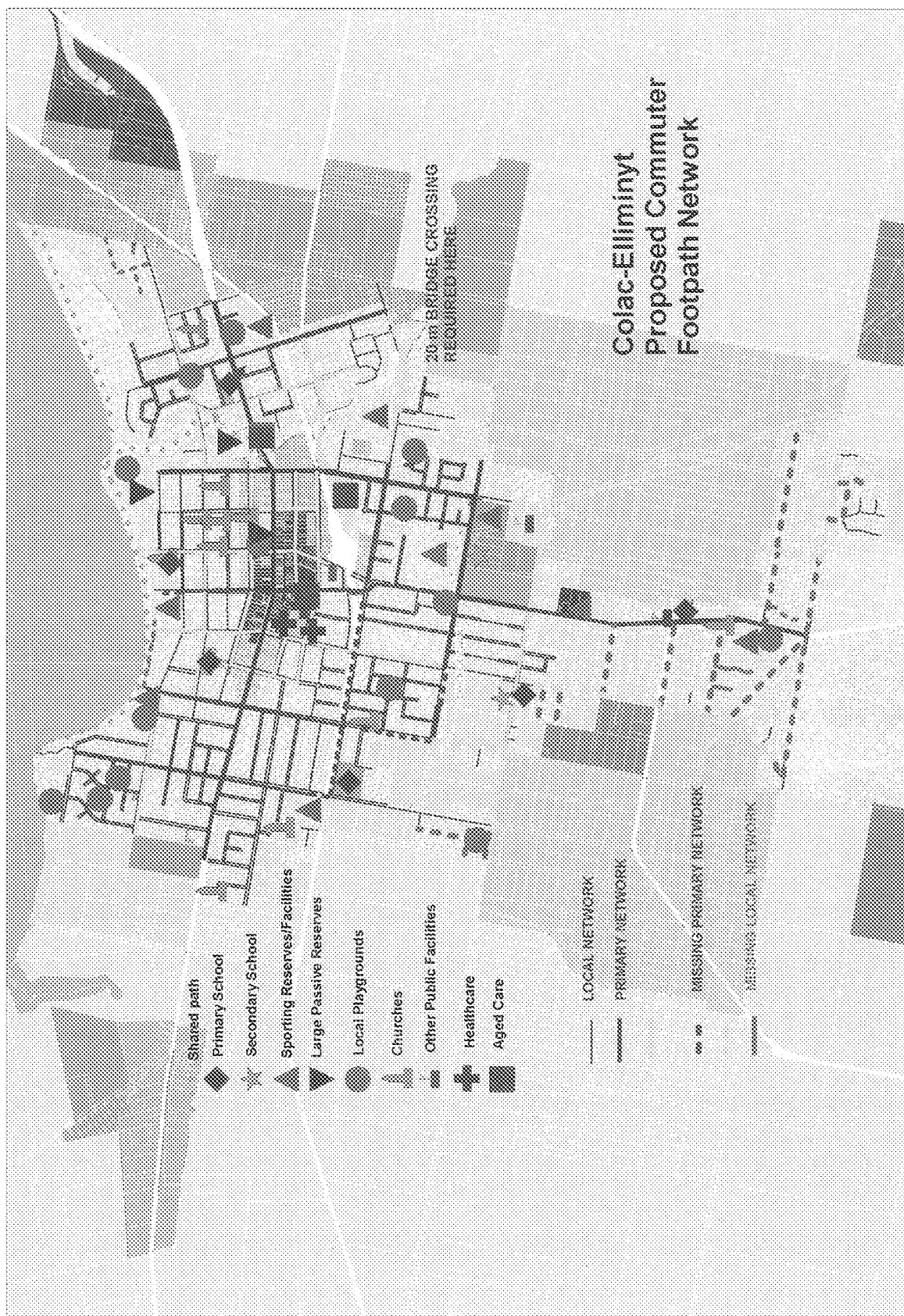














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## Appendix B

# Cost Estimates & Works Plan



**Colac - Elliminyt  
Commuter Footpath Strategy  
Primary Footpath Minor Works**

| Street Name               | Pram Crossings<br>No of grinds | Proposed Works             |                    | Amount    |
|---------------------------|--------------------------------|----------------------------|--------------------|-----------|
|                           |                                | Tactiles<br>No<br>(Note 1) | Streetlights<br>No |           |
| Church Street             | 16                             | 20                         | 2                  | \$14,000  |
| Wilson Street             | 17                             | 30                         | 2                  | \$17,000  |
| Sinclair Street           | 35                             | 36                         | 2                  | \$24,000  |
| Armstrong Street          | 24                             | 30                         | 3                  | \$20,000  |
| Hearn Street              | 16                             | 27                         | 2                  | \$17,000  |
| Corangamite/Gravesend Str | 35                             | 52                         | 2                  | \$32,000  |
| Queen St                  | 10                             | 15                         | 1                  | \$11,000  |
| Murray Street             | 37                             | 39                         | 1                  | \$27,000  |
|                           |                                |                            |                    | \$162,000 |

Note 1 This is the no of locations to be upgraded  
It is assumed that at each location,  
- 2 rows of 4 tiles will be glued onto the existing concrete path

Note 2 Does Not include any improvements to Rail crossings - most of this work has ben done

**Appendix B1**



Colac - Elliminyt  
Commuter Footpath Strategy  
Primary Footpath  
Network Extensions

| Street Name           | Side       | Start           | End             | Length (m)  | Driveways | Amount           |
|-----------------------|------------|-----------------|-----------------|-------------|-----------|------------------|
| Armstrong St (Note 1) | West       | Elsinore St     | Hearn St        | 400         | 2         | \$48,000         |
| Wilson St (Note 2)    | North Side | Sinclair St Sth | Gravesend St    | 1220        | 0         | \$146,400        |
| Wilson St (Note 3)    | Both Sides | Cantis Rd       | Sinclair St Sth | 400         | 0         | \$48,000         |
| <b>Total</b>          |            |                 |                 | <b>1620</b> |           | <b>\$242,400</b> |

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Appendix B2





**Colac - Elliminyt  
Commuter Footpath Strategy  
Secondary Footpath  
Network Extensions**

| Street Name                | Side  | Start             | End             | Length (m)  | Driveways       | Amount (Z)       |
|----------------------------|-------|-------------------|-----------------|-------------|-----------------|------------------|
| Armstrong Street           | West  | Hearn Street      | Darby Drive     | 133         | 7               | \$15,960         |
| Armstrong Street           | West  | Darby Drive       | Pound Road      | 259         | 14              | \$31,080         |
| Pound Road                 | North | Cemetery          | Queen Street    | 382         | 0               | \$45,840         |
| Pound Road                 | North | Armstrong St      | Sinclair St Sth | 430         | 0               | \$51,600         |
| Queens Street (See Note 1) | West  | New School        | Pound Road      | 183         | 0               | \$21,960         |
| Queens Street (See Note 1) | West  | Pound Road        | Tulloch Street  | 1346        | 4               | \$161,520        |
| Queens Street (See Note 1) | West  | Tulloch Street    | Harris Road     | 262         | 4               | \$30,240         |
| Harris Road                | North | Queen Street      | Callistemon     | 450         | 5               | \$54,000         |
| Hart St                    | East  | Dean Crt          | Howarth St      | 1120        | 16              | \$134,400        |
| Spring                     | East  | near Harris Rd    | Howarth St      | 390         | 12              | \$46,800         |
| Wilson Street              | North | Talbot Street     | Kettle Street   | 330         | 2               | \$39,600         |
| Wilson Street              | North | Barongarook Creek | Footpath Bridge | 20          | Footpath Bridge | \$200,000        |
| <b>Total</b>               |       |                   |                 | <b>4945</b> |                 | <b>\$546,600</b> |

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Appendix B3



**Colac - Elliminyt  
Commuter Footpath Strategy  
Local Footpath  
Network Extensions**

| Street Name     | Side  | Start           | End                | Length (m)  | Driveways | Amount (2)       |
|-----------------|-------|-----------------|--------------------|-------------|-----------|------------------|
| Tulloch Street  | South | Main St         | Queen Street       | 446         | 15        | \$53,520         |
| Tulloch Street  | South | Queen Street    | East end Beechy Cr | 580         | 30        | \$81,600         |
| Queens Ave      | South | Armstrong       | No 2 Queens Ave    | 350         | 18        | \$42,000         |
| Parkes St       | South | McGonigal St    | End                | 140         | 8         | \$16,800         |
| McGonigal St    | East  | Coads Lane      | Chapple St         | 190         | 8         | \$22,800         |
| Coads Lane      | South | Clarke St       | McGonigal St       | 190         | 4         | \$22,800         |
| Dean Cr         | South | Hart St         | End                | 170         | 7         | \$20,400         |
| Mahoney Cr      | South | Hart St         | End                | 170         | 7         | \$20,400         |
| Harris Rd       | North | Main St         | Spring St          | 540         | 26        | \$100,800        |
| Harris Rd       | North | Main St         | Queen Street       | 450         | 19        | \$55,200         |
| Howarth St      | South | Harris Rd       | Spring St          | 630         | 12        | \$75,600         |
| Irrewillipe Rd  | North | Main St         | Hart St            | 500         | 23        | \$60,000         |
| Ballagh St      | South | Main St         | Hart St            | 520         | 19        | \$62,400         |
| Airey Street    | North | Main St         | Hart St            | 420         | 12        | \$50,400         |
| Deloraine Court | East  | Ballagh         | End                | 100         | 7         | \$12,000         |
| Bagley St       | East  | Hearn St        | End                | 340         | 17        | \$40,800         |
| Sydenham St     | North | Sinclair St Sth | Cants Rd           | 200         | 4         | \$24,000         |
| Pound Rd        | North | Sinclair St Sth | Cants Rd           | 200         | 10        | \$24,000         |
| Garden Close    | East  | Ballagh         | End                | 233         | 11        | \$27,960         |
| Buckland Cr     | East  | Tulloch Street  | End                | 190         | 10        | \$22,800         |
| <b>Total</b>    |       |                 |                    | <b>6969</b> |           | <b>\$813,480</b> |

Draft No. 3  
Date: 26/04/2011

Appendix B4



**Colac - Elliminyt  
Commuter Footpath Strategy  
Works Program**

| No | Street                       | From           | To             | Works   | Cost      |
|----|------------------------------|----------------|----------------|---|-----------|
| 1  | Queens Street                | New School     | Pound Road     | Secondary footpath construction - West Side   | \$21,960  |
| 2  | Queens Street                | Pound Road     | Tulloch Street | Secondary footpath construction - West Side   | \$161,520 |
| 3  | Queens Street                | Tulloch Street | Harris Road    | Secondary footpath construction - West Side   | \$30,240  |
| 4  | Church Street                | Throughout     |                | Primary Footpath - Minor Works<br>Grind 16 Pram Xings, Install Tactiles at 20 locations, install 2 new streetlights | \$14,000  |
| 5  | Wilson Street                | Sindair St     | Queen St       | Primary Footpath - Minor Works<br>Grind 17 Pram Xings, Install Tactiles at 30 locations, install 2 new streetlights | \$7,000   |
| 6  | Sindair Street               | Stoddart St    | Wilson St      | Primary Footpath - Minor Works<br>Grind 35 Pram Xings, Install Tactiles at 36 locations, install 2 new streetlights | \$24,000  |
| 7  | Armstrong Street             | Moore St       | Wilson St      | Primary Footpath - Minor Works<br>Grind 24 Pram Xings, Install Tactiles at 30 locations, install 3 new streetlights | \$20,000  |
| 8  | Hearn Street                 | Armstrong St   | Queen St       | Primary Footpath - Minor Works<br>Grind 16 Pram Xings, Install Tactiles at 27 locations, install 2 new streetlights | \$7,000   |
| 9  | Corangamite/Gravesend Street | Pollack St     | Harris Rd      | Primary Footpath - Minor Works<br>Grind 35 Pram Xings, Install Tactiles at 52 locations, install 2 new streetlights | \$32,000  |
| 10 | Queen St                     | Fyans St       | Hearn St       | Primary Footpath - Minor Works<br>Grind 10 Pram Xings, Install Tactiles at 15 locations, install 1 new streetlights | \$11,000  |
| 11 | Murray Street                | Sindair St     | Bruce St       | Primary Footpath - Minor Works<br>Grind 37 Pram Xings, Install Tactiles at 39 locations, install 1 new streetlights | \$27,000  |
| 12 | Armstrong Street             | Hearn Street   | Darby Drive    | Secondary footpath construction - West Side   | \$15,960  |
| 13 | Armstrong Street             | Darby Drive    | Pound Road     | Secondary footpath construction - West Side   | \$31,080  |
| 14 | Pound Road                   | Cemetery       | Queen Street   | Secondary footpath construction - North Side  | \$45,840  |
| 15 | Pound Road                   | Armstrong St   | Sindair St Sth | Secondary footpath construction - North Side  | \$31,600  |

**Colac - Elliminyt  
Commuter Footpath Strategy  
Works Program**

| Street                   | From              | To              | Works  | Cost      |
|--------------------------|-------------------|-----------------|--|-----------|
| 16 Harris Road           | Queen Street      | Callistemon     | Secondary footpath construction - North Side | \$54,000  |
| 17 Hart St               | Dean Cr           | Howarth St      | Secondary footpath construction - East Side  | \$134,400 |
| 18 Spring                | near Harris Rd    | Howarth St      | Secondary footpath construction - North Side | \$46,800  |
| 19 Wilson Street         | Talbot Street     | Kettle Street   | Secondary footpath construction - North Side | \$39,600  |
| 20 Wilson Street         | Barongarook Creek |                 | Footbridge construction - North Side         | \$200,000 |
| 21 Armstrong St (Note 1) | Elsinore St       | Hearn St        | Primary footpath construction                | \$48,000  |
| 22 Wilson St (Note 2)    | Sinclair St Sth   | Gravesend St    | Primary footpath construction                | \$146,400 |
| 23 Wilson St (Note 3)    | Cants Rd          | Sinclair St Sth | Primary footpath construction                | \$48,000  |
| 24 Tulloh Street         | Main St           | Queen Street    | Local footpath construction - South Side     | \$53,520  |
| 25 Tulloh Street         | Queen Street      | East end Beechy | Local footpath construction - South Side     | \$81,600  |
| 26 Queens Ave            | Armstrong         | No 2 Queens Ave | Local footpath construction - South Side     | \$42,000  |
| 27 Parkes St             | McGonnigal St     | End             | Local footpath construction - South Side     | \$16,800  |
| 28 McGonnigal St         | Coads Lane        | Chapple St      | Local footpath construction - East Side      | \$22,800  |
| 29 Coads Lane            | Clarke St         | McGonnigal St   | Local footpath construction - South Side     | \$22,800  |
| 30 Dean Cr               | Hart St           | End             | Local footpath construction - South Side     | \$20,400  |
| 31 Mahoney Cr            | Hart St           | End             | Local footpath construction - South Side     | \$20,400  |
| 32 Harris Rd             | Main St           | Spring St       | Local footpath construction - North Side     | \$100,800 |
| 33 Harris Rd             | Main St           | Queen Street    | Local footpath construction - North Side     | \$55,200  |
| 34 Howarth St            | Harris Rd         | Spring St       | Local footpath construction - South Side     | \$75,600  |
| 35 Irrewillipe Rd        | Main St           | Hart St         | Local footpath construction - North Side     | \$60,000  |
| 36 Ballagh St            | Main St           | Hart St         | Local footpath construction - South Side     | \$62,400  |
| 37 Airey Street          | Main St           | Hart St         | Local footpath construction - North Side     | \$50,400  |
| 38 Deloraine Court       | Ballagh           | End             | Local footpath construction - East Side      | \$12,000  |
| 39 Begley St             | Hearn St          | End             | Local footpath construction - East Side      | \$40,800  |
| 40 Sydenham St           | Sinclair St Sth   | Cants Rd        | Local footpath construction - North Side     | \$24,000  |
| 41 Pound Rd              | Sinclair St Sth   | Cants Rd        | Local footpath construction - North Side     | \$24,000  |
| 42 Garden Close          | Ballagh           | End             | Local footpath construction - East Side      | \$27,960  |
| 43 Buckland Cr           | Tulloch Street    | End             | Local footpath construction - East Side      | \$22,800  |

Colac-Elliminyt Commuter Footpath Strategy  
Draft August 2011



## Appendix C

# Hierarchy Standards

~ 20 ~





Apr 2013

Colac - Elliminyt Commuter Footpath Strategy

INFRASTRUCTURE  
APPENDIX C - Footpath Hierarchy Standards

| Hierarchy        | To be provided where the footpath is used for  | Construction Type (Note 3)                              | Width   | One or Both Sides of Road (Note 4)                      | Lighting   | Pavement Crossings (Note 2)                                       | Pedestrian Crossings (Note 3)                   | Facilities   | Funding   |
|------------------|--|---|---|---|--|---|---|--|---|
| Commercial Areas | Primary access to the main shopping areas  | Concrete<br>Or other approved equivalent sealed surface | Allow concrete from property line to back of kerb | Provided in front of commercial premises                | Lighting to AS - 1158  | "Cyclist friendly" grant crossings provided at all road crossings | Consideration given at all road crossing points | Install Facilities to AS 1428.4 - 2009 at all road crossings     | Funding shared by Council and abutting property owners.<br><br>Council contribution based on community benefit. |
| Primary          | Primary access to community facilities, shopping, major sports facilities<br><br>Areas of high pedestrian use and/or mobility impaired use | Concrete<br>Or other approved equivalent sealed surface | As per GTP Part 13<br>Minimum width - 1.5m        | Generally footpath provided on both sides of the street | Lighting to AS - 1158  | "Cyclist friendly" grant crossings provided at all road crossings | Consideration given at all road crossing points | Install Facilities to AS 1428.4 - 2009 at all road crossings     | Funding shared by Council and abutting property owners.<br><br>Council contribution based on community benefit. |
| Secondary        | General public pedestrian access between residences, the Access Footpath network and the Link network                                      | Concrete<br>Or other approved equivalent sealed surface | 1.5m  | Generally footpath provided on both sides of the street | Street lighting provided at maximum 3.0m spacing (typically mid block lighting on long blocks) | "Cyclist friendly" provided at all new road crossings             | Generally not provided                          | Install Facilities to AS 1428.4 - 2009 at all new road crossings | Funding shared by Council and abutting property owners.<br><br>Council contribution based on community benefit. |
| Local            | Local residential access only  | Concrete<br>Or other approved equivalent sealed surface | 1.5m  | Generally footpath provided on both sides of the street | Street lighting provided at maximum 3.0m spacing (typically mid block lighting on long blocks) | "Cyclist friendly" provided at all new road crossings             | Not provided                                    | Install Facilities to AS 1428.4 - 2009 at all new road crossings | Usually wholly funded by abutting property owners   |
| Minor            | Local residential access only or low use paths to public facilities  | Unconstructed - gravel or other                         | Varies  | Varies  | Street lighting generally not provided   | Not provided  | Not provided                                    | Not provided   | Maintained by Council to a minimum standard   |

GTP - Guide to Traffic Engineering Practice - Auroroads - Part 13 - Pedestrians.

Note 1 - "Pedestrian Crossings" includes pedestrian refuges, islands, zebra crossings, pedestrian light and the like. May be provided at road crossings as appropriate eg

- a) where 4.40m > 2000 VPD and/or
- b) Traffic lane width > 10m and/or
- c) high pedestrian count and/or
- d) high volume of mobility impaired pedestrian users

Note 2 - A "Cyclist friendly" crossing is where a footpath passes through the kerb and channel smoothly and evenly so as to be comfortable for users with mobility aids - ie where bulbouts are present, they should be removed.

Note 3 - Concrete footpaths are the preferred construction type. Other construction types may be considered where they are appropriately designed.

Note 4 - Footpaths are generally not provided where there are no abutting residential properties.

Note 5 - All footpath construction shall be generally in accordance with the Infrastructure Design Manual and the Standard Drawings.



OM112809-9

**LOCAL PORTS GOVERNANCE REVIEW DISCUSSION  
PAPER**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Ranjani Jha               | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN00233   |

**Purpose**

The purpose of this report is to present to Council the Local Ports Governance Review discussion paper and seek feedback for preparing a suitable response.

**Declaration of Interests**

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

**Background**

The Colac Otway Shire has entered into a 12 month management agreement with the Department of Transport (DoT) for the management of the Port of Apollo Bay from 1 July 2011 to 30 June 2012. The DoT has been studying a number of governance models for consideration in the long term management agreement and in the same context a governance discussion paper has been forwarded to Council for consideration and feedback by 30 September 2011. On the request of DoT the discussion paper has been forwarded to all the Councillors and relevant management staff for consideration, analysis and feedback.

**Council Plan / Other Strategies / Policy****Economic Development**

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

The Council Plan 2009/2013 indicates that Council has an ongoing commitment for the management and operations of the Apollo Bay Harbour via:

- Objective 5 Economic Development – Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy and partnership;
- Strategy – Facilitate the development of infrastructure for business investment, growth and liveability; and
- Support the Apollo Bay Harbour precinct development.

**Issues / Options**

A number of models are currently being used for the management of local ports as mentioned below:

1. Management through Municipal Councils.

Under this model the Ports are being managed by local Councils as Committee of Management on behalf of the State Government. The model relies on the signing of management agreements between the State Government and the local Council and the local ports are managed in accordance with the conditions included in the agreement. On an annual basis a budget allocation is made by the State Government to the local ports and the funds are utilised in accordance with the management agreement conditions and approved budget. Upon completion of each financial year an annual report is provided to the State Government by the respective local ports indicating the outcome of the budget, key highlights, goals achieved,

incidents, future goals and challenges together with a financial report duly audited by the auditors.

Currently there are four Municipal Councils managing the local ports on behalf of the State Government, namely the Glenelg Shire Council, Moyne Shire Council, Colac Otway Shire Council and Warrnambool Council. These four Councils utilise the Committee of Management model for managing their ports, however they exercise the Committee of Management in slightly different ways as outlined below:

- i. A committee under Section 86 of the Local Government Act 1989 with the Committee consisting of Councillors, local port staff and appropriately skilled residents.
- ii. An advisory committee with the members including Councillors, local port staff, fishermen/harbour users and interested residents.
- iii. A user group with the option of consultation on a regular basis or on a project by project basis.

At present Colac Otway Shire is managing the Port of Apollo Bay utilizing Local Government Committee of Management – Advisory Committee model (option 2 above). The Advisory Committee does not have any decision making powers therefore any decision on major projects or critical items is made by Council through Council reports and recommendations. The Advisory Committee meets two times per year or on needs basis and is used for provision of information updates. Councillor Frank Buchanan is a member of the Advisory Committee together with Manager Major Contracts, Team Leader, Port of Apollo Bay and other user group representatives.

It is mentioned in the discussion paper that formation of a committee under Section 86 of the Local Government Act 1989 provides greater transparency with the reporting and accountability and clearly separates local port functions from general Council business (option 1 above). The advisory committee and the user group forums are mainly meant for discussing the issues without having the power to make a decision.

2. Parks Victoria (PV) model based on Crown Land (reserves) Act 1978 and several other Acts for providing general park management services to DSE.

Currently PV is responsible for management of Port Phillip Bay, Western Port Bay and Port Campbell. It has been mentioned in the discussion paper that PV is the Committee of Management of many crown land reserves with local ports being simply one of those appointments. One of the drawbacks of this model is that they are currently not required to provide the annual reports on the local port management outcomes as is provided by the local Councils. There is a need to implement adequate reporting requirements for improving the transparency and accountability.

3. Coastal Committee of Management.

There are currently three local ports being managed under the Coastal Committee of Management model being Lorne, Port of Barwon Heads and Gippsland Ports. Whilst Lorne is managed by the Great Ocean Road Coast Committee (GORCC) and Barwon Heads by the Barwon Coast Committee (BCC) and report annually as part of wider foreshore annual report, the Gippsland Port's Committee of Management is focused solely on managing five designated ports and maintain a team of skilled staff in various aspects of port management including the Harbour Master skills. Any specialised engineering skills are sourced from outside.

It has been indicated in the discussion paper that the DoT is open to suggestions regarding the effectiveness and efficiency of each of the above models currently in use, namely the Municipal Council model, the Statutory Body Corporate model incorporating Port Phillip Bay, Western Port Bay and Port Campbell and the Statutory Body model incorporating a number of local ports such as Lorne, Barwon Heads, Mallacoota, Lakes Entrance etc.

The issue which is of concern to Council is the setting of fees and licensing of Berths and Moorings. It is felt that this could be better managed Statewide through the Department of Transport and its registration branch "VicRoads".

### **Proposal**

The discussion paper has been read by the management staff and it is felt that the current model for management of the Port of Apollo Bay using the Committee of Management structure is working quite effectively. The management of the Port of Apollo Bay by the Colac Otway Shire has a number of advantages such as:

- Ownership and pride in managing the local port.
- Having a greater say and control in the port management.
- Taking into account the local town planning issues and integrating them with the port development.
- Ensuring the effective integration and implementation of the Apollo Bay Harbour Master Plan taking into account the overall port operation and development.
- Taking into account the tourist activities, economic development issues and environmental aspects.
- Greater accountability and transparency in financial reporting utilising Council's policies and procedures.
- Management of the port at a local level rather than at a state level.
- Lobbying with government for funding of key projects.
- Tackling issues of water quality such as Undaria growth which can be ignored or not given the highest priority if the management is not delivered at local Council level.
- Working closely with the local stakeholders and fishermen ensuring the port is maintained as a working port.
- Having a say in the review of fees and charges taking into account the user affordability and capacity to pay criteria.
- Gain the competitive edge in the development of Apollo Bay Harbour.

It appears from the discussion paper that some of the other models suggested may have certain drawbacks in the sense that the reporting may not be as transparent and accountable as is the case with the Local Government Committee of Management model. Some of the other ports are driven by commercial activity and focus may be on increasing the profit margin whereas the Port of Apollo Bay is unique in the sense that it is being operated in a manner which will benefit the local users and the local town whilst at the same time being competitive and attractive as a tourist destination.

It is therefore felt that the current model of managing the Port of Apollo Bay as a Committee of Management is working well, however there are few issues which need to be further discussed with the DoT to streamline the long term port management agreement. Some of the issues that need to be discussed with the DoT are as follows:

1. The DoT should be assisting with the Port Business Planning process and the facilitation of the same for all the local ports.
2. A number of changes are likely to be faced due to the recent review of the Marine Act such as the requirement for a harbour master, the need for a Safety Director, the

need for a greater patrolling, serving of infringement notices, the recreational and commercial boating licensing issues, review of fee and charges taking into account whole of the asset lifecycle costs etc.

3. DoT is currently working on the development of an Asset Management Plan utilizing GHD as the consultants that will assist with determination of correct funding levels for a) ongoing operational activities, b) ongoing maintenance, c) renewal of existing assets and d) construction of new assets. The current funding allocation does not take into account the four aspects of the asset management.
4. The ongoing review and implementation of Safety and Environment Management Plan (SEMP) may require additional resources and/or sharing of resources between Ports.
5. The DoT should recognise that each Council may have different sets of policies and procedures and reporting arrangements therefore provision should be made to allow the individual Councils to manage the port in accordance to their own management agreements rather than implementing a single common agreement.
6. In doing so consideration should be given to the timeframes of respective local Councils for preparing the budget, adopting the budget, etc. Some of the recent dates suggested by DoT in the management agreement for provision of budget, provision for financial reports etc conflict with the Council datelines.
7. There has been some confusion with dealing with insurance issues. There is a need to streamline the processes so Council has greater control and autonomy in dealing with the risk management issues. It is also required that any compensation claims exceeding the excess amount are forwarded to DoT for necessary investigation and action in consultation with the local port management.

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

There will not be any financial impact on Council as a result of a review of port governance. It is expected that whatever model is adopted by DoT the port will continue to be fully funded by the State Government.

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

There are no issues linked with risk management and compliance issues as a result of this report, however the governance review will focus on improved safe working practices, incident reporting, implementation of SEMF etc.

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

There will not be any impact on environmental aspects as a result of the governance review however it is expected that with the selection of the correct model further improvements will be made in managing the environment to a safe standard.

#### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

As this issue relates primarily to the operational aspects of the Port of Apollo Bay the method selected would be inform.

Once the feedback of the local port managers is sought and considered by DoT the matter will be forwarded to the State Government for further consideration and decision making. At present the issue of governance review appears to be limited to seeking feedback from the port management authorities and consultation not considered necessary with the wider community. However it is expected that once a decision is made regarding the selection of a

preferred model there will be some type of community consultation by the State Government advising the users of the future Governance agreements.

### **Implementation**

The current interim management agreement will expire on 30 June 2012. The DoT is keen to undertake the governance review within this period and put into place the long term management agreement.

### **Conclusion**

The current 12 months interim management agreement with DoT for the Apollo Bay Harbour comes to an end on 30 June 2012. The DoT is working with all the local ports for development of long term management agreements. In the same connection a governance review discussion paper has been prepared by DoT and forwarded to Council for perusal and feedback by 30 September 2011. The discussion paper provides information on the various governance models that are currently in place and providing information on alternative models that could be considered for the long term agreement.

The current model is working well because it provides Council greater ownership, control and decision making with the port management taking into account the town planning issues, the Harbour Master Plan developmental issue, local economy and affordability aspects. It has been highlighted in the report that there are a number of areas where the DoT can provide greater support to Council such as long term business planning, asset management and safety and environmental management plan implementation.

Due to recent review of the Marine Act, certain changes are likely to take place with regard to new licensing standards, appointment of safety directors, issue of infringement notices and sea patrolling etc which will need to be coordinated by the DoT. DoT will need to be mindful of the Council's budgeting process, availability of financial reports and also the risk management issues involving compensation claims etc. It is felt that with some fine tuning of the current management agreement and addressing of the outlined issues, the current model can be effectively utilised for the long term management of the Port of Apollo Bay for the benefit of harbour users and the local community.

### **Attachments**

1. Local Ports Governance Review Discussion Paper - Department of Transport

### **Recommendation(s)**

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

1. ***Receives the report on Port Governance Discussion Paper;***
2. ***Provides a response to Local Ports Division, Department of Transport outlining the issues raised within the report advising that the current model of Council acting as the Committee of Management for Port of Apollo Bay management is working well and is the preferred Council model; and***
3. ***Advises the Local Ports Division, Department of Transport, that Council would prefer the setting of Fees and Licencing of Berths and Moorings be managed Statewide through the Department of Transport and its Registration Agency.***

~~~~~\ ~~~~~





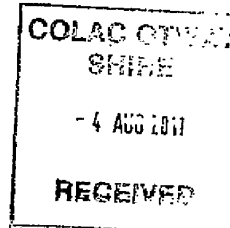


Department of Transport

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Ref:  
File: FOL/11/13537

Cr Brian Crook  
Mayor  
Port of Apollo Bay  
PO Box 283  
COLAC VIC 3250



Dear Mayor Crook

**LOCAL PORTS GOVERNANCE REVIEW**


As you are aware, the local ports program transferred from the Department of Sustainability and Environment (DSE) to the Department of Transport (DoT) on the 1<sup>st</sup> July 2010. It was considered an opportune time to review the current governance arrangements, even while acknowledging that they have served both the government and the local ports adequately since 1995. A critical part of that review is consideration of the views of all the local port managers.

Attached is a discussion paper that outlines and discusses the key issues, and then poses some questions for your consideration. It would be appreciated if the paper could be circulated to all Councillors for consideration and discussion, and a response sent back to the Department. We would also welcome feedback on any additional issues that you think the Department should consider in its review.

If you require further information or clarification, or would like to have a Departmental representative present at the meeting when the issue is discussed, please contact (Ms) Jo Connellan on (03) 9655 9784. A response by the 30th September 2011 would be appreciated.

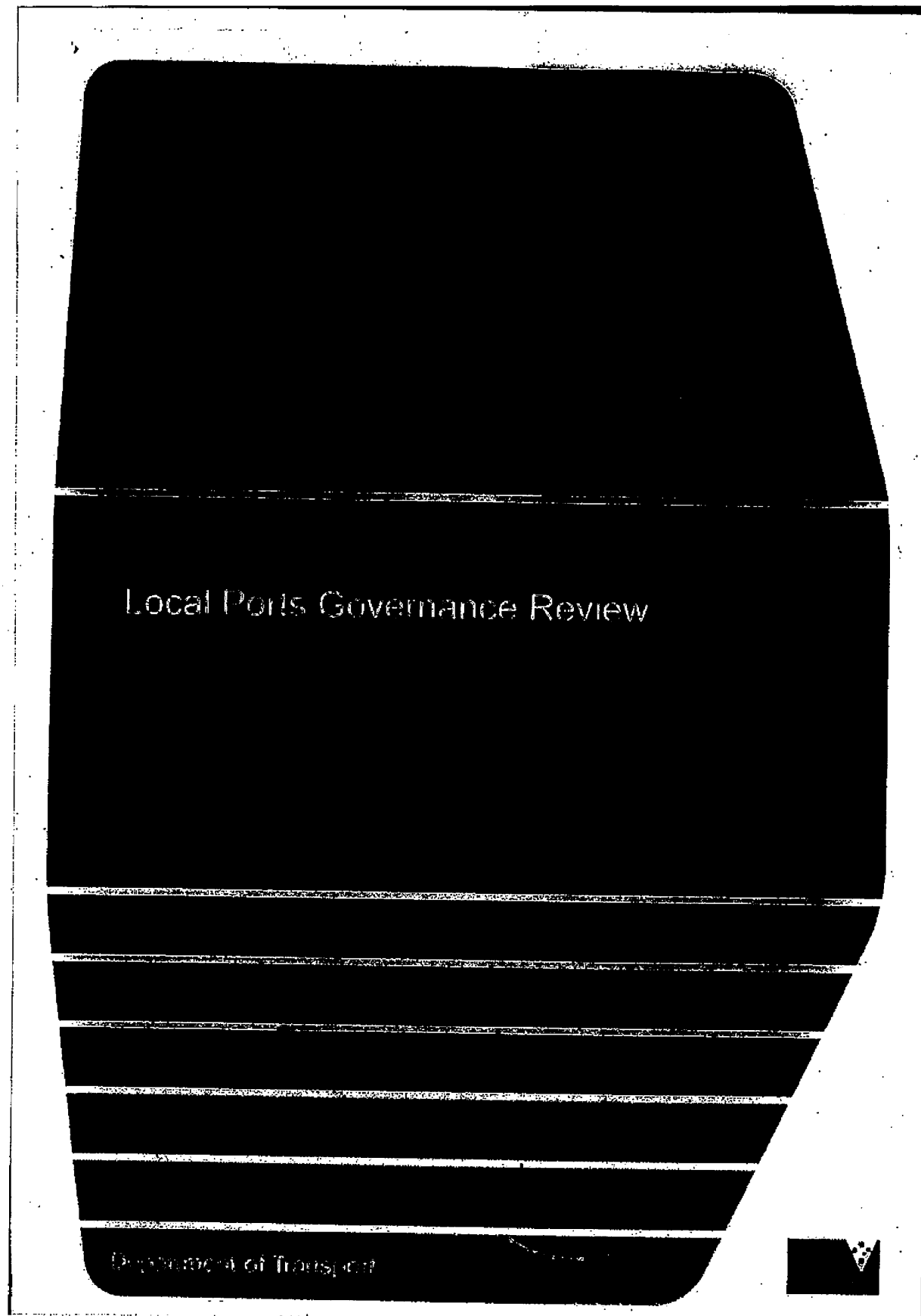
After the local port managers views have been received, potential improvements to the existing governance arrangements, including legislative changes, will be considered and recommendations made to the government for consideration.

Yours sincerely

  
Sonja Bertotto  
Manager Local Ports and Marine

29/7/2011





REPORT FOR DISCUSSION AND CONSULTATION

## 1.0 Local Ports Governance - Overview

### 1.1 Context for reviewing local port governance

On 1 July 2010 administration of the local ports program transferred from the Department of Sustainability and Environment (DSE) to the Department of Transport (DOT).

Several acts govern local ports, with administrative arrangements being the responsibility of more than one Minister. Local ports governance is defined by legislative requirements, particularly as detailed in the *Crown Land (Reserves) Act 1978*, the *Port Management Act 1995*, and the *Marine Act 1988*, and the Management Agreement between the relevant Department and the local port manager. It also includes internal local port policies such as meeting procedures and codes of conduct.

While the current governance arrangements have served both the government and the local ports adequately, it is considered an opportune time to also review these arrangements and, after discussion with all local port managers, to enable any potential improvements, including legislative change to be considered for implementation.

### 1.2 Introduction

Local ports are public entities, established and owned by government, to undertake service delivery and regulatory functions for government but outside government Departments. Governments have various reasons for establishing public entities; a key reason for establishing local ports was to enable day to day management of the local ports to be undertaken by locally based entities.

In the last decade or more, the quality of corporate governance in statutory agencies, committees of management, voluntary organisations, charities, not for profit companies and other entities that now – directly or indirectly – deliver services for government has been an ongoing interest to government. Governments, in seeking to minimise their own risk and maximise their budget outputs, have increasingly demanded that organisations to whom they have delegated powers, duties and responsibilities, such as local ports, measure and report on their performance in a more rigorous and transparent fashion.

In turn, Government departments have been challenged to improve their processes and practices both in advice and direction to the relevant Minister, and in ensuring that delegated entities such as local ports operate in a more transparent, accountable and effective manner. That is, ensuring good governance prevails.

### 1.3 What is Governance?

Governance is an elusive concept, and one which different groups and people interpret in different ways. The differing organisational frameworks from which the local ports operate have produced some variations in the governance arrangements across the local ports network.

A definition of governance for local ports could be the following:

*"Governance is about how an organisation steers itself and the processes and structures used to achieve its goal. But governance is also crucially concerned with how organisations relate to each other, their broader group of stakeholders and ultimately to citizens."*<sup>1</sup>

The emphasis here is not so much on what organisations do but how they do it, and this is particularly relevant for organisations like local ports that engage with a range of stakeholders including DOT itself.

The *Transport Integration Act 2010*, with an overall purpose of ensuring all transport agencies act within a single policy framework, clearly reflects a participatory governance approach. Good governance arrangements increase participation, strengthen accountability mechanisms and open channels of communication, within and across organisations.

For local ports, good governance should incorporate legislative compliance, appropriate and documented processes, clearly understood responsibilities and effective relationships which collectively produce excellent local port management.

<sup>1</sup> Edwards, Professor Meredith. June 2001. *Participatory Governance*. PI. Presentation to Public Sector in the New Millennium Series

REPORT FOR DISCUSSION AND CONSULTATION

## 2.0 What is the best model(s) for establishing a Local Ports governing body?

### 2.1 How Local Ports Are Currently Established

#### 2.1.1 Reservation of land and appointment of Committee of Management

Crown land for use as a local port is reserved by an Order of the Governor in Council, published in the Government Gazette, as detailed by Section 4 of the *Crown Land (Reserves) Act 1978*. A Committee of Management is appointed by the Minister as detailed in Section 14 of the same Act. On the recommendation of the Minister, the Governor in Council may declare that a Committee of Management shall be a corporation.

A Committee of Management can be:

- three or more persons;
- a municipality;
- Parks Victoria;
- Melbourne Water;
- a person holding a licence issued under the *Water Industry Act 1994*;
- any board or committee established for public purposes;
- a company as defined by the *Corporations (Victoria) Act 1990*; or
- a combination of any of the above.

Current Committees of Management appointed to manage local ports fall within the first three categories.

Committees of Management are delegated managers of crown land reserves, a system of management of public land that successive Victorian Governments have used for over a century. Across the state there are more than 7000 reserves managed by committees of management, of which approximately 2,700 are managed by municipalities, 3,000 are other government departments including statutory authorities such as Parks Victoria, and 1,900 are managed by what are referred to as local committees of management.

The Minister for this purpose is the Minister for Environment and Climate Change.

#### 2.1.2 Designation as a Local Port and appointment as a Local Port Manager

The Governor in Council, by Order published in the Government Gazette, may declare any lands to be port lands and/or any waters to be port waters as detailed in Section 5 of the *Port Management Act 1995*, and may then name a port and declare it a local port with reference to declared port lands and/or waters as detailed in Section 6 of the same Act.

The Governor in Council, by instrument, appoints as the Local Port Manager a Committee of Management of Crown land that is within the port as detailed in Section 44A of the *Port Management Act 1995*.

The Minister for this purpose is the Minister for Ports.

#### 2.1.3 Appointment as a Waterway Manager

The Minister by Order published in the Government Gazette declares a person or body established for public purposes to be a waterway manager of any State waters specified in the Order as detailed in Section 3 of the *Marine Act 1988*. These waters can be but are not necessarily declared port waters.

The Minister for this purpose is the Minister for Ports.

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### 2.2 Previous Reviews Of The Model

Appointing an entity as a Committee of Management is simply a mechanism to grant the entity a head of power and in that respect is not dissimilar to using legislation to establish a particular statutory authority. The Committee of Management model is generic, unlike statutory authorities that are specific, and can be applied to entities of varying size and complexity.

In the 2001 review of port reform<sup>2</sup> (the Russell Review), Russell raised some concerns with the Committee of Management model. *"Committees of management are a mechanism utilised for management of local reserves and council facilities. The management by local residents does not demand specialist knowledge and provides a means by which local involvement can be organised and a sense of local ownership can be fostered. These committees of management were not designed for the demands of managing a port."*

Subsequent comments in the Russell Review suggest that it was the local Committees of Management (Lorne, Barwon Coasts and Gippsland Lakes) rather than the municipal or statutory authority Committees of Management that Russell considered inappropriate entities for managing a port.

However, the Russell Review comments also suggest a lack of familiarity with the details of the Committee of Management mode and in particular the notion of skills based committees – which the local ports are – which seeks to ensure that the committee has the relevant skills and expertise to manage the task at hand. Many organisations, with multi million dollar annual turnovers, are successfully managed by Committees of Management. The former Royal Mint Building, Heide Art Gallery, Melbourne Cricket Ground, Melbourne Zoo, Yarra Bend Park, Immigration Museum, Playbox Theatre and the State Netball and Hockey Centre are a few such entities.

This is not to say that Committees of Management are the ideal model. The Auditor General in 1997<sup>3</sup> alerted the then Government to the difficulties arising from the Crown Land Committee of Management model being used to manage significant assets of the State. These related to accountability, monitoring by the DSE (then the Department of Natural Resources and Environment) and risk-based inspection of the managed assets. That is, not to the model per se, but rather standards in the processes, reporting and monitoring by both the Committees of Management and the DSE. In recognition of this the DSE entered Management Agreements with the local port managers, which details roles and responsibilities of both parties.

The Auditor General's report made several observations, some of which are still relevant in any review of local port governance.

- *"There is a clear need ... to review the current reporting framework ... to provide a proper functioning accountability process.*
- *Consideration should be given to the introduction of a requirement for all public sector agencies to disclose within their annual reports a statement of the main corporate governance practices, similar to that required in the private sector."*<sup>4</sup>

The real issues, which were underlying the Russell Review's comments and which are explicit in the Auditor General's report, are:

- the adequacy of the appointment process in delivering appropriately skilled people; and
- accountability – reporting and monitoring.

### 2.3 Existing Arrangements

#### 2.3.1 Municipal Councils

For the local ports of Portland Bay (Gleneilg), Port Fairy (Moynes), Apollo Bay (Colac Otway) and Warrambool (Warrambool), management of the local port is simply another service provided by local government on behalf of the state government. As with all delegated services, funding is provided by the state with the Council obliged to report annually on how funds are expended and the outcomes delivered.

<sup>2</sup> Prof. EW Russell. 2001. *The Next Wave of Port Reform in Victoria*

<sup>3</sup> Auditor General of Victoria. May 1997. *Report on Ministerial Portfolios*

<sup>4</sup> Auditor General of Victoria. May 1997. *Report on Ministerial Portfolios* Paragraphs 3.5.22-3.5.26, 3.5.33-3.5.39, 4.1.14-4.1.18

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in accordance with a service agreement. For local ports, a Management Agreement between the Council and DOT is the service agreement. Local government practices, processes and ethos largely define governance for these four ports.

The municipal councillors who are the local port managers at Port Fairy, Apollo Bay, Portland Bay and Warmambool are generally elected to council on the basis of their political views, and rarely if ever on any skills in local port management. But the staff whose professional advice informs all council decision making can be expected to hold most of the necessary skills. The exception can be maritime skills, which are not typically found within local government staff.

There are two components of maritime skills that are required. The first is the maintenance, repair, construction and reconstruction of maritime assets, generally too specialised for municipal engineers. That work is currently generally contracted out to appropriate specialists. The second component is port operations and safety, skills traditionally provided by a Harbour Master. Although this skill is also nominally provided externally, local port managers themselves have long identified inadequacies in the current arrangements as an issue that needs to be addressed.

The four municipal councils have chosen different ways of exercising their Committee of Management duties.

One has chosen to establish a committee under Section 86 of the *Local Government Act 1989* and delegate most of the decision making with respect to the local port to that committee. The committee consists of Councillors, local port staff, and appropriately skilled residents.

Potential Advantages

- Clearly separates the local port functions from general Council business, which enables greater transparency in reporting and accountability.
- Reputation and image of local port and Council not necessarily linked (can also be disadvantage)
- Decisions are made with appropriately skilled and interested people.

Potential Disadvantages

- Not all Council staff are involved with local ports activities, and hence the advantage of the range of skills that municipalities can bring to local ports management may not be fully realised.
- Most Councillors do not engage with the local port activities, and so potentially reduced commitment by the Council.
- Committee members, particularly Councillors and residents, may not have all necessary skills (as there is no requirement to select members on the basis of skills)

Another has chose to establish an advisory committee, with members including Councillors, local port staff, fishers (users) and interested residents. It does not have decision making powers; these are retained by the Council.

Potential Advantages

- Attention and focus on local port management is given priority by Council.
- Decisions are made with appropriately skilled and interested people.

Potential Disadvantages

- Not all Council staff are involved with local ports activities, and hence the advantage of the range of skills that municipalities can bring to local ports management may not be fully realised.
- Committee members, particularly Councillors and residents, may not have all necessary skills.
- Users may have too narrow an interest for strategic planning, and/or too focused on particular interests.

The remaining two committees have chosen to establish user groups – one consults with this group on a regular basis, while the other consults on a project by project basis. Again, decision making powers are retained by Council, not delegated.



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Potential Advantages

- Efficient use of Council staff time (do not have to service a committee).
- Decisions have input from local port users.

Potential Disadvantages

- Not all Council staff are involved with local ports activities, and hence the advantage of the range of skills that municipalities can bring to local ports management may not be fully realised
- Users tend to be the commercial fishers and/or recreational boating users only. Tourists and other users may not be included in consultation.
- Limited input, particularly in strategic planning, by the Council itself
- Does not take advantage of any other skills that may be available in wider community.

**2.3.2 Parks Victoria**

Parks Victoria (PV) manages the local ports of Port Philip Bay, Western Port Bay and Port Campbell. PV provides general park management services to the DSE for areas nominated under various Acts including the *Crown Land (Reserves) Act 1978*.

PV's responsibilities include:

|                                                         |                                               |                                           |
|---------------------------------------------------------|-----------------------------------------------|-------------------------------------------|
| 45 national parks                                       | 13 marine national parks                      | 11 marine sanctuaries                     |
| 3 wilderness parks                                      | 25 state parks                                | 30 metropolitan parks                     |
| 60 other parks (including regional and reservoir parks) | 200+ natural features & conservation reserves | 10,412 Aboriginal cultural heritage sites |
| 2,500+ non-Indigenous historic places                   |                                               |                                           |

PV is the Committee of Management of many Crown land reserves, with local ports being simply one of those appointments. Within the context of the table above, local port responsibilities can be seen to be a small part of Parks Victoria's activities.

The annual Management Services Specification negotiated between Parks Victoria and the Secretary of the DSE specifies all the services to be delivered. There is no particular section of this document that details local port management services. Consequently Parks Victoria, as a local port manager, to date has not reported annually on services specifically delivered in local port management. Some aspects of local port management service delivery may be detailed in PV's annual performance report, where PV details its output relative to the annual Management Services Specification, but this is neither guaranteed nor to the level of detail required by other local port managers. As an entity now reporting predominately to DSE, but with the local port management function the responsibility of DOT, a Management Agreement between PV and DOT needs to be implemented to ensure adequate reporting.

The Board of PV, like municipal councils, is not generally appointed on the basis of skills appropriate to local port management. Like councillors, the Board relies on the professional skills of its staff supplemented by external expertise as required.

Although a small part of PV's activities, it has good internal skills for local ports and waterway management. As the manager of Marine Protected Areas, PV's has water management skills regardless of its local ports role. It also has consultation processes that ensures that all capital works projects, or major maintenance projects, are the subject of community consultation, which enables all users to have input.

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Potential Advantages

- Local ports managed within a parks and coastal management framework, not simply as a set of assets.
- Utilises existing waterway management skills

Potential Disadvantages

- Limited transparency of reporting and accountability as local ports reporting included in total reporting.
- Board has little involvement in strategic planning for local ports.
- Board members usually do not have all necessary skills for local ports management

**2.3.4 Coastal Committees of Management**

There are three local port managers that are a local Committee of Management.

Lorne – managed by the Great Ocean Road Coast Committee (GORCC) and Barwon Heads – managed by the Barwon Coast Committee (BCC) are within foreshore reserves whose members are selected and appointed on the basis of skills. The skills sought are for the management of coastal land, which may or may not include skills in managing a local port.

The Port of Lorne is a single structure – the Lorne Pier – which is a pedestrian and tourist asset managed within the context of the wider 35km coastal reserve. The pier was rebuilt in 2005-6, with significant community input into the design process. The GORCC receives annual operating and maintenance funding for the pier, and reports annually as part of the wider GORCC annual report, not separately.

The Port of Barwon Heads is two main structures – both jetties – managed within a 15km coastal reserve, with some limited commercial uses, as well as recreational and tourist uses. The BCC receives annual operating and maintenance funding for the jetties, and reports annually, as part of the wider BCC annual report, not separately. It undertakes some waterway management functions.

Both committees have a manager and staff, and both have adequate skills within the staff for the day to day management of the port. When more particular or specialised skills are required (eg structural engineering assessment of the port), they are provided by external contractors.

Potential Advantages

- Local ports managed within a parks and coastal management framework, not simply as a set of assets.

Potential Disadvantages

- Board members usually do not have all necessary skills for local ports management

**2.3.5 Gippsland Ports**

The third local Committee of Management is Gippsland Ports (GP). Unlike Lorne and Barwon Coast, its sole purpose is port management. It manages five designated ports, a multimillion-dollar asset base and has a staff of more than 30 people. This is also a skills based committee, but because its sole purpose is port management, appropriate port related knowledge and skills are specifically sought in the Committee appointment process. In addition, Gippsland Port staff is skilled in the various facets of port management, including harbour master skills. Like all the other local ports, specialised engineering skills for the maintenance and replacement of major assets are generally externally sourced.



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Potential Advantages

- Local Port management sole focus.
- Potentially able to attract Committee members with relevant interest and skills.

Potential Disadvantages

- Not necessarily managed within a wider coastal management context

**2.4 What Alternate Model Could Be Considered?**

There are several alternate models that could be considered including the three existing models of Municipal Council (current model for 4 local ports – Portland Bay, Port Fairy, Warrambool and Apollo Bay), Statutory body corporate (current model for 3 local ports – Port Phillip Bay, Westernport Bay and Port Campbell) and Statutory body unincorporated (current model for 7 local ports – Lorne, Barwon Heads, Mallacoota, Snowy River, Lakes Entrance, Port Welshpool, and Port Albert and Corner Inlet).

Other models include Local Purpose body, Company Trust and State owned enterprise body. These last three have no obvious advantages that would suggest they are worth any further consideration here, but any views to the contrary are invited.

In considering alternate models, it could be that all the local ports are transferred to a single model (eg all become a statutory body corporate) or it could be that one or more individual local ports change. For any changes to occur, it would need to be demonstrated that the existing arrangements are inadequate and the proposed change will provide clear increased benefits.

**2.4.1 Municipal Councils**

When local ports were initially established, it was proposed that all of them have management delegated to local government. In the south west of the State this occurred (although one of those was subsequently transferred from the Corangamite Shire to Parks Victoria).

Around Port Phillip Bay, there are eight Councils and around Western Port Bay there are four. Even if agreement could have been reached with all of them, management of the abutting waterways was, in a practical sense, going to be complicated. Appointment of Parks Victoria, who was already managing coastal reserves around the two bays, was considered a more practical outcome.

Along the Gippsland Coast, there are three Councils but they could not be persuaded at that time to take on the task. So Gippsland Ports was created to manage all five Gippsland ports.

Advantages

- Long standing, established governance framework (usually good) including reporting to the State Government both globally and for specific programs.
- Staff with all the required skills, or the capacity to contract in specialist skills.

Potential Disadvantages

- Around the two bays, the same disadvantages as existed in 1995 regarding waterway management.
- Councils would potentially want to include their boat ramps into the local port – increased costs for the program
- Councils may consider this another cost shifting exercise.

For this model to be adopted for all local ports, it would need to be demonstrated that the current other models are sufficiently inadequate and/or that there was enthusiasm from all the Councils involved to justify the not inconsiderable effort required for this to occur. There appears to be little evidence of either of these criteria being met. It could be that there is a particular local port that the current manager would

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be willing to transfer, and the relevant Council would be willing to take on responsibility for. Alternately, a local port manager may be willing to transfer part of its responsibilities to a Council that demonstrated skills (eg the City of Geelong, which manages piers and jetties)

### **2.4.2 Statutory body corporate**

A statutory body corporate is established by or under an Act of Parliament with perpetual succession that may sue or be sued. Parks Victoria falls into this category.

#### Advantages

- The legislation could prescribe all that is currently contained within the Management Agreement, and more, that would be specific to local ports.

#### Potential Disadvantages

- What does it do that the current CoM model doesn't?

For this model to be adopted for all local ports, it would need to be demonstrated that this model has obvious advantages over the current arrangements. It could be that there is a particular local port that would prefer this model<sup>5</sup> – in which case it would need to be clearly demonstrated that this model would be an improvement on the existing arrangement.

### **2.4.3 Statutory Unincorporated Body**

A statutory unincorporated body is established by or under an Act of Parliament whose members are appointed by the Governor in Council, Minister or other body. Most of the local ports currently fall into this category.

One disadvantage of the current model that has been identified is that it constrains local ports from operating outside their physical boundaries. This is not related to being a statutory unincorporated body. As a Committee of Management, they cannot expend any funds outside the boundary of the reserve without Ministerial approval, and as a Port Manager they are similarly constrained by the limitations of the powers and functions under the PMA. Opportunities to generate income by hiring equipment and/or staff to other public or private bodies cannot be realised. Eg hydrographical surveying.

### **2.5 Feedback**

- 1. DO YOU THINK THE CURRENT COMMITTEE OF MANAGEMENT MODEL IS WORKING?**
- 2. IS IT DELIVERING THE RIGHT SKILLS AT THE DECISION MAKING LEVEL? IF NOT, PLEASE EXPLAIN WHY YOU THINK THAT**
- 3. DO YOU THINK ANY OF THE ALTERNATE MODELS ARE WORTH CONSIDERING? IF SO, CAN YOU EXPLAIN WHY YOU THINK SO.**
- 4. OTHER?**

<sup>5</sup> Refer DLA Phillip Fox, June 2008. *Review of Structural Arrangements for Gippsland Ports*

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### 3.0 What powers, duties and functions do Local Ports have and/or need?

#### 3.1 Existing Local Ports powers, duties and functions

There are three main Acts that detail the powers, duties and functions of the entity that acts in the following capacities:

- Committee of Management of Crown land;
- Local port manager; and
- Waterway manager

##### As a Committee of Management

The *Crown Land (Reserves) Act 1978* details the powers, duties and responsibilities of committees of management including reporting requirements. The Committee of Management handbook<sup>6</sup> provides more detailed guidance on these issues.

In particular, Part 3 of the *Crown Land (Reserves) Act 1978* is where local ports draw their governance, financial management and general powers and functions as a Committee of Management. This part also provides the powers to lease and licence, and to impose fees, rents and charges.

##### As a Local Port Manager

The functions and powers of a Local Port Manager are detailed in Part 2A of the *Port Management Act 1995*. There is no additional guidance given on how to exercise these powers or fulfil the functions, and there are no reporting requirements.

In Section 91C, a Local Port Manager is required to prepare Safety and Environment Management Plans (SEMPs), which are to be certified and audited every three years. Ministerial Guidelines are prepared to provide further guidance on the preparation and auditing of these plans.

##### As a Waterway Manager

The functions and powers of a Waterway Manager are detailed in Section 111 of the *Marine Act 1988*. There is additional guidance given in the Act on how to exercise these powers or fulfil the functions, but there are no reporting requirements.

#### 3.2 What changes to existing powers, duties and functions would improve local ports governance?

The first consideration, in reviewing the current legislative arrangements that detail powers and functions, is whether or not they enable local port managers to do all the things that they consider necessary and appropriate to properly fulfil their function. (It is acknowledged that, for some local port managers, there are activities that cannot be undertaken, or cannot be undertaken to the standard regarded as necessary, because of funding constraints. This is not to be confused with any legislative impediments, the topic under discussion here.)

The second consideration is 'what improvements could be made'?

In preliminary discussions, some of the desired improvements that were discussed included:

- More clarity in the distinction between local port manager and waterway manager;
- Changing the title 'local port' to simply port, and then classify the ports in a way similar to road classifications;
- Clarifying the requirements for managing events (eg races) under the PMA;
- Allowing local port managers to operate outside their boundaries to provide services for which they are skilled, and which would generate income;
- Having a central collection agency for fees and charges (like licences) – would enable more consistency in fees, and would take some of the heat out of fee setting at the local level.

<sup>6</sup> Department of Natural Resources and Environment. May 2002. *Committee of Management Responsibilities & Good Practice Guidelines*.

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**3.2 Feedback**

- 1. ARE POWERS, DUTIES AND FUNCTIONS OF LOCAL PORTS CLEAR?**
- 2. ARE THERE ACTIVITIES THAT YOU CANNOT DO BECAUSE OF EXISTING LEGISLATION CONSTRAINTS?**
- 3. ARE THERE IMPROVEMENTS THAT YOU WOULD LIKE TO SEE?**
- 4. OTHER?**

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**4.0 Are the current accountability and reporting mechanisms adequate?**

**4.1 Existing Management Agreement**

While the *Port Management Act 1995* details the roles, duties and responsibilities of the local port manager, it is the Management Agreement between the local port and DOT that specifies the particulars against which accountability is assessed.

The respective obligations in the current Management Agreements are summarised in the following table. It should be noted that these agreements are typically for 5 years. However, the current Management Agreements are for a shorter term (initially 12 months and then extended for a further 12 months to 30 June 2012) to allow for the outcomes of this governance review to be reflected in the longer term arrangements.

| PORT MANAGEMENT OBLIGATIONS | GOVERNMENT OBLIGATIONS     |
|-----------------------------|----------------------------|
| Enter Management Agreement  | Enter Management Agreement |

**BUSINESS PLANS**

Review previous years Business Plan, including reporting on variations, and submit with revised Business Plan

|                                                                                                                                                                                                                   |                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Prepare a 3-year Business Plan, and submit by 31 <sup>st</sup> March each year, which includes proposed annual operating costs, and proposed capital works for 3 years commencing 1 <sup>st</sup> July each year. | Endorse or otherwise the Business Plan by 31 <sup>st</sup> May each year. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|

Seek approval for Asset Management Plan by 30<sup>th</sup> September 2010

**FUNDING**

Levy fees and charges for services provided

Provide operating and maintenance funding on 1<sup>st</sup> July each year

Provide, directly or via another Government entity, capital funding (date not specified)

Make funds available to the local port for repair to assets resulting from storms or other serious unforeseen events

**FINANCIAL REPORTING**

Prepare and submit a proposed budget by 31<sup>st</sup> March each year

Approve or otherwise the proposed budget by 31<sup>st</sup> May each year

Submit financial report by 30<sup>th</sup> September each year for outcomes of prior financial year

Ensure that the submitted financial reports are audited and signed off by an independent certified auditor

**REPORT ON SERVICE DELIVERY**

Prepare and submit copy of asset register by 31<sup>st</sup> March each year.

Discussion paper for comment July 2011.

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Submit by 30<sup>th</sup> September each year a report on capital and recurrent works, including any details of dredging campaigns, and all reported incidents.

### RISK MANAGEMENT

Maintain insurance for all non-fixed assets

Maintain insurance for all fixed assets and floating plant, Port Operators Liability and Marine Hulls (Floating Plant)

Undertake risk audit and report by 30<sup>th</sup> September each year on actions taken to address identified risks.

Monitor, report on and update Safety and Environment Management Plan (SEMP), as required.

Provide monthly incident reports

### **4.2 Future Management Agreements**

There are some improvements that could be made to this. In preliminary discussions, some of the desired improvements that were discussed included:

- Clarify on what is meant by maintaining separate financial records. If this means separate bank account, this will present some difficulties.
- Need to have greater certainty of funding during budget approval process ie not having to do a major rework of the budget after DOT review.
- Budget process could start earlier – ie submit earlier and reviewed earlier.
- Reporting by end of September on previous years activities can be difficult.
- Unexpected events, particularly operating costs, can be difficult to deal with financially.
- Cross reference with Port Management Act.
- DOT to provide a template for Business Plan.
- Guidance on setting fees and charges.
- Once Business Plan has been approved, reduce the requirement for DOT to review/approve details of plans and activities.
- Have the Agreement as a rolling agreement, not renegotiated every 5 years.

While the local ports reporting arrangements are generally satisfactory, there are only limited requirements on the Department to actively assess, monitor and respond to the submitted reports. The opportunity to improve these agreements will occur in later 2011/early 2012 when new 5 year Management Agreements are to be negotiated.

As previously noted, Parks Victoria, unlike other local port managers, is not required under the current arrangements to report on its delivery of local port management services. This is an anomaly, with the opportunity to address this issue during the negotiations for the next agreement.

### **4.3 Asset management reporting**

The local ports assets are significant, and valued at approximately \$360m. The approach to managing these assets varies across the program, and is mainly determined by each local port manager.

Traditional asset management is based on life cycle costing, with maintenance and capital funding provided to ensure the asset life is maximised. Given that available funding is not sufficient to develop, redevelop and maintain all the assets to the ideal level, prioritising where funding is directed is very important. To do this, some consistency in both assessment and reporting on assets across the local ports network is required.

Assigning service levels is one mechanism for doing this. The SEMPS are another useful tool in prioritising based on reduction of risk. A little used tool is asset decommissioning.

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The Boating Coastal Action Plans, developed within the framework of the Victorian Coastal Strategy, provide a broad Government policy direction on where effort should be placed in development, redevelopment and maintenance of all boating infrastructure, and the level of service being sought at each location. Consideration of climate change impacts is incorporated into these plans

With the exception of Gippsland Ports, all local port assets are a subset of the total assets that the local port manager is maintaining. Some local port managers have incorporated the assets into their general asset management plans, and manage them accordingly. This has the advantage that the assets are managed within a total asset framework, but could have the disadvantage that, within that framework, the local port assets are not highly prioritised relative to the other assets. Parks Victoria is the most notable example here. Other local port managers – notably Municipal Councils - have not incorporated the assets into their total municipal asset plan, and it may be that the local port assets receive less attention because of that?

#### **4.4 Feedback**

- 1. IS THE CURRENT MANAGEMENT AGREEMENT ADEQUATE?**
- 2. WHAT IMPROVEMENTS WOULD YOU LIKE TO SEE?**
- 3. SHOULD IT BE FORMALISED IN LEGISLATION?**
- 4. HOW DO YOU ACCOUNT FOR YOUR ASSETS? DOES THIS ADVANTAGE? DISADVANTAGE? LOCAL PORT ASSET MANAGEMENT**
- 5. OTHER?**

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**5.0 Port Boundaries**

**5.1 Existing Boundaries**

There are two boundaries that are relevant in local ports.

The Committee of Management boundary is the boundary of the reserved land. This does not usually include the seabed. It is the Committee of Management that is appointed as a Local Port Manager, so the boundary of the Local Port Managers responsibilities is, at a minimum, this boundary.

The Local Port Manager is usually also appointed as the Waterway Management, with this boundary covering all waters over which the local port is exercising those responsibilities.

Since the creation of the local ports in the mid 1990's, there have been changes to many of these boundaries, particularly the waterway management boundaries. There are also potentially changes that would be desirable that would better reflect the extent of responsibilities.

It is recommended that an exercise be undertaken that clarifies all the boundaries and makes correct as appropriate.

**5.2 Feedback**

1. ANY COMMENTS ON EXISTING BOUNDARIES?
2. ARE YOU AWARE OF ANY CURRENT INCONSISTENCIES?



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## 6.0 What is a Local Port?

### 6.1 Original definition of a local port

When the local ports were defined and established in 1995, they were the assets that had previously been maintained by the four commercial ports and were largely assets associated with commercial fishing. Many of the assets had recreation users also, and some had tourism value.

### 6.2 Change in activities in local ports since 1995

Several of the local ports no longer support commercial fishing, and are now essentially recreation and tourist assets. This makes these assets essentially no different to similar assets along the coast that are external to local ports, and begs the question of whether they should still be regarded as a local port.

On the other hand, with a trend in commercial fishing vessels to 'trailable' boats, some of the boating infrastructure provided by various entities across the State that are not local ports, including boating clubs and Municipal Councils, there has been an increase in the commercial fishing operators that access the water external to local ports. This in turn begs the question of whether these other facilities should be now considered part of a local port.

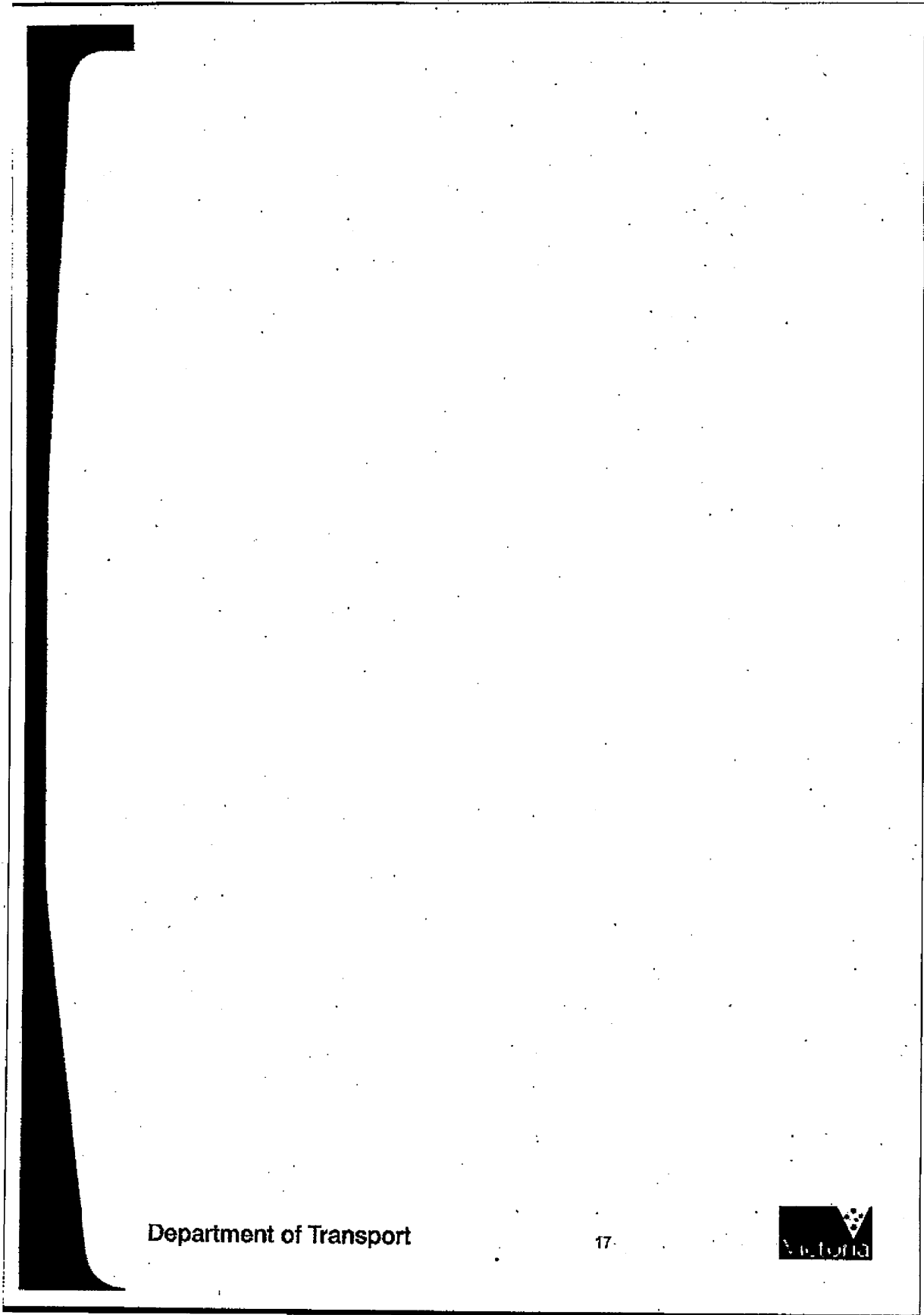
Traditionally, local ports have been funded and maintained by Government as recognition that the benefits derived from them are enjoyed at a wider than municipal level, while boat ramps are generally funded and maintained by Councils, as recognition that the benefits derived from them are largely local. This is no longer so clear cut. Government funds are now supporting local ports that essentially serve a local purpose only, while ratepayer funds are supporting infrastructure that serves regional and/or state wide purposes. For example, within Port Phillip Bay, most of the commercial fishing industry uses municipal boat ramps. This is inequitable, as the benefits of the industry are mainly enjoyed at a state wide level, not the local level, so it should not be local ratepayers who provide this support.

There is also inconsistency with respect to legislative and safety requirements. Municipal boat ramps are often quite significant in size, but are not required to develop and implement Safety and Environment Management Plans, but small local ports (eg Lorne) which are used for recreational and tourist purposes only, are required to do so.

In summary, it is no longer clear why any particular precinct or piece of boating infrastructure is a local port asset.

### 6.3 Feedback

1. WHAT CRITERIA SHOULD BE USED TO DETERMINE IF AN ASSET AND/OR PRECINCT IS A LOCAL PORT?
2. DO YOU THINK YOUR LOCAL PORT, OR PART OF YOUR LOCAL PORT, SHOULD BE EXPANDED?/CONTRACTED?/UNDECLARED?
3. WHAT ARE THE ADVANTAGES IN BEING A LOCAL PORT?
4. WHAT ARE THE DISADVANTAGES?
5. OTHER COMMENTS?



Department of Transport

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**OM112809-10      SPECIAL CHARGE SCHEME - MORLEY AVENUE  
DRAINAGE**

|             |                           |           |                                  |
|-------------|---------------------------|-----------|----------------------------------|
| AUTHOR:     | Paula Gardiner            | ENDORSED: | Neil Allen                       |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | Morley Avenue, Wye River - Roads |

**Purpose**

This report presents a proposal for the construction of a common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River, by way of a Special Charge Scheme.

**Declaration of Interests**

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

**Background**

As a result of the heavy rainfall during January 2011, which led to a land slip on the Great Ocean Road in the vicinity of 49 and 45 Morley Avenue, Wye River, Council arranged for the area to be reviewed by our consultant geotechnical engineer who reported that a contributing factor to the land slip was uncontrolled property stormwater discharge.

Council and VicRoads officers met to discuss possible rehabilitation works for the slip area, at which time VicRoads confirmed that they would assume responsibility for the rehabilitation of the site adjacent the Great Ocean Road and asked Council to address the property drainage outlets. VicRoads have since confirmed that a retaining wall will be constructed for a length of approximately 44 metres on the Great Ocean Road extending between the properties at 49 Morley Avenue and 45 Morley Avenue, Wye River, and have invited Council to arrange for the installation of a pipe behind the wall in conjunction with the works.

At a meeting on 8 April 2011, Council and VicRoads with two resident representatives discussed drainage improvement options. Given the issues identified by Council's geotechnical engineer, as well as other similar concerns raised by property owners regarding stormwater discharge management, Council identified drainage improvement options for the immediate area, including all of the properties from 35 to 49 Morley Avenue. This resulted in an investigation of drainage needs to determine the preferred and most cost effective solution that is available to enable the eight properties to discharge stormwater in a controlled fashion.

It was considered that the most opportune time to construct the common underground drainage line is when VicRoads are undertaking the slip rehabilitation works. This would provide for direct savings on civil costs for the drainage works to be completed. In order for property owners to take advantage of the savings possible in undertaking the works when the slip rehabilitation work is carried out, it would require a private agreement to be entered into.

Indicative costs of the works were estimated at \$25,000. This cost estimate was reliant on the drainage line being constructed in conjunction with VicRoads slip rehabilitation works.

Property owners were advised in June 2011 this drainage project will only proceed immediately on the basis that all benefiting property owners enter into the attached Private Agreement. If unanimous acceptance of the Private Agreement was not reached, and given the imperative nature of resolving this drainage issue, then Council will seek to implement the drainage works via a Special Charge Scheme. Council had received positive indications in relation to a Private Agreement, and has prepared agreements for signing.

Discussions with VicRoads indicate that slip rehabilitation works at this site are likely to commence sometime in September 2011.

Council is now faced with works due to commence and all parties have not agreed to sign a Private Agreement. Based on legal advice, in the absence of all parties failing to sign an agreement, council needs to commence a Special Charge Scheme prior to works commencing. If this occurs, then Council would be able to claim for costs incurred subject to following due process under the *Local Government Act 1989* and retrospectively recoup costs associated with the works.

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

#### **Physical Infrastructure and Assets**

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

The proposed project as a Special charge Scheme is consistent with Council's special charge Scheme Policy and implementation will be consistent with Council's Special Charge Scheme Policy and the relative requirements of the *Local Government Act 1989*.

### **Issues / Options**

The Council assessment of the primary function of the identified underground drainage lines from these properties is to enable controlled discharge. It is therefore considered that any costs associated with the supply and installation of the pipe to address the property outlets and their connections should be borne by the benefiting property owners.

There are two options available for the project to be carried out:

#### **1. Special Charge Scheme**

The implementation of a Special Charge Scheme, is undertaken whereby Council prepares a Scheme in accordance with the *Local Government Act 1989* and all benefiting parties are required to fund the construction and administration of the scheme. The implementation of any scheme would normally take several months and can extend beyond a year. In order to take advantage of the works being undertaken during the rehabilitation of the slip, Council would be undertaking the Special Charge Scheme to retrospectively recoup costs associated with the works. Council has the ability to retrospectively recoup costs associated with works under Section 163(1)(b) of the *Local Government Act 1989*.

#### **2. Private Agreement**

Develop a Private Agreement between property owners and Council stating that each property owner who is to connect to the stormwater pipe agree and commit in writing to paying an equal share of the costs associated with its supply, installation and connection of the pipe. If all private agreements were received by Council, then costs to each property owner would be capped at \$3,125 with Council responsible for any additional costs. The costs associated with the Private Agreement are less as there is no Special Charge Scheme administration costs to be included.

**Proposal**

It is considered that the preferred option would be for each private property owner to enter into a Private Agreement. As each property owner has been given ample opportunity to enter into the agreement, with only 5 of the 7 benefiting properties signing the agreement, Council is left with no option but to implement a Special Charge Scheme.

Council still considers that the most opportune time to construct the common underground drainage line is when VicRoads are undertaking the slip rehabilitation works. This will provide for direct savings on civil costs for the drainage works to be completed. As such, Council would initiate a Special Charge Scheme to retrospectively recoup costs associated with the provision of a common drainage line and associated works.

*Description of Proposed Works*

The proposed construction work involves the installation of approximately 60m of 375mm underground stormwater pipe along the rear of 37, 41, 45, and 49 Morley Avenue, Wye River.

*Special Benefit*

It is considered the special benefits to be derived from the properties in the scheme are:

- Controlled stormwater discharge; and
- Improved site and land stability.

*Apportionment*

All associated works to complete the construction of the common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River, are estimated to cost \$29,239.

As the common drainage line will only allow connection of private property stormwater, it is considered the project will not include an overall community benefit if a 300mm diameter drainage pipe was to be installed.

Council requested the pipe size be increased to ensure the drainage pipe provides adequate capacity to address Climate Change and provide a greater level of protection, and as such considers it be beneficial to install a 375mm diameter pipe. As the increase in pipe size is in addition to the identified needs of the property owners receiving the special benefit, any difference in costs between the two pipe sizes will be funded by Council. The estimated costs associated with the increase of the stormwater drainage pipe is estimated to be \$3,500.

As such, the total project cost to be apportioned amount the benefitting property owners is estimated to be \$25,739.

*Apportionment of the Special Charge across the properties*

Apportionment of the Special Charge across the properties could reasonably be made using different methods. A summary apportionment methods considered are as follows;

Apportionment method 1 - is where the charge be applied via a unit benefit system where each property is assumed to receive the same benefit. Each property gets the same benefit and therefore is charged the same. There are 7 properties

Apportionment method 2 - is where the charge be applied via a unit benefit system where the most likely development potential (under the existing planning zones) is assessed and a unit benefit is applied to each of the potential blocks under the most likely development. Given the properties included within the scheme boundary have limited additional development or subdivision potential, this apportionment method is not relevant.

Apportionment method 3 - is where the charge be applied via a property area system where the charge to each property is directly proportional to the total property area (m<sup>2</sup>).

Consideration has been given to the planning zones relevant to the properties and the development potential.

It is recommended that the fairest method of apportionment is method one (1) where each property that is able to connect to the common drainage line has been allocated one (1) benefit unit. One benefit unit equates to an estimated \$3,677.00.

#### *Payment Options*

It is proposed the Special Charge payment shall, subject to Section 167(4) of the *Local Government Act 1989* and any further resolution of Council, pay by way of either:

- Payment as a lump sum within one month of the issue of the notice requesting payment; or
- Payment of quarterly instalments (commencing within one month of the issue of the notice requesting payment) over 4 years with interest paid on the remaining principal at the Council overdraft rate and that a penalty interest rate be applied to late instalment repayments only.

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

Council requested the pipe size be increased to ensure the drainage pipe provides adequate capacity to address Climate Change and provide a greater level of protection, and as such considers it be beneficial to install a 375mm diameter pipe. As the increase in pipe size is in addition to the identified needs of the property owners receiving the special benefit, any difference in costs between the two pipe sizes will be funded by Council.

Council is required to make a financial contribution to the scheme due to the underground pipe size being increased, which is estimated at \$3,500, which will be funded from current budget allocations associated with drainage improvements.

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

This proposal will be implemented consistent with Council's Special Charge Scheme Policy and the relative requirements of the *Local Government Act 1989*.

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

It is considered the works will significantly reduce environmental issues and impacts by reducing the likelihood of landslip associated with uncontrolled stormwater discharge.

#### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. Formal consultation requirements as required by the special charge scheme process will also be implemented.

Council officers met with resident representatives on 8 April 2011 to discuss options associated with drainage improvements. From this meeting Council forwarded an information letter, and an offer to enter into a private agreement to all properties on 24 May 2011. Property owners were requested to sign and return the agreement by 17 June 2011.

Further to requests from property owners for further information, another letter was sent to property owners on 8 July 2011, which again requested property owners to sign and return the agreement by 25 July 2011.

Council has received 5 signed agreements from property owners to date. It is considered that as 5 of the 7 properties have entered into the agreement, there is majority support for the proposal to continue.

### **Implementation**

The public Notice will be sent to all property owners, which will outline Council's Intention to Declare a Special Charge Scheme for the construction of a common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River.

### **Conclusion**

The implementation of a Special Charge Scheme for the construction of a common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River is in line with Council's Special Charge Scheme Policy, and allows for controlled discharge of stormwater from private properties of 37 – 49 Morley Avenue, Wye River. Given the significant cost benefits of undertaking the works during the rehabilitation of the slip area, it is considered appropriate to retrospectively recoup costs associated with the project via a Special Charge Scheme.

### **Attachments**

1. Cost Estimate 1 Page
2. Schedule 1 Page
3. Scheme Boundary 1 Page

### **Recommendation(s)**

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

***Resolves with respect to the construction of a common drainage line along the rear of properties 37, 41, 45, and 49 Morley Avenue, Wye River, to give notice of its Intention to Declare a Special Charge Scheme for the construction of these works such that:***

1. ***The construction of a common underground drainage pipe and associated works will be of special benefit to properties described in paragraph (e) and shown on the attached plan by way of:***
  - ***Controlled stormwater discharge, and***
  - ***Improved site and land stability.***
2. ***A special charge be declared for the period commencing on 28 September 2011 and concluding on 28 September 2016.***
3. ***A special charge scheme be declared for defraying any expenses in relation to the installation of an underground stormwater pipe system comprising of a 375mm stormwater pipe along the rear of 37, 41, 45, and 49 Morley Avenue, Wye River.***
4. ***The following be described as the area for which the special charge is declared;***
  - ***The properties that can directly connect to the underground drainage line located along the rear of 37, 41, 45, and 49 Morley Avenue, Wye River and applying to properties described in paragraph 5.***

5. **The following be declared as the land in relation to which the special charge is so declared:**
- |                               |                |
|-------------------------------|----------------|
| • 37 Morley Avenue, Wye River | Lot 2 LP 82721 |
| • 39 Morley Avenue, Wye River | Lot 3 LP 82721 |
| • 41 Morley Avenue, Wye River | Lot 4 LP 82721 |
| • 43 Morley Avenue, Wye River | Lot 5 LP 82721 |
| • 45 Morley Avenue, Wye River | Lot 6 LP 82721 |
| • 47 Morley Avenue, Wye River | Lot 7 LP 82721 |
| • 49 Morley Avenue, Wye River | Lot 8 LP 82721 |
6. **The following be specified as the criteria which forms the basis of the special charge so declared:**
- **Ownership of the land described in paragraph 5 of the recommendation.**
7. **The following be specified as the manner in which the special charge so declared be assessed and levied:**
- **The unit of assessment is one (1) benefit unit per property who can directly connect to the underground common drainage line. The unit benefit equates to an estimated \$3,677.**
8. **Having regard to the proceeding parts of this Resolution but subject to Section 166(1)(b) of the Local Government Act 1989:**
- i. it can be confirmed that the owner of each rateable land described in Column 1 of the Schedule will therefore be liable for the respective amounts set out in Column 2 of the Schedule; and**
  - ii. it be recorded that each owner may, subject to Section 167(4) of the Local Government Act 1989 and any further Resolution of Council pay the special charge in the following manner;**
    - a) payment of quarterly instalments (commencing within one calendar month of the issue of the notice requesting payment) over 4 years with interest paid on the remaining principal at the Council overdraft rate and that a penalty interest rate be applied to late instalment repayments only; or**
    - b) payment by lump sum to be paid within one calendar month of the issue of notice requesting payment.**
9. **The Chief Executive Officer be authorized to give public notice of Council's intention to declare a special charge scheme in accordance with Section 163(1C) of the Local Government Act 1989.**
10. **It be recorded that, subject to Section 163A and 168(1)(b) of the Local Government Act 1989, Council proposes to use the money from the special charge so declared in the manner set out in the "Estimate" annexed to this resolution.**
11. **Council appoints two (2) Councillors as a Special Committee to consider submissions pursuant to Section 223 of the Local Government Act 1989, and that this Special Committee hears such submissions at Council's Rae Street Offices at 5pm on Wednesday, 9 November 2011.**
12. **If all parties enter into a Private Agreement, to the satisfaction of Council, within a reasonable time, that the Special Charge Scheme be abandoned.**

~~~~~\)



PROJECT DESCRIPTION :  
Morley Avenue Drainage

DATE : Apr-11

| ITEM | DESCRIPTION   | QUANTITY | UNIT | RATE<br>\$ | AMOUNT<br>\$ |
|------|---|----------|------|------------|--------------|
| 1.00 | <b>GENERAL</b>  |          |      |            |              |
| 1.01 | Initial site establishment and set up including traffic management during construction, decamping and site cleanup and other fixed costs up to time of completion of works. |          | ITEM |            | \$0          |
| 5.00 | <b>DRAINAGE</b>   |          |      |            |              |
| 5.01 | Excavation  | 31       | m3   | \$60.00    | \$1,860      |
| 5.02 | Crushed rock  | 4        | m2   | \$104.00   | \$416        |
| 5.03 | Backfill of drainage trench.  | 30       | m3   | \$50.00    | \$1,500      |
| 5.04 | Supply of 375mm drainage pipe.  | 120      | m    | \$120.00   | \$14,400     |
| 5.05 | Supply of drainage pits   | 4        | Item | \$1,100.00 | \$4,400      |
| 5.06 | Reinforced pit  | 1        | Item | \$2,500.00 | \$2,500      |

|                   |                 |
|-------------------|-----------------|
| SUB-TOTAL         | \$25,076        |
| 10% CONTINGENCIES | \$2,508         |
| <b>TOTAL</b>      | <b>\$27,584</b> |

|                            |                 |
|----------------------------|-----------------|
| EST. DETAILED DESIGN COSTS | \$0             |
| EST. SCHEME ADMIN COSTS    | \$828           |
| EST. CONTRACT ADMIN COSTS  | \$828           |
| <b>GRAND TOTAL</b>         | <b>\$29,239</b> |

|  |                |
|--|----------------|
| Council Contribution<br>for pipe size increase | <b>\$3,500</b> |
|--|----------------|

|                                 |                 |
|---------------------------------|-----------------|
| Total apportioned to Properties | <b>\$25,739</b> |
|---------------------------------|-----------------|

Schedule 1

| Address          | Property       | Cost                |
|------------------|----------------|---------------------|
| 37 Morley Avenue | Lot 2 LP 82721 | \$ 3,677.00         |
| 39 Morley Avenue | Lot 3 LP 82721 | \$ 3,677.00         |
| 41 Morley Avenue | Lot 4 LP 82721 | \$ 3,677.00         |
| 43 Morley Avenue | Lot 5 LP 82721 | \$ 3,677.00         |
| 45 Morley Avenue | Lot 6 LP 82721 | \$ 3,677.00         |
| 47 Morley Avenue | Lot 7 LP 82721 | \$ 3,677.00         |
| 49 Morley Avenue | Lot 8 LP 82721 | \$ 3,677.00         |
|                  |                | <b>\$ 25,739.00</b> |





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

D = Discussion

W = Withdrawal

| ITEM  | D | W |
|---|---|---|
| <p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p><b><u>OM112809-11 APOLLO BAY HARBOUR PRECINCT REDEVELOPMENT PRESENTATION OF MARKET RESEARCH RESULTS</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><b><i>1. Notes the results of the August 2011 Apollo Bay Harbour Precinct Redevelopment telephone research report prepared by Vawser and Associates.</i></b></li> <li><b><i>2. Endorses commencement of a Planning Scheme Amendment process to incorporate the Apollo Bay Harbour Precinct Master Plan into the Colac Otway Shire Planning Scheme.</i></b></li> </ol> |   |   |
| <p><b><u>OM112809-12 SUBMISSION TO STATE GOVERNMENT CAR PARKING PROVISIONS REVIEW</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council lodges a submission to the State Government Car Parking Advisory Committee for consideration in its current review of parking provisions that supports the proposed changes.</i></b></p>   |   |   |
| <p><b><u>OM112809-13 SUBMISSION TO THE VICTORIAN PLANNING SYSTEM MINISTERIAL ADVISORY COMMITTEE</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council endorses the Colac Otway Shire Council Submission to the Victorian Planning System Ministerial Advisory Committee that was lodged prior to 31 August 2011, as attached to this report.</i></b></p>   |   |   |

|   |  |  |
|---|--|--|
| <p><b><u>OM112809-14 DRAFT COLAC CBD AND ENTRANCES PROJECT REPORT</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><b><i>1. Notes the draft Colac CBD and Entrances Project report.</i></b></li> <li><b><i>2. Places the draft report on public exhibition for a period of six weeks prior to its finalisation.</i></b></li> </ol>  |  |  |
| <p><b><u>OM112809-15 LOCAL GOVERNMENT INFRASTRUCTURE PROGRAM AND REGIONAL DEVELOPMENT AUSTRALIA FUND</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><b><i>1. Provides the attached list of Capital Works projects to the Department of Planning &amp; Community Development by 30 September 2011 to meet Local Government Infrastructure Program (LGIP) guidelines and State Government requirements.</i></b></li> <li><b><i>2. Saves \$250,000 from each of the first two years LGIP allocation of funds to accumulate a \$500,000 bank to contribute to a Regional Development Australia Fund application.</i></b></li> <li><b><i>3. Allocates \$237,000 of the first year's LGIP to the Gymnasium component of the Blue Water Fitness Centre redevelopment, to meet the shortfall in funding.</i></b></li> <li><b><i>4. Saves the remaining first year funds of \$74,243 to add to the year two bank to fund projects in excess of \$150,000.</i></b></li> <li><b><i>5. Endorses an application for \$4.9m for the Central Reserve / Beechy Centre Project to be prepared for submission to the RDAF Round 2 with the LGIP banked funds over two years of \$500,000 in total to be used as a contribution to the project.</i></b></li> </ol> |  |  |

***That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.***

**MOVED** .....

**SECONDED** .....





OM112809-11

## APOLLO BAY HARBOUR PRECINCT REDEVELOPMENT PRESENTATION OF MARKET RESEARCH RESULTS

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

### Purpose

To advise Council on the results of the August 2011 Apollo Bay Harbour Precinct Redevelopment telephone research report (Vawser Report) and to seek Council's endorsement of the proposed Planning Scheme Amendment process to incorporate the Apollo Bay Harbour Precinct Master Plan into the Colac Otway Shire Planning Scheme.

### Declaration of Interests

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

### Background

Council has been funded by the State Government to complete a Planning Scheme Amendment for the Apollo Bay Harbour Precinct Master Plan. The telephone research report by Vawser and Associates has been undertaken to accurately determine community understanding and support for the Apollo Bay Harbour Redevelopment Amendment process. It forms part of an on-going strategy to keep the community and ratepayers fully informed of the Apollo Bay Harbour Precinct Redevelopment Master Plan. Other parts of the strategy were a community newsletter, a revised chronology of events, and circulation of a facts sheet to counter an emerging negative campaign and misinformation about the proposed redevelopment (see Attachment 1 Vawser Report).

The market research was designed to provide a reliable measure of the level of community support for the Plan and the Planning Scheme Amendment. The telephone survey involved 300, twenty minute structured questionnaires delivered by computer assisted telephone interviewing. The 300 people interviewed were selected at random from the Apollo Bay and surrounding area ratepayer data base. The questionnaire was developed by Vawser and Associates in consultation with Council.

62% of interviewees were non residential ratepayers and 37% were resident in Apollo Bay. This slightly overrepresented the actual level of local to non local in the data base. The gender balance was almost 50/50 male and female.

The Vawser Report is separated into a number of sections with key findings as follows:

#### 1. Current awareness and support

- 99% were aware of the Apollo Bay Harbour Precinct Master Plan.
- 66% of interviewees had personally seen the Master Plan.
- 27% said they had a good or excellent understanding of the Master Plan.
- 30% said they had little or no understanding.
- 43% said they had some understanding.
- Three sources of information dominated – word of mouth, the community newsletters and the local newspaper.

- Prior to providing information about the Master Plan more ratepayers supported the Plan (40%) than opposed (30%).
- Non residential ratepayers were more supportive than local residents and business owners.

## **2. Awareness of key background facts**

- 64% were aware that the Harbour Precinct is owned by the State Government.
- 58% did not understand that redevelopment funds would come from state not local government.
- 47% were aware of State Government imposed conditions on providing funds for redevelopment.
- 53% were aware that these conditions included private investment.

## **3. Support for specific aspects of the Master Plan**

All Plan elements have clear support except the boutique hotel and health and well being centre:

- 78% supported the new and expanded working harbour.
- 78% supported the proposed new sailing club.
- 84% supported the public promenade around the harbour foreshore.
- 78% supported the expanded fishing cooperative.
- 91% supported retention of the golf course.
- 47% supported and 42% did not support the boutique hotel and health and well being centre.
- 67% supported the extension to Nelson Street.
- 71% supported the redevelopment of the foreshore between the Nelson Street war monument and the golf course.
- 89% supported the extension of the Great Ocean Walk to Point Bunbury.
- 64% supported the extension of Mother's Beach Car Park.
- 67% supported the aboriginal cultural centre.

## **4. Overall support for the Master Plan**

- A clear majority of 65% supported the Master Plan as a whole.
- Information provided through the research project helped interviewees make a decision and increased overall support, indicating that even more direct efforts to educate the community on the project could increase this level of support further.
- Overall support increased from 40% to 65% after providing information.
- Reasons for support included tourism, economy, community benefits and that the Harbour needs an upgrade.
- Reasons for opposition included concern about negative changes to the character of Apollo Bay and the inappropriateness of a privately owned boutique hotel and health and well being centre in the Harbour Precinct.
- 71% of non residential ratepayers supported the overall Plan.
- 52% of residents supported the overall Plan.
- 45% supported the option of redevelopment with the boutique hotel.
- 45% supported the redevelopment without the boutique hotel.

## **5. Attitude Statements**

- 84% supported the Plan if it was consistent with the tone and feel of the surrounding area.
- 67% supported the Plan if funded by State Government.
- 75% agreed the redevelopment would be good for tourism.
- 60% agreed they were concerned about certain aspects of the Plan.
- 27% agreed there has not been enough community consultation.
- 28% agreed they would prefer to leave the Harbour as it is.

## 6. The Planning Scheme Amendment

- 44% indicated they were aware of the proposed planning scheme amendment.
- 54% were not aware of the Planning Scheme Amendment.
- 63% support the planning scheme amendment process overall:
  - 71% of non residential ratepayers support.
  - 48% local residents support.

## 7. Summary Conclusions

- A majority of ratepayers support the Apollo Bay Harbour Precinct Master Plan with:
  - 65% supporting the plan as a whole.
  - 84% supporting the plan if it is consistent with the tone and feel of the surrounding area.
- A majority of ratepayers (63%) support the Planning Scheme Amendment Process.
- The boutique hotel and health and well being centre is a concern for many:
  - 47% oppose a privately owned centre.
  - This was the only component of the Plan that did not receive majority support.
- There is less support from local residents than non residential ratepayers.

The final conclusion of the report is that overall:

*“...a majority of ratepayers that own properties in the Apollo Bay area support all components of the Master Plan except the privately owned boutique hotel and health and well being centre ...”*

*“... a majority of ratepayers support the Apollo Bay Harbour Precinct Master Plan as a whole and the associated Planning Scheme Amendment process.” P46 Vawser Report.*

## Council Plan / Other Strategies / Policy

### Economic Development

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

The Council Plan directly supports implementing the Harbour Redevelopment by containing a strategy to “*Facilitate the development of infrastructure for business investment, growth and liveability*”, and an action to “*Support the Apollo Bay Harbor Precinct development*”.

### Issues / Options

The Vawser Report was initiated to provide Council with an independent private, confidential and unbiased assessment of support for the Apollo Bay Harbour Precinct Master Plan and the associated Planning Scheme Amendment Process.

It was also part of a concerted education strategy to inform Apollo Bay residents and ratepayers about the details of the Master Plan and the process to amend the Colac Otway Planning Scheme to include the Master Plan in the Planning Scheme. It was to inform them that the Planning Scheme Amendment would enable control over the development that would protect the character of the Harbour Precinct and the township as a whole.

One of the most revealing statistics from the report is that the overall support for the Master Plan increased from 40% to 65% after providing information through the survey. This means that as the survey was carried out over a number of days, interest in and knowledge in the Harbour Precinct rose and support for the Master Plan and the Planning Scheme Amendment likewise rose. It would be reasonable to draw the conclusion that some people

prior to the survey did not support the plan because of a lack of information or they had been misinformed.

The key issue for Council, as it is in many strategic decision making processes, is to make a decision that represents the will of ratepayers. This is difficult when Council itself has access to all of the available information and advice in regard to the development of the Master Plan and the complexities of the Planning Scheme Amendment process, while ratepayers generally do not.

One of the other challenges is that controversial development projects are complicated by the activity of campaigns for or against a project by passionate stakeholders. Usually Council has only a limited amount of information on which to judge community sentiment. In this case there is a comprehensive and credible survey to guide Council's decision.

Council has two options. The first is to note the Vawser Report and to proceed with the Planning Scheme Amendment. The second is to note the Report and not to proceed.

The first option is preferred as there is enough evidence of support within the Vawser Report to justify proceeding. While clearly support for the boutique hotel and health and wellbeing centre is divided (45% for and 45% against) the overall proposal to develop the harbour is supported (65%) and the Planning Scheme Amendment process (63%) is well supported.

The effort to redevelop the Apollo Bay Harbour Precinct is motivated by a number of factors including the need to refurbish port facilities, and to create an attraction that would encourage people to stay longer in Apollo Bay and the region to enable more profit to be achieved from the high number of tourists who travel through our region. One of the strategies designed to contribute to the capability of Apollo Bay to attract and hold people in the region is the proposed boutique hotel and health and wellbeing centre. While most of the proposed redevelopment projects within the Harbour would be the responsibility of Government funding bodies, the Hotel would be an opportunity for private investment. The State Government has made it clear to the Shire that there would be no funding for public, community related infrastructure unless there is private investment.

The attraction for the Government to provide funding for this proposal is the fact that it has been identified as a priority project by Tourism Victoria due to the need to provide high quality accommodation along the Great Ocean Road in this location to access market segments that are currently not being adequately catered for and to address deficiencies in the current yield that is being achieved in this important tourist region. The capacity for the State Government to provide infrastructure funding is driven by the fact that the project is consistent with its funding objectives. The project has also been identified as a priority by both G21 and the Great South Coast regional organisations, both of which Council is a member. The boutique hotel and health and well being centre is a vital component of the project as this is the element which drives the Tourism Victoria and RDV objectives as well as those of the regional organisations.

Through the Enquiry by Design process to achieve community agreement on the Master Plan, the footprint and landscape impact of the proposed boutique hotel and health and wellbeing centre was undoubtedly reduced in size and impact to meet the desire of the community that the hotel would fit in with the character of the Harbour and Apollo Bay. This process would be continued in the Planning Scheme Amendment process where the community could again influence the design of the proposed boutique hotel and health and wellbeing centre and ensure that controls placed on any future development upholds their expectations.

**Proposal**

That Council notes the Vawser Report and proceeds with the Planning Scheme Amendment.

**Financial and Other Resource Implications**

The cost of the Planning Scheme Amendment process has been fully provided by the State Government with a grant of \$160,000 from Tourism Victoria and \$95,000 from Department of Planning and Community Development, totalling \$255,000. In the event that the Planning Scheme Amendment process is not supported by Council, the funds would need to be returned to the funding bodies.

**Risk Management & Compliance Issues**

The risk in Council not proceeding with the Planning Scheme Amendment is that it will disappoint the majority of ratepayers which have been found to support the redevelopment (63%). As the Planning Scheme Amendment Process is a forerunner to a bid for State Government funds and private investment for implementation of the Plan, not proceeding at this stage would also send a message to the State Government that despite the funds spent on the Master plan to date Council does not support redevelopment of the Harbour.

An important fact to take into consideration is that the majority of the community (84%) support the plan if it is consistent with the tone and feel of the surrounding area. The Planning Scheme Amendment is the method to ensure that this happens.

Another issue for consideration by Council is that under the current planning scheme provisions Council does not have much control over the size, scale and design of any future development that may occur in the Harbour precinct should the Government pursue its redevelopment. The planning scheme amendment would be aimed at putting clear safeguards in place that guide the preferred scale and intensity of development through the introduction of specific planning controls, offering a greater level of long term protection to the community.

The risk of proceeding with the Planning Scheme Amendment is that it will disappoint the ratepayers who do not support the Planning Scheme Amendment or the Master Plan. However another important fact to take into consideration is that support for the Master Plan and the Planning Scheme Amendment grew as more people were informed about the facts of the Master Plan and the Planning Scheme Amendment Process.

**Environmental and Climate Change Considerations**

There are no environmental and climate change considerations associated with this report.

**Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be 'Inform' and include a media release, a meeting with the Community Reference Group and a Community Newsletter. Further community engagement would be undertaken through the planning scheme amendment process.

**Implementation**

If Council adopts the recommendations of this report, Council's Planning Department would commence action immediately to instigate the planning scheme amendment process. Council's Economic Development Unit would work with the Public Relations Coordinator to produce an immediate media release. A Community Newsletter would be prepared and distributed as soon as practicable.

**Conclusion**

The Apollo Bay Harbour Precinct Redevelopment telephone research report by Vawser and Associates is a comprehensive and credible report into the awareness of and support for the Apollo Bay Harbour Precinct Master Plan and the proposed planning scheme amendment in the community of residential and non residential ratepayers of Apollo Bay.

The planning scheme amendment would address a key concern of the community (84%) in providing the opportunity for controls on future development consistent with the tone and feel of the surrounding area. The amendment would provide a detailed plan for redevelopment as opposed to the Master Plan which is a concept plan only, and sits outside of the Planning Scheme. The detailed plan would guide Council in determining what can or cannot be developed, built, altered or removed within the Apollo Bay Harbour Precinct in the future.

The Vawser Report indicates that while there is not unanimous support in Apollo Bay for the Apollo Bay Harbour Precinct Master Plan or the proposed Planning Scheme Amendment there is sufficient information in the Report and evidence of overall support to make the recommendation that Council proceed with the Planning Scheme Amendment.

**Attachments**

1. Vawser Report

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

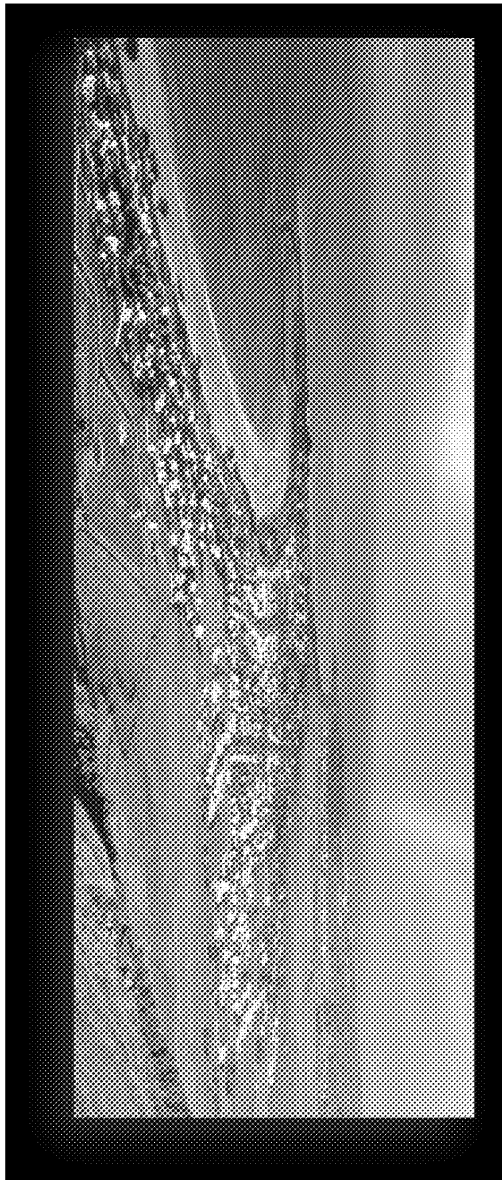
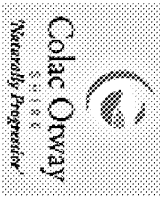
1. ***Notes the results of the August 2011 Apollo Bay Harbour Precinct Redevelopment telephone research report prepared by Vawser and Associates.***
2. ***Endorses commencement of a Planning Scheme Amendment process to incorporate the Apollo Bay Harbour Precinct Master Plan into the Colac Otway Shire Planning Scheme.***

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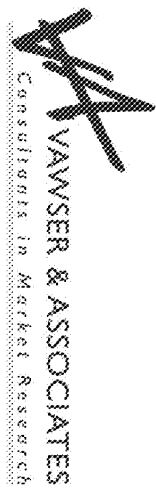
# Apollo Bay Harbour Precinct Redevelopment

A REPORT ON  
MARKET RESEARCH

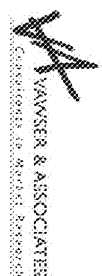
Project 178 / August 2011



Prepared for:  
Colac Otway Shire  
2 - 6 Rae Street  
Colac, Victoria, Australia, 3250



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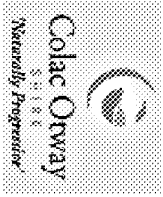
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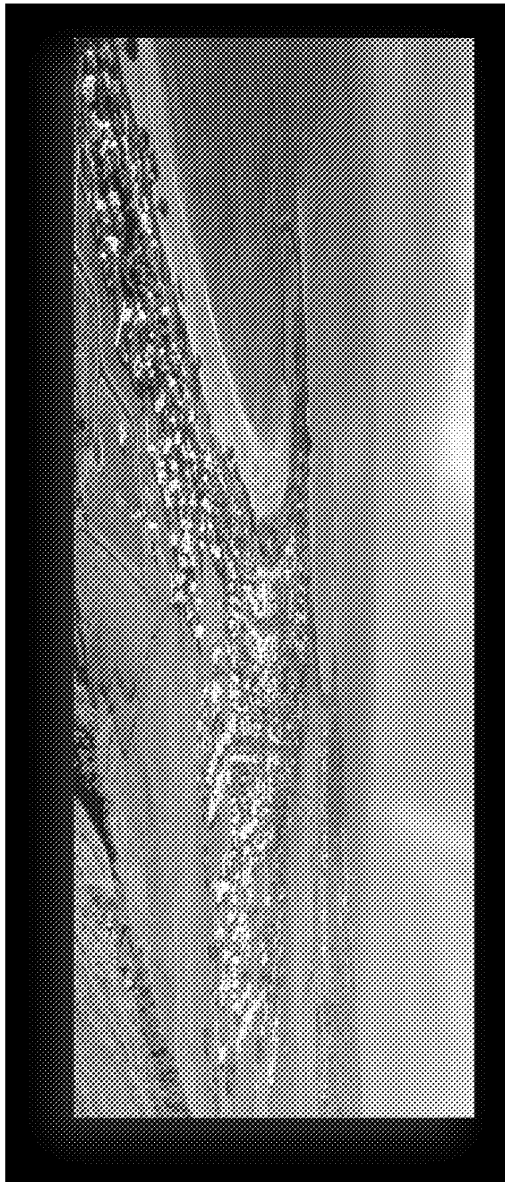


# Apollo Bay Harbour Precinct Redevelopment

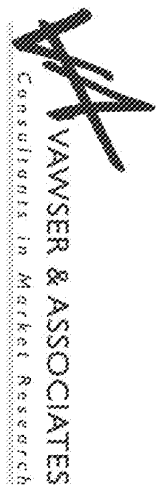
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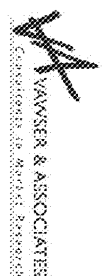


## Executive summary



178 Report - Apollo Bay Harbour Redevelopment Plan

## Executive Summary



This report presents the outcomes of quantitative market research with three hundred ratepayers who own properties in Apollo Bay and the surrounding area. The research involved a twenty minute structured questionnaire delivered by computer assisted telephone interviewing (CATI). The fieldwork was conducted in mid July of 2011.

### Aim of the research

The overall aim of the research was to provide a reliable measure of the level of community support for the Apollo Bay Harbour Precinct redevelopment Master Plan. Specific objectives included measuring awareness of key facts associated with the Master plan, measuring the degree of ratepayer support for various design elements in the Master plan, measuring ratepayer attitudes to the Master plan and measuring support for the planning scheme amendment process.

### Key findings

The research showed that almost all ratepayers (99%) were aware of the Apollo Bay Harbour Precinct Master Plan but had varying knowledge and understanding of key facts and the detail of the plan itself.

A majority of ratepayers indicated support for all elements of the Master plan except the privately owned boutique hotel and health and wellbeing centre. Two thirds of ratepayers (65%) said they supported the Apollo Bay Harbour precinct Master Plan as a whole. A similar number (63%) indicated support for the planning scheme amendment process. The most mentioned reasons for supporting the Master plan included the benefits for local tourism and the local economy (23%), that the proposed infrastructure and facilities that would benefit the local community (19%), and because the Apollo Bay Harbour precinct needs an upgrade (13%). Local resident ratepayers indicated less support than non resident ratepayers for the Apollo Bay Harbour precinct Master plan as a whole, the planning scheme amendment process and the boutique hotel and health and wellbeing centre.

### Summary conclusion

Overall, we concluded that a majority of ratepayers from the Apollo Bay area support the Apollo Bay Harbour precinct Master plan and the associated planning scheme amendment process. We also concluded that ratepayers were evenly divided in their support or opposition to the privately owned boutique hotel and health and wellbeing centre.

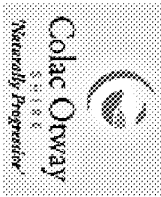
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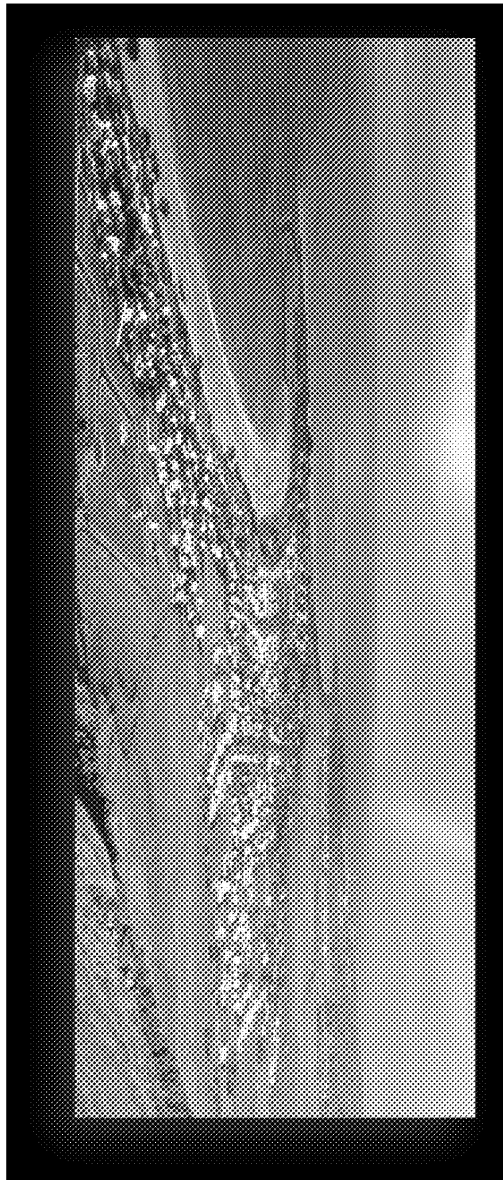
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# Apollo Bay Harbour Precinct Redevelopment

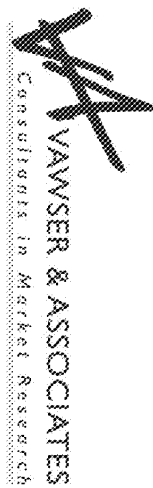
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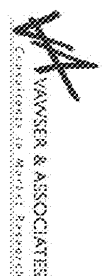


## Summary of main findings



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## Summary of main findings



The findings from this research can be summarised as follows:

### 1. Awareness, understanding and initial support of the Apollo Bay Harbour precinct Master plan

**Awareness:** At the beginning of the questionnaire almost all of ratepayers (99%) said they were aware of the Apollo Bay Harbour precinct Master plan and two thirds (66%) said they had personally seen the plan.

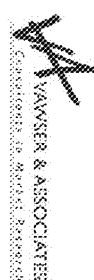
**Initial understanding:** Understanding of the Apollo Bay Harbour precinct Master plan at the beginning of the questionnaire ranged from *little or no understanding* (30%), to some understanding (43%), to a *good or excellent* understanding (27%).

**Initial support for plan:** Prior to providing information about the Apollo Bay Harbour precinct Master plan around 40% of ratepayers said they supported the Master plan while around 30% said they opposed the Master plan. The balance of ratepayers neither supported or opposed the plan (9%) or didn't have enough information to pass opinion (20%).

**Differences between local and non resident ratepayers:** At the beginning of the questionnaire, more ratepayers from outside the Apollo Bay area (44%) said they supported the Apollo Bay Harbour precinct Master plan than did local Apollo Bay residents (33%). Fewer ratepayers from outside the Apollo Bay area (25%) said they opposed the Master plan than did local Apollo Bay residents (39%).



## Summary of main findings



### 2. Awareness of key facts

**State Government ownership:** Around two thirds of ratepayers (64%) were aware that the *harbour precinct is owned by the State Government* while the balance were not (35%).

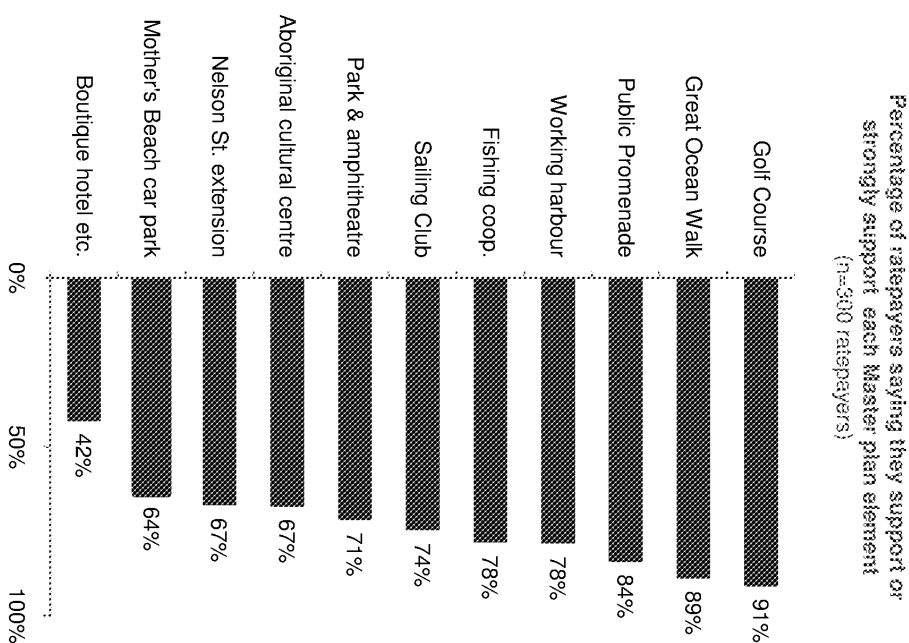
**State Government would provide majority of funds:** Over half of ratepayers (58%) were not aware that *funds for redevelopment of the Apollo Bay harbour precinct would be provided by the Victorian State Government* while 40% said they were aware.

**Need to fit with State Government objectives:** Half of the ratepayers (50%) said they were not aware that the *State Government will only provide funds if the redevelopment plan fits with its plans and objectives* while slightly fewer (47%) said they were aware.

**State Government requirement for private funding:** Just over half of ratepayers (53%) said they were aware that *State Government requires some private investment in the Apollo Bay Harbour precinct master plan as a condition of funding* while around 45% were not aware of this fact.

### 3. Support or opposition for key Master plan elements

After reading out a description of each component in the Master plan, all components of the plan except the privately owned boutique hotel and health and wellbeing centre were supported by a majority of ratepayers (50% or more)



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## Summary of main findings



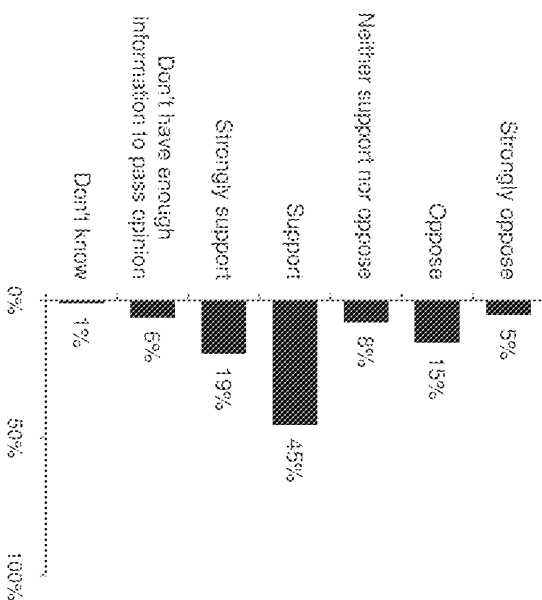
### 4. Support or opposition to Apollo Bay Harbour precinct Master plan as a whole

**Support for Master plan at end of questionnaire:** At the end of the interview, two thirds of ratepayers (65%) said they supported the Apollo Bay Harbour Precinct Master Plan as a whole. Around 21% of ratepayers said they opposed the Master Plan while the balance of ratepayers didn't have enough information to pass opinion (6%) or didn't know (1%).

**Reasons for support of master plan:** The most mentioned reasons for supporting the Apollo Bay Harbour precinct Master plan as a whole were:

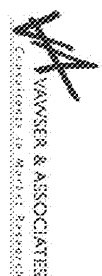
- ▶ Because of the benefits for local tourism and the local economy (23%);
  - ▶ Because it would improve infrastructure and facilities that would benefit the community (19%);
  - ▶ Because the Apollo Bay Harbour precinct needs an upgrade (13%).
- Some ratepayers were attracted to specific components of the plan particularly upgrading of the harbour and fishing facilities.
- Some ratepayers thought the Master plan would deliver a balance or compromise between development and preservation of local character and/or environment (7%).

Support and opposition to Apollo Bay Harbour precinct Master plan as a whole (n=300 ratepayers)



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## Summary of main findings



### 4. Support or opposition to Apollo Bay Harbour precinct Master plan as a whole continued ...

Reasons for opposition to master plan: The most mentioned reasons for opposing the Apollo Bay Harbour Precinct Master plan were:

- ▶ Concern that the redevelopment would change the character of Apollo Bay for the worse. Lorne was said to be an example of the kind of development these ratepayers did not want (9%).
- ▶ Because the privately owned boutique hotel and health and wellbeing centre was not appropriate for Apollo Bay Harbour Precinct (9%).

A few ratepayers thought the Apollo Bay Harbour Precinct Master plan ignored community input (2%) and / or would damage local business (2%). A few thought the money should be spent elsewhere (2%) or thought the information about the golf course was not true (1%).

**Differences between local and non resident ratepayers:** More ratepayers from outside the Apollo Bay area (71%) supported the Apollo Bay Harbour precinct Master plan than did local residents in the Apollo Bay area (51%). Fewer ratepayers from outside the Apollo Bay area (15%) opposed the Master plan than did local residents in the Apollo Bay area (32%).

**Increased support after providing information:** There was a significant increase in support for the Apollo Bay Harbour precinct Master plan after providing the information contained in the questionnaire. Support increased from around 40% prior to providing the information to around 65% after providing the information. Similarly, opposition to the Master plan reduced from 30% prior to providing the information to around 21% after providing the information.

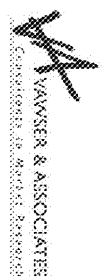
We concluded that the information provided during the survey had a positive impact on ratepayer support or opposition to the Apollo Bay Harbour precinct Master plan.

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## Summary of main findings



### 5. Stated attitudes to Apollo Bay Harbour precinct Master plan

The vast majority of ratepayers (84%) agreed they would support the Master plan if the Apollo Bay Harbour Precinct redevelopment was consistent with the tone and feel of the surrounding area.

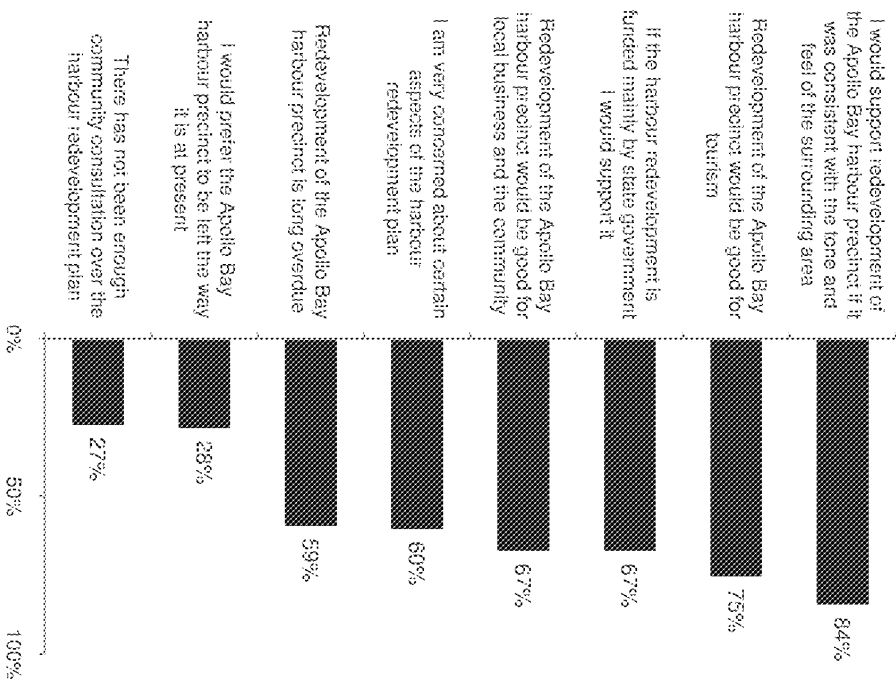
Two thirds (67%) of ratepayers agreed they would support the harbour precinct redevelopment plan if it was funded the state government.

The majority of ratepayers agreed the redevelopment of Apollo Bay harbour precinct would be good for tourism (75%), would be good for local business and the community (67%) and is long overdue (59%).

Over half of ratepayers agreed they were concerned about certain aspects of the harbour redevelopment plan (60%).

Over a quarter agreed there has not been enough community consultation (27%) and a similar number agreed they would prefer the harbour precinct is left as it is (28%).

Percentage of ratepayers agreeing with each statement  
(n=300 ratepayers)



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## Summary of main findings

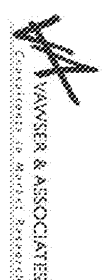
### 6. Boutique hotel and health and wellbeing centre is the major sticking point

Almost half of ratepayers (47%) said they opposed the privately owned boutique hotel and health and wellbeing centre. This was the *only* component of the master plan where less than half of ratepayers supported the component as described.

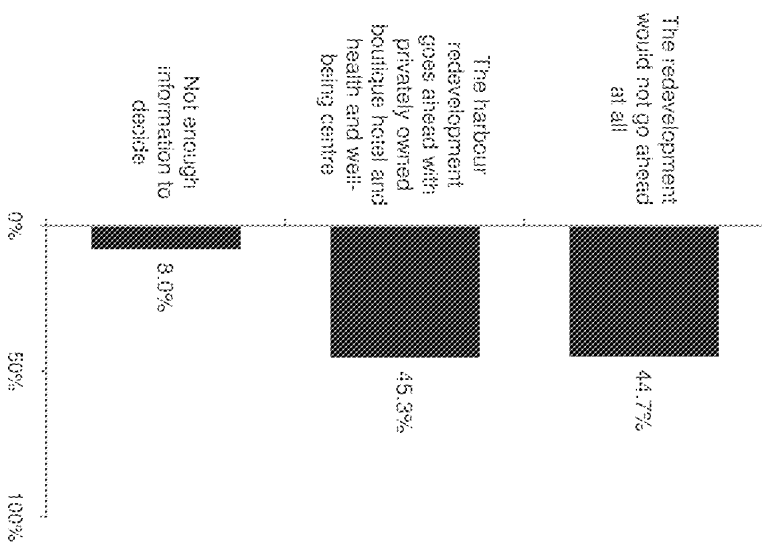
Ratepayers were evenly divided between the two options - *redemption goes ahead with privately owned boutique hotel and health and wellbeing centre (45%)* *OR no redemption at all (45%)*.

**Differences between local and non resident ratepayers:** More non resident ratepayers (51%) chose *redemption goes ahead with privately owned boutique hotel and health and wellbeing centre* than did local resident ratepayers (33%). More resident ratepayers (54%) chose *redemption would not go ahead at all* than did non resident ratepayers (41%).

These results illustrate that a significant proportion of ratepayers are concerned about the *privately owned boutique hotel and health and wellbeing centre* component of the Apollo Bay Harbour precinct Master plan. This particularly applied to local Apollo bay ratepayers.



Q23. If it was up to you, which of these options would you choose?  
(n=300 ratepayers)

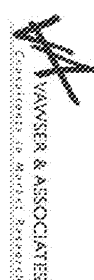


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## Summary of main findings



### 7. The planning scheme amendment

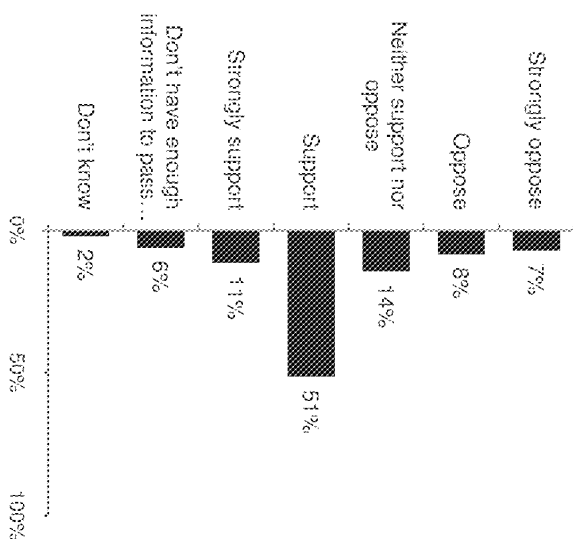
**Awareness of next steps:** Just over half of ratepayers (54%) were **not** aware that a planning scheme amendment is the next stage of the process while the balance were aware (44%).

**Awareness of what is involved:** Just over half of ratepayers (53%) said they were aware of *all* or *some* of what is involved with the planning scheme amendment while the balance were not aware (46%) or didn't know (2%).

**Support for planning scheme amendment:** Over half (53%) of ratepayers said they support or strongly support the planning scheme amendment process as described. A minority of ratepayers (15%) said they didn't support the planning scheme amendment process. A further 14% neither supported nor opposed the amendment, or didn't have enough information to pass opinion (6%) or didn't know (2%).

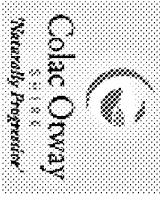
**Differences between local and non resident ratepayers:** More non resident ratepayers (70%) supported the *Planning Scheme Amendment* process than did local resident ratepayers (49%). Fewer non resident ratepayers (12%) opposed the *Planning Scheme Amendment* process than did local resident ratepayers (22%).

Support and opposition to  
planning scheme amendment  
(n=300 ratepayers)

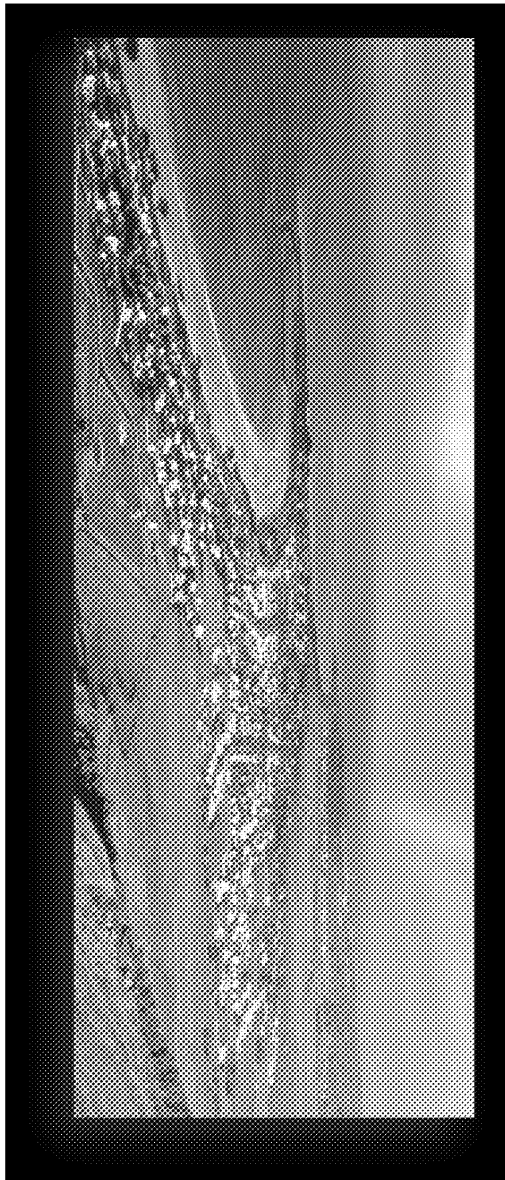


# Apollo Bay Harbour Precinct Redevelopment

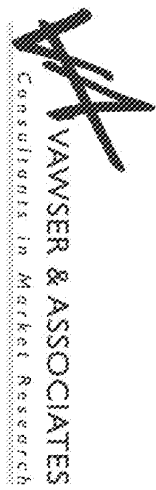
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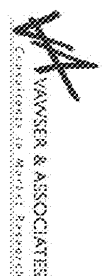


## Summary conclusions



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## Summary conclusions



Based on the outcomes of the research we came to the following summary conclusions.

### 1. A majority of ratepayers support the Apollo Bay Harbour precinct Master plan

The research showed that two thirds of ratepayers (65%) support the Apollo Bay Harbour precinct Master plan as a whole while around a fifth of ratepayers (21%) oppose the Master plan. In addition, a majority of ratepayers (84%) agreed they would support the Master plan if the *Apollo Bay Harbour precinct redevelopment* was consistent with the *tone and feel of the surrounding area*.

### 2. A majority of ratepayers support the planning scheme amendment process

Just under two thirds of ratepayers (63%) support the planning scheme amendment process while a minority of ratepayers (15%) don't support the planning scheme amendment process.

### 3. Boutique hotel and health and wellbeing centre is a concern for many

Almost half of ratepayers (47%) oppose the privately owned boutique hotel and health and wellbeing centre. The results clearly illustrate that a significant proportion of ratepayers are concerned about this particular facility. This was the only component in the Master plan that didn't receive support from a majority of ratepayers.

### 4. Less support from local resident ratepayers than non resident ratepayers

Local Apollo Bay resident ratepayers consistently indicated less support than did non resident ratepayers for the Apollo Bay Harbour precinct Master plan as a whole, the planning scheme amendment process and the boutique hotel and health and wellbeing centre.

### Summary conclusion

Overall, we concluded that a majority of ratepayers that own properties in the Apollo Bay area support all components of the Master plan except the privately owned boutique hotel and health and wellbeing centre (where support or opposition was evenly divided). Within this context, we concluded that a majority of ratepayer support the Apollo Bay Harbour precinct Master plan as a whole and the associated planning scheme amendment process.

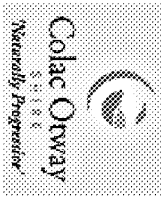
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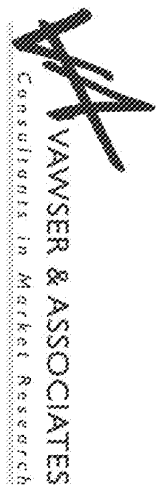
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## Introduction

### Introduction and background

Over the last 20 years, numerous processes have examined opportunities for development of the Apollo Bay Harbour and its surrounding precinct. A major barrier has always been varying levels of community support for the proposal and Council's inability to fully fund the necessary planning and implementation. In 2005, the Bracks government directed the Department of Sustainability and Environment to provide support to the project and since then a series of studies and community consultations have taken place. This process produced a draft Master Plan in June 2007 and in September 2008, following a 5-day community engagement and design process (titled 'Enquiry by Design'), a significantly revised plan was produced and adopted by Council in October 2008 as the Apollo Bay Harbour Precinct Master Plan. This plan included two options which differed in relation to whether or not the golf course would relocate after the club's lease expired in 2016. Since then, the club's intended relocation site has been rejected by planning authorities and the Master plan now assumes the golf course will remain at its present location adjacent to the harbour.

A major challenge facing the council throughout this process has been the need to attract private funding while maintaining community support for the development. The total cost of the development is estimated at approximately \$44m which includes approximately \$19m of private investment in the proposed boutique hotel health and wellbeing centre. Some community members are opposed to the introduction of this private business in the harbour which is a key requirement for state government investment in the community infrastructure components of the development.

Last year the Department of Planning and Community Development announced a grant of \$95,000, which will be combined with \$160,000 from Tourism Victoria, for completion of the next step in this lengthy process -- a Planning Scheme Amendment. This 18 month process will include a range of specialist reports and investigations that will add significant detail to the plan. Once this stage is completed, community members will be able to provide feedback on the Planning Scheme Amendment.

### The need for market research

Prior to commencing the Planning Scheme Amendment process, Council wanted to gain a reliable understanding of the level of community support for the Master Plan and the boutique hotel health and wellbeing centre in particular. To achieve this it decided to conduct market research with ratepayers who own properties in the Apollo Bay area.

It was for this reason that the Colac Otway Shire approached Vawser and Associates.

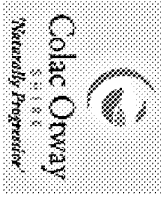
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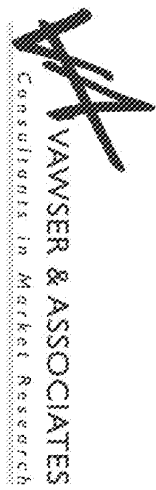
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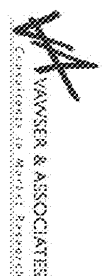
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## Research objectives and research approach

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## Research objectives



### Overall research objective

The overall objective for this research was agreed to be as follows:

*To provide a reliable measure of the level of community support for the Apollo Bay Harbour redevelopment Master Plan.*

### Specific research objectives

The specific research objectives reflected the information to be collected in the research, including measurement of the following:

1. Awareness of the Apollo Bay Harbour Precinct Master Plan and sources of information about the plan.
2. Awareness of key facts associated with the Apollo Bay Harbour Precinct Master plan.
3. Degree of support or opposition to a description of key elements of the Apollo Bay Harbour Precinct Master Plan.
4. Degree of support or opposition for the Apollo Bay Harbour Precinct Master plan as a whole.
5. Reasons for support or opposition to the Apollo Bay Harbour Precinct Master plan.
6. Awareness of the Planning Scheme Amendment process and degree of support or opposition to that process.
7. How results vary between various sub groups (local residents, non residents, local business, age, gender etc).
8. To draw summary conclusions about each of the research objectives and particularly community support for the Apollo Bay Master Plan as a whole.

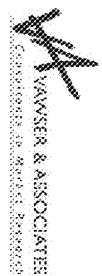
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## Research approach



### 1. Quantitative research

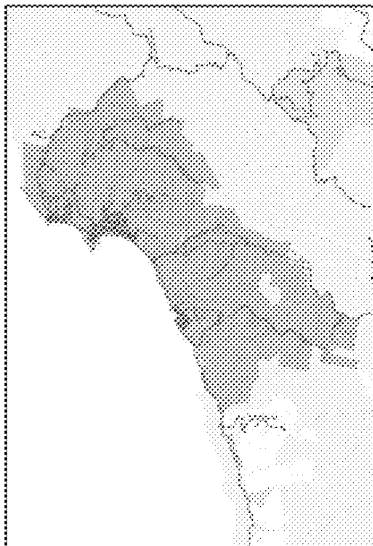
**Telephone research:** The research was based on the use of a twenty minute structured questionnaire delivered by computer assisted telephone interviewing (CATI). Data was collected by an ISO 20252 accredited fieldwork agency.

**Target audience:** The target audience was ratepayers in Apollo Bay and surrounding area. Colac Otway Shire defined specific regional boundaries from which a database of ratepayers was created for the purposes of recruitment (shown to the right).

**Sampling approach:** Ratepayers were selected at random from the ratepayer database. A maximum of one respondent per property was allowed to participate in the research. Interviews were conducted during the day and at night to ensure both business and residential respondents could participate. Certain properties were not contacted during the research including those owned by state and local government, utilities, banks, churches and schools.

### 2. Sample size and data accuracy

A total of 300 local ratepayers were interviewed during the research. The fieldwork was conducted in mid July 2011.

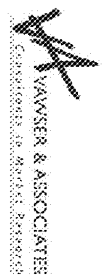


| Target audience                                                                         | Sample size    |
|-----------------------------------------------------------------------------------------|----------------|
| Ratepayers who owned properties in the Apollo Bay and surrounding area (1 per property) | 300 ratepayers |

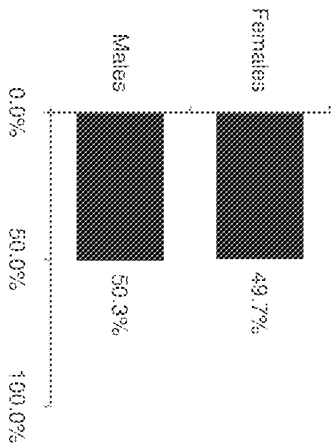
**Data accuracy:** The analysis was conducted at the 95% confidence level. At worst the confidence interval associated with total sample is around  $\pm 5.4\%$ .

*Commercial in confidence*

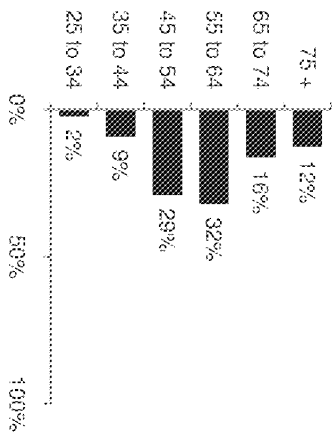
## Respondent profile (ratepayers)



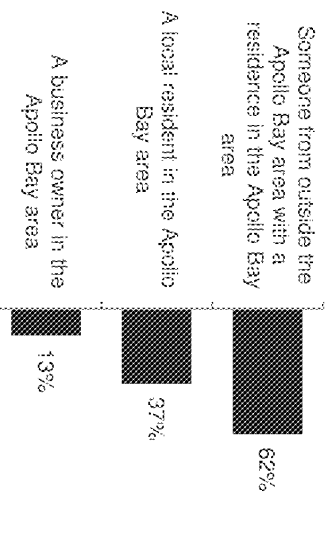
Gender (n=300)



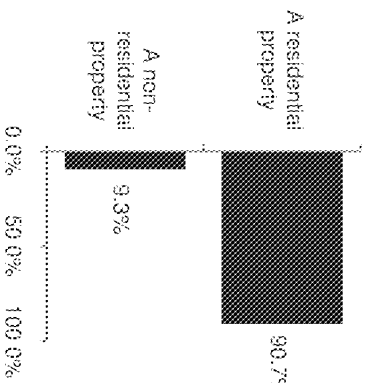
Age (n=300)



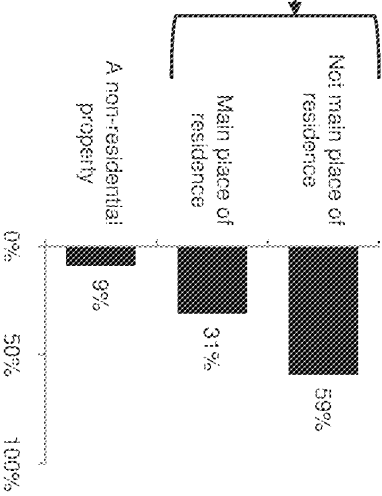
Respondent type (n=300)



Property type (n=300)



Place of residence (n=300)



**Note:** Based on data provided by the Colac Otway Shire, local resident ratepayers were slightly over represented and ratepayers outside the area were slightly under represented in the total sample.

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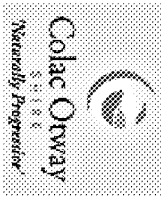
20

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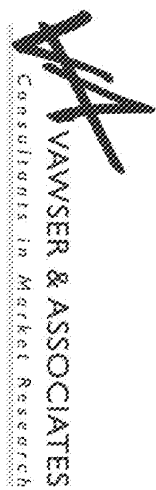
# Apollo Bay Harbour Precinct Redevelopment

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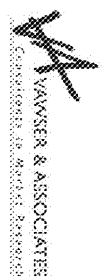
Commercial in confidence



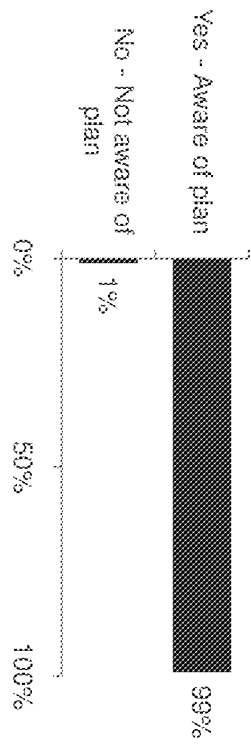
Part 1: Current awareness and support

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## Awareness of the Master Plan



Q1: Firstly, were you aware there is a plan to redevelop the Apollo Bay Harbour and surrounding area?

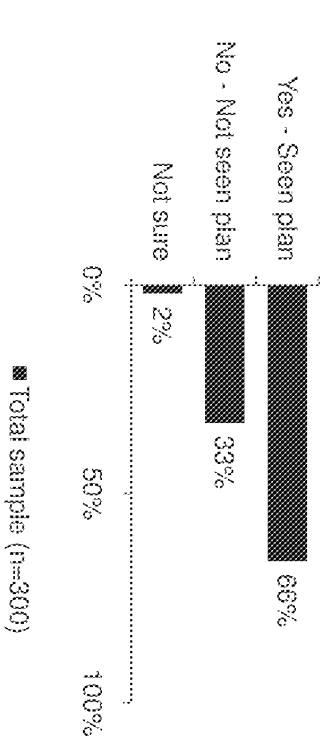


### Key findings:

Almost all ratepayers (99%) were aware of the Apollo Bay Harbour precinct Master plan

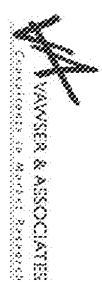
Two thirds of ratepayers had personally seen the Apollo Bay Harbour precinct Master plan.

Q2: Have you personally seen the Apollo Bay Harbour precinct master plan?

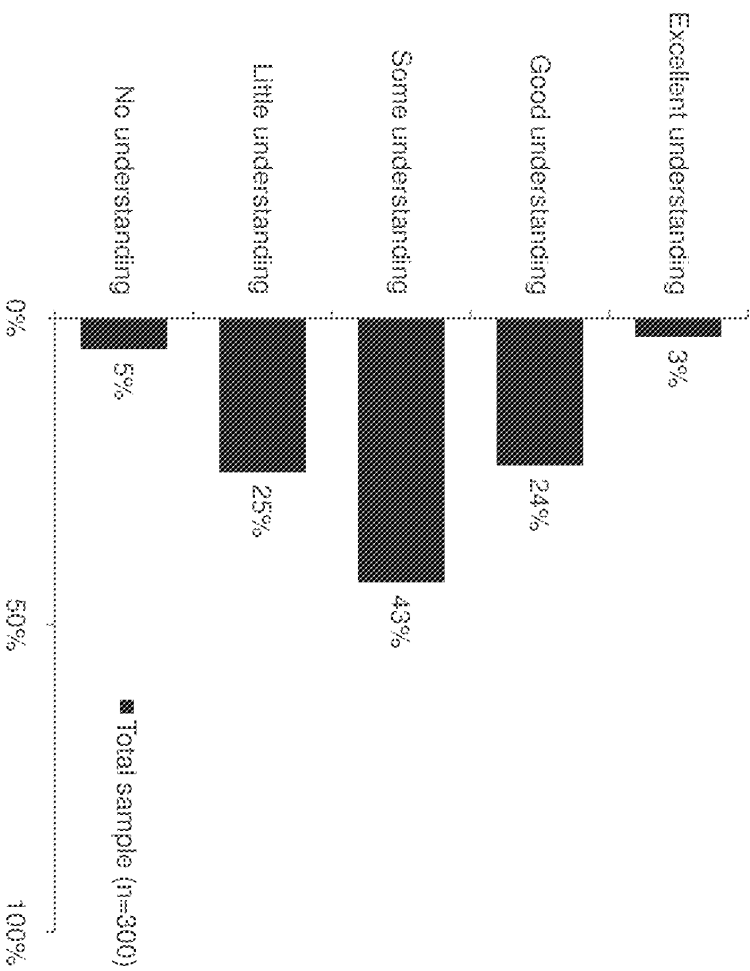


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## Understanding of the Master Plan



Q3. Which of the following best describes your level of understanding of the Apollo Bay Harbour precinct master plan?



### Key findings:

Ratepayer stated understanding of the Apollo Bay Harbour precinct Master plan at the beginning of the questionnaire was mixed.

Around a quarter (27%) of ratepayers said they had a *good or excellent* understanding of the Master plan while slightly more (30%) said they little or no understanding of the Master plan.

The balance of ratepayers (43%) said they had some understanding of the Master plan.

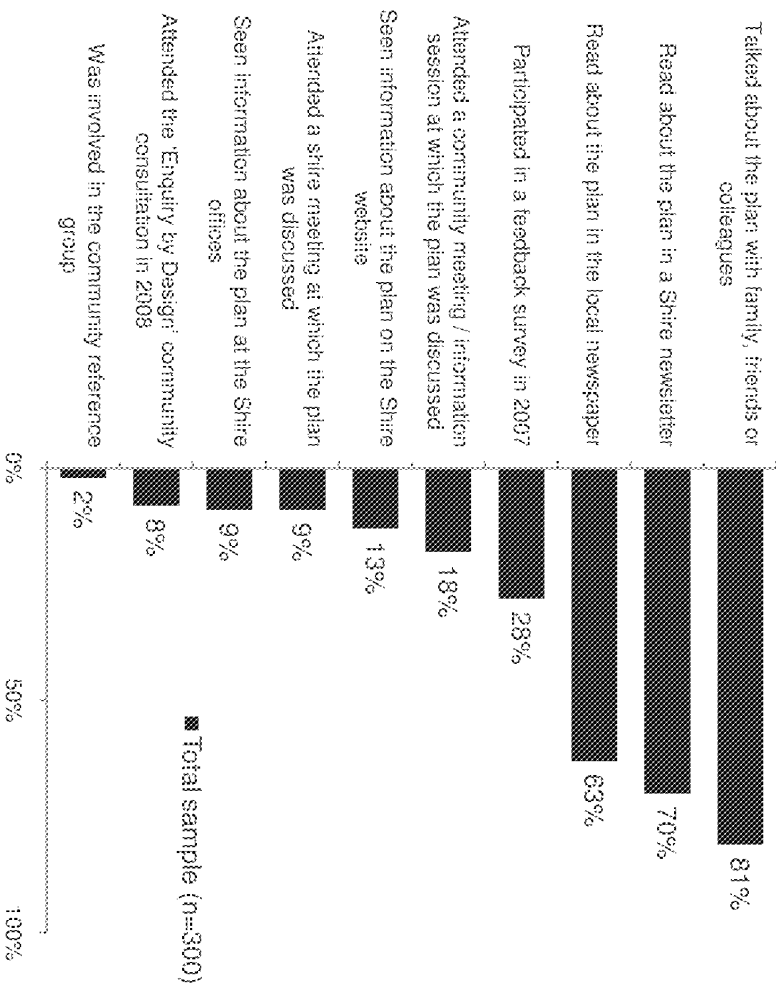
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## Sources of information about the Master Plan

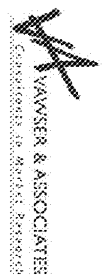
Q4. I am going to read you a number of ways in which you may have learned about the Apollo Bay Harbour precinct master plan. Please tell me if you have done any of these things.



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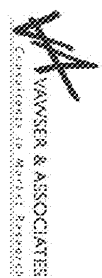
### Key findings:

The most mentioned ways ratepayers learned about the Apollo Bay Harbour Precinct Master plan were discussions with family and friends (81%), the Colac Otway Shire newsletter (70%), and the local newspaper (63%).

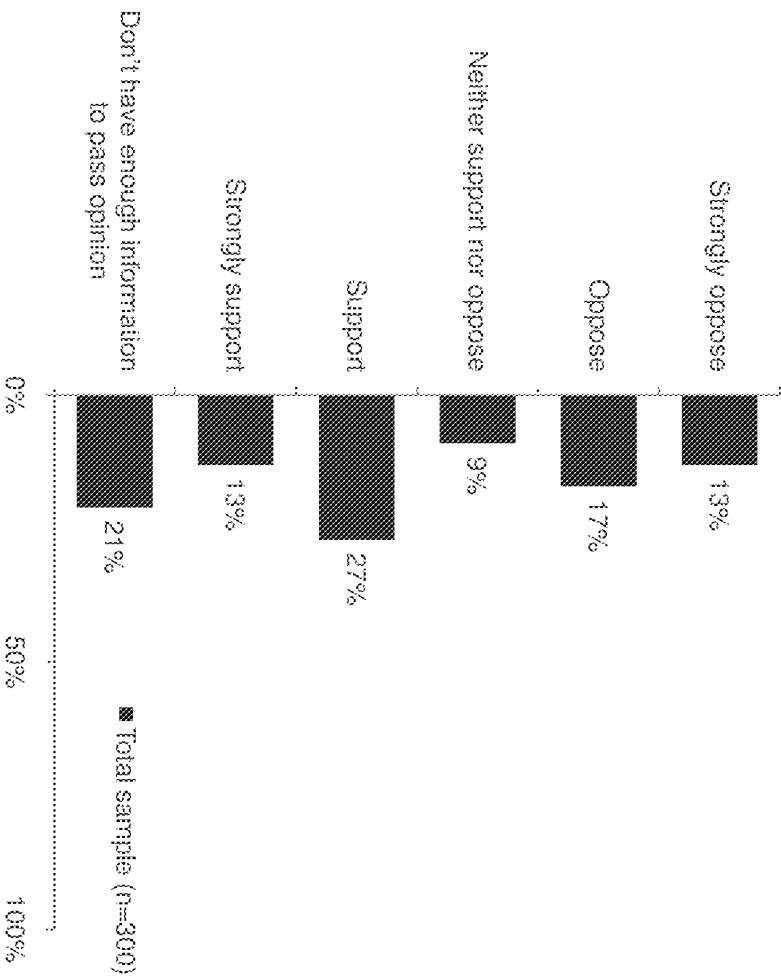
Participation in the 2007 feedback survey (28%) and attending a community meeting where the plan was discussed (18%) were the next most mentioned.



## Degree of support at beginning of the questionnaire



Q5: Based on your present knowledge, which of the following best describes your level of support for the Apollo Bay Harbour precinct master plan?



### Key findings:

Prior to providing information about the Apollo Bay Harbour Precinct Master plan around 40% of ratepayers said they supported the Master plan while around 30% said they opposed the Master plan.

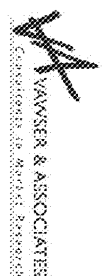
The balance of ratepayers neither supported or opposed the plan (9%) or didn't have enough information to pass opinion (20%).

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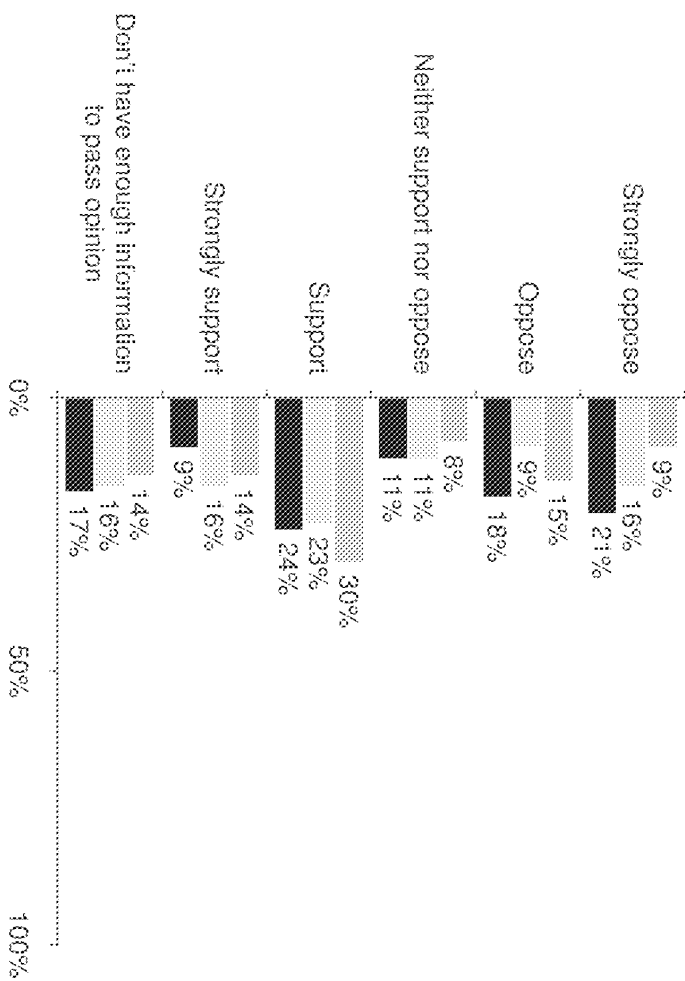
25

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## Differences between local and non resident ratepayers



Q5: Based on your present knowledge, which of the following best describes your level of support for the Apollo Bay Harbour precinct master plan?



- ※ Someone from outside the Apollo Bay area with a residence in the Apollo Bay area (n=185)
  - ※ A business owner in the Apollo Bay area (n=44)
  - ※ A local resident in the Apollo Bay area (n=111)
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### Key findings:

There were significant differences in support between local residents in the Apollo Bay area and ratepayers from outside the Apollo Bay area with a residence in the Apollo Bay area.

More ratepayers from outside the Apollo Bay area with a residence in the Apollo Bay area (44%) and more business owners from the local area (48%) supported the Apollo Bay Harbour precinct Master plan than did local residents in the Apollo Bay area (39%).

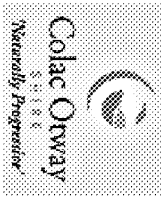
Fewer ratepayers from outside the Apollo Bay area with a residence in the Apollo Bay area (25%) and fewer business owners from the local area (25%) opposed the Apollo Bay Harbour precinct Master plan than did local residents in the Apollo Bay area (39%).



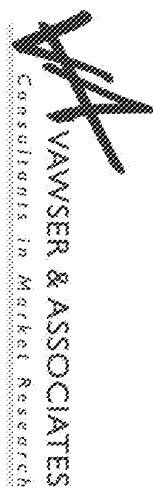
# Apollo Bay Harbour Precinct Redevelopment

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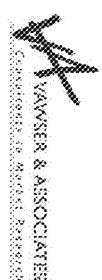
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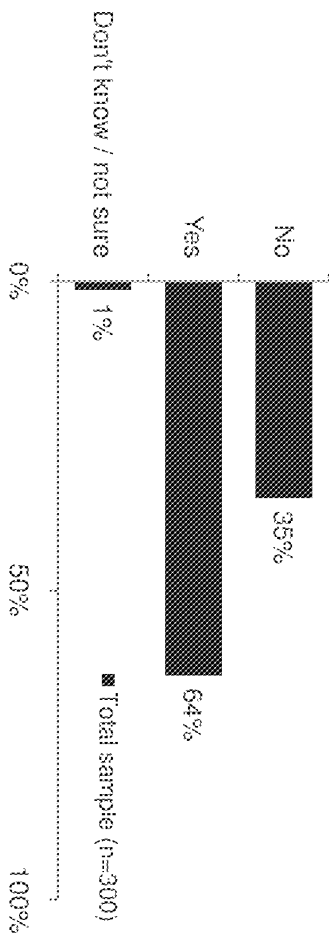
Part 2: Awareness of key facts

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## Awareness of key background facts



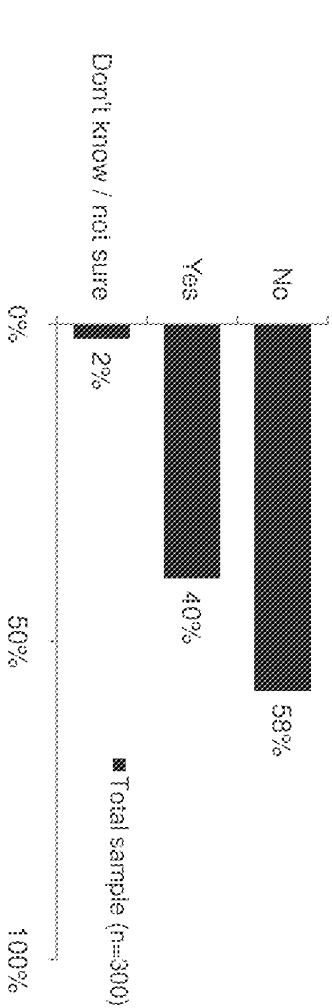
Q7. Were you aware that the Victorian Government owns and has ultimate control of the Harbour Precinct in Apollo Bay?



**Key findings:**  
Just under two thirds (64%) of ratepayers were aware that the harbour precinct is owned by the State Government while the balance were not (35%).

Over half of ratepayers (58%) were not aware that funds for redevelopment of the Apollo Bay harbour precinct would be provided by the Victorian State Government while over a third were (40%).

Q8. Were you aware that funds to redevelop the public infrastructure within the Apollo Bay Harbour precinct would be provided by the Victorian Government and that the local council would not be a source of funds?

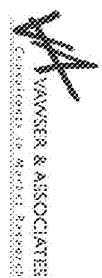


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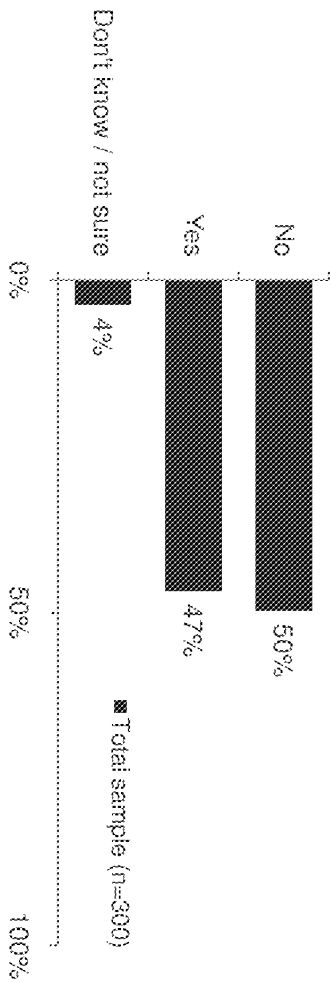
28

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## Awareness of key background facts



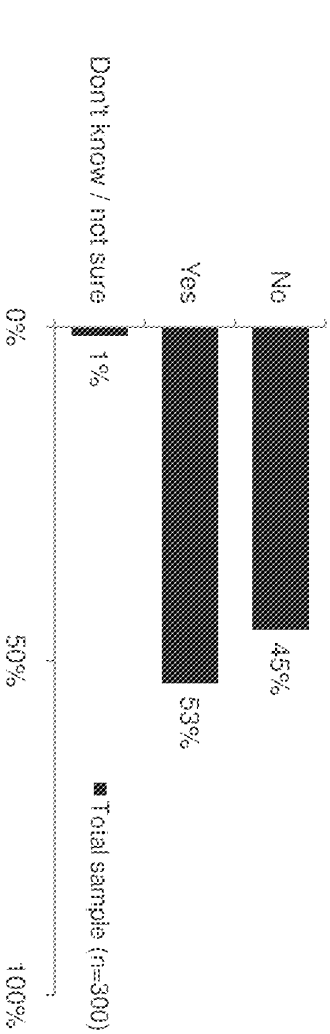
Q9. Were you aware that the Victorian Government will only provide funds if the redevelopment plan fits with its plans and objectives?



### Key findings:

Just under half of the ratepayers (47%) said they were aware that the State Government will only provide funds if the redevelopment plan fits with its plans and objectives while a similar number (50%) were not aware.

Q10. Were you aware that the Victorian Government requires some private investment in the Apollo Bay Harbour precinct master plan as a condition of funding?



Just over half of ratepayers (53%) said they were aware the State Government requires some private investment in the Apollo Bay Harbour precinct master plan as a condition of funding while around 45% said they were not aware of this fact.

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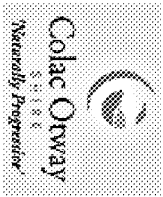
29

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# Apollo Bay Harbour Precinct Redevelopment

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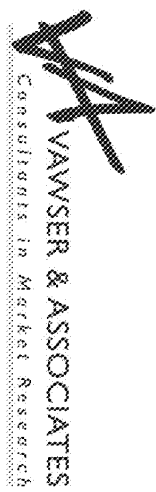
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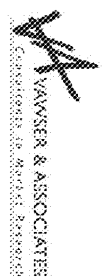


Part 3: Support for specific aspects of the Master  
plan

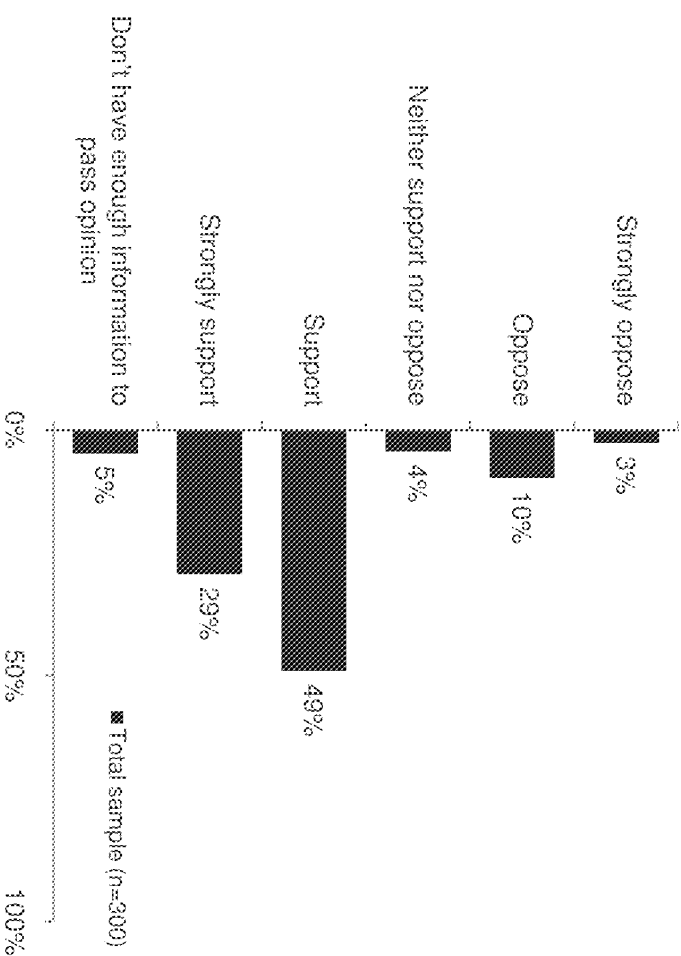


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## Support for a new and expanded working harbour



*Q10. The first component of the plan involves a new and expanded working harbour for commercial, recreational and tourism purposes. Proposed works include strengthening of the harbour entrance, extending the groyne, expanding boat launching facilities, expanding boat trailer parking, and expanded harbour master facilities and slipway.*



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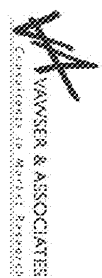
### Key findings:

The majority of ratepayers (78%) indicated support for the new and expanded working harbour as described.

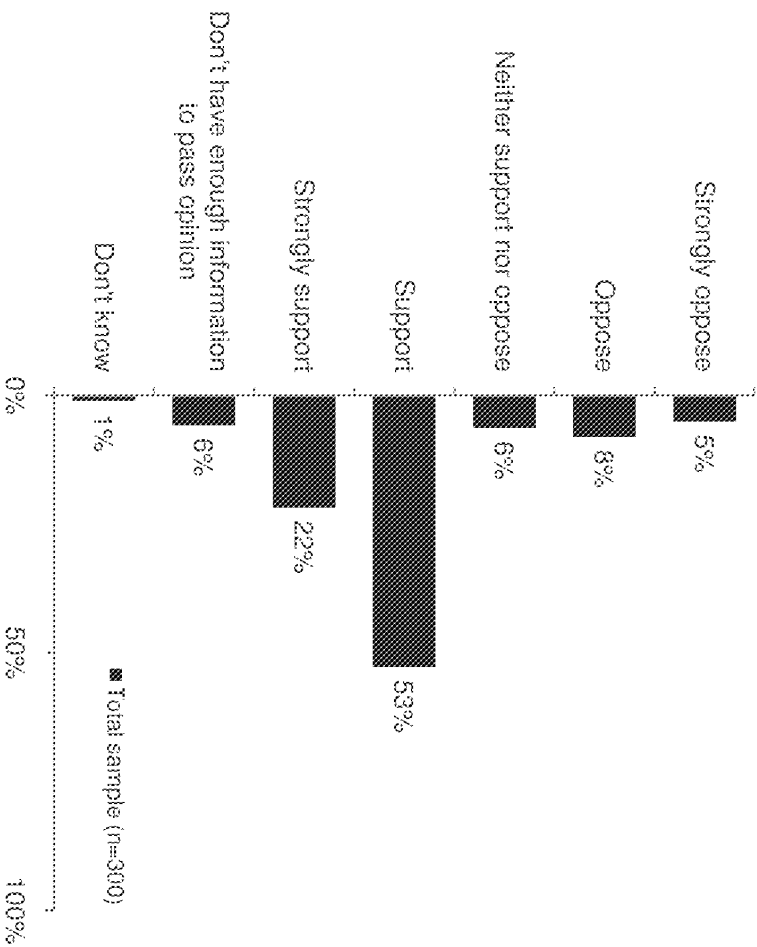
A minority of ratepayers (13%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (4%) or said they didn't have enough information to pass opinion (5%).



## Support for a new sailing club



*Q11. The second component of the plan involves building a new sailing club and recreational marina with additional berths and swing moorings. It would be located at Harbour Beach.*



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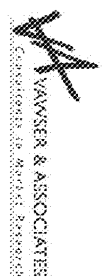
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### Key findings:

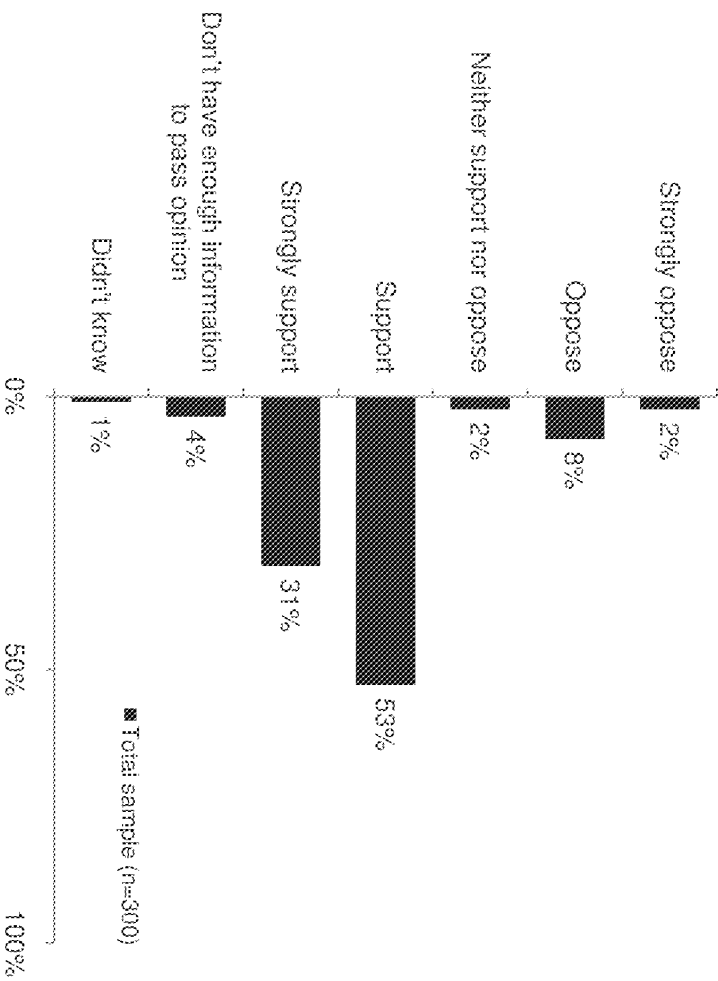
The majority of ratepayers (78%) indicated support for the new sailing club as described.

A minority of ratepayers (13%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (6%), said they didn't have enough information to pass opinion (6%) or didn't know (1%).

## Support for a public promenade around harbour foreshore



Q12: The next component of the plan involves putting in a public promenade around the foreshore of the harbour. The promenade would connect to paths around Point Bunbury and to Mother's Beach creating continuous and linked pedestrian access.



### Key findings:

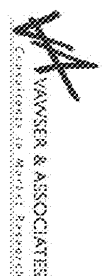
The majority of ratepayers (84%) indicated support for the public promenade around the harbour foreshore as described.

A minority of ratepayers (10%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (2%), said they didn't have enough information to pass opinion (4%) or didn't know (1%).

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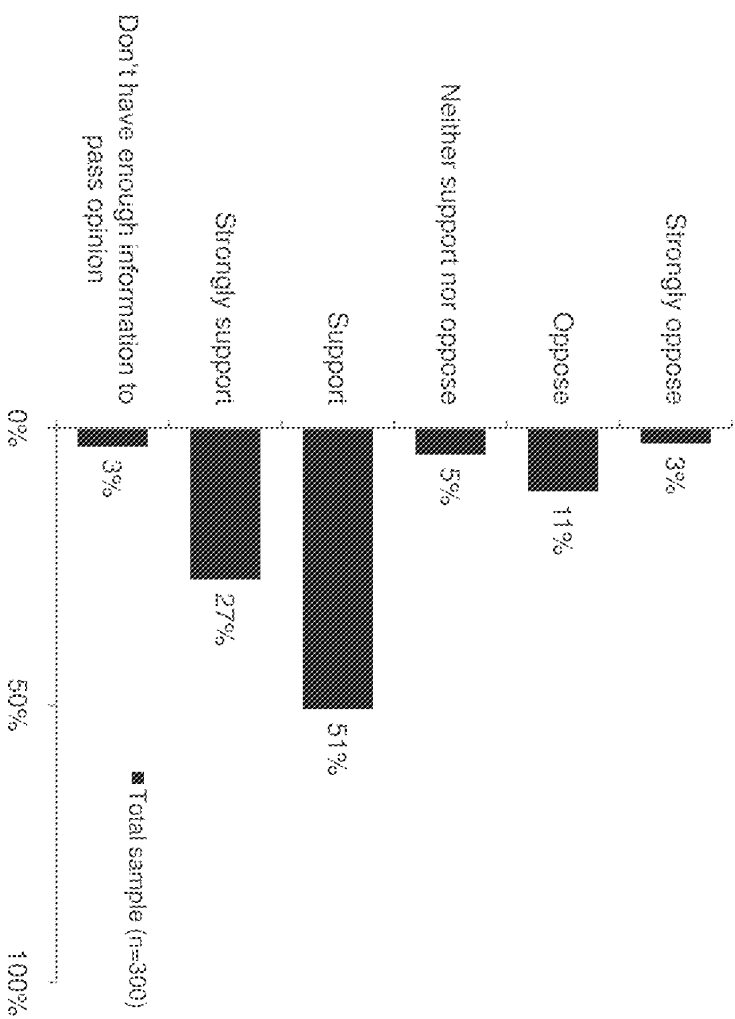
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## Support for an expanded fishing cooperative

*Q13. The next component of the plan involves expanding the fishing cooperative which would include a new building with a cafe or small restaurant, and a marine interpretation centre. It would be located in front of the existing cooperative on the public promenade.*



### Key findings:

The majority of ratepayers (78%) indicated support for the expanded fishing cooperative and associated facilities as described.

A minority of ratepayers (15%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (5%) or said they didn't have enough information to pass opinion (3%).

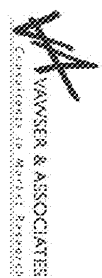
Commercial in confidence

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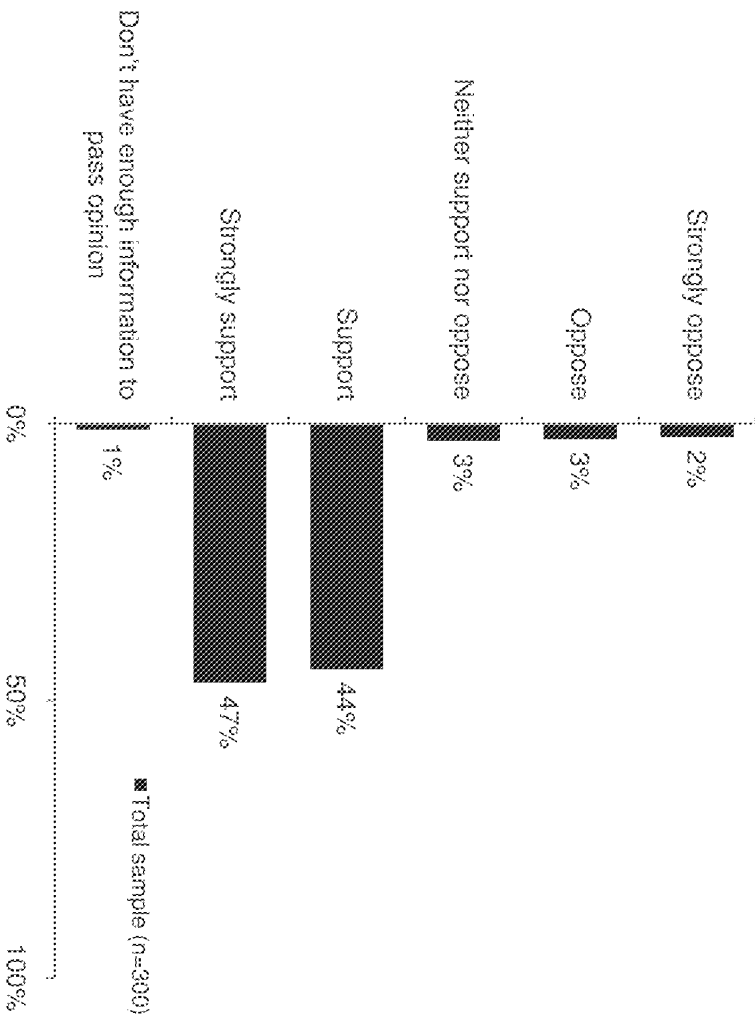
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## Support for retention of the golf course



Q14. The next component of the plan involves retaining the existing golf course in its present position with very minor modifications to the edge of the property. The golf course would effectively operate as it does today



### Key findings:

The majority of ratepayers (91%) indicated support for retention of the golf course as described.

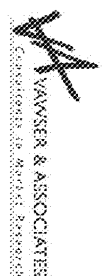
A minority of ratepayers (5%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (3%) or said they didn't have enough information to pass opinion (1%).

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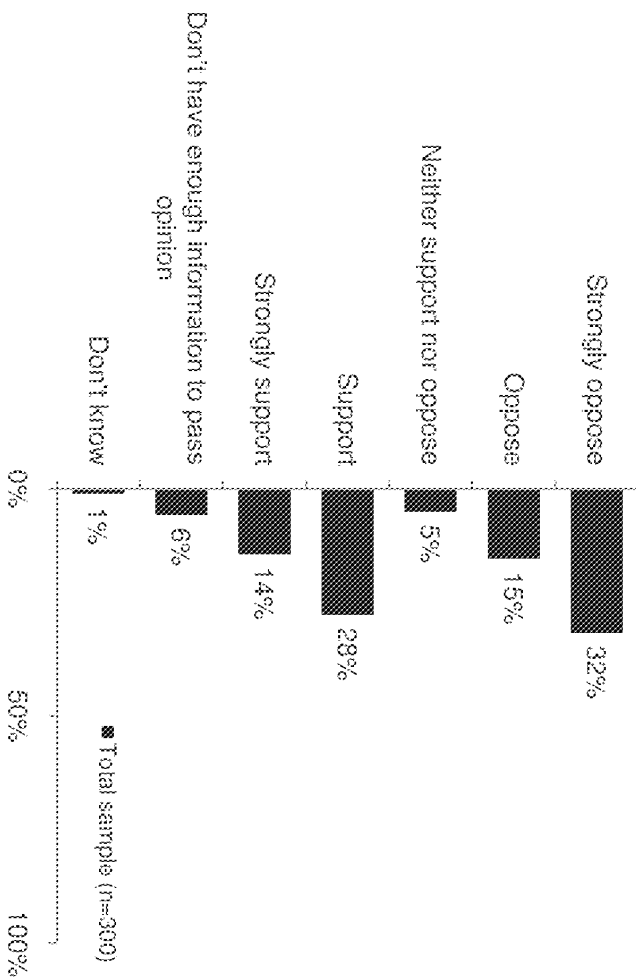
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## Support for a boutique hotel and health and wellbeing centre



*Q16: The next component of the plan involves a small boutique hotel including a health and wellbeing centre which would be located next to the fishing cooperative. This building would be low rise, set into the hill, anticipated to be no higher than the fisherman's coop and would be designed to be sympathetic to the character of the Harbour. In addition to quality accommodation, it would include a health spa and a public access heated salt water pool. It would be privately owned but, like all hotels, it would be open to public access.*



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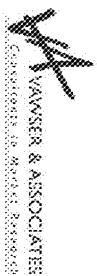
### Key findings:

Just under half of ratepayers (47%) indicated opposition for the boutique hotel and wellbeing centre as described while slightly fewer ratepayers (42%) said they supported this element of the master plan.

The balance of ratepayers neither supported nor opposed this element (5%), said they didn't have enough information to pass opinion (6%) or didn't know (1%).

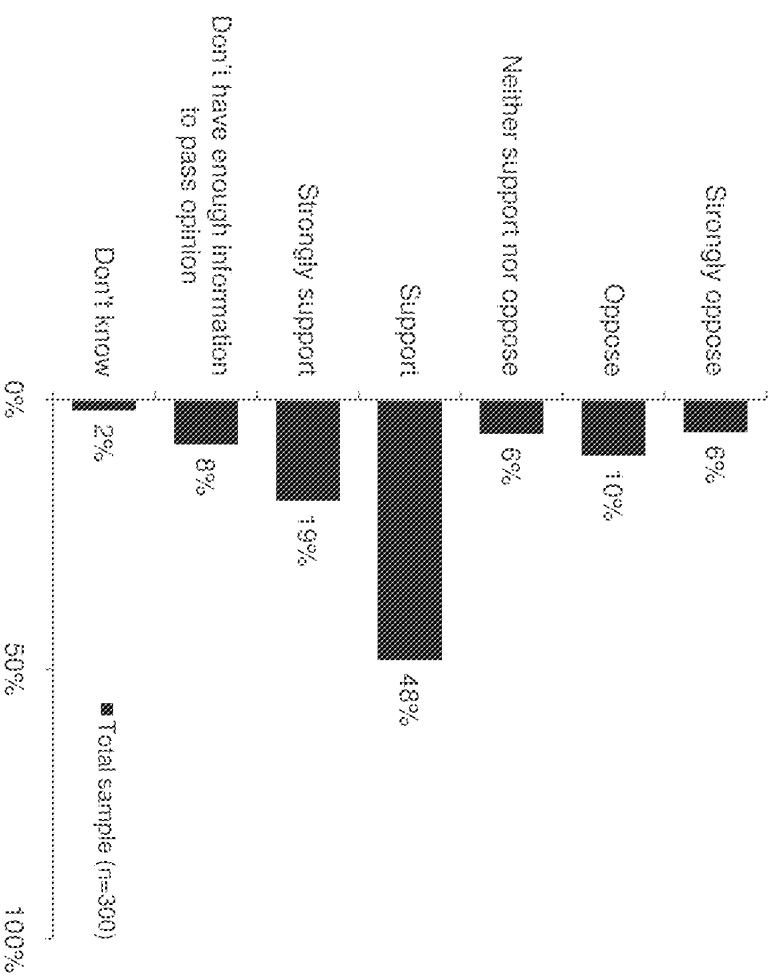
Statistically there was no difference in levels of support or opposition for this element across ratepayers.

The results illustrate that ratepayers are divided about the boutique hotel and wellbeing centre in the Apollo Bay Harbour precinct Master plan.



## Support for the Nelson Street extension

Q17. The next component of the plan involves extending Nelson street between the GOR and Pascoe Street to provide better access to the harbour precinct and more formalised parking.



### Key findings:

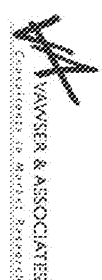
Two thirds of ratepayers (67%) indicated support for the Nelson Street extension as described.

A minority of ratepayers (16%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (6%), said they didn't have enough information to pass opinion (8%) or didn't know (1%).

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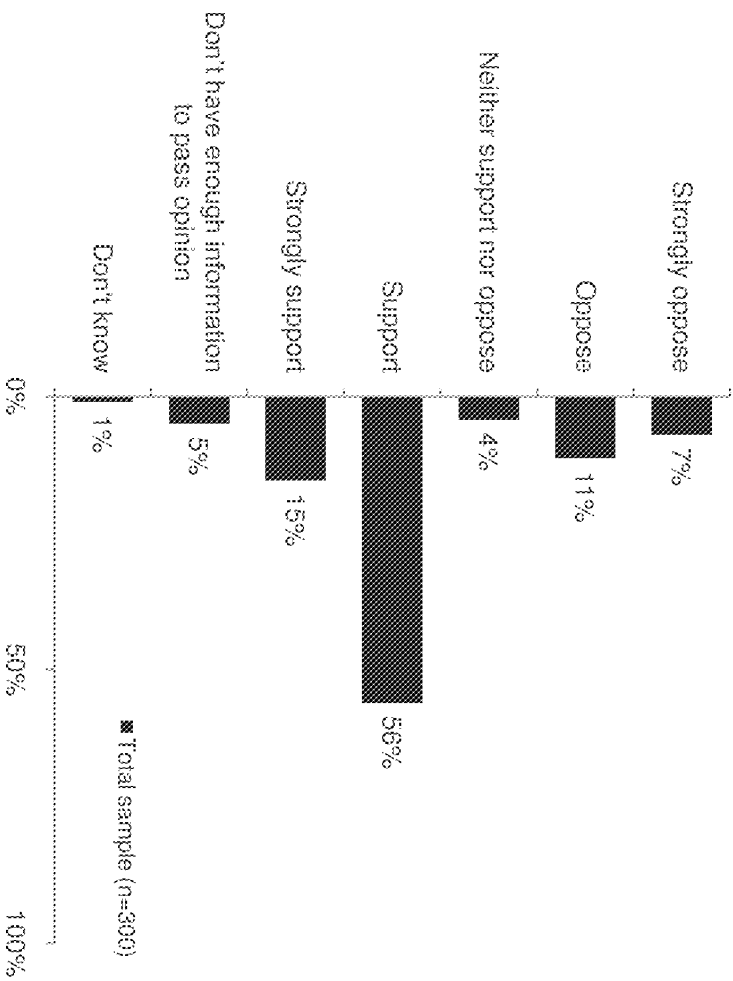
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## Support for a new park and amphitheatre

*Q18: The next component of the plan involves redevelopment of the existing foreshore between the golf club and the Nelson Street Monument. This grassed open spaced area would have a new amphitheatre just south of the existing playground. The amphitheatre would be created by reshaping the existing Lion's Club mound.*



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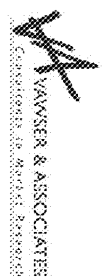
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### Key findings:

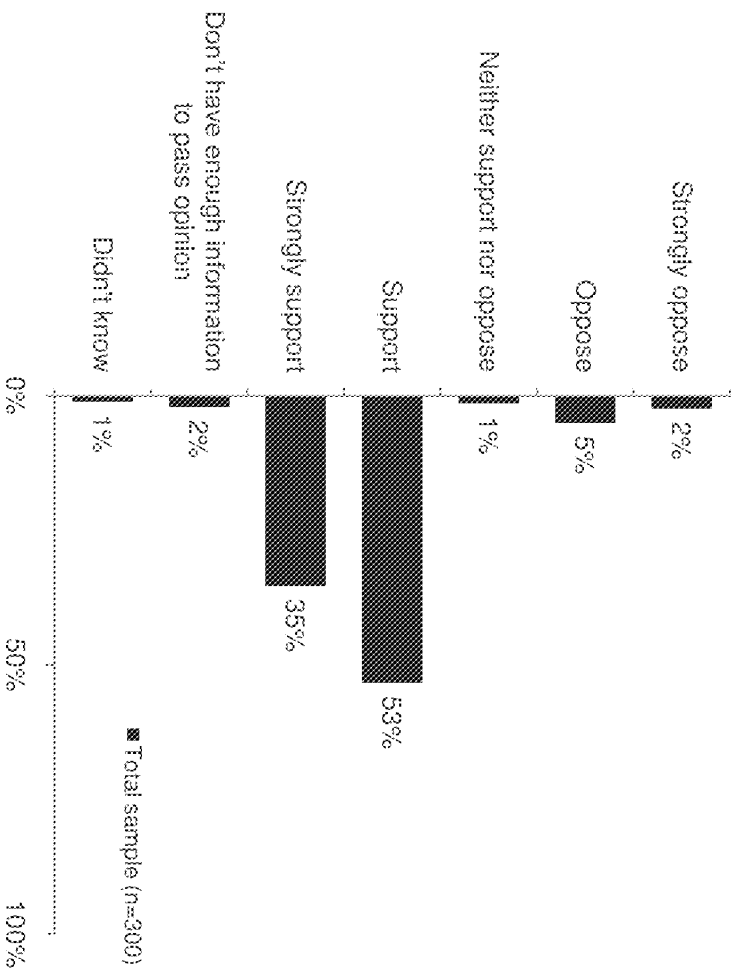
The majority of ratepayers (71%) indicated support for the redevelopment of the existing foreshore between the golf club and the Nelson Street Monument as described.

A minority of ratepayers (18%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (4%), said they didn't have enough information to pass opinion (5%) or didn't know (1%).

## Support for extension of the Great Ocean Walk



*Q19. The next component of the plan involves the extension of the Great Ocean walk which would connect Point Bunbury to the existing section of the Great Ocean walk. This would create a continuous walk all the way from the harbour precinct to the twelve apostles.*



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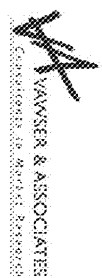
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### Key findings:

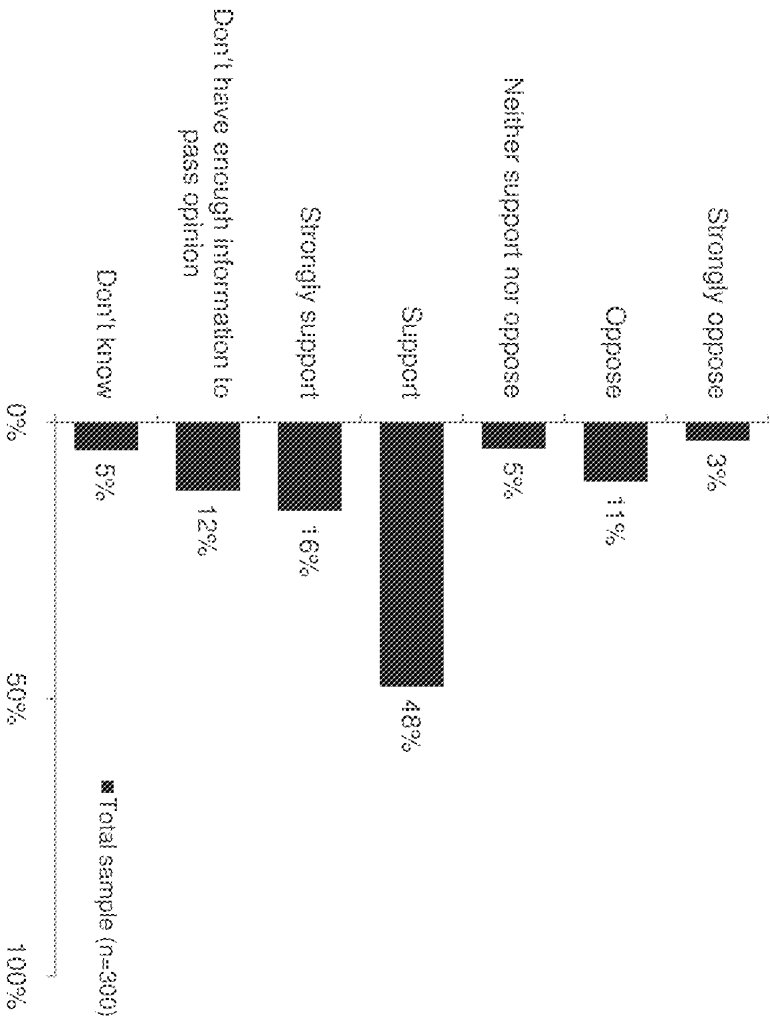
The majority of ratepayers (89%) indicated support for extending the Great Ocean Walk to connect to Point Bunbury as described.

A minority of ratepayers (7%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (1%), said they didn't have enough information to pass opinion (2%) or didn't know (1%).

## Support for extension of Mother's Beach car park



Q20. The next component of the plan involves the expansion of the Mother's Beach car park which would include paths that link to the harbour promenade.



### Key findings:

Two thirds of ratepayers (64%) indicated support for extension of the Mother's Beach car Park as described.

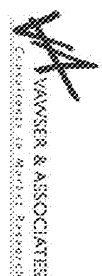
A minority of ratepayers (14%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported or opposed this element (5%), said they didn't have enough information to pass opinion (12%) or didn't know (5%).

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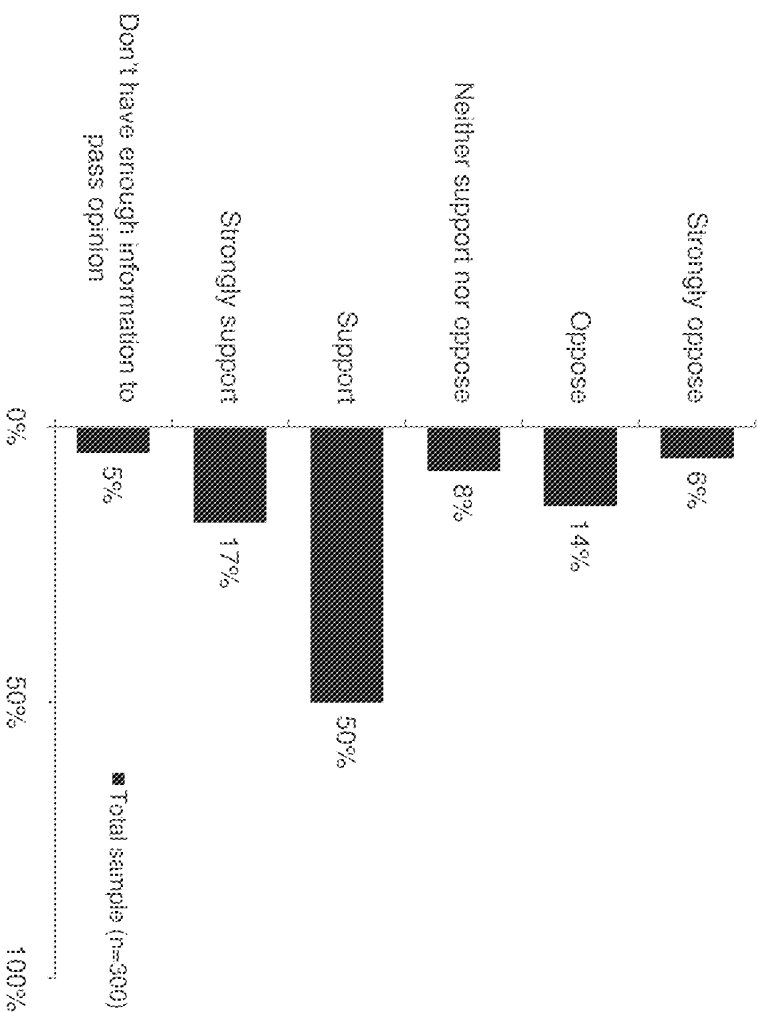
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## Support for a new Great Ocean Road Aboriginal Cultural Centre



Q21. The final component of the plan involves a new aboriginal cultural centre. This would be located on the harbour foreshore and explain the history of indigenous life-styles along the great ocean road.



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### Key findings:

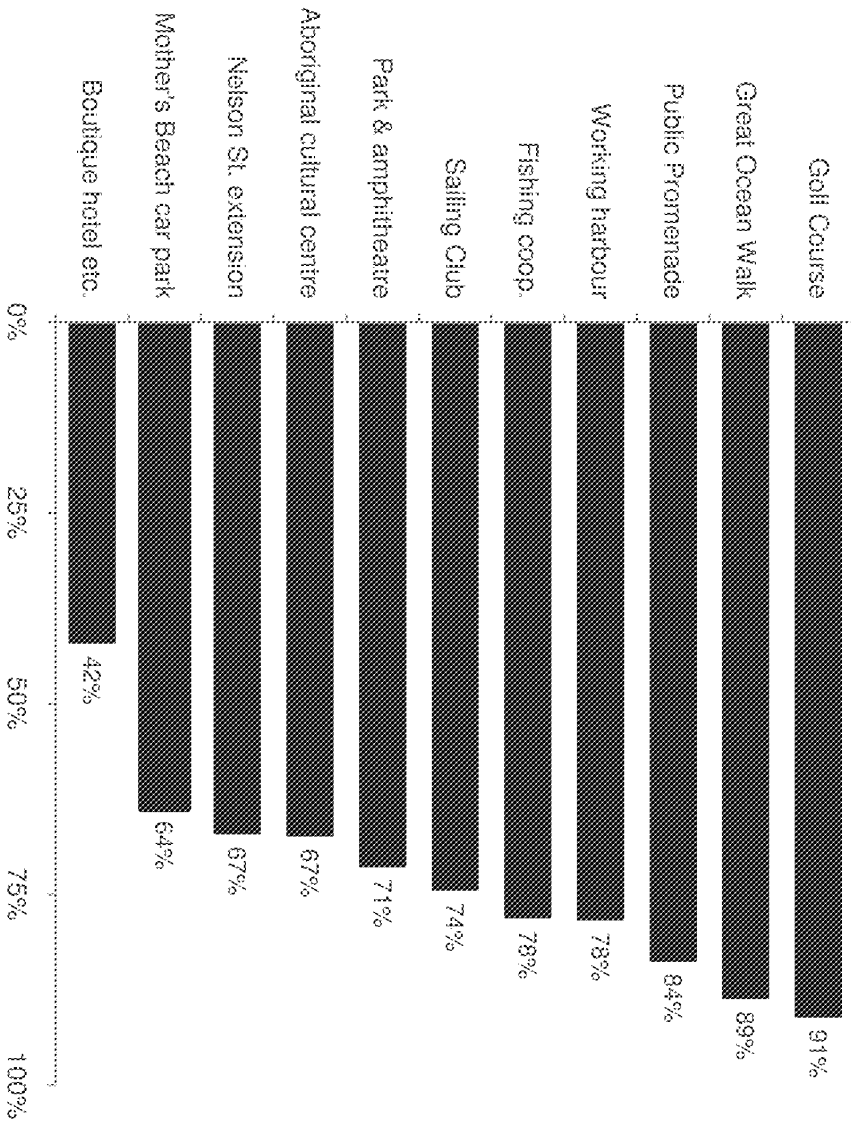
Two thirds of ratepayers (67%) indicated support for a new aboriginal cultural centre as described.

A fifth of ratepayers (20%) said they were opposed to this element of the master plan while the balance of ratepayers neither supported nor opposed this element (8%) or said they didn't have enough information to pass opinion (5%).



## Summary of support for master plan elements

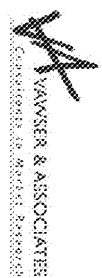
Percentage of ratepayers saying they support or strongly support each Master plan element. (n=300)



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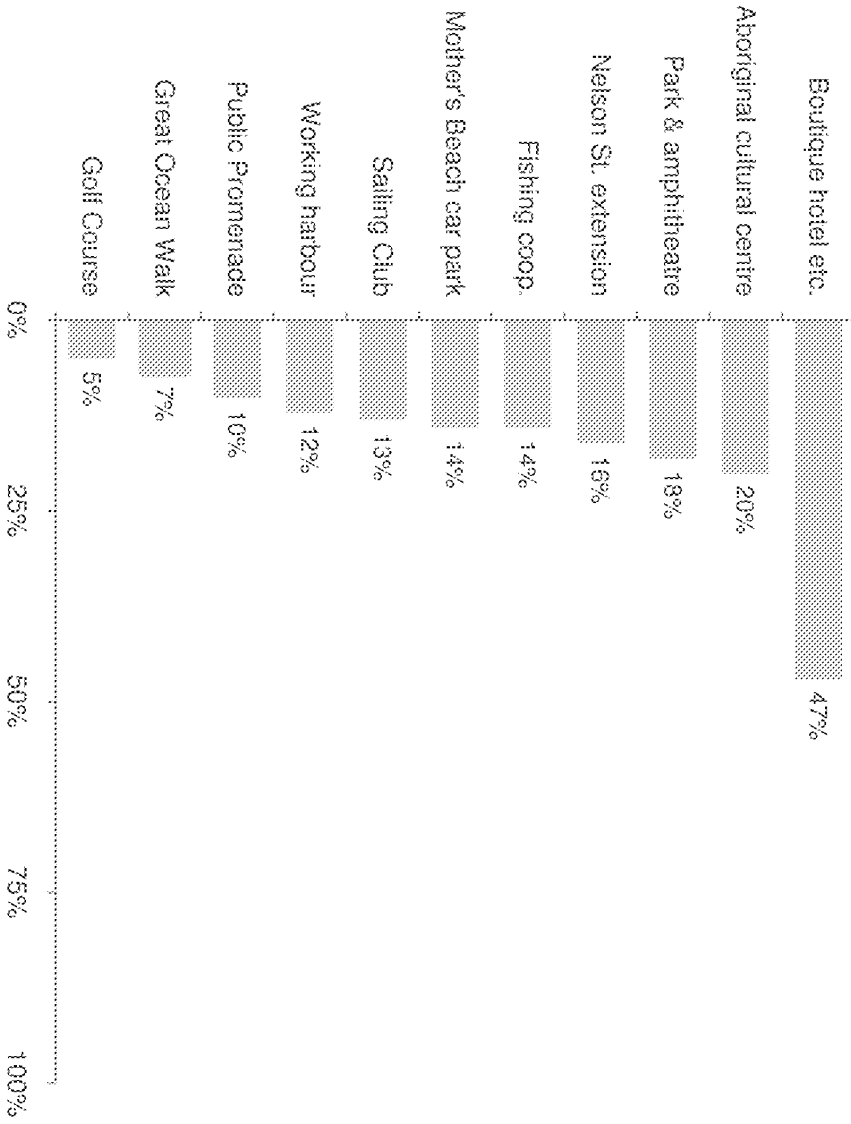
### Key findings:

A comparison of the level of stated support for each element in the Apollo Bay Harbour precinct Master plan showed that a majority of ratepayers supported all plan elements except the boutique hotel and health and wellbeing centre.



## Summary of opposition for master plan elements

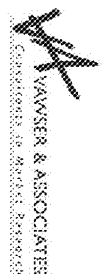
Percentage of ratepayers saying they oppose or strongly oppose each Master plan element. (n=300)



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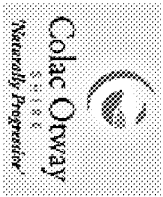
### Key findings:

A comparison of the level of stated opposition for each element in the Apollo Bay Harbour precinct Master plan showed that a minority of ratepayers opposed all plan elements except the boutique hotel and health and wellbeing centre.

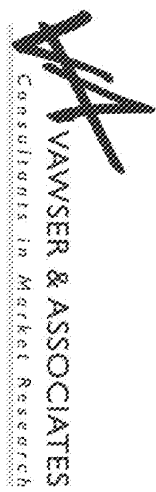
# Apollo Bay Harbour Precinct Redevelopment

DETAILED  
FINDINGS

Project 178 / August 2011



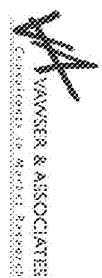
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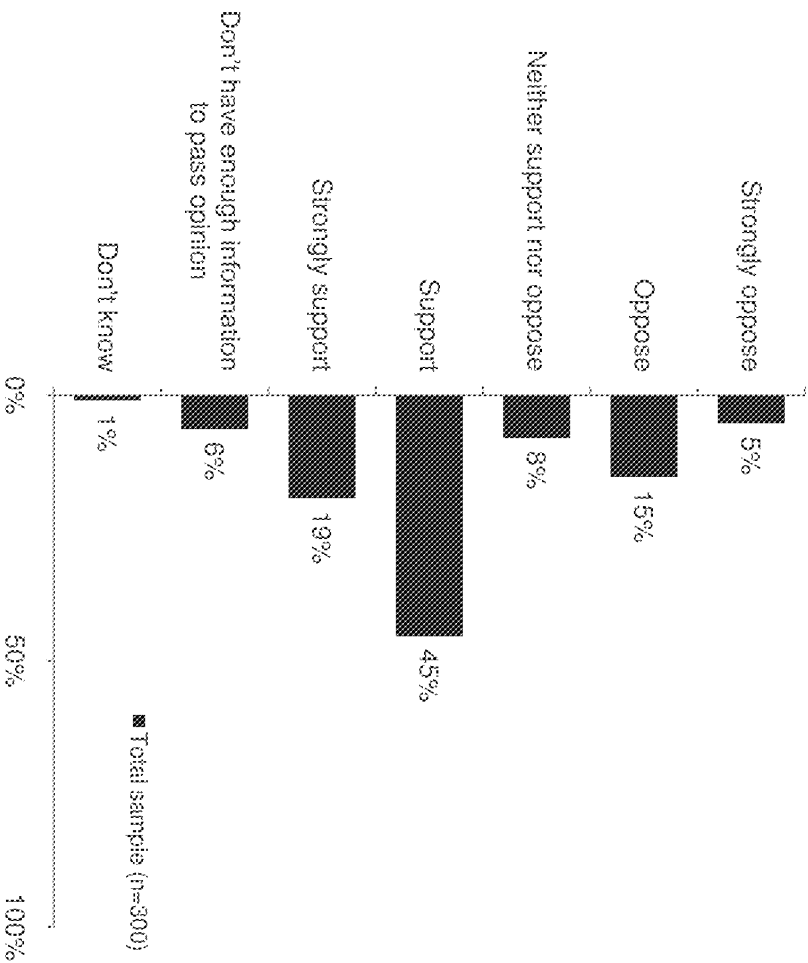
Part 4: Overall support for the Master Plan

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## Overall support / opposition for the master plan concept



Q21. So thinking of the Apollo Bay Harbour precinct master plan as a whole, to what degree do you support this plan as I have described it?



### Key findings:

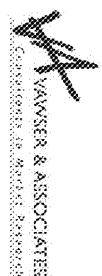
Two thirds of ratepayers (65%) said they supported the Apollo Bay Harbour precinct Master plan as a whole.

Around 21% of ratepayers said they opposed the Master plan as a whole while the balance of ratepayers didn't have enough information to pass opinion (6%) or didn't know (1%).

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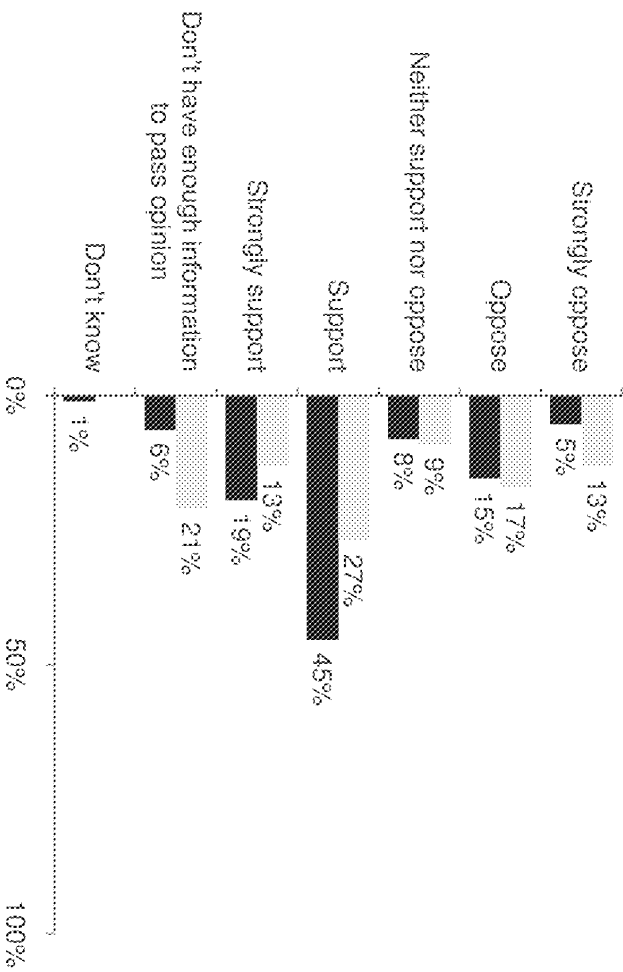
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## Overall support before and after survey information provided

Q5 Based on your present knowledge, which of the following best describes your level of support for the Apollo Bay Harbour precinct master plan?

Q21. So thinking of the Apollo Bay Harbour precinct master plan as a whole, to what degree do you support this plan as I have described it? .



### Key findings:

There was a significant change in the degree of support for the Apollo Bay Harbour Precinct Master plan after providing the information contained in the survey.

Overall support increased from around 40% prior to providing the information to around 65% after providing the information.

Similarly, opposition to the Master plan reduced from 30% prior to providing the information to around 21% after providing the information.

We concluded that the information provided during the survey had a positive impact on ratepayer overall attitudes to the Apollo Bay Harbour precinct Master plan.

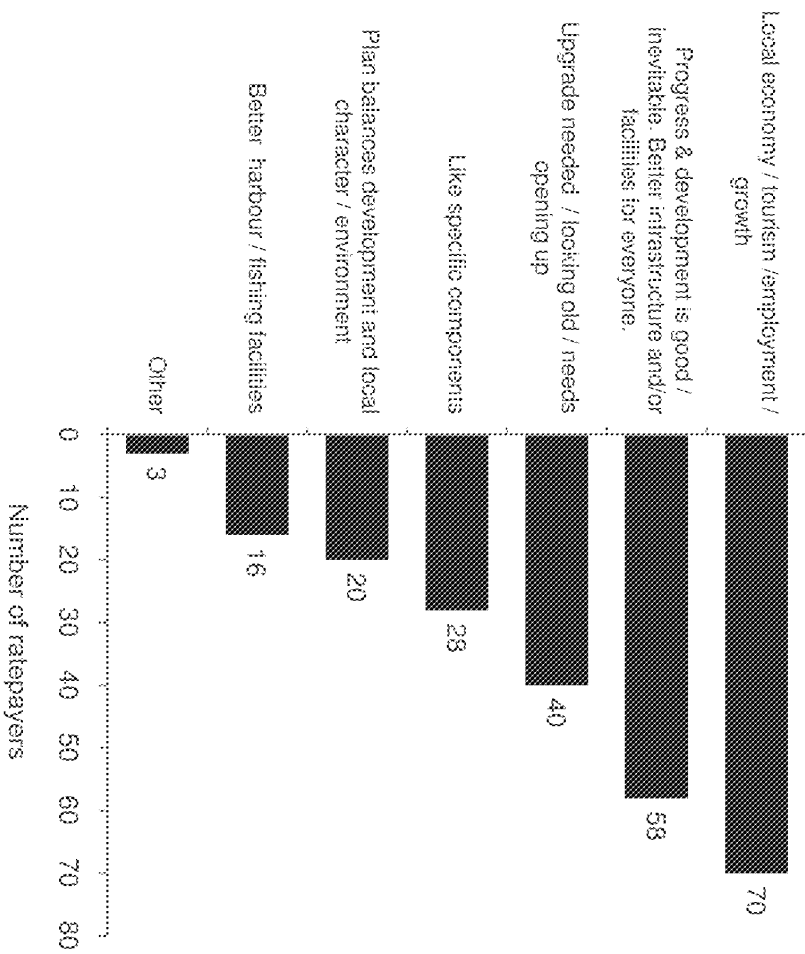
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## Reasons for support of Master plan as a whole

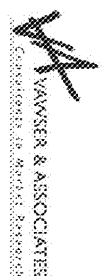
Q23. And what are the main reasons you support the harbour redevelopment plan?



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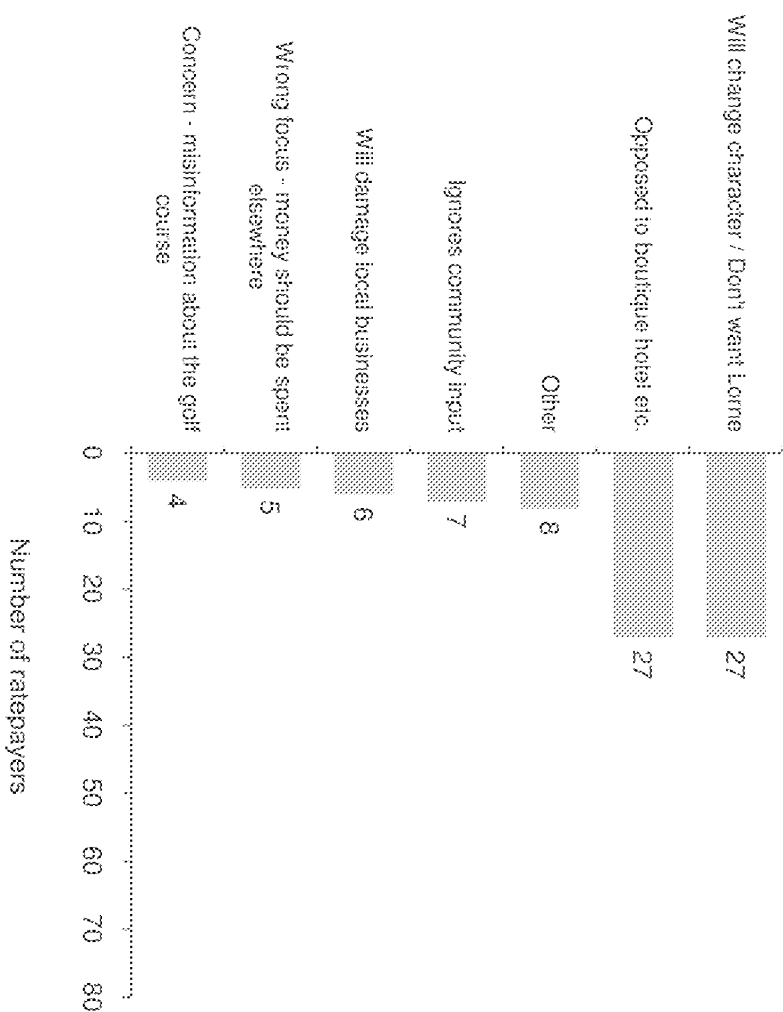
### Key findings:

The most mentioned reasons for supporting the Apollo Bay Harbour precinct Master plan as a whole were:

- ▶ Because of the benefits for local tourism and the local economy (23%);
  - ▶ Because it would improve infrastructure and facilities that would benefit the community (19%);
  - ▶ Because the Apollo Bay Harbour precinct needs an upgrade (13%).
- Some ratepayers were attracted to specific components of the plan particularly upgrading of the harbour and fishing facilities.
- Some ratepayers thought the Master plan would deliver a balance or compromise between development and preservation of local character and/or environment (7%).

## Reasons for opposition to Master plan as a whole

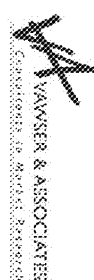
Q23. And what are the main reasons you oppose the harbour redevelopment plan? .



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### Key findings:

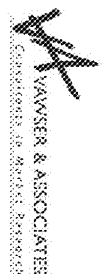
The most mentioned reasons for opposing the Apollo Bay Harbour precinct Master plan as a whole were:

- ▶ Concern that the redevelopment would change the character of Apollo Bay for the worse. Lorne was said to be an example of the kind of development these ratepayers did not want (9%);
- ▶ Because the privately owned boutique hotel and health and wellbeing centre was not appropriate for Apollo Bay Harbour precinct (9%).

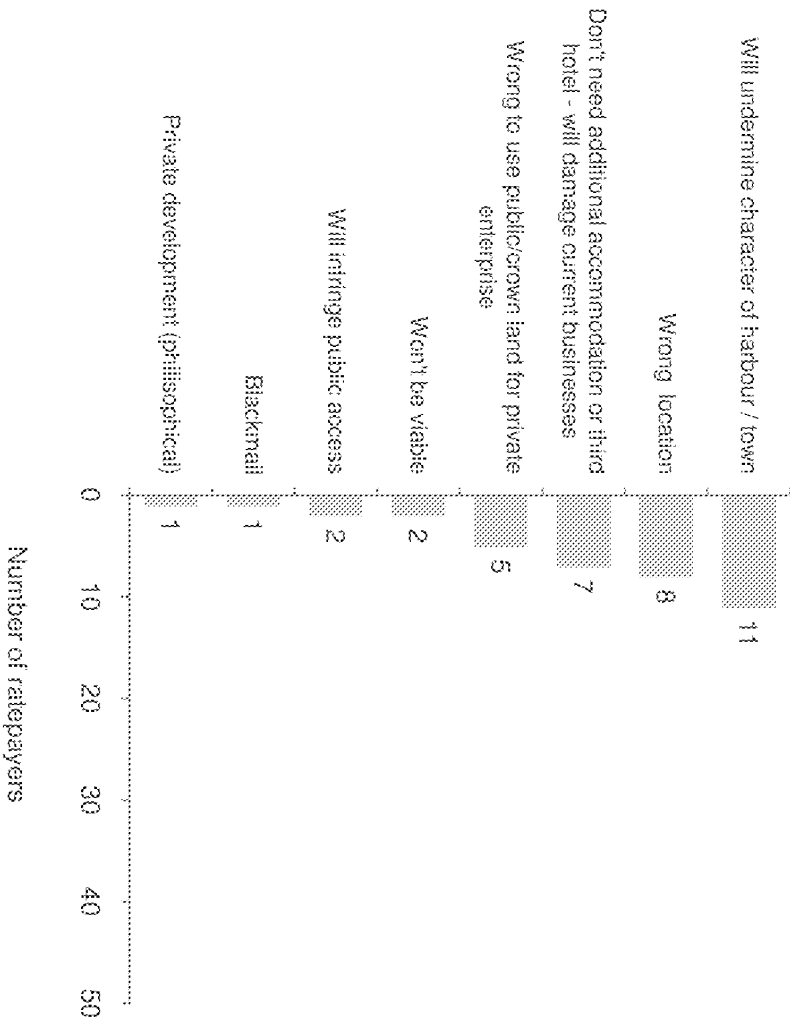
A few ratepayers thought the Apollo Bay Harbour precinct Master plan ignored community input (2%) and / or will damage local business (2%). A few thought the money should be spent elsewhere (2%) or had concerns about the golf course (1%).



## Reasons for opposition: Boutique Hotel & Health and Wellbeing Centre



Q23. And what are the main reasons you oppose the harbour redevelopment plan?



### Key findings:

Of the 27 ratepayers who explicitly mentioned their opposition to the Boutique hotel and health and wellbeing centre:

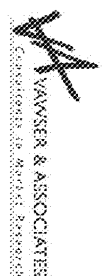
- ▶ 11 (40%) felt it would damage the character of the harbour and/or town.
- ▶ 15 (55%) expressed concern about the proposed location for various reasons. Included the loss of public land (5) and/or public access (2).
- ▶ 7 (25%) saw no need for additional accommodation or a third hotel.

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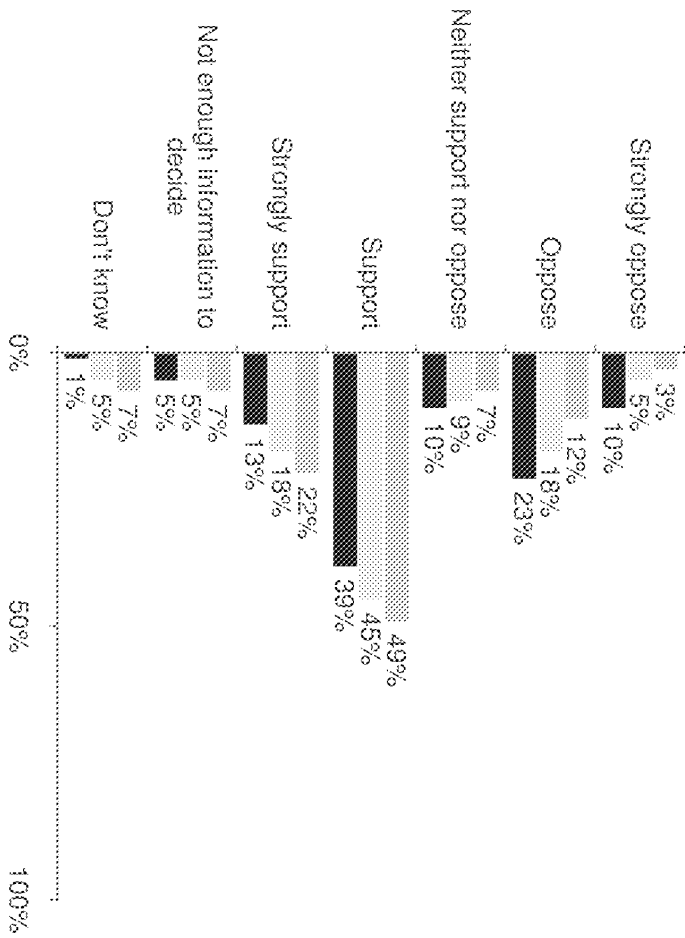
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## Differences between local and non resident ratepayers



Q21. So thinking of the Apollo Bay Harbour precinct master plan as a whole, to what degree do you support this plan as I have described it? .



### Key findings:

There was a significant difference in support between local residents in the Apollo Bay area and ratepayers from outside the Apollo Bay area with a residence in the Apollo Bay area.

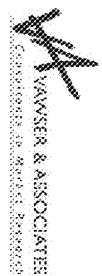
More ratepayers from outside the Apollo Bay area (71%) supported the Apollo Bay Harbour Precinct Master Plan than did local residents in the Apollo Bay area (52%).

Fewer ratepayers from outside the Apollo Bay area (15%) opposed the Apollo Bay Harbour Precinct Master Plan than did local residents in the Apollo Bay area (32%).

- ※ Someone from outside the Apollo Bay area with a residence in the Apollo Bay area (n=185)
  - ※ A business owner in the Apollo Bay area (n=44)
  - ※ A local resident in the Apollo Bay area (n=111)
- Commercial in confidence



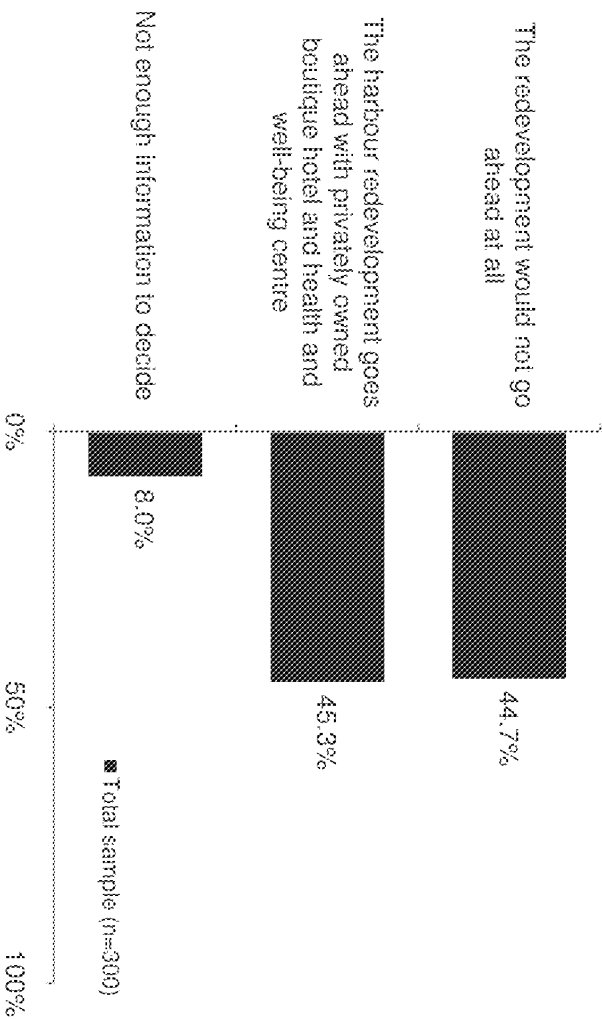
## Reactions to options: With boutique hotel or no redevelopment



Q23 The Victorian Government will only provide the money for the harbour redevelopment if a privately owned boutique hotel and health and wellbeing centre is included in the plan. This creates two choices for the Apollo Bay community

1. The first choice would be that the redevelopment goes ahead with privately owned boutique hotel and health and wellbeing centre
2. The second choice would be that the redevelopment would not go ahead at all.

If it was up to you, which of these options would you choose?



### Key findings:

Ratepayers were evenly divided between the option of redevelopment a with privately owned boutique hotel and health and wellbeing centre (45%) or no redevelopment (45%).

The balance of ratepayers didn't have enough information to decide between the options (8%).

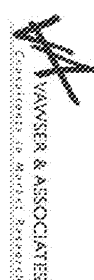
Again this reflects ratepayer concern about the privately owned boutique hotel and health and wellbeing centre element of the Apollo Bay Harbour precinct Master plan.

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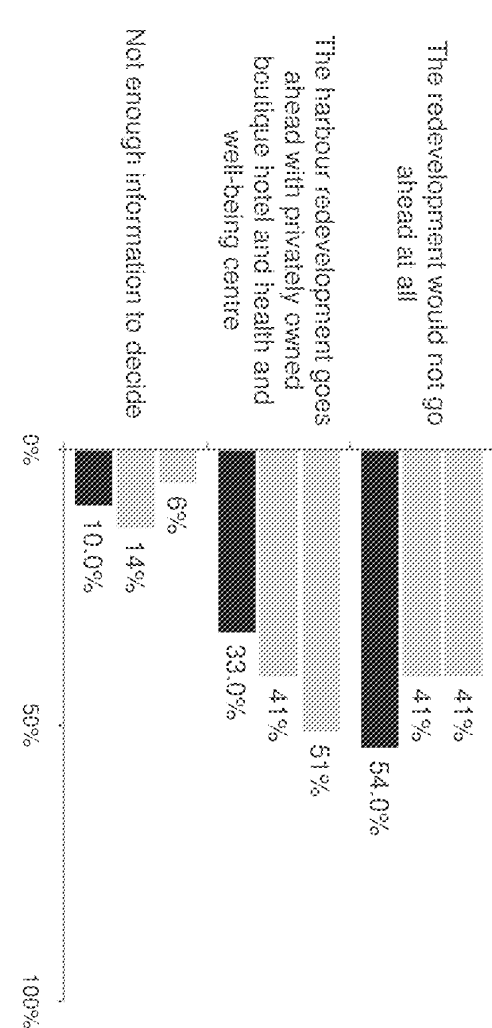
## Differences between local and non resident ratepayers



Q23 The Victorian Government will only provide the money for the harbour redevelopment if a privately owned boutique hotel and health and wellbeing centre is included in the plan. This creates two choices for the Apollo Bay community

1. The first choice would be that the redevelopment goes ahead with privately owned boutique hotel and health and wellbeing centre
2. The second choice would be that the redevelopment would not go ahead at all.

If it was up to you, which of these options would you choose?



- Someone from outside the Apollo Bay area with a residence in the Apollo Bay area (n=185)
- A business owner in the Apollo Bay area (n=44)
- A local resident in the Apollo Bay area (n=111)

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### Key findings:

There was a significant difference in choice of option by local residents in the Apollo Bay area and ratepayers from outside the Apollo Bay area.

More non resident ratepayers (51%) chose redevelopment a with privately owned boutique hotel and health and wellbeing centre than did local resident ratepayers (33%).

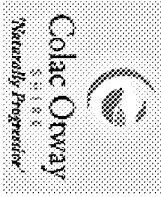
More resident ratepayers (54%) chose redevelopment would not go ahead at all than did non resident ratepayers (41%).

Again this reflects local resident ratepayer concern about the privately owned boutique hotel and health and wellbeing centre element of the Apollo Bay Harbour precinct Master plan (but also reflects general ratepayer concern about this element of the plan).

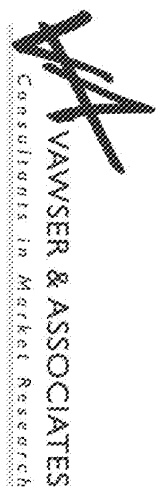
# Apollo Bay Harbour Precinct Redevelopment

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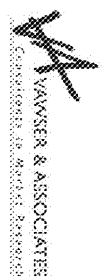
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Part 5: Attitude statements

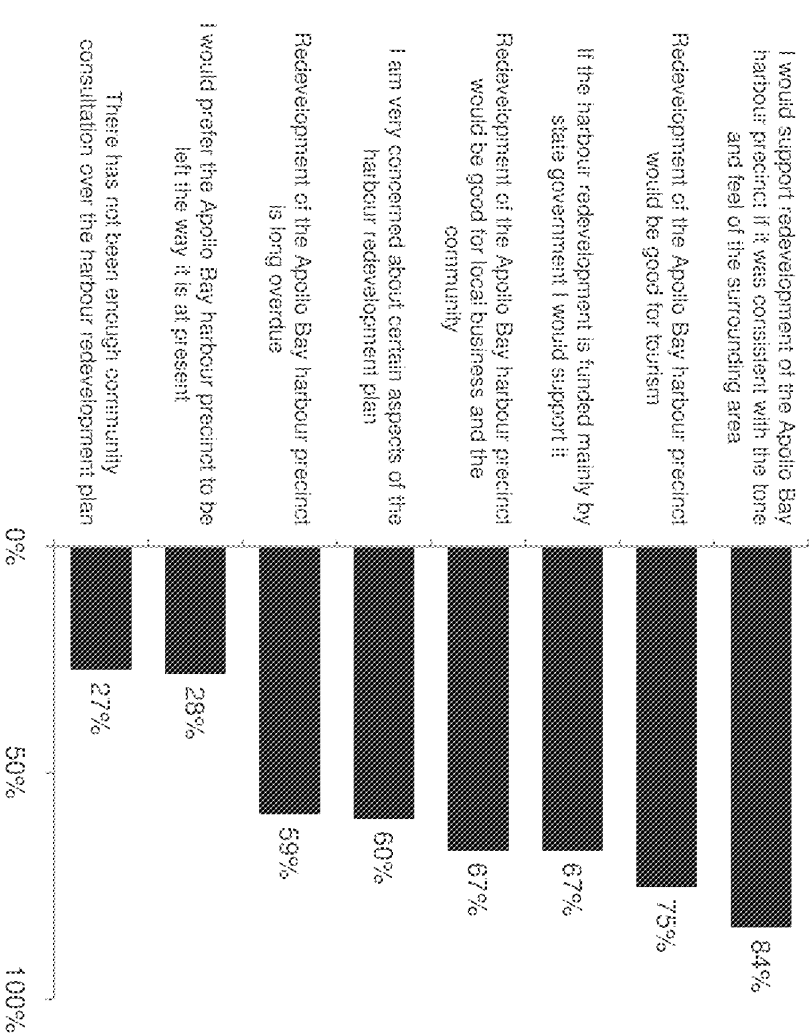
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## Agreement with attitude statements



Q24 to Q31: I am now going to read to you a number of statements. I would like you to tell me whether you agree or disagree with each statement.

% of ratepayer who agree or strongly agree with each statement (n=300)



### Key findings:

The vast majority of ratepayers (84%) agreed they would support the Master plan if the Apollo Bay Harbour precinct redevelopment was consistent with the tone and feel of the surrounding area.

Two thirds (67%) of ratepayers agreed they would support the harbour precinct redevelopment plan if it was mainly funded the state government.

The majority of ratepayers agreed the redevelopment of Apollo Bay harbour precinct would be good for tourism (75%), would be good for local business and the community (67%) and is long overdue (59%).

Over half of ratepayers (60%) agreed they were concerned about certain aspects of the harbour redevelopment plan and a over a quarter agreed there has not been enough community consultation (27%). Over a quarter of ratepayers agreed they would prefer the harbour precinct is left as it is.

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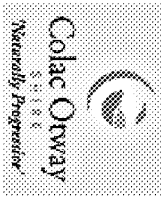
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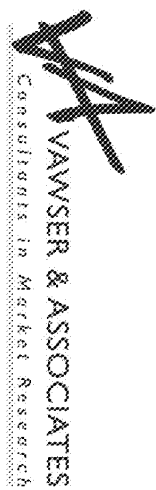
# Apollo Bay Harbour Precinct Redevelopment

DETAILED  
FINDINGS

Project 178 / August 2011



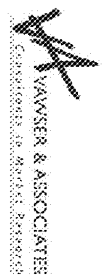
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Part 6: The planning scheme amendment

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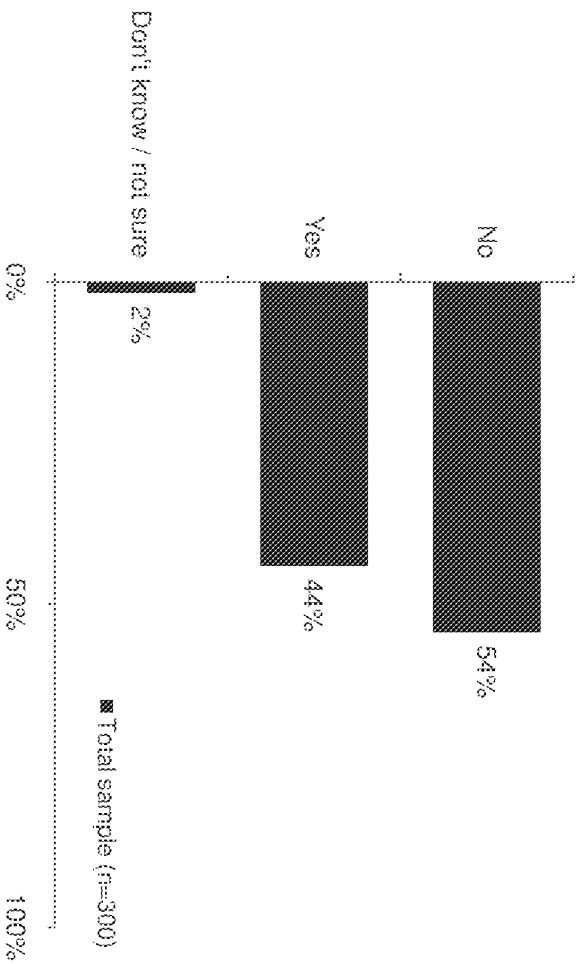
## Awareness of planning scheme amendment



*The Apollo Bay Harbour Precinct master plan we have been discussing is only a concept that will guide future development. It is not a fully developed plan.*

*The next stage of the process involves adding more detail to the current concept so that it can be incorporated into the Colac Otway Shire's planning scheme, which governs what can and cannot happen on the site. This stage is called a 'Planning Scheme Amendment'*

*Q32. Were you aware that a planning scheme amendment is the next stage of the process?*



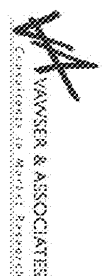
### Key findings:

Just over half of ratepayers (54%) were not aware that a planning scheme amendment is the next stage of the process while the balance were aware (44%).

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## Awareness of what's involved in a planning scheme amendment

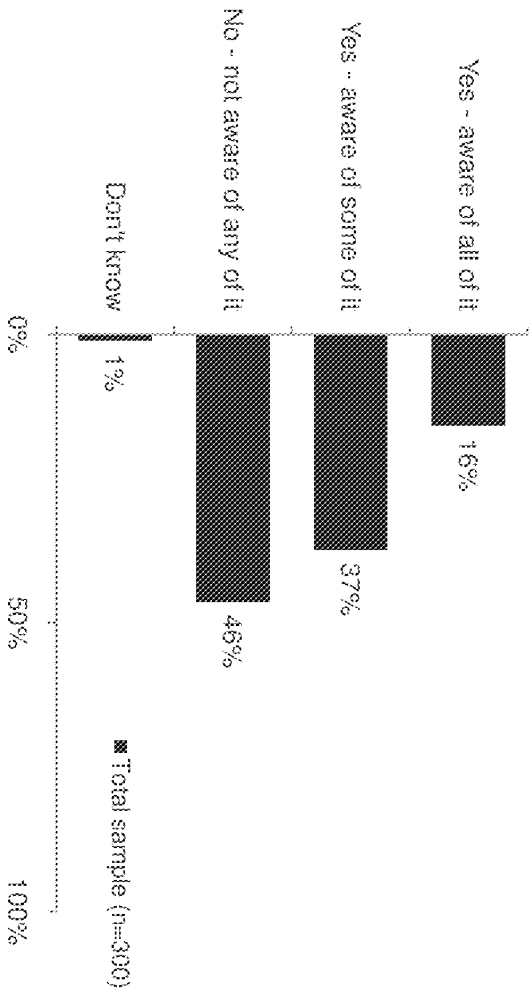
The Planning Scheme Amendment process takes about 18 months to complete and will be funded by the Victorian state government.

The process will add precise detail to the plan and will establish clear parameters, guidelines and boundaries for various components of the plan. For example, the dimensions, style and tone of buildings, details about traffic flow and what can and what can't be done under the plan.

The proposed amendment would be exhibited for public comment. Submissions would be heard and investigated by an independent panel and changes would be made.

Assuming there is public support for the revised amendment, council would then adopt the plan into the overall Shire planning scheme. It would then become the basis for the redevelopment of the Apollo Bay Harbour Precinct over the next ten to twenty years.

Q33. Were you aware of what is involved with the Planning Scheme Amendment?



### Key findings:

Just over half of ratepayers (53%) said they were aware of all (16%) or some (37%) of what is involved with the planning scheme amendment.

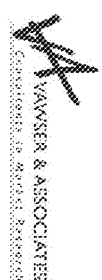
The balance of ratepayers were not aware (46%) or didn't know what was involved.

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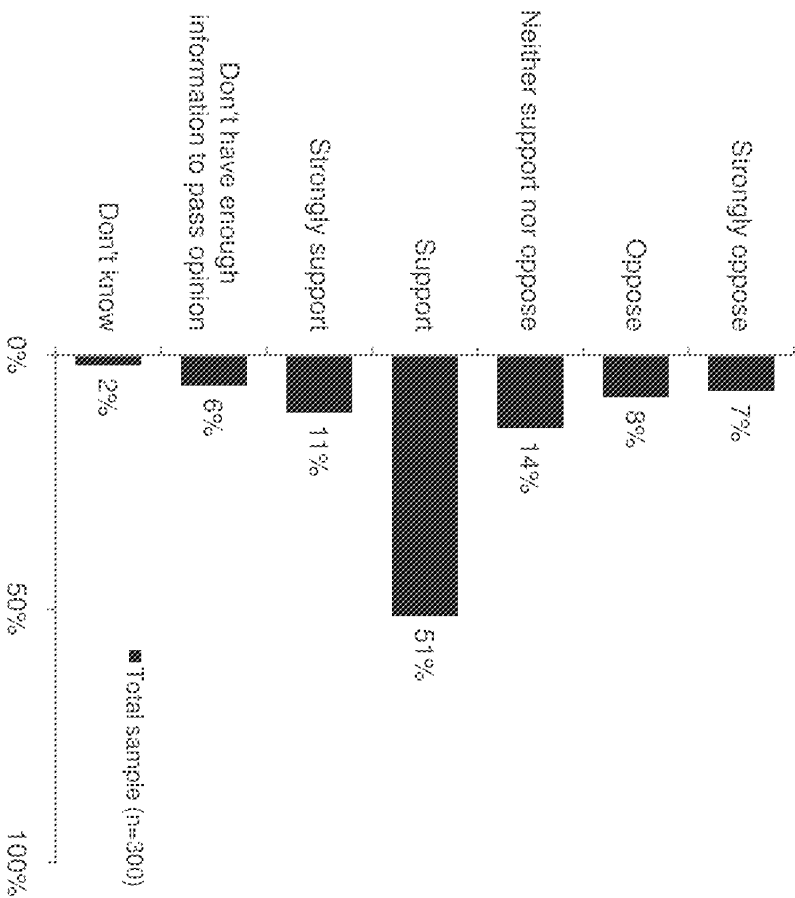
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## Support for a planning scheme amendment



Q34. So thinking about the Planning Scheme Amendment process, to what degree do you support the Planning Scheme Amendment process as I have described it?



### Key findings:

Over half (62%) of ratepayers said they support or strongly support the planning scheme amendment process as described.

A minority of ratepayers (15%) said they didn't support the planning scheme amendment process.

A further 14% neither supported nor opposed the amendment, didn't have enough information to pass opinion (6%) or didn't know (2%).

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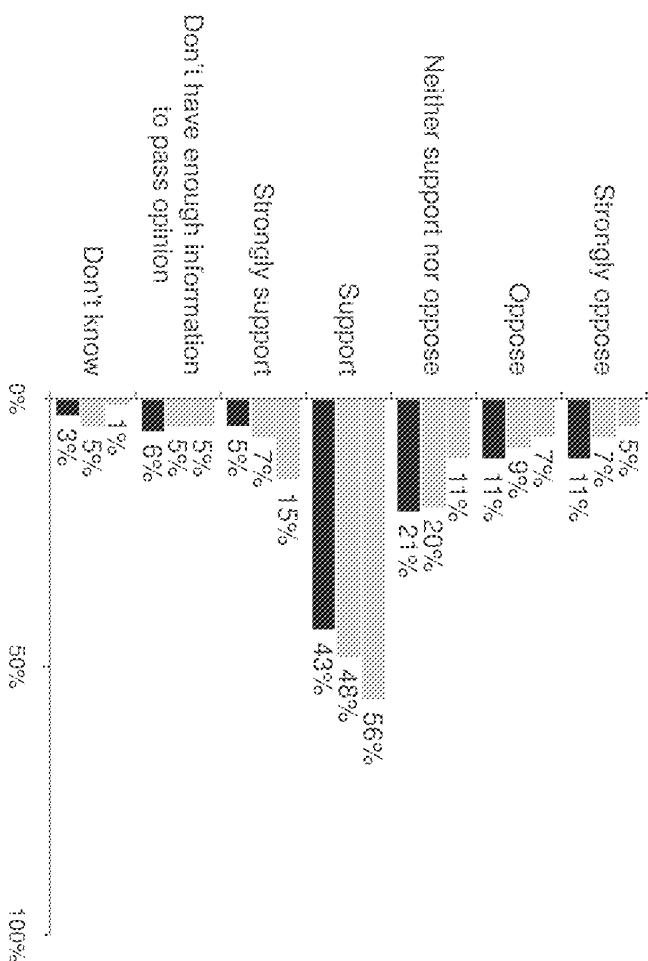
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## Differences between local and non resident ratepayers



Q34. So thinking about the Planning Scheme Amendment process, to what degree do you support the Planning Scheme Amendment process as I have described it?



- Someone from outside the Apollo Bay area with a residence in the Apollo Bay area (n=185)
- A business owner in the Apollo Bay area (n=44)
- A local resident in the Apollo Bay area (n=111)

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### Key findings:

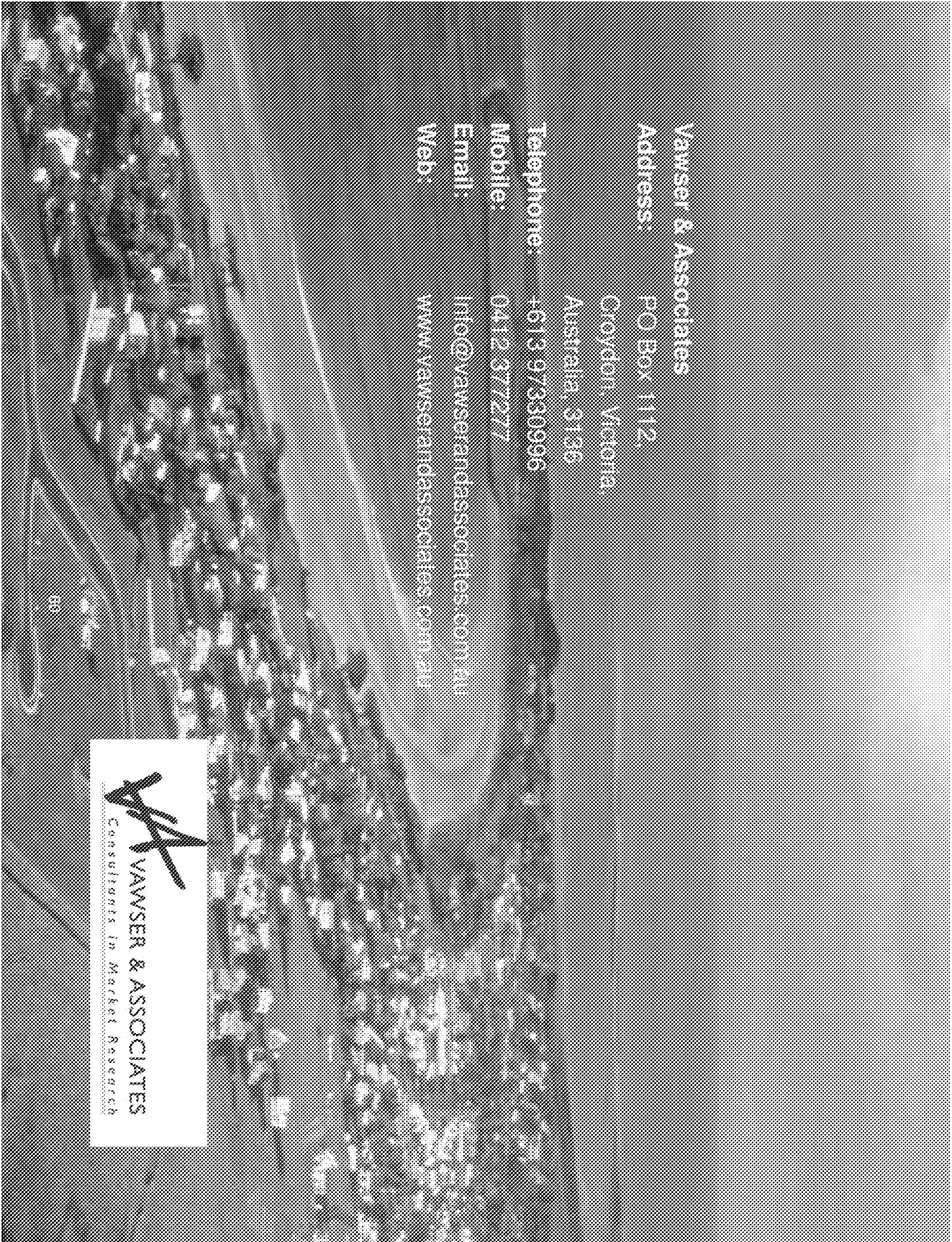
There were significant differences in support or opposition from local residents in the Apollo Bay area, local business owners in the local area and ratepayers from outside the Apollo Bay area with a residence in the Apollo Bay area.

More non resident ratepayers (71%) supported the Planning Scheme Amendment process than did local resident ratepayers (48%) or local business owners (55%).

Fewer non resident ratepayers (12%) opposed the Planning Scheme Amendment process than did local resident ratepayers (22%).

Fewer non resident ratepayers (11%) neither supported or opposed the Planning Scheme Amendment process than did local resident ratepayers (21%) or local business owners (20%).





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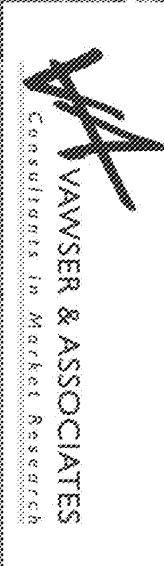
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**Email:** [Info@vawserandassociates.com.au](mailto:Info@vawserandassociates.com.au)

**Web:** [www.vawserandassociates.com.au](http://www.vawserandassociates.com.au)



OM112809-12

**SUBMISSION TO STATE GOVERNMENT CAR PARKING PROVISIONS REVIEW**

|             |                                    |           |                                   |
|-------------|------------------------------------|-----------|-----------------------------------|
| AUTHOR:     | Don Lewis                          | ENDORSED: | Jack Green                        |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00451 Planning Schemes/General |

**Purpose**

The purpose of this report is to seek Council support for the lodgement of a submission to the current State Government review of car parking provisions in the Planning Scheme.

**Declaration of Interests**

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

**Background**

In 2007, a State Government appointed Advisory Committee examined the car parking provisions in the Planning Scheme applicable to changes of use and new development. A report of the Advisory Committee's recommended new rates for provision of parking for different land uses was released, however changes to the Victorian Planning Provisions (VPPs), which apply to all Councils in the State, did not eventuate. The Department of Planning and Community Development (DPCD) has now established a new Advisory Committee which has been asked to make recommendations to the Minister on new draft parking provisions which are largely based on the 2007 Advisory Committee report.

It is widely accepted in Councils and the wider planning industry that the current car parking provisions are out of date and don't reflect contemporary car parking requirements, particularly in areas that have undergone considerable change since the provisions were last updated. The gap between the outdated existing standard car parking rates and real parking demand associated with land use creates on-going conflicts between applicants and responsible authorities, and creates in many cases an unnecessary need for development proponents to apply for planning permits to waiver parking requirements.

**Council Plan / Other Strategies / Policy  
Land Use and 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.

The Colac Otway Shire is close to finalising a Parking Strategy for Colac and Apollo Bay. The draft Parking Strategy was placed on public exhibition in May/June of this year, and contains surveys of parking utilisation in both towns. Based on these surveys, revised parking rates are proposed for introduction into the Planning Scheme that would vary the state standard rates. The proposed new rates included in the current State Government Review will not affect the outcomes of the Parking Strategy, as there will still be provision for Council to vary them if appropriate. The proposed new Parking Overlay would also facilitate the outcomes of the draft strategy relating to formalisation of a cash-in-lieu scheme in Apollo Bay as flagged in the Council's draft Strategy.



### Issues / Options

The requirements for car parking associated with land use are currently managed through State wide provisions under Clause 52.06 of planning schemes which require planning approval to waive car spaces for uses that fall short of the rates listed in a table of uses. The clause also allows for a parking Precinct Plan to be used in circumstances where local issues have been identified in a particular area or precinct and therefore can be managed in a co-ordinated fashion rather than on a site by site basis.

Key changes proposed in the Review are as follows:

#### Clause 52.06:

- Removing the need for a permit when a change of use does not increase demand for car parking beyond that of the existing use.
- Revised car parking rates to better reflect current car parking demand.
- Reduced car parking rates in the business zones and the Activity Centre Zone (below those reduced more generally as above).
- Clearer decision guidelines about matters to be taken into account before car parking requirements are reduced.
- Land use terms in the car parking table being aligned with standard VPP definitions.
- Greater emphasis on urban design matters including additional design guidelines.

The table below shows comparisons of current and proposed rates for the Business zones in relation to common uses defined in the planning scheme.

| <b>Use</b> | <b>Existing Rate</b>                                          | <b>Proposed Rate</b>                                        |
|------------|---------------------------------------------------------------|-------------------------------------------------------------|
| Shop       | 8 spaces to each 100m <sup>2</sup> of leasable floor area     | 3.5 spaces to each 100m <sup>2</sup> of leasable floor area |
| Restaurant | 0.6 spaces to each seat available to the public               | 3.5 spaces to each 100m <sup>2</sup> of leasable floor area |
| Hotel      | 60 spaces to each 100m <sup>2</sup> of public bar floor area. | 3.5 spaces to each 100m <sup>2</sup> of leasable floor area |

#### Draft Parking Overlay and Schedule

The proposed Parking Overlay will allow local variations to the standard provisions in Clause 52.06 where strategically justified. A planning authority will be able to use the overlay to:

- Revise parking rates and provisions for a local area.
- Localise design requirements and decision guidelines for car parking plans.
- Implement clearer and more transparent 'cash-in-lieu' arrangements where parking requirements cannot be met on the land.

- Require a permit to provide parking at a rate lower than the specified parking rate.
- Identify the local area on a planning scheme map.

Overall, the proposed changes are supported as they significantly address current deficiencies with the state standard parking rates, and introduce a transparent mechanism for identifying land where local variations to parking rates apply and cash-in-lieu contribution schemes apply. The new rates are far more realistic in matching demand associated with land use, and will reduce the need for developers to seek variations through a planning permit process. Should the rates be introduced, there will still be circumstances where it is appropriate to consider parking reductions; however these will be far fewer.

Importantly, the recommendations of the current State Government Review are complementary to and support the initiatives proposed in the draft Colac and Apollo Bay Parking Strategy as noted above. Any local issues arising from the Strategy when it is adopted, including payment in lieu arrangements, would be capable of being identified in the schedule to the Parking Overlay.

### **Proposal**

To advise Council of the current State Government review into the car parking provisions of the planning scheme and seek support for a submission to the Car Parking Advisory Committee that supports the new provisions.

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

There are no financial implications for the Shire arising from this report.

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

There are no risk management or compliance issues arising from this report.

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

There are no environmental or climate change considerations arising from this report.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is Inform. No public consultation has been undertaken for the proposed submission as the issues are largely of a technical nature. Internal consultation was conducted with planning staff and Council's Infrastructure Department. Notwithstanding, any member of the public can make a submission directly to the Advisory Committee if they wish to do so.

### **Implementation**

A written submission will be lodged with the State Government prior to 7 October 2011, and this will be reported in the CEO's report to the October Council meeting.

### **Conclusion**

The changes to the state parking provisions proposed in the current State Government review are considered an important planning reform and will help clarify requirements for developers and planners assessing proposals to waiver car parking requirements. They will establish more realistic benchmark requirements for new use and development. The proposed submission will support these changes.

**Attachments**

Nil

**Recommendation(s)**

***That Council lodges a submission to the State Government Car Parking Advisory Committee for consideration in its current review of parking provisions that supports the proposed changes.***

~~~~~\ ~~~~~

OM112809-13

**SUBMISSION TO THE VICTORIAN PLANNING SYSTEM  
MINISTERIAL ADVISORY COMMITTEE**

|             |                                    |           |                              |
|-------------|------------------------------------|-----------|------------------------------|
| AUTHOR:     | Daniel Pech                        | ENDORSED: | Jack Green                   |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00450<br>Planning/General |

**Purpose**

To seek Council's endorsement of Colac Otway Shire Council's submission to the Victorian Planning System Ministerial Advisory Committee.

**Declaration of Interests**

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

**Background**

The Minister for Planning has established an independent Advisory Committee to advise the Minister on major changes to the planning system in Victoria. The Committee has sought submissions from the public on how the system can be improved.

This project represents a rare opportunity for the public to affect change in the planning system and one that has not been offered on such a large scale since the planning system was last overhauled in 1993. As such, officers have made a concerted effort to put together a raft of recommendations to the Ministerial Advisory Committee in the form of a submission.

The deadline for submissions closed on 31 August 2011, however the Municipal Association of Victoria had negotiated with the Government to allow Councils to make a later submission provided that a draft submission was lodged by the due date (to allow for the different Council's reporting cycles). Officers consulted Councillors on the content of a draft submission at a workshop prior to the Council meeting on 24 August 2011, which resulted in some additional recommendations being included in the document. This draft submission was then submitted to the Advisory Committee by the due date. A copy is attached to this report.

**Council Plan / Other Strategies / Policy****Land Use and 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.

**Issues / Options**

Given the wide ranging nature of the Review, which encompasses operation of the legislation and structure of planning schemes, there is a significant opportunity to highlight issues which the Council would like to see addressed. Some of the issues contained in the draft submission lodged in response to the review are that:

- The current controls are too complex for users of the planning system and need to be streamlined. The example is given of townships on the coasts such as Wye River where up to six different overlay controls apply to a property over and above the zoning of the land, all containing different permit triggers, decision guidelines and

performance standards. There is significant potential to reduce the number of controls and simplify the way they are presented.

- The Minister for Planning should again take on the Responsible Authority status for the processing of planning permit applications for wind energy facilities over 20kW as was the case prior to the Ministerial Amendment in March 2011. Wind farms are considered state level infrastructure, and Councils do not have expertise/resources to appropriately manage these significant proposals.
- Native vegetation controls, and the Victorian Native Vegetation Framework document in particular, need to be reviewed so that they are simplified and easier to interpret. The aspects of this policy relating to native timber harvesting should be reviewed to ensure that appropriate recognition is given to facilitating harvesting on private land where significant flora and fauna is not present.
- There is a need for flexible controls in the Farming Zone and Rural Conservation Zone to enable planning consideration for small scale tourism accommodation beyond what is currently offered in the Planning Scheme. The current restrictive nature of the zones prevents most tourist accommodation from being considered, and is adversely affecting investment in accommodation through the Otways and the Great Ocean Road hinterland, despite state and local strategies to encourage this accommodation; and
- The State Government should take a more supportive role in resourcing work to identify environmental hazards such as landslip, acid sulphate soils and the like, and to facilitate introduction of mapping into municipal planning schemes to reduce the resource burden on Councils.

### **Proposal**

It is proposed that Council endorses the Colac Otway Shire Council Submission to the Victorian Planning System Ministerial Advisory Committee.

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

Considerable financial gains for Council, developers and the community could be made by implementing the recommendations of Council's submission.

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

The planning system dictates how Council considers statutory and strategic planning matters. Council can only consider improvements to its operations which align with broader State Government planning policies and relevant legislation. Council's submission has sought to communicate to the Committee the challenges caused by inefficiencies within the current planning system as they affect Council and the Colac Otway community.

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

The submission has raised concerns that there needs to be a better process for the identification of emerging environmental issues, as well as a more consistent state-wide approach to implementing policies into the Victorian Planning Provisions which provide guidance to Councils on the assessment of planning permit applications in areas where significant environmental hazards have been identified.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.



The method selected would be 'Inform'. Consultation with the community was not considered appropriate for the drafting of a submission to this review; however input of the community in relation to a range of past and current Shire planning initiatives/projects has influenced the issues considered when formulating Council's submission to the Ministerial Advisory Committee. Private individuals have also had an opportunity to have input into the Review.

### **Implementation**

The Terms of Reference for the Advisory Committee indicate that after the call for submissions is completed the Committee must analyse and prioritise the issues itemised in the public submissions and prepare recommendations to the Minister for Planning.

A preliminary report must be released before 30 November 2011 with the final report submitted at a time yet to be directed by the Minister. It is anticipated that Council will have further opportunities to input into the outcome of the preliminary report prior to the final report being presented by the Committee.

### **Conclusion**

The Colac Otway Shire Council Submission to the Victorian Planning System Ministerial Advisory Committee has been informed by a range of issues raised by the community, Councillors and Council Officers since the inception of the Victorian Planning Provisions based Planning Scheme. As such, a large suite of recommendations have been included in the submission document. It is recommended Council endorses the draft submission lodged to the review prior to 31 August 2011 as attached to this report.

### **Attachments**

1. Submission to the Victorian Planning System Ministerial Advisory Committee

### **Recommendation(s)**

***That Council endorses the Colac Otway Shire Council Submission to the Victorian Planning System Ministerial Advisory Committee that was lodged prior to 31 August 2011, as attached to this report.***

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# Colac Otway

S H I R E

**Submission to the Victorian Planning System  
Ministerial Advisory Committee  
on Planning Reform**

August 2011

DRAFT



*This submission has been prepared by Colac Otway Shire Council in response to the invitation by the Victorian Planning System Ministerial Advisory Committee on Planning Reform.*

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3 Colac Otway Shire Draft Submission to the Planning Reform Advisory Committee: August 2011



## **1. Executive Summary**

This submission presents the Colac Otway Shire (COS) Council's position in respect of the current review of the planning system. It identifies 'Key Areas of Concern' which are defined as those issues having the most significant impacts on the Council and the Colac Otway Shire Community. These issues range from planning enforcement, tourism controls to broader issues such as the complexity of the planning scheme and the current structure of zones and overlay controls. 'Other Areas of Concern' are also identified within the submission and are defined as those issues which, while still requiring urgent attention, have lesser systemic impacts on the planning system.

## **2. Introduction**

Colac Otway Shire Council welcomes the opportunity to provide input into the Ministerial Advisory Committee on Planning Reform. It is our understanding that the review is broad in scope and will consider significant changes to the planning system. Generally, it is COS Council's view that the general structure of the Planning Scheme as a whole has several advantages, but recognising that significant improvements are required to ensure it operates effectively and efficiently.

In particular, Council supports the following aspects of the current Victorian Planning Provisions:

- The significance of the Municipal Strategic Statement (MSS) and the ability to use the MSS to justify decisions on planning permits applications and to influence amendments to the planning scheme. Whilst there have been poor examples of complex and verbose MSSs in planning schemes, they provide a sound opportunity to express local policy directions and reflect local strategic planning outcomes.
- The consistency provided to planning schemes through the Victorian Planning Provision template. The concept of standardised provisions across the state in terms of zones, overlays, particular provisions and the like makes it easier for stakeholders and professionals working in different parts of the State. The key concern is that there has been too little flexibility in relation to designing these provisions and associated schedules to enable Councils to properly use them to greatest effect.

Council recognises that there are some significant deficiencies within the Planning Scheme and the role of State Government in the Victorian planning system, but it is our view that these challenges can be addressed within the current policy framework.

Similarly, it is Council's general view that the Planning and Environment Act 1987 is a well functioning piece of legislation, although it is recognised that some changes are required to ensure it remains relevant and effective. Whilst third party appeal rights may frustrate permit applicants at times, they provide an appropriate means of community input into planning decision making. Similarly, the process of preauthorisation for amendments is effective in avoiding planning scheme amendments with little strategic basis, although there have been concerns at the delays in receiving Ministerial responses to such requests.

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The DPCD (Department of Planning & Community Development) has undertaken numerous reviews of VPP provisions over recent years including the State Planning Policy Framework; heritage provisions; car parking provisions; residential zones; rural zones; business zones; and bushfire provisions. All have required a significant commitment of effort, time and resources by councils to participate in workshops and consult and develop a submission, yet many of these reviews have stalled, or have not been implemented. In some cases where the review did not lead to planning scheme changes, the potential for significant improvement in the day to day operation of the Scheme has been lost.

There is also a considerable lack of accountability amongst referral authorities who fail to understand their obligations as per the Planning & Environment Act, causing delays to decisions by responding well beyond the statutory time and often submitting planning permit conditions which are poorly drafted and difficult to implement.

Therefore, while some elements of the system are supported, there is significant scope through this review to identify the key opportunities for improvement. It is important to ensure that the positive aspects of the system are not lost in any wholesale change to the system.

## **2.1 About Colac Otway**

Colac Otway Shire expands over 3,250 square kilometres of land of which a large proportion is State Forest and National Park, including beaches, coastline, rainforests, waterfalls, lakes and craters. Much of the rural area is used for timber production and agriculture, with farming, cropping and dairying being the main agricultural pursuits.

There are approximately 60 major manufacturing industries in the Shire and they are closely linked to the agricultural and forestry resource base of the region. Manufactured products include powdered milk, cheese and ice-cream, packaged meat, beer, wine, sawn timber and timber by-products. The Shire also sustains a large number of highly competitive, small industry-service firms.

Tourism is also a vital industry to the region, especially in the Otways and along the Great Ocean Road.

The Shire's major urban centre is Colac, which has a population of approximately 11,600. Colac is located approximately 75 kilometres west of Geelong, 140 kilometres south west of Melbourne and 100 kilometres south of Ballarat. Apollo Bay is the Shire's other main centre and has a permanent population of approximately 1300 people. It lies 75 kilometres south of Colac and is a key settlement along the Great Ocean Road.

Many smaller settlements are scattered throughout the Shire and provide a unique rural living experience for holiday-makers, commuters and permanent residents.



### 3. Key Areas of Concern

1. *"The Planning Scheme is too complicated and difficult to interpret, particularly in regards to the relationship between Zones & Overlays."*

**Issue:** The current system of separating Zones and Overlays creates numerous layers and areas of duplication within the Planning Scheme. A combination of overlays are often required in order to achieve an outcome. In some coastal settlements the Design and Development Overlay, Neighbourhood Character Overlay & the Significant Landscape Overlay have been applied to achieve a particular neighbourhood character outcome because there is no single overlay with the flexibility to encompass all of the relevant permit triggers. Greater flexibility in what an overlay is able to consider is required in order to simplify the number of overlays used. The current structure of overlays is having the undesired effect of:

- Creating an unnecessarily complex system which confuses the layperson.
- Impeding the applicant's ability to assess the relevant issues when submitting planning permit applications.
- Adds more time and resources both to Council and the applicant when determining a planning permit due to poor quality applications and unnecessary reporting requirements.

**Recommendation:** Investigate and implement changes to the structure of overlays in the planning scheme. IE: Restructure overlays to allow for a greater raft of design outcomes/permit triggers to be considered within the one control mechanism AND/OR allow for the information within overlays to be collapsed into zones through the implementation of a schedule to a zone to allow for all the information relevant to a zone to be located in the one policy document. The potential for this was flagged in the former State Government's Residential Zones Review, although the concept would need to be extended beyond the Residential 1, 2 and 3 zones to include zones such as the Township Zone.

2. *"Greater discretion for small scale tourism accommodation and dwellings for those servicing the tourism industry is required in the Farming Zone and/or Rural Conservation Zone."*

**Issue:** There is a large demand for tourism accommodation in the Otways and Great Ocean Road hinterland. This demand needs to balance access and development in the region against the environmental value of our natural resources. This is directly encouraged through State and Local tourism strategies including the recent Great Ocean Road Tourism Product Audit. The current planning controls prohibit any tourism accommodation beyond a bed-and-breakfast or any development without an associated agricultural use. A planning control that allows for small-scale tourist accommodation whilst maintaining strong conservation controls is required. The current provisions are significantly stifling investment in much needed tourism accommodation product.

**Recommendation:** Investigate, review and implement changes to the Victorian Planning Provisions that will allow for greater flexibility in the Farming and Rural Conservation Zones in relation to tourist accommodation.





3. *"ResCode is tailored to Melbourne/urban conditions and is not as relevant in rural settings."*

**Issue:** A 'one-size-fits-all' approach to medium density development does not cater for rural issues and does not consider the significant neighbourhood characters that exist in rural and coastal settlements. Furthermore, the Neighbourhood Character objective of Clauses 54 and 55 are not well considered by VCAT in achieving desired outcomes as part of the Rescode assessment.

**Recommendation:** That Rescode be reviewed to determine its relevancy in rural settings.

4. *"The 60 statutory days given for a responsible authority to determine a planning permit application is not always an appropriate time frame and does not reflect the complexity of all applications."*

**Issue:** The current 'one-size-fits-all' time-frame for determining a planning permit application is not generous enough for more complex applications. There are a number of applications which exceed the 60 day time frame due to the technical/complex nature of issues involved, and the desire to resolve issues raised in objections.

**Recommendation:** Provide time frames which reflect the level of complexity evident in planning permit applications.

5. *"There are deficiencies in the VCAT system which lead to significant delays in providing effective planning enforcement."*

**Issue:** Interim enforcement orders are often required in urgent situations (such as the demolition of a heritage building or destruction of native vegetation) or where a development/use/work is imminent. As such, interim orders are needed on an 'immediate' basis. It has often taken several weeks for VCAT to consider an Interim enforcement order application, by which time non-compliant buildings and works have already been significantly progressed. The time frame between making a VCAT application and getting a decision on a matter is too long.

**Recommendation:** Shorten the time period for the issuing of interim orders for enforcement order applications to 24 hours. VCAT to be given the ability to impose fines instead of the Magistrates Court. Council to be given the ability to issue 'Stop Work' notices without a fine/penalty attached. Streamline the VCAT process from 'appeal' to 'decision'.

6. *"The Planning Scheme needs to achieve a greater balance of prescriptive and performance-based controls."*

**Issue:** The Planning Scheme is not well equipped to allow people in the community to understand and interpret the scheme and its objectives. The current predominantly performance-based approach does not provide a satisfactory level of certainty for the applicant and impairs their ability to determine what is required by the Planning Scheme. On the other hand, some prescriptive controls are ineffective in achieving their purpose and require a more performance-based approach.

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**Recommendation:** More consistent and effective outcomes would be achieved if the planning scheme utilised plain English principles and more prescriptive words. Pursue changes to the planning scheme to achieve a greater balance of prescriptive/performance-based measures.

7. *"The 28-day time frame given to Referral Authorities to respond to planning permit referrals is too long and authorities need to be held accountable to respond in that time frame."*

**Issue:** Referral Authorities are often taking much longer than the 28 days they're given to consider a referred application and it seems that no action is being taken to monitor and improve their response-times.

**Recommendation:** Increase accountability measures for referral authorities when they do not perform their duties satisfactorily.

8. *"State Government needs to promote a consistent and proactive approach to resource management and support council in implementing environmental controls consistently across the State."*

**Issue:** Approaches to identifying significant environmental constraints, and capacity to respond to them proactively, vary from council to council. A more consistent approach is needed in order to accurately identify significant environmental constraints, and financial support is required at a regional level to develop technical work to underpin planning controls (e.g. identification of potential acid sulphate soils). The amendments to implement environmental controls also present a significant cost and resource burden on local government which often do not have the technical expertise to effectively translate environmental data into the planning scheme.

**Recommendation:** That State Government funds and project manages the development of technical data and undertakes planning scheme amendments to implements controls to address environmental constraints e.g.: biodiversity, flood and fire mechanisms.

9. *"State Government should be responsible for assessment of planning permit applications for windfarm developments."*

**Issue:** Councils do not have the technical and resourcing capabilities to deal with the assessment of planning permit applications for windfarms. The recent changes to devolve decision making on wind farms to Councils is a backward step. The Government is best placed to take the lead role in assessing what is effectively state level infrastructure.

**Recommendation:** Given that these projects and developments are of State significance, the Minister should remain as the default Responsible Authority.



10. *"Council needs greater support and stronger leadership from State Government agencies about emerging environmental planning issues such as acid-sulphate soils and sea-level rise."*

**Issue:** There is currently a policy and information vacuum relating to how planning decisions should be treated in low lying areas potentially vulnerable to sea level rise. Whilst much work has occurred in modelling the predicted effects of sea level rise, there have been considerable delays in providing information on modelling and policy direction to Councils. This means the Councils are dealing with the issue in an ad-hoc manner that carries a level of risk of future liability.

**Recommendation:** Increase the performance of Referral Authorities in order to give Council greater assistance on key strategic issues such as Salinity Management, Acid Sulphate Soils and Sea Level Rise, and for the State Government to demonstrate leadership by providing policy direction in response to key issues such as development in low lying areas vulnerable to sea level rise.

11. *"The native vegetation provisions of the Planning Scheme, including the Native Vegetation Framework should be reviewed to facilitate native timber harvesting of private land in locations where there are no demonstrated environmental sensitivities."*

**Issue:** There is currently a degree of uncertainty in how the Native Vegetation Framework and regional native vegetation plans are applied to native timber harvesting on private land, and there should be greater opportunity to allow harvesting on sites where it is demonstrated there are low environmental impacts.

**Recommendation:** Review the Native Vegetation Framework and other relevant provisions as they relate to native timber harvesting on private land.

#### 4. Other Areas of Concern

1. *"There is ambiguity around what constitutes a legitimate objection and clear parameters on when they can be rejected."*

**Recommendation:** State Government to release a Ministerial Direction or Practice note around what constitutes a legitimate objection and clear parameters on when they can be rejected.

2. *"The current Land Use Terms require revision. There are many with NO description (i.e.: Community Market, Hall, Hairdresser, Beauty Salon etc.) and many others are either inadequate or out-dated."*

**Recommendation:** Review definitions and provide new definitions for those terms where no definition is provided or definitions are inadequate. i.e: Community Market, Hall, Hairdresser, Beauty Salon etc.



3. *"There needs to be a stronger relationship between building and planning permit legislation in order to avoid duplication and to ensure that technical issues are more appropriately assessed at the building permit stage of development."*

**Recommendation:** That State Government produce a comparative review of building and planning legislation with the view to better integrate the processes, improve efficiencies and remove unnecessary duplication. IE: to include issues like landslip, erosion and salinity requiring technical assessment in the building system.

4. *"The Planning & Environment Act currently requires that two-day notice be given to a landholder prior to entry onto their land. This makes evidence gathering for planning enforcement very difficult."*

**Recommendation:** Reduce the notice period requirement in the Planning & Environment Act as it relates to entry onto private property for the purposes of evidence gathering for planning enforcement.

5. *"There needs to be stronger mandated measures for sustainable design."*

**Recommendation:** Pursue opportunities to increase sustainability and water savings within the Victorian Planning Provisions. i.e. Design assessment guidelines for commercial uses could require that buildings with 'x' floor space and roof coverings utilise their facilities to harvest storm water and solar energy.

6. *"Many Councils are unable to allocate the necessary resources required for effective planning enforcement and the current planning enforcement mechanisms in the Planning & Environment Act are ineffective."*

**Recommendation:** Reduce hearing times and lighten the burden of planning enforcement on rural councils.

7. *"Clause 52.23 – Shared Accommodation is inconsistent with Building & Health regulations."*

**Recommendation:** To amend Clause 52.23 so that the permit requirement for 'habitable rooms' is reduced from 10 to 6.

8. *"There needs to be more straight forward/streamlined Planning Scheme Amendment processes for simple amendments."*

**Recommendation:** Establish different streams for complex and simple amendments (such as anomalies) and other Planning Scheme improvements.

9. *"The Native Vegetation Framework is too complex."*

**Recommendation:** That the Native Vegetation Framework be reviewed to make its implementation less complex.



10. *"The process for acquiring, processing and assessing requirements for Cultural Heritage Management Plans needs reviewing as there can be significant costs and delays."*

**Recommendation:** To review the process with a view to reducing the burden on land owners and achieving better performance and facilitative advice from Aboriginal Affairs Victoria.

11. *"Council does not support the notion of private individuals or corporate bodies taking on the responsibility authority status for undertaking planning scheme amendments as per the recommendations of the Modernising the Planning & Environment Act document."*

**Recommendation:** That the responsibility for initiating and undertaking amendments remain with Local Government.

12. *"Stronger Support for Responsible Authorities is required around what Public Open Space Contributions can be applied under Clause 52.01 - Public open space contribution and subdivision."*

**Recommendation:** The requirements around Public Open Space Contributions should be broadened to recognise different local circumstances and the VPP's should include defined minimum requirements for small rural council's to apply an open space contributions.

13. *"The process for requesting and receiving Development Contributions needs to be easier for regional/rural Responsible Authorities as the process is currently tailored toward Growth Area Councils."*

**Recommendation:** State Government needs to modify the provisions to ensure Development Contributions are not as onerous and costly for small rural councils to introduce given the more limited capacity of smaller Councils to fund the necessary strategic work. The Government also needs to provide more specific guidance/advice to rural councils on the principles and methodologies to be applied in preparing Development Contribution Plans (DCPs) for low growth areas.



**OM112809-14 DRAFT COLAC CBD AND ENTRANCES PROJECT REPORT**

|             |                                    |           |                                                    |
|-------------|------------------------------------|-----------|----------------------------------------------------|
| AUTHOR:     | Doug McNeill                       | ENDORSED: | Jack Green                                         |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00450<br>Planning/Colac CBD & Entrances Project |

**Purpose**

The purpose of this report is to present the draft Colac CBD and Entrances Project report and seek endorsement for commencement of public consultation on the draft document.

**Declaration of Interests**

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

**Background**

The 2009/10 budget included funds for the development of a Colac Central Activities Area (CAA) Master Plan, which was to be part funded through external grants. The start of the project was delayed initially whilst \$75,000 funding was secured from Regional Development Victoria (RDV) to support the project, but commenced mid 2010 with scoping of the project and development of tender documents. The project was renamed early in the scoping process to be the 'Colac CBD and Entrances Project' to more effectively convey the intent of the project from the community's perspective.

The project encompasses all of the land in the Central Business District (CBD) of Colac which is zoned Business 1 or Business 2, as well as facilities such as Colac Area Health and other public uses at the periphery of the CBD which play an important role in the function of the area. It also includes the corridors of the Princes Highway/Murray Street from each of the eastern and western entries into the CBD from the outer edges of Colac.

The key aims of the project are to:

- Set a direction for interventions that will shape access and movement, buildings, land use, streetscapes and open space within the CBD and wider context.
- Promote a sense of vibrancy in the CBD.
- Develop a sense of arrival and sense of place to foster community pride.
- Integrate key elements of the visual, natural and built landscape of the CBD to create a 'place for people'.
- Improve public access, especially walkability and people-focussed public spaces in the town.
- Develop detailed guidance for the implementation of works.
- Create an overall theme to link the CBD with the entrances and key destination points outside the CBD.

A Steering Committee was established for the project comprising a range of senior officers from different departments of the Council, as well as external representatives from RDV, Department of Planning and Community Development (DPCD) and VicRoads. A

Community Reference Group (CRG) comprising 12 members of the Colac community was also appointed early in 2011.

The CRG includes a representative of Otway Business Inc. (OBI), local business owners, and community sector organisations to ensure their interests are taken into account. These groups have met with the consultant periodically throughout the project at key milestones.

Consultant firm Planisphere was appointed in December 2010 to undertake the project, along with a number of sub consultants including Aspect Studios, UrbanTrans and NMBW Architecture Studio. Following early investigations and review of background material, a Discussion Paper was placed on exhibition in February/March 2011 seeking community feedback on issues being posed. A project bulletin was posted to all property owners and occupiers in Colac and Elliminyt advising of the opportunity to review this document, submit written feedback and/or attend one of several public information sessions.

The Discussion Paper received over 250 survey responses with the main issues raised being:

- Maintenance and signage to promote the town.
- Improve cleaning and maintenance of the CBD, particularly footpaths.
- Improve maintenance of gardens and trees in the CBD.
- Divert traffic, particularly trucks, out of the main street.
- Improve road surfaces.
- Improve the lake and creek areas by better maintenance and more seating, tracks and landscaping.
- Improve maintenance of heritage buildings including reintroducing verandah posts to shops.
- Restore or remove vacant service stations at the town entrances.
- Improve pedestrian access including footpaths for pedestrians and mobility vehicles, and pedestrian crossings in Murray Street.
- Improve Memorial Square.

The attached draft project report has been developed from the themes raised in the Discussion Paper, taking into account feedback received.

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

#### **Land Use and 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.

#### **Economic Development**

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

#### **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."

The project implements an action in the Council Plan which is to:



*“Develop a Master Plan to support the redevelopment of the Colac Central Business District streetscape including traffic management, parking and the Memorial Square”.*

There are a range of Council planning policies and strategies relating to Colac which are expressed in the Colac Structure Plan 2007, Colac Otway Heritage Study 2003, and other documents, and many of these are expressed as local policy in the Colac Otway Planning Scheme. The draft project report has drawn upon these strategies and will in itself be the basis for a further review of planning scheme provisions when the project is complete, to ensure that the Planning Scheme is up to date with the latest strategic directions relating to use and development in Colac. A more complete analysis of the background strategies is contained in the Discussion Paper released for public comment earlier in the year.

### **Issues / Options**

The draft report contains a Vision for Colac that it will:

- Become known as the ‘Botanic Garden City’
- Be a pedestrian focussed place, accessible for people of all ages and abilities
- Grow as a thriving rural centre of retail, business and community services
- Connect to its natural systems of the Lake and creek corridors
- Proudly express its heritage in the built and natural environment
- Be renowned for its collection of great buildings from all eras of the City’s development; and
- Present an impressive image along the Princess Highway corridor, from the edges of the City to its core.

This vision builds on the significant contribution of the Botanic Gardens and the Memorial Square vegetation cover, and that of several streets linking these spaces with the CBD of Colac, including corridors such as Barongarook Creek. It further seeks to build on these assets by increasing the tree cover throughout the study area and along the entrances into Colac in an integrated and themed fashion, so that over time Colac could become reknowned for its vegetative landscape, similar to towns such as Bright, Grafton or Mount Gambier.

The report examines a number of specific precincts within the CBD as well as each of the western and eastern entrance corridors, and a range of traffic management and built design issues. Key recommendations of the draft report include:

- **Botanic Garden City:** Develop a new image for Colac, the ‘Botanic Garden City’, with thematic tree planting throughout the CBD linking the Botanic Gardens, Beechy Precinct and Barongarook Creek corridor. This would require development of a street planting strategy that identifies the preferred planting themes for different streets. To complement this street planting, the draft report recommends a staged undergrounding of powerlines through the CBD and entrances to provide greater opportunity for canopy planting to occur, particularly in light of the heavy pruning that has occurred in recent years to established trees in Colac under existing powerlines.
- **Memorial Square:** Upgraded western edge of the Square with refurbished amenities and a shared pedestrian/traffic zone along Gellibrand Street which can also be adapted to accommodate public events. It is proposed that pedestrians would have priority over cars in a shared space that could ultimately be extended around Memorial Square on the northern and eastern sides and south along Gellibrand Street to the Railway Station and COPACC.

- The proposal would involve a narrowing of the road and conversion of angled parking to parallel parking spaces, thereby increasing the area of pavement on either side of the existing road reserve, which is to be landscaped with canopy trees to extend the tree cover of Memorial Square. Whilst there would be a loss of some car spaces, this is supported by findings of the draft Colac and Apollo Bay Car Parking Strategy which supports the loss of some parking spaces in the CBD to improve the visual appearance of streets. The benefits would be a significant enhancement of the appearance of the area and increased pedestrianisation/public use of the space. The current toilet block would be replaced by two more lightweight structures that provide toilet facilities as well as shelter and provision for use as an entertainment platform. The structures are aimed at improving the views of the Square from Gellibrand Street, and would not encroach onto the Square itself.
- **Eastern CBD Entrance:** A number of works are proposed to improve the appearance of the eastern entrance to the CBD (ie around the Queen Street/Murray Street intersection). These include enhanced landscaping (particularly on the south-west corner of the intersection at the Telstra exchange) and enhance views to existing heritage buildings, widened pedestrian pathways over the bridge through the addition of a cantilevered path on either side, removal of the existing metal fencing on the inside of the bridge, improved visibility of the Visitor Information Centre and rationalisation of existing signage in the road reserve.
- **Murray Street West:** It is proposed that the section of Murray Street between Armstrong Street and Corangamite Street be improved with tree planting and streetscape works, continuing the design theme of the central part of Murray Street. A central median strip is proposed, with parallel parking on either side to replace current angled spaces. Street planting would occur in the median and along either side, with undergrounding of powerlines in the long term and reduction in clutter of signage on private and public land.
- **Bromfield Street:** It is proposed that Bromfield Street be upgraded with new tree planting, improved pedestrian access and bicycle lanes. The current central parking in the middle section is proposed to be retained, and is flagged for possible extension to the east towards Queen Street. Powerlines are to be undergrounded in the long term. Redevelopment of underused land at the rear of Murray Street shops is promoted in the draft report, with improved pedestrian links through to Murray Street, similar to Johnstones Lane.
- **COPACC and Colac Railway Station Precinct:** Opportunities are identified in the precinct to make better use of the land surrounding the railway station, recognising the potential for the station to be more highly utilised in the future as Colac's population grows and railway services are improved. The draft report notes Council's recent purchase of the former 'Civic Home Hardware' site abutting the railway line, and to consider closing part of Railway Parade between that site and the Shire offices, and for this area to be used for additional parking or other civic use.
- **Outer CBD Entrances:** A focus of the draft report is improvement to the visual appearance of the corridors of entry into central Colac from the outer eastern and western edges of Colac along the Princes Highway with new landscaping (framing views to the Lake), undergrounding of powerlines, rationalisation of signage on land within the road reserve, and development of guidelines for signage on private land. The report also identifies the importance of addressing the visual impact of the disused service stations at each of these two entrances to Colac.
- **Priority Streetscapes:** The draft report identifies priority streets for further street planting, including the reduction in width of some streets in places to allow for increased landscaping to break up the extensive areas of streets dominated by concrete, asphalt, buildings and cars. It also identifies other hard infrastructure

treatments designed to enhance the visual appearance of the town, and the need to reduce visual clutter associated with signage. The report recognises the need to respond to VicRoads minimum clear zones at the edge of the main roads for new roadside planting, and the need for undergrounding of powerlines more generally (the need for this is emphasised in specific precincts). It also makes reference to preferred streetscape treatments/palettes relating to bins, pavements, seats and signage.

- **Traffic Management/Priority for Pedestrians:** The draft report proposes a number of measures to improve the safety of the streets for pedestrians, including a lower speed limit of 40 km/hr, installation of priority pedestrian crossings at each leg of several existing roundabouts, and the construction of new crossings over Murray Street and Bromfield Street mid block, and that in these locations the road space should be narrowed with central pedestrian refuges. New and improved footpaths and bicycle lanes are recommended. The shared pedestrian zones proposed for Gellibrand Street and around Memorial Square, and emphasis of laneway linkages are an important element in the strategy.
- **Inner CBD retail areas:** Built Form Guidelines are proposed to be applied to ensure a high quality of new architecture in new development on private land, protection of heritage buildings and maintaining a 'fine grain' character of the traditional retail areas (ie narrow street frontages for shops versus large shop widths). The guidelines encourage shops being built to the street boundary, and of a 2-3 storey height in the central area that reflects the traditional buildings in Murray Street, car parking to be located to rear of new developments, and use of verandahs. The guidelines also discourage above verandah advertising signs, and identify the need for development of an Advertising Sign policy.

The project has significant implications for the future livability of Colac, and represents a series of public interventions in the public realm of central Colac and the entrance corridors along the Princes Highway/Murray Street. If implemented the works could dramatically improve both the walkability and attractiveness of the town for pedestrians, as well as the visual appearance of public areas and private development, building towards the image of a 'Botanic Gardens City'. Such a transformation will require significant funding external to Council, however even if it was to be delivered in stages over time, would be a significant driver to attract new population growth and address some of the social disadvantage in the town.

It is recognised that the draft report presents some bold actions, and some of these may be controversial, particularly where the proposed streetscape improvements involve a reduction in the number of on-street car spaces. It is important however to test these ideas through a community engagement process, and to explore their appropriateness balancing all of the different interests relevant to the plan. The Community Reference Group has been highly supportive of the project for the duration, and has been supportive of the concepts proposed in this draft report. The Group has been particularly encouraging of the consultants to pursue bold ideas such as the shared pedestrian/car zone around Memorial Square, and it will be interesting to test these ideas in the wider community.

It is worth noting that the draft Colac and Apollo Bay Car Parking Strategy placed on public exhibition early in 2011 identifies the low utilisation of car parking spaces within the Colac CBD even at the peak times, and supports the reallocation of some road space in various areas in order to improve the visual appearance of streets.

The outcomes of that Strategy therefore directly support the proposals being recommended in the draft CBD and Entrances Project report which aim to use some existing car spaces within the road reserves in the CBD to establish canopy tree planting and reduce the expansive areas of concrete and asphalt.

There have been several members of the community question the timing of this project when there is a concurrent study being conducted that is examining the potential routes for a heavy vehicle bypass of Murray Street. It is certainly a key objective of the project to divert most of the heavy vehicle traffic away from the CBD to increase its attractiveness to users of the centre, however the timing of the project is linked to the availability of an external grant, and the recommendations for Murray Street are not dependant on this alternative route being established. The proposal for a new median strip in Murray Street west of Corangamite Street for example, would match the current treatment east of Corangamite Street, and still provide adequate width for trucks to pass through should this matter not be resolved in the short term. In any case, there are a significant number of works proposed in the report which do not relate to Murray Street.

Council has four options in relation to this report:

1. Seek community views on the draft report before finalising the project.
2. Revise the report before proceeding with community engagement.
3. Adopt the draft report without community engagement; or
4. Not proceed with the project.

The first option is recommended on the grounds that the draft report is comprehensive, has been through a thorough development process including the publication of a Discussion Paper earlier in the year that explored several of these concepts, and has been refined through the feedback of an internal Steering Committee and Community Reference Group. The report does not bind any of the proposals on Council, as there will be a final opportunity to review the various elements of the report following the receipt of submissions.

### **Proposal**

It is proposed that Council notes the draft Colac CBD and Entrances Project report and resolve to place it on public exhibition for six weeks.

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

The project has been part funded by Council, with a \$75,000 matching grant from Regional Development Victoria.

As noted above, the draft Plan contains a number of significant interventions within the public land areas of the CBD and entrances of Colac, which would require considerable investment by Council and other agencies in the future. A detailed list of infrastructure costs will be included in the final version of the report presented to Council. Council will be reliant on the majority of the costs being met by State and Federal Governments.

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

Under the terms of the RDV grant for the project, the final version of the report must be adopted by Council and the project acquitted no later than June 2012. If this time frame is not met, Council may be faced with refunding all or part of the grant.

Council will also need to seek additional external funding to undertake the next stage of the project which is to prepare detailed engineering designs suitable for tendering purposes for the works to be implemented. Undertaking this work was a commitment of Council when accepting the RDV grant.

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

There are no environmental or climate change issues arising from this report.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be 'Involve' and include an invitation for members of the community to lodge written submissions. The Community Reference Group appointed by Council to provide input into the report has had input into the draft document, and will be involved again before finalisation of the report to review submissions.

### **Implementation**

The draft report will be placed on exhibition at the Colac Shire office and Colac Library and Learning Centre in Queen Street, Colac, and will be available to view on the Shire website. A project bulletin will be mailed out to all owners and occupiers of land in the Colac/Elliminyt area, and notices will be placed in local newspapers.

Written feedback will be invited over a six week period. A drop-in information session is to be held within that period.

Submissions will be reviewed at the end of the exhibition period by the Project Steering Committee and Community Reference Group prior to a final draft of the report being prepared.

### **Conclusion**

The Colac CBD and Entrances Project has significant potential to result in a transformation of the public areas of the town, increasing its attractiveness and livability. The report has incorporated feedback from earlier consultation on the Discussion Paper released in February, and has been well supported by the Community Reference Group. It is recommended the report be placed on public exhibition to seek the views of the community and stakeholders before it is finalised.

### **Attachments**

1. Draft Colac CBD and Entrance Project Ch 1

### **Recommendation(s)**

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

1. ***Notes the draft Colac CBD and Entrances Project report.***
2. ***Places the draft report on public exhibition for a period of six weeks prior to its finalisation.***

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**PROJECT CONTROL**

| Status                                  | Version | Checked<br>PM | Checked<br>PD | Date<br>released |
|---|---------|---------------|---------------|------------------|
| Draft Report for SC and CRG             | 1       | HK            | JLR           | 19/8/11          |
| Draft Report for Council                | 2       | HK            | HR            | 9/9/11           |
| Draft Report for Community Consultation | 3       | HK            | JLR           | 19/9/11          |



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## Executive Summary

### WHAT IS THE COLAC CBD & ENTRANCES PROJECT

In January, 2011 Colac Otway Shire commenced preparation of the Colac Central Business District (CBD) & Entrances Project. The project is a 20 year Plan focusing on the design the buildings and spaces of the Colac CBD and the eastern and western entrances to Colac.

The draft Project draws together the outcomes of community feedback and the analysis and research undertaken by the study team.

### VISION

In the next 20 years Colac's CBD will:

- Become known as the 'Botanic Garden City'
- Be a pedestrian-focussed place, accessible for people of all ages and abilities
- Grow as a thriving rural centre of retail, business and community services
- Connect to its natural systems of the Lake and creek corridors
- Proudly express its heritage in the built and natural environment
- Be renowned for its collection of great buildings from all eras of the City's development
- Present an impressive image along the Princess Highway corridor, from the edges of the City to its core

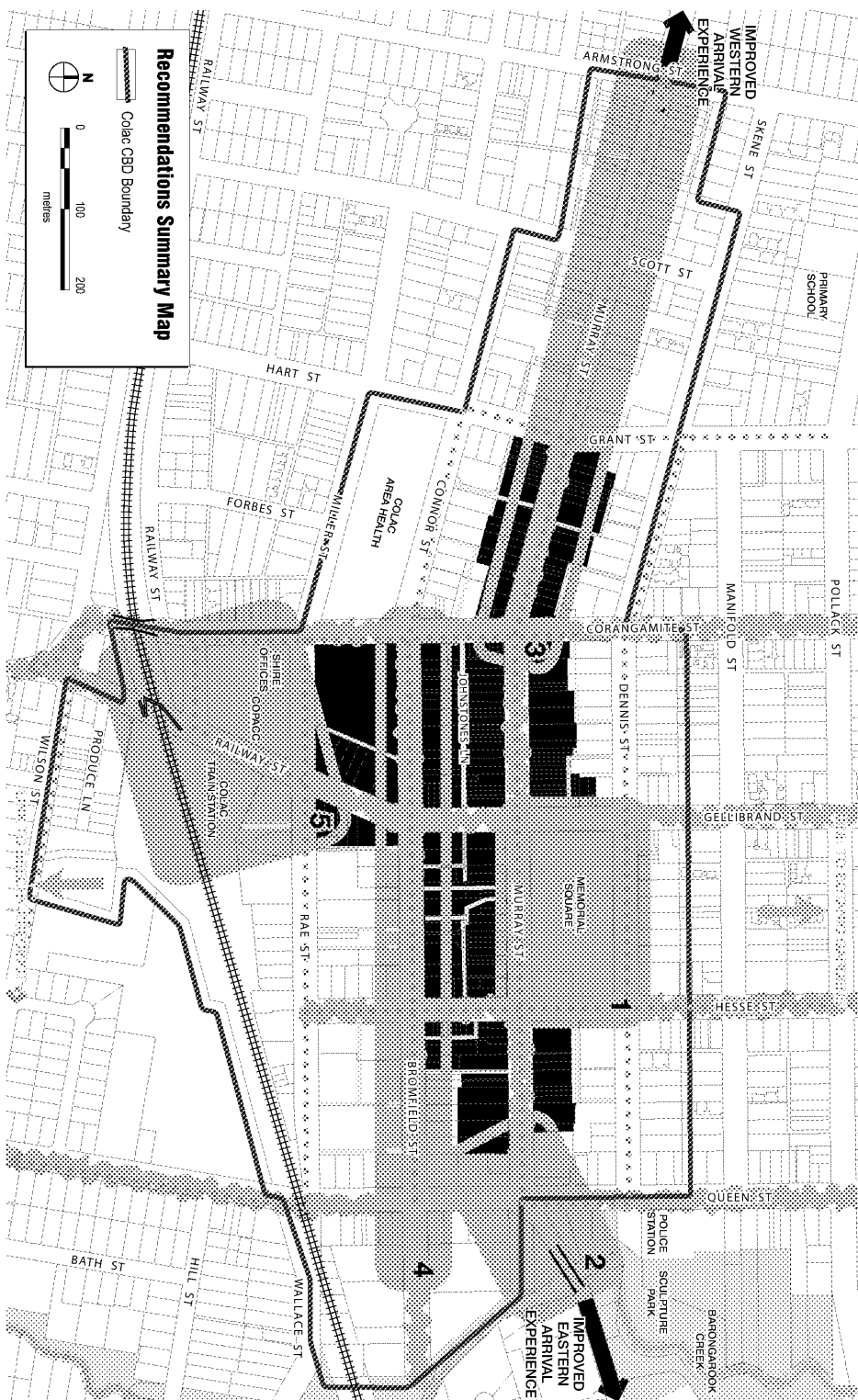
### KEY RECOMMENDATIONS

The key recommendations for Colac's CBD and Entrances are shown on the map on the **page opposite** and described as follows:

#### Legend

- 1 Memorial Square:** Upgraded western edge with refurbished amenities and a share traffic space along Gallibrand Street which can also be adapted to accommodate public events. Pedestrians to have priority over cars in shared space that could ultimately be extended around Memorial Square and south along Gallibrand Street to the Station.
  - 2 Eastern CBD Entrance:** Improved entrance with enhanced landscaping and views to heritage buildings, widened pedestrian pathways over the bridge and improved visibility of the Visitor Information Centre.
  - 3 Murray Street West:** Improved with tree planting and streetscape works, continuing the design theme of the central part of Murray Street.
  - 4 Bromfield Street:** Upgraded with new tree planting, improved pedestrian access and bicycle lanes. Redevelopment opportunities for the underused land at the rear of Murray Street shops to be promoted, with improved pedestrian links through to Murray Street, similar to Johnstones Lane.
  - 5 COPACC & Colac Station:** Revitalised.
- Outer CBD Entrances:** Improved to the outer edge of Colac with new landscaping, framing views to the Lake and guidelines for signage.
- Priority Streetscapes:** Improved of first priority.
- Laneways:** Improved network.
- Bicycle lanes:** New and improved lanes provided.
- Inner CBD retail areas:** Built Form Guidelines applied to ensure a high quality of new architecture, protection of heritage buildings and maintaining a 'fine grain' character of these areas.

**RECOMMENDATIONS SUMMARY MAP**



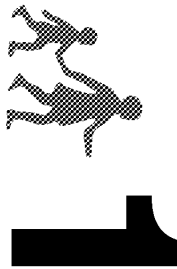
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# Background





# 1.1 Introduction

## Project Scope

Colac, situated along the southern edge of Lake Colac on the Princes Highway, is a major urban centre in its region. Its proximity to many natural and built features makes it an attractive residential, commercial and business location. The challenge for Colac is to make the most of its many existing assets and to undertake further improvements that will benefit current residents and attract population growth and investment. This project involves the development of a Plan focussing on the design the buildings and spaces of the Colac Central Business District (CBD) and the eastern and western entrances to Colac.

### But Colac already has a Plan....

The 2007 *Colac Structure Plan* includes suggestions for the improvement of the entire town of Colac. This project, the *CBD & Entrances Project*, develops on the structure plan in more specific detail, identifying built form and streetscape themes as well as detailed concept plans to help to realise the structure plan's vision 'on the ground'. The Project sets a direction for proposals that will shape access and movement; buildings and land use; and streetscapes and open space; within the CBD and wider context.

In its final form this project will include streetscape proposals, concept engineering designs, and detailed schedules of works with cost estimates to help Council refine its capital works program and apply for funding when government grant programs are announced.

This concise framework will bring together and build on a number of plans and initiatives already completed for Colac and the wider region, and focus on providing a range of achievable projects that can be undertaken over time.

## AIMS

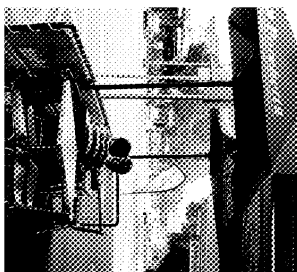
The key aims of the Project are to:

- Set a direction for interventions that will shape access and movement, buildings, land use, streetscapes and open space within the CBD and wider context.
- Promote a sense of vibrancy in the CBD.
- Develop a sense of arrival and sense of place to foster community pride.
- Integrate key elements of the visual, natural and built landscape of the CBD to create a 'place for people'.
- Improve public access, especially walkability and people-focussed public spaces in the town.
- Develop detailed guidance for the implementation of works.
- Create an overall theme to link the CBD with the entrances and key destination points outside the CBD.

## TIMING

The project is being undertaken in the following five stages:

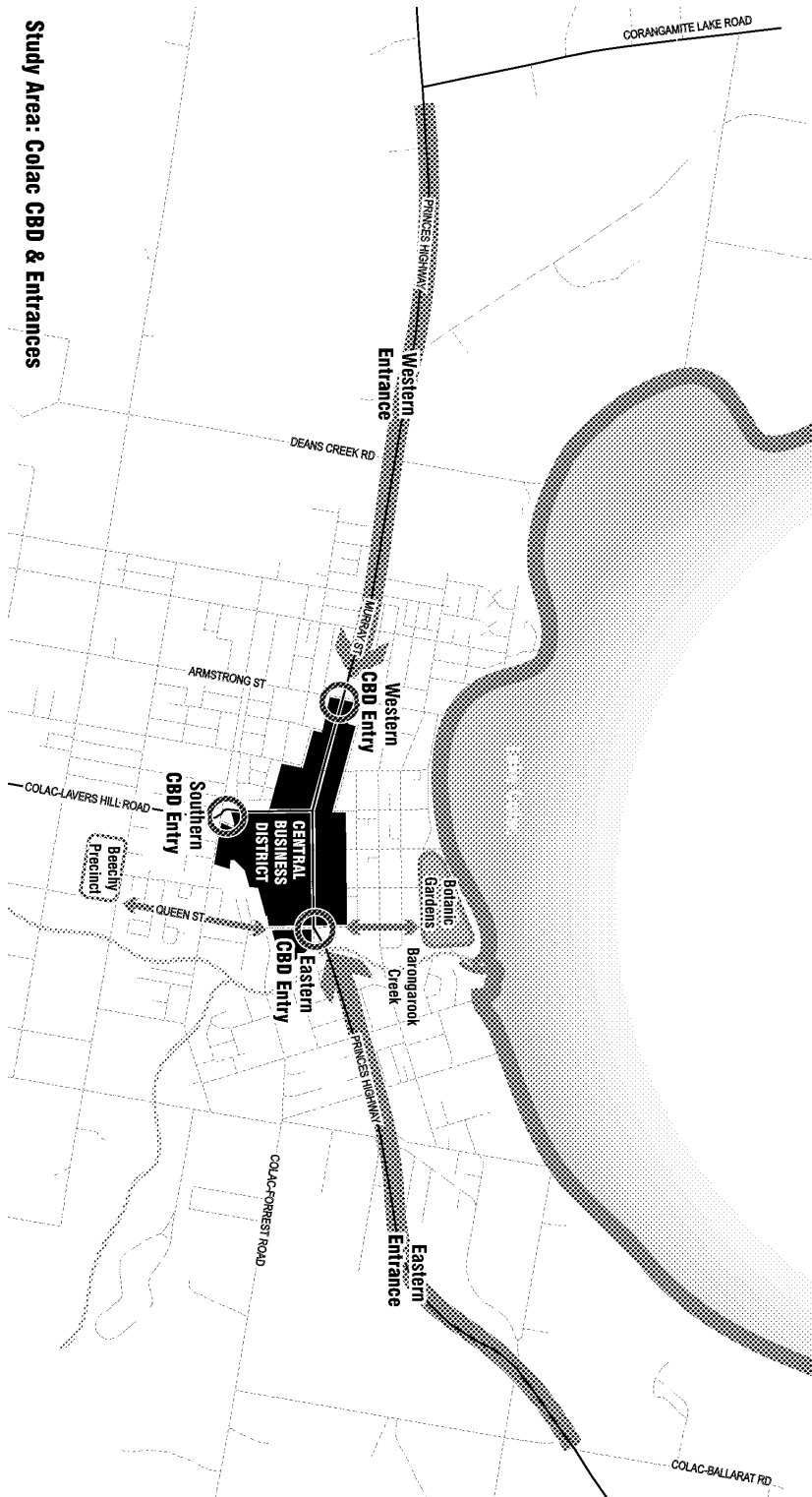
| Project Stage                       | Approx. timeline |
|-------------------------------------|------------------|
| <b>PART 1</b>                       | December 2010    |
| 1: Preliminary Actions              | March 2011       |
| 2: Analysis and Objectives          | August 2011      |
| 3: Draft Plan                       | February 2012    |
| 4: Final Plan & Implementation Plan | Early 2012       |
| <b>PART 2</b>                       |                  |
| 5: Detailed Engineering Drawings    |                  |



**STUDY AREA MAP**

The study area for the project is shown on the map below. It includes the Colac Central Business District (CBD), defined as all of the streets, buildings and public infrastructure within the Business 1 and 2 Zones in the Colac Otway Planning Scheme (shown in solid black on the map). The area also includes the outer eastern and western

entrances to Colac as these are the main arrival points for traffic travelling along the Princes Highway. Broad consideration is also given to the areas of Colac surrounding the CBD and entrance corridors.



**Study Area: Colac CBD & Entrances**



**CONSULTATION**

The first two stages of the project have involved consultation with a range of stakeholders.

**Stage 1**

Stage 1 included:

- Informing the broader community about the project commencement via a media release
- Establishing the Community Reference Group
- Engaging with Council staff and key stakeholders through the Project Steering Committee and Project Reference Group.

The Project Steering Committee is a small group with direct involvement in the planning process. It comprises Council officers and representatives of State Government departments and agencies - Regional Development Victoria, Department of Planning and Community Development and VicRoads. The role of the Steering Committee is to monitor the project work program, provide advice and review project outputs.

The Community Reference Group was established in order to directly engage with key community and business stakeholders. The role of the Group is to provide professional and sectoral advice to the development of the project.

**Stage 2**

Stage 2 of the Plan involved producing a Discussion Paper containing ideas and directions for the study area as well as landscape themes and opportunities. Consultation in this stage aimed to engage with the community, stakeholders, Councillors and key Council staff about the issues and opportunities identified in the Discussion Paper

Stage 2 consultation involved:

- A media release
- A Community Bulletin with a Feedback Form sent to all property owners in Colac and Elliminyt
- Hard copy and on-line surveys targeted at the general community and businesses
- Opportunities for community and key stakeholders to participate in workshops.

**Feedback Forms**

Over 250 survey responses and feedback forms were received in response to the community mail out. A summary of suggested improvements to Colac is provided below:

- Improve entrances to the town through landscaping, maintenance and signage to promote the town
- Improve cleaning and maintenance of the CBD, particularly footpaths
- Improve maintenance of gardens and trees in the CBD
- Divert traffic, particularly trucks, out of main street
- Improve road surfaces
- Improve the lake and creek areas by better maintenance and more seating, tracks and landscaping
- Improve maintenance of heritage buildings including reintroducing verandah posts to shops
- Restore or remove vacant service stations at town entrances
- Improve pedestrian access including footpaths for pedestrians and mobility vehicles, and pedestrian crossings in Murray Street
- Improve Memorial Square





## 1.2 Snapshot of Colac

### Colac's Attributes

A starting point for the project is to gain an understanding of the main attributes of Colac. What are the highly valued elements of the town? What are the issues to be addressed in the project? How could the 'Colac character' be defined?

#### A BUSTLING COMMERCIAL CENTRE

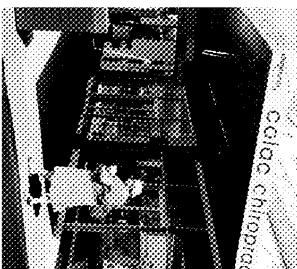
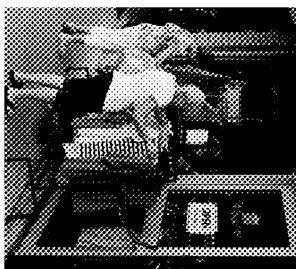
Colac, with its residential population of approximately 11,000 people, is one of two main towns in the Colac-Otway Shire. Situated approximately 150 kilometres south-west of Melbourne and 75 kilometres west of Geelong on both the Princes Highway and a regional railway line, Colac is strategically located within one of Victoria's primary transport and tourism corridors.

The town is the largest service centre between Geelong and Warrnambool (110km to the west), and is the major focus for a range of regional services including retailing, business and professional services, administrative and government functions, and health and community services.

The major industries of the region are primary production (such as dairy, beef, sheep, crops, horticulture and organic farming), food processing, tourism, fishing, timber production and construction<sup>1</sup>.

Colac's location on the Princes Highway adds a sense of activity to the town centre, and brings visitors directly to the main street. However, heavy vehicle traffic creates amenity and pedestrian safety issues that are of concern to many residents.

<sup>1</sup> *Colac and Apollo Bay Rural Shire*, Essential Economics, August 2009



COLAC OTWAY SHIRE | Colac CBD & Entrances Project [Draft for Consultation]

**NATURAL LANDSCAPE SETTING**

The natural landscape setting of Colac is scenic and diverse. Colac is situated in the southwestern part of Australia's largest volcanic province, the Kanawinka Geopark, which extends across western Victoria from Colac into South Australia. Red Rock Lookout, approximately 15km north-west of Colac, provides views across this dramatic landscape formed by volcanic activity, including basalt plains, Lake Corangamite (Australia's largest permanent salt lake), Mt Eliephant and a chain of other lakes and hills. To the south of Colac lies the distinctively different landscape of the spectacular Otway Ranges.

The area around Lake Colac was originally the home of the Guldjiam and Kolijon people, who occupied the grasslands, woodlands, volcanic plains and lakes region east of Lake Corangamite, west of the Barwon River and north of the Otway Ranges. The name 'Colac' is thought to derive either from its tribal name or from a Kolijon word referring to the 'fresh water'.

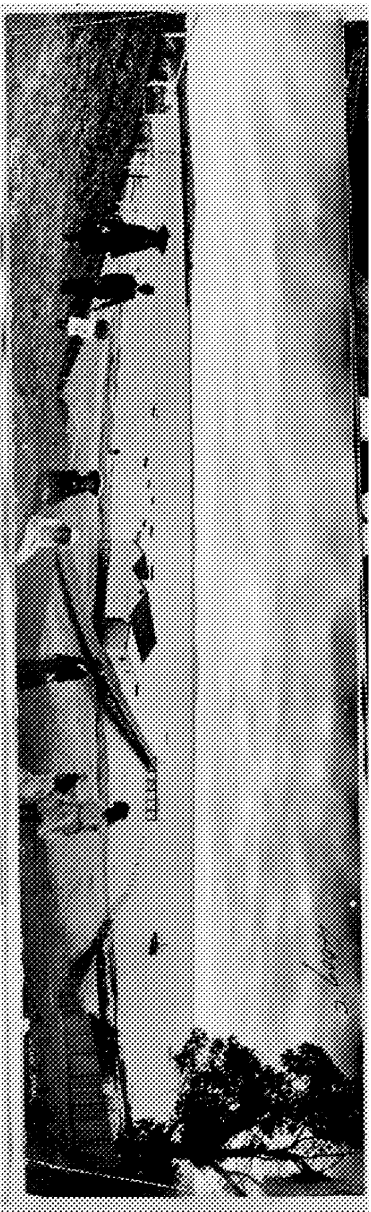
**LAKE COLAC**

Lake Colac is one of Victoria's largest fresh water lakes. It provides a strong landscape connection for Colac and is an integral part of the town's identity, despite being a short distance from the town centre itself.

The broad flat surface of the lake is a backdrop which reflects the sky, terminating CBD street views and marking a type of mid-distance boundary to landscape vistas seen from Princes Highway.

The edge of the lake is a destination for activities such as fishing or boating, as well as for its atmospheric qualities; for example, when viewed through the trees of the Botanic Gardens from high up on the escarpment.

Lake Colac (1905)



View of Lake Colac from the Botanic Gardens





## A GREEN HEART

Trees and vegetation play a very significant role in the overall character of Colac: from the large bands of cypress windbreak planting and eucalypts in surrounding farmland (also around the showgrounds), to the more recent large banks of plantation timber at either end of the town; to the established street trees around Memorial Square and lining Hesse/ Gellibrand Streets (**above right**); to the Botanic Gardens on the northern escarpment looking over the lake (**below left** and **below right**). There are also many magnificent private gardens (in the **middle left**).

Memorial Square (**above left** and **above right**) plays a highly significant role in terms of the character of central Colac, and its established intact perimeter planting acts as a strong formal element marking the centre of town – acting like a large ‘green building’ in the streetscape.

The presence of the park on the main street gives an unusual transparency and softness to the highway experience. The lack of low-level vegetation around the perimeter of the park allows a strong visual connection between Dennis Street and Murray Street. The buildings on the south side of Murray Street facing the park form a continuous wall or backdrop, with their north-facing verandahs providing high quality and highly useable sheltered public space.

Creek corridors define the eastern and western edges of the town. The Barongarook Creek forms a corridor of emerging indigenous landscape alongside the eastern edge of the CBD. Within the corridor the Sculpture Park, shared path network and recent landscaping works have enhanced this important recreational link. On the outer edge of the town to the west is the Deans Creek corridor.

An important part of Colac’s character is its wide streets. Some streets are defined with substantial street trees while others lack planting and are in great need of stronger landscape definition. There are many opportunities to make improvements to the appearance and amenity of streetscapes by introducing new planting.

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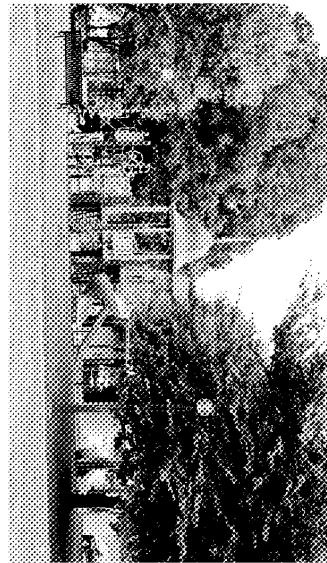
Botanic Gardens



CBD Western Entrance



Memorial Square



Botanic Gardens



CBD Western Entrance



Barongarook Creek area



Memorial Square



## TOWN STRUCTURE

Colac's first European settler was Hugh Murray, who arrived in 1837 and proclaimed a town, then known as 'Lake Colac', in 1848. Since that time, the town of Colac has evolved to meet the needs of its occupants and support a growing economy and residential population.

The original town boundaries were along Forest Street to the east, and Gants Road to the west. These roads still act as notional outer boundaries to the town and mark shifts in character upon entry to the town centre from either direction.

Areas of distinct spatial character are created by the shifts in alignment of Murray Street, the gridded street layouts of different parts of the town, the railway reserve to the south and the Lake to the north. The topography also serves to create variations in character, rising from the Lake and creek beds to an apex just west of Corangamite Street.

The earliest residential area, between Murray Street and the Lake, is set out on a regular grid pattern, with topography that slopes towards the lake.

The main commercial centre south of Murray Street was formerly comprised of small sites which would have supported small scale buildings that provided a frontage to the street (see map right). This fine grain character still exists, particularly in the core retail area, which has a high level of amenity (see map on **opposite page**).

The historic pattern of development has, however, been substantially eroded by large areas of surface carparking and larger retail buildings such as in Bromfield Street. Bromfield's streetscape also suffers from inconsistent streetscape treatments and parking arrangements.

The amenity of the western part of Murray Street is compromised by its vehicle-oriented retail offer and lack of streetscape treatments and street trees.



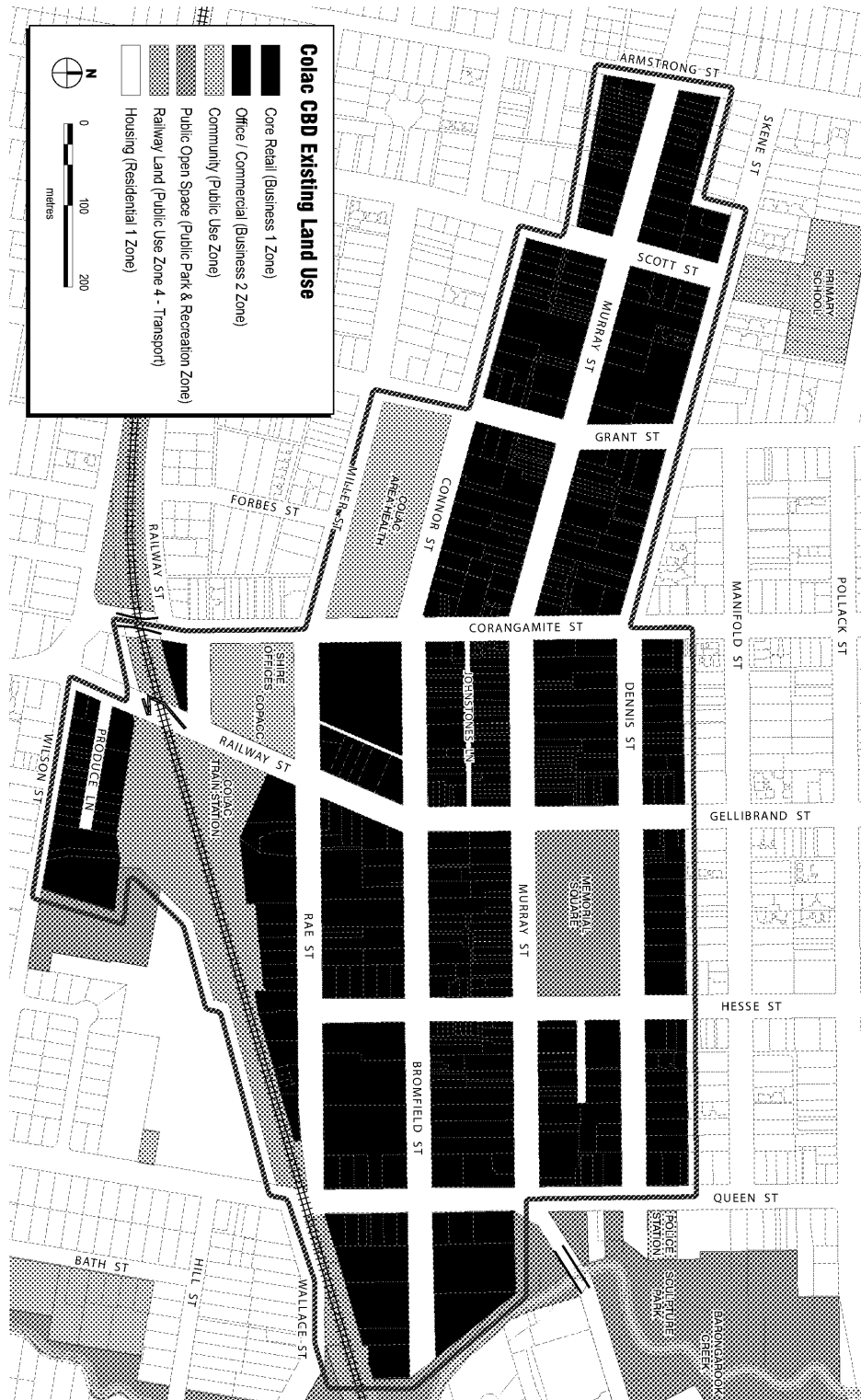
**Historic Colac Parish Plan**

Some of the office areas, such as, Dennis Street, have a mixed quality which begins to blend into the surrounding residential areas.

A few significant pedestrian lanes and arcades linking Bromfield Street and Murray Street retain this sense of a more intricate and pedestrian friendly urban environment.

The close proximity of COPACC, the railway station and Colac Area Health to the centre of Colac are assets to the CBD and its vibrancy.

**EXISTING LAND USE MAP**



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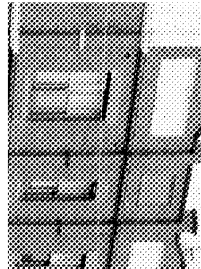
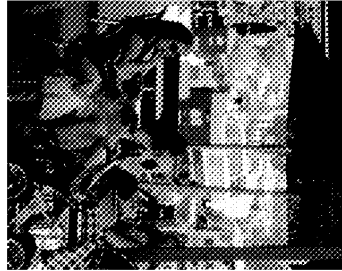
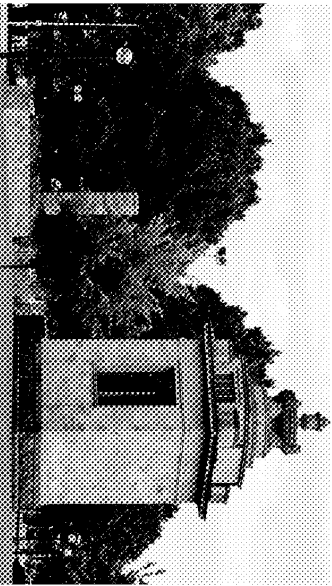




# Vision

In the next 20 years Colac's CBD will:

- Become known as the 'Botanic Garden City'
- Be a pedestrian-focussed place, accessible for people of all ages and abilities
- Grow as a thriving rural centre of retail, business and community services
- Connect to its natural systems of the Lake and creek corridors
- Proudly express its heritage in the built and natural environment
- Be renowned for its collection of great buildings from all eras of the City's development
- Present an impressive image along the Princess Highway corridor, from the edges of the City to its core



## 2.1 Colac: Botanic Garden City

Colac's remarkable Botanic Gardens is a key feature of the town and an important part of its identity and heritage. The gardens, located adjacent to Lake Colac and within walking distance of the CBD are one of the most impressive in regional Victoria.

Opportunities exist for strengthening the physical and thematic connection between the Botanic Gardens, the CBD and the town generally. Colac could become renowned as the 'Botanic Garden City', whereby a 'living botanic collection' is extended through the streets of the town.

This concept has the potential to form the basis of the town's urban design themes and to become part of a memorable township identity. It would be brought together in the planning and design for the town's entrances and public realm, and in the creation of pedestrian-focused streets that are characterised by their tree planting.

Over time, trees can become a major sculptural element within the

Royal Tasmanian Botanic Gardens, Hobart



© 2011

township and offer seasonal displays of colour and foliage. Different types of planting could be established within particular streets or areas, creating variation in streetscape character. Botanical walking routes around the town could be developed, with identification plaques and educational information.

There are many examples of other towns that derive their identity from planting themes. Some examples are provided on the following pages.

Alfred Nicholas Gardens, Dandenong Ranges



Colac Botanic Gardens

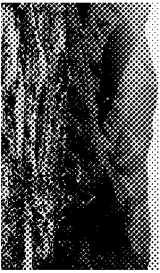


## Towns Renowned for their Tree Planting

### PRECEDENTS

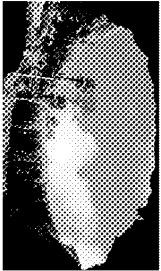
#### BRIGHT AUTUMN FESTIVAL

Bright runs a diverse and vibrant autumn festival to coincide with the autumnal colours of its deciduous trees.



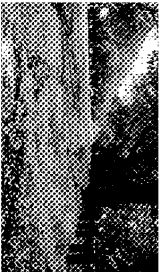
#### MOUNT GAMBIER

Mount Gambier is renowned for its sink hole Gardens.



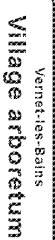
#### GRATON JACARANDA FESTIVAL

The Graton jacaranda festival is well known in Australia for its abundance of purple floral display.



#### VERNET-LES-BAINS

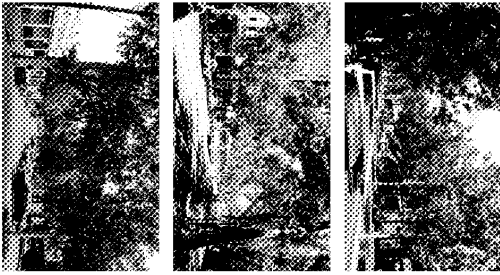
The whole town of Vernet-les-Bains in southern France is a 'village arboretum' containing over 2000 specimens, many of which are labelled for identification.





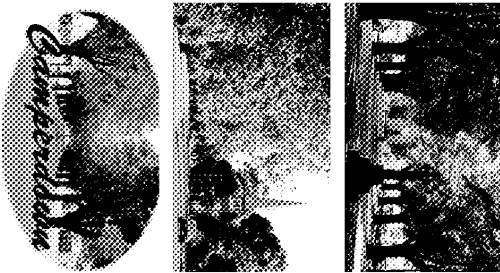
MELBOURNE

Often referred to as Australia's 'garden city', Melbourne has an abundance of parks, gardens and tree avenues. It also hosts open garden schemes and Melbourne International Flower Show.



CAMPBELLTON

Campbeldown is renowned for its central median strip planting and avenues of mature trees.



AVENUES OF MANNING

Various country towns in Australia are known for their large tree avenues along the main entrance road and through the town centre using single species as a memorial.  
E.g. Bacchus Marsh, Ballarat, Macedon, Daylesford.

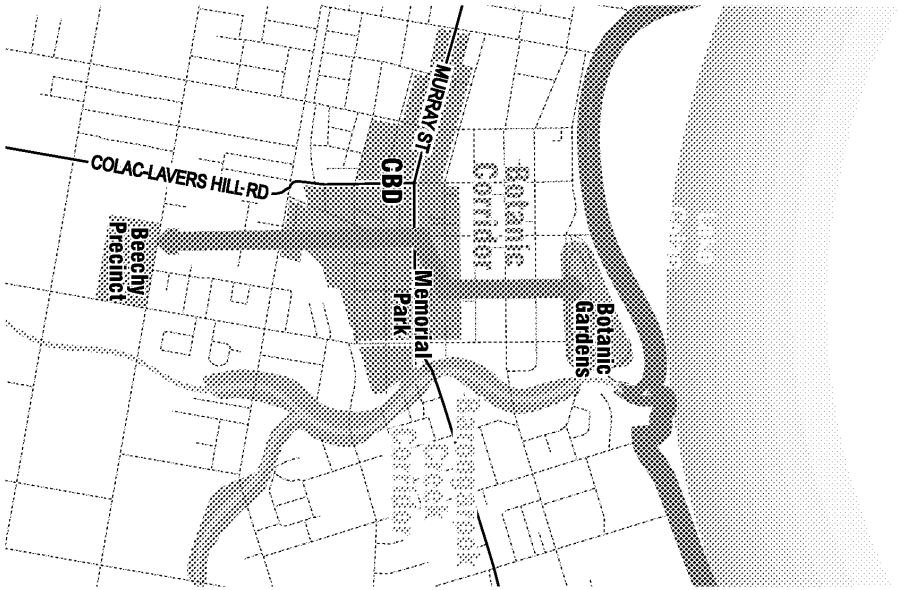


TOWN OF CAMBESHIRE WA

This Town is renowned for its unique and iconic treescapes to the north of Perth.



**BOTANIC & BARONGAROOK CREEK CORRIDORS MAP**



**BOTANIC CORRIDOR**

The Colac Structure Plan 2007 recommends that the Botanic Gardens and Lake Colac become better connected to the CBD both visually and physically with improved streetscape schemes, especially along Gellibrand and Corangamite, with the objective of making the streets more attractive and inviting to walk, cycle and drive.

This proposal (shown on the map to the left) encourages corridors of tree planting along Corangamite, Hesse and especially Gellibrand streets, linking the Lake and Botanic Gardens to the CBD, train station and Beechey precinct.

**COMMUNITY PROJECTS**

The 'Botanic Garden City' idea offers many opportunities for involvement of the community and local businesses. For example, the project could be enhanced by community involvement in the process of planting and maintenance of individual trees within a particular street or area.

Local timber industries could assist with propagation and training community groups in tree maintenance. They may also be able to offer sponsorship funding. The project could potentially link with public education programs or study units in schools.

**PLANTING THEMES**

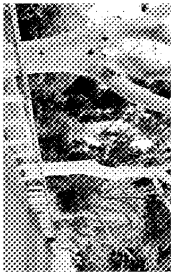
Several different planting theme options could be adopted for the 'botanic living collections' idea. The collection could be based around themes of species, geographic origin or seasonal floral display, for example. Possible planting themes are shown on the next page.

Key considerations for the selection of a planting theme are for vegetation to be suitable for a street environment and appropriate for the climatic and environmental conditions of the Colac region.

## Ideas for Planting Themes

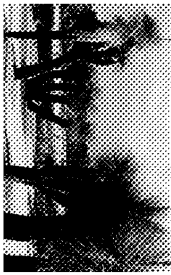
### IDEA 1: BOTANICAL COLLECTION

Planting selection based on a selected botanical genus (potentially rare or diverse) e.g. Quercus (oaks), Corymbia and Eucalyptus (gum trees).



### IDEA 2: GEOGRAPHIC COLLECTION

Planting selections based on a geographic areas e.g. Northern Australian, south-west Victorian, South African. Single or multiple geographic collections could be utilised.



### IDEA 3: SEASONAL COLLECTION

Planting selection based on a seasonal flower or leaf show. This is an opportunity to create a new festival around the seasonal time, or work with existing town festivals e.g. deciduous trees for autumn colour, wattle or plum trees for their explosive flowering season.



### IDEA 4: POTENTIAL COLLECTION

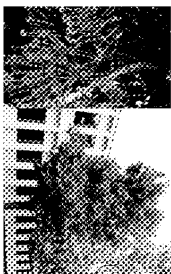
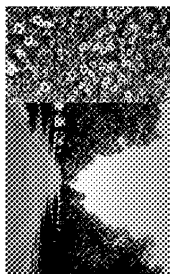
Planting selection based on rare and iconic trees of the Colac Botanic Gardens e.g. *Alseodaphne* (Bunya Bunya Pine), *Senecarpus sinuatus* (Firewheel tree) and Cupresses (torseil (Torcate Cypress)).



This would link species in the gardens with the town centre.

### IDEA 5: AUSTRALIAN COLLECTION

Planting selection based on distinctive trees of Australia which are underutilised within the streetscape e.g. *Brachychiton populneus* (Kurrajong Bottle tree), *Brachychiton populneus* x *aceroifolius* (Ilawarra Flame Tree) and *Senecarpus sinuatus* (Firewheel tree).





## RECOMMENDATIONS

### Objectives

To develop a unifying design theme for central Colac - 'Colac Botanic Garden City' - as a memorable and identifying feature of the town.

To create landscape links between the main activity areas of the CBD and its principal open spaces.

To improve the amenity and appearance of Colac's main pedestrian streets and town entrances through the strategic planting of substantial trees and vegetation.

### Strategies and Actions

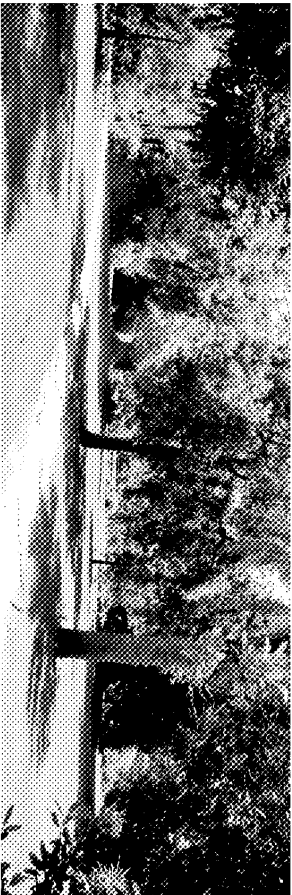
Establish strong planting themes for the key pedestrian streets, as identified in Sections 2.3 and 2.4.

Implement the 'Botanic Corridor' concept, linking the Lake, Botanic Gardens, Memorial Square, the Beechey Precinct and Barangaroo Creek.

Investigate the potential to include community groups and schools in planting projects.

Develop marketing programs to promote the 'Colac Botanic Garden City' theme.

Engage with representatives of local timber industries to source sponsorship in the form of assistance with implementation programs or funding.



Colac Botanic Gardens



## 2.2 Arrival Experience

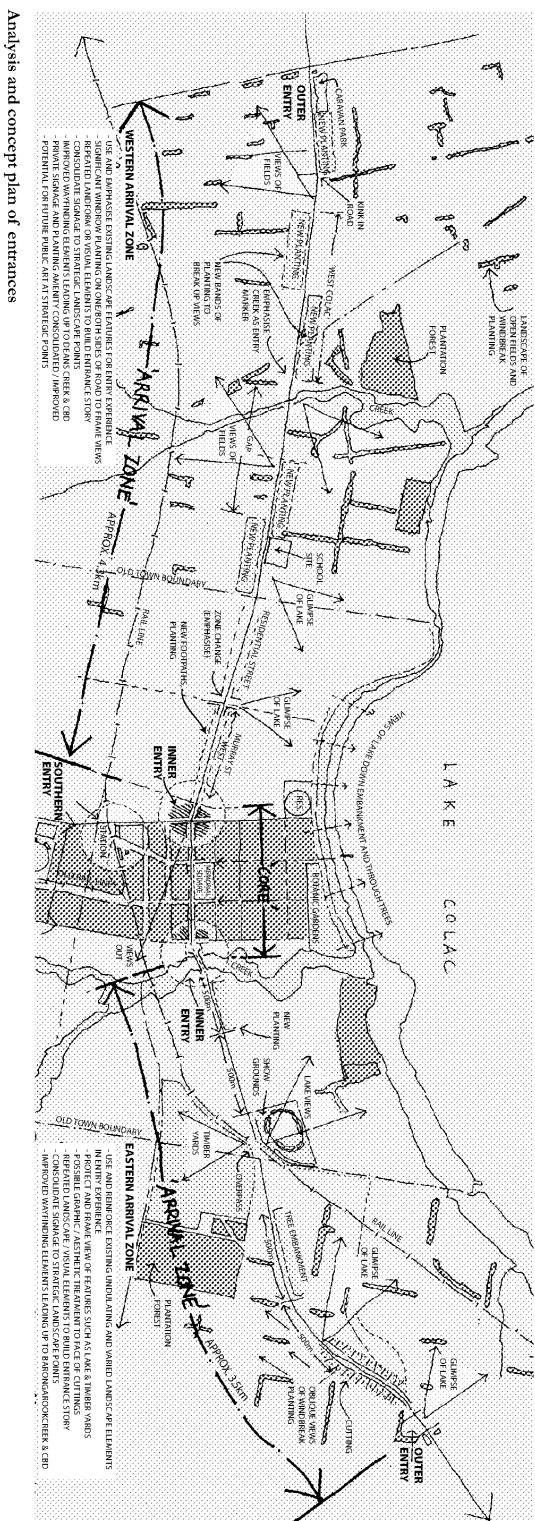
The Princes Highway forms the arrival experience into central Colac from the east or west, and is a principal point of entry to the town. Attractive in parts, the experience of arrival along the Highway from both directions is reasonably generic with little to distinguish Colac from many other large rural towns.

The undulating topography combined with shifts in road alignment at key points in the east-west journey across town create a number of distinct points, pauses or realignments within what might be normally understood as a continuous main street. Side views in different directions give a great variety to the main street, and provide quite different experiences travelling in easterly and westerly directions.

Features of the arrival experience include expansive paddocks, rolling hills, cypress windrows, vegetated creek valleys and occasional

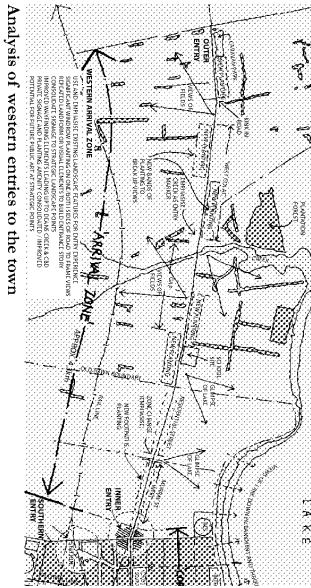
glimpses of Lake Colac. Due to the meandering nature of the road from the east the journey from this direction is generally more interesting than that from the west. However, in both directions there are features which detract from the experience, including excessive signage on both public and private land, overhead power cables (and associated tree lopping), the disused service stations and inconsistent landscape treatments.

The arrival experience and the unfolding sequence of spaces and landscapes from east and west has been analysed, as shown in the map below and over the following pages.

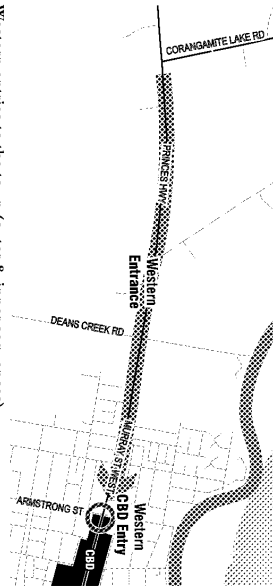


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Analysis of western entries to the town



Western entries to the town (outer & inner sequences)



Outer western entry point with views across open fields

**OUTER WESTERN ENTRY SEQUENCE (from Corangamite Lake Road to Cants Road)**

The outer western entry 'arrival zone' is characterised by relatively flat topography and a straight road alignment as shown below left. The highway passes through different areas of development, interspersed with farmland, including the caravan park, the West Colac Peripherals/ large format commercial strip and the Deans Creek corridor. The outer western entry is long and has a mixed, dispersed character, and the point of arrival in the Colac township is ill-defined.

This sequence of entry spaces from the west could be improved with pockets of new planting of dense vegetation and other elements such as earth mounds constructed along the road edge. Breaks in this treatment could be used to frame views to open fields and the Lake and increase the sense of drama of the arrival experience.

Deans Creek should be emphasised as an outer entrance marker and important open space / wildlife corridor with additional planting and signage. Emphasis at the point of the road realignment at Cants Road can also be made through new significant planting.

**INNER WESTERN ENTRY SEQUENCE (Cants Road to Corangamite Street)**

To the east of Cants Road, development becomes gradually more defined and dense and the Highway alignment shifts, creating a point along the entry sequence.

This section of the entry sequence, is marked by the long straight road, with relatively flat topography and low scale buildings. Minimal street planting leaves the powerlines and poles and the clutter of large scale highway signage as the dominant features of this approach.

Important sites along this entry sequence are the former Colac High School and the driver reviver site. Regular planting of large scale trees would significantly improve the appearance of the highway at

this point. A strategy for the co-ordination and design of signage is also required.

At Armstrong Street an upgraded streetscape treatment with central median planting of street trees as currently exists in Murray Street east of Corangamite Street could commence, thus defining another section of the western entry sequence. From this point, the key intersections with the Highway could be emphasised through stronger built form that addresses each important corner location – Armstrong Street, Scott Street, Grant/Hart Streets and Corangamite Street. A concept plan has been developed for this section of Murray Street, included in Section 3.3.

At Corangamite Street the road alignment shifts again and the vantage point of the higher ground allows the first view to the heart of the CBD and Memorial Square.

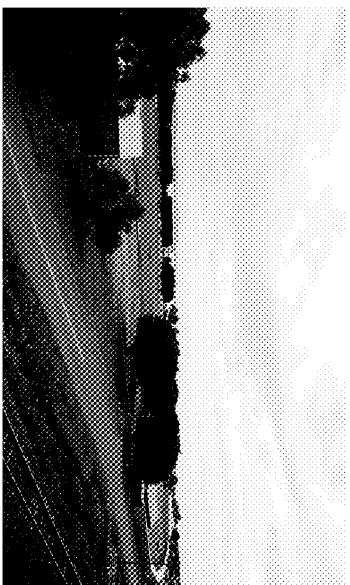
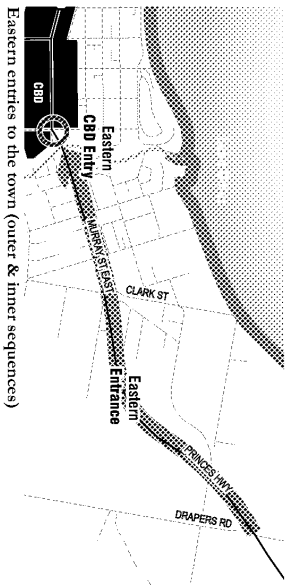
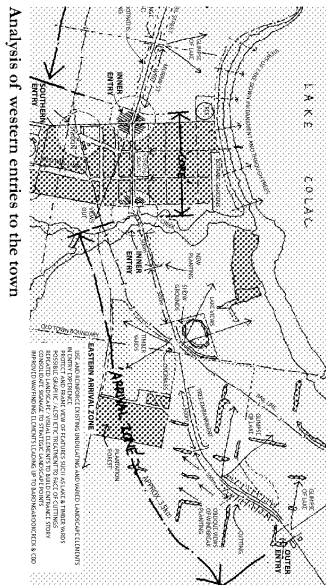
**EASTERN ENTRY SEQUENCE (from Colac-Ballararat Road to Barongarook Creek)**

The eastern CBD entry has a distinct series of arrival spaces and offers quite a different experience to the western entry. Here the landscaping is undulating and the spatial experience varied, as shown in the images to the right.

'Key moments' define points along the arrival journey. Firstly, glimpses of the Lake can be seen through trees and hedgerows, and pockets of substantial roadside planting. Next, the cutting is a clearly defined space and a point of road re-alignment. Finally, at Forrest Road and the bridge, clear views of the Lake, showgrounds and timber yards are afforded - all significant features of Colac.

Barongarook Creek marks the eastern entry of the town proper, at the low point of the valley, looking up and across to the corner of the old Post Office building - a building which seems to recognize its role as a diagonal marker with its façade turning the corner to face this view. A concept plan has been developed for the eastern entrance to the CBD, included in Section 3.2.

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Outer eastern approach to CBD – substantial planting, glimpses of Lake Colac

While the eastern entry requires no substantial improvement, it could be enhanced by additional planting, in theme with the overall CBD planting strategy. The removal or improved appearance of the disused service station is a priority. Planting could also be used to screen views to the industrial area from the Clark Street bridge.

## PLANTING THEMES & CONCEPTS

Colac's entrances are ideal locations to introduce the town's Botanic Garden City theme. For this reason, design treatments for improving the entrance experience from the east and west focus primarily on the creation of strong planting themes for each part of the journey.

Planting proposals within the highway verges depend on a number of specific parameters such as the VicRoads clear zone widths, speed limits, the width of the verges (road easement), negotiation with private land owners and possible future road duplication proposals. Street planting on the side of entrance corridors could be planted with fast-growing and short-lived species to provide a quick 'temporary' roadside landscape for the short term. Species such as Acacia grow quickly and typically have a life span of 10-15 years. If they have to be removed within this time frame due to future road duplication works, their loss will not have a long-term negative impact upon the local landscape and habitat, due to their short life-span. A coordinated planting strategy with VicRoads should be undertaken.

The VicRoads standards recommend a clear zone adjacent to the edge of the carriageway (or road easement). The clear zone includes an area where trees with a diameter greater than 100mm should not be planted. The clear zone width depends on the operating speed, which is 10km more than the posted speed limits. Speed limits and clear zone widths are shown in the **diagram opposite**. Where there is a cutting into a hillside, the clear zone will not usually apply.

As the easement width varies along the south and north sides of the highway entering Colac township, a number of options are presented

to allow for planting themes. Typical proposals include tree planting on low mounds, tree planting in bands/corridors on adjacent private land and short and long term tree planting on the road verges. Different planting themes can be used to mark key locations along the arrival zone, such as landmark buildings or significant changes in road alignment or land use. Strands of vegetation can be used to frame views. Opportunities for planting themes and treatments along arrival zone sections and key 'moments' are proposed on the following pages.

## REDUCING VISUAL CLUTTER

In order to make the most of proposed landscaping improvements it is essential that these are complemented by a reduction in 'visual clutter' caused by signs, powerlines and other structures along the entrance corridors.

Signage is essential to the safe and efficient function of urban areas and can add vitality to business areas. However, along Colac's entrance corridors there is so much signage that it detracts from the appearance of the town and reduces the effectiveness of individual signs. Excessive directional signage, pole signs and rooftop signs are particularly obtrusive.

An audit of public signage should be undertaken aimed at reducing the quantity of directional and traffic signage within the road reserve and on public land. Similarly, land owners should be encouraged to tidy up excessive and redundant private signage. This should be supplemented by the preparation of an advertising sign policy to guide future planning decisions about signs.

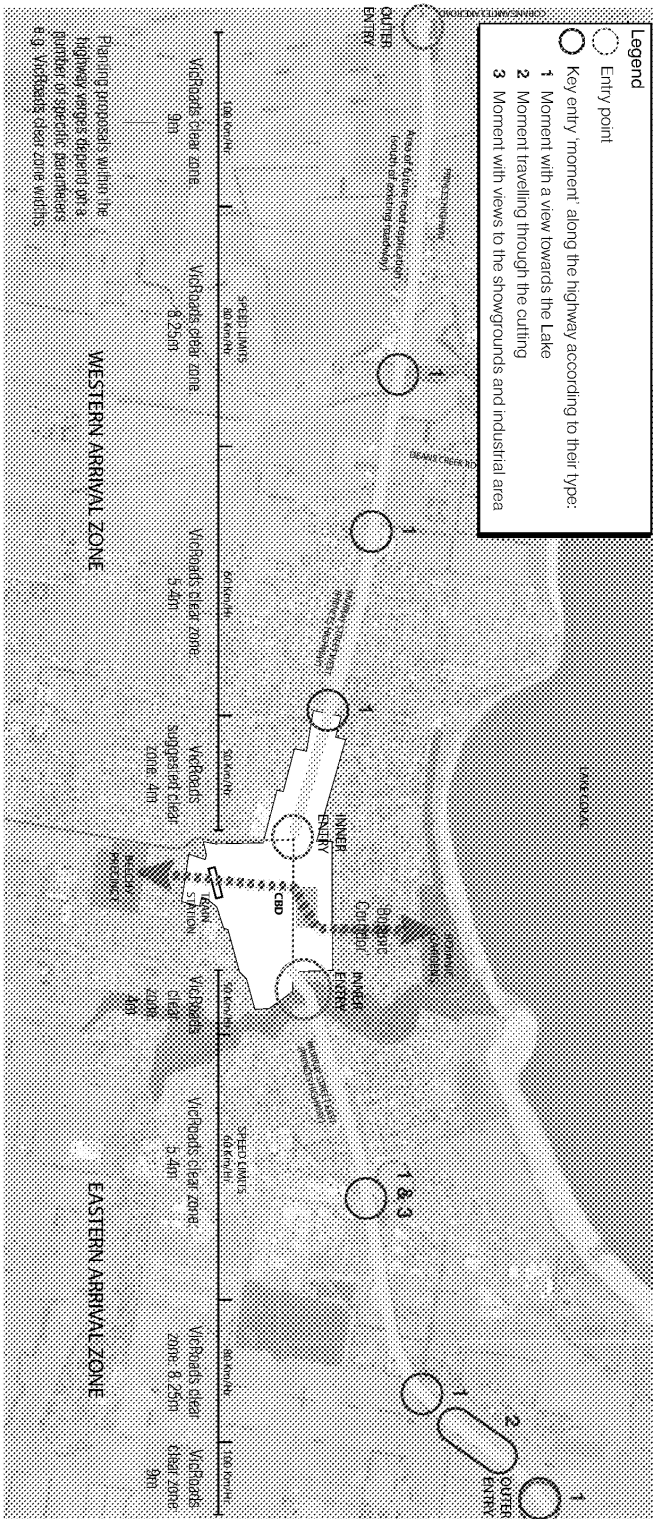
Another significant feature of Colac's entrance corridors is the overhead powerlines which dominate the streetscapes. Not only do the powerlines detract from the appearance of the streetscapes, they also necessitate severe pruning of existing street trees and restrict opportunities for proposed plantings.

Powerlines have previously been relocated underground in central



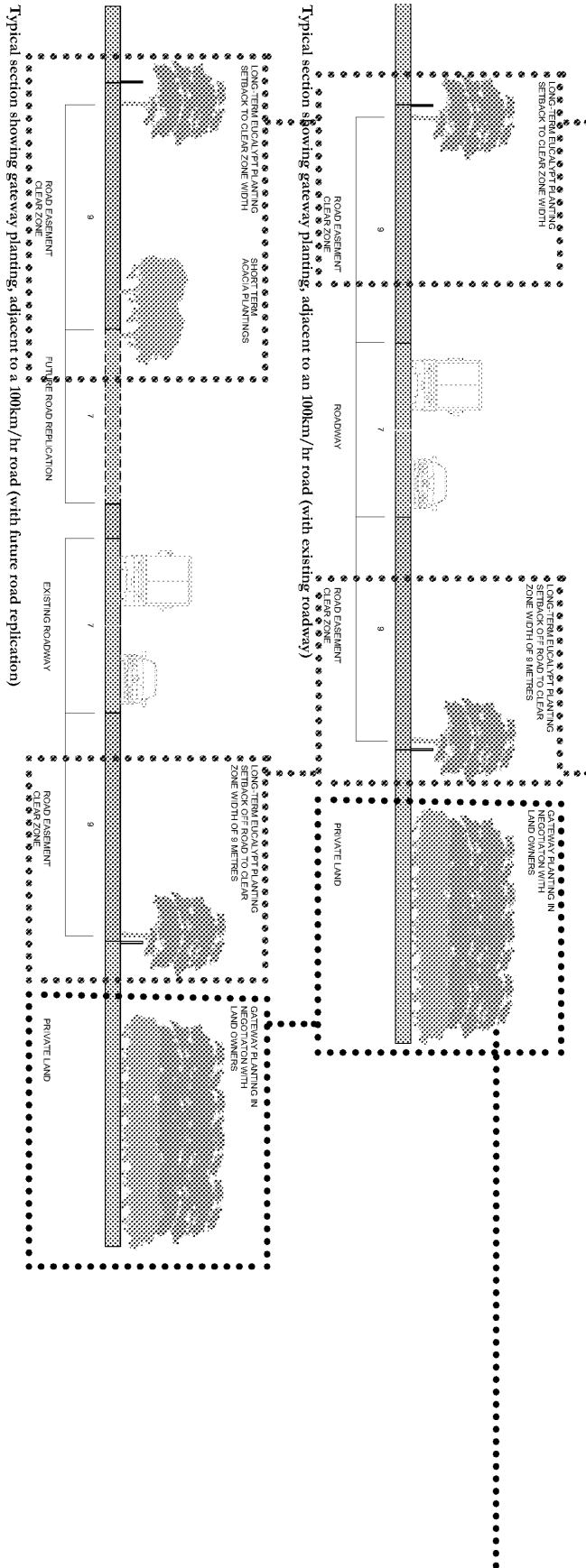
Murray Street, supporting a high standard of street tree planting and improved amenity in this area. The relocation of powerlines underground should be progressively extended along all of Colac's entrance corridors and throughout the Central Business District in order to support the landscaping improvements recommended by this report.

**STRATEGIC PLANTING OPPORTUNITIES MAP**

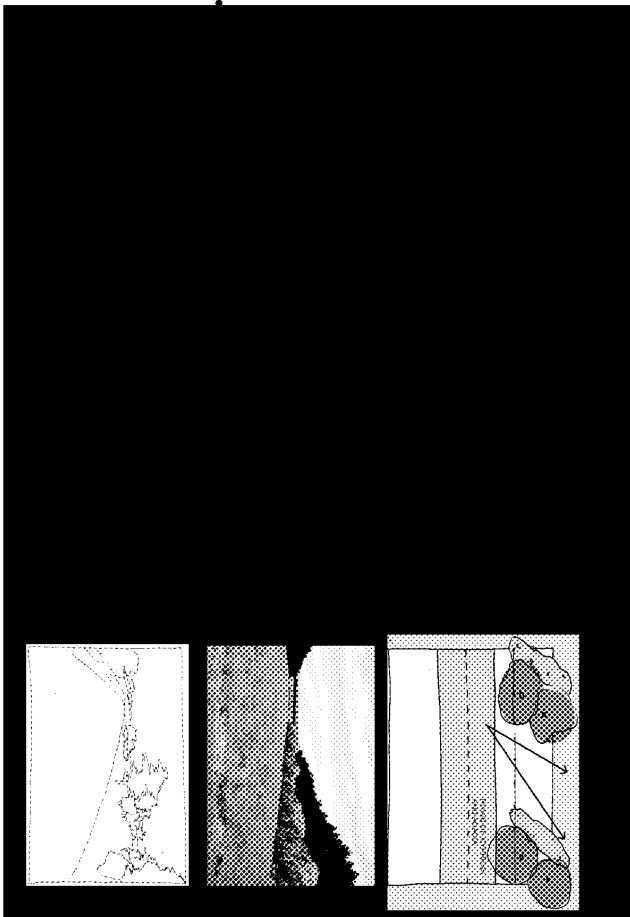
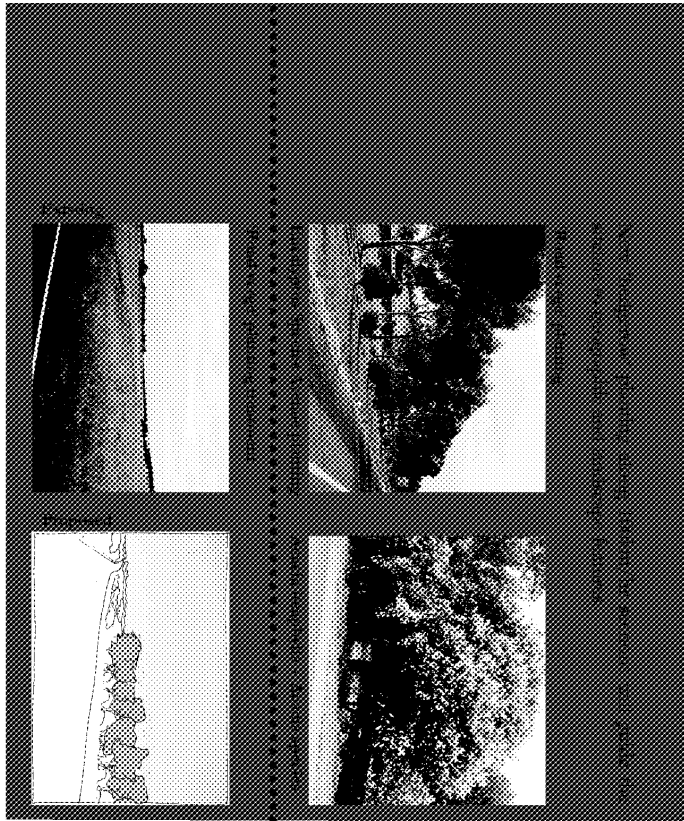


Note: This concept plan shows an indicative assessment of the planting opportunities. Detailed design of the planting within the roadside easement should be carried out to consider the specific conditions such as easement width, drain locations, services locations, speed limits, clear zones, private land ownership, cuttings and VicRoads guidelines. See 'VicRoads Supplement to Austroroads Guide to Road Design - Part 6, 2010', and 'A guide to tree planting within Road Reserves 1987', for more details.

**100KM/HR SECTION PLANTING THEME**

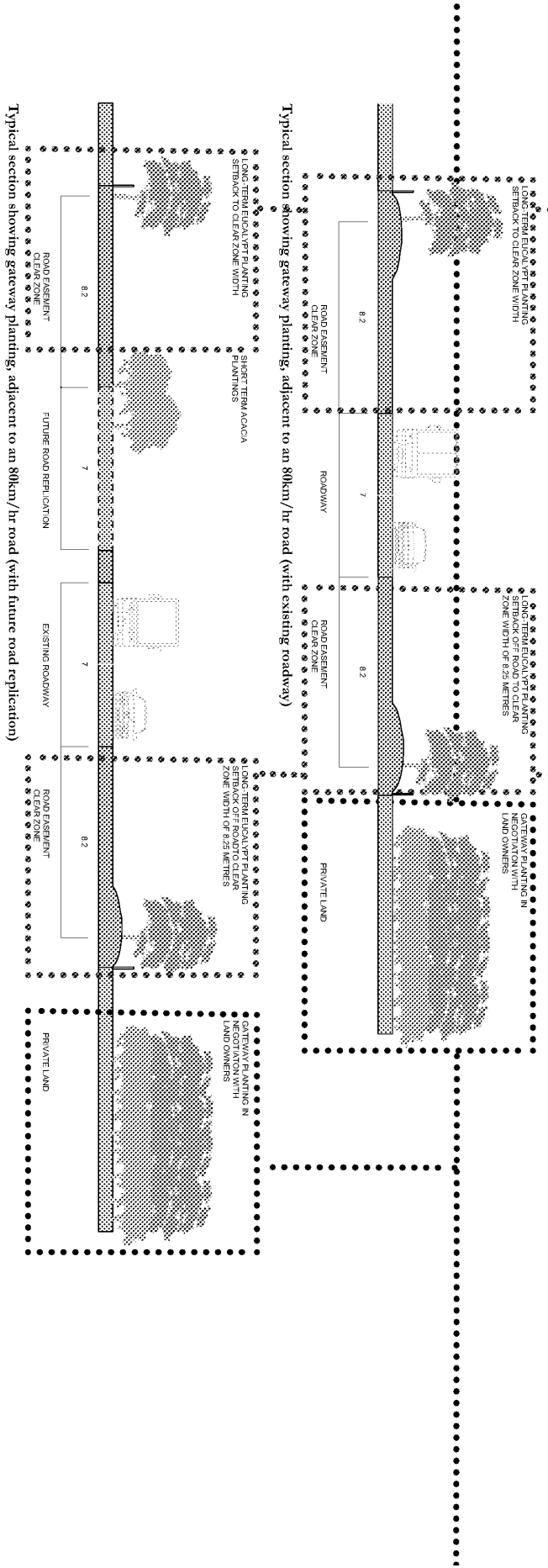
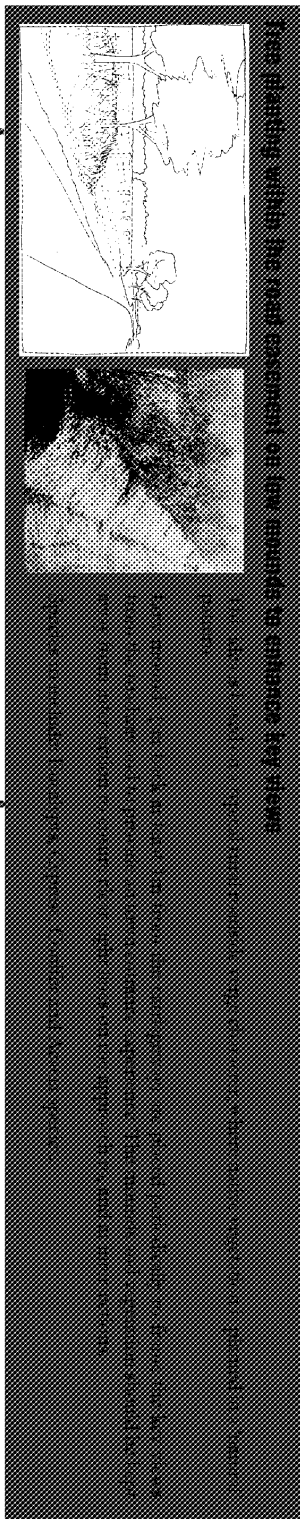


**PRIVATE LAND PLANTING THEME**



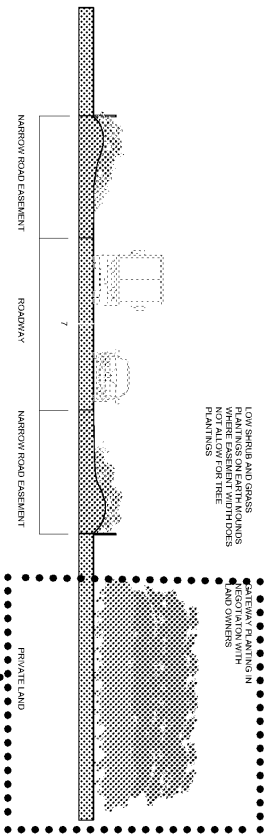


**80KM/HR PLANTING THEME**





**50 & 60KM/HR SECTION PLANTING THEME**



**Typical section showing a narrow road easement**

Where trees cannot be planted due to a narrow road easement, or a wide clear zone, small shrubs with trunks smaller than 100mm diameter should be planted on earth mounds where possible.

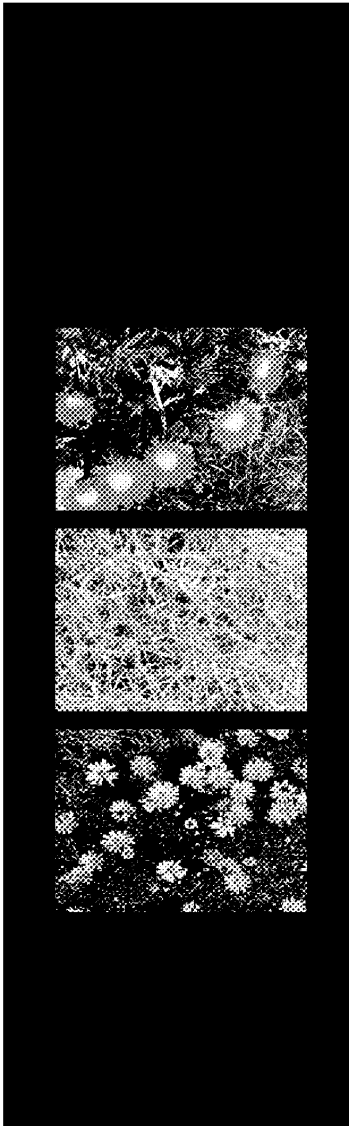


### 'A SERIES OF MOMENTS'

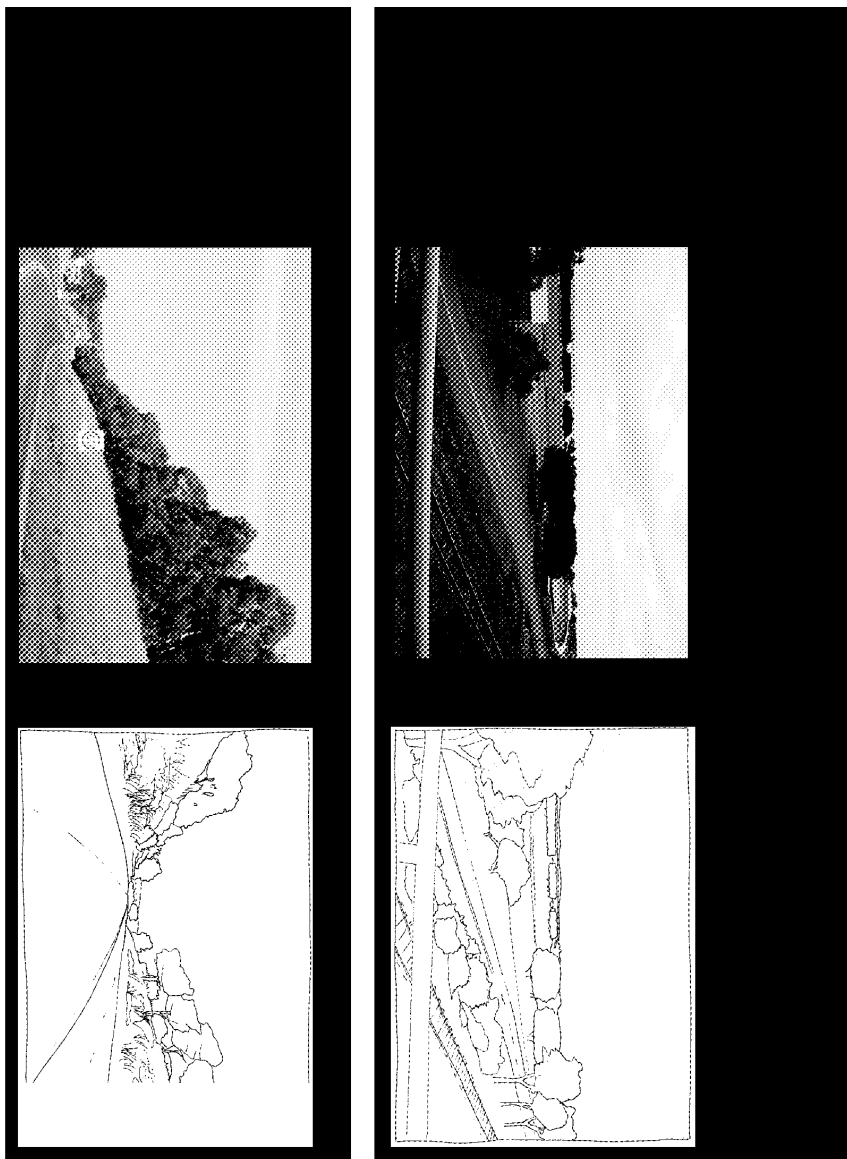
The three types of key entry 'moments' along the arrival zone to the CBD are:

- 1 Views towards the Lake
- 2 The cutting
- 3 Views to the showgrounds and industrial area

These 'moments' are identified on the Strategic Planting Opportunities Map on page 25 and their proposed treatment is explained right and on the following page.



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**RECOMMENDATIONS**

**Objectives**

- To enhance the arrival experience into central Colac through the use of distinct planting themes.
- To commence the town's Botanic Garden City theme at its entrances.
- To accentuate and enhance key landmarks in the arrival experience.
- To create a variety of spatial experiences as a part of the entry into the town centre.
- To improve the amenity and safety of entrance corridors.

**Strategies and Actions**

Develop detailed design concepts for each entrance in consultation with VicRoads and adjoining landowners based on the planting themes and key entry moment treatments in this section which:

- Emphasise important landmarks such as changes in road alignment, creek corridors, significant buildings, land uses or open spaces.
- Emphasise key moments along the arrival journey.
- Frame views to Lake and surrounding countryside.

As a priority, investigate opportunities for roadside planting along the western gateway.

Engage with the owners of the disused service stations at the eastern and western entrances to discuss options for improvement of these sites.

Audit all signs on public property and within the road reserve for the purpose of reducing excessive and redundant signage.

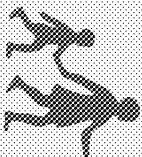
Work with landowners to remove excessive, redundant and poorly maintained signs from private property.

Undertake a strategy for the co-ordination and design of all signage along the entire entrance corridor including directional signage in the road reserve and signage on private property.

Prepare an advertising signs policy for inclusion in the Colac Otway Planning Scheme to manage signage on public and private property, particularly pole signs, promotional signs and rooftop signs.

Progressively relocate powerlines underground along the length of Colac's entrance corridors and throughout the Central Business District.

Talk to private landowners about planting on private properties.



## 2.3 Streets for People

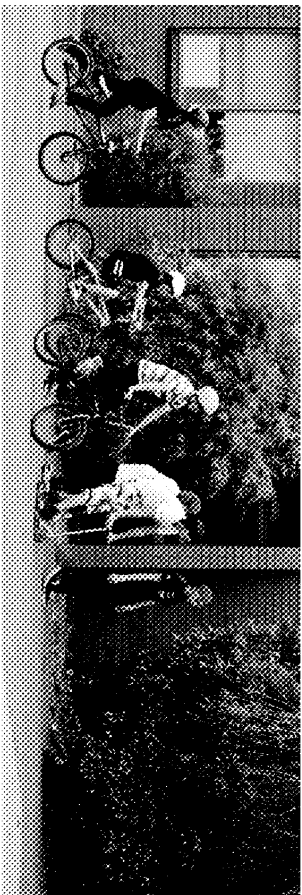
Colac CBD currently experiences a high volume of through traffic, including heavy goods vehicles, due to its location on the Princes Highway. This traffic significantly detracts from the CBD's amenity and safety.

Colac Otway Shire and VicRoads are currently investigating options to provide an alternative route for heavy vehicles and a road hierarchy that will divert freight traffic around the centre. This is a major initiative that will provide opportunities to improve pedestrian, bicycle and local traffic movements, as well as other public realm enhancements within the CBD.

At present the physical configuration and management of roads in the CBD facilitate car access and circulation. The roads are wide and dominated by moving cars or car parking areas, with limited congestion or traffic calming measures. This results in high traffic speeds and a poor quality pedestrian environment.

Access and movement initiatives developed as part of the Colac CBD & Entrances Project are intended to support:

- Creation of an accessible, safe and inviting public realm that encourages pedestrian and bicycle movement and connections.
- Enhancement of existing connections to, from and between key destinations.
- The future establishment of an alternate heavy vehicle route and calming of traffic within the CBD.
- Resolution of existing traffic management issues.
- Optimal use and management of existing parking facilities.



**ROAD HIERARCHY**

A hierarchy of road types has been developed in order to clarify the proposed function of key CBD roads, shown in the map **opposite**.

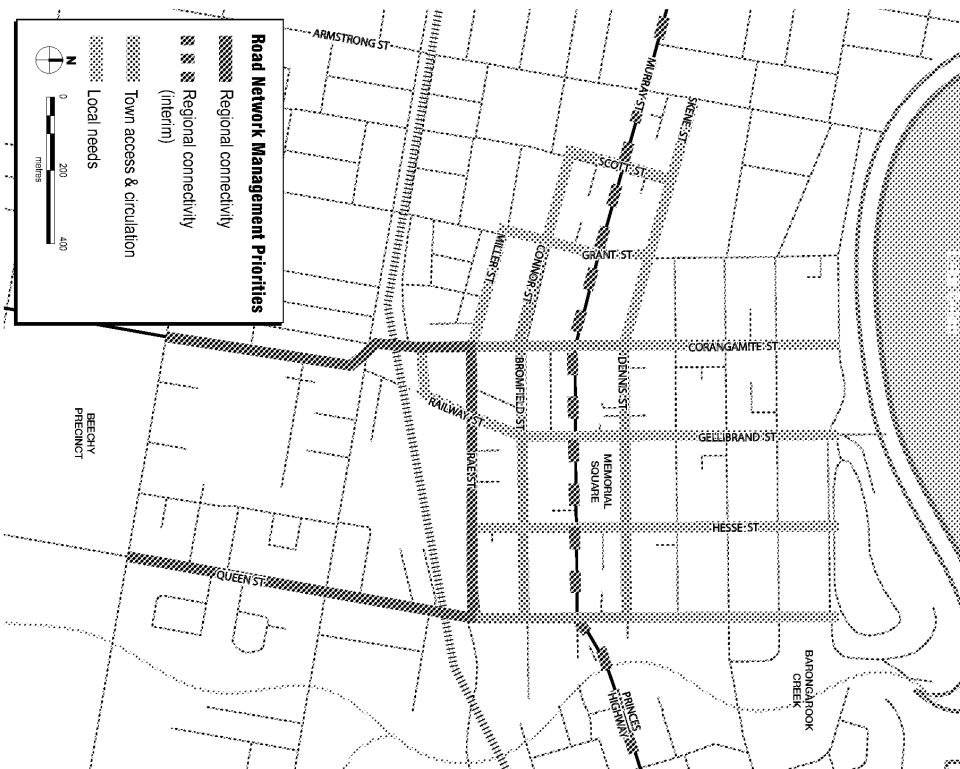
Currently, Murray, Corangamite, Rae and Queen Streets (shown in pink) serve as regional connectors, providing access to the heart of Colac from other parts of town and beyond. The role of Murray Street as a regional connector would change over time as an alternative heavy vehicle route is implemented.

Vehicle circulation and access would remain an important function of the CBD lengths of Queen, Dennis, Corangamite, Connor and Bronnfield Streets (shown in gold), particularly as these street provide access to the town's major car parks and shopping centres. The remaining CBD streets (shown in green) would serve local access needs.

The proposed road network management structure should inform and complement the official road hierarchy (currently under development). This means that roads nominated as having a town access and circulation function could remain as arterials in the official road hierarchy, but be managed to facilitate local circulation.

The management of arterial roads to promote local access and circulation is now widespread in activity areas throughout Victoria, and has successfully contributed to improvements in safety and increases in walking and cycling activity.

**ROAD NETWORK MANAGEMENT PRIORITIES MAP**





**Heavy traffic diversion**

The diversion of through highway vehicles from the CBD will make a significant contribution to the image and amenity of the town. In the short term, the focus should be on establishing an alternative heavy truck route; a longer term measure would be to establish an alternative route for all through freight vehicles.

The downgrading of Murray Street as a through route will allow further traffic calming measures to be implemented and enhancement of the CBD's main pedestrian street. Detailed concept plans have been developed for Murray Street, included in Section 3.

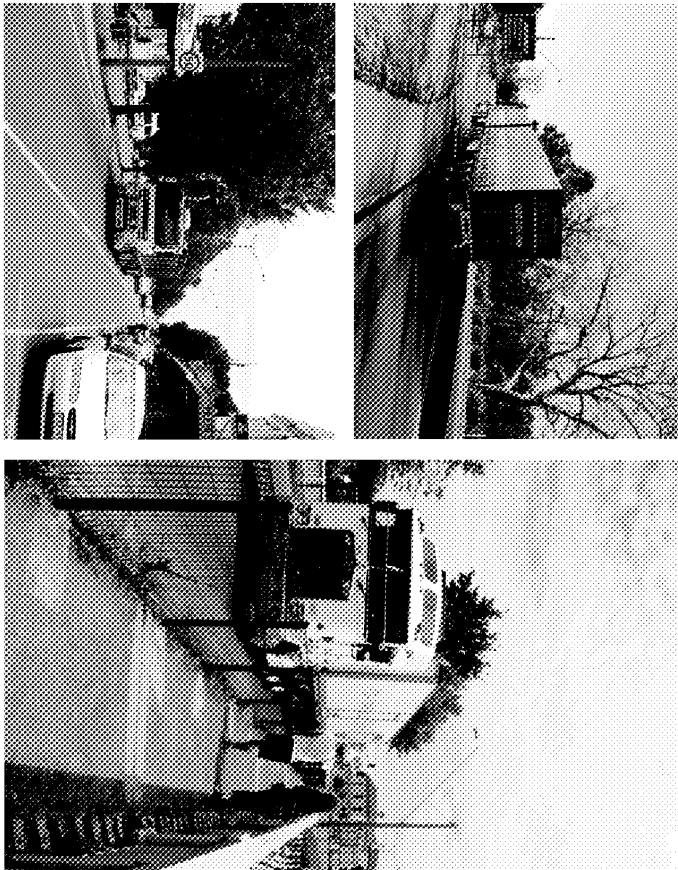
As the location and timing of the proposed alternative heavy truck route have yet to be confirmed, the Colac CBD & Entrances Project has identified a series of initiatives that can be implemented immediately and enhanced further when the alternative heavy truck route is fully operational. As a long-term strategy, the recommendations are intended to be both aspirational and flexible. There should be no need to delay implementation pending the outcome of other planning processes.

**Traffic Speed**

The introduction of a 40 kilometre-per-hour speed limit throughout central Colac would provide greater amenity and safety for all road users and encourage walking and cycling activity.

The implementation of 40 kilometre-per-hour speed limit zones within activity and strip shopping centres is now widespread throughout Victoria and has successfully contributed to a substantial reduction in accident occurrences. Importantly, the substantial research that has accompanied the reduction of speed limits in urban areas across Victoria shows that there is an insignificant impact on travel time and congestion.

Heavy vehicles along Murray Street.

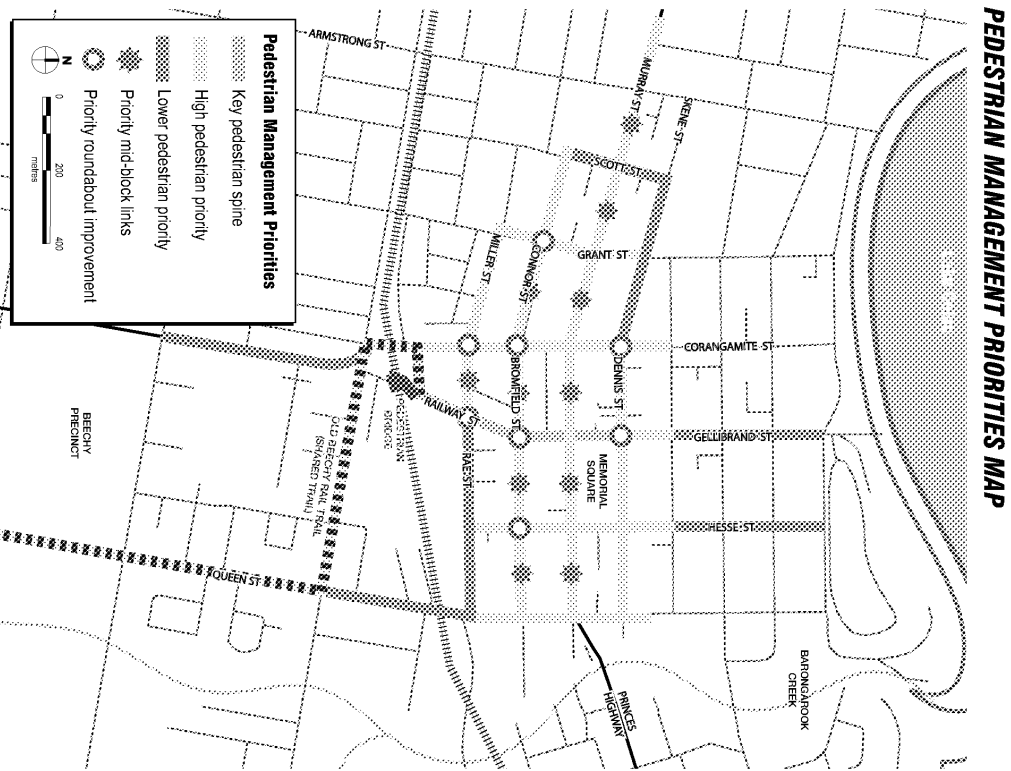
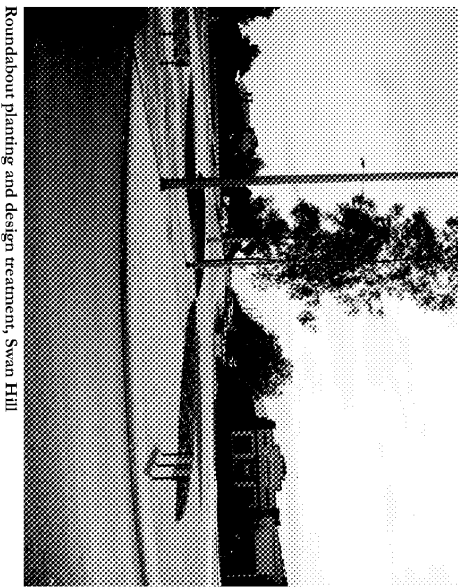


**PEDESTRIANS**

The promotion of a more pedestrian friendly town centre environment requires greater emphasis to be placed on the amenity of Colac's transport system for walkers and people using mobility aids. The management of streets should no longer be primarily focussed on the needs of the car.

Key pedestrian routes within the CBD have been identified, as shown on the map opposite. These routes link the focal points of the CBD's activity, including Murray Street, Memorial Square, Barongarook Creek, the core retail areas around Bromfield Street, the Connor Street Health Precinct, the Railway Station, Lake Colac, the Botanic Gardens and the Beechey Precinct.

Opportunities to enhance the pedestrian network include traffic management projects such as upgraded roundabouts and additional crossing points, discussed over the following pages.





### Roundabouts

There are numerous roundabouts located throughout central Colac. Most of these are designed to facilitate car access and circulation, have no pedestrian crossings and force pedestrians away from the desired travel path along the building line (see two photos right).

In some instances, different legs of the same roundabout have different treatments, creating confusion and safety hazards for pedestrians and drivers.

Increasingly in urban areas, roundabouts are now retrofitted with pedestrian (zebra) crossings on all legs. Where budgets permit, these zebra crossings are also accompanied by raised platforms to physically slow down vehicles (see conceptual photos below right of a raised zebra crossing before and after installation on the roundabout at Hart Street and Connor Street).

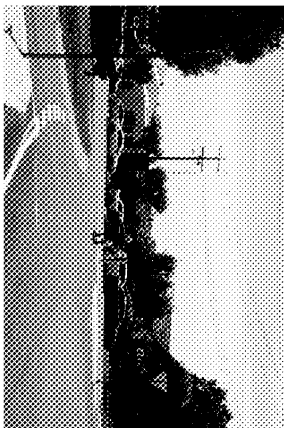
A program retrofit initiative for all roundabouts should focus first on installing painted zebra crossings on all legs, to be followed by implementation of raised platforms as budgets permit. Priority should be given to sensitive areas (such as Colac Area Health on Connor Street and Coranganite Street) and those intersections experiencing the highest number of pedestrian crossing movements.

Safety issues need to be considered to determine the type of treatment required and ensure that the crossing operates satisfactorily. In areas where raised crossings are not initially implemented and that have high traffic speeds, the location of the crossing relative to the roundabout should be considered to ensure pedestrian safety (while providing as direct a connection as possible). The extent of separation of the crossing from the roundabout, lighting and visibility issues need to be considered to ensure pedestrian safety, as current conditions are inappropriate at a number of roundabouts.

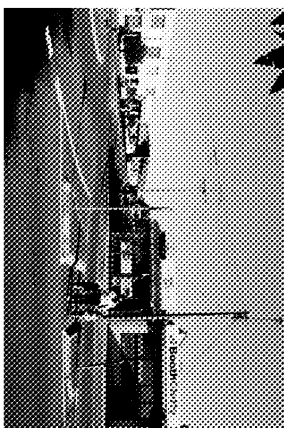
### Mid-block Crossings

There are numerous mid-block locations throughout central Colac where pedestrians are crossing the road without the assistance of a formalised crossing. Given the width of the CBD streets, this can be difficult or unsafe, particularly for people with limited mobility. The photos opposite highlight the wide carriageway and lack of pedestrian crossing opportunities.

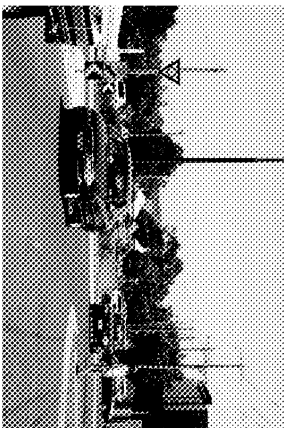
Safe crossing facilities are required for all key pedestrian routes. Locations in the high activity zones and near Colac Area Health should be prioritised for implementation, as shown on the Pedestrian Management Priorities map on the previous page.



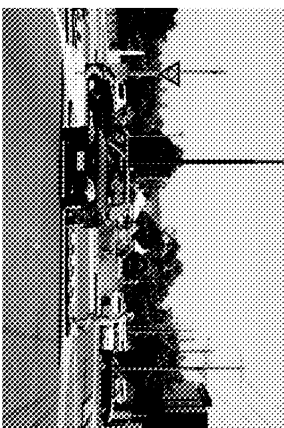
The majority of roundabouts provide no assistance to pedestrians



Before



After



Conceptual photos of a raised zebra crossing on the roundabout at Hart St and Connor St intersection

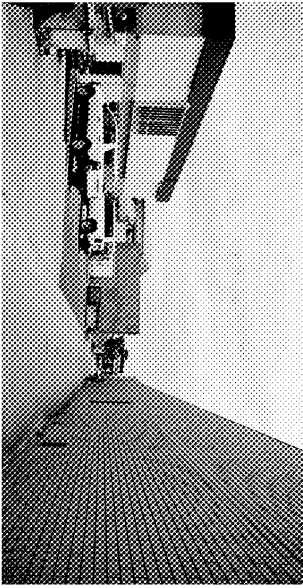
Treatments include painted zebra crossings (ideally with flashing pedestrian lights), raised platforms and pedestrian refuges within the central median or footpath extensions. The conceptual photos on the right show potential mid-block zebra crossing treatments on Murray and Bronnfield Streets.

The type of treatment and priority will be dependent on safety considerations, the volume of pedestrians and the budget allowance. For example, areas that experience high levels of truck traffic may warrant installation of pedestrian signals instead of zebra crossings.

**Pedestrian Permeability**

A network of laneways and arcades in the commercial centre can provide opportunities for mid-block shortcuts, opening up a range of inviting, 'hidden' spaces that offer different experiences and entitlements. Some of these laneways may be on private land which will require negotiation with owners and developers.

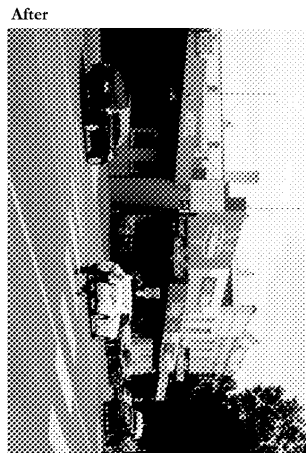
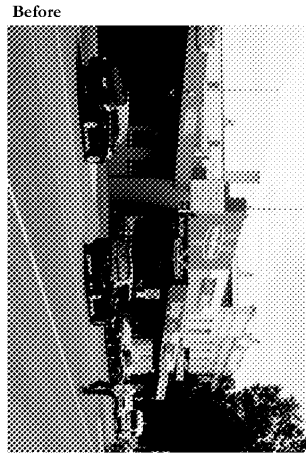
Johnstone's Lane (below right) is a great example of the potential that laneways have for creating exciting and intimate spaces within the CBD. Other lanes such as Amezdroz Lane (below) could be enhanced through the introduction of active frontages, pavement treatment, lighting, planting or artwork.



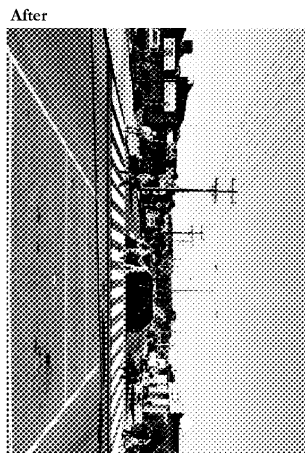
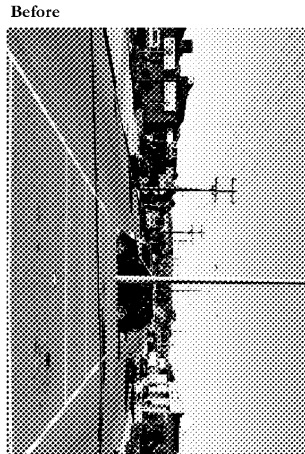
Amezdroz Lane



Johnstone's Lane



Conceptual photos of mid-block zebra crossing treatments on Murray and Bronnfield Sts





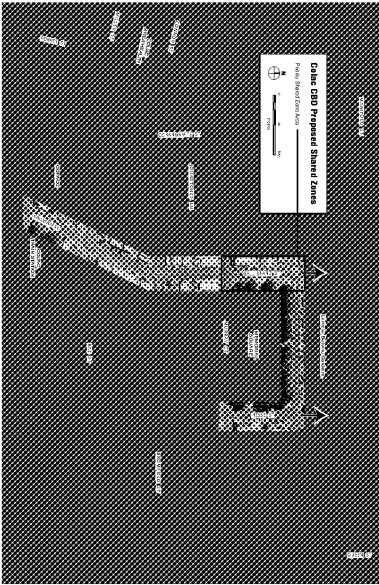
### Shared Zones

The pedestrianisation of the Colac CBD could be significantly enhanced by the creation of selected shared zones in areas of high pedestrian activity. Here pedestrians have the right of way over motorists and cyclists and can walk across the road space in any place at any time. Cars are permitted at a speed limited to 10km per hour (as defined by VicRoads) and within a narrowed space. The surface treatment of shared zones is designed to clearly signify a different street condition and communicate to drivers that speeds must be very low.

A shared zone could be created on Gellibrand Street at the western end of Memorial Square, illustrated in the conceptual images. For special events the shared zone could be closed to vehicle traffic completely. A detailed concept plan for this shared zone has been prepared, included in Section 3.

This design treatment could be applied around all perimeter streets of Memorial Square and eventually extended south along Gellibrand Street, as shown in the aerial view below, linking south to the Colac train station.

#### PROPOSED SHARED ZONES MAP

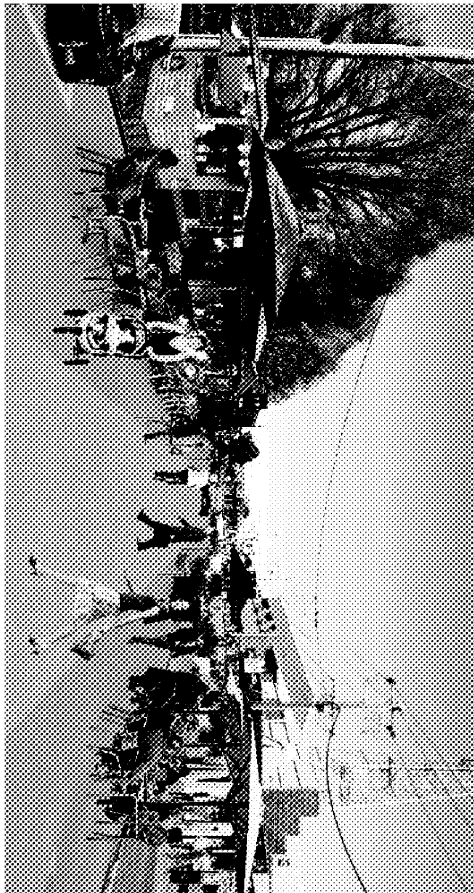


© 2011

Before



After



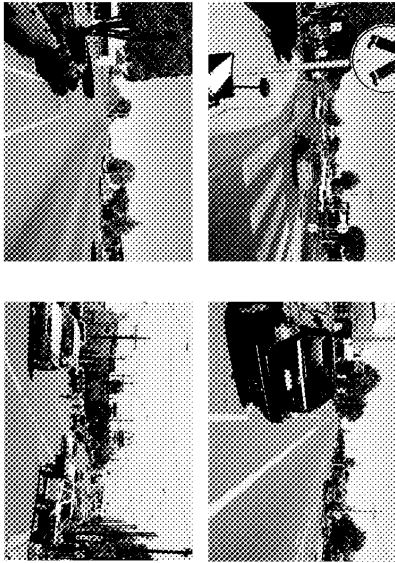
Conceptual photos of a shared space on Gellibrand St on the western end of Memorial Square

**BICYCLE MOVEMENT**

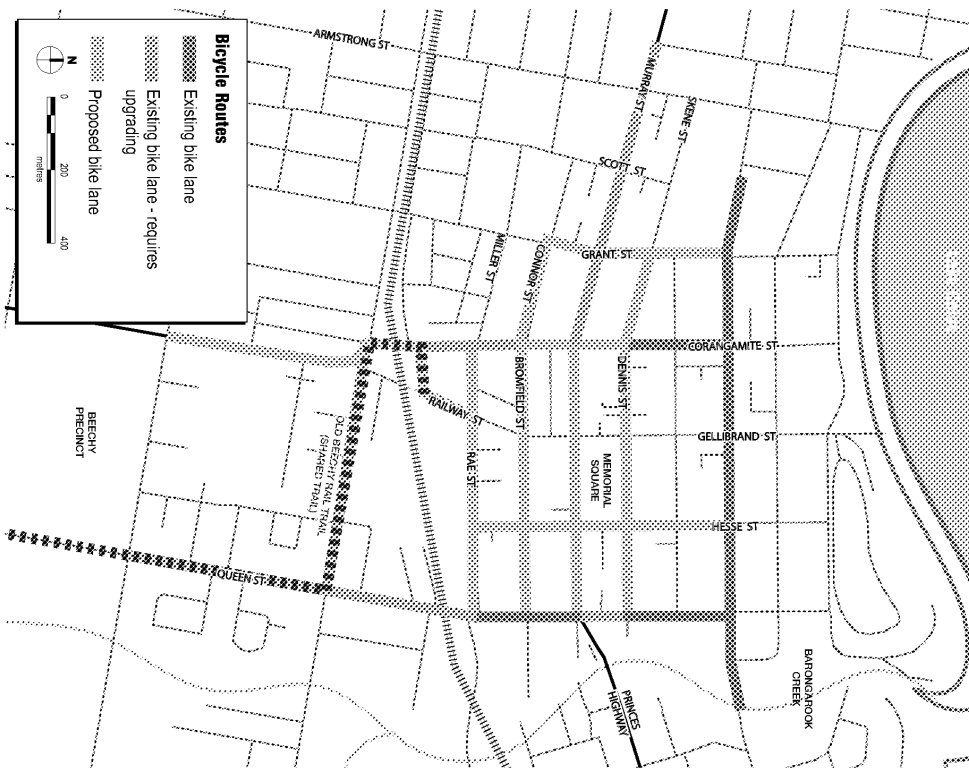
Bicycle lanes are provided in some areas of central Colac. The current extent of the bike lane network can be expanded to improve connectivity between destinations within and to/from the CBD. Existing bicycle facilities are generally not appropriately linked, limiting the ability for cyclists to travel safely and conveniently. Bike lane treatments are also discontinuous on some streets and inconsistent between streets. Lastly, there is conflict between car parking and bike lanes (both for parallel and angle parking), affecting safety conditions for cyclists. The photos below illustrate examples of existing bicycle facilities throughout central Colac.

When considering changes to parking configuration, safety implications for other users need to be considered. Specifically, the potential safety impact for cyclists is an issue as angle parking is far more dangerous than parallel parking with respect to cyclists (as motorists are "reversing blind" into cyclists' paths). Angle parking can give rise to an abrupt right angle conflict to an unsuspecting cyclist who may have no room to avoid collision. Within this context, and as a matter of safe and good design principle, angle parking should be avoided on routes where cycling activity will be promoted.

Existing bicycle conditions in Colac



**BICYCLE ROUTES MAP**



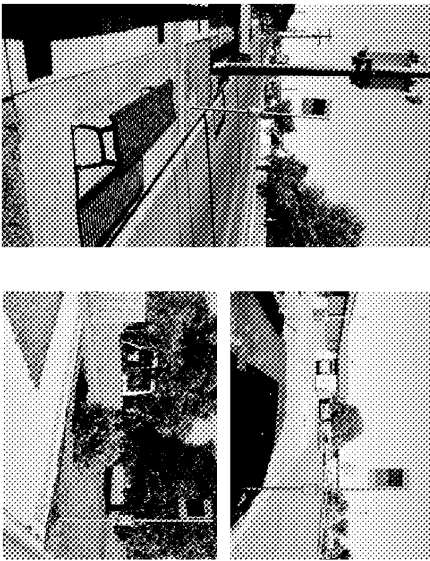
**BUS STOPS**

Colac is well serviced by three frequent bus services operated by Colac Transit in and around the town centre. The three bus routes provide convenient access to the shopping centre, healthcare facilities and other destinations in central Colac.

The Colac bus system provides good coverage and services in Central Colac. However, there are inconsistencies in the quality of bus stops throughout the bus network. For example, most stops do not have seats or shelter for passengers. Surface treatments are also inconsistent, with some shelters located on grassy areas, making them inconvenient particularly in rainy days.

Opportunity exists to implement a gradual program of improvement of bus stops. Improvements to be implemented may include the provision of shelter and seating in all stops, enhancement of surfaces at waiting areas, and installation of ramps to facilitate access for mobility impaired passengers and people with prams. Where missing, pedestrian crossings close to the bus stops can also be installed to facilitate access from both sides of the street.

Inconsistencies in bus stop quality



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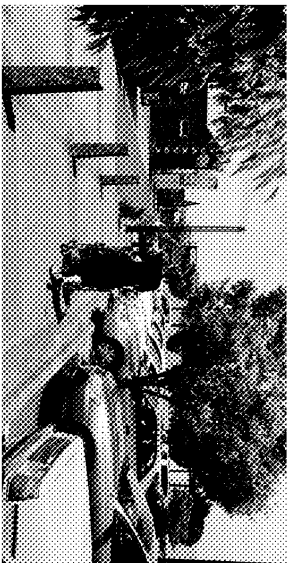
**CAR PARKING**

The CBD is well served by many different car parks, including formalised surface car parks managed by Council or major retailers, small spaces at the rear of commercial buildings for use by occupants and on-street parking (parallel, angle and centre). The Draft 2010 Parking Precinct Plan for the Colac Commercial Centre found that over the entire commercial centre the demand for on-street parking during the week is fairly modest with a peak parking occupancy of 58% at around 11:30 am. This compares with levels of 80-90% parking occupancy in busy activity centres.

Based on the relatively low occupancy and spare capacity of on-street parking, the Parking Precinct Plan recommended a reduction in parking rates for supermarkets and other retail uses. Within this context, opportunities exist for a more efficient use of the space devoted to car parking within the CBD.

Car parks that are not used to their full capacity take up valuable land within the core commercial areas and this land could be redeveloped for new business or retail uses. Selected existing car parks could be redesigned to improve their layout, capacity, pedestrian safety and appearance, or nominated as redevelopment opportunities. The number and location of family car parks (that provide extra width for families with strollers and for children to get in and out of cars) should be considered when examining alternatives to consolidate and relocate parking.

Johnstones Lane car park





## Recommendations

### Objectives

- To create a pedestrian-focused and well-connected public realm, particularly for those with limited mobility.
- To promote sustainable methods of transport, supporting walking and cycling as viable alternatives to car travel.
- To enhance existing connections to, from and between key destinations.
- To manage the road network, to optimise its safety, efficiency and amenity for all road users.

### Strategies and Actions

- Use the proposed road network management structure (refer to Road Network Management Priorities Map) to inform and complement the official road hierarchy (currently under development).
- Introduce a 40 kilometre per hour speed limit in the CBD.
- Confirm locations within key pedestrian areas that require priority treatment to improve pedestrian access and safety, as shown on the pedestrian Management Priorities Map.
- Implement pedestrian network improvements to priority areas, followed by other areas within the CBD:
  - Redesign roundabouts to include standardised design treatments and pedestrian crossing points that observe pedestrian movement desire lines.
  - Mid-block pedestrian crossings.
  - Increased pedestrian crossing times in locations with significant walking activity.
- Develop a permeable network of laneways and arcades, negotiating with owners and developers where necessary.
- Introduce a shared zone within Gellibrand Street, on the western edge of Memorial Square, as a pilot project.
- Investigate the potential to increase the shared zone area to the other streets surrounding Memorial Square and south along Gellibrand Street to the Colac train station.
- Introduce and upgrade bicycle lanes as per the Bicycle Route Map.
- Undertake a gradual program of improvement of bus stops, prioritising those within locations of high pedestrian activity.
- Investigate options for rationalising car parking within the CBD, whereby underused car parks are either redeveloped or improved.
- Redesign existing car parks to improve their layout, capacity, pedestrian safety and appearance.

## 2.4 Green Streets

The streets are the principal areas of public space within the Colac CBD and form the backdrop to everyday activity.

The streets of the CBD are generally very wide, which is an important part of the town's character. However, some places within the CBD appear to be dominated by paving or bitumen as a result, having not incorporated opportunities for planting in their design. Within key pedestrian streets, basic amenities such as seating and shade are often lacking. Pavement treatments also appear to be out of date or in need of repair in many places.

Streetscape and open space initiatives developed in support of the Colac CBD & Entrances Plan should encourage:

- Enhancement of key pedestrian streets through planting and pedestrian infrastructure.
- Well connected open spaces areas and corridors.
- Expression and enhancement of the natural environment.

### STREET PLANTING

Existing street tree planting within the CBD has been analysed in terms of the location and quality of significant trees, shown on the Existing Tree and Vegetation Assessment Map on the following page.

This analysis shows that many CBD streets benefit from mature planting. However, in a number of streets planting is lacking or trees have been dramatically pruned to avoid powerline disturbance, giving streets a somewhat barren appearance.

There are opportunities to introduce additional planting throughout the CBD. Coupled with the pedestrian prioritisation initiatives

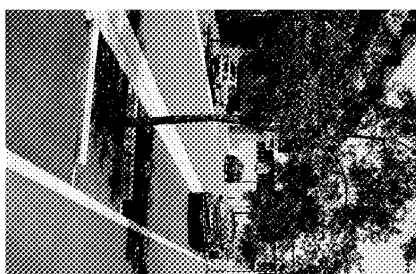
detailed in Section 2.3, there are many locations in which the space dedicated to cars and parking could be reduced to allow for additional landscaping.

Existing kerb lines could be extended into the wide road reserve to provide opportunities for additional planting of canopy trees. This would significantly add to the appearance of streetscapes and enhance pedestrian amenity by providing shade and shelter from the elements. Extended kerbs and additional planting will also create a more favourable environment for al fresco dining or small 'pause places' with seating and add to the vibrancy of the CBD's streets.

The option of creating new central medians is an alternative approach to adding canopy trees within a streetscape. Central medians, if wide enough, can also act as pedestrian refuges for road crossings, as currently occurs in Murray Street.

An important consideration for future planting of new canopy is to avoid the severe pruning required for powerline clearance. Central median planting is one approach, and the other would be the eventual undergrounding of powerlines.

New streetscape works and reallocation of roadscape to areas of landscape offer opportunities to introduce water sensitive urban design (WSUD) in the urban areas of the CBD (see photo of example treatment in Zealand, Sydney right). Many streets have a road camber that would facilitate water run-off to the road edge, allowing WSUD gardens to capture and treat water run-off before entering the drainage system. WSUD tree pits could be installed at other locations throughout the CBD.

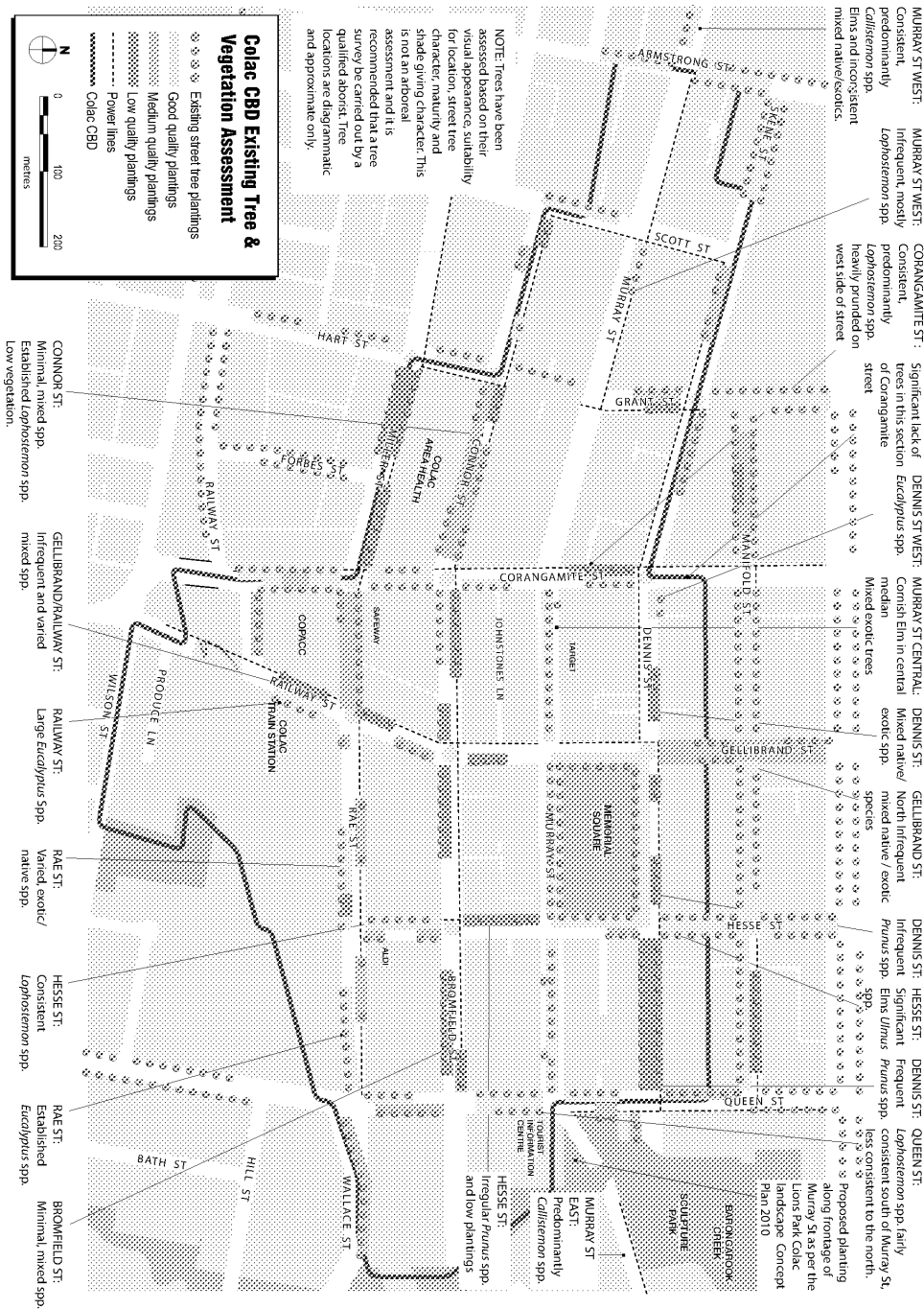


WSUD treatment, Zealand, Sydney



Johnston's Lane

**EXISTING TREE & VEGETATION ASSESSMENT MAP**





**STREETSCAPE IMPROVEMENTS PRIORITY**

A streetscape improvement priority plan has been developed (next page) identifying Murray Street and Bromfield Streets as having the highest priority for improvement based on existing retail activity. Streetscape improvements involve provision of better connections, planting, pavement treatments

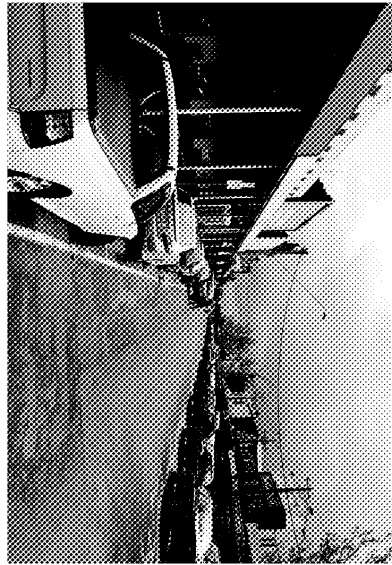
**Murray Street** is regarded as the principal street of the CBD. The focus should be on maintaining the highest quality streetscape treatments and attention to design detail, to enhance the visitor experience and perception of Colac. The upgraded streetscape treatment would extend from the eastern section into the western section of Murray Street, to Armstrong Street.

**Bromfield and Rae Streets** are core retail activity streets, where the focus should be on practical and comfortable streetscape treatments that enhance the day to day pedestrian experience.

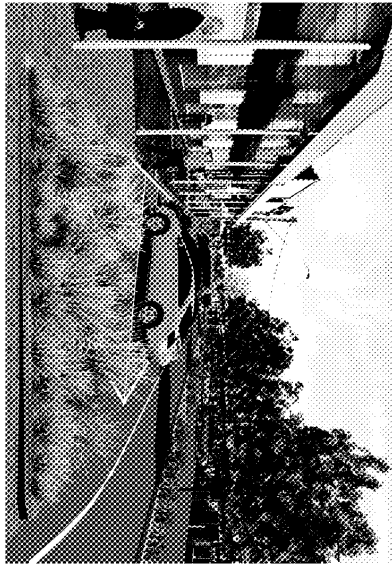
**Coranganite and Queen Streets** are the key north-south connecting streets, that provide for an enhanced pedestrian experience as well as improved bicycle connections, in addition to carrying higher volumes of vehicular traffic.

**Gallibrand and Hesse Streets** are the key north-south pedestrian connections between the Station, Memorial Square, Murray Street, the Botanic Gardens and Lake Colac. With lower traffic volumes, Gallibrand and Hesse Streets have the potential to be downgraded as a vehicular connection and upgraded as a higher pedestrian amenity street, by extending the landscape connection suggested in the Lake Masterplan further south to the Station and implementing traffic calming measures.

Before



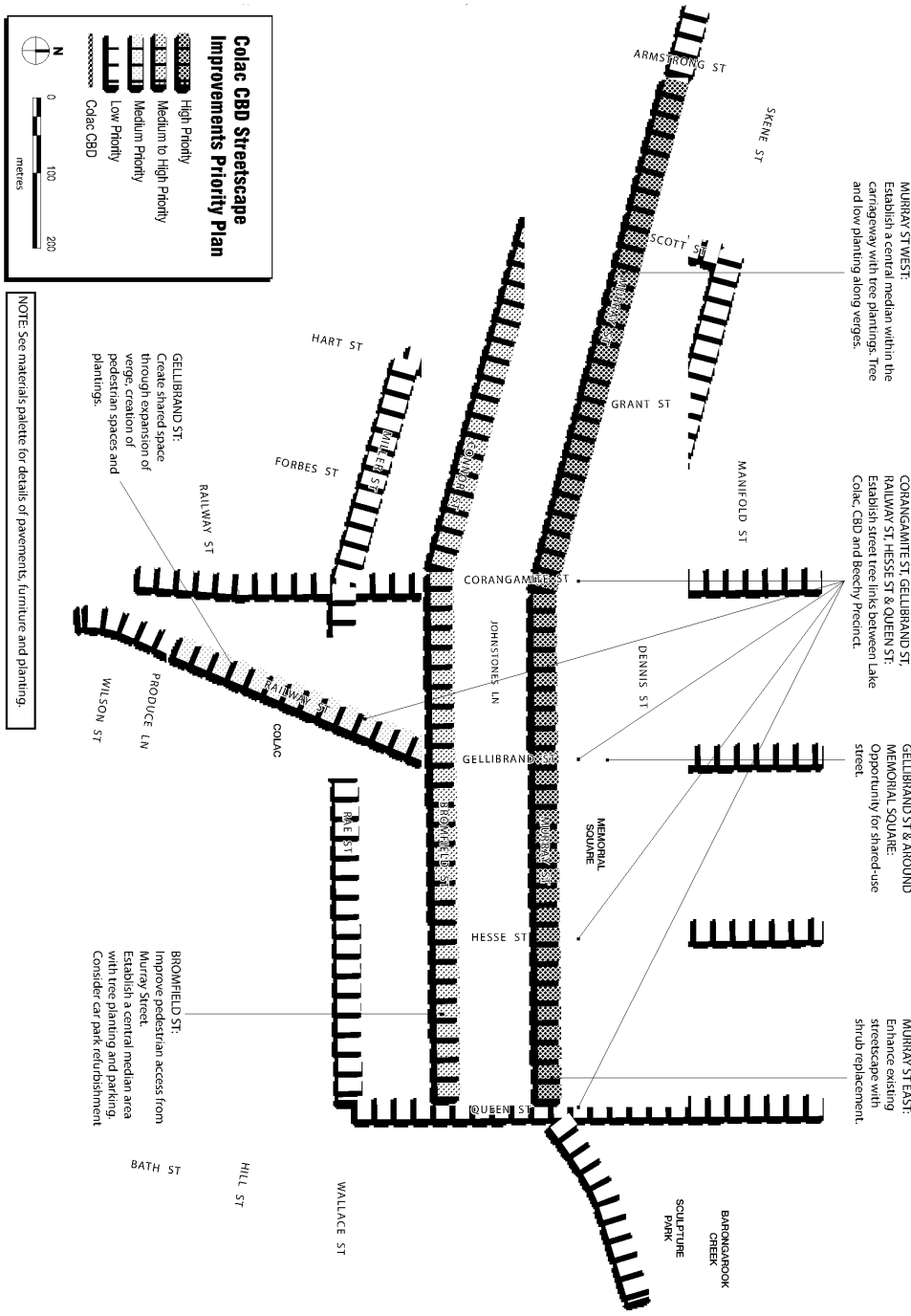
After



Before and after concept design study for Armstrong St, Ballarat. Central car parking removed and planting beds introduced in central median and kerb extensions.

© 2011

**STREETSCAPE IMPROVEMENTS PRIORITY PLAN**



### STREET FURNITURE & MATERIALS

As part of an overall approach to identify and enhance the character of Colac, a series of “hot spots” could be identified within town, centred on the main destinations or attractions within the CBD. These spots could then be the focus for initial improvements to the quality of materials used and street furniture elements provided for users. They could also become the location for any future public art or feature treatment through signage, shelter or lighting.

In addition, a footpath trading strategy would assist in managing outdoor dining, retail stalls and temporary signage within footpath spaces to ensure pedestrian safety and access is maintained and a co-ordinated appearance.

Overall, the location and style of all street furniture of the CBD should be reviewed to adopt a consistent approach to the style and location of items such as seats, rubbish bins, recycling bins, drinking fountains, bicycle hoops and electric gopher recharge points.

A hierarchy of streetscape treatments should be developed to complement the role of each part of the CBD and to reinforce the range of spatial experiences. This would include paving surfaces, planting themes and a co-ordinated suite of street furniture and signage. The following pages show the existing suite of street furniture and possible enhancements.

### PUBLIC ART

Public art can make an important contribution to local sense of place as a means of celebrating a community’s culture and history. Public art projects can take many forms, ranging from significant commissions in prominent locations to art that is incorporated into general elements of public infrastructure, such as street furniture, paving or lighting. Within Colac, the ‘Botanic Garden City’ theme in itself may become a form of the town’s public art program.

It is essential that public art is installed in a strategic and co-ordinated

way. A public art strategy should be developed that seeks to engage artists from the local region and specifies a clear curatorial process to oversee the selection, siting and procurement of each art piece.

### SPACES

Memorial Square is the principal open space within the CBD. It is an iconic feature of Colac and is highly valued symbolically and as a place to enjoy outdoor life. Memorial Square benefits from mature planting and a range of facilities such as toilets and the playground. While the layout of the park is functional and attractive, in several areas it appears to be in need of additional maintenance and upgrading. Memorial Square is discussed in detail in the following section.

The proximity of the Botanic Gardens and Lake Foresshore is a key feature of Colac CBD. There is a lack of a sense of connection to these important spaces.

Street trees and creek corridors also play an important role in defining Colac’s character and providing vegetated linkages between built up areas and the lake. Although the quality and consistency of street tree avenues has diminished over the years, there are still excellent examples such as Hesse Street that provide a unique character that could be further enhanced.



## Existing Streetscape Palette

### AMULETS

#### Existing Furniture Types

A review of the existing pavements has been undertaken and the following assessment taken:

- Various furniture types are throughout the central area.
- The most common type is maroon coloured bins, bollards and seats.
- The maroon / brown colour, although dominant in the streetscape, can "date" quickly and is well utilised in many rural towns and cities of Victoria. However it is a well established Colac town colour and should be continued.

### BIKS

Steel bins in the Colac central areas are coloured 'heritage red' or maroon. Services boxes are also coloured with the heritage red colour.

### PAVEMENTS

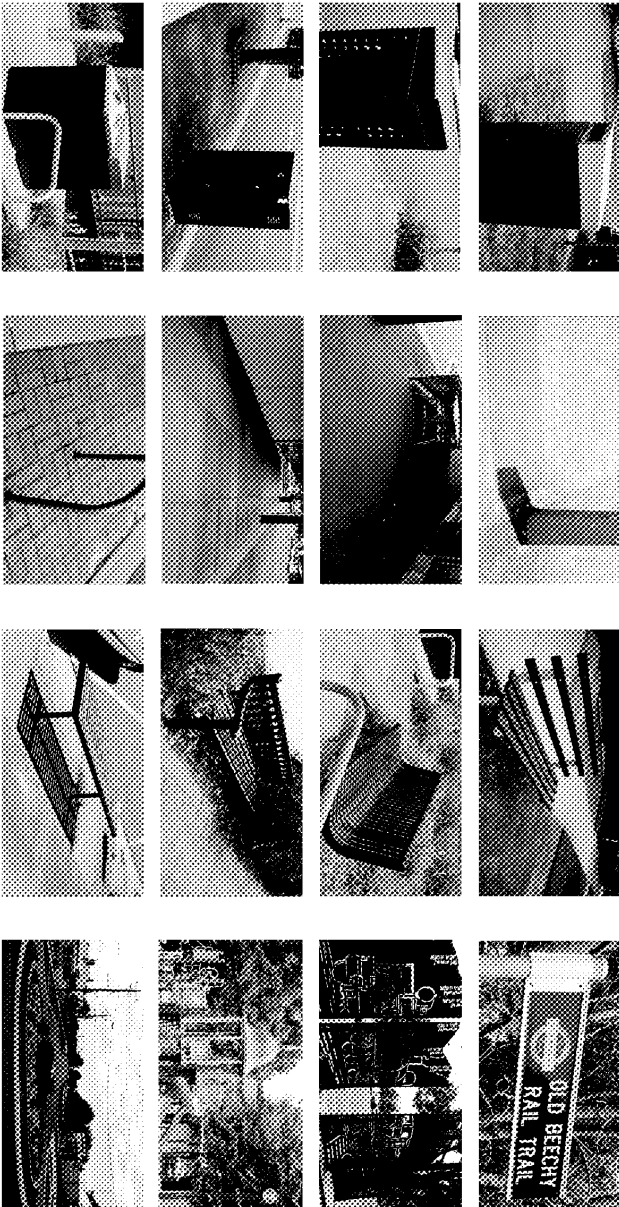
A variety of surfaces including in-situ concrete, concrete pavers, brick pavers and bitumen. Many of these surfaces are in disrepair.

### SEATS

A mixture of seating styles are found across the Colac CBD. Materials include painted timber or metal with stainless steel. The unifying colour is 'heritage red'.

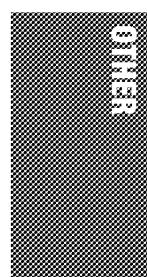
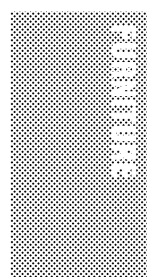
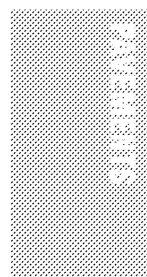
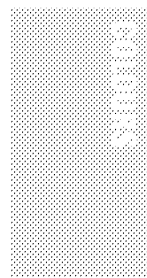
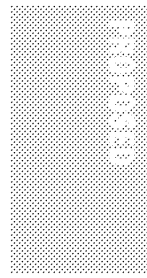
### OTHER

Artwork, signage, light poles, bollards and feature brick work all follow the 'heritage red' colour theme.





## Recommended Streetscape Palette



### Proposed Furniture Types

Over time replace and upgrade the existing furniture with a palette that is more sensitive to the rural character of the area, making better utilisation of timber and stainless steel.

The overriding colour within Colac is a dark maroon brown/red, commonly called 'heritage red'. It is suggested that the colour continues to be used but sparingly only on selected objects (i.e. seats and bins but preferably not on lights and bollards).

The pavement should be a "neutral" ground plane. People, street activities and planting provide colour and attraction. Use only light beige or charcoal coloured pavement. Remove the use of brick and brighter coloured "orange" tones pavers.

Timber and metal furniture. Existing steel bins to continue to be used. Suggested seat - stainless steel base with certified timber or other material slats. (Furphy Foundry Civic Seat) GOV 93

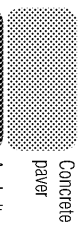
New seats and bins recommended to utilise plain materials to ensure their recessiveness in the streetscape. Simple natural timber bollards to be used where appropriate. Stainless steel bicycle hoops and water fountains.

### Design Guidelines:

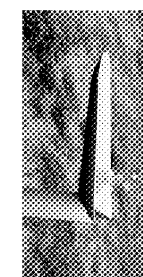
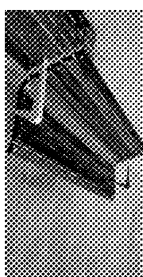
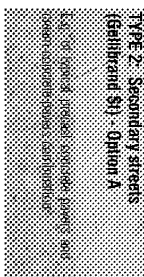
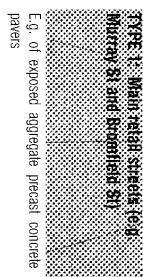
Stainless steel (or galvanized steel with non rusting finish).

Timber or other sustainable material (e.g. wood and recycled plastic combination timber).

Use of maroon / brown finish on selected elements only (i.e. bins and seats).



Key streetscape palette materials:



## Recommendations

### Objectives

- To develop a network of well planted streets throughout the CBD.
- To improve the appearance and pedestrian amenity of streetscapes as the key activity areas of the CBD.

### Strategies and Actions

- Introduce additional planting and pedestrian amenities throughout the CBD.
- Extend kerb lines into the wide road reserves to provide opportunities for additional planting of canopy trees
- Create new central medians to add canopy trees and act as pedestrian refuges for road crossing.
- Avoid the severe pruning required for powerline clearance (e.g. by central median planting, undergrounding of powerlines).
- Introduce water sensitive urban design (WSUD) in any new streetscape works or reallocation of roadspace to areas of landscape (e.g. WSUD gardens, tree pits).
- Implement streetscape improvements as shown on the Streetscape Improvement Priority Plan.
- Identify a series of "hot spots" (key destinations / attractions in the CBD) as the focus for initial improvements for public realm improvements.
- Use the suggested street furniture and signage enhancements to guide a co-ordinated approach to future public realm upgrades.
- Develop a strategy for inclusion of public art in Colac's CBD and establish a curatorial process to oversee the selection, siting and procurement of each art piece.

## 2.5 Built Form

Buildings relate to all aspects of a township's functions and amenity, and are a key factor in creating attractive and liveable streetscapes. The Colac CBD comprises built form of varying quality, including a range of architectural styles that reflect all eras of the town's development.

There are many older buildings within the CBD that are of great interest or heritage significance, and these buildings tell a story in bricks and mortar of the town's development. However, there are also many buildings in need of improvement that present poor quality facades and landscaping to the street, many of which are located in core activity or pedestrian areas.

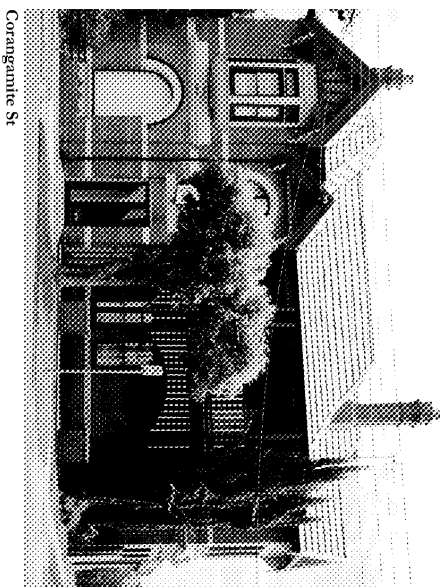
To support the overall objectives of this project, built form and land use initiatives developed in support of the Colac CBD & Entrances Plan should encourage:

- Well designed, good quality buildings that contribute to an attractive and liveable streetscape.
- Better use of underused sites and buildings throughout the CBD.
- Activation of streets to the north and south of the Murray Street retail area.
- Identification of key sites that present development opportunities.
- Protection and conservation of heritage buildings and trees.
- Re-activation of existing historic and architecturally notable buildings as an important aspect of Colac's character.
- Orientation of buildings to laneways and public spaces.
- Better utilisation of mid block links between streets and creation of new links.

### HERITAGE

Many intact historic commercial, residential and civic buildings contribute to the strong 'country town' character of Colac. Most of these buildings were constructed in the early twentieth century and represent the Edwardian, Interwar and early modern eras. A number of significant individual early buildings remain; among them the former Post Office (1889) and Shire Hall (1892) at the eastern entry to the CBD.

Murray Street in particular is lined with an eclectic mix of architectural styles that illustrate all eras of Colac's history. Many of the buildings are remarkably intact (particularly between Queen and Hart/Grant Streets), with deep verandahs providing excellent pedestrian amenity. The verandahs are generally cantilevered without kerbside supports, in keeping with the predominantly early 20th-century period of construction.



Coranganite St

Other qualities that contribute to the positive built form character of Murray Street and other areas of a 'finer grain' character include the existence of parapets, often with decorative pediments, concealed roofs, a mix of materials and the presence of regular windows at first floor level.

There are also a number of old industrial buildings that add to the character of Colac's CBD, and these buildings may have the potential for retention and adaptation to new uses over time.

Protection and conservation of the buildings that contribute to Colac's image and identity is fundamental. Opportunities exist to encourage the creative re-use of older buildings that will see them enhanced, well utilised and maintained.

### IDENTITY AND CHARACTER

The key built form elements that contribute to the identity and character of the CBD's streetscapes are the scale of buildings, the 'grain' of development within the street (i.e. the frontage widths of buildings) and the location of buildings on the site.

The central retail and key pedestrian areas of the Colac CBD have a markedly different character to the outer streets of the study area, principally due to a 'finer grain' of development comprising narrow shopfronts, a slightly higher scale and buildings set to the street edge. This traditional type of development makes a positive contribution to streetscape amenity and supports pedestrian activity, and should be encouraged within these areas. Specific guidelines have been prepared for these 'finer grain' areas to reflect this character.

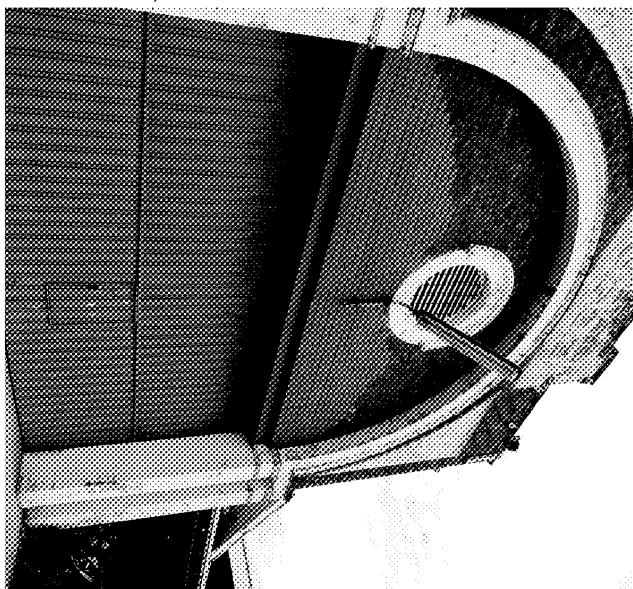
In other parts of the study area, buildings have a larger footprint and are surrounded by a greater amount of space, which is often used for car parking and in many instances have inadequate landscaping. This type of development is designed to accommodate car traffic and detracts from pedestrian amenity.

Overall, the CBD has a low scale character, with most buildings

being single or double storey in height. Due to the wide nature of the main streets in the CBD single storey buildings look 'squat', lack presence and do not define the streetscape.

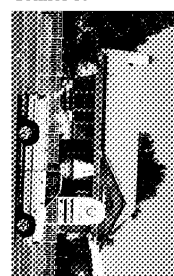
However, many older double storey buildings would equate to a modern three storey building due to their tall floor to ceiling heights. These taller buildings, particularly in the 'finer grain' retail areas, are a positive architectural presence. Being constructed to the front boundary, they define the streetscape, and often present an active frontage. For this reason, and many others, including the promotion of mixed use developments, the development of three storey contemporary buildings should be encouraged.

Former Fire Station, Dennis St

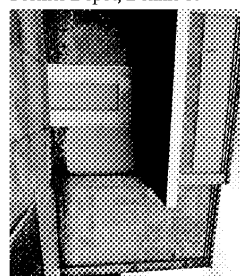


Many older and distinctive commercial buildings show much promise for creative re-use options

Connor St



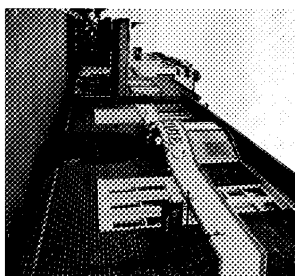
Former Depot, Dennis St



CBD Eastern Entrance



CBD Eastern Entrance





**PEDESTRIAN AMENITY**

As noted, buildings make a significant contribution to the level of activity and amenity within a streetscape. Nevertheless, there are instances where buildings are not well designed and fail to make a positive contribution to the streetscape; for example, by presenting blank facades to the street or including car parking within the frontage setback. These typologies do nothing for the street life or pedestrian amenity of the town centre.

All buildings should address their streetscape context with some form of considered design response. This might include articulation through materials selection, building form, placement of windows and doors, landscaping or an art installation.

Within the retail areas, where business livelihoods depend on a higher degree of pedestrian movement, buildings should maintain a physical and visual connection with the street to contribute to its activity and offer a sense of surveillance. Buildings can also contribute to streetscape amenity by providing awnings over footpaths for protection from rain and wind.

Another urban design element that adds to the positive qualities of the CBD is the existence of secondary streets and laneways, providing mid block pedestrian connections. While the urban design strengths of many of these secondary connections is yet to be realised, those that have been redeveloped with active uses e.g. Johnstones Lane, provide a point of interest in the town's CBD (see photo above right).

**QUALITY OF NEW BUILDINGS**

Currently there is a lack of contemporary buildings of a high design quality that convey a strong or positive message for the CBD. The many opportunity sites within the CBD present scope for development of new buildings to support additional activity and to improve the CBD's image as a progressive place.

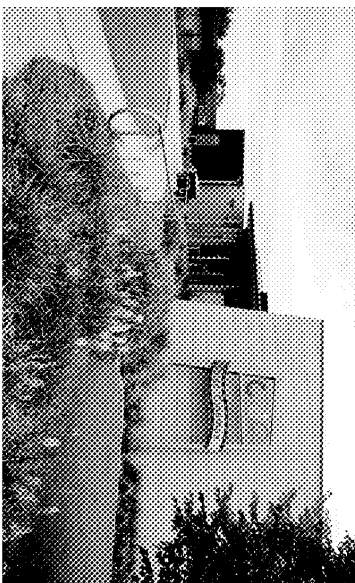
New development must be designed to make a positive contribution to the image and character of the CBD and enhance its streetscapes (like COPACC as shown below). Throughout the CBD, and particularly on key sites, a high standard of architectural design must be required of applicants.

Guidelines for new development have been prepared to assist Council and applicants, setting out basic parameters to address the key design issues of the CBD's heritage context, encouragement of contemporary design responses and the contribution buildings make to the street, particularly within retail areas.

The redevelopment of buildings or sites offers the opportunity to incorporate Ecologically Sustainable Design (ESD). Simple design measures can have a powerful effect – providing shade protection, improving thermal performance of buildings, allowing cross ventilation and reducing wind effects. Progressively, the value of 'green buildings' will become increasingly recognised in regional Victoria, as it has in the capital cities. Council can play a lead role in demonstrating the advantages of ESD in Council projects and actively encouraging ESD in private development, for example larger commercial buildings present opportunities to apply techniques such as water harvesting and solar power generation.



Johnstone Lane, a point of interest in the CBD



COPACC is a well designed contemporary building



**CBD BOUNDARY**

The CBD is developed at a low density, with land uses spread over a large area. An important part of creating a town centre that is vibrant, people-focused (as opposed to a dispersed town centre where car access will dominate) and economically viable is to consolidate activity within the central area as much as possible.

The Colac Structure Plan (2007) and the Retail Assessment (2009) both emphasise the importance of maintaining the role of the CBD as the focus for commercial and retail activity, utilising the existing supply of Business zoned land for future growth. In addition, providing for a range of residential development within or close to the CBD is an important initiative, to maintain the CBD's vibrancy and provide a range of accommodation options.

The identification and redevelopment of opportunity sites within the CBD should be encouraged to foster a more efficient use of space and contribute to an improved urban environment.

**OPPORTUNITY SITES**

The CBD has many underused sites that are vacant, comprise surface car parking or are occupied by buildings at the end of their useful life or single storey in scale. All of these scenarios offer great potential to 'fill in the gaps' in the CBD with new, well designed buildings.

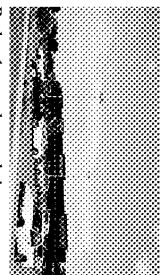
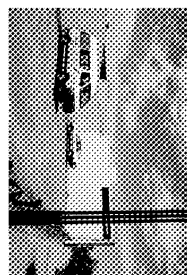
In addition, there are many opportunities to develop space at the rear of buildings, particularly along Murray Street, which would assist in creating street frontages to the rear and encouraging a network of laneway connections. Some buildings also have underused spaces in the upper levels. Many existing single storey buildings offer an opportunity to extend upwards.

Given the potential demand for additional large floor space redevelopment, it is important that sites suitable for large scale retail development (up to 3000m<sup>2</sup> plus car parking), within easy walking distance to existing retail areas, are identified.

**Safeway Site - Opportunity Site Example**

The Safeway site is located within the heart of the CBD retail area. Currently the building presents black walls to Rae Street and COPAC opposite, as well as Amezdroz Lane which is a very well used thoroughfare, and a large expanse of surface car parking to Bromfield Street.

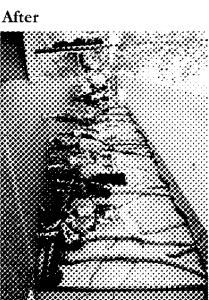
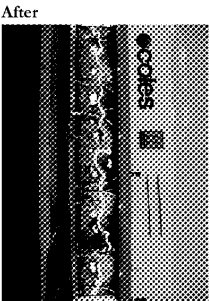
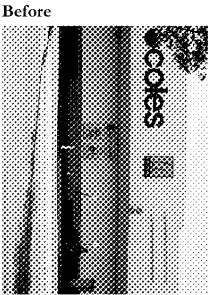
Ideally, these blank wall edges should be redeveloped with active uses and transparent frontages to the street and laneway. However, until the site is redeveloped, the pedestrian environment and safety of these interfaces could be improved with the creative use of lighting and landscaping. This might include espaliered vegetation to create a vertical garden on the walls adjacent to Amezdroz Lane, or an art lighting installation. As an example, the Coles supermarket in Wodonga has transformed an unsightly blank wall on its key pedestrian street into a vibrant artwork which is appreciated by locals and visitors alike.



Redevelop underused sites



Provide active frontages opposite open spaces



After

Transformation of Coles Wodonga's blank wall into an artwork and community focal point  
Images: creative-communities.com

## Guidelines For New Development

### APPLIES TO ALL OF CBD

#### New Development

- Protect important view lines and town entrances from inappropriate development and its associated signage.
- Orientate building entrances and windows to streets and lanes, with 0m setbacks from street boundaries and car parking located to the rear.
- Ensure that buildings adjoining or opposite open spaces provide active frontages to increase interaction with and passive surveillance of the space.
- Avoid the construction of blank walls facing streets, lanes or public spaces.
- Demonstrate that there will be no overshadowing of public spaces or private open space from 11am-3pm on 21 March and 22 September.

#### Heritage

- Ensure that new development within, or adjacent to, an identified heritage place respects the scale, form and siting of the heritage building.
- Retain key views to landmark heritage buildings.

#### Identity & Character

- Promote high quality contemporary architecture that complements the older buildings of the centre, and adds to the story of the town's development and its distinct eclectic character.
- Show design innovation and careful composition of all the elements that comprise the design of built form – openings,

colours, materials, textures etc.

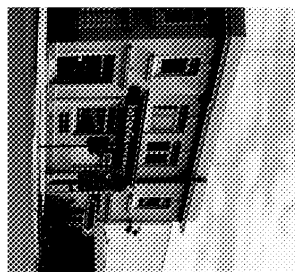
- Consider how lighting could be used creatively to enhance the night time appearance of buildings and pedestrian safety in the retail and pedestrian areas.
- Encourage the incorporation of advertising signs into building design and under awnings, avoiding roof top, above verandah and freestanding signs.
- Encourage the removal of existing roof top, above verandah and freestanding signs, particularly as sites are redeveloped or uses changed.

#### Residential Development

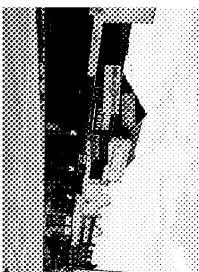
- Ensure that dwellings have a street address.
- Encourage the provision of outdoor areas in higher density development through the inclusion of small courtyard spaces, balconies at the upper levels or rooftop gardens.
- Locate and orient residential buildings to minimise adverse amenity impacts from adjoining uses, such as shops, cafes or loading/service areas.
- Ensure the provision of adequate servicing access.

#### Environmentally Sustainable Design

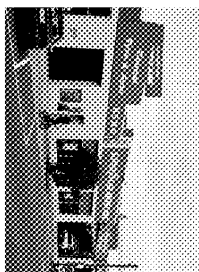
- Provide acoustic insulation in mixed use developments or in residential developments that are located near potential noise sources.
- Encourage ESD measures that are integrated into new buildings or incorporated in the retrofitting of existing buildings e.g. energy efficiency and solar passive



Encourage development with minimum height of 3 storeys, consistent with 2 storey Victorian buildings in retail core



Maintain the traditional fine 'grain' nature of the retail core



Discourage site consolidation in the retail core

design, rooftop gardens, greater water efficiency, waste management practices, use of sustainable materials and adaptability of design.

**APPLIES TO FINER GRAIN AREA**

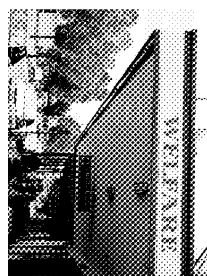
The following guidelines apply to the finer grain area shown on the following page.

**New Development**

- Require all new development to be constructed to the front boundary at ground, first and second floor levels (i.e. 0 metre front setback), creating a continuous 'wall' of buildings to the street.
- Encourage development that is a minimum of three storeys (or the equivalent of two storey Victorian buildings).
- Encourage the development of landmark buildings that address the intersection, on prominent corner sites.
- Discourage site consolidation and maintain and reinstate the traditional fine 'grain' (i.e. frontage width) of the narrow shopfronts.
- For buildings on wide frontages, the design of facades should reflect the fine grain of traditional shopfronts through an emphasis on vertical articulation. This can be achieved through the placement of windows and doors, and the use of other architectural details such as colour, texture and materials.
- Vehicular access to buildings should be provided from rear and side laneways. Driveway entrances and the visual impact of garage doors on building frontages within the core retail area is discouraged.

**Pedestrian Amenity**

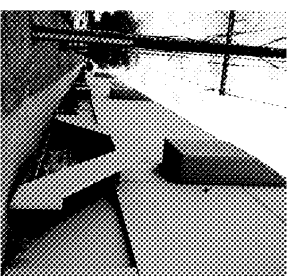
- Retain laneways that provide a pedestrian connection between main streets, and encourage their upgrade and redevelopment with active uses.
  - Provide weather protection for pedestrians on key pedestrian routes by ensuring that awnings and verandahs are incorporated into the design of new developments.
  - Enhance the pedestrian environment through considered design of ground floor facades e.g. transparent shop or office fronts, entrances directly off the footpath and visually interesting design details.
  - Ensure that higher scale buildings avoid an increase in wind effects at street level. This could include greater articulation of wall surfaces, or the provision of awnings.
  - Encourage new lane connections between streets.
- Heritage**
- Retain older buildings that contribute to the streetscape character, and retain, recycle or re-use existing buildings of architectural merit or character wherever possible.
  - Encourage the restoration of heritage shopfronts, particularly those which are part of an intact group of buildings and obscured by unsympathetic painting, signage or false facades.



Provide weather protection in retail core



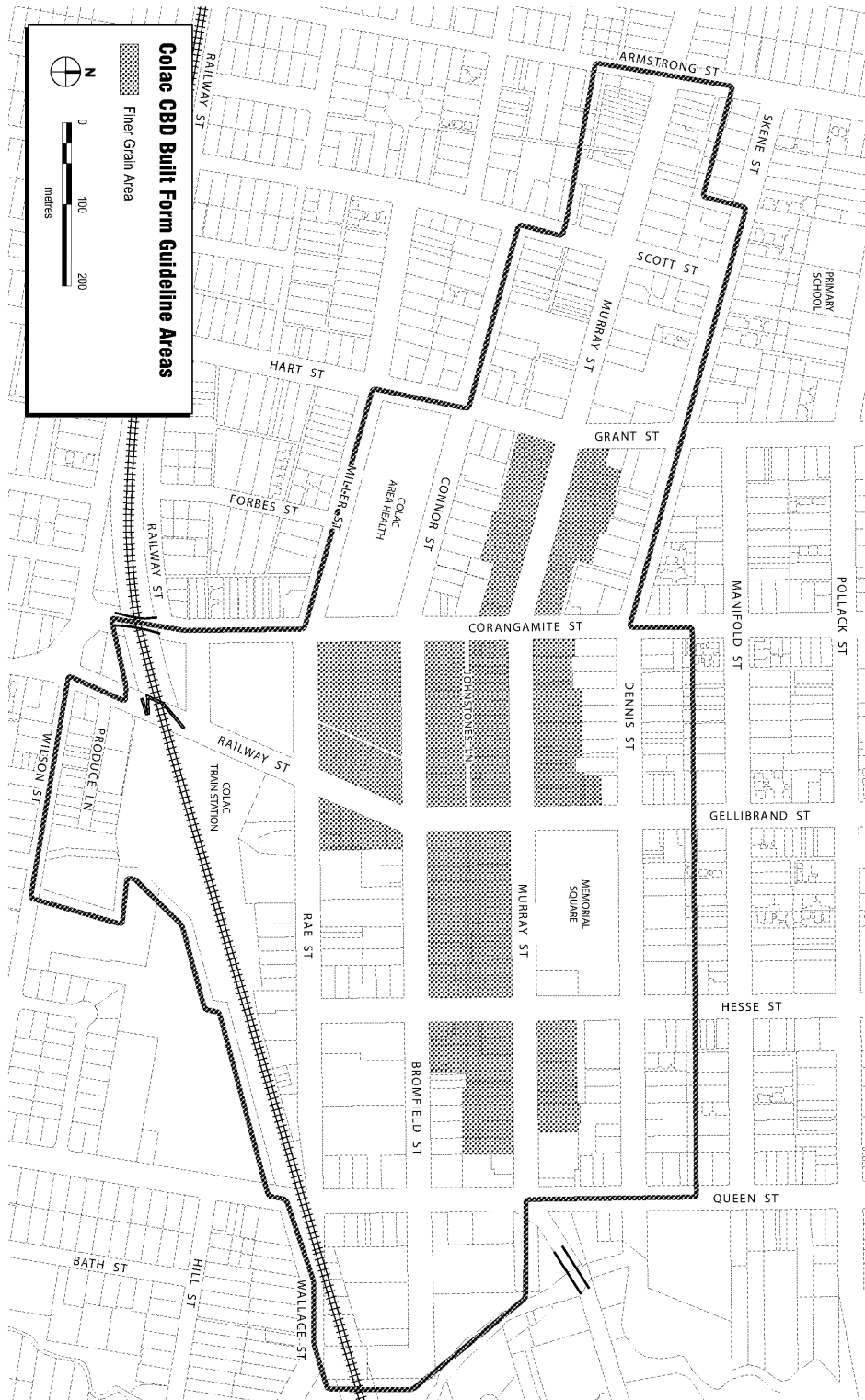
Retain laneways providing links in retail core



Address blank walls at Safeway site



**BUILT FORM GUIDELINES AREAS MAP**



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COLAC OTWAY SHIRE | Colac CBD & Entrances Project [Draft for Consultation]

## Recommendations

### Objectives

#### Within all areas of the CBD:

To encourage the development of buildings that maximise use of available space within the CBD, and create a vibrant and people-focused centre.

To protect the heritage buildings of the CBD

To create a distinct character and image for the CBD through the quality of new buildings.

To support high quality residential development within the CBD.

#### Within the finer grain area:

To ensure that all buildings promote activity and enhance the pedestrian amenity of the core retail area.

To require a high standard of architecture and urban design that enhances the street life of the core retail area.

To encourage a consistent minimum scale of buildings within the core retail area that define the streetscape and add to the identity of the centre.

To create pedestrian-scaled and focussed street interfaces and reduce the visual, amenity and safety impacts of car parking and accessways.

### Strategies and Actions

Ensure that major retail and commercial developments locate within the Colac CBD (Business 1 and Business 2 zoned land only), rather than outside the town centre.

Encourage redevelopment of underused or vacant sites in the CBD and discuss redevelopment options with site owners. This

may include surface car parks, vacant land at the rear of buildings (particularly along Murray Street), upper levels or single storey buildings which could potentially be developed for mixed use.

Facilitate the development and/or redevelopment of opportunity sites to foster a more efficient use of space within the CBD.

Ensure the preservation of significant heritage buildings and encourage their adaptive re-use or restoration.

Undertake public realm improvements as required to enhance the setting of key heritage sites.

Encourage and promote mixed use and medium density residential development in the CBD.

Explore opportunities for reduced car parking rates associated with new commercial development.

Encourage the removal of roof tops, above verandah and free standing signs, and other visually dominant signs, as sites are redeveloped.

Encourage new development within the CBD to incorporate Environmentally Sustainable Design (ESD) initiatives.

Encourage and facilitate a high quality of architecture within the CBD:

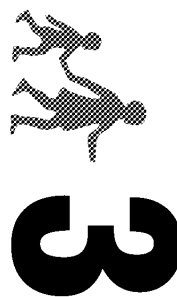
- Encourage developers to use qualified and experienced design professionals (and suitably experienced heritage professionals for heritage sites) and reinforce the message that good design can save long-term costs and increase property value.

- Establish a design review panel for major development applications.

- Continually foster urban design skills in planning staff and provide design advice for applicants.

Implement building design guidelines through the Planning Scheme.

**Design Concepts**







A number of 'design concepts' have been developed for specific areas within the CBD. These areas have a great opportunity to enhance the activity and appearance of the CBD. This section provides detailed analysis, directions and recommendations for each area. Detailed design guidance regarding the future implementation of works and potential funding for these areas will be dealt with in the next stage of this Project (Stage 5).

The five areas are:

1. Memorial Square
2. Eastern CBD Entrance
3. Murray Street West
4. Bronnfield Street
5. COPACC & Station Precinct

Each concept comprises a series of smaller projects that could be developed in stages as time and budgets permit. The concept plans offer possibilities for immediate action as well as longer term projects.



## 3.1 Memorial Square

### Existing Conditions

Memorial square is the social and civic heart of Colac. It is a place of remembrance, but also relaxation. It is the 'village green' of Colac that supports a range of activities, from people stopping to rest and enjoy outdoor life, to the staging of major social events and gatherings.

Memorial Square is an established and traditional park space, with a formal symmetrical layout and exotic planting. The War Memorial is of great significance to the town and a focal point of the park. The predominantly intact perimeter planting of mature elms is heritage recognised and creates a distinct enclosed park space. A conservation management plan is required to ensure appropriate management of this highly significant and valued space which is a key defining element of central Colac.

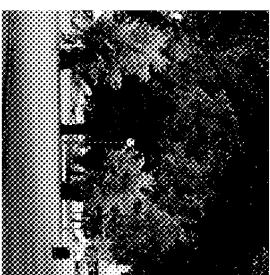
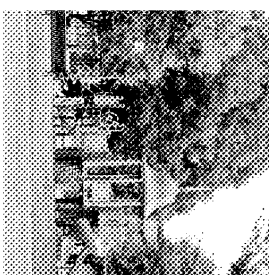
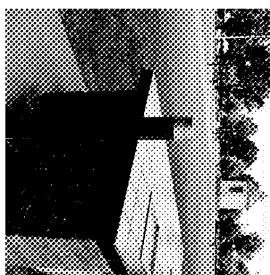
Memorial Square provides a number of well-used facilities for locals and visitors, such as a bus shelter, toilet blocks, playground, barbecues, picnic tables and seating. However, a co-ordinated design theme is lacking among this infrastructure and some of the facilities appear outdated or in need of upgrading.

Memorial Square has an important role as a key tourist stop-off point along the Princes Highway, and there are opportunities to enhance the tourist focus within and around the Square. Use of the Square for more public events and activities could also be enhanced through the provision of additional event-related infrastructure.

A concept design has been prepared (shown over the following pages) that includes the creation of a shared traffic space zone along Gellibrand Street and the western edge of the Square developed as a multi-functional community space with the replacement of the existing toilet block. This section of Gellibrand Street could also be

temporarily closed to traffic for major events. Additional parking for caravans and campers is also provided on the northern edge of the park along Dennis Street

A long term vision for the Square could see the shared traffic zone extended to all perimeter streets and surrounding buildings engaging with the activity of this space. Adjoining businesses or cafes could provide an active frontage to Memorial Square and take advantage of views across the park.



## Recommendations

The recommendations for Memorial Square are illustrated by the concept map on the **opposite page** and are also explained below. More detailed discussion, as well as detailed concept plans and photomontages are provided on the **following pages** for the western edge of the Square, along Gellibrand Street.

### Undertake a conservation management & concept design plan

The importance of Memorial Square is recognised through planning policy by means of heritage and vegetation overlays. However, to maximise the future potential of the landscape to the town, to preserve the character and historic layout of the park and to better understand the evolution of the park over time, it is recommended that a Conservation Management Plan be carried out. To balance the heritage value with future social activation of the space, the conservation plan should be integrated with a concept design plan.

### Review provision & quality of existing facilities

As a key 'stopping place' for visitors to the town, facilities should be strategically located around the square. Seating, water fountains, toilet facilities and shelters should be provided at appropriate 'nodes' and coordinated signage and information provided. The existing toilet block should be removed and the western edge redeveloped, with a new toilet block, new bus stop and updated facilities including visitors' information. Local information and signage should be provided at the Square to encourage visitors to explore key destinations in Colac. New street furniture and materials should complement both the heritage elements within the park as well as the proposed street furniture materials along Murray and Gellibrand Streets. Natural and plain materials are to be used to ensure their compatibility within the historic setting. New bus and camper van parking is proposed along the north side of Dennis Street.

### Tree planting & protection

New perimeter planting along Gellibrand, Dennis and Hesse Streets

on the side away from the park is proposed to enhance the area around Memorial Square. This planting should not block views to the memorial. Planting is not proposed along the street on the side of the park because the edges of the park are already well lined by trees. This will also ensure flexibility in the activities that will be possible along the edge of the park, particularly along Gellibrand Street.

A tree condition survey should be carried out by a qualified arborist (if not already done). Root protection areas should be established to ensure activities which may cause compaction of the tree roots area are not permitted in these areas. Any building works within the root protection area should be sensitively designed to minimise tree root disturbance. Long term irrigation options should be considered.

### Expand the events programme

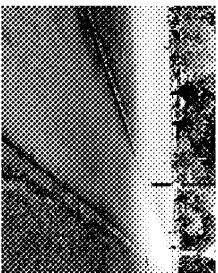
To better utilise the square for local, community and regional events, the existing events programme should be promoted and enhanced. Events could include outdoor concerts, art walks, crafts fairs, parades, theatre, seasonal botanic festivals and farmers markets.

### Review path layout

As part of the conservation management plan, consider upgrading path surfaces and review path connections. Consider returning to original layout.

### Surrounding roads

To reduce the impact of traffic to the Square and the surrounding roads, a raised pedestrian crossing should be installed in Murray Street. Raised shared-use zones along Gellibrand Street and other surrounding streets should also be investigated. This is a long term vision that would see a reduction in the road width to create greater space for landscaping, including high quality planting beds, grassed areas and trees representing chosen planting themes for the area.





**MEMORIAL SQUARE CONCEPT PLAN**

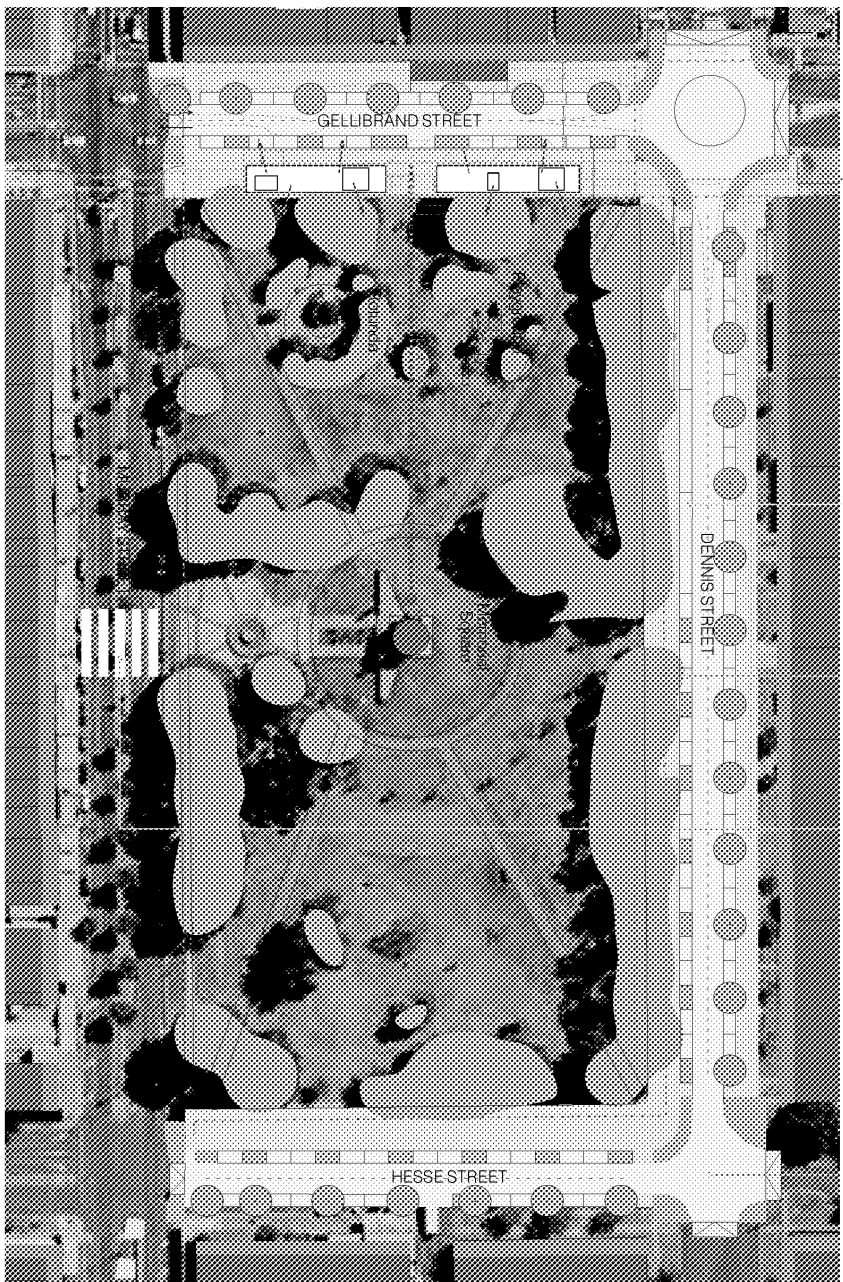
Existing bus stop and toilets to be replaced with new toilets, shelter with visitor information and bus stop

Bus & camper van parking bays

Bus parking bays can be repeated here if necessary

Raised pedestrian crossing

Raised shared-use zone for two way traffic along Gellibrand St, Dennis St and Hesse St



This concept plan identifies a long term option that would involve:

- raising the road pavement on Gellibrand, Dennis and Hesse Streets to the same level as the footpaths;
- converting all car spaces from angled parking to parallel parking; and
- reducing the width of the roadway to approximately half the size to slow traffic and create more space for landscaping.

This type of layout would place emphasis on pedestrian access and act as a 'shared zone' involving low volumes of traffic and slow speeds.

It is important to note that this approach would result in some reduction in the number of car parking spaces.

Alternative approaches, such as the retention of angled parking on Dennis and Hesse Streets, could also be considered if the reduction in the number of car parking spaces is considered unacceptable.

**Legend**

- Proposed outland with tree planting
- Proposed low planting
- Two way car access ramp into shared space
- Interaction of surrounding buildings with the shared space encouraged

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**WESTERN EDGE**

The western edge of the Square along Gellibrand Street could be improved (**opposite page**). The existing toilet block forms an unattractive edge to the Square and obstructs views to the Memorial. The building and street treatments along Gellibrand Street could also provide a better sense of connection with the Square.

Detailed concept maps and a photomontage (**following pages**) have been prepared showing the western edge of the Square developed as a community space accommodating additional tourist facilities and events infrastructure. The photomontage demonstrates how the view to the Memorial will be opened up. The designs show the western edge of the Square in two different scenarios:

1. How the space would look everyday
2. How the space might look in the case of an event

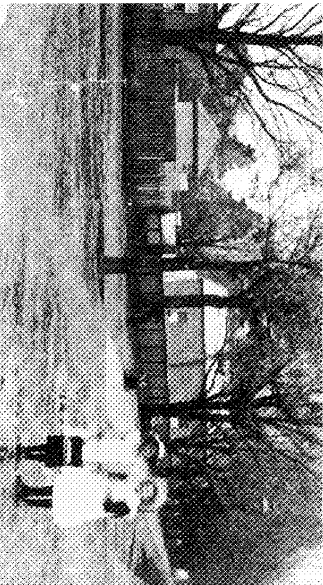
This includes the creation of a shared traffic space zone along Gellibrand Street, which would provide a more pedestrian focussed environment and offer scope for temporary street closure for events.

A new structure to replace the existing toilet block provides a range of facilities that includes updated amenities, possible coffee cart point, infrastructure for events, tourist information displays and a local bus stop.

**Aims**

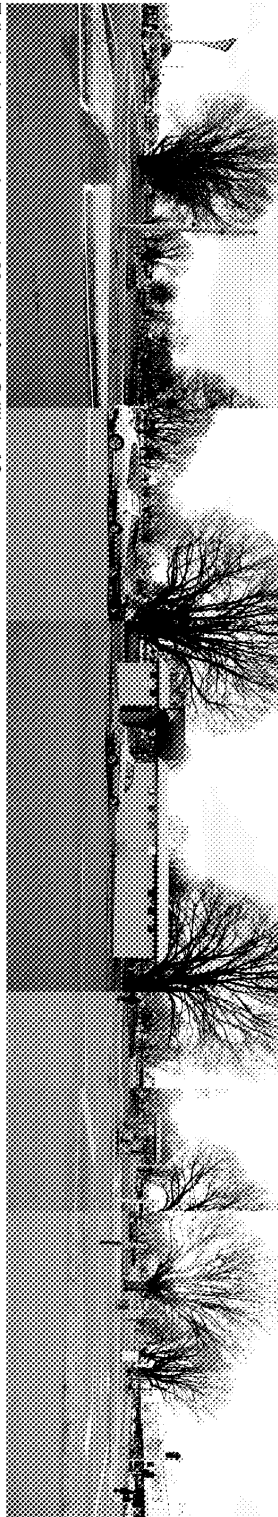
- To create a hard-paved event space adjacent to Memorial Square, allowing more activities to be undertaken without infringing on the park itself
- To restore views to the memorial from Gellibrand Street by removing the existing toilet block
- To provide improved tourist facilities around Memorial Square to enable it to become an important part of the Colac Tourist experience

- To provide new improved facilities for town events and activities in the form of new park pavilions that complement the existing rotunda and playground
- To re-activate the street and shops surrounding the park with a new shared surface prioritising pedestrian access and encouraging adjacent businesses to interact with this new shared space
- To spread the tree canopy of the park across the surrounding roads

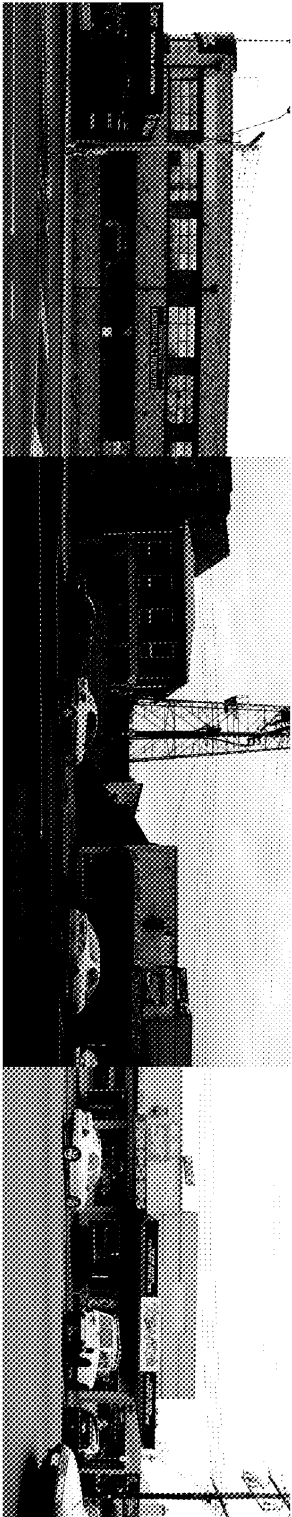


A view of Murray St showing Market Square and Fire Brigade, now the site of Memorial Square

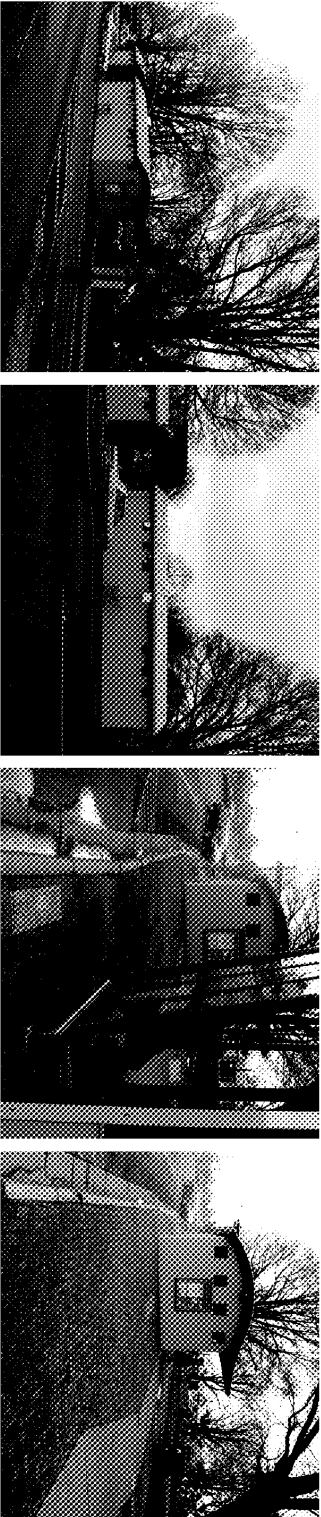




Toilet block obstructs views to the Memorial from Gallipard Street



Buildings and street treatments on Gallipard Street do not provide a sense of connection with Memorial Square



Toilet block facility is outdated and forms an unattractive edge to Memorial Square

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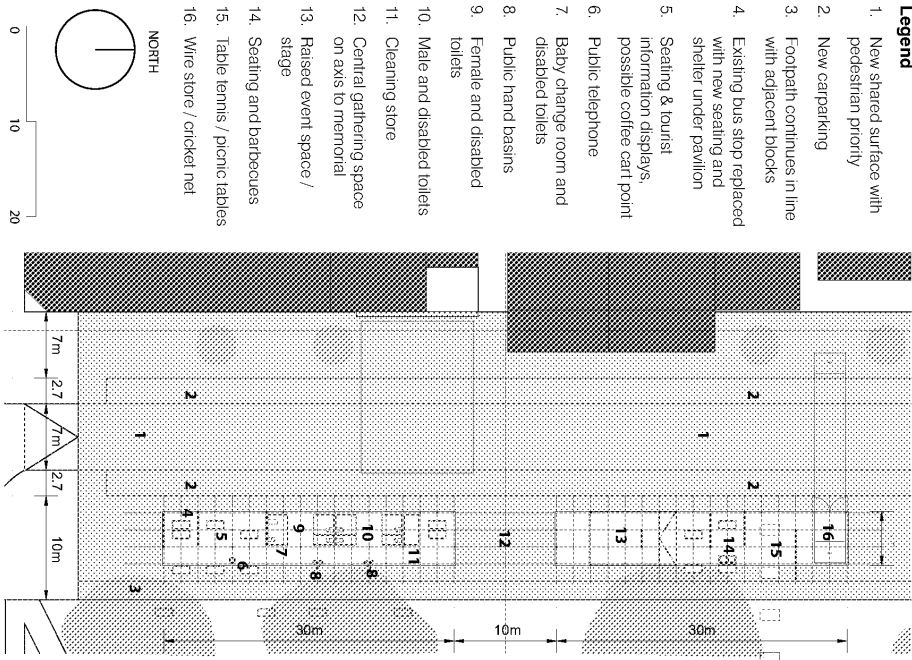
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**WESTERN EDGE CONCEPT MAPS**

**EVERYDAY SCENARIO**

**Legend**

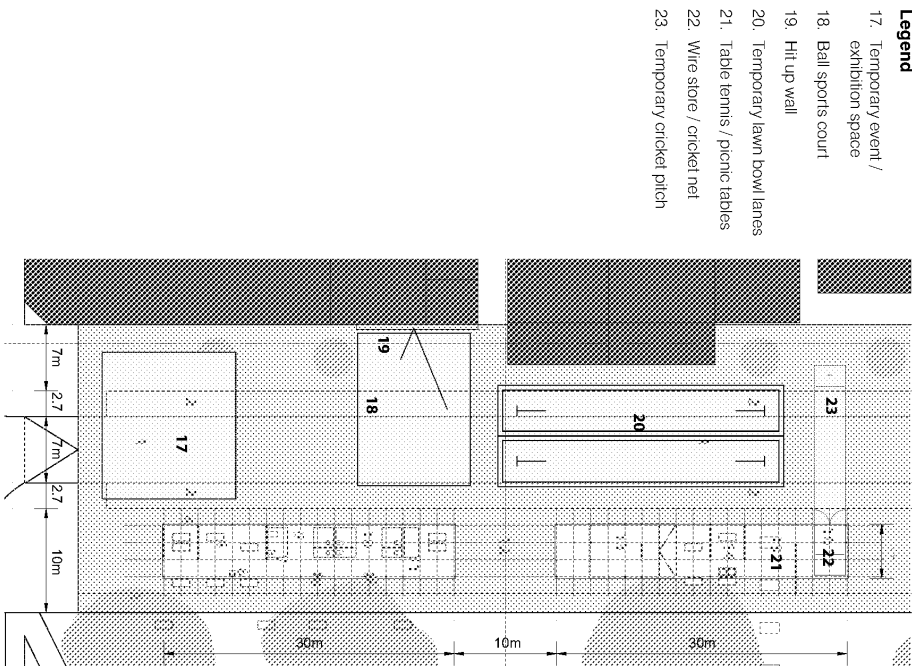
1. New shared surface with pedestrian priority
2. New carparking
3. Footpath continues in line with adjacent blocks
4. Existing bus stop replaced with new seating and shelter under pavilion
5. Seating & tourist information displays, possible coffee cart point
6. Public telephone
7. Baby change room and disabled toilets
8. Public hand basins
9. Female and disabled toilets
10. Male and disabled toilets
11. Cleaning store
12. Central gathering space on axis to memorial
13. Raised event space / stage
14. Seating and barbecues
15. Table tennis / picnic tables
16. Wire store / cricket net



**EVENT SCENARIO - SPORTS EXAMPLE**

**Legend**

17. Temporary event / exhibition space
18. Ball sports court
19. Hit up well
20. Temporary lawn bowl lanes
21. Table tennis / picnic tables
22. Wire store / cricket net
23. Temporary cricket pitch





Looking through to Memorial Square from Gellibrand St: Paving shared by pedestrians and cars, proposed facilities providing for street, park and tourist activity

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## 3.2 Eastern CBD Entrance

### Existing Conditions

The eastern entrance to the Colac Central Business District is marked by an attractive gateway experience at the point where the Princes Highway crosses Barongarook Creek. The 'gateway' transition is defined by a change in alignment as the highway meets the CBD grid; a vegetated break in the urban form provided by the creek corridor; and a change in urban character as the suburban stretch of the Princes Highway rises up to become the retail-focused Murray Street.

The Barongarook Creek Bridge provides a natural arrival point to the Colac CBD and heritage buildings on the corner of Murray and Queen Streets provide a strong and distinctive entrance to the town centre. This entry point, however, is currently dominated by road space, traffic infrastructure and uncoordinated signage. Photos of the area are shown on the **next page**.

The setting of the heritage buildings at the corner of Murray and Queen Streets is marred by the telephone exchange site on the corner which is used for surface car parking, has no landscaping and is surrounded by a chain wire fence. Historical photographs of this corner show how the site previously had low fencing and landscaping, and this provides a useful reference for the potential future upgrading of this setting.

The Visitor Information Centre is a visually interesting building, funded by the community and constructed of local materials. However, its profile needs to be enhanced to encourage visitors to stop, and its connection with its attractive creekside setting could be greatly enhanced.

There is potential to open up the entry to the Barongarook Creek and to strengthen view lines and landscape links from Murray Street.

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Again, reference to historic photographs show how this space once supported a low fence as shown in the photos on **page 73**.

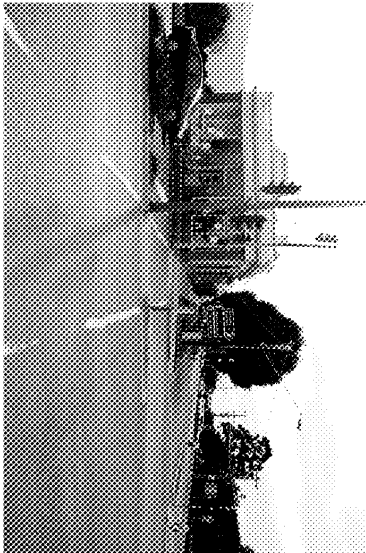
The bridge is currently not wide enough to comfortably accommodate pedestrians and cyclists as well as highway traffic. A light weight cantilevered structure could be used to extend the existing bridge on both sides and enable separation of pedestrians and bicycles from highway traffic, and allow better integration with the creek-side shared path.



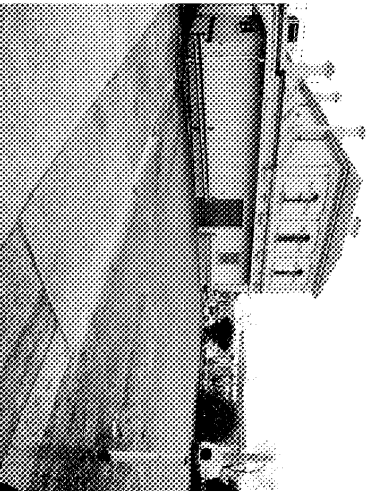
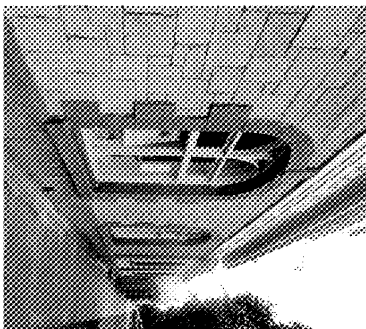
Former Post Office (1917-1930)



View along Princes Highway to Barongarook Creek bridge with the CBD, corner of the telephone exchange site and notable historic building in front and beyond



Corner of Murray St and Queen St where there is potential increase the relationship to the creedscape along the eastern side



Telephone exchange site where there is potential to improve the side of the former Post Office



Barongarook Creek bridge: currently dominated by infrastructure, signage etc. and has potential to have integrated pedestrian priority with creedscape experience and Visitor Information entry



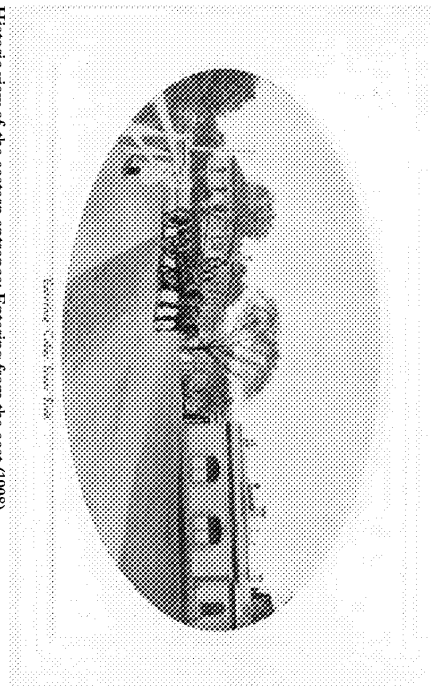
Visitor Information Centre with potential to connect intersection with creedscape setting beyond

## Recommendations

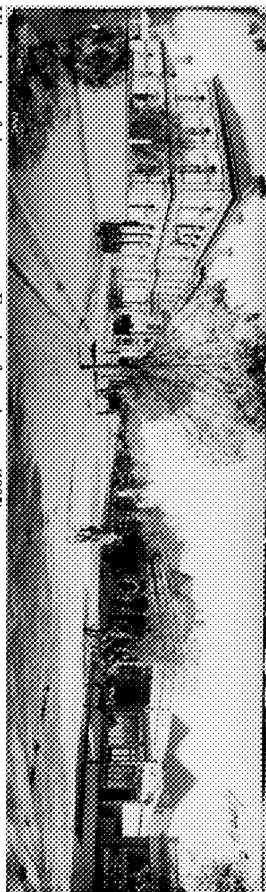
Recommendations have been developed to improve this important entry space. These are illustrated by the concept map on the following page. A series of discrete projects could collectively enhance its various elements, including the setting of its important buildings, pedestrian connections and the creekside setting. This is intended to restore the entrance to appear more like it did historically with an open view to the corner and landscaping at the telephone exchange site that was previously a garden (see the three historic photos right). Photomontages are provided on the following pages to illustrate the proposed footpath and proposed pedestrian bridge at the entry linking to the Visitor Information Centre.

### Aims:

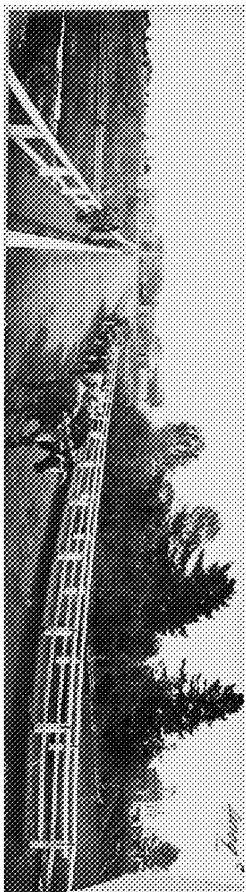
- To create a major re-orientation zone / nodal point at the eastern entry to town
- To highlight key heritage buildings at the town entrance
- To restore the historic open 'plaza' feeling of creek and town junction
- To integrate the creekscape and walking trails network into the township
- To improve the visibility of and access to the Visitors Information Centre
- To allow safe and pleasant pedestrian movement from Murray Street East to township activities / utilities
- To provide opportunities to establish the Botanic Garden's theme at the entrance to the CBD.



Historic view of the eastern entrance: Entering from the east (1908)



Historic view of the eastern entrance: Entering from the east (1905)



Historic view of the eastern entrance: Low timber fencing over the bridge and creek (1905)

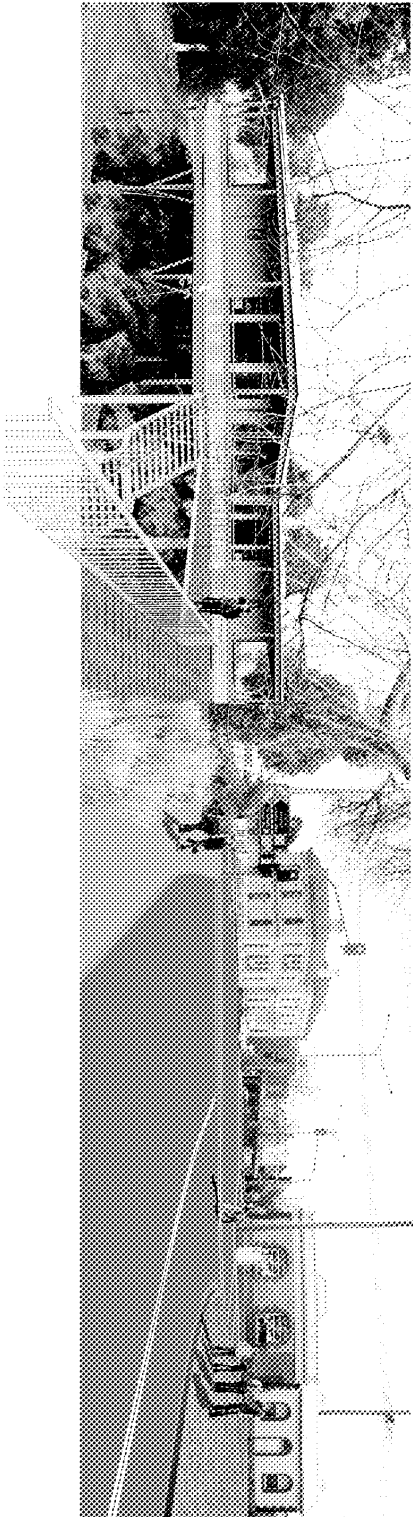




**Legend**

1. New cantilevered footbridge over creek to provide safe pedestrian passage from East Murray Street to township. Existing chain wire fencing between carriageway and footpath to be removed.
2. Improved cycle lanes over bridge.
3. Extension of creek planting into township entry junction.
4. Improved signage and access to new creek walking trails.
5. Works to trees and landscape to improve visibility to Visitor Information Centre for vehicles entering town.
6. New low timber fence to frame creek landscape with gates to access creek walking trails.
7. New paving to reference and act as forecourt to heritage buildings, provide a sense of openness to the entry junction per historic views. Potential to integrate a Botanical Collection into the landscape treatment.
8. Direct link from new pedestrian footbridge to Visitors Information Centre.
9. Facade treatment including possible new openings to Visitors Information Centre to enliven East facing views from Murray Street.
10. New landscaping steps to allow connection under Visitors Information Centre to creek landscape beyond.
11. Improved crossings at entry junction.
12. New low timber fence to site at corner of Murray and Queen Streets
13. Redevelopment of corner site in co-operation with owner. Landscaping and planting works to screen telephone exchange. Potential to integrate a Botanical Collection into the landscape treatment.
14. Enhanced views of heritage buildings around the Entry Plaza/ town entry by measures such as trimming vegetation, moving signs, encouraging painting and restoration.

**EASTERN ENTRANCE PHOTOMONTAGE OF FOOTPATH AT ENTRY**

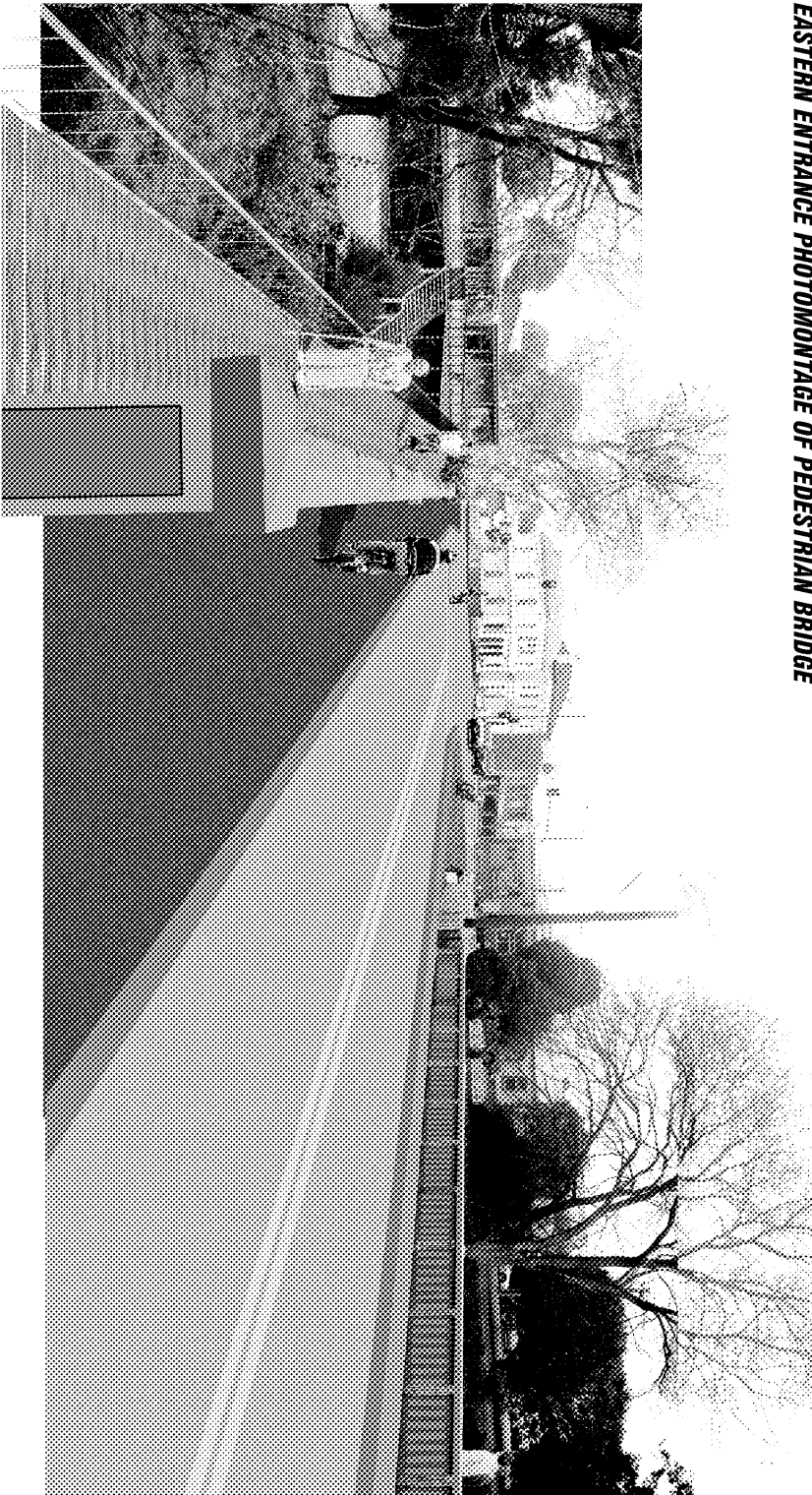


Looking towards town entry from proposed cantilevered footpath: direct link to Visitor Information Centre and highlighted views to historic building facades, foregrounded with open spaces of fenced garden and paved plaza

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**EASTERN ENTRANCE PHOTOMONTAGE OF PEDESTRIAN BRIDGE**



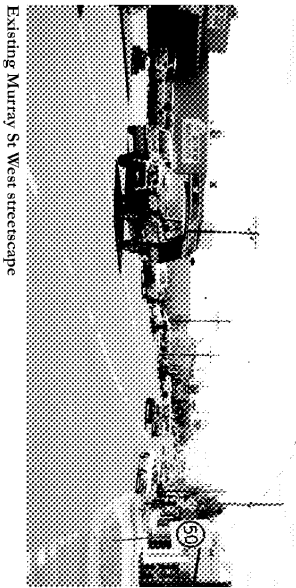
Looking towards entry plaza from proposed pedestrian bridge over Barongarook Creek: rejuvenate gateway with improved pathways and low fencing to north-east and south-west corners to relate town and creek



### 3.3 Murray Street West

#### Existing Conditions

The experience heading into the Colac CBD from the west is a marked contrast to that encountered travelling from the east. After passing through a low scale, low density residential area the traveller is confronted by a motor car dominated environment between Armstrong and Corangamite Streets (see photo **below**). This sequence forms the entry point to the heart of the CBD from the west. The vista is harsh and jumbled with a mixture of building styles, drive-through take away food shops, signs and powerlines. At the same time, this block is emerging as an important retail and commercial part of the CBD. A strong sense of arrival does not commence until Corangamite Street is reached, where the design of the road space changes significantly with the introduction of median and street edge planting. The existing conditions are illustrated as part of the concept map on the **following page**.



Existing Murray St West streetscape

#### Recommendations

It is recommended that the streetscape treatments that have been successfully applied in the central portion of Murray Street be extended west to Armstrong Street to reflect this area as an important arrival zone and part of the retail and commercial heart of the CBD (see photo **below**). The recommendations for the area are illustrated by the detailed concept map, sections and photos of similar treatments in other places on the **following pages**.

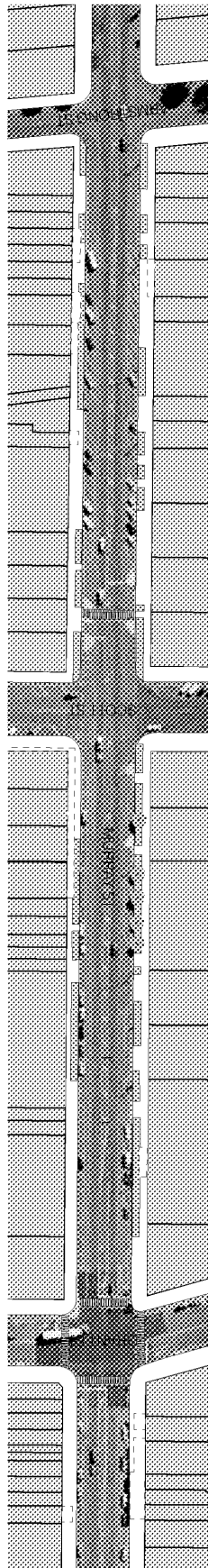
The key features to be extended are the median planting, kerb outstands and streetscape furniture. Rather than replicate the existing works the new works should follow a contemporary palette of colours based on the recommendation of this report. A different species of street tree may be appropriate in order to create a distinct character from the central area which is dominated by Memorial



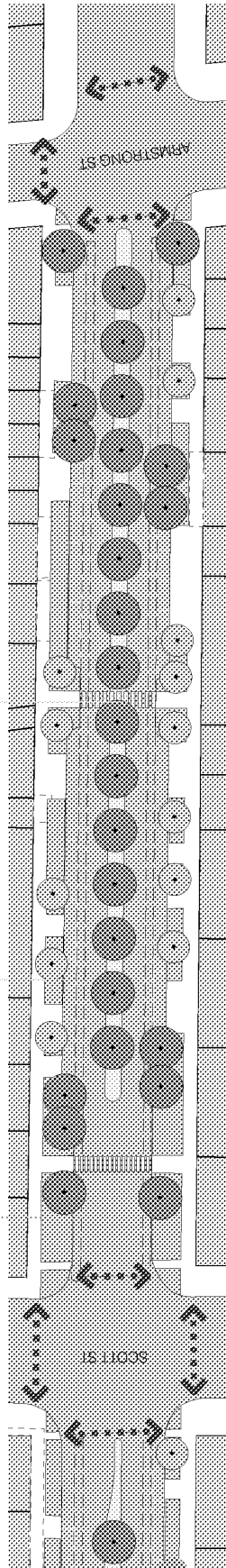
Existing Planned median theme in Murray St central, to be continued along Murray St West

**MURRAY STREET WEST CONCEPT MAP**

Existing Conditions



Proposed Concept



Change from diagonal to parallel parking where possible to maximise planting and pedestrian areas

Outstands and central median to lessen dominance of traffic and improve pedestrian movement

Existing signalled pedestrian crossing points

New zebra crossings at key locations to improve pedestrian movement

Planted outstands at regular intervals with sealing WSUD beds to harvest stormwater

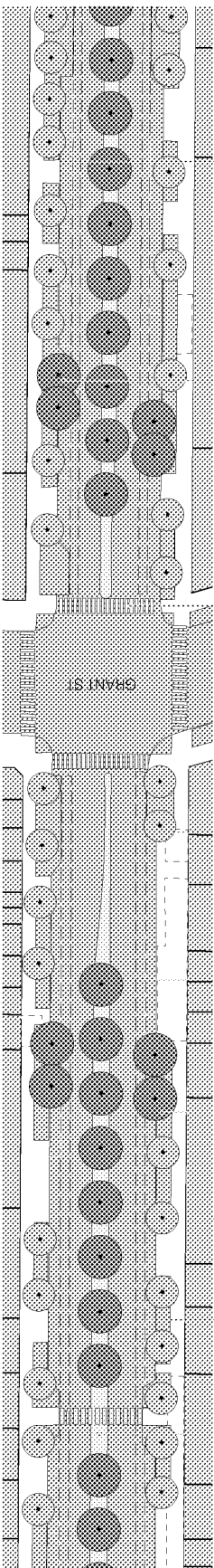
Underground the powerlines along Murray Street West at the same time as other streetscape works

Road edge planting to provide shade and visual character

Designated bike lanes

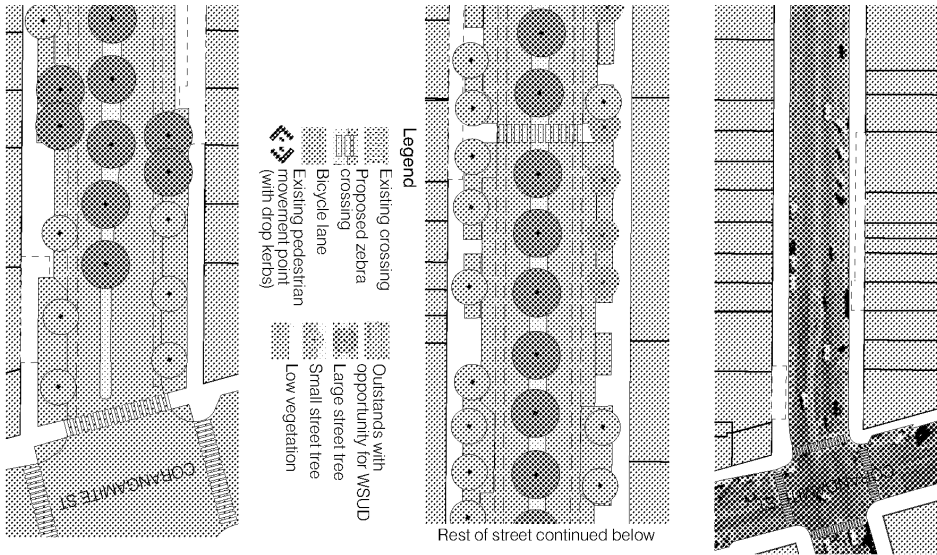
New and upgraded verge to incorporate low plantings

Central planted median of large trees to continue street character of central Murray Street

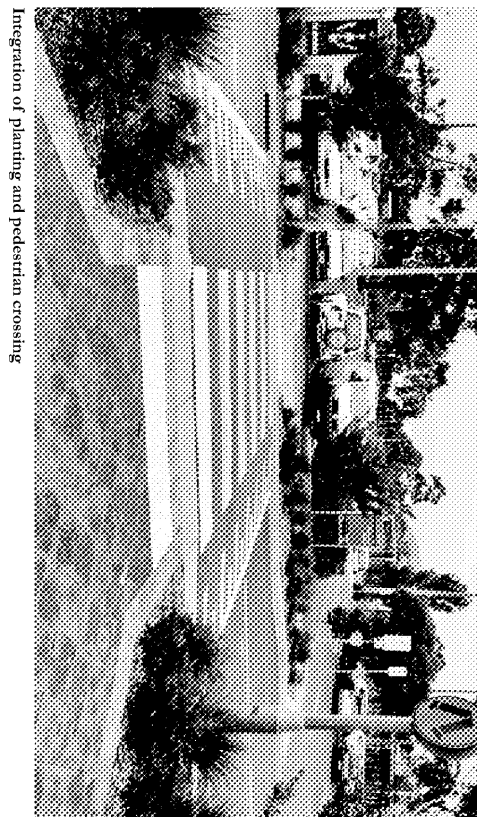


Note: These concept maps show an indicative layout and should not be used as construction drawings





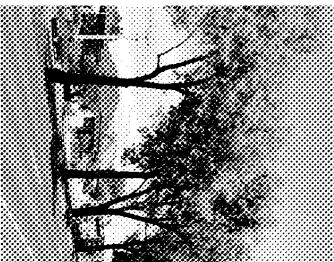
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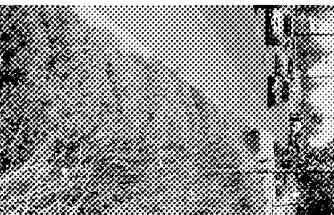
Integration of planning and pedestrian crossing



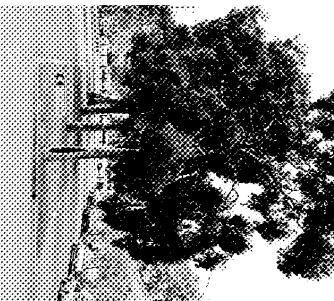
Large shade giving tree in a central reservation



Successful use of native species in median planting



Grasses and low shrubs within the road reservation



Successful use of native species in median planting

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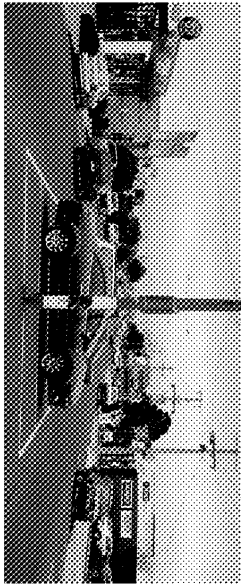




### 3.4 Bromfield Street

#### Existing Conditions

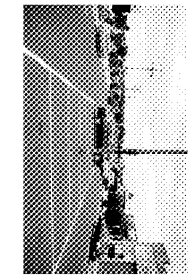
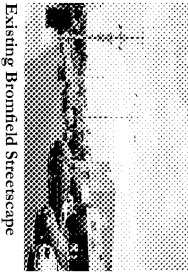
Bromfield Street is emerging as Colac's large floorplate retail heart, with two supermarkets providing anchors at either end of the street. The street is dominated by vehicle movements and car parking, with limited consideration for pedestrians and poor urban amenity (see photos below and right).



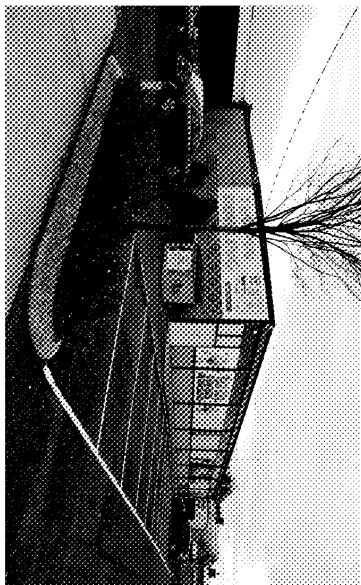
#### Recommendations

Recommendations for Bromfield are illustrated on the concept maps, sections and photos of similar treatments in other places on the following pages.

The need to provide vehicular access to the large supermarkets and their car parks means that Bromfield Street will continue to serve a



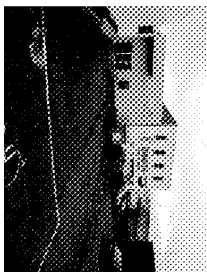
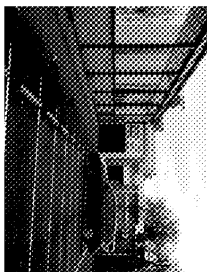
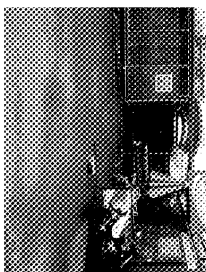
Existing Bromfield Streetscape



function of accommodating circulating vehicles. Although it will not be able to accommodate the high levels of pedestrian amenity and streetscape activity of Murray and Gellibrand Streets, streetscape improvements are recommended to enhance the appearance and safety of the street.

The vehicle dominated appearance of Bromfield Street can be improved by introducing a substantial amount of new planting, bicycle lanes and pedestrian crossings. Improvements are proposed along the streetscape as well as in the block bounded by Bromfield, Gellibrand, Murray and Hesse Streets.

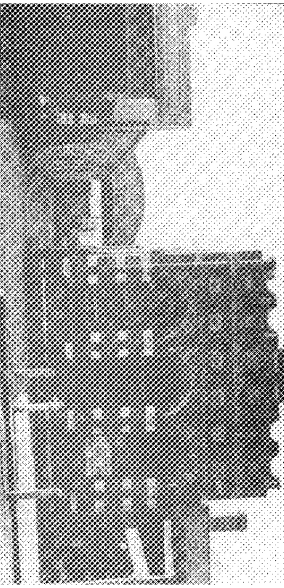
Within the block, opportunities exist to improve private car parks fronting Bromfield Street. The streetscape frontage should be reinforced by creating more of a wall along the street with no setback. Another frontage should be developed, using the back of the Murray Street shops, set back behind the car parks. The creation of a more consistent frontages in the area will aid pedestrian amenity and movement in conjunction with the proposed mid-block crossing, improved mid-block access through to Rae Street and new plantings.



Opportunities exist to improve private car parks fronting Bromfield St

New planting should be installed in a central median to develop avenue planting along the street. Planting is also proposed within private car parking areas (see photos **below** of existing car parks). To facilitate this, discussions with the owners should take place. The new planting is intended to provide shade and improve the appearance of the area.

As streetscape improvements are progressively implemented the opportunity should be taken to relocate powerlines underground.



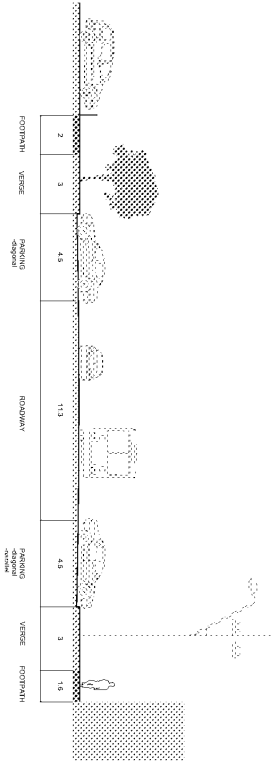
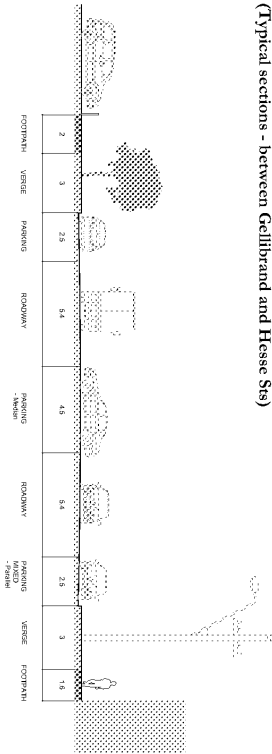
J Jonesstone's Office, Murray St, showing salesyards to rear

**Aims:**

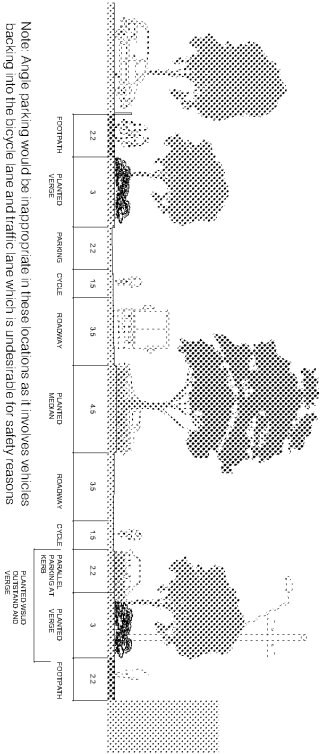
- To reinstate a permeable centre to the blocks immediately behind Murray Street, traditionally spaces of salesyards
- To encourage pedestrian passage through existing arcades and back to front shops
- To encourage the establishment of building entries and active frontages facing existing car parking with access through to Murray Street
- To encourage infill development of key corner and street edge blocks to provide clearer street edge
- To increase planting along road edges and private car parking to improve visual character and pedestrian amenity

**BROMFIELD STREET CONCEPT PLAN SECTION**

Bromfield St Existing Conditions Sections (Typical sections - between Gellibrand and Heese Sts)



Bromfield St Proposed Concept Plan Section

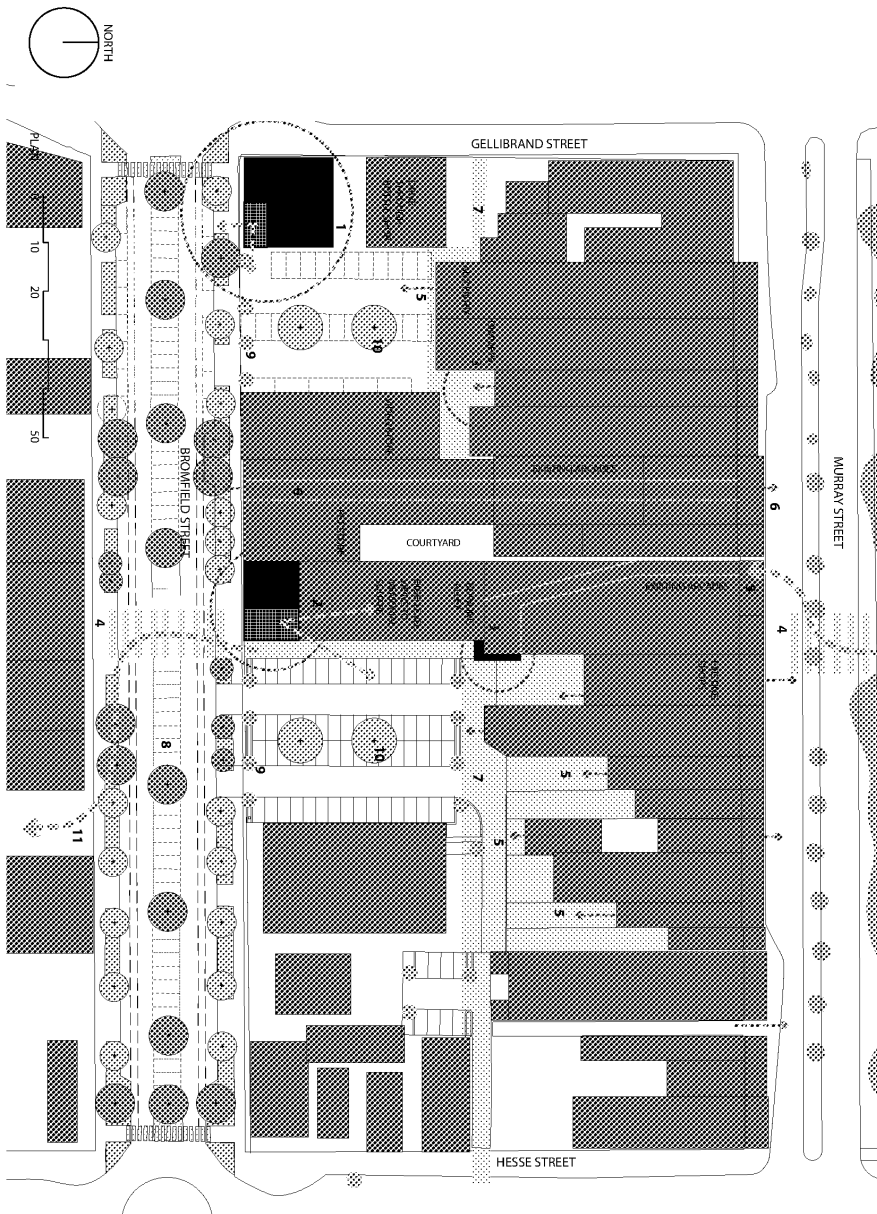


Note: Angle parking would be inappropriate in these locations as it involves vehicles backing into the cycle lane and traffic lane which is undesirable for safety reasons

**BROMFIELD STREET TO MURRAY STREET BLOCK CONCEPT MAP**

**Legend**

1. Potential new buildings to key corner sites. Build to street edges with ground floor active use.
2. Potential new buildings to infill street frontage along Bromfield Street. Potential for 2 or 3 storey buildings with green terraces to engage with views to Memorial Square and surrounding landscape
3. Encouraging improvement and redevelopment of back entries such as the Bowling Alley and Dimney's
4. New mid-block crossing to encourage pedestrian movement through the block
5. Encourage existing businesses to improve back entrances and carpark frontages
6. Encourage use and development of existing arcades and through routes
7. Demarkation of carpark edges to create a back entry 'address' and a pedestrian priority zone
8. New planting and road allocations as per streetscape details
9. New planting along carparks to infill street frontage and create pedestrian amenity
10. New planting in carparks to improve visual character and pedestrian amenity
11. Promote access through blocks to large scale commercial and retail attractors such as Aldi



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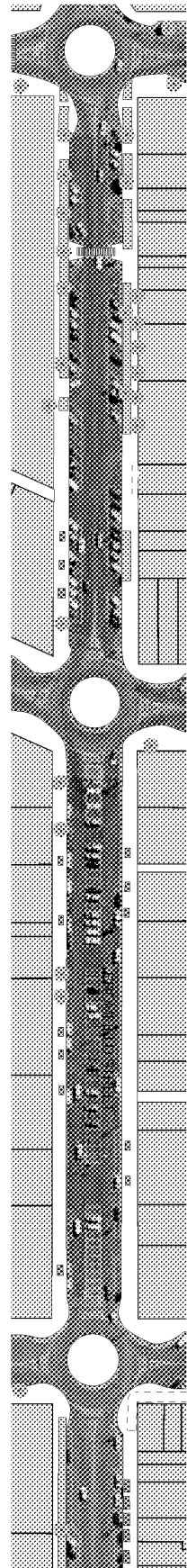
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**BROMFIELD STREET CONCEPT MAP**

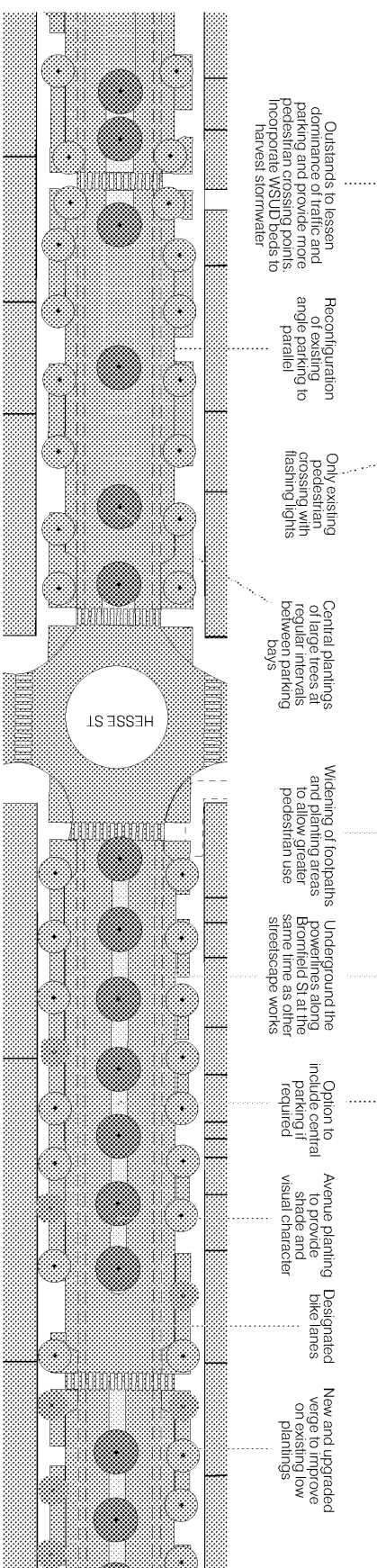
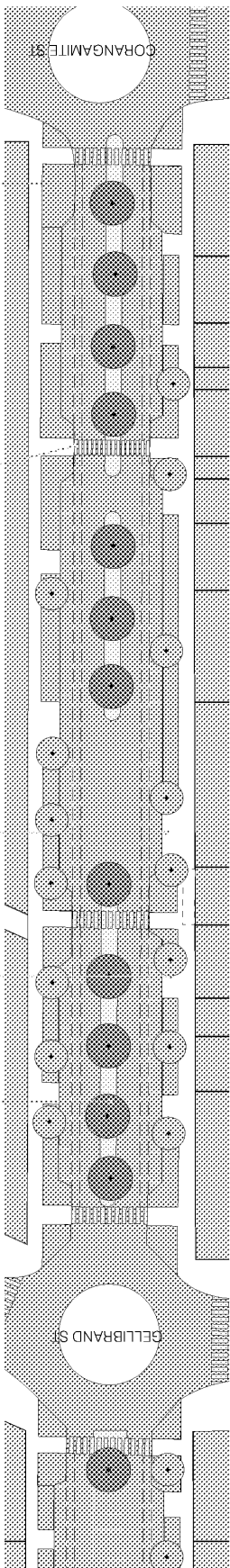
Existing Conditions  
CORANGAMITE ST

GELLBRAND ST

HESSE ST

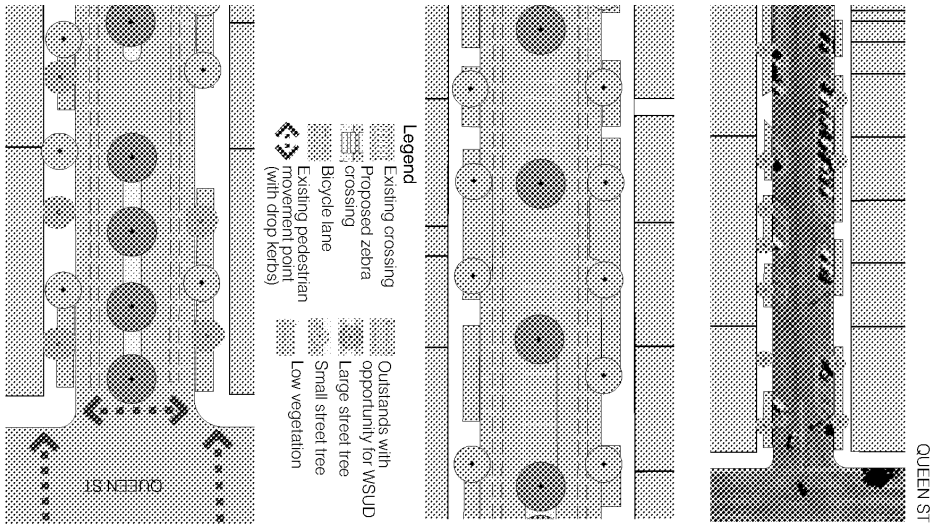


Proposed Concept

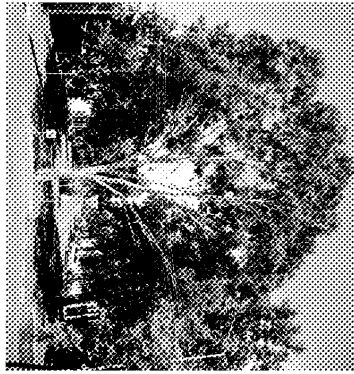


- Outstands to lessen dominance of traffic and parking and provide more pedestrian crossing points. Incorporate WSUD beds to harvest stormwater
- Reconfiguration of existing angle parking to parallel
- Only existing pedestrian crossing with flashing lights
- Central plantings of large trees at regular intervals between parking bays
- Widening of footpaths and planting areas to allow greater pedestrian use
- Underground the powerlines along Bromfield St at the same time as other streetscape works
- Option to include central parking if required
- Avenue planting to provide shade and visual character
- Designated bike lanes
- New and upgraded verge to improve on existing low plantings

Note: These concept maps shows an indicative layout and should not be used as construction drawings



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Large shade giving tree in a central reservation



Successful integration of planting and raised pedestrian crossing in Bayswater



Planting within the central median strip and the roadside areas



Trees within parking areas provide shade and interest



Grasses and low shrubs within the road reservation

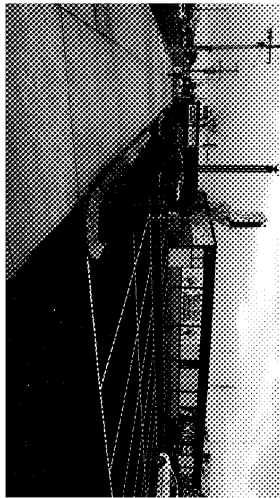
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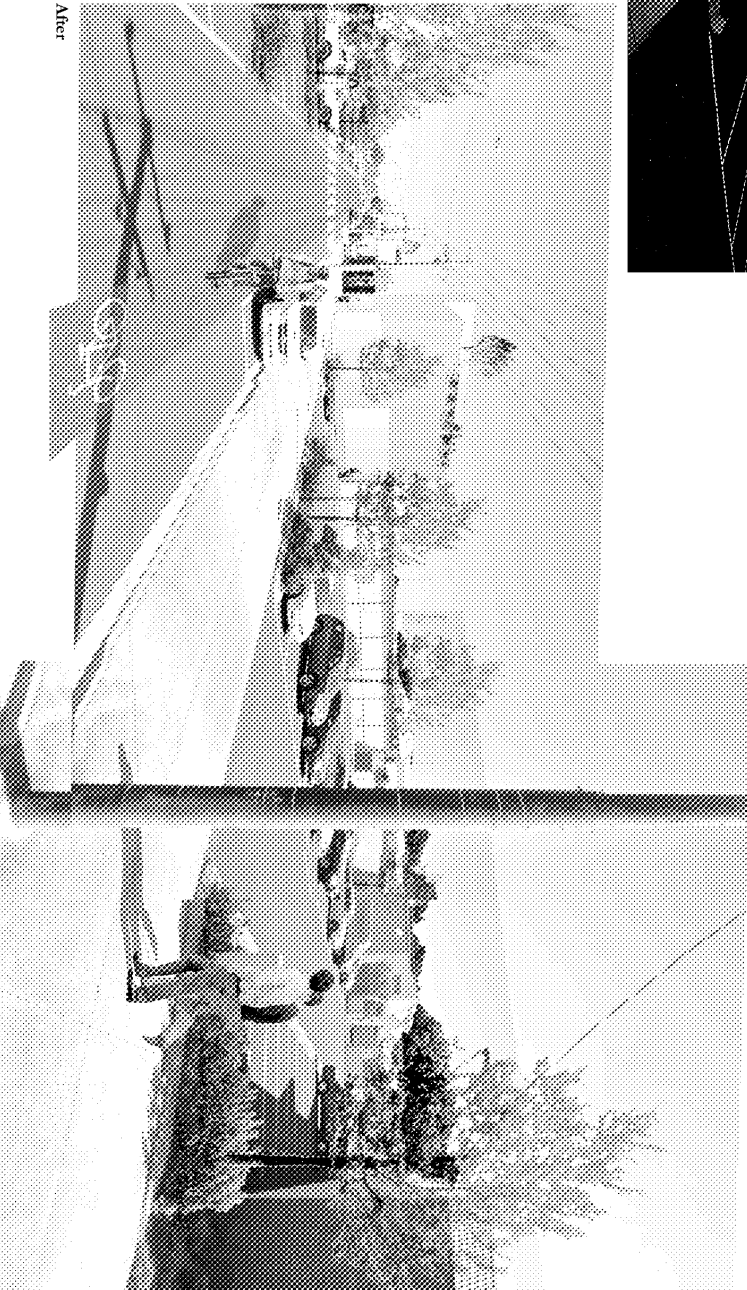


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**BROMFIELD STREET PHOTOMONTAGE**



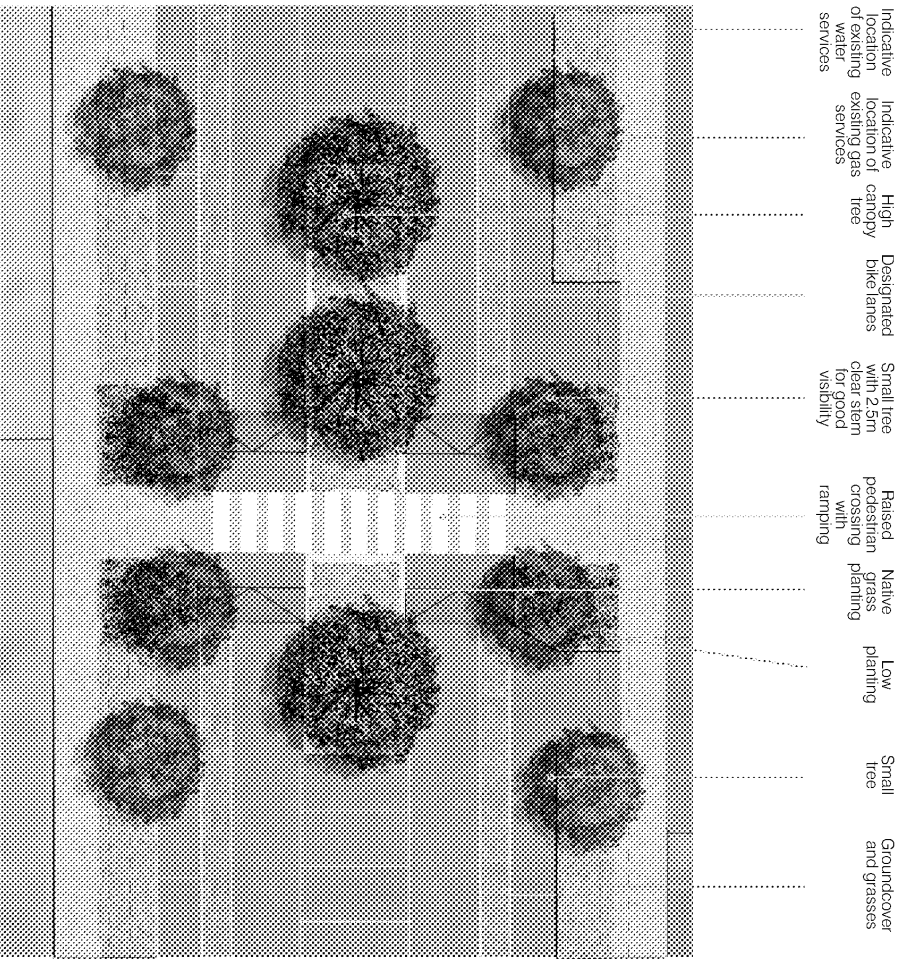
Before



After

Looking west along Bromfield St. Potential buildings to infill prominent corner frontages activating street and car park, encourage pedestrian filtering from Murray St, upper level views interact with Memorial Square trees

**TYPICAL PEDESTRIAN CROSSING CONCEPT**



Typical detail of proposed pedestrian crossing, plantings and road layout

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### 3.5 COPACC & Station Precinct

The COPACC / Railway Station Precinct presents a medium term opportunity to enhance the civic southern edge of the CBD. COPACC currently serves as a municipal and entertainment node and provide the main source of activity in this part of the CBD. Potential exists to reactivate the station precinct assuming that expected increases in rail and coach services are realised.

This may represent a medium term aspiration as the population and roles of Geelong, Colac and Warrnambool continue to evolve. Potential exists to create additional active retail or office frontages adjacent to the historic railway terminal. This area could be transformed into an attractive recreational space and entry point for tourists. Rail and coach commuter patronage to Geelong and Warrnambool could be supported by the enhancement of a park and ride facility within the expansive road reserve area to the south of COPACC.

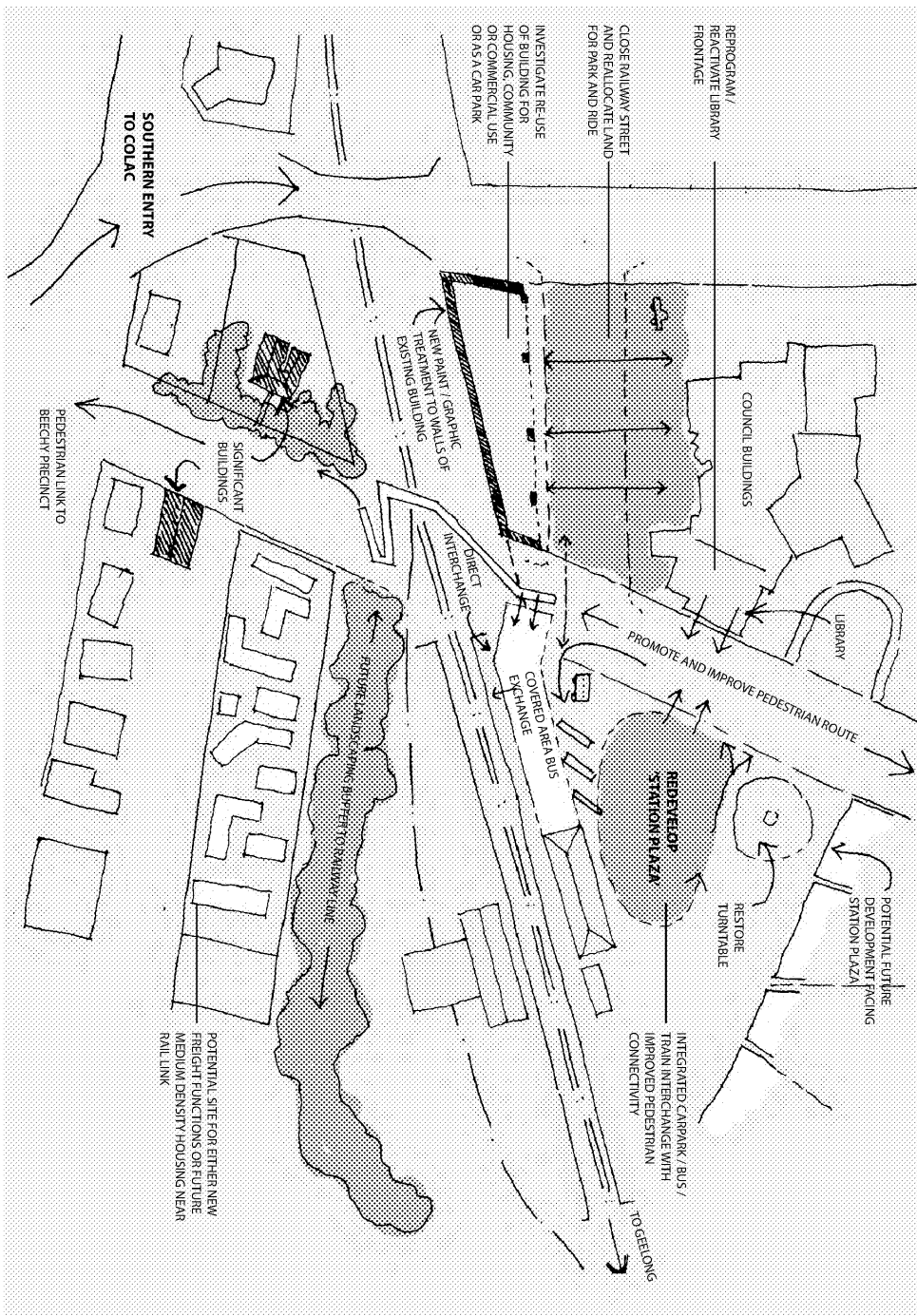
Council has recently purchased the former hardware and timber site on the southern side Railway Street adjacent to the railway line. This is a strategically important site that has the potential to be redeveloped for a variety of civic purposes and/or to provide additional car parking adjacent to the railway station. Potential exists to close the adjacent section of Railway Street, which directly abuts a Council car park, providing the opportunity to significantly expand the Civic precinct.

Aims:

- To increase civic and commercial activity toward the southern edge of the CBD
- To upgrade the forecourt of the railway station and improve the setting of historic railway buildings and infrastructure
- To enhance the role of the precinct as a public transport and freight interchange

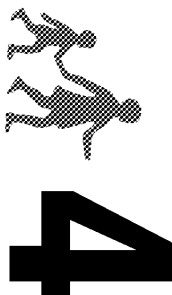
- To improve pedestrian linkages to the north along Gellibrand Street (particularly to the proposed shared space zone on Gellibrand Street adjacent to Memorial Square)

**COPAC & STATION PRECINCT RECOMMENDATIONS MAP**



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## Next Steps

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## Community feedback

This draft *Colac CBD and Entrances Project* report has been prepared for the purposes of encouraging discussion and comment by the Colac community.

In addition to providing general feedback about the draft, community members are encouraged to consider some of the specific recommendations and provide a response to the following key questions:

- What do you think about the idea of Colac as the 'Botanic Gardens City'?
- What are the best aspects of the Concept Plan for Memorial Square? (eg. new amenities and shared traffic zones on Gellibrand Street)
- Do you like or dislike the Eastern CBD Entrance Concept Plan?
- Do you agree with the idea of extending tree planting and street improvements along Murray Street between Corangamite and Armstrong Streets?
- What do you like or dislike about the Bronnfield Street Concept Plan?
- How would you improve the COPACC and Station Precincts?

These questions are aimed at highlighting some specific elements of the report. Feedback on any other aspect of the plan is also encouraged.

Information about the timeline for submissions is available from the Colac Otway Shire offices and the Shire's website [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au).

## Adoption of the report

All submissions about the draft report will be reviewed and considered by the Project Steering Committee and Community Reference Group. These two groups will make recommendations about how the plan should be modified in response to submissions.

A final version of the *Colac CBD and Entrances Project* will be adopted by Council. Following adoption Council will use the report to guide future decisions. The adopted report will be used to:

- Support applications for State and Commonwealth Government grants.
- Amend the *Colac Otway Planning Scheme* to implement the vision and guide future development of public and private land.
- Prepare detailed designs for priority capital works budgets.
- Guide the development of the Council Plan, Capital Works Plan and departmental business plans.
- Facilitate discussions with landowners about initiatives that affect private land.
- Guide decisions about streetscape improvements and tree planting.
- Encourage new businesses to invest in Colac and make a positive contribution to the life and vitality of the CBD.
- Work with the Colac community, service clubs and businesses, to identify projects that support the vision of Colac as the 'Botanic Gardens City'.
- Pursue initiatives that are the responsibility of other levels of Government or utility providers, eg. improvements within road reserves controlled by Vic Roads.

The projects outlined in this draft represent a significant investment in the heart of Colac. Implementation will be dependent on the identification of appropriate funding sources and further consultation with any affected property owners.

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## Acknowledgements

This project is being undertaken by a study team lead by Planisphere with contributions from Colac Otway Shire Council officers. The sub-consultant team is Aspect Studios, UrbanTrans and NMBW Architects, with additional input from Parsons Brinkerhoff, Aquanta and Surf Coast Surveying and Drafting.

The assistance provided by Council, community and members of the Project Steering Committee and Reference Group is acknowledged; as are the many contributions of the sub-consultants who have actively participated in each stage of the project.

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#### PROJECT STEERING COMMITTEE

Rob Small, Chief Executive Officer | Colac Otway Shire

Cr Brian Crook, Mayor | Colac Otway Shire

Anne Sorensen, Statutory Planning Co-ordinator | Colac Otway Shire

Don Lewis, Senior Strategic Planner | Colac Otway Shire

Ian Seuren, Manager Recreation, Arts and Culture | Colac Otway Shire



Neil Allen, General Manager, Infrastructure & Services | Colac Otway Shire *Colac: A Short History from 1837*, Colac & District Historical Society circa 1995

Paula Gardiner, Manager Capital Works | Colac Otway Shire

Greg Fletcher, Manager Health & Community Services | Colac Otway Shire

- p.19 for photo at top of p.66
- p.1 for photo at bottom of p.66
- p.7 for photo on p.82

Brendan Grace | VicRoads Representative

Julie O'Callaghan | DPCD representative

Louise Dahlenburg | RDV representative

## HISTORICAL MATERIAL

Historical photos were used from the following sources:

*State Library of Victoria*

- 'Colac Lake' photo by Robert Scott (1905) on p.8
  - 'Colac Post Office' photo (1917-1930) at top of p.71
  - 'Entering Colac from East' photo by J. Parkinson (1908) at top of p.73
  - 'Colac Street Scenes' photo by Robert Scott (1905) at middle of p.73
  - 'Colac Lake Bridge' photo by Robert Scott (1905) at bottom of p.73
- Colac & District Historical Society photo files*
- photo at bottom of p.71



**OM112809-15 LOCAL GOVERNMENT INFRASTRUCTURE PROGRAM  
AND REGIONAL DEVELOPMENT AUSTRALIA FUND**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
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| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00414   |

**Purpose**

The purpose of this report is to advise Council on the State Government's allocation of funds to Colac Otway Shire under the Local Government Infrastructure Program (LGIP) and the list of priority projects to be considered for funding under this program. Further to this, the report seeks Council's endorsement of recommendations in relation to project funds expenditure under the LGIP.

This report also addresses the Regional Development Australia Fund (RDAF) and seeks Council endorsement of the recommendation for a Round 2 funding application in November 2011.

**Declaration of Interests**

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

**Background**

The Local Government Infrastructure Program (LGIP) is a component of the State Government Regional Growth Fund (RGF) and aims to provide regional and rural councils with certainty to plan for and build new infrastructure or renew assets.

Four-year allocations have been granted to the 48 regional and rural Victorian councils, derived through a formula that involved the following steps:

1. The ten largest regional cities\* each receive a fixed allocation of \$2 million.
2. The remaining 38 rural councils are notionally allocated an initial base-funding grant of \$1.5 million.
3. The remaining funds are allocated to the 38 rural councils using the Victorian Grants Commission Population Dispersion Cost Adjustor, multiplied by the population of the Local Government Area.
4. Caps are then applied to notional allocations at two levels:
  - No council receives more than \$2.5 million in total; and
  - No council receives more than 4% of the "carrying value" of its infrastructure (the value of building assets and construction/infrastructure assets).

\*Ballarat, Greater Bendigo, Greater Geelong, Horsham, Latrobe, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

The Colac Otway Shire allocation is \$2,244,972 over four years which equates to \$561,243 per annum.

The LGIP can support a range of initiatives including roads, bridges, new community assets such as halls and theatres, sporting grounds, grandstands, pools, libraries, and upgrading existing facilities from Council's Capital Works Plan.

The Regional Infrastructure Development Fund (RDAF) is a \$1 billion Federal Government program to support the infrastructure needs and economic growth of Australia's regions. The national program is designed to leverage Commonwealth, State, local government, private and not-for-profit investments for the long-term benefit of communities. RDAF supports regional infrastructure projects that will significantly improve economic and social outcomes and build on unique regional capabilities, capacity and potential. This includes infrastructure projects which could include economic, social or community infrastructure that will expand the development and growth of regional economies.

All project grants will need to have contributing funds from sources other than the Federal Government. Therefore a RDAF grant would also require Council and or State funds. Project grants over \$5 million will be required to be matched on at least a dollar for dollar basis.

Projects are required to be priority regional projects and Regional Development Australia committees will ensure that projects are consistent with Regional Plans. RDAF Round 2 opens for applications in November 2011.

### **Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

### **Physical Infrastructure and Assets**

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

### **Economic Development**

Council will facilitate the development of infrastructure for business investment, growth and liveability.

### **Issues / Options**

The State Government has requested a Capital Works Forward Plan and a report on Council's strategy for the LGIP by 30 September 2011.

The guidelines of the LGIP limit expenditure to capital works that would generally fit the categories of roads, bridges, halls and theatres, sporting grounds, grandstands, pools, and libraries. Council has a number of these assets so the funds could be expended in any number of projects on Council's Capital Works Plan.

To impose some rigour on the process for recommended allocation of project expenditure under the LGIP, an interdepartmental group of officers set up a process to finalise a list of all outstanding projects, adopt a set of guiding principles to govern discussion and a selection criteria that recognised strategic fit, community benefit, risk, project readiness and matching opportunities for Federal funds.

The guiding principles are as follows:

- Bank \$250,000 each year for 2 years to accumulate \$500,000 to match a Regional Development Australia Fund application or a 2013 Federal election commitment. The State Government guidelines allow Council to bank or accumulate funds to enable completion of larger scale projects.

- It is recommended to take advantage of this opportunity to create a future bank of matching funds for when the opportunity arises for multi-million dollar projects such as the Apollo Bay Harbour redevelopment, the Central Business District and Entrances upgrade or the Central Reserve redevelopment.
- Only projects that cost \$150,000 or more will be funded.
  - This is to enable the completion of projects of a substantial size that would have a significant community benefit. It is also the trigger for a tender process that ensures thoroughness in the project planning and appointment of contractors to complete works. It also limits the number of individual projects to be managed and would enable them to be effectively delivered within existing resource capacity. In the past with the combination of Council Budget funded projects, Small Town Improvement Program projects and Regional & Local Community Infrastructure Program (RLCIP) projects Council resources have been stretched to manage the individual projects' contractors and grant acquittal processes.
- Projects of a similar nature can be bundled to \$150,000 or more. This means that a number of small projects for example in community halls, small townships or community parks may be packaged as one project and be eligible.
- LGIP funds cannot be used to match other State Government funds. LGIP can be used to meet shortfalls in project costs where State Government funding is all or part of the total funding arrangement and is already committed to the project but it cannot be used to leverage or match other State Government funds. It can also be used to match Federal funds in a project where there are State funds also provided as long as the Federal and other funds match or exceed the total of State Funds.
- Projects will be additional to Council's normal budgetary process.
  - The LGIP is recommended to not replace already existing commitments under Council's budget or to replace rates funding for projects that are Council's responsibility. It is recommended that the LGIP be treated as extra to Council's existing and future budget and project funding process to ensure that the backlog of capital works projects can be reduced leading to real additional benefits to our community.
- Existing projects on Council owned and managed assets. Council has an extensive list of owned and managed assets and a community expectation of new assets to be developed. It is recommended that the LGIP make Council assets a priority rather than expend funds on assets belonging for example to other Government authorities.
- Projects will be prioritised on the basis of strategic fit, community benefit, risk, project readiness and matching opportunities with Federal funds. The State Government has made it clear to Council officers that the list of LGIP projects must be guided by existing strategy such as Council Plan, and approved Council Strategies and if possible recognised in the regional plans of G21 and the Great South Coast. Community benefit is a broad term and could apply to almost any Council project but it is recommended that in this case it be direct and tangible. The risk element is focused on the risk of not completing recommended projects. Project readiness is important so that if a project is funded that it can be delivered on time. Finally matching opportunity for Federal funds is important to maximise the impact of the LGIP.

Each of the elements of project prioritisation was provided with a comprehensive scoring system to enable a level of objectivity in developing the first raw draft of the project priority list. The final list was subject to discussion around the key principles as above. This

complete list will be provided to Department of Planning & Community Development. (Attachment 1 Colac Otway Shire Capital Works Forward Plan)

The project recommended through this process is the Blue Water Fitness Centre project where there is a shortfall of \$237,000 to complete the Gym renovation and extension component of the project. It scores 84 on the priority listing; it is above \$150,000; it is a top up to a State Government and Federal Government funded project; it is additional to Council's budget commitments; it is a Council asset; and it is clearly linked to the Council Plan and the Recreation Strategy. It is further recommended that the remaining \$74,243 is banked to add to next year's allocation so that two projects exceeding \$150,000 may be prioritised in year two of the LGIP.

Three projects were considered for RDAF:

- Apollo Bay Harbour Precinct Redevelopment
- Colac CBD & Entrances Project
- Central Reserve / Beechy Centre Precinct

Project selection criteria followed on the same lines as the LGIP explained above with one clear difference in that the RDAF will only fund projects that will have a transformational impact on their respective communities. Projects must also be accepted as regional priorities in either or both of the G21 and Great South Coast Regional Plans. Successful Round 1 projects were substantial multi-million dollar projects such as the Geelong Library & Heritage Centre which received \$10 million and the Streaky Bay Oval Precinct which received \$1.72 million.

The three projects that were considered for the RDAF meet the program guidelines and selection criteria except for project readiness. The Central Reserve is an endorsed project by the G21 Sport and Recreation Pillar however has not yet been accepted by G21 as a regional priority. The Sport & Recreation Pillar is set to recommend that this be done as a result of the Victorian Country Football League's recognition of the facility as a regional centre. Only the Central Reserve Project has completed plans and is fully costed. This is the project recommended for this round of this grant cycle.

The Central Reserve/Beechy Centre Precinct Project includes:

- Redevelopment of the main oval to include drought condition turf and water collection systems.
- Improved spectator amenities.
- Redevelopment of the change facilities accessible to all reserve users.
- Dedicated official first aid and administration facilities.
- Competition standard football and netball lighting.
- Netball court redevelopment.
- Main entrance and Legends Plaza.
- Multi-purpose public amenities.

- Digital scoreboard.
- Playground facilities.

If supported by Council an application for \$4.9m will be submitted with a matching contribution from the LGIP of \$500,000 being two years banked amounts of \$250,000 as recommended above. In addition, it is anticipated that a contribution of \$350,000 from the State Government will be accessed through a number of funding programs to be used to leverage RDAF funding.

In respect to the LGIP there are two options that can be recommended. The first option is to endorse the recommendation that:

- The attached list of Capital Works projects be submitted to Department of Planning & Community Development by 30 September 2011 to meet program guidelines and State Government requirements.
- \$250,000 be saved from each of the first two years allocation of funds to accumulate a \$500,000 bank to contribute to a RDAF application.
- \$237,000 be allocated to the Gymnasium component of the Blue Water Fitness Centre redevelopment, to meet the shortfall in funding.
- The remaining first year funds of \$74,243 be saved to add to the year two bank to fund projects in excess of \$150,000.

The second option is that Council endorse the recommendation in regard to the submission of the Council's Capital Works projects list and allocate the funds in another way than recommended.

Option one is preferred as it is a result of a comprehensive process including a cross-departmental team including the CEO and General Managers from each department. It meets the guidelines of the program and includes a rigorous assessment tool to identify projects of the highest priority.

In respect to the RDAF, there is only one project that Council is able to submit for funding therefore it has the option of endorsing the Central Reserve Project for a Round 2 RDAF application or not endorsing it and not submitting an application to RDAF at this stage. The first option is preferred.

While it is obvious that both the LGIP and RDAF recommendations feature projects based in Colac it has to be stated that Colac is the regional centre for the Shire and the Blue Water Fitness Centre and the Central Reserve are regional facilities. In the past Council allocated funds across the Shire through three rounds of the Regional and Local Community Infrastructure Program with 17 projects and \$625,000 in total funding. Council also annually funds projects across the Shire's small towns through the Small Towns Improvement program.

The Apollo Bay Harbour Precinct redevelopment project has potential to more equitably distribute these funds across the municipality in future funding rounds. When the Harbour Master Plan Amendment Process has been completed this regionally and State Government supported project will be in a better position to be considered for future RDAF funding rounds.

LGIP funds may be expended on projects such as roads, bridges, new community assets such as halls and theatres, sporting grounds, grandstands, pools, libraries and Council's Capital Works list attached has many of these kind of projects. Roads and bridges have not



been prioritised in consideration of the LGIP because the State Government has provided a further \$1m for this purpose in 2011/12.

### **Proposal**

The proposal supported by this report is that:

- The attached list of Capital Works projects be submitted to the Department of Planning & Community Development by 30 September 2011 to meet program guidelines and State Government requirements.
- \$250,000 be saved from each of the first two years allocation of funds to accumulate a \$500,000 bank to contribute to a RDAF application.
- \$237,000 be allocated to the Gymnasium component of the Blue Water Fitness Centre redevelopment, to meet the shortfall in funding.
- The remaining first year funds of \$74,243 be saved to add to the year two bank to fund projects in excess of \$150,000.
- An application for \$4.9m be prepared for submission to the RDAF Round 2 with the LGIP banked funds over two years of \$500,000 in total be used as a contribution to the project.

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

The Colac Otway Shire will receive \$2,244,972 over the next four financial years for the Local Government Infrastructure Program allocated to Council by the Department of Planning & Community Development. These funds are required to be expended on capital works projects such as roads, bridges, new community assets such as halls and theatres, sporting grounds, grandstands, pools, libraries, and upgrading existing facilities from Council's Capital Works Plan. There is no requirement for matching funds. Funds may be banked to accumulate funds for expenditure in either of the four years of the funding or for matching Federal Government grants.

The RDAF application for the Central Reserve/Beechy Centre project will require a contribution of matching funds and these will be provided through the recommended \$500,000 to be saved from the LGIP. If successful in the RDAF application Council would not be required to provide further matching funds.

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

There are no risk management and compliance issues relevant to this report.

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

There are no environmental considerations relevant to the report. Environmental issues will be considered throughout the completion of the project.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be 'Inform' and will be arranged through a media release.

### **Implementation**

If supported by Council the proposal above will be implemented immediately by providing Council's Capital Works Forward Plan to Department of Planning and Community Development. Funds will be allocated according to the recommendations in regard to both the LGIP and RDAF and project planning will commence immediately for implementation.

**Conclusion**

Council has been provided with an untied amount of \$2,244,972 from the Regional Growth Funds under the Local Government Infrastructure Program. It is untied in that how Council expends the fund is up to Council's discretion as long as it is from Council's Capital Works Forward Plan. There is no requirement for matching funds.

Council Officers have conducted a thorough and comprehensive examination of Council's Capital Works Forward Plan in the context of the LGIP guidelines and within the context of an agreed set of principles that ensure that project priorities are strategic and of significant community benefit. Project readiness and risk have also been taken into account.

Council Officers have also conducted a thorough process in determining the best option for a Council application to the Federal Government under the RDAF. There is only one major project that meets all of the guidelines and is project ready and that is the Central Reserve/Beechy Centre project.

The recommendations in this report have integrity with a rigorous and fair process and represent a credible response to this extraordinary opportunity provided by the State and Federal Governments to add to Council's ability to deliver significant capital works projects for our community.

**Attachments**

1. Capital Works Projects

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

- 1. Provides the attached list of Capital Works projects to the Department of Planning & Community Development by 30 September 2011 to meet Local Government Infrastructure Program (LGIP) guidelines and State Government requirements.***
- 2. Saves \$250,000 from each of the first two years LGIP allocation of funds to accumulate a \$500,000 bank to contribute to a Regional Development Australia Fund application.***
- 3. Allocates \$237,000 of the first year's LGIP to the Gymnasium component of the Blue Water Fitness Centre redevelopment, to meet the shortfall in funding.***
- 4. Saves the remaining first year funds of \$74,243 to add to the year two bank to fund projects in excess of \$150,000.***
- 5. Endorses an application for \$4.9m for the Central Reserve / Beechy Centre Project to be prepared for submission to the RDAF Round 2 with the LGIP banked funds over two years of \$500,000 in total to be used as a contribution to the project.***

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PROJECTS OVER \$150,000 in Priority Order

| Project                                                                           | Description of Works                                                                                                                                                                                                                       | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link                       | Comments                                                                                                                                                                    | Priority Ranking                                                                     | 25% Community Benefit             | Risk     | 25% Impact                                       | 25% Project Readiness                        | Priority Ranking |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------|----------|--------------------------------------------------|----------------------------------------------|------------------|
| Buwerwater Fitness Centre Stadium, redevelopment                                  | Upgrade of BWFC Stadium to include compliant courts, new show court, dry program areas, redeveloping amenities and office space.                                                                                                           | \$ 5,500,000.00         | \$ 237,000.00                                       | \$ 5,263,000.00      | G21 Sport & Recreation Pillar project                         | Can match this money with SRV funds due to federal contribution                                                                                                             | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Likely   | Medium                                           | Project Planning complete                    | 34               |
| Central Reserve Ground Redevelopment                                              | Reconstruction of oval including drainage, irrigation and drought tolerant surface                                                                                                                                                         | \$ 700,000.00           | \$ 700,000.00                                       | \$ 0.00              | G21 Sport & Recreation Pillar project                         | RDAF application to be submitted                                                                                                                                            | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Likely   | Medium                                           | Project Planning over 50%                    | 34               |
| Elliminy Playground                                                               |                                                                                                                                                                                                                                            | \$ 150,000.00           |                                                     | \$ 150,000.00        | Open Space Strategy                                           | Will apply to SRV OPEP Minors for 2012-13                                                                                                                                   | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Likely   | Minor                                            | Project Planning over 50%                    | 80               |
| Colac Secondary College Sports Ground                                             | New active sports field at Colac Secondary College                                                                                                                                                                                         | \$ 600,000.00           | \$ 600,000.00                                       | \$ 0.00              | G21 Sport & Recreation Pillar project/CFL endorsed project    | Opportunity to develop as part of school development                                                                                                                        | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Likely   | Medium                                           | Initial Project Planning commenced           | 76               |
| Audito Bay Library and Community Gym                                              | Neighbourhood House and Library Extension at Oway Health (existing Gym)                                                                                                                                                                    | \$ 504,400.00           | \$ 350,000.00                                       | \$ 154,400.00        | Library Programs                                              |                                                                                                                                                                             | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Likely   | Medium                                           | Initial Project Planning commenced           | 76               |
| Open Space Improvements                                                           | Implement Open Space Master Plans including Neighbourhood Renewal areas                                                                                                                                                                    | \$ 150,000.00           | \$ 150,000.00                                       | \$ 0.00              | Open Space Strategy, NP Open Space Master Plans               | Implement recommendations from Open Space Strategy and already developed Park Master Plans. Includes Neighbourhood Renewal Open Space Master Plans developed some time ago. | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Likely   | Medium                                           | Initial Project Planning over 50%            | 76               |
| Central Reserve Grandstand                                                        | Redevelopment of grandstand facilities                                                                                                                                                                                                     | \$ 2,000,000.00         | \$ 2,000,000.00                                     | \$ 0.00              | G21 Sport & Recreation Pillar project/CFL endorsed project    | RDAF application to be submitted                                                                                                                                            | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Possible | Medium                                           | Project Planning over 50%                    | 72               |
| Tennis Court Election Commitment                                                  | Upgrade 5 tennis courts (Barwon Downs, Beac, Oropouke, Forrest and Swan Marsh). Possibly include 2 courts to be built at Oropouke over 2 years.                                                                                            | \$ 280,000.00           | \$ 70,000.00                                        | \$ 210,000.00        | Deaf Tennis Strategy                                          | Can't match selection completely with LGP. Could separate Beac and apply to SRV Minors                                                                                      | Identified by community. No formal strategy                                          | Multiple Community Benefits       | Likely   | Medium                                           | Project Planning over 50%                    | 72               |
| Other tennis court upgrades                                                       | Upgrade tennis facilities as per Tennis Strategy                                                                                                                                                                                           | \$ 1,000,000.00         | \$ 1,000,000.00                                     | \$ 0.00              | Deaf Tennis Strategy                                          | As per Tennis Strategy                                                                                                                                                      | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Likely   | Medium                                           | Project Planning over 50%                    | 72               |
| Botanic Gardens Playground Master Plan Implementation                             | Complete implementation of the original master plan                                                                                                                                                                                        | \$ 150,000.00           | \$ 150,000.00                                       | \$ 0.00              | Botanic Gardens Playground Master Plan                        | A number of items from the playground masterplan yet to be implemented.                                                                                                     | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Possible | Minor                                            | Project Planning complete - easy to commence | 72               |
| Audito Bay Trails                                                                 | Construct walks as per Audito Bay Trails Feasibility Study                                                                                                                                                                                 | \$ 700,000.00           | \$ 700,000.00                                       | \$ 0.00              | Audito Bay Trails Study                                       | Supported by AB Trails Feasibility Study                                                                                                                                    | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Possible | Medium                                           | Project Planning over 50%                    | 72               |
| Completed lighting project                                                        | Improve training lights at all recreation reserves                                                                                                                                                                                         | \$ 1,000,000.00         | \$ 500,000.00                                       | \$ 500,000.00        | CHNP Priority Projects Plan                                   | All clubs have identified groundcourt lighting upgrades as a high priority. No ground lighting currently meets Australian Standards.                                        | Identified by community. No formal strategy                                          | Multiple Community Benefits       | Likely   | Medium                                           | Project Planning over 50%                    | 72               |
| Sustainable projects                                                              | Constructed roof over the water tank and undertake sustainability improvements including water saving measures etc.                                                                                                                        | \$ 1,500,000.00         |                                                     | \$ 1,500,000.00      | G21 Sport & Recreation Pillar project/CFL endorsed project    | Possible sustainability funding for the water harvesting aspect.                                                                                                            | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Possible | Medium                                           | Initial Project Planning commenced           | 72               |
| Central Reserve - other projects                                                  | Implementation of other components of the Central Reserve Master Plan                                                                                                                                                                      | \$ 1,250,000.00         | \$ 1,250,000.00                                     | \$ 0.00              | G21 Sport & Recreation Pillar project/CFL endorsed project    | RDAF application to be submitted.                                                                                                                                           | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Possible | Medium                                           | Initial Project Planning commenced           | 68               |
| Warm Water Pool                                                                   | Warm water pool at BWFC                                                                                                                                                                                                                    | \$ 2,000,000.00         | \$ 2,000,000.00                                     | \$ 0.00              | BWFC Hydrotherapy Pool Feasibility Study                      | Opportunity to source health funds prior to decision. Would increase operational costs substantially though.                                                                | Adopted Corporate Strategy                                                           | Regional Community Benefit        | Possible | Medium                                           | Initial Project Planning commenced           | 68               |
| Timber Roads Upgrade Programs                                                     | Improvements to strategic timber roads across the Oropouke. Roads include Old Beach Forest Road, Pipalane Road, Roadlight Road, Roadlight Creek Road, Amers Track, West-White Road, McDonalds Road, Campbell Road, Kesharon East Road etc. | \$ 2,400,000.00         |                                                     | \$ 2,400,000.00      | Timber Industry Roads Evaluation Study (TRES)                 |                                                                                                                                                                             | Identified by community. No formal strategy                                          | Smart Multiple Community Benefits | Likely   | Medium                                           | Initial Project Planning commenced           | 68               |
| Audito Bay Transfer Station - Resale shed and access road to the surrounding area | Construction of resale shed and access road.                                                                                                                                                                                               | \$ 431,250.00           |                                                     | \$ 431,250.00        | Waste Minimisation Strategy, towards zero waste. BROWMG Plan. |                                                                                                                                                                             | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Possible | Medium                                           | Project Planning over 50%                    | 68               |
| Open Street Program                                                               | Construction of shared footpath between Round Road and Basin Road. Needs to include drainage improvements.                                                                                                                                 | \$ 930,000.00           |                                                     | \$ 930,000.00        |                                                               | \$330k for roadwork, and estimated \$60k for drainage improvements                                                                                                          | Adopted Corporate Strategy                                                           | Multiple Community Benefits       | Likely   | Medium                                           | Initial Project Planning commenced           | 64               |
| Feasibility study for parking/prevent development at former Forest Highway site.  | Develop study and development concept associated with the former Home Hardware site.                                                                                                                                                       | \$ 150,000.00           |                                                     | \$ 150,000.00        |                                                               |                                                                                                                                                                             | Identified by community. No formal strategy                                          | Likely                            | Medium   | Project Planning not commenced but scope defined | 64                                           |                  |
| Forest Main Street Upgrade                                                        | Refurbish to like Newmarket Street, with landscaping and business like 'Train'. Heritage themed landscaping, lighting, signage.                                                                                                            | \$ 500,000.00           | \$ 500,000.00                                       | \$ 0.00              |                                                               |                                                                                                                                                                             | Identified by community. No formal strategy                                          | Possible                          | Medium   | Project scope not defined.                       | 64                                           |                  |
| Burguara Main Street Upgrade                                                      | Development of the Burguara Heritage Trail through the main street. Heritage themed landscaping, lighting, signage.                                                                                                                        | \$ 500,000.00           | \$ 500,000.00                                       | \$ 0.00              |                                                               |                                                                                                                                                                             | Can link to G21 and GSC Regional Parks however not listed in G21 and GSC priorities. | Possible                          | Medium   | Project scope not defined.                       | 64                                           |                  |

| Project                                      | Description of Works                                                                                                                                                                                                                                                                               | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link | Comments                                                                              | Priority Ranking Strategic Fit             | 25% Community Benefit                    | Risk 25% Likelihood | Impact | 25% Project Readiness                            | Priority Ranking |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|-----------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------|------------------------------------------|---------------------|--------|--------------------------------------------------|------------------|
| Western Oval - ground surface improvements   | Remove ground including drainage, irrigation and drought tolerant surface                                                                                                                                                                                                                          | \$ 250,000.00           | \$ 250,000.00                                       |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Likely              | Medium | Project scope not defined                        | 60               |
| Wilson Street Footpath Bridge                | Construction of pedestrian bridge at Barramook Creek along Wilson Street.                                                                                                                                                                                                                          | \$ 200,000.00           |                                                     |                      |                                         | Strategic Parks & Gardens & Recreation Improvements - Eastern Reserve Pedestrian Link | Identified by community No formal strategy | Benefit Multiple Community Organisations | Likely              | Medium | Project Planning not commenced but scope defined | 60               |
| Cressy Sheford Road                          | Construct a permanent fire access track along Cressy Sheford Road as identified in the Cressy Sheford Road Management Plan.                                                                                                                                                                        | \$ 350,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Likely              | Medium | Project Planning not commenced but scope defined | 60               |
| South Colac Recreation Reserve - ground      | Remove ground including drainage, irrigation and drought tolerant surface                                                                                                                                                                                                                          | \$ 250,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Likely              | Minor  | Project Planning not commenced but scope defined | 56               |
| Eastern Reserve Oval                         | Remove ground including drainage, irrigation and drought tolerant surface                                                                                                                                                                                                                          | \$ 250,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Likely              | Minor  | Project Planning not commenced but scope defined | 56               |
| Barramook Creek Road Bridge Replacement      | Replacement of existing bridge at the end of Barramook Creek Road. Located at the car park.                                                                                                                                                                                                        | \$ 250,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 56               |
| Snowmolee Harvesting                         | Upgrade of existing bridge at the end of Snowmolee Road. Located at the car park.                                                                                                                                                                                                                  | \$ 500,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 56               |
| Barramook Creek Road Restoration             | Pathway construction, pathway furniture, interpretive signage, weed removal, revegetation.                                                                                                                                                                                                         | \$ 500,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project Planning not commenced but scope defined | 52               |
| Barramook Recreation Reserve Upgrade         | Upgrade of social rooms, change facilities, tennis courts                                                                                                                                                                                                                                          | \$ 1,500,000.00         |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project Planning not commenced but scope defined | 52               |
| Forest Street Bridge                         | Existing bridge (near Bulia) to be widened. It is currently too narrow to accommodate heavy vehicle traffic.                                                                                                                                                                                       | \$ 850,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project Planning not commenced but scope defined | 52               |
| Colac Recreation Reserve Improvements        | Runway upgrade and construction of a second runway. Main runway requires extension.                                                                                                                                                                                                                | \$ 2,000,000.00         |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 52               |
| Western Oval Improvements                    | Includes social rooms extension, signage, ground lighting, hot water system                                                                                                                                                                                                                        | \$ 300,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 52               |
| South Colac Recreation Reserve Improvements  | Includes change rooms extension, lighting, metal cart, vegetation upgrade                                                                                                                                                                                                                          | \$ 350,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 52               |
| Forest Recreation Reserve Improvements       | Includes upgrading catenaccio, social rooms, lighting, metal change and BBQ shelter/facilities                                                                                                                                                                                                     | \$ 350,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 52               |
| Murray Street Pedestrian Bridge              | Construction of pedestrian bridge at Barramook Creek along Murray Street.                                                                                                                                                                                                                          | \$ 350,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project Planning not commenced but scope defined | 48               |
| Forest township Streetscape                  | Improvement of the main streets of Forest township (including gravel) in line with the township master plan                                                                                                                                                                                        | \$ 500,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project scope not defined                        | 48               |
| Barramook township streetscape               | Improvements within Barramook in line with the township master plan being developed.                                                                                                                                                                                                               | \$ 400,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Medium | Project scope not defined                        | 48               |
| Lake Colac and Barramook Creek Redevelopment | Pathway construction, pathway furniture, interpretive signage, weed removal, revegetation.                                                                                                                                                                                                         | \$ 500,000.00           |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Unlikely            | Minor  | Project Planning not commenced but scope defined | 48               |
| Apple Bay to Sheres Creek Coastal Trail      | Development of a shared off-road pathway for pedestrians and cyclists providing a safe link between Apple Bay and Sheres Creek.                                                                                                                                                                    | \$ 2,000,000.00         |                                                     |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Possible            | Minor  | Project Planning not commenced but scope defined | 48               |
| Barramook Creek Pathway Stage 1              | This project will involve the construction of a 2.5km wide exposed aggregate concrete shared pathway from the Lions Park at Murray St to the entrance of the Lake Colac Caravan Park. The pathway will follow same path as the current asphalt pathway, which does not meet any current standards. | \$ 171,500.00           | \$ 171,500.00                                       |                      |                                         |                                                                                       | Identified by community No formal strategy | Benefit Multiple Community Organisations | Unlikely            | Minor  | Project Planning not commenced but scope defined | 48               |

| Project                                                | Description of Works                                                                                                   | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link | Comments                                                                     | Priority Ranking 25%                        | Community Benefit 25%          | Risk 25%   | Impact                     | 25% Project Readiness Ranking                              | Priority Ranking |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|-----------------------------------------|------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|------------|----------------------------|------------------------------------------------------------|------------------|
| Salvage water saving upgrades                          | Infrastructure pumps and pipes pumping water from dams to reduce water consumption by 15% by 2015.                     | \$ 150,000.00           |                                                     |                      | Water Map                               |                                                                              | Adopted Council Strategic Plan              | Benefit Community              | Possible   | Minor                      | Project Planning not commenced by Initial Project Planning | 48               |
| Gallipoli Recreation Reserve Improvements              | Includes upgrading oval, lighting and rehabilitation facilities                                                        | \$ 350,000.00           | \$ 350,000.00                                       |                      | Recreation Reserve Access Plans         |                                                                              | Identified by community, No formal strategy | Benefit Some Organisations     | Possible   | Minor                      | Project Planning commenced                                 | 48               |
| Gym Extension                                          | Extension of the back wall of the current gym by six metres out on to the vacant grass area.                           | \$ 96,800.00            |                                                     |                      | Recreation Reserve Access Plans         |                                                                              | Identified by community, No formal strategy | Benefit Some Organisations     | Possible   | Minor                      | Project Planning not commenced                             | 44               |
| Irresillie Recreation Reserve Improvements             | Includes changeover residential, toilet upgrades, sewerage, water tanks                                                | \$ 400,000.00           | \$ 400,000.00                                       |                      | Recreation Reserve Access Plans         |                                                                              | Identified by community, No formal strategy | Benefit Some Organisations     | Possible   | Minor                      | Project Planning not commenced but scope defined           | 44               |
| Eastern Reserve Major renovation to building extension | Major redevelopment of Eastern Reserve clubrooms                                                                       | \$ 300,000.00           | \$ 300,000.00                                       |                      | Recreation Reserve Master Plans         |                                                                              | Identified by community, No formal strategy | Benefit Community              | Possible   | Minor                      | Project scope not defined                                  | 44               |
| Cape Oway Road Improvements                            | Reconstruct and raise sections of Cape Oway Road. Total distance of two sections remaining to be reconstructed is 4km. | \$ 1,500,000.00         |                                                     |                      |                                         | Link to G21 and GSC Regional Plans however not listed in G21 and GSC Program | Identified by community, No formal strategy | Benefit Some Organisations     | Possible   | Medium                     | Project Planning not commenced by scope defined            | 44               |
| Batham River Road Tourist Access                       | Road pavement widening, sealing of first 2km, drainage solutions to prevent earth slippage.                            | \$ 1,000,000.00         |                                                     | \$ 800,000.00        |                                         | Link to G21 and GSC Regional Plans however not listed in G21 and GSC Program | Identified by community, No formal strategy | Benefit Some Organisations     | Unlikely   | Medium                     | Project Planning not commenced but scope defined           | 44               |
| Forest Tiger Trail Stage 2                             | Extension of Tiger Trail to Banvon Downs, 4km of shared all access trail.                                              | \$ 150,000.00           | \$ 150,000.00                                       | \$ 150,000.00        |                                         | Link to G21 and GSC Regional Plans however not listed in G21 and GSC Program | Adopted Council Strategic Plan              | Unlikely                       | Negligible | Project Planning commenced | 44                                                         |                  |
| Alive Recreation Reserve Improvements                  | Includes oval redeveloping, lighting, cricket practice                                                                 | \$ 400,000.00           | \$ 400,000.00                                       |                      | Recreation Reserve Master Plans         |                                                                              | Identified by community, No formal strategy | Benefit Multiple Organisations | Possible   | Minor                      | Initial Project completed                                  | 40               |
| Dearns Creek Cleaning                                  | Clean out Dearns Creek from Railway line to Lake Colac.                                                                | \$ 150,000.00           |                                                     |                      |                                         |                                                                              | Identified by community, No formal planning | Benefit Community Organisation | Possible   | Minor                      | Project Planning not commenced but scope defined           | 38               |

PROJECTS UNDER \$150,000 in Priority Order

| Project                                                  | Description of Works                                                                                                                                                                                                    | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link | Comments                                                                                                                               | Priority Rating Strategic Fit               | Community Benefit                        | Risk 25%       | Impact | 25% Project Planning                             | Priority Rating |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------|----------------|--------|--------------------------------------------------|-----------------|
| Colac Cricket Ground Fence Upgrade                       | Install fence around Lake Oval                                                                                                                                                                                          | \$ 35,000.00            | \$ 35,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Almost Certain | Medium | Project Planning complete - ready to commence    | 90              |
| Neighbourhood Renewal Open Space Master Plan Upgrade     | Finalise the implementation of the master plans that were developed some years ago.                                                                                                                                     | \$ 50,000.00            | \$ 50,000.00                                        | \$                   |                                         | Master plans developed a number of years ago, not fully implemented. Only minor works required, could achieve a bit with little money. | Adopted Corporate Strategy                  | Benefit Multiple Community Organisations | Likely         | Medium | Project Planning complete - ready to commence    | 90              |
| Asiatic Disability & Family Change Room Upgrade          | To create a specific Disability Change Room & separate Family Change Room facilities                                                                                                                                    | \$ 50,000.00            | \$ 50,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 72              |
| South Colac Velodrome Upgrade                            | Resurface velodrome at Elliminy Recreation Reserve                                                                                                                                                                      | \$ 60,000.00            | \$ 45,000.00                                        | \$ 15,000.00         |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Almost Certain | Medium | Project Planning complete - ready to commence    | 72              |
| Apollo Bay Recreation Reserve Upgrade                    | Improve local/health/leisure change rooms                                                                                                                                                                               | \$ 100,000.00           | \$                                                  | \$ 100,000.00        |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 72              |
| Building Renewal Program - Colac Central Reserve         |                                                                                                                                                                                                                         | \$ 16,900.00            | \$                                                  | \$ 16,900.00         |                                         |                                                                                                                                        | Adopted Corporate Strategy                  | Benefit Some Community Organisations     | Possible       | Minor  | Project Planning complete - ready to commence    | 64              |
| Building Renewal Program - Inverville Recreation Reserve |                                                                                                                                                                                                                         | \$ 76,075.00            | \$                                                  | \$ 76,075.00         |                                         |                                                                                                                                        | Adopted Corporate Strategy                  | Benefit Some Community Organisations     | Possible       | Minor  | Project Planning complete - ready to commence    | 64              |
| Building Renewal Program - Chastelle Vale Public Hall    |                                                                                                                                                                                                                         | \$ 5,000.00             | \$                                                  | \$ 5,000.00          |                                         |                                                                                                                                        | Adopted Corporate Strategy                  | Benefit Multiple Community Organisations | Possible       | Minor  | Project Planning complete - ready to commence    | 60              |
| Former Colac High School                                 | Master Plan and implementation strategy                                                                                                                                                                                 | \$ 100,000.00           | \$                                                  | \$ 75,000.00         |                                         | Can link to G21 and G55C Regional Plans however not listed in G21 and G55C priorities.                                                 | Adopted Corporate Strategy                  | Benefit Multiple Community Organisations | Possible       | Medium | Project Planning not commenced but scope defined | 60              |
| Western Oval Water Treatmentworks gas hot water          | Install instantaneous hot water system for water treatmentworks                                                                                                                                                         | \$ 20,000.00            | \$ 20,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Possible       | Medium | Project Planning complete - ready to commence    | 60              |
| Avalon Recreation Reserve Cricket practice nets upgrade  | Construct new cricket training facilities                                                                                                                                                                               | \$ 30,000.00            | \$ 30,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 60              |
| Wyndcroft Tennis Clubrooms                               | Construct new clubrooms at Wyndcroft Tennis Courts                                                                                                                                                                      | \$ 60,000.00            | \$ 40,000.00                                        | \$ 20,000.00         |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Possible       | Minor  | Project Planning complete - ready to commence    | 56              |
| Apollo Bay oval drainage                                 | Improve Oval drainage                                                                                                                                                                                                   | \$ 50,000.00            | \$ 50,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 56              |
| Gebrand Recreation Reserve Improvements                  | Improve ground surface                                                                                                                                                                                                  | \$ 100,000.00           | \$ 100,000.00                                       | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 56              |
| Wyndcroft Recreation Reserve New equipment shed          | Construct new equipment shed                                                                                                                                                                                            | \$ 30,000.00            | \$ 30,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 56              |
| Western Oval Social Room Extension                       | Extend social rooms to better cater for young families                                                                                                                                                                  | \$ 100,000.00           | \$ 100,000.00                                       | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Possible       | Minor  | Project Planning complete - ready to commence    | 52              |
| Gebrand Recreation Reserve resurfacing amenities         | New resurfacing amenities                                                                                                                                                                                               | \$ 100,000.00           | \$ 100,000.00                                       | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Possible       | Minor  | Project Planning complete - ready to commence    | 52              |
| Gebrand Recreation Reserve Resurfacing amenities         | Reconstruct cricket practice nets                                                                                                                                                                                       | \$ 20,000.00            | \$ 20,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Likely         | Minor  | Project Planning complete - ready to commence    | 52              |
| Eastern Reserve Minor Improvements to building           | Improve the stadium facilities currently shared by Baseball Club Inc. Specifically the project comprises: repair of carpet, minor painting, construction of a new lighting system and a resurfacing of the playing area | \$ 40,000.00            | \$ 40,000.00                                        | \$                   |                                         |                                                                                                                                        | Identified by community, No formal strategy | Benefit Multiple Community Organisations | Possible       | Minor  | Project Planning complete - ready to commence    | 48              |
| Paradise Picnic Reserve                                  | Upgrade of minor facilities at the barbecue, car park and shelter on the River Front                                                                                                                                    | \$ 100,000.00           | \$ 40,000.00                                        | \$ 75,000.00         |                                         | Can link to G21 and G55C Regional Plans however not listed in G21 and G55C priorities.                                                 | Adopted Corporate Strategy                  | Benefit Some Community Organisations     | Possible       | Minor  | Project Planning complete - ready to commence    | 48              |



| Project                                                                                                                 | Description of Works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link                                         | Comments                                     | Priority Rating<br>25%                                                                   | Community Benefit<br>25%                                                     | Risk<br>25%          | Impact                   | 25%<br>Project Readiness<br>Initial Project Planning<br>Completed                                    | Priority Ranking |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|---------------------------------------------------------------------------------|----------------------------------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------------|--------------------------|------------------------------------------------------------------------------------------------------|------------------|
| Western Oval Shelters                                                                                                   | Construct new shelter for spectators<br><br>Construct an RV Dump Point for RV's and motorhomes to dispose of their effluent into an appropriate dump point. This will have a specially designed area for disposal of effluent at the Cobles Drive Reserve site. To offer an appropriate site for RV's and motorhomes to dispose of their effluent. This has come as a result of a high number of enquiries into the Cobles Visitor Information Centre from visitors to the area.                       | \$ 60,000.00            |                                                     |                      | County Football Netball Priority Project Plan                                   |                                              | Identified by Strategic Plan<br>Priority 22/23/24                                        | Benefit Some Community<br>Organisations                                      | Unlikely             | Negligible               | Project Readiness Initial Project Planning Completed                                                 | 36               |
| Cobles RV Dump Point construction                                                                                       | Installation of a sewerage treatment and Compostex Motorhome Club of Australia which is connected to the sewer line on site and laying of gravel to make the surface appropriate for the RV's and motorhomes.<br><br>This project will give visitors to the area that are in the process of purchasing a motorhome a place to stop off before a dump point rather than continue on and drive through the town. This project will benefit local businesses in Cobles as well as be seen as RV Friendly. | \$ 11,000.00            |                                                     |                      |                                                                                 |                                              | Identified by community No formal planning                                               | Benefit Some Community Organisation                                          | Possible             | Minor                    | Project scope not defined.                                                                           | 32               |
| Reserve Detention Program - playground Upgrade<br>Forest Recreation Reserve install electric BBQ and seating at shelter | Minor improvements to football changerooms                                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$ 20,000.00            | \$ 20,000.00                                        |                      | County Football Netball Priority Project Plan<br>Recreation Reserve Master Plan | Small amount needed to finish off facilities | Identified by community No formal strategy<br>Identified by community No formal strategy | Benefit Some Community Organisations<br>Benefit Some Community Organisations | Unlikely<br>Unlikely | Negligible<br>Negligible | Project Planning not commenced but scope defined<br>Project Planning not commenced but scope defined | 32<br>32         |

FUTURE CONSIDERATION / UNCOMPLETED PROJECTS - No Priority Order

| Project                                                                                                | Description of Works                                                                                                                                                                               | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link                                                         | Comments                                                                                                                                                                                                                                  | Priority Rating Strategic Fit                | Community Benefit                        | Risk Likelihood | Impact                                                   | 25% Project Readiness                            | Priority Ranking |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------------------------|-----------------|----------------------------------------------------------|--------------------------------------------------|------------------|
| Apple Bay Harbour Redevelopment                                                                        | Stage 1 public infrastructure: New sea wall and promenade, new harbour management facilities, realignment of harbour road entrance, walking paths and new sailing club facilities.                 | 10,300,000.00           |                                                     | 10,300,000.00        | Lined in G21 and GSC regional priorities.                                                       | No application possible until Planning Scheme Amendment completed.                                                                                                                                                                        | Council Plan Priority                        | Regional Community Benefit               | Likely          | Major                                                    | Project scope not defined.                       | 80               |
| Cable CBD & City Entrances Redevelopment                                                               | Stage 1 construction streetscape beautification.                                                                                                                                                   | 4,000,000.00            |                                                     | 3,900,000.00         | Can link to G21 and GSC regional priorities.                                                    | Cannot apply until strategic work completed.                                                                                                                                                                                              | Adopted Corporate Strategy                   | Regional Community Benefit               | Likely          | Major                                                    | Project scope not defined.                       | 78               |
| Cable Secondary College Sports Ground                                                                  | New active sports field at Cable Secondary College                                                                                                                                                 | 800,000.00              | 600,000.00                                          | 600,000.00           | G21 Sports & Recreation Plan project/CPL endorsed project.                                      | Opportunity to develop as part of school development                                                                                                                                                                                      | Adopted Corporate Strategy                   | Benefit Multiple Community Organisations | Likely          | Medium                                                   | Initial Project Planning commenced               | 76               |
| Cable CBD & City Entrances Stage 3 Planning                                                            | Detailed engineering and landscape design work                                                                                                                                                     | 150,000.00              |                                                     | 100,000.00           | Can link to G21 and GSC regional priorities.                                                    | Apply under RGF Strategic initiatives                                                                                                                                                                                                     | Adopted Corporate Strategy                   | Benefit Multiple Community Organisations | Likely          | Major                                                    | Project Planning not commenced but scope defined | 75               |
| Standard Footing and Sustainability Improvements                                                       | Construction over the existing area and undertake sustainability improvements including water saving measures etc.                                                                                 | 1,500,000.00            |                                                     |                      |                                                                                                 | Possible sustainability benefits for the water harvesting aspect. Will require detail design, staging, cost estimates and tender documentation. The project can span over 7 to 10 years.                                                  | Council Plan Priority                        | Regional Community Benefit               | Possible        | Medium                                                   | Initial Project Planning commenced               | 72               |
| Beating Coastal Action Plan (BCAP) - Beating Facility - Apple Bay (Excluding Stage 1)                  | Beating facilities at Apple Bay have been identified and a preliminary design document and accordingly eligible to be upgraded to regional standards. Total Project cost is estimated at \$3.5mll. | 2,600,000.00            |                                                     |                      | Beating Coastal Action Plan, Apple Bay Harbour and the Apple Bay Harbour Capital Works Program. | Project could include closure of Highway St and create more space for community use. Suggest the development of a master plan first. Costs are indicative and subject to change depending on the outcomes of community and council needs. | Adopted Corporate Strategy                   | Regional Community Benefit               | Possible        | Medium                                                   | Project Planning but scope defined               | 64               |
| Home Hardware site - redevelopment and road closure                                                    | Undertake works as determined by the precinct plan incorporating the home name hardware site.                                                                                                      | 2,000,000.00            |                                                     |                      |                                                                                                 |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Major           | Project scope not defined.                               | 80                                               |                  |
| Land purchase for Cable Park/Ride                                                                      | Land purchase for Cable Park/Ride.                                                                                                                                                                 | 2,800,000.00            |                                                     | 2,800,000.00         | Can link to G21 and GSC regional priorities however not listed in G21 and GSC priorities.       | Would not be eligible under RDAF or RGF guidelines but Stewart Anderson believes there will be a grant opportunity from State Government.                                                                                                 | Identified by community. No formal strategy. | Regional Community Benefit               | Possible        | Minor                                                    | Initial Project Planning commenced               | 64               |
| Barrington Creek Pathway                                                                               | Shed use path from lake to Wilson St                                                                                                                                                               |                         |                                                     |                      | Open Space Strategy                                                                             | Identified in Footpath Strategy                                                                                                                                                                                                           | Adopted Corporate Strategy                   | Regional Community Benefit               | Possible        | Minor                                                    | Initial Project Planning commenced               | 64               |
| Queen Street Shared Pathway                                                                            | Continued improvements to the Old Beatty Rail Trail                                                                                                                                                |                         |                                                     |                      | CBRT Strategic Plan                                                                             | Open Space Strategy                                                                                                                                                                                                                       | Adopted Corporate Strategy                   | Regional Community Benefit               | Possible        | Medium                                                   | Initial Project Planning commenced               | 80               |
| Old Beatty Rail Trail - ongoing improvements                                                           | Facilities from Clubs to Healthfield Estate. Main road would require providing access over Barkham Rise.                                                                                           |                         |                                                     |                      | Open Space Strategy                                                                             | Access required over Barkham River, major cost. Club has 9 members.                                                                                                                                                                       | Identified by community. No formal strategy. | Likely                                   | Minor           | Initial Project Planning commenced                       | 64                                               |                  |
| Open Space Strategy Implementation - Park Upgrade Strategy                                             | Implement the recommendations from the Open Space Strategy                                                                                                                                         |                         |                                                     |                      | Open Space Strategy                                                                             | Further planning required                                                                                                                                                                                                                 | Adopted Corporate Strategy                   | Regional Community Benefit               | Possible        | Minor                                                    | Initial Project Planning commenced               | 61               |
| Forest Recreation Reserve - upgrade to Canberra, umpires change etc.                                   | Improvements to carpark, umpires amenities etc.                                                                                                                                                    |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   | Strategy still to be developed                                                                                                                                                                                                            | Identified by community. No formal strategy  | Possible                                 | Minor           | Initial Project Planning commenced                       | 48                                               |                  |
| Reserve - umpires change etc.                                                                          |                                                                                                                                                                                                    |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Minor           | Initial Project Planning not commenced but scope defined | 38                                               |                  |
| Reserve - umpires change etc.                                                                          |                                                                                                                                                                                                    |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Negligible      | Initial Project Planning not commenced but scope defined |                                                  |                  |
| Knowledge Recreation Reserve - table                                                                   | Upgrade public tables at reserve                                                                                                                                                                   |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Negligible      | Initial Project Planning not commenced but scope defined |                                                  |                  |
| Lane Oval                                                                                              |                                                                                                                                                                                                    |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Negligible      | Initial Project Planning not commenced but scope defined |                                                  |                  |
| South Cote Recreation Reserve Oval upgrade including drainage, irrigation and drought tolerant surface |                                                                                                                                                                                                    |                         |                                                     |                      | County Football Netball Priority Project Plan                                                   |                                                                                                                                                                                                                                           | Identified by community. No formal strategy  | Possible                                 | Negligible      | Initial Project Planning not commenced but scope defined |                                                  |                  |

PROJECTS NOT ELIGIBLE FOR LGIP FUNDING

| Project                                       | Description of Works                                                                          | Total Project Cost (\$) | Amount from Local Government Infrastructure Program | Grant Funds Required | Strategic Plan Link / State Policy Link  | Comments                                                                                                                                                          | Priority/Stranding                         | 25% Community Benefit            | Risk     | 25% Likelihood | Impact | 25% Project Planning                             | Priority/Stranding |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------|----------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------------------|----------|----------------|--------|--------------------------------------------------|--------------------|
| Boading Facilities Apollo Bay Harbour Stage 1 | Construction and sealing of car park and landscaping                                          | \$ 990,000.00           | \$ 237,500.00                                       | \$ 752,500.00        | Apollo Bay Harbour Development           | Considered a high priority in State Government's BGAIP document recently released by the Minister. Classified as a Regional Facility and eligible for such funds. | Adopted Corporate Strategy                 | Regional Community Benefit       | Likely   | Likely         | Major  | Project Planning over 50% complete               | 88                 |
| Apollo Bay Township drainage improvements     | Construct drainage within the Apollo Bay Township in line with the Apollo Bay Drainage Study. | \$ 900,000.00           |                                                     |                      |                                          |                                                                                                                                                                   | Identified by community/No formal strategy | Multiple Community Organisations | Likely   | Likely         | Major  | Initial Project Planning commenced               | 72                 |
| Princes Highway West Upgrades                 | Close to SA Border including pavement surface widening and construction of overhead lines.    | \$ 35,000,000.00        |                                                     | \$3m                 | Used in G21 and S2C regional priorities. | Would not be COS application. Keep as priority for lobbying.                                                                                                      | Identified by community/No formal strategy | Regional Community Benefit       | Possible | Possible       | Major  | Project scope not defined                        | 60                 |
| Improved rail Services                        | Construction of Passing Bay at Woomera.                                                       | \$ 18,000,000.00        |                                                     | \$18m                |                                          |                                                                                                                                                                   | Identified by community/No formal strategy | Regional Community Benefit       | Possible | Possible       | Major  | Project scope not defined                        | 60                 |
| Cressy township drainage                      | Construct town drainage                                                                       | \$ 690,000.00           |                                                     |                      |                                          |                                                                                                                                                                   | Identified by community/No formal planning | Multiple Community Organisations | Possible | Possible       | Minor  | Project Planning not commenced but scope defined | 44                 |
| Beacq township drainage                       | Construct town drainage                                                                       | \$ 500,000.00           |                                                     |                      |                                          |                                                                                                                                                                   | Identified by community/No formal planning | Multiple Community Organisations | Possible | Possible       | Minor  | Project Planning not commenced but scope defined | 44                 |
| Coorial Township drainage improvements.       | Construct drainage network for Coorial in Wye River, Kennet River, Separation Creek.          | \$                      |                                                     |                      |                                          |                                                                                                                                                                   | Identified by community/No formal planning | Multiple Community Organisations | Possible | Possible       | Minor  | Project Planning not commenced but scope defined | 44                 |



**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                        | D | W |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b><u>GENERAL BUSINESS</u></b>                                                                                                                                                                                                                                                                                              |   |   |
| <b><u>OM112809-16 ASSEMBLY OF COUNCILLORS</u></b>                                                                                                                                                                                                                                                                           |   |   |
| Department: General Business                                                                                                                                                                                                                                                                                                |   |   |
| <b><u>Recommendation(s)</u></b>                                                                                                                                                                                                                                                                                             |   |   |
| <i>That Council notes the Assembly of Councillors reports for:</i>                                                                                                                                                                                                                                                          |   |   |
| <ul style="list-style-type: none"> <li>• <i>Central Reserve Advisory Committee - 3 August 2011</i></li> <li>• <i>Municipal Emergency Management Planning Committee - 18 August 2011</i></li> <li>• <i>Councillor Briefing Session - 24 August 2011</i></li> <li>• <i>Councillor Workshop - 14 September 2011</i></li> </ul> |   |   |

**Recommendation**

*That recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.*

**MOVED** .....

**SECONDED** .....



**OM112809-16 ASSEMBLY OF COUNCILLORS**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | GEN00460  |

**Assembly of Councillors**

A record must be kept of an assembly of Councillors which lists the Councillors attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

**Definition**

An “assembly of Councillors” is a defined term under section 76AA of the *Local Government Act 1989* (the Act). It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

If a meeting fits either of these types the procedures applying to an assembly of Councillors must be complied with, irrespective of any name or description given to the committee or meeting.

**Advisory Committees**

Section 3(1) of the Act defines an advisory committee to be any committee established by the Council, other than a special committee, that provides advice to—

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**Councillor briefings**

One type of meeting that is clearly an assembly of Councillors is the type of regular meeting, commonly referred to as a “Councillor Briefing” or similar name where Councillors and staff meet on a to discuss issues that are likely to come before Council for decision. While these meetings have no authority to make Council decisions. They are generally assemblies of Councillors and subject to conflict of interest disclosures.

**What records are to be kept.**

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- the Councillors and members of Council staff attending;
- the matters discussed;
- disclosures of interest (if any are made); and
- whether a Councillor left the meeting after making a disclosure.



It is a requirement that the record of an assembly is to be reported to the next practicable Council meeting and be included in the minutes of that meeting, instead of being made available for public inspection.

The following Assemblies of Councillors have been held:

- Central Reserve Advisory Committee - 3 August 2011
- Municipal Emergency Management Planning Committee - 18 August 2011
- Councillor Briefing Session - 24 August 2011
- Councillor Workshop - 14 September 2011

#### **Attachments**

1. Central Reserve Advisory Committee - 3 August 2011
2. MEMPC - 18 August 2011
3. Councillor Briefing Session - 24 August 2011
4. Councillors workshop - 14 September 2011

#### **Recommendation(s)**

***That Council notes the Assembly of Councillors reports for:***

- ***Central Reserve Advisory Committee*** - ***3 August 2011***
- ***Municipal Emergency Management Planning Committee*** - ***18 August 2011***
- ***Councillor Briefing Session*** - ***24 August 2011***
- ***Councillor Workshop*** - ***14 September 2011***



### Assembly of Councillors Record

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting.

#### Assembly Details:

Date: 3 August 2011  
Time: 5:15pm – 7:00pm

Assembly Location: Colac Community Library and Learning Centre  
(some e.g's. COPACC, Colac Otway Shire Offices, 2 - 6 Rae Street, Colac, Shire Offices – Nelson Street, Apollo Bay

#### In Attendance:

Councillors: Cr Brian Crook  
...../...../...../.....

Officer/s: Ian Seuren – Manager Recreation, Arts and Culture  
...../...../...../.....

Matter/s Discussed: See attached meeting agenda.

.....  
(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

#### Conflict of Interest Disclosures: (refer page 5)

Councillors: Not applicable  
...../...../...../.....

Officer/s: Not applicable  
...../...../...../.....

Left meeting at: At conclusion of the meeting at 7:00pm

Completed by: Ian Seuren – Manager, Recreation, Arts and Culture

|                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <br><b>Agenda</b> | <h1 style="margin: 0;">Central Reserve Advisory Committee</h1> <p style="margin: 0;">Wednesday 3 August 2011<br/>5:15pm-7:00pm<br/>Colac Community Library and Learning Centre</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |
|                                                                                                    | <p><b>INVITEES:</b></p> <p>Ian Seuren (Colac Otway Shire)<br/>         Cr. Brian Crook (Colac Otway Shire)<br/>         Nick Lang (Colac Football &amp; Netball Club Inc.)<br/>         Bruce Roberts (Colac Football &amp; Netball Club Inc.)<br/>         Helen Gibson (Colac Netball Club Inc.)<br/>         Graham Tevelein (Colac Youth &amp; Recreation Club)<br/>         Rob Osborne (Colac &amp; District Cricket Association Inc.)<br/>         Phil Lang (Colac &amp; District Cricket Association Inc.)<br/>         Val Russell (Colac &amp; District F/L Netball Association Inc.)<br/>         Bob Mason (Colac &amp; District Football Netball League)<br/>         Sam McDonald (Colac Auskick)<br/>         Gerard Kavenagh (Little Athletics Colac)<br/>         Terry Stephens (Colac &amp; District Dog Obedience Club)<br/>         John Neal (Colac City Bowls Club)<br/>         Simon Dewar (Colac Secondary College)<br/>         David Latham (Colac Otway Rovers)</p> |                |
|                                                                                                    | <h2 style="margin: 0;">Agenda topics</h2>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |
| 1.                                                                                                 | APOLOGIES:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |
| 2.                                                                                                 | WELCOME & INTRODUCTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Cr Brian Crook |
| 3.                                                                                                 | Confirmation of Minutes from Previous Meeting and Business Arising                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | All            |
| 4.                                                                                                 | Facilities Maintenance Report (Infrastructure)<br>Grounds Maintenance Report (CosWorks)<br>- As circulated                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Ian Seuren     |
| 5.                                                                                                 | CYRC Facility Improvement Update                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Ian Seuren     |
| 6.                                                                                                 | Central Reserve Master Plan – priorities for implementation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | All            |
| 7.                                                                                                 | Fundraising ideas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | All            |
| 9.                                                                                                 | Update from all User Group Representatives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | All            |
| 10.                                                                                                | General Business                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | All            |
| 11.                                                                                                | Items for future meetings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | All            |
| 12.                                                                                                | Next meeting:<br><ul style="list-style-type: none"> <li>• Wednesday 5 October 2011</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |



# Assembly of Councillors Record

This Form **MUST** be completed by the attending Council Officer and returned **IMMEDIATELY** to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting. **{See over for Explanation/Guide Notes}**

## Assembly Details:

**Date:** 18/8/2011

**Time:** 1:30 pm

## Assembly Location: Meeting Rom 2 COPACC

(some e.g's. COPACC, Colac Otway Shire Offices, 2 - 6 Rae Street, Colac, Shire Offices – Nelson Street, Apollo Bay

## In Attendance:

Councillors: Cr Stuart Hart

Officer/s: Greg Anderton, Greg Fletcher, Jodie Fincham, Mark Gunning, Wendie Fox, Stewart Anderson

Matter/s Discussed: MAV Project – Improving EM in Local Government, Relief and Recovery Project Presentation, Municipal Fire Management Plan, MEMPC Membership, Township Evacuation Planning.

(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

## Conflict of Interest Disclosures: (refer page 5)

Councillors: ...../...../...../.....  
...../...../...../.....

Officer/s: ...../...../...../.....  
...../...../...../.....

Left meeting at: .....

Completed by: Wendie Fox.....

## Council Meeting Running Order

Wednesday, 24 August 2011

**Venue – COPACC Meeting Rooms, Colac**

**Present:** Cr Brian Crook (Mayor), Cr Stephen Hart, Cr Frank Buchanan, Cr Lyn Russell, Cr Stuart Hart, Cr Geoff Higgins (from 3.00pm), Cr Chris Smith (from 3.00pm)

**Staff:** Rob Small (CEO), Doug McNeill, Neil Allen, Colin Hayman, Rhonda Deigan

**Part:** Daniel Pech & Don Lewis, Rob Learey & Chris Riverie (Powercor)  
Mike Barrow

**Apology:** Cr Geoff Higgins

**Conflict of Interest:** Rob Small (In-Committee Item OM1124018-21)

|                 |                                                                                            |
|-----------------|--------------------------------------------------------------------------------------------|
| <b>10.00 am</b> | <b>Victorian Planning System Reform Review – Doug McNeill, Daniel Pech &amp; Don Lewis</b> |
| <b>11.00 am</b> | <b>Rob Learey &amp; Chris Riverie – Smart Meter Rollout</b>                                |
| <b>12.00 pm</b> | <b>Lunch</b>                                                                               |
| <b>12.30 pm</b> | <b>Councillor Briefing Session</b>                                                         |
| <b>3.00 pm</b>  | <b>Council Meeting</b>                                                                     |
| <b>5.15 pm</b>  | <b>In Committee Meeting</b>                                                                |



# Councillor Workshop

Wednesday, 14 September 2011  
COPACC Meeting Room  
9.00 am to 4.25 pm

## Agenda

### ATTENDEES:

Cr Crook (Mayor), Cr Buchanan (9.00am to 1.40pm), Cr Stephen Hart, Cr Stuart Hart (from 9.20am), Cr Smith (10.30am – 10.50pm & 1.00pm – 2.30pm), Cr Higgins (10.30am – 3.00pm), Cr Russell Rob Small (CEO), Colin Hayman (GM, Corporate & Community Services) Jack Green (GM, Sustainable Planning & Development), Neil Allen (GM, Infrastructure & Services)

### Part:

Ranjani Jha, Doug McNeill, Don Lewis, Mike Barrow, Stewart Anderson, Brett Exelby, Ian Seuren, Andrew Nixon, Sue McKenzie, Jo Connellan (Dept of Transport), Stewart Vawser & Matthew Koot

| Agenda Topics       |                                                                                                  |                                                                                                |
|---------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 9.00 am             | Declaration of Interest<br>Colin Hayman – Interest in end of Year<br>Financial Management Report |                                                                                                |
| 9.00 am – 9.30 am   | Planning Committee Briefing Session                                                              | Doug McNeill & Anne Sorensen                                                                   |
| 9.30 am – 10.00 am  | Port Management Model                                                                            | Ranjani Jha, Jo Connellan,<br>Project Manager, Local Ports,<br>Department of Transport         |
| 10.00am – 10.30am   | Parking Provisions Review                                                                        | Doug McNeill & Don Lewis                                                                       |
| 10.30 am – 11.00am  | Planning Committee Meeting                                                                       | Bronwyn Keenan                                                                                 |
| 11.00 am – 11.50 am | Liquor Licensing & Associated Issues                                                             | Doug McNeill/Don Lewis                                                                         |
| 11.50 pm – 12.30 pm | Apollo Bay Trails Feasibility Study                                                              | Ian Seuren/Andrew Nixon/Sue<br>McKenzie                                                        |
| 12.30 pm – 1.00 pm  | Lunch                                                                                            |                                                                                                |
| 1.00 pm – 1.15 pm   | Special Council Meeting<br>- Certification of 2010/11 Financial<br>Statements                    | Rhonda Deigan                                                                                  |
| 1.15pm – 1.40 pm    | Grants Briefing                                                                                  | Rob Small/Mike Barrow/Michael<br>Swanson                                                       |
| 1.40 pm – 2.30 pm   | Apollo Bay Harbour Market Research                                                               | Doug McNeill/Mike<br>Barrow/Michael Swanson/Mick<br>Cosgriff – Stuart Vawser &<br>Matthew Koot |
| 2.30 pm – 3.00 pm   | Colac CBD & Entrances Project                                                                    | Mike Barrow & Doug McNeill                                                                     |
| 3.00 pm – 3.30 pm   | Local Laws Review                                                                                | Stewart Anderson/Graeme<br>Murphy                                                              |
| 3.30 pm – 3.45 pm   | Procurement Policy                                                                               | Colin Hayman                                                                                   |
| 3.45 pm – 4.25 pm   | End of Year Financial Management Report<br>(Confidential)                                        | Brett Exelby                                                                                   |

### Confidentiality Statement:

The discussion on the End of Year Financial Management Report is deemed confidential under section 89(2) (a) (d) and (h) of the Local Government Act 1989 as the report refers to personnel matters, contractual matters: and any other matter which would prejudice the Council or any person.

Rob Small - Chief Executive Officer





**IN COMMITTEE**

**Recommendation**

***That pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move “In-Committee” in order to deal with:***

| <b>SUBJECT</b>                                                                      | <b>REASON</b>                                                                                                                                                                              | <b>SECTION OF ACT</b>          |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| End of Financial Year Management Report 2010/2011                                   | this matter may prejudice the Council or any person                                                                                                                                        | Section 89 (2) (h)             |
| Real Estate Services Evaluation                                                     | this matter deals with contractual matters; AND this matter may prejudice the Council or any person                                                                                        | Section 89 (2) (d) (h)         |
| Report from Delegate to other bodies - Audit Committee Minutes                      | this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter deals with legal advice; AND this matter may prejudice the Council or any person | Section 89 (2) (a) (d) (f) (h) |
| Contract Approval Contract 1102 – Cleaning Of Rural Toilets & Public Use Facilities | this matter deals with contractual matters                                                                                                                                                 | Section 89 (2) (d)             |
| Contract Approval Contract 1117 – Office Redevelopment                              | this matter deals with contractual matters                                                                                                                                                 | Section 89 (2) (d)             |
| Loan Services Tender Resolution                                                     | this matter may prejudice the Council or any person; AND this matter includes a resolution to close the meeting to members of the public                                                   | Section 89 (2) (h) (i)         |
| Update on Bruce Street landfill environmental monitoring outcome                    | this matter deals with a proposed development; AND this matter deals with legal advice                                                                                                     | Section 89 (2) (e) (f)         |