

## ORDINARY COUNCIL MEETING

# AGENDA

25 FEBRUARY 2015

at 4:00 PM

Senior Citizens Centre, Apollo Bay

**Next Meeting:**

25 March 2015 at 4.00pm  
COPACC Meeting Rooms, Colac



### *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

### *Our Values*

Council will achieve its Vision and Mission by acting with:

- Respect
- Integrity
- Goodwill
- Honesty
- Trust

### *Our Strategic Direction*

The four pillars of our Council Plan indicate our key strategic direction for 2013-2017.

An underlying principle in the development of the Council Plan was to more effectively integrate service delivery.

Pillar 1: Good Governance

Pillar 2: A Planned Future

Pillar 3: A Place to Live and Grow

Pillar 4: A Healthy Community and Environment

### *Our Councillors*

Cr Frank Buchanan (Mayor), Cr Brian Crook (Deputy Mayor), Cr Michael Delahunty, Cr Stephen Hart, Cr Lyn Russell, Cr Chris Smith, Cr Terry Woodcroft.



## Ordinary Meeting of Council

### Welcome

Welcome to this Meeting of the Colac Otway Shire Council

Council Meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way. They also allow the public to be involved in the decision making process of Council

### About this meeting

There are a few things to know about tonight's meeting. The agenda itemizes all the different parts to the meeting. Some of the items are administrative and are required by law. In the agenda you will also find a list of all the items to be discussed this evening.

Each report is written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. Council will consider the report and either accept the recommendation or make amendments to it. All decisions of Council are adopted if they receive a majority vote from the Councillors present at the meeting.

In accordance with Local Law 4, agenda items will be considered as follows:

- The item is introduced by the Mayor and Councillors are invited to ask questions of relevant officers
- A mover and a seconder of a motion is called for and if there is any Councillor who wishes to oppose the motion.
- The mover will then be invited to speak to the motion, followed by the seconder and then, if required, the Councillor who opposed the motion.
- Remaining Councillors will be given the opportunity to speak for or against the motion.
- If any Councillor speaks against the motion, the mover will be given the right of reply.
- There will be no further discussion of the item once the vote has been declared.

### Public Question Time

Provision is made at the beginning of the meeting for general question time from members of the public. Matters relating to routine Council works should be taken up with Council's Customer Assist Staff.

Up to thirty minutes may be provided for Question Time. This is at the discretion of the Mayor.

Residents are encouraged to lodge questions in advance so that a more complete response can be given.

Questions can be submitted in writing up until 5.00pm on the Monday prior to each Council meeting. There is also provision for questions to be asked from the gallery. If you would like to ask a question during Question Time, it would be appreciated if you could please fill in the blue "Public Question Time – Council Meetings" form located in the meeting rooms and hand to the COPACC Duty Supervisor.

Questions relating to a topic on the agenda may be taken on notice and responded to after the meeting. Responses to questions taken on notice will be tabled at the following meeting and included in the minutes of that meeting.

### Hearing of Submissions

Any person who has made a written submission on an item and requested that she or he be heard in support of that written submission pursuant to section 223 of the *Local Government Act 1989* will be entitled to address Council.

When the relevant item is listed for discussion, the Mayor/Chairperson will call your name and ask you to address the Council. The length of time available to each speaker is five minutes.

### Recording of Meetings

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings. Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy. In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

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

# COLAC-OTWAY SHIRE COUNCIL MEETING

25 FEBRUARY 2015

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Sue Wilkinson  
Chief Executive Officer

# COLAC OTWAY SHIRE COUNCIL ORDINARY MEETING OF COUNCIL

NOTICE is hereby given that the next **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in Senior Citizens Centre, Apollo Bay on 25 February 2015 at 4.00pm.

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## 1. OPENING PRAYER

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

## 2. APOLOGIES

## 3. DECLARATION OF INTEREST

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989, direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), ie:

- a) direct financial interest
- b) indirect interest by close association
- c) indirect interest that is an indirect financial interest
- d) indirect interest because of conflicting duties
- e) indirect interest because of receipt of an applicable gift
- f) indirect interest as a consequence of becoming an interested party
- g) indirect interest as a result of impact on residential amenity
- h) conflicting personal interest.

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

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

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

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

Colac Otway Shire encourages community input and participation in Council decisions. Council meetings provide an opportunity for the community to ask Council questions, either verbally at the meeting or in writing.

Please note that Council may not be able to answer some questions at the meeting. These will be answered later.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

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

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

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

Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. 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. TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS**

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

#### **7. PETITIONS/JOINT LETTERS (if required)**

## 8. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 28/01/15.

### Recommendation

*That Council confirm the above minutes.*

As per Governance Local Law No 4, clause 34:

### 34. Objection to Confirmation of Minutes

- (1) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
  - (a) state the item or items with which he or she is dissatisfied; and
  - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (2) Except where sub-clause (1) applies, no vote shall be recorded against a motion to adopt the minutes.





**OM152502-1                      CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F11/3291

**EXECUTIVE**

Meetings and events attended by the CEO and/or Councillors during the past month included:

- G21 Board meeting
- Community Conversation at Barwon Downs
- MAV Regional Strategic Planning Sessions in Warrnambool and Bannockburn
- Great South Coast Board meeting in Colac
- Beeac Progress Association meeting
- Meeting with Department of Education and Early Childhood Development regarding the former Colac High School site
- Meeting with Regional Development Victoria regarding Advancing Country Towns
- Apollo Bay Seafood Festival
- Friends of the Botanic Gardens
- Guest speaker at the Evening View Club meeting
- Resilient Communities Project meeting with Victoria Police re Emergency Management
- Meeting and tour of facilities with Colac Woodturners
- Meeting with the Upper Barwon Landcare Network.

**CORPORATE & COMMUNITY SERVICES**

**HEALTH & COMMUNITY SERVICES**

**Children & Family Services**

**Early Years Directory**

The updated version of Council's Early Years Directory is currently being finalised. The directory outlines all of the organisations in the Colac Otway Shire who support families across the early year's spectrum. With input from all services, this directory will be a vital resource for new and existing families and service providers. The updated version will be available on Council's website on completion.

**Maternal and Child Health (M&CH)**

We have had 20 new babies born in January 2015 to start off the New Year.

The launch of the M&CH Families Calendar at the end of December 2014 was a huge success and we have been receiving great feedback. It is planned that the calendar be sent to all families. It is hoped the project can be repeated next year.

The M&CH consulting rooms at our Queen St centre will be increasing with the arrival of a new portable office which is located at the rear of our building.

## Statistics – January 2015

- 20 infants enrolled from birth notifications.

<b>Key Ages and Stages Consultations</b>					
Home visits: 19					
<b>2wks</b>	14	<b>4wks</b>	16	<b>8wks</b>	16
<b>4mths</b>	11	<b>8mths</b>	19	<b>12mths</b>	12
<b>18mths</b>	13	<b>2yrs</b>	7	<b>3.5yrs</b>	13

### Other services provided included:

- 60 additional consultations
- 25 phone consultations
- 5 opportunistic immunisations
- 16 Child and Family Referrals with the main issues being vision, auditory and maternal physical & emotional health.
- 47 Child and Family Counselling sessions provided. The majority of counselling was for nutrition and maternal emotional health.
- New Parents Groups - 4 sessions in Colac.
- This month we commenced with 47 cases open for our vulnerable families requiring Enhanced Home Visiting service (Vulnerable and at risk families). We opened 9 new cases and closed 10.

### Rural Access

The Rural Access Community Services Officer has completed the 2015 Directions Report, which is the agreed work plan for the role between the Department of Human Services and Council. Key activities will be continuing to promote the participation and inclusion of people with disabilities across the shire, and supporting individuals, families, carers and organisations with voicing issues and other implications of the National Disability Insurance Agency (NDIA) trial at a regional level.

The state agreement supporting the NDIA launch includes the funding for the Community Building Program and Rural/Metro Access roles within councils. As the NDIA will assume responsibility for these funds, it is likely that the Rural Access role will experience significant changes, including the potential for the role to cease. The Municipal Association of Victoria will host a number of forums and lobbying activities, commencing in February, in order to highlight the significant achievements of the program across the state. The Rural Access Community Services Officer will be contributing to these activities, including providing information regarding launch impacts where appropriate.

## RECREATION ARTS AND CULTURE

### Events

#### **2015 Australia Day Celebrations – Colac Botanic Gardens**

The Colac Otway Shire together with the Friends of the Botanic Gardens hosted Australia Day Celebrations in the Colac Botanic Gardens on Monday 26 January 2015. Approximately 1,000 people attended the celebrations, with feedback from those attending being overwhelmingly positive.

Australia Day Awards were presented in five categories, with Denise Green taking out the Citizen of the Year Award for her volunteering with a number of community groups and kinder gardens, as well as her ongoing commitment to the Colac Botanic Gardens.

Eleven Colac Otway Shire residents received their Australian citizenship as part of the official Australia Day Ceremony. A number of Shire community groups and service clubs contributed to the day, assisting with the free community barbeque and the afternoon's program of arts, literature and theatre. In addition, COPACC put on a number of interactive theatre performances which were greatly enjoyed by the audience. The gardens with its large shady trees, open space and playground provided the perfect venue for the Australia Day event.

The Expression of Interest to host the 2016 Australia Day Celebrations is due to open in late February 2015.

#### **Upcoming events**

**Relay for Life** – 28 February and 1 March – Western Oval, Colac. A fundraising event, where teams take turns to walk/run through the night raising funds and awareness in the fight against cancer.

**Gellibrand Blues and Blueberry Festival** – 28 February – Gellibrand. A community festival offering music, food, art and craft whilst also promoting local produce and cottage industries.

**Colac Kana Festival** – 14 March – Memorial Square, Colac. A community festival incorporating a street parade and market in Memorial Square, Colac. This year's theme is "How Does Your Garden Grow?"

**Old Beechy Rail Trail Fun Run** – 15 March – Old Beechy Rail Trail. A community fun run along the picturesque Old Beechy Rail Trail.

**Botanic Gardens Family Picnic** – 21 March – Colac Botanic Gardens. Celebrating the garden's 150<sup>th</sup> anniversary, this picnic is for families to enjoy the Botanic Gardens.

**Otway Odyssey** – 21 March – Forrest Mountain Bike Trails. Mountain bike marathon race in Forrest, comprising a 100km, 50km and 15 km course.

#### **Anzac Centenary Grants Program 2014/2015**

Council has provided a special one-off grants scheme in response to a groundswell of local interest in commemorating the ANZAC centenary.

The following applications were successful in receiving an Anzac Centenary Grants Program 2014/2015:

<b>Group</b>	<b>Project</b>	<b>Amount</b>
Eurack Recreation Reserve	Information gathering on each soldier honoured at the Eurack Avenue from the National Australian Archives and collate data onto 6 portable hard drives for distribution throughout the COS.	\$1,404
2 <sup>nd</sup> Colac Sea Scouts	Re-enactment of the Gallipoli Camp with district Scouts including a candlelight march at dawn from the Scouts Hall to Memorial Square on Anzac Day. Funding will go towards food, wreath for the service, candles for the march, photocopying, and postage.	\$800

Colac & District Family History Group	WW1 memories and memorabilia exhibition at COPACC in March 2015. Funding will go towards mounting of photographs, printing and artwork of brochures, postage, advertising and window dressing	\$2,000
Beech Forest Progress Association	Beech Forest Anzac Day Service. Funding will go towards hall hire, wreaths, Insurance and catering.	\$680
Colac Chorale	Anzac Commemoration Concert. The Colac Chorale will hold 2 concerts presenting songs and poetry from the period of WW1 on Sunday 26 April and Sunday 3 May. Funding will go towards purchase of music, advertising, printing and afternoon tea.	\$1,600
Apollo Bay RSL	Maintenance to the war memorial at Apollo Bay. Repair to the scabbard, landscaping of the area surrounding the memorial and installation of a second flag pole. The memorial is on Vic Roads managed land so approval for the works must be from Vic Roads. Planning permits may or may not be required.	\$2,000
Red Rock Regional Theatre & Gallery	One Hundred Years Now and Then theatre performance, commemorating the last one hundred years of Australian involvement in war and peace keeping operations. Funding will be used for performer fees, advertising, printing and supper.	\$1,970
Colac RSL	Annual Anzac Day Dawn Service. Funding will go towards a large screen to be used for the Dawn Service. Joint application with Colac Legacy.	\$2,000
Colac Legacy	Annual Anzac Day Dawn Service. Joint application with Colac RSL, funding will go towards a large screen to be used for the Dawn Service.	\$2,000
<b>TOTAL</b>		<b>\$14,454</b>

## **Recreation**

### **Central Reserve Redevelopment**

Council has recently advertised the tender for design services for the Central Reserve Redevelopment project. A suitable consultant will be engaged to undertake detailed design and specifications for three components of the project including:

- New grandstand building
- Existing grandstand refurbishment
- Netball changerooms and amenities.

It is anticipated that a design team will be appointed by May with the design process to commence immediately. The detailed design will be guided by a Project Reference Group comprising of representatives of the key user groups.

### **Colac Kookas win**

Council congratulates the Colac Kookas, the Colac Basketball Association's men's representative team, on winning the Country Basketball League championship recently. The win was the association's first title and is a great reward for the work put in by the players, officials and the many dedicated volunteers. The association is looking forward to hanging their premiership banner in the new Bluewater stadium.

### **Apollo Bay Playground opening**

Following the installation of the last remaining piece of new equipment in the Foreshore playground, preparations are now underway for an official launch. This exciting event will be held in early March to celebrate the opening of the new children's facility and to acknowledge the involvement of the local community in making the project a reality.

### **COPACC**

#### **COPACC Business Events**

February will be a stronger than average month for COPACC functions and events. The Red Door Theatre Company's production of *All Shook Up*, an amateur dramatic/musical production starring a large cast of local youth, is the major hire for February. An April production of *The Wiggles*, an independent touring production, sold out within two days of going on sale. A second show has been put on sale.

#### **Theatre Season**

COPACC is expecting hundreds of people to attend its 2015 Theatre Season launch, with veteran ABC radio broadcaster Derek Guille as MC. The night will include several live performances promoting the Centre's 14<sup>th</sup> annual subscription season of 16 shows and a film festival.

COPACC's 2015 Morning Music Season is selling strongly.

#### **Sponsorships**

COPACC has achieved a record level of sponsorship support for its 2015 Colac Herald Theatre Season which reflects the quality programme and service offered by COPACC.

### **Bluewater Fitness Centre**

#### **Dry Programs**

Bootcamp continues to be a strong performing exercise program with Bootcamp 8 currently running with more than 30 participants.

Membership numbers are holding strong with approximately 750 for January 2015.

#### **Crèche**

Bluewater is now offering both crèche and occasional care at the centre. Care is available during school terms, Tuesday through to Friday from 9:00am to 11:30am.

#### **Apollo Bay Pool**

Visitation to the Apollo Bay Pool has been strong for the 2014/15 summer with 1,364 visits for the month of January, up 22% on the same month last year.

There are 66 enrolments in the *Learn to Swim* program which again demonstrates strong demand for this program. In addition, there were 69 enrolments in the *VICSWIM Summerkids* program which took place from 5-23 January.

**INFRASTRUCTURE & SERVICES**

**SUSTAINABLE ASSETS**

<b>ACTIONS</b>	<b>STATUS</b>	<b>% COMPLETION</b>	<b>PROGRESS COMMENTS</b>
Work with the Finance Unit to complete Stage 2 of the Authority Asset Management Module implementation	In Progress	25%	The first scheduled visit for Stage 2 has been completed. This visit covered the set up phase for Works and Maintenance Management. The next visit has been scheduled for the week beginning 27 April 2015. This will allow Council Officers to complete data acquisition and verification. The final two visits, which relate to the implementation of the Strategic Asset Management Module, have been scheduled for mid-August and early September 2015.
Community infrastructure and asset renewal plan.	In Progress	80%	Draft Asset Management Plans for Council's infrastructure assets will be presented to Council in the near future for adoption.
Monitor the performance and condition of Council's various asset types through programmed inspections and data collection.	In Progress	40%	The Level 2 Bridge Inspections commenced in mid February 2015. Inspections are expected to be completed by the end of March 2015. Work has commenced on developing the quotation documentation for the next round of sealed road condition surveys. Data collected from the ongoing asset condition audits are used to develop long term maintenance and renewal programs.
Implement the asset renewal and maintenance programs.	In Progress	58%	The 2014/15 asset renewal and maintenance programmes are in progress at various stages of planning and implementation. Preliminary designs have been prepared for various projects included on this year's sealed road renewal programme and are presently being reviewed.
Bridge Reconstruction Program.	In Progress	15%	The rehabilitation of both the Sand Road bridge and Cape Otway Road bridge are presently at tender stage. Preliminary investigations for the rehabilitation of F Pearce's bridge (Apollo Bay) and Watsons Access bridge (Glenaire) have commenced.
Complete specific incident inspections to identify and address safety/risk issues associated with elements of Council's road and footpath networks; including rail crossings and in response to reported incidents.	In Progress	58%	Incident inspections are completed as required in line with Council's Road Management Plan.
Manage building maintenance programme to address programmed and reactive maintenance needs.	In Progress	58%	Routine building maintenance activities have been completed over the past month to maintain functionality and ensure user safety.

Footpath Renewal Program.	In Progress	45%	Renewal works resumed at the end of January 2015 following the Christmas break and are continuing. New concrete footpath was installed in Gellibrand St near the railway pedestrian bridge. Footpath is presently being replaced in Polwarth Street, Colac.
Complete road and footpath network inspections to meet frequencies prescribed by Council's Road Management Plan (RMP).	In Progress	58%	All inspections are conducted in accordance with Council's Road Management Plan. All Rural Link roads were inspected along with Rail Crossings, Rural Collector Roads, Urban Collector Roads, and Warrion Ward Area 2. Warrion Ward Area 2 covers the localities of Balintore, Beeac, Cororooke, Larpent, Nalangil, Ondit, and Pirron Yallock.
Annual Road Resealing Program.	Completed	100%	All works on the 2014/15 Sealing Programme have been completed.
Building Renewal Program.	In Progress	50%	The following is a status summary of projects being completed under the 2014/15 Building Renewal Programme: <ul style="list-style-type: none"> <li>- Replacement of the existing floor coverings in COPACC has been completed.</li> <li>- Structural Engineers are presently documenting designs for the replacement of the Beech Forest Public Hall floor. Design completed, documents being prepared for quote</li> </ul>
Coordinate inspections and reporting of Essential Safety Measures (ESM's) relating to nominated Council buildings.	In Progress	58%	Programmed inspections of essential safety measures in nominated Council buildings is ongoing and is in line with statutory requirements. Any non-compliance issues identified are addressed in accordance with priorities and available budgets.
Implement the 2013/14 Kerb & Channel Renewal Programme.	In Progress	25%	Tenders for 2014/15 Kerb and Channel renewal programme closed 23 February 2015. Submissions will now be evaluated.

## CAPITAL WORKS

ACTIONS	STATUS	% COMPLETION	PROGRESS COMMENTS
Review and update the environmental protection and management policy and procedure relating to infrastructure activities.	In Progress	90%	A number of documents and procedures related to environmental management of infrastructure projects are being reviewed. A new Construction Environmental Management Plan template has been developed and is nearing completion. The environmental protection and management policy and procedure and Environmental Impact Assessment template are in initial stages of review. A Council Roadside Reserve Environmental Management Plan (CRREMP) Code of Practice is nearing completion.
Facilitate the construction of the public off street car park at Pascoe Street Apollo Bay.	In Progress	90%	The car park has been sealed with a spray seal, and is open and operational. Anticipated completion is March 2015

### **Bridge Reconstruction Program**

- **Sand Road Bridge** - A condition, loading and options report has been completed for the Sand Road Bridge rehabilitation. The options have been reviewed in consultation with Parks Victoria, relevant Aboriginal parties, and the CFA. Provision for the service of the rehabilitation of the bridge has been advertised and works will then proceed.
- **Cape Otway Road Bridge** – Tenders for bridge rehabilitation works closed 18 February 2015. Tenders are currently being evaluated, with contract award imminent.
- **Phalps Road Bridge** – Design service submissions have been reviewed and the work awarded. Designs are expected to be completed within 6 weeks.
- **Watsons Access Bridge** - Design service submissions have been reviewed and the work awarded. Designs are expected to be completed within 6 weeks.
- **Pearces Access Bridge** - Design service submissions have been reviewed and the work awarded. Designs are expected to be completed within 6 weeks. Rehabilitation of the bridge will then proceed.
- **Wilson Street pedestrian bridge** – Pre planning of a design and construct contract for this project is near to completion. Submissions for the provision of the bridge and works are being reviewed. The bridge is expected to be supplied and placed before the end of April.

### **Richmond Street Reconstruction**

Construction has commenced for the reconstruction of Richmond Street, Colac, part of the 2014/15 Road Reconstruction Program, following awarding of the contract by Council at the January meeting. The reconstruction, between McKenzie Street and Hearn Street, includes a 6m-wide asphalt road reconstruction including kerb and footpath, upgraded driveways and drainage, and replaced street trees.

### **Costin Street Reconstruction**

The tender has been advertised for the Costin Street, Apollo Bay reconstruction, part of the 2014/15 Road Reconstruction Program, with tenders to close today, 25 February 2015. The reconstruction, a continuation of the Seymour Crescent reconstruction completed in 2013, extends from the edge of Seymour Crescent to the intersection of Montrose Avenue. The reconstruction will widen the corner near Seymour Crescent to improve vehicle turning as well as widening the seal to 6.5m from the existing 5.2m.

## **MAJOR CONTRACTS**

### **Long Term Dredging Unit - Port of Apollo Bay**

Necessary investigation and research is being undertaken for the long term dredging permit for the Port of Apollo Bay. Based on the annual estimate of dredged material, a number of samples of sand were collected and sent to a laboratory for analytical testing. In addition to the sand testing, a computer modelling study has been completed for predicting the direction of sand movement with the aim to determine the optimum site for sand disposal. This information will be included together with other relevant data with the application for the long term dredging permit. The current short term dredging permit expires on 30 April 2015.

### **Waste Management**

Additional kerb-side collections were again carried out this year over the summer period, commencing 29 December and finishing 23 January. The additional collections were well utilized by householders especially in the first fortnight, this allowed people to dispose of additional recycling from Christmas and the New Year. The second fortnight saw the number of recycling bins presented for collection higher in coastal areas compared to the number presented for collection in the inland areas of the Shire.



The Apollo Bay transfer station has reverted back to its normal summer hours (open 6 days per week, closed Thursdays) until after Easter, when it reverts to winter hours (open 4 days per week; Monday, Wednesday, Friday & Sunday).

Birregurra Transfer has seen an increase in the amount of green waste received at the transfer station in November and December as the community worked with the CFA as part of fire preparedness.

### **Tenders**

The reporting period is from 9 January to 8 February 2015.

Tenders opened since the last reporting period:

- 1431 – Organics Mobile Bins Supply, Distribution and Recovery Services
- 1432 – Linemarking Services
- 1433 – Supply & Deliver Grader

Tenders awarded since the last reporting period:

- 1422 – Richmond Street Reconstruction – to R Slater & Sons
- 1432 – Linemarking Services – to Southern Highway Services

Tenders advertised since the last reporting period:

- 1501 – Cape Otway Road Bridge Rehabilitation, closing 18 February 2015
- 1502 – Footpath Extension Program – Colac, closing 18 February 2015
- 1503 – Footpath Extension Program – Apollo Bay, closing 18 February 2015
- 1507 – Consultancy Services – Stormwater Reuse System Feasibility Study & Design, closing 18 February 2015
- 1504 – Supply & Install Prefabricated Pedestrian Bridge – Wilson Street, Colac, closing 25 February 2015
- 1505 – Costin Street Reconstruction, closing 25 February 2015
- 1508 – Engineering Consultancy Services, closing 25 February 2015
- 1509 – Sand Road Bridge Rehabilitation, closing 25 February 2015
- 1511 – Concrete Works – Kerb & Channel Renewal, closing 25 February 2015
- 1506 – Colac Central Reserve Redevelopment – Facilities Design Consultancy, closing 11 March 2015
- 1513 – Stormwater Infrastructure Replacement – Apollo Bay, closing 11 March 2015

### **COSWORKS**

Works undertaken by Cosworks during January are as follows:

#### **Minor Patching**

Minor patching works are ongoing on sealed road repairs to keep up with potholes and edge breaks with granular materials across all areas of the shire.

#### **Road Construction**

The Warrowie Road rehabilitation works have been completed on a 1700 metre section which included, pulverisation of the existing pavement, reshaping and compacting, adding a base layer, sealing, line-marking and guide post installation.

The Colac Lorne Road rehabilitation works have commenced on a 1550 metre section which includes, pulverisation of existing pavement, reshaping and compacting. Adding of the base layer, reshaping, compacting, sealing, line-marking and guide post installation will follow and is anticipated to be completed by late February.

### **Road Regrading**

Road regrading has been reduced in the northern areas due to drier weather conditions.

### **Gravel Road Resheeting**

During January, approximately 5km of gravel re-sheeting works were completed on:

- Shorts Road
- Forest Street South
- Knights Road
- Polleys Road.

### **Linemarking**

Statutory Control (Statcon) line-marking has been completed in Colac's rural areas. Parking bay repainting has commenced within the Colac township.

### **Major Drainage Works**

During January major drainage works were completed on:

- School Road
- Kawarren East Road
- McDonalds Road
- Beauchamp Falls Road
- Knoxs Access Road
- Binns Road
- Pennroyal Station Road
- Bushs Road
- Yeodene – Birregurra Road
- Rifle Butts Road
- Birregura – Yeodene Road.

### **Routine Drainage Works**

During January routine drainage works were completed in the following townships:

- Apollo Bay
- Wye River
- Kennett River
- Separation Creek
- Skene Creek
- Marengo.

Routine drainage works were completed in the following areas:

- Johanna
- Kawarren
- Gellibrand
- Forrest.

### **Bridge Maintenance**

During January general clean-up was carried out on: bridge approaches, guard rails, posts, signage and vegetation in all areas. In addition, Zappelli's crossing has had spalls placed to prevent erosion, Deans Creek bridge has been repainted and the Lavers Hill boardwalk has been treated with the final coating of Anti – Slip on the timber decking.

### **Roadside Slashing**

During January slashing was completed in the Coastal townships and slashing in the Otway areas continues. Additional slashing was also completed in the following areas:

- Marengo
- Beech Forest
- Kawarren
- Barwon Downs
- Forrest
- Yaugher
- Alvie
- Cundare
- Cressy
- Eurack
- Beeac
- Irrewarra.

### **Vegetation Control**

Vegetation works were undertaken on:

- Denherts Track Road
- Pound Road
- Old Colac Road
- Ditchley Park Road
- Harveys Track Road
- Beauchamp Falls Road
- Binns Road
- Knoxs Road
- Beech Forest township.

### **Township Mowing**

During January township mowing has been completed in

- Apollo Bay
- Gellibrand
- Beech Forest
- Barwon Downs
- Forrest
- Carlisle
- Beeac
- Cressy
- Birregurra
- Kawarren.

### **Storm Damage**

During January there has been an above average amount of fallen, hanging and dangerous trees due to strong, gusty wind damage. This has been mainly in the southern section of the shire.

### **Sport Ovals**

Mowing of ovals continues with fine weather conditions. The Lake Colac oval irrigation repairs have been completed.

### **Colac Township Parks**

Trees are being trimmed and lifted to improve cleanliness and to improve/reduce rubbish and litter being thrown under low foliage. Weed spraying almost completed in conjunction with this program. Repairs to the irrigation system have been completed in Colac's Memorial Square.

### **Tree Maintenance**

Tree maintenance works were undertaken in January including:

- 1 tree removal in the Memorial Square Colac as per Arborist report,
- Mahers Road,
- Botanic Gardens,
- Beeac Streets and
- various roads throughout the shire.

### **Old Beechy Rail Trail**

During January works completed along multiple sections of the Old Beechy Rail Trail included:

- clean-up of fallen trees,
- repair of gates, fencing and bollards,
- cleaning of culverts due to tree damage,
- Mowing and weed spraying.

## **SUSTAINABLE PLANNING & DEVELOPMENT**

### **PLANNING AND BUILDING**

#### **Colac 2050 Plan**

The scoping work on this project has now been undertaken. Officers are now in the process of seeking confirmation from RDV of the proposed project structure milestones.

#### **Domestic Wastewater Management Plan (DWMP)**

The Project Steering Committee has reviewed the risk analysis mapping for the Shire's Domestic Wastewater Management Plan (DWMP), and the mapping is currently being finalised. Consultant firm Whitehead & Associates has advised that an initial draft DWMP should be prepared by the end of February. This will be reviewed by Council and other parties such as the water authorities and the EPA. The draft report will be considered by Council prior to community consultation on its recommendations.

#### **Planning Scheme Amendment C73 (Apollo Bay Harbour)**

The Panel Hearing for Amendment C73 was held on 8 and 9 December 2014. Council is now awaiting the Panel's report and recommendations, prior to further consideration of the amendment by Council.

### **ECONOMIC DEVELOPMENT**

#### **Small Business Van**

The State Government's Small Business Van will be visiting Apollo Bay in March 2015 and will be located on the foreshore. The van will be offering five free mentoring sessions with a mentor from the Small Business Mentoring Service. Existing and new business people have the opportunity to receive information from the van such as marketing, cash flow, how to start a new business and succession planning.

#### **Social Media One-on-one sessions**

The Economic Development Unit (EDU) engaged consultant Kate Miles from BE Social Media to conduct social media workshops and one-on-one sessions with business people. The sessions aimed to help business people with the establishment or enhancement of social media marketing. Business people from across the Shire took the opportunity with a

very successful result. Feedback from businesses has been very positive with businesses seeing increased sales as a result of the changes made to their social media pages.

### **Upcoming business events**

EDU is partnering with Crowe Horwath and AusIndustry to hold a business event on 17 March 2015 on government grants. The event will give businesses an opportunity to hear about what grant programs they could potentially access to assist with research and development, export or business expansion. The event will be particularly beneficial for those businesses in the manufacturing, engineering and agricultural sectors and those that have been trading for three years with a turnover of \$1.5 million. However all businesses are welcome to attend the free event and learn about what resources could be available if they meet the criteria.

EDU is currently working with Crowe Horwath on the next 'Secrets of My Success' event which will be held in May 2015. Based on the success of last year's event with over 60 people attending, this year's event will have the same focus with a range of speakers from different industries. More information will be available closer to May.

### **Forrest Mountain Bike Trails Strategic Plan**

The public exhibition period for the draft Forrest Mountain Bike Trails Strategic Plan closed on 22 January 2015 with four submissions received. EDU is currently working with consultants Thompson Berrill Landscape Design to amend the plan where applicable based on the feedback received. It is proposed to seek Council adoption of the final strategy at the March 2015 Council meeting.

## **Tourism**

### **Colac Visitor Information Centre**

Colac VIC January 2015 visitation was down with an 18% decrease from 2014. Again the Centre saw an increase of the Love Our Region (LOR) membership as a result of increased awareness of the LOR Facebook page; most were very interested in the Otway Fly offer of free entry to the walk and 50% off zip line tours for cardholders. The majority of visitors to the Centre surveyed were international (31%) with a large percentage coming from the UK (18%), plenty of holiday makers from Melbourne (26%) followed by interstate visitors (20%).

The Centre now has a large Kanawinka GeoPark display/map for a more interactive visitor/volunteer experience. We are continually seeing more interest in the volcanic plains drive and endeavor to promote all aspects including local businesses within it.

Works are still in progress to get a satellite Info Hub located at the Colac Livestock Selling Centre. The stand will be located in the cafeteria area of the sale yards stocked with relevant brochures and signage to generate more visitations to some of our key attractions.

The potential of a Geocaching course around the Colac and Volcanic Plains region is being explored. Discussions with the Port Campbell Visitor Information Centre about their program setup shows there is high potential that such a program could encourage longer stays within the region.

Chinese New Year is coming up (year of the sheep) with Centre staff and volunteers looking at ways to best service and welcome the many Chinese visitors that this holiday brings.

### **Great Ocean Road Visitor Information Centre (GORVIC)**

During January 2015 GORVIC visitation was down (9%) from January 2014 (staff assisted 19,945 counter enquiries), phone calls were also down by (9%) whilst email enquiries have increased by (114%).

Visitor survey trends showed (30%) were internationals with a larger percentage coming from the UK, Germany and USA, (32%) were domestic travelers from Melbourne followed by (15%) from interstate, mainly arriving from NSW & QLD.

### **Great Ocean Road Regional Tourism (GORRT)**

GORRT is continuing to work on several key projects for the region including; development of the three year Strategic Marketing Plan, the Tourism Master Plan and the Digital Strategy. GORRT's primary objective is to actively involve the community, businesses and Council in all of these processes. Council's Economic Development Manager and Tourism Development Officer (TDO) are assisting GORRT with the above projects.

The development of a Strategic Tourism Master Plan for the Great Ocean Road region is scheduled for completion mid-2015. The Tourism Master Plan aims to balance long term, game changer projects, renewal and maintenance projects and affordable, achievable projects that will deliver an immediate return to industry stakeholders.

The preparation of the Master Plan has commenced with the development of a series of action plans for key destinations within the region. In addition, the project has commissioned a number of research and industry reports. This work has led to the formulation of a discussion paper outlining some of the key issues, challenges and opportunities facing the region. Stakeholders have been encouraged to provide discussion paper feedback with Council making an official contribution to the process.

The GORRT WiFi project is now in its final testing stage. There are now 23 free Wifi locations in the Great Ocean Road Region. Locally, WiFi Infrastructure has been installed in four locations (the Apollo Bay Foreshore, the Otway Fly Tree Top Adventures, Forrest Township and in the Colac CBD). The main objective of this initiative is to increase the use of social media by visitors and to encourage visitors to upload images that they have taken during their visit to the region. As well as a marketing tool, this user driven content will showcase the broad range of experiences on offer in our region rather than just the well publicised iconic attractions.

### **Council Tourism Marketing**

The Great Ocean Road Visitor Information Centre's Facebook Page popularity has increased by 14.5% during December and January. The page now has 7600 likes. The page has become a key tourism destination marketing tool for Council. In December a post reached over 200,000 Facebook users and received 3,500 likes, 300 comments and was shared over 1,000 times. All page posts are targeted towards an intra-state audience.

Regional Development Victoria has offered to promote the Otways region to Victorian residents via the major prize at the 2015 Regional Victoria Living Expo. The Colac Otway Shire is aiming to showcase its local tourism product in the form of a Weekend Escape. An array of products have been donated to the expo prize by local operators.

### **Small Town Improvement Program**

The Gellibrand Community House renovation funded under Council's Small Towns Improvement Program (STIP) has been completed and will be open to the public on Saturday 28 February 2015 during the Bluesberry Festival market in the Rex Norman Park.

The renovation has opened up the space by removing an internal wall and installed a kitchenette and desktop area which will allow space for internet use and a larger room for a meeting place.

### **Birregurra STIP Project**

Council has received two proposals from the Birregurra community for expenditure of the 2013/14 STIP allocation (\$20,000) for Birregurra. Council resolved at its December 2014 meeting to invite alternative proposals given external funding could not be sourced to fund the construction of a path along Roadknight Street. A report will be tabled at the March 2015 council meeting with a recommendation for the allocation of this money.

## **Environment and Community Safety**

### **Wye River Parking Management**

Signage introducing parking restrictions in public areas around the foreshore, hotel, café/store, CFA and caravan parks at Wye River was installed by Council late in December 2014. This signage was introduced as a trial to address concerns in the community and by commercial businesses at the lack of availability of short term car spaces in the peak summer period. The trial will end on 1 March 2015 at which point the signs will be removed and Council will be seeking feedback from key stakeholders on the trial in order to inform Council's approach to parking arrangements in Wye River in the future.

### **Lake Colac**

The water level in Lake Colac is continuing to drop but it is not expected to dry up completely this summer. Council has been working with local fisherman to remove as many carp as possible from the Barongarook Creek while the lake is low. Barriers have been installed near the mouths of Barongarook and Deans Creek to prevent carp from entering them. Along with Council and other government agencies, the local residents and various community groups have a strong interest in the lake's management. To ensure all stakeholders play a role in managing the lake, Council convenes the Lake Colac Coordinating Committee to enable a collaborative approach. Council currently is calling for expressions of interest from the community to be a member of the Committee. Some of the issues the committee will examine during the next 12 months include the development of a new Lake Colac Foreshore Masterplan and the next phase of vegetation management along the Barongarook Creek and foreshore.

### **Fire Prevention**

Council's Municipal Fire Prevention Officer is continuing to undertake inspections of rural properties to ensure that grass height and fuel loads are kept to the required standards during the fire season. Approximately 200 fire prevention notices had been issued by the middle of February. While it is good news that there is a generally high rate of compliance it is important to remind landholders that they need to continue to maintain their properties throughout the Fire Danger Period.

### **Attachments**

Nil

## **Recommendation(s)**

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

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**OM152502-2                      2015-2016 COMMUNITY FUNDING PROGRAM**

|             |                                |           |                 |
|-------------|--------------------------------|-----------|-----------------|
| AUTHOR:     | Jodie Fincham                  | ENDORSED: | Carmen Lawrence |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/3291        |

**Purpose**

The purpose of this report is to seek Council endorsement for the proposed funding and implementation process to be made available to community clubs and organisations through the 2015/2016 Council Community Funding Program.

**Declaration of Interests**

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

**Background**

Council has provided financial assistance to a broad range of community organisations and clubs through specific funding programs for the past seventeen years. Over this time the program has typically provided funding assistance to improve community facilities, purchase essential equipment items, conduct community projects and to hire COPACC for community activities. Emerging trends in requests for financial assistance and changes in community needs have resulted in changes to the nature of requests for funding, but the criteria for the funding program has remained the same.

Due to the increasing growth and demand for events, there was a need to develop a transparent and fair program to support the allocation of funding for events within the Shire. This resulted in the Festival and Event Support Scheme which commenced in 2007/2008. Endorsement of the Festival and Event Support Scheme guidelines and implementation process is presented for consideration in a separate report to Council.

A total program review was undertaken prior to the 2012/13 financial year of the Council Community Funding Program resulting in the development of a new funding category entitled "Community/Recreation Projects – up to \$2,000 (small equipment and training).

The program currently comprises four categories: Recreation Facilities, Community Projects, COPACC Hire Assistance Fund and Small Equipment and Training. Implementation of this program has typically resulted in the allocation of \$40,000 to various community projects, \$80,000 towards recreation facility works and \$10,000 towards functions held at COPACC.

Over the past year of the Colac Otway Community Funding Program the following trends have been identified within the specific program categories:

Community Projects

- Delivery of a diverse range of projects demonstrating community interest and support for increased participation, or new initiatives e.g. Birregurra District Historical Centre – development of a local history book for Warncoort District 1830-2015, Otway Districts Historical Society – restoration of gates and war memorial at Wyelangta Cemetery, Red Rock & District Progress Association – brochure development to promote Red Rock district. Many applicants report that they could not achieve project outcomes without Council support.

### Recreation Facilities

- Evidence of significant works to be undertaken on Council owned and other facilities e.g. Cressy Recreation Reserve – upgrade kitchen facilities within pavilion, Colac Baseball club – improvements to batting cage area, Beeac Community Centre Inc (Hall) – purchase of new appliances and interior painting, Lions Club of Apollo Bay – beautification of picnic area through installation of table, shelter and screening for toilet block, Lake Colac Rowing Club – bathroom and training room renovations. Applicants report many of these projects would not be completed without financial assistance from Council.

### COPACC

- Successful applicants continue to hold culturally important events at COPACC such as school productions and youth based events which each attract hundreds of people.
- Each of the funded events held at COPACC assist in supporting and nurturing creativity within our community and boost social connectedness. These events are largely supported by volunteers. Applicants report they remain reliant on this funding in order to hold these events. Applicant acquittals show these events contribute to the economy of the Colac Otway Shire.

### Small Equipment and training

- Following its successful introduction in 2012/13, this category has proved extremely popular, resulting in the purchase of small equipment and training for 25 projects; e.g. Apollo Bay Little Athletics Club – skills based training, Colac Cycling Club – purchase of club bikes, Kennett River Surf Life Saving – replacement of aging rescue tubes and board, Wye River Surf Life Saving Club – purchase of Nipper Age Group flags, Irrewillipie Indoor Bowls Club – purchase of new indoor bowls mat and bowls. There has continued to be an increase in the number of applications received in this category compared to previous years.

### **General**

Applicants are requested to provide evidence of any funding support received from the Colac Otway Shire in the past three years and to supply detailed financial statements or a treasurer's report for the past two years. This is consistent with changes that were made to Council's Policy "Funding Advances to Community Organisations."

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

#### **Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

#### *Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

The Council Community Funding Program is supported by the Colac Otway Recreation Strategy, Colac Otway Arts and the Culture Strategy.

### **Issues / Options**

The Council Community Funding Program was reviewed internally in 2014/2015 in order to better respond to current community trends particularly within the sport, recreation, arts and

event sectors within the Shire. Minor changes were made to assist with program administration.

### Review Process – Council Community Funding Program 2014/2015

Feedback from staff who participated in an in-house review of the program resulted in the following recommendations:

- Council owned and managed facilities will need to continue to meet all compliance requirements. Depending on the project, compliance requirements may be required to be completed for projects across all funding categories (with the exception of small equipment purchases).
- Improvements to the grant application process includes the introduction of a writable PDF version of the funding application form. This will simplify the process for those who choose to submit their applications electronically.
- Community Funding Program documentation to be divided into two separate forms comprising; a set of guidelines and a separate application form. This will streamline the process for internal staff responsible for scanning and recording all submitted completed applications.
- Information sessions – Details of the Festival and Event Support Scheme to be presented at Community Funding Program information sessions proposed for April. Target groups for funding programs are frequently the same and this will eliminate the need for two separate session.

The funding allocation will be considered as part of the 2015/2016 Budget process.

Proposed funding allocations for 2015/2016 Council Community Funding Program:

|                             | (14/15)  | (15/16)  |
|-----------------------------|----------|----------|
| • Community Projects        | \$40,000 | \$40,000 |
| • Recreation facility works | \$90,000 | \$95,000 |
| • COPACC assistance         | \$10,000 | \$10,000 |

The requested amount for recreation facility works has increased from \$90,000 to \$95,000 to reflect CPI increases which has been calculated across all categories and the total funding allocation. Typically this category is most likely to be oversubscribed.

Small equipment/training funding is to be taken from the above allocations, excluding the COPACC assistance category.

The proposed timelines for the Council Community Funding Program for 2015/2016 are as follows:

- |                                                 |                      |
|-------------------------------------------------|----------------------|
| • Applications open                             | Friday 20 March 2015 |
| • Applications close                            | Friday 1 May 2015    |
| • Submissions evaluated                         | May - June 2015      |
| • Notification of funding at Civic Reception    | July 2015            |
| • Project completion, evaluation forms returned | by May 2016          |

The attached guidelines for the 2015/2016 Community Funding Program have been amended to reflect the above changes.

There are four options for Council's consideration:

1. Commence implementation of the Council Community Funding Program in accordance with:
  - a. The revised guidelines and application forms including the proposed processes and timelines, and
  - b. The current funding levels increased by CPI.
2. Further review the 2015/2016 Council Community Funding Program and propose alternative program options to Council for further consideration.
3. Wait for outcomes of the 2015/2016 Council budget and commence funding programs in August 2015 in accordance with:
  - a. The revised guidelines and application forms including the proposed processes and timelines, and
  - b. The current funding levels increased by CPI.
4. Not support/continue the program. This would be detrimental to the broader community as it will prevent the delivery of numerous projects which would otherwise not be possible without funding assistance.

### **Proposal**

This report proposes that Council supports Option 1: Commence implementation of Council's 2015/2016 Community Funding Program in accordance with:

- The revised guidelines and application forms including the proposed processes and timelines, and
- The current funding levels increased by CPI.

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

The program contributes significantly to many community projects across the Shire. Specifically, for Community Projects, \$28,395 was allocated to support 11 projects which resulted in \$57,657 of estimated project value. The small equipment and training category received a funding amount of \$19,042 resulting in the delivery of 25 projects worth \$42,699 of estimated project value. An amount of \$81,787 was allocated to Recreation Facilities and resulted in 25 project improvement works to the estimated value of \$220,257. The COPACC Hire Assistance funding allocation of \$5,205 resulted in 5 performances and exhibitions with an estimated total value of \$35,321.

### **Risk Management and Compliance Issues**

Specific risk management and compliance issues embedded within each project application are assessed on their individual merit. The proposed guidelines and application forms ensure potential risk and compliance issues are identified.

There are increased risks associated with the implementation of Option 3. Waiting for outcomes of the 2015/2016 Council budget and commencing the program in August 2015 will reduce the amount of time community groups have to commence and complete their funded projects. It is anticipated this option would therefore result in project carry over into the next financial year. The later the program commences and funding allocated in the financial year, the less time organisations have to undertake their projects.

The risk of Option 4 is the increased burden placed on volunteer organisations throughout the Shire as a result of no funding.

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

Specific environmental issues embedded within projects are assessed throughout the application assessment. Council's Environment Unit is engaged in project assessment or implementation where environmental issues are identified or possible.

### **Community Engagement**

The community engagement strategy follows 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 includes significant communication from Council to the community via local media, electronic newsletters, social media and direct correspondence informing the community of the grants program and its associated timelines. Information sessions will be held in Colac and Apollo Bay. Council officers will meet with potential applicants to discuss projects and assist with applications.

Applications are initially assessed at officer level. The applications are then presented to an Advisory Committee, comprising all Councillors, for further assessment and the final recommendations are presented to Council for consideration.

### **Implementation**

It is proposed that implementation of the 2015/2016 program would commence March 2015 following Council endorsement of this report. Applications are assessed at officer level and presented to an Advisory Committee of Council for ratification. It was resolved at the Statutory Meeting held on 19 November 2014 that all Councillors would comprise the Community Funding Advisory Committee.

It is proposed to advise all applicants in writing subject to Council's adoption of the recommendations for funding. A civic reception will be held at COPACC in July 2015 to present the grant cheques to successful applicants. The timelines are designed to enable the grant recipients to have maximum time to undertake their projects and meet project acquittal requirements.

### **Conclusion**

Council's Community Funding Program allocation in 2014/2015 resulted in community projects, events, facility improvements, exhibitions and performances with a total estimated value in excess of \$355,934.

Furthermore, strong community partnerships were formed and/or consolidated with arts and cultural groups, committees of management of recreation facilities, schools and performing arts groups. The annual Community Funding Program is a much valued scheme which achieves significant results for local communities.

**Attachments**

1. Community Funding Program 2015-16, Application - Recreation Facilities (Up to \$10,000)
2. Community Funding Program 2015-16, Guidelines - Recreation Facilities Up to \$10,000
3. Community Funding Program 2015-16, Application - Community Projects (Up to \$10,000)
4. Community Funding Program 2015-16, Guidelines - Community Projects up to \$10,000
5. Community Funding Program 2015-16, Application - Small Equipment & Training \$2,000
6. Community Funding Program 2015-16, Guidelines - Small Equipment & Training \$2,000
7. Community Funding Program 2015-16, Application - COPACC Assistance
8. Community Funding Program 2015-16, Guidelines - COPACC Assistance

**Recommendation(s)**

***That Council:***

1. ***Endorses the revised 2015/2016 Council Community Funding Program guidelines and application forms.***
2. ***Commences implementation of Council's Community Funding Program in accordance with:***
  - a. ***The revised guidelines and application forms including the proposed processes and timelines, and***
  - b. ***The proposed funding levels:***

|                                     |                         |
|-------------------------------------|-------------------------|
| <b><i>Recreation Facilities</i></b> | <b><i>\$95,000</i></b>  |
| <b><i>Community Projects</i></b>    | <b><i>\$40,000</i></b>  |
| <b><i>COPACC Assistance</i></b>     | <b><i>\$10,000.</i></b> |

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**OM152502-3 FESTIVAL AND EVENTS SUPPORT SCHEME 2015-2016**

AUTHOR:	Emma Clark	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

**Purpose**

The purpose of this report is to seek Council endorsement for proposed funding to be made available to event organisers through the 2015-2016 Festival and Events Support Scheme (FESS). It is also seeking council endorsement of the proposed changes to the structure of FESS and the program's guidelines.

**Declaration of Interests**

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

**Background**

The Festival and Event Support Scheme (FESS) was introduced in 2007 to provide an equitable funding allocation for events held within the shire via an agreed set of criteria.

Prior to the introduction of the FESS, only four events were supported by Council:

1. Birregurra Weekend Festival
2. Spirit of Christmas
3. KANA
4. Apollo Bay Music Festival.

In response to a number of new events being successfully implemented and funding requests from event organisers Council developed the FESS, a fair and transparent process for all events to be assessed for funding by Council.

Since the introduction of the FESS, Council has funded over 65 different events.

**Council Plan / Other Strategies / Policy**

**Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

*Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

**Issues / Options**

The FESS has been operating for seven years and has been successful in developing and supporting existing and new events. However almost every year the FESS is oversubscribed, with the same events applying for and receiving funds. This results in limited scope for developing new events and there is no financial security for new and existing events to receive the same amount of funding each year. This can result in budgeting difficulties for the event organiser.

An internal review of the FESS Guidelines was conducted after the allocation of the 2014-2015 FESS. It was noted the current Sponsorship Categories are very rigid in their criteria for funding and some applications were not meeting these criteria for the level of funding they were receiving. Every event is unique with various outcomes; they are organised and operated differently and require different levels of support. Trying to make the event fit within the rigid criteria is very difficult and does not allow for any flexibility in funding.

### **Proposal**

The three options for Council to consider are:

#### **Option 1:**

Leave the existing structure of FESS. This leaves limited opportunity for growth of new events and does not provide event organisers of existing events with any financial security for the future funding of their event.

#### **Option 2: (Recommended)**

To implement the revised structure and guidelines as presented in this report. This will enable the development of new events, but also ensure the continued support of existing events. The following new funding categories are proposed:

- Sponsorship
- Seed Funding
- One-off Events.

The key differences from these proposed changes are:

- Sponsorship categories reduced from 4 levels to 3, with greater flexibility within each sponsorship category.
- Maximum amount of sponsorship available is \$5,000 for all categories.
- Sponsorship funding will be provided for 2 years; therefore the event will not need to apply annually for funding (subject to Council budget approval).
- Event organisers will have certainty of funding from Council.
- Introduction of the Seed Funding Category which is for 2 years, meaning multi-year funding of the event is ensured.

The new structure will have the following clauses:

- Funding is paid every financial year after relevant paperwork is received by Council.
- Funding is dependent on Council budget which is endorsed by Council each financial year.

### ***Sponsorship Category***

Provide funding up to \$5,000 per year for 2 years, 2015-2016 and 2016-2017.

This category is for existing events that have demonstrated that the event is sustainable (both financially and socially) and has run for over three years. Events that apply for full funding of \$5,000 must be able to demonstrate that their event contributes a strong economic return to the community and builds on local participation and community life. One-off events can apply for this level of funding.

Whilst funding of up to \$5,000 is available, the level of funding will be at the discretion of the assessment panel and determined based on criteria set out in the guidelines. This includes overall benefits to the community and the actual level of support required from Council.

Events that apply for the Sponsorship category will enter into a sponsorship agreement with Council agreeing to the conditions of funding. This will include the use of Council's logo



and/or branding in marketing and promotional activities to identify the Colac Otway Shire's support of the event.

**Seed Funding Category**

Provide funding of up to \$2,000 per year for 2 years, 2015-2016 and 2016-2017.

This category is designed to encourage the development of new events. Up to \$2,000 per year per event would be offered to establish an event. Once the event has been run for three years, the event organiser/s will then need to apply for Sponsorship funding. Council will need to see evidence of the sustainability of the event, (i.e. increase in numbers attending, increase in stalls, increase of registered entrants etc.) before the event can be considered for the Sponsorship category.

Council may work with event organisers to identify gaps in the Events market and Events Calendar and develop new events, ie. ParkRun, Sustainable food event, etc.

**One-off Events Category**

Provide funding of up to \$1,000 per event.

This category is designed to encourage the celebrations of significant local historical milestones or other important one-off events and festivals. A number of events that apply for funding are one-off events usually celebrating a significant milestone in the town/organisations history, eg: 150th celebration of Birregurra Primary School or Beeac Red Cross 100 Years Celebration.

**Option 3:**

Not support or continue the program at all.

The preferred option is Option 2 as it provides greater flexibility and certainty to event organisers about Council's level of support.

**Financial and Other Resource Implications**

The proposed funding allocation for the 2015-2016 FESS program is \$75,000, however this is subject to budget deliberations.

This program contributes significantly to many events across the Shire. Without this funding a number of the community events will cease to operate. It is important to offer this scheme, as limited funding opportunities exist at a State or Federal level.

**Risk Management & Compliance Issues**

Specific risk management and compliance issues embedded within each event application are assessed on their individual merit. The proposed guidelines and application forms ensure potential risk and compliance issues are identified.

The risk of implementing option 3 is that without funding from Council a number of community events will cease to operate, as the funding from Council is the main source of income for these events.

**Environmental and Climate Change Considerations**

All events are assessed for their environmental and climate change considerations and external agencies are consulted where applicable.

### **Community Engagement**

The community engagement strategy follows 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:

- Applications will open on 20 March 2015
- Direct database mail out to all event organisers and community groups
- Advertising in local media, all council publications and through the council facebook page
- Community Information sessions will be held on Monday 13 April 2015 in Colac and Wednesday 15 April 2015 in Apollo Bay in conjunction with the Community Funding information sessions
- Council Officers will be available to meet with individual applicants as required to provide further assistance with applications

### **Implementation**

The proposed timelines for the implementation of FESS are:

- |   |                         |
|---|-------------------------|
| • FESS Applications open                          | Friday 20 March 2015    |
| • Community Information Session – Colac           | Monday 13 April 2015    |
| • Community Information Session – Apollo Bay      | Wednesday 15 April 2015 |
| • FESS Applications close                         | Friday 1 May 2015       |
| • Applications assessed by council officers       | May/June 2015           |
| • Council Assessment Meeting                      | June 2015               |
| • FESS Council Report endorsed at Council meeting | June 2015               |
| • Civic Reception                                 | July 2015.              |

### **Conclusion**

The annual FESS program is highly valued by the community event organisers, evidenced by the number of applications received each year. The dedicated funding of festivals and events by Council has resulted in a broad range of community managed events that otherwise would not be staged within the Shire. Since 2007 the number of events funded by Council annually has increased from four (4) to over thirty five (35).

### **Attachments**

1. Colac Otway Shire FESS Guidelines 2015-2016
2. Colac Otway Shire FESS Application Form 2015-2016

**Recommendation(s)**

***That Council:***

1. ***Endorses the revised 2015/2016 Festival and Events Support Scheme (Option 2) which includes the proposed changes:***
  - ***3 Sponsorship categories;***
  - ***Maximum amount of sponsorship available is \$5,000; and***
  - ***Sponsorship funding will be provided for 2 years, therefore the event will not need to apply annually for funding (subject to Council budget approval).***
  
2. ***Commences implementation of Council's Festival and Events Support Scheme in accordance with:***
  - a. ***The revised guidelines and application forms including the proposed processes and timelines, and***
  - b. ***The proposed funding level of \$75,000.***

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**OM152502-4 HARRINGTON MEMORIAL PARK REDEVELOPMENT PROJECT**

|             |                                |           |                 |
|-------------|--------------------------------|-----------|-----------------|
| AUTHOR:     | Ian Seuren                     | ENDORSED: | Carmen Lawrence |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F12/8785        |

**Purpose**

To outline the works that have occurred at Harrington Memorial Park, Wye River in 2012 to 2014 and detail differences between the 2012 approved plans and the final works, as per the Notice of Motion adopted at Council’s November 2014 meeting.

**Declaration of Interests**

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

**Background**

Council has previously considered issues around Harrington Memorial Park on a number of occasions including a petition for additional works and the establishment of a S86 Committee of Management for the park.

Harrington Memorial Park, located at 1 McLellan Court Wye River, is a 1ha parcel of public open space owned by Council. The reserve is zoned Public Purposes and Recreation (PPRZ) and provides passive open space for the Wye River and Separation Creek communities. Harrington Memorial Park is an important parcel of public open space with which the local community has a strong affiliation. The park is one of the only parcels of useable open space in Wye River/Separation Creek away from the foreshore. It also provides for off-road pedestrian movement from the top of Wye River to the foreshore.



The Harrington Memorial Park project, referred by some as the Multi Use Recreation Facility, has caused significant conflict within the community over a long period of time. Much of the discussion has been in response to concerns that the extent of the works that have been undertaken on the site vary significantly to what was originally proposed.

In response to community concerns, Council resolved the following at the November 2014 meeting:

***That Council:***

- 1. Requests that the CEO investigates and provides an officer report to open Council by February 2015 which details the differences between the works that have occurred at Harrington Park in 2012 to 2014 compared to the previously approved plans that were outlined to the community in December 2012.***
- 2. Defers the establishment of the Section 86 Harrington Memorial Park Committee of Management until satisfactory resolution of the works program associated with the Multi Use Recreation Facility and consideration of a report to be provided to Council by March 2015 on the future management options of Harrington Memorial Park.***

**Council Plan / Other Strategies / Policy**

**A Place to Live and Grow**

Is a community where people feel cared for and supported; where buildings and spaces facilitate creativity, social activity and enrichment of life, and people have access to gain the skills and education needed to reach their potential.

***Our Goal:***

Improve access to buildings, spaces, services and education to support and enable quality of life.

**Issues / Options**

**Harrington Park Upgrade – Initial Concept**

The preparation of the original concept plans for the upgrade to Harrington Memorial Park was funded through Council's 'Improving Liveability for Older Person's (ILOP) program in 2012. A member of the then Harrington Memorial Park Advisory Committee was recommended as an ambassador by Otway Health & Community Services who were a key partner to the ILOP program.

Following the development of concept plans and prior to submitting an application for funding, Council was informed that a range of consultation had been undertaken about the project including A1 plans and information on the community noticeboard, pegging out the area in the park, onsite tours, information in the Progress Association newsletter, display of plans at public meetings and presentations to community groups.

All project and expenditure reports as required through the ILOP program were provided to Council.

**Project Funding**

In 2013, Council received funding of \$100,000 from Regional Development Victoria's (RDV) *Putting Locals First Program* for the Wye River Open Space Development which included improvements to Harrington Memorial Park and the development of the Wye River pathway. The funding was to be matched by a contribution from:

- Council (\$35,000)
- Otway Coast Committee (\$10,000 in-kind)
- The community (\$17,022).

The funding available includes \$70,000 (\$60,000 cash and \$10,000 in kind) for the Wye River pathway component of the project which was managed by Otway Coast Committee.

From the \$100,000 RDV funding, a total of \$40,000 cash was allocated to the Wye River Pathway component of the project and \$60,000 to the Harrington Park project. A total of \$92,022 was available for the Harrington Park project.

The application to RDV stated the following scope:

“This project will involve the improvement of open space in Wye River including new community infrastructure such as an outdoor multi-purpose community space, pathways, BBQ and picnic facilities, interpretive signage and revegetation.”

The project scope, as communicated to the community via correspondence from Council in December 2012 included:

- Extension of the existing levelled area within the park to enable community activities.
- A BBQ and shelter.
- Disabled car park and loading area.
- Pathway rectification.
- Signage, landscaping and revegetation.

There was a concept plan and project summary presented to the community via the community noticeboard and through correspondence to all landowners and key community groups – see Attachments 1 & 2. A summary of the project was also placed on the noticeboard and sent to all landowners.

#### **Response to works on site – 2014**

In response to significant concerns raised by the community during 2012-13, Council officers reviewed the works that had occurred onsite and how the project was being delivered. A decision was made to stop the project in October 2013.

Following this decision, Council officers conducted detailed planning to enable the project to be completed to the agreed scope, as designed by the funding agreement with RDV. To progress the project, design consultants were engaged to prepare detailed design, specifications and cost estimates for three options associated with the development of the park. Detailed design was completed in mid-2014 and tenders for construction were sought soon after.

Works recommenced on site in October 2014 and were managed by Council’s Recreation Officer with assistance from the Capital Works Unit. The works were completed on 24 December 2014.

#### **Project Scope**

##### ***Composting Toilet***

It is evident that some of the concern about the ‘scope’ was caused when members of the former Harrington Memorial Park Advisory Committee (Advisory Committee) suggested that additional components be added to the proposal. These included a composting toilet, water tank, basketball backboard, community garden, open fire place, pizza oven. These ideas were promoted by the group using the community noticeboard and other means.

The additional components (in particular the proposal for a composting toilet) would have resulted in additional excavation being required compared to the original scope.

At its March 2014 meeting, Council considered a petition from the residents and visitors of Wye River, Separation Creek and Kennett River requesting that additional components be included in the project. Council determined not to include the additional components including the composting toilet.

In response to this decision, the area that was originally excavated (which wasn't on the original plans) for the purposes of the composting toilet was reinstated.

### ***Water Tank***

Whilst there was always a tank included in the project; it is evident that this was not adequately stated in the communication to the community.

The inclusion of a tank was considered to be a minor component by officers and that capturing water is generally appropriate. When detailed designs were prepared, Council officers included the small area to house a tank on the basis that capturing rain water for other users was a practical solution. The small additional excavated area to house the water tank was considered an appropriate part of the scope and was incorporated into the 2014 tendered works.

### ***Site Excavation***

The attached plan (Attachment 3) shows the proposed concept plans compared to what was actually constructed to complete the project.

The original concept plan indicated a construction area of approximately 350m<sup>2</sup>. The actual constructed area as per the final design plan is approximately 530m<sup>2</sup>.

It is important to note that the original concept plan did not indicate a levelled area from the car park to the BBQ shelter which was always intended for access purposes (equating to an approximate area of 50m<sup>2</sup>) and should have been included. This reflects the failing in the detail provided in the original concept plans and subsequent communication to the community.

As noted above, during 2014 Council reinstated some areas where additional earthworks had been undertaken for a composting toilet which weren't indicated on the original concept plan. The small additional area excavated to accommodate the tank has remained (27m<sup>2</sup>). As outlined previously the water tank was part of the original approved scope but it is apparent that this was not clearly communicated to the community. As per Attachment 3, the actual excavated area was brought closer to the car park area than what the concept plan indicated.

The area between the car park/loading area and the BBQ shelter was originally reasonably level and has been graveled to provide adequate access. Whilst this isn't indicated clearly on the concept plans it was always intended to be a level area. This should have been more clearly communicated.

The scope of the excavation undertaken onsite did impact on a large tree within the park. The close proximity of the excavation to the tree impacted its root system necessitating the tree to be removed, which was not originally intended.

Overall, the excavation that has occurred on site is in general alignment with the original concept plan and the infrastructure stated in the points above. Whilst there have been some



changes based on on-site conditions, in the main the excavated area is not significantly greater than first proposed.

### ***Community garden***

The community garden was an additional request by the former Advisory Committee and other members of the community during 2013 as the project progressed. The community garden concept was outside of the scope of the project for which Council had secured funding.

Council officers were aware of the community garden concept and did not oppose the idea due to the level of interest and the fact that the location of the garden was in an area of the park that couldn't really be used for anything else. Gardens beds were donated by a community member. Whilst not part of the Council project, the tank that was installed will provide water for the community garden. The community garden has attracted a lot of support and a recent inspection shows that it is in a neat and tidy condition.

The community garden is currently being overseen by a local community member. In the future, Council will need to resolve management arrangements for the community garden. The garden is located on Council land and there does need to be formalised control established for it eg: policy/guidelines for size, access, types of plantings etc. It was initially intended that the proposed S86 Committee of Management would control this however Council will revisit options for management of the park at its March 2015 meeting.

### ***Other components***

Members of the former Advisory Committee also sought to have an additional area levelled to the west of the already levelled area above the community garden.

The purpose of this would be to house a jumping castle on 3-4 occasions throughout the year. Whilst this had been requested to Council officers on a number of occasions, it was never considered to be part of the original scope of the project which was funded by RDV or on the concept plans. This was not included in the final construction works.

### **Project Management**

From a project management perspective, there were a number of issues associated with this project.

The former Advisory Committee, although appearing to function which is evidenced by meeting minutes, had not been formally endorsed by Council for quite some time as a recognised Advisory Committee to Council.

In addition, the Committee's Terms of Reference allowed for the Committee to undertake minor maintenance but not actually manage the park. However, in reality the Committee had been managing the park and doing works in the park for many years and had improved the park significantly. It was assumed by Council officers that the Committee had a managerial role as per the historic undertakings of the Committee.

Further, the project was being managed by the Recreation, Arts and Culture Unit, however the Advisory Committee guided works onsite. Quotes were sourced originally for all components of the project however detailed design should have been undertaken. Detailed design was undertaken after it was identified that the retaining walls installed, along with site drainage, were likely to be issues.

Another relevant factor is that fact that Advisory Committee advised that significant community consultation had been undertaken following the identification of the project in the Wye River/Separation Creek Community Plan. This included information on the community notice board, onsite meetings and the area to be excavated pegged out in the park for quite

some time. Council officers relied on the information provided by the community members proposing the project.

The original proposal from the former Advisory Committee stated:

*“The whole community is really enthusiastic about the project so a lot of ‘in kind’ assistance has been offered. All the other organisations in the township support the project: Wye, Sep, Kennett Sport and Social Club Inc, the CFA, Progress Association, Surf Club, Wye River Residents Action Group, as has the Colac Otway Shire. The town’s 3 business’s are supportive – Wye Beach Hotel, Wye Café, Big 4 Caravan Park.”*

Further consultation and communication with the community from Council should have been undertaken to fully detail the extent of the works to be undertaken and more clearly articulate the scope of the project.

In terms of project scope, the Advisory Committee had more extensive plans for the development of the project than what the funding was sought for from RDV. The additional components were to be funded by community donations and were never considered to be part of the funded project scope.

There were additional project components which were not in Council’s scope of works as per the RDV funding agreement. Expectations weren’t managed appropriately about what was in scope and out of scope. Again, the project scope could have been more clearly communicated to the wider community

### Proposal

That Council note the report detailing the differences between the works that have occurred at Harrington Memorial Park in 2012 to 2014 compared to the previously approved plans that were outlined to the community in December 2012.

### Financial and Other Resource Implications

The original budget for the Harrington Park project was \$92,022 which included the following contributions:

| <b>Funding Source</b>                            | <b>Amount</b>     |
|--------------------------------------------------|-------------------|
| State Government – Regional Development Victoria | \$60,000          |
| Council                                          | \$15,000          |
| Community                                        | \$7,872           |
| Community other (proposed grant)                 | \$5,000           |
| Powercor                                         | \$2,500 (in-kind) |
| Bunnings                                         | \$1,650 (in-kind) |
| <b>TOTAL</b>                                     | <b>\$92,022</b>   |

The total project cost is approximately \$147,000. This is significantly more than what was anticipated due to additional costs associated with:

- Structural and geotechnical advice
- Cultural heritage due diligence
- Detailed design and tender documentation
- Replacement of already installed retaining walls and additional retaining walls required
- Reinstatement of additional excavated areas
- Removal of tree impacted by excavation and associated off-set costs

As noted previously, after commencement, the project was stopped in October 2013 when Council instigated proper detailed planning to enable the project to be completed to the agreed scope.

To progress the project, design consultants were engaged to prepare detailed design, specifications and cost estimates for three options associated with the development of the park.

The detailed design process presented three options, these being:

1. Reinstate the park to its original condition.
2. Continue with the project to the original scope.
3. Continue with the project and include additional components.

Based on the options provided, Council determined to proceed with the project in 2014 based on the original scope, as detailed above. Funds required to meet the project shortfall were reallocated within the 2013/14 operational budget for recreation and open space development. The project did not directly impact the current budget.

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

A major risk to Council originally was the overall management of the project and the lack of detailed design to implement the project. This had resulted in a significant cost to Council (see Financial and Other Resource Implications section). Risk and compliance issues were considered in the development of the detailed design and further project implementation.

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

Not applicable to this report.

### **Community Engagement**

The community engagement strategy follows 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 includes advising the community of this report to Council.

There has been significant community interest in the Harrington Memorial Park Redevelopment project since its inception. It is clear that there was, and still are, conflicting views on the need for the project and how the project was managed. A range of consultation and communication activities were undertaken originally and throughout the project both by the proposer and Council, which are detailed above and in previous reports to Council.

The ongoing issues associated with this project highlight and reiterate the need for a thorough community engagement plan for community infrastructure projects. It is vital that the project scope is detailed sufficiently and communicated adequately to communities.

### **Implementation**

This project has been completed and no further implementation is required.

### **Conclusion**

The Harrington Memorial Park project has caused significant conflict within some parts of the Wye River community. The project was poorly managed initially which led to a range of issues including excavation undertaken to a greater level than originally proposed. The scope and extent of the project was also not sufficiently communicated to the community.

The project has been largely completed in accordance with the original scope of the project and the redeveloped area is now open to the public.

**Attachments**

1. Attachment 1 - Harrington Park Original Concept Plan
2. Attachment 2 - Harrington Park Project Information
3. Attachment 3 - Harrington Park Plans - Actual vs Proposed

**Recommendation(s)**

***That Council notes the report on the Harrington Memorial Park Redevelopment Project.***

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**OM152502-5 HALF YEAR REVIEW FINANCIAL PERFORMANCE REPORT**

AUTHOR:	Ashley Roberts	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

**Purpose**

The purpose of this report is to provide information to Council and the community on the financial performance of Council up to the second quarter of the financial year, ending December 2014. This information includes the results of the mid-year review.

**Declaration of Interests**

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

**Background**

Council adopted the budget for 2014-2015 including the Capital Works and Major Projects Programmes at the Ordinary Council meeting held 25 June 2014. The attached report seeks to provide information on the performance of Council against the adopted budget.

Council recently undertook a detailed mid-year review of operating, project and capital projects. All forecasts contained in this report have been updated to include the outcomes of this review including reallocation of funds as required.

**Council Plan / Other Strategies / Policy**

**Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

*Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

**Issues / Options**

Attached to this report is the Second Quarter Financial Performance Report 2014-2015.

At the time the budget for 2014-2015 was prepared, it was expected that Council would see an operating surplus of \$3.02 million. It is important to note that this figure did not include any carry forward project amounts. Council continues to revise the estimate for the 2014-2015 year activities as more accurate information comes to hand, for example the inclusion of carried forward projects, revisions or alterations to projects and identified savings.

At the end of June 2014 Council identified a number of unfinished projects which would be carried forward into the 2014-15 year. This included a mix of operating and capital expenditure and income.

The mid year report indicates a forecast net operating surplus of \$2.78 million for 2014-15.

It is important to understand that we continue to refine our forecasts and adjust our activities on an ongoing basis as information comes to hand to ensure that Council is in a strong position for the 2014-2015 financial year.

At the end of December 2014 Council had a cash balance of \$9.56 million, almost identical to the same time in 2013-2014. Council's rates collection percentage is also remarkably close to the same time for the previous year. Council anticipates receipting approximately \$10.0 million in rate payments via the pay in full option which is due in February 2015.

Council took the opportunity to re-phase the budget timing of items where possible as part of the half year review to more effectively show the true year to date progress of works. This is most evident in the Capital Works statement where works are scheduled more for the second half of the year.

### **Proposal**

That Council considers the report and notes the forecast changes to date and approves the allocation of identified savings.

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

Financial and resource matters affecting the budget performance of Council are detailed in the attached report.

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

This report meets the reporting and risk obligations of officers to Council.

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

There are no direct environmental and climate change considerations arising from this report, however many items within the budget do have impact upon the environment and potential climate change implications. These items have been addressed at the time of setting and adopting the annual budget.

### **Community Engagement**

The community engagement strategy follows 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 to inform as per statutory obligations when preparing the Council Plan and Budget. This is a quarterly report that is for the information of Council.

### **Implementation**

The Council Plan and Budget are already implemented and operating.

### **Conclusion**

This report has been compiled by the Finance and Customer Service Unit with the assistance of the Chief Executive Officer and other affected business units of Council. It reflects the performance to date against the budget and targets set by Council for the second quarter of the 2014-2015 financial year and the outcomes of the comprehensive mid year review.

### **Attachments**

1. Half Year Review Financial Performance Report

**Recommendation(s)**

***That Council receives and notes the forecast results and budget allocations contained in the Half Year Review Financial Performance report for 2014-2015.***

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- Paradise public toilets – extra two weeks of twice a week cleaning for Summer/Autumn period
- Great Ocean Road Visitor Information Centre – extra two weeks of twice a day cleaning for Summer/Autumn period
- Donaldson Street barbecue unit – weekly service
- Colac Visitor Information Centre – extra weekly service
- Irrewillipe public toilets – weekly service
- Beeac barbecues – weekly service
- Memorial Square, Gellibrand Street – new bus shelter weekly service
- South Colac Reserve barbecue unit – twice weekly service
- COPACC – scope of service extended to include rear passageway of building
- Emptying of cigarette butt bins at Rae Street precinct, including COPACC
- Cleaning of Colac Saleyards building (originally charged separately to the contract)

By exercising the first of three one-year contract extension options, the Council may extend the period of the contract to 30 June 2016. Such provision is set out in Item 9 of the Schedule to the General Conditions of Contract.

Colac Cleaning Services has agreed to the proposed 12-month contract extension.

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

#### **Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

#### *Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

#### **Issues / Options**

Council may extend the contract for 12 months in accordance with the Contract Conditions. Alternately, Council may give notice that the contract will terminate on 30 June 2015 and re-tender for the contracted services. If the latter alternative is chosen a request for tender will need to be issued as soon as possible so that a new contract can be signed prior to the cessation of the current contract.

#### **Proposal**

It is proposed to extend the existing contract for a further 12 months from 1 July 2015 to 30 June 2016.

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

Allocation of funding for cleaning services is budgeted within each individual Council department. Future budgets allocated for this contract should consider the present costs incurred under contract with appropriate allowances for CPI increases, including the next scheduled CPI price adjustment on 1 July 2015.

Council's expenditure on cleaning services under the present contract was \$282,748 (ex GST) for 2013/14. The budget for 2014/15 is \$338,200 (ex GST), with expenditure of \$167,304 to 31 December 2014.





**OM152502-7 CONTRACT 1431 - ORGANICS MOBILE BINS SUPPLY,  
 DISTRIBUTION & RECOVERY SERVICES**

|             |                           |           |              |
|-------------|---------------------------|-----------|--------------|
| AUTHOR:     | Andrew Kavanagh           | ENDORSED: | Phil Corluka |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/3291     |

**Purpose**

Council approval is required to award Contract 1431 – Organics Mobile Bins Supply, Distribution and Recovery Service for which tenders have been received.

**Declaration of Interests**

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

**Background**

Tenders closed on 28 January 2015 for Organics Mobile Bins Supply, Distribution and Recovery Service. The contract is for an initial rollout of new organic bins and recovery of old organics bins (voluntary) for one (1) year period with no extension and on-going supply of new bins (for replacement or new services) and spare parts for five (5) years with a five (5) year option to extend at the discretion of Council.

The contract is a schedule of rates contract subject to rise and fall based on the Australian Bureau of Statistics Consumer Price Index for “All Groups Index (Melbourne)”.

Tenders were received from three (3) suppliers (in alphabetical order):

1. Mastec Australia Pty Ltd
2. Sulo (Australia)
3. Trident Plastics (SA) Pty Ltd

Initial checking of tenders revealed that Sulo (Australia) had submitted a tender without the tender schedules filled out. As a consequence the Sulo tender was unable to be evaluated and was not considered any further.

Tenders were evaluated and a recommendation made in accordance with Council's *Procurement Policy and Tenders/Quotations and Purchasing Procedure*.

All tenders were evaluated and scored using the following selection criteria:

| <b>Criteria</b>                                           | <b>Weight</b> |
|-----------------------------------------------------------|---------------|
| Tendered Price                                            | 50%           |
| Service Delivery Capabilities- Suitability of Mobile Bins | 20%           |
| Operational Systems – Ability to Distribute Mobile Bins   | 20%           |
| Management Skills                                         | 5%            |
| Customer Service                                          | 5%            |

The Tender Evaluation Panel consisted of the following members:

- Manager Major Contracts
- Waste Management Officer
- Contracts Officer
- Independent Consultant – Gilbert Consulting

Tenderers must also satisfy Colac Otway Shire Council that they meet requirements for:

- Occupational health & safety
- Financial viability

The submission by **Trident Plastics (SA) Pty Ltd** was assessed by the tender evaluation panel as the best tender achieving the highest evaluation score and tendered the lowest prices and is recommended for acceptance by Council.

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

#### **Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

#### *Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

#### **Physical Infrastructure and Assets**

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

#### **Issues / Options**

Tenders submitted were a schedule of rates for three main components of the Organics Mobile Bins Supply, Distribution and Recovery Services being:

- a. Initial rollout (supply and distribution);
- b. Old organics bin recovery; and
- c. On-going supply of new mobile bins and mobile bin parts.

The major cost component of the contract is the initial roll-out of the organics bins with the cost of the old organics bin recovery being dependent upon the number of bins voluntarily surrendered and the ongoing supply of bins and parts will vary from year to year.

It is considered necessary to award the contract and proceed with the rollout of the new organics bins as the old organics bins have reached the end of their useful life. The old organics bins have been in service for over 15 years and prior to being utilised for the organics collection service were the original recycling bins.

They are at a stage where the plastic becomes more brittle and are subject to failure through cracking and splitting. To maintain a reliable service for the community the organics bin assets must be replaced. New organics bins recently issued to new residential properties will not be replaced.

As the old organics bins are the property of property owners, this contract provides for a collection of the old bins for those property owners who do not wish to keep them. As this is a voluntary surrender to the old bins, the actual total cost can only be estimated at this stage. An allowance has been made for recovery of an estimated 3,000 bins.

The cost of the contract is well within the reserve funds set aside in the 2014/2015 budget.

### **Proposal**

It is proposed to accept a tender and engage the recommended contractor to complete the supply and distribution of the new organics bins and the recovery of old bins before the end of the financial year. The on-going supply of new bins for new residents and spare parts will continue for five years (initial term).

The Tender Evaluation Panel selected Trident Plastics (SA) Pty Ltd as the preferred tenderer as the company's submission was best value as it scored highest on the selection criteria and tendered the lowest rates.

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

The tender of Trident Plastic (SA) Pty Ltd at the tendered schedule rates with an estimated year one cost based on the quantities in the price schedules and assuming 3,000 bins are recovered of \$377,319.50 (excluding GST) is within the Reserve Fund budget.

The overall total project cost is estimated to be \$402,319.50 consisting of the following:

1. Organics mobile bins supply, distribution and recovery and parts for Year 1 (this Contract - \$377,319.50 (excluding GST).); and
2. Educational material and new kitchen caddies to be distributed with the bins, advertising and other incidental project costs (\$25,000 00(excluding GST).)

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

The preferred tenderer, Trident Plastic (SA) Pty Ltd and the nominated subcontractor for distribution of the bins have a good track record of management of risks and completion of contracts to specification and on time. Council should be confident that this contractor will manage exposure to occupational health and safety issues and any non-compliance issues with the contract.

Trident Plastic (SA) Pty Ltd has provided details to confirm they have in place an effective, suitable occupational health and safety system and holds accreditation for:

- ISO 9001 Quality Management System;
- ISO 14001 Environment Management System;
- TS 16949 Quality Management System; and
- In the process of obtaining accreditation for AS4123 Mobile Bin Manufacture.

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

The Contractor is required under the contract to provide a suitable, approved environmental plan which will actively prevent incidents and occurrences. The mobile bins will also contain 30% recycled plastic.

### **Community Engagement**

The community engagement strategy follows 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. The tender was advertised in the Colac Herald on 28 November 2014 and in the Geelong Advertiser and The Age on 29 November 2014. The tender was also advertised via Tenderlink and Council's website.

Prior to commencement of the rollout of the new bins the community will be informed of the dates and instructions for the voluntary surrender of their old bins.

A community information and education package will be distributed with the new bins.

### **Implementation**

Upon Council's approval, the Contract will be awarded and production and distribution of the new bins and voluntary recovery of the old bins will be completed before the end of May 2015.

### **Conclusion**

A recommendation is made to award the contract to Trident Plastic (SA) Pty Ltd to for the Organics Mobile Bins Supply, Distribution and Recovery Service.

The tender by Trident Plastic (SA) Pty Ltd is recommended by the Tender Evaluation Panel and offers the best value to Council.

### **Attachments**

Nil

### **Recommendation(s)**

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

- 1. Awards Contract 1431 for Organics Mobile Bins Supply, Distribution and Recovery Service to Trident Plastic (SA) Pty Ltd at its tendered Schedule of Rates:***
  - a) for a one (1) year period with no extension for the initial rollout of new organic bins and recovery of old organics bins (voluntary); and***
  - b) for five (5) years with a five (5) year option to extend at the discretion of Council for the on-going supply of new bins (for replacement or new services) and spare parts.***
- 2. Delegates to the Chief Executive Officer authority to sign and place under Council seal the contract documents following award of Contract 1431.***

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- Southern Tyres Services (NSW) Pty Ltd
- Toyo Tyre & Rubber Australia Ltd
- Tyre & Tube Australia (Services) Pty Ltd
- Tyremax Pty Ltd
- Tyrepower Limited
- Tyres4U Pty Ltd as Trustee for TWA Trust trading as Tyres4U
- Yokohama Tyre Australia Pty Limited

Tenders were evaluated and assessed by a panel of five members representing large procurement associations, including the MAV. The tender evaluation panel recommendation is made in accordance with selection criteria specified which includes:

- experience and past performance
- delivery, order management and fulfilment
- product range and services offered
- corporate responsibility
- contract management and implementation.

The MAV Tender Evaluation Panel recommended that the standing offers of all 14 tenderers be accepted.

Council's internal Tender Evaluation Panel (TEP) consisted of the following members:

- Cosworks Manager
- Cosworks Supervisor Mechanic
- Contracts Officer

The TEP recommends that the standing offers of the following tenderers be accepted:

- Bridgestone Australia
- Beaurepaires
- Toyo Tyre & Rubber Australia Ltd
- Tyremax Pty Ltd
- Tyrepower Limited
- Tyres 4 U
- Yokohama Tyre Australia Pty Ltd

Each of the nominated tenderers has local representation within Colac, which is essential in meeting Council's operational needs. The TEP is satisfied that accepting the standing offers of the seven nominated tenderers will fully meet Council's needs in the supply and fitting of tyres and batteries and associated services.

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

#### **Good Governance**

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

#### *Our Goal:*

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

### **Issues / Options**

Council is responsible for inviting tenders for the supply and fitting of tyres and batteries and associated services to ensure compliance with its obligations under the *Local Government Act 1989*.

Alternative options to joining the MAV contracts are to independently tender for these products or services or participate in a joint tender with another procurement agency.

Participation in MAV Tender NPN1.14 for Supply, Fitting, Maintenance & Recycling of Tyres, Tubes and Automotive & Marine Batteries allows Council to undertake purchase of tyres and batteries whilst complying with the Local Government Act and ensuring best value to Council through the buying power of the National Procurement Network.

### **Proposal**

It is proposed to engage the following companies for the supply and fitting of tyres and batteries and associated services:

- **Bridgestone Australia**
- **Beaurepaires**
- **Toyo Tyre & Rubber Australia Ltd**
- **Tyremax Pty Ltd**
- **Tyrepower Limited**
- **Tyres 4 U**
- **Yokohama Tyre Australia Pty Ltd**

Purchases under the MAV contract will be based on best value to Council, considering price, quality of product or service and suitability for purpose.

This proposal will allow Council to operate its light fleet and heavy fleet efficiently and at the best value in accordance with legislative requirements.

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

Council's operating budgets allows for the cost of supply, fitting and service of tyres, tubes and automotive batteries.

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

Nil

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

Nil

### **Community Engagement**

The community engagement strategy follows 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.

### **Implementation**

Upon Council's approval the approved tenderers will be notified of Council's acceptance of their standing offers. Cosworks will be advised of the contract details to undertake contract administration.

**Conclusion**

A recommendation is made to accept the tenders of the following companies at their tendered schedule of prices:

- Bridgestone Australia
- Beaurepaires
- Toyo Tyre & Rubber Australia Ltd
- Tyremax Pty Ltd
- Tyrepower Limited
- Tyres 4 U
- Yokohama Tyre Australia Pty Ltd

Purchases under the tender will be based on best value to Council, considering price, quality of product or service and suitability for purpose.

**Attachments**

Nil

**Recommendation(s)**

***That Council:***

- 1. Awards Contract 1510 – Supply & Fitting of Tyres & Batteries (Tender NPN1.14) to the following companies at the schedule of prices submitted.***

***Bridgestone Australia  
Beaurepaires  
Toyo Tyre & Rubber Australia Ltd  
Tyremax Pty Ltd  
Tyrepower Limited  
Tyres 4 U  
Yokohama Tyre Australia Pty Ltd***

- 2. Delegates to the Chief Executive Officer authority to sign and/or place under Council seal contract documents following award of Contract 1510.***

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**OM152502-9 BLUEWATER FITNESS CENTRE REDEVELOPMENT  
PROJECT - PROGRESS REPORT**

|             |                           |           |              |
|-------------|---------------------------|-----------|--------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Phil Corluka |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F13/7721     |

**Purpose**

The purpose of this report is to provide Council with an update on the progress of the delivery of the Blue Water Fitness Centre Redevelopment Project.

**Declaration of Interests**

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

**Background**

The transformation of the Blue Water Fitness Centre is one of the most significant projects undertaken by Council. The Centre is a focus for sport and leisure within the Shire, and an enhanced facility will allow quality recreational activities to be delivered to the community for many years to come.

**Council Plan / Other Strategies / Policy**

**A Planned Future**

Creates an attractive shire with quality buildings and spaces, accessible travel and transport, and a community that has the services and facilities it needs now and in the future; supports a prosperous economy where trade, manufacturing and business activity flourishes.

*Our Goal:*

Facilitate the growth, liveability and development of the shire and encourage innovation and efficiency in the local economy.

**A Place to Live and Grow**

Is a community where people feel cared for and supported; where buildings and spaces facilitate creativity, social activity and enrichment of life, and people have access to gain the skills and education needed to reach their potential.

*Our Goal:*

Improve access to buildings, spaces, services and education to support and enable quality of life.

**A Healthy Community and Environment**

Actively connects and includes people of all ages and backgrounds and promotes a healthy and vibrant community life in a clean, safe and sustainable environment.

*Our Goal:*

Respect cultural differences, support a diverse range of healthy and creative activities, foster community safety and promote environmental sustainability.

### **Issues / Options**

This report is prepared to provide timely and accurate information specific to the delivery of the Blue Water Fitness Centre Redevelopment Project.

### **Proposal**

This report is for Council to note the progress of this project and provides details relating to performance and variance against schedule, budget, and quality parameters. The report also gives an indication of the key issues and risks which have the potential to affect project delivery outcomes.

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

The project budget is \$11.86M. The project is presently being managed within budget tolerances.

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

All aspects of the project are being managed through an established risk register. There are a number of key risks which have the potential to deviate the project from schedule, budget, and quality objectives. The major known issues relate to latent conditions associated with the condition of the existing building structure.

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

Environmental risks posed by construction activities on site are being managed in accordance with the Contractor's Environmental Management Plan.

### **Community Engagement**

The community engagement strategy follows 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 used is to inform including ongoing community and stakeholder engagement activities which will be implemented throughout the course of the project. Information about the project will be disseminated to the community through traditional and social media outlets.

### **Implementation**

This report is provided as information for the benefit of Council and the community and gives a status update on the delivery of the Blue Water Fitness Centre Redevelopment Project which is presently at construction stage.

### **Conclusion**

The intention of this report is to inform the community about the progress of the Blue Water Fitness Centre Redevelopment project. These ongoing reports focus on monitoring of budget and expenditure, progress of works and issues or variances which have the potential to impact on project delivery outcomes.

### **Attachments**

Nil

### **Recommendation(s)**

***That Council notes the monthly status report for the Blue Water Fitness Centre Redevelopment Project covering the period to 1 January 2015 to 31 January 2015.***


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| Monthly Project Status Report - BWFC Redevelopment  |   |   |  |
|---|---|---|--|
| <b>For Period</b>   | 1 January - 31 January 2015   |   |  |
| <b>Prepared By</b>  | Graeme Collins and Adam Lehmann   |   |  |
| <b>Date Prepared</b>  | 10-Feb-15   |   |  |
| <b>Project Description</b>  | Redevelopment of aquatic and sports facility to incorporate warm water pool, additional basketball court and compliant run off areas and general facility upgrades and renewal. |   |  |
| Project Status  |   |   |  |
| Status Item   | Current Status  | Prior Status  | Reason for Deviation                                       |
| Overall Project Status  | <b>Caution</b>  | <b>Caution</b>  |  |
| Schedule  | <b>Caution</b>  | <b>Caution</b>  | Potential delays likely to affect forecast completion date |
| Scope   | <b>Controlled</b>   | <b>Controlled</b>   |  |
| Budget  | <b>Controlled</b>   | <b>Controlled</b>   | Project presently within budget tolerances                 |
| Project Risk  | <b>Caution</b>  | <b>Caution</b>  | Potential for further delays and associated costs          |
| Overall Summary/Comments  |   |   |  |
| Installation of wall linings and ceiling tiles continue within the dry programme area. External wall cladding to the stadium continues, however this activity is taking slightly longer than originally anticipated however this has not had any effect on the current construction schedule. Backfilling around the new pool has been completed in preparation for concrete works. |   |   |  |
| Budget Performance  |   |   |  |
| <b>Building Contract Expenditure Summary</b>  |   |   |  |
| <b>Contract Sum</b>   | \$10,955,860  |   |  |
| <b>Contract Works Complete</b>  | \$5,790,894   |   |  |
| <b>Approved Variations Completed</b>  | \$224,742   |   |  |
| <b>Total Approved Works Completed</b>   | \$6,015,636   |   |  |
| <b>Contract Contingencies</b>   | \$850,000   |   |  |
| <b>Credits and Contract Contingencies Remaining</b>   | \$625,258   | <b>Project Expenditure Summary</b><br><b>Total Project Budget</b><br>\$11,855,860<br><br><b>Total YTD Project Expenditure</b><br>\$6,993,172<br><br><b>Percentage Budget Spent</b><br>59.0% |  |
| Comments  |   |   |  |
| Activity onsite has resumed following the Christmas shutdown period. Progress on site is reflective of this months expenditure.   |   |   |  |


| Schedule Performance  |   |                              |  |  |                   |                    |
|---|---|------------------------------|--|--|-------------------|--------------------|
| <b>Project Element</b>  | Design (including Contract Administration)  | Relocation of Dry Programmes | Construction                                   | Equipment Purchases for Redeveloped Facility | Landscaping       | Project Management |
| <b>Percentage Complete</b>  | 98.1%   | 100.0%                       | 54.9%  | 0.0%   | 0.0%              | 98.9%              |
| Construction Correspondence   |   |                              |  |  |                   |                    |
| <b>No. of Requests For Information (RFI) to Date</b>  | 293   |                              | <b>No. Variation Quotations (VQ) Submitted</b> | 133  |                   |                    |
| <b>No. Unresolved RFIs</b>  | 54  |                              | <b>No. VQs Approved</b>                        | 102  |                   |                    |
| <b>No. Site Instructions Issued (SI)</b>  | 532   |                              |  |  |                   |                    |
| Accomplishments Since Last Report   |   |                              |  |  |                   |                    |
| External wall cladding to stadium continues<br>Wall linings and ceiling claddings in the dry programme continues<br>Stadium louvres have been supplied and installed<br>Preparation for internal wall linings in the stadium completed including installation of insulation |   |                              |  |  |                   |                    |
| Upcoming / Next Steps   |   |                              |  |  |                   |                    |
| Construction of stadium subfloor<br>Pouring of pool concourse and structural footings for new pool hall<br>Erection of pool hall steel framework<br>High level work in stadium including lighting, fire services, wall linings, and windows                                 |   |                              |  |  |                   |                    |
| Key Risks that May Affect the Project   |   |                              |  |  |                   |                    |
| RFI response times  |   |                              |  | <b>Current Status</b>                        | <b>Caution</b>    |                    |
| Latent conditions within existing building  |   |                              |  |  | <b>Controlled</b> |                    |
| Possible delays due to seasonal change and extent of works exposed to weather   |   |                              |  |  | <b>Controlled</b> |                    |
| Integrity of existing pool structure and associated services  |   |                              |  |  | <b>Caution</b>    |                    |
| Key Issues that Currently Affect the Project:   |   |                              |  |  |                   |                    |
| RFI pending response and current timeframes for finalisation  |   |                              |  | <b>Current Status</b>                        | <b>Caution</b>    |                    |
| Documented design for roof over dry programme area - Constructability issues  |   |                              |  |  | <b>Controlled</b> |                    |
| Project schedule impacted by redesign and redocumentation delivery  |   |                              |  |  | <b>Caution</b>    |                    |
| Progress of stadium cladding works  |   |                              |  |  | <b>Caution</b>    |                    |
| Key Upcoming Milestones   |   |                              | Target Completion Date                         |  |                   |                    |
| Concrete works for new pool deck  |   |                              | 28-Feb-15                                      |  |                   |                    |
| Construction of pool hall   |   |                              | 31-Mar-15                                      |  |                   |                    |
| Plaster linings to internal areas   |   |                              | 31-Mar-15                                      |  |                   |                    |
| <b>Key</b>  |   |                              |  |  |                   |                    |
| <b>Controlled</b>   | - Project or issue is within established milestones, scope, budget and is on schedule           |                              |  |  |                   |                    |
| <b>Caution</b>  | - Project has slightly deviated from the plan.  |                              |  |  |                   |                    |
| <b>Critical</b>   | - Issue/risk has the potential to deviate project from defined time, cost, quality objectives.  |                              |  |  |                   |                    |
|   | - Project not tracking to established milestones, or has taken on tasks out of scope or budget. |                              |  |  |                   |                    |
|   | - Issue or risk likely to significantly impact on schedule and project costs.                   |                              |  |  |                   |                    |




Site Photos




Cleaning of existing pool ducting



Backfilling around new warm water pool



Stadium ventilation louvre. One of 14 in total



Plaster wall linings to programme room entry foyer



**OM152502-10 PLANNING SCHEME REVIEW**

|             |                                    |           |              |
|-------------|------------------------------------|-----------|--------------|
| AUTHOR:     | Blaithin Butler                    | ENDORSED: | Doug McNeill |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F14/9336     |

**Purpose**

This report outlines the key findings of the Planning Scheme Review 2015, for consideration and subsequent reporting to the Minister for Planning.

**Declaration of Interests**

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

**Background**

Section 12B of the Planning and Environment Act 1987 ('the Act') requires each planning authority to regularly review its Planning Scheme. This is essentially an audit of the Planning Scheme and the legislation requires that the review confirm that the Planning Scheme is consistent in form and content with directions or guidelines issued by the Minister, that it sets out effectively the policy objectives for use and development of land in the area to which the Planning Scheme applies, and that it makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives. In effect, the review is an audit of the performance of the Planning Scheme and is intended to inform continuous improvement.

On completion of the review, the findings of the review must be reported without delay to the Minister. Any proposed improvements to the Planning Scheme that flow from this review would have to be carried out as Planning Scheme amendments separate to the review.

Work has been ongoing on the current Planning Scheme Review for the past year. This is the third such review of the Colac Otway Shire Planning Scheme to be carried out since the translation to new format planning schemes in the late 1990s.

In 2005, Colac Otway Shire commenced a major review of its Planning Scheme. That Planning Scheme Review recommended a significant streamlining of the Municipal Strategic Statement (MSS), local policies, and zones and overlays, with the aim of making policies clearer and more effective, rationalising content and giving effect to recent strategic work undertaken by the Shire. A subsequent Planning Scheme Amendment, C55, entailed a major re-write of the Planning Scheme, resulting in significant operational improvement.

The subsequent 2010 Planning Scheme Review considered new State planning initiatives and policies, and addressed emerging issues within the municipality, including the potential inundation of coastal areas from future sea level rise, increased pressures on valuable agricultural land and outcomes from the 2009 Bushfire Royal Commission.

The current Planning Scheme Review considers State Government initiatives since the last review was undertaken, outlines significant strategic planning work undertaken by Council during that period, details consultation carried out with key stakeholders during the review process, describes planning issues faced by the municipality, and concludes with an

assessment of the operation of the current Planning Scheme and recommendations about the strategic work that should be undertaken in the next few years.

The following sections of this report summarise the key findings of the Planning Scheme Review 2015.

#### What has been achieved since the last review?

In terms of State-wide and regional planning initiatives, of particular note to this municipality have been the numerous state-wide changes to the bushfire provisions in the Planning Scheme, reforms to the zones, reforms to native vegetation provisions, the introduction of *'Guidelines for Planning Permit Applications in Open, Potable Water Catchments'* (Nov. 2012), and the development of the G21 Regional Growth Plan.

Some of the key strategic work undertaken by Council since the last Planning Scheme Review includes implementing selected recommendations from the adopted Colac Otway Rural Living Strategy 2011 and Forrest Structure Plan 2011 (C69); applying the recommendations of the Colac CBD Entrances Project (C72 - Part 1); introducing Parking Overlays to Colac and Apollo Bay as a result of the Colac and Apollo Bay Parking Strategy (C72 – Part 2); and implementing the recommendations of the Colac Otway Public Open Space Strategy (C75). In addition, C76 implemented the Birregurra Structure Plan (2013) and Birregurra Neighbourhood Character Study (2012), resulting in changes to the MSS, rezoning, and the introduction of Design and Development Overlays and a Vegetation Protection Overlay. Two amendments, relating to biodiversity (C70) and salinity (C67) were abandoned by Council.

#### Where are we now?

The Planning Scheme Review 2014 concludes that the provisions are generally operating well, but some major work is required to guide future development in Colac and also within water catchment areas. In addition, it is acknowledged that there is opportunity for local provisions to be streamlined to assist to speed up the processing of planning applications, and provide greater certainty and clarity to applicants.

Amendments currently in progress include C73, which proposes to facilitate redevelopment of the Apollo Bay Harbour. Council is currently awaiting the Panel Report. In addition Amendment C74, which implements the 'Apollo Bay Settlement Boundary and Urban Design Review 2012' and was recently adopted by Council, is currently awaiting approval from the Planning Minister. Amendment C78, which is a private amendment relating to the rezoning of land at Wyuna Estate, Colac, is currently being prepared for exhibition.

Significant work has also been undertaken on the Local Bushfire Planning Project, which examined growth options in selected towns from a bushfire perspective, and potential to streamline the Bushfire Management Overlay (ie through localized schedules). This had been finalised for consideration by Council in June 2014, but the project was deferred due to State Government changes to bushfire provisions through Amendment VC109. Those changes have implications for the recommendations of the final report and Council is currently discussing the possibility of getting support from the Department of Environment, Water Land and Planning (DEWLP) to re-engage consultants and determine what changes are required and whether schedules are still relevant.

The two major pieces of strategic planning work for the coming year are the preparation of a Domestic Wastewater Management Plan (DWMP), which aims to provide more certainty about development potential in the water catchments, and the commencement of work on

the Colac 2050 project, which will provide guidance on retail, industrial and residential development for Colac.

Council received mapping for the DWMP project on 24 December 2014, which has been reviewed and is currently being revised and updated.

An initial draft of the DWMP is expected in late February. Once this has been reviewed by the Working Group (which includes representatives from Council, water authorities and the EPA) public consultation will be undertaken. The DWMP will then be finalised.

A project manager has been appointed for the Colac 2050 project and work is now commencing.

#### Where to from here?

Overall, the Review has found that, whilst a bit cumbersome, the operation of the Colac Otway Planning Scheme is structurally sound with good linkages between the State Planning Policy Framework (SPPF) and the Municipal Strategic Statement (MSS).

Some of the key issues currently facing the municipality are bushfire risk, water catchment management, planning for growth of Colac (ie retail, industrial and residential growth) climate change and the duplication of the Winchelsea to Colac section of the Princes Highway.

As noted above, work on the Colac 2050 project should provide a strategic framework for the future development of the town. This is particularly important given the future improved accessibility of the town due to the highway duplication. The preparation of a DWMP aims to provide more certainty for landowners about the development potential of land, both within water catchment areas and in small towns across the municipality.

In addition to the major issues identified above, there is recognition that opportunities to streamline planning processes and reduce red tape should be pursued as a priority. This work is progressing now and will be reported to Council in the near future.

The current Review has identified a number of areas for further consideration and work, which are summarised below (with examples of proposed actions also provided):

- **Review and update the provisions of the MSS**, following the completion of the State Government Planning Policy Framework (PPF) Review, in accordance with the recommendations of this Review. Consideration should be given to adding or enhancing policy on matters such as the Domestic Wastewater Management Plan, Environmentally Sustainable Development, Acid Sulphate Soils, Salinity and social inclusion.
- **Continue to advocate for appropriate changes to the provisions of the zones**, e.g. more flexibility for tourism related uses in the Rural Conservation Zone.
- **Continue to advocate for a rationalisation of controls in coastal areas**, whether through amendments to the current Township Zone provisions, or the introduction of a new overlay (which may also have the potential to be applied inland).
- **Continue to advocate for a review of the Township Zone** to allow greater flexibility for the introduction of appropriate small scale commercial and industrial

operations that add to the economic development of small townships and complement existing activities, e.g. boutique food or drink production.

- **Ensure land is appropriately zoned**, e.g. explore whether the Rural Activity Zone should be applied to additional areas.
- **Consider the appropriateness of new zones or overlays to address existing land uses**, e.g. further use of the Rural Activity Zone, potential use of clause 52.03 (Specific Sites and Exclusions).
- **Review the schedules to the overlays**, to streamline and simplify processes where possible and appropriate. The potential for further exemptions from the requirement for a permit should be examined, with the inclusion of such exemptions recommended for the Neighbourhood Character Overlay in particular.
- **Refining and rewording of other overlays is also required in line with findings of this Review** to correct discrepancies and make provisions clearer.
- **Streamline provisions by reaching agreements with relevant authorities about referral requirements** in line with the provisions in the planning scheme, e.g. finalising the draft Memorandum of Understanding with the water authorities.
- **Remove unnecessary requirements**, e.g. the requirement for a mandatory condition under the provisions of the Erosion Management Overlay, instead allowing discretion for an appropriately worded condition to be applied solely in cases where required.
- **Review and update incorporated and reference documents.** Ensure documents are relevant and up-to-date, and consider status.

The following table outlines the key future strategic work for Council that has been identified during the Review process. This will be subject to further review, including establishing which of the listed projects are the key priorities for the short, medium and longer terms.

| <b>HIGH PRIORITY PROJECTS</b>  |
|--|
| Update of MSS, and zone/overlay schedules to address minor issues raised in or since the 2010 Planning Scheme Review               |
| Colac 2050   |
| Small Town Plans for Alvie, Beeac and Cororooke  |
| Amendment to streamline current overlay controls, reducing duplication and providing appropriate exemptions for minor developments |
| Develop Advertising Signage policy   |
| Development guidelines for industrial areas (DDO)  |
| Amendment to correct mapping and remove redundant controls   |
| Develop Precinct Plan for East Colac Rural Activity Zone land (part of Colac 2050 Plan)  |

|   |
|---|
| Undertake settlement wide CHVAs in Coastal areas vulnerable to sea level rise             |
| <b>MEDIUM PRIORITY PROJECTS</b>   |
| Apply Heritage Overlay to additional sites in the Heritage Study                          |
| Apply development controls to areas with potential acid sulphate soils                    |
| Develop ESD policy  |
| Review wider application of RAZ   |
| Gaming policy   |
| Develop licensed premises policy  |
| Structure Plans for Gellibrand and Beech Forrest  |
| <b>LOW PRIORITY PROJECTS</b>  |
| Style Guidelines for Apollo Bay and other locations in Shire                              |
| Review the 2003 Heritage Study  |
| Dry Stone Walls Heritage Protection and Colac-Crowes Rail Line Controls                   |
| Review the Apollo Bay/Marengo Neighbourhood Character Precinct Statements                 |
| Update biodiversity overlays, subject to State Government providing more accurate mapping |

It is intended that work be undertaken over the next few years to review the issues identified in the Planning Scheme Review, with a view to undertaking planning scheme amendments to address the key issues. The Planning Scheme Review will help Council to establish each year what it seeks to achieve through its strategic planning program. There is no immediate amendment to the planning scheme envisaged. Each project will need to be considered in the annual budget process.

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

*A Planned Future creates an attractive shire with quality buildings and spaces, accessible travel and transport, and a community that has the services and facilities it needs now and in the future; supports a prosperous economy where trade, manufacturing and business activity flourishes.*

The Planning Scheme Review 2015 is a statutory requirement that all planning authorities must undertake, which must include a review of the current status of the Planning Scheme and inform the strategic planning work program over coming years. It is a statutory requirement that the Planning Scheme Review be considered by Council, with the findings of the review subsequently reported to the Minister.

Any proposed improvements to the Planning Scheme that flow from this review would have to be carried out as Planning Scheme amendments separate to this review.

#### **Issues / Options**

The Planning Scheme Review provides a framework that helps to establish the strategic planning program for future years. It is a statutory requirement that the findings of the Planning Scheme Review be reported to the Minister for Planning.

Whilst categorising projects broadly as high, medium and low priority, the Planning Scheme Review does not prioritise individual issues and the option remains for Council to determine which issues become the key tasks in the short, medium and long term. This will occur separately in consultation with Councillors.

As noted above, a range of issues are identified in the Review for advocacy to State Government concerning the need for reform to state planning scheme provisions. Whilst the Planning Scheme successfully achieves local policy objectives in the main, the greatest challenge to overcome is its complexity to implement, which is governed largely by the structure of state planning provisions. Significant potential exists to rationalise controls in the coastal towns particularly, if state provisions could be amended to incorporate greater flexibility. It is intended that advocacy efforts continue to achieve reform in this area, building on the work to date, which has seen some recognition of the need for change to occur. There have been meetings between officers and State Government representatives late in 2014 to discuss Council's concerns.

### **Proposal**

The Planning Scheme Review is a statutory requirement of Council. It is recommended that the findings of the review be reported without delay to the Minister, with work subsequently undertaken on the strategic work program for the coming years. The review will also support officer efforts to advocate on a number of opportunities to streamline State Government planning provisions.

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

There are no immediate financial implications, but once the strategic planning program has been determined each project will need to be considered in the annual budget process. In addition to ensuring that each project is financed, it will be necessary to ensure that the program can be achieved with available staff resources.

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

The Planning Scheme Review is a statutory process that Council must comply with under section 12B of the Planning and Environment Act 1987.

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

The Planning Scheme Review has highlighted areas where additional work needs to be undertaken on environmental and climate change issues, through the strategic planning program.

### **Community Engagement**

The community engagement strategy follows 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 undertaken for the review was to inform, consult and involve key stakeholders, as follows:

- Advertisements advising the public of the Planning Scheme Review were placed in the Colac Herald, Birregurra Mail and Apollo Bay Newsheet.
- An online survey was made available to the community, seeking feedback on what works, and what does not work, in the current Planning Scheme.
- Meetings were held with statutory bodies.
- A separate meeting was arranged with consultants that regularly use the planning service.
- Discussions were also held with Councillors and Council Departments.



Further consultation will occur on any Planning Scheme Amendments or strategic studies that flow from this Planning Scheme Review.

**Implementation**

Under the provisions of the Planning and Environment Act 1987, the findings of the Planning Review must be reported without delay to the Minister of Planning.

Following this, a strategic planning work program will be drawn up in consultation with Councillors. Any proposed improvements to the Planning Scheme that flow from this review will have to be carried out as Planning Scheme amendments separate to the review.

**Conclusion**

The Planning Scheme Review is a statutory requirement which Council has to undertake on a regular basis, subsequently reporting the findings to the Minister for Planning. The Planning Scheme Review is effectively an audit of the Planning Scheme, which also guides Council's future strategic planning work program.

The Planning Scheme Review 2015 has found that, whilst a bit cumbersome to use, the Planning Scheme is generally working well in terms of meeting local policy needs. It is unnecessarily complex in its application however, and recommendations have been made to try to streamline the planning process, and to ensure that inconsistencies and discrepancies within the Planning Scheme are removed. It has also been recognised that consideration should be given to including issues currently not addressed within the Planning Scheme and that some current issues could be further clarified. In addition, recommendations have been made about areas in which Council could advocate for change. In making the recommendations regard was had to feedback received from stakeholders, including consultants that regularly use the planning service and the wider community.

2. Any proposed improvements to the Planning Scheme that flow from this review will have to be carried out as Planning Scheme amendments separate to this review. A strategic planning program will need to be developed based around the findings of the Planning Scheme Review, which will subsequently need to be considered in the annual budget process.

**Attachments**

1. Planning Scheme Review 2015

**Recommendation(s)**

***That Council:***

1. ***Notes the findings of the Planning Scheme Review 2015.***
2. ***Reports the findings of the Planning Scheme Review 2015 to the Minister for Planning without delay, as required by section 12B of the Planning and Environment Act 1987.***
3. ***Develops a strategic planning work program based on the findings of the Planning Scheme Review 2015.***
4. ***Uses the Review to support its advocacy for changes to State Government planning provisions that would streamline planning controls within the Shire.***

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**OM152502-11 ASSEMBLY OF COUNCILLORS**

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F14/6031

**Introduction**

The *Local Government Act 1989* (the Act) requires that records of meetings, which constitute an Assembly of Councillors, be tabled at the next practicable meeting of Council and incorporated in the minutes of the Council meeting.

**Definition**

An “assembly of Councillors” is a defined term under section 3(1) of the *Local Government Act 1989*.

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 to discuss issues that are likely to come before Council for decision.

As part of decision making processes at Colac Otway, it is essential that Councillors are briefed on a range of issues which come before Council for consideration. As a means of providing this information, Assembly of Councillor briefings are conducted.

Assemblies are also attended by Council Officers, and sometimes other specific advisors, to provide Councillors with a detailed knowledge and understanding of issues under consideration to a level of detail that would inhibit timely decision-making, that would not be possible in an open council meeting or where decision-making related debate is governed by strict meeting procedures.

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 names of all Councillors and members of Council staff attending;
- the matters considered;
- conflict of interest disclosures made by a Councillor (if any are made); and
- whether a Councillor who has disclosed a conflict of interest leaves the assembly.

It is a requirement that the record of an assembly is to be reported to the next practicable ordinary meeting of Council and be incorporated in the minutes of that Council meeting.

**Assemblies of Councillors**

The following Assemblies of Councillors have been held:

- Councillor Workshop 21 January 2015
- Councillor Briefing Session 28 January 2015
- Councillor Workshop 4 February 2015
- Councillor Workshop 11 February 2015

**Attachments**

1. Councillor Workshop - 21 January 2015
2. Councillor Briefing Session - 28 January 2015
3. Councillor Workshop - 4 February 2015
4. Councillor Workshop - 11 February 2015

**Recommendation(s)**

***That Council notes the Assembly of Councillors reports for:***

- ***Councillor Workshop*** 21 January 2015
- ***Councillor Briefing Session*** 28 January 2015
- ***Councillor Workshop*** 4 February 2015
- ***Councillor Workshop*** 11 February 2015

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**OM152502-12            MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE**

|             |                                |           |                 |
|-------------|--------------------------------|-----------|-----------------|
| AUTHOR:     | Jodie Fincham                  | ENDORSED: | Carmen Lawrence |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/3291        |

It has been previously agreed to by Council that the minutes of the Old Beechy Rail Trail Committee should be included in the Council agenda once any confidential items have been identified and the minutes have been confirmed by the Committee.

Attached are the Minutes from the meeting held 1 December 2014.

Meetings are held every two months, commencing in February of each year.

**Attachments**

1. Meeting Minutes - Old Beechy Rail Trail - 1 December 2014.docx

**Recommendation(s)**

***That Council notes the Minutes of the Old Beechy Rail Trail Committee for 1 December 2014.***

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**OM152502-13            ITEM FOR SIGNING & SEALING - STOCK UNDERPASS - ADAMS ROAD, BARONGAROOK WEST**

AUTHOR:	Paula Gardiner	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95455

Stock Underpass Agreement between Colac Otway Shire Council, L D, J H & S D Scott Pty Ltd and L D Scott of 875 Irrewillipe Road, Barongarook West.

A Section 173 Agreement between Colac Otway Shire, L D, J H & S D Scott Pty Ltd and L D Scott of 875 Irrewillipe Road, Barongarook West is presented for signing and sealing by Council. The Agreement relates to a stock underpass constructed by L D, J H & S D Scott Pty Ltd under Adams Road, Barongarook West and the two connecting parcels of land at either end of the underpass.

The parcels of land subject to this Agreement are described as Lot 1, TP 562885 (809 Irrewillipe Road, Barongarook West) and Lot 2, LP 97061 (875 Irrewillipe Road, Barongarook West).

The Term of the Agreement is five (5) years with three further options of five (5) years.

**Attachments**

1. Scott - Adams Road Barongarook West - Section 173 agreement changed for stock underpasses - Stock Underpass - To Be Sealed by Council - 20150210

**Recommendation(s)**

***That Council delegates to the Chief Executive Officer authority to sign and seal the Stock Underpass Agreement between Colac Otway Shire Council, L D, J H & S D Scott Pty Ltd and L D Scott for a stock underpass under Adams Road, Barongarook West.***

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**OM152502-14      ITEM FOR SIGNING & SEALING - LEASE TO STATE  
 EMERGENCY SERVICES (SES) - SHED AT PART 87  
 WILSON STREET, COLAC**

|             |                                |           |                 |
|-------------|--------------------------------|-----------|-----------------|
| AUTHOR:     | Paul Carmichael                | ENDORSED: | Carmen Lawrence |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/3291        |

The State Emergency Service (SES) have occupied a shed at part 87 Wilson Street, Colac for many years without a formal lease being in place. This lease rectifies that situation.

Over the past 12 months there has been discussion regarding the possibility of the SES occupying the Apex Shed, which is located on the same site. This lease is not in connection with the Apex Shed which will be dealt with separately.

The lease is for the shed currently occupied by the SES, which serves as the SES's incident response base and communications centre. It is proposed the term of the lease is for five years with an option for a further four years. The SES is a Group 1 tenant under Council's Leasing of Council Property policy, and as such is entitled to a peppercorn rental of \$1.00 per annum. The SES will not be required to pay municipal rates, but is required to pay the Waste Management Charge and the State Government's Fire Services Property Levy. The SES is also liable for maintenance of the shed.

Given the term and rental associated with the lease, the proposed lease is not required to be advertised. It is also considered unnecessary given that the SES has occupied the site for many years.

The terms and conditions of the proposed lease have been agreed to by the SES.

**Attachments**

1. Lease - SES Shed - Part 87 Wilson Street Colac
2. Aerial Photo - SES - 87 Wilson Street, Colac

**Recommendation(s)**

***That Council endorses the proposed lease with the State Emergency Service for the shed it currently occupies at part 87 Wilson Street, Colac and delegates authority to the Chief Executive Officer to sign and seal the document.***

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**OM152502-15 BLUEWATER FITNESS CENTRE (CR MICHAEL DELAHUNTY)**

TAKE NOTICE that it is my intention to move at the Ordinary Council Meeting of the Colac Otway Shire to be held on 25 February 2015:

That Council requests the Chief Executive Officer provide a report to Council that outlines possible management options for Bluewater Fitness Centre and any associated processes for implementation.

**Attachments**

Nil

**Recommendation**

***That Council consider the contents of this Notice of Motion.***

~~~~~



## 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><i>SUBJECT</i></b>	<b><i>REASON</i></b>	<b><i>SECTION OF ACT</i></b>
Minutes of In-Committee Council Meeting held on 28 January 2015	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
Contract 1301 - Cleaning of Buildings, Public Conveniences and Barbecues - Option to Extend Contract	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1431 - Organics Mobile Bins Supply, Distribution & Recovery Services	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1510 - Supply & Fitting of Tyres & Batteries	this matter deals with contractual matters	Section 89 (2) (d)



# ORDINARY COUNCIL MEETING

## WEDNESDAY, 25 FEBRUARY 2015

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# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Application Form 2015/16

Eligible groups are required to meet the grant guidelines and complete an application during the advertised funding round which is available via the Council's website or contact 5232 9400. Assessment criteria will be used to assess all funding applications

### CONTACT DETAILS OF ORGANISATION UNDERTAKING THE PROJECT:

Name of Group or Organisation \*

Street address

  
  
 Postcode:

Postal address (if different to above) \*

  
  
 Postcode:

Phone number of Organisation\*

Contact person's name\*

Contact person's title in Organisation

Contact person's phone numbers:

Business hours number \*      After hours number

Mobile number

Email contact\*

Physical address of where project is to take place.\*

Landownership

Council          Crown          Other   

### CONTACT DETAILS OF \*AUSPICE ORGANISATION IF APPLICABLE:

\* For clarification, please refer to information contained in Guidelines.

Name of Auspice Organisation

Phone number of Organisation

Address (please include postal address for correspondence)

  
  
 Postcode:

Contact person of Auspice Organisation

Contact person's title in Auspice Organisation

Contact person of Auspice Organisation's phone numbers:

Business hours number      After hours number

Mobile number

Email contact

\*Mandatory fields



# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Application Form 2015/16

## LEGAL AND TAXATION REQUIREMENTS:

Please complete the following details:

Incorporation Number of Organisation

*If you do not have an incorporation number, please state the nature of your organisation (Only groups that are incorporated or similar legal entities can receive funds).*

ABN (Australian Business Number) of the Organisation

**If you do not have an ABN – Have you included a ‘Statement by a Supplier’ Form with this application?**

Yes  No

*If you do not have an ABN you will need to obtain a ‘Statement by a Supplier’ Form (available from the Australian Tax Office or Colac Otway Shire Council) and submit it with your application. Failure to provide either an ABN or a Statement by a Supplier Form will result in Council being obliged to take 46.5% of any allocations made to grant applicants and send it to the Australian Tax Office (ATO).*

**Are you registered for the GST?**

Yes  No

*If you are registered for the GST and you are allocated funds, Council will pay an additional 10% to accommodate the GST. In this case, a tax invoice will be required by Council prior to payment.*

Successful grants will be paid by cheque or preferably Electronic Funds Transfer (EFT) to a nominated bank account. If you have not supplied your EFT details, please request an EFT Form and one will be emailed to you. **If your bank account details have changed in the past year, please complete the details below.**

Account Name

BSB No

Account Number

Bank/Financial Institution

Please ensure that you have checked the list on the guidelines section (Page 1) to ensure that your project falls within the types of projects that Council will consider funding – All applications are checked against this criteria.

- 1 Please provide a brief description of your Project including the Project Title, its aim and its anticipated benefits to the Colac Otway Shire Community (if you require more space, please attach extra pages as needed):

The project title is:

The project description is:

The aim of the project is:

**(a) Why is this project needed? (Criteria 15%)**  
(How is this project supported locally? What demand exists that has created the idea for this project? Do you have evidence to show why this approach will work?)

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Application Form – 2015/16

**(b) How will the project be delivered? (Criteria 15%)**  
(Will it involve knowledge and skills development? Will the project be an innovative and creative response to the issue? Will it be sustainable?)

**(c) Who is involved? (Criteria 20%)**  
(Who will manage the project? Who are the partners? Will there be voluntary or in-kind contributions? Does the project actively involve a range of stakeholders?)

**(d) What will it achieve? (Criteria 50%)**  
What are the anticipated benefits of the project to the community?

**2 Financial details.**

Total project cost *(Please attach quotes)*

\$

Funds requested from Council's Community Funding Program

\$

Total of group/organisation contribution

\$ (Cash)
\$ (In-kind)

Are you willing to accept partial funding?  
(Please tick as appropriate)

Yes  No

If yes, indicate priorities:

Please provide as part of your application: Attached detailed financial statement or Treasurer's report for the past 2 years.

Will this project have any direct environmental or energy sustainability benefits such as water or energy saving

Yes  No

If yes, indicate examples:

**3 When will your project take place?**

*(Please note that requests for projects or purchases that have commenced or been made prior this application form being received by Council are not eligible for funding).*

**4 Has your organisation received funding from Council in the past three years?**

Yes  No

Please provide details of ALL funding support provided by the Colac Otway Shire in the past 3 years (including any current applications to the Festival & Event Support Scheme.)

Council Department	Project	Amount \$	Year

**BUDGET DETAILS OF PROJECT:**

Please detail the cost of your project by completing the budget section below. When estimating your expenses, take into consideration the materials for activities that will be used throughout the Community project such as:

- Purchase costs (including quotes where applicable).
- Advertising, printing and stationery costs.

**Please note that INCOME plus IN-KIND (if applicable) MUST EQUAL EXPENDITURE**

**Income:**

Please list ALL sources of income (the grant sum sought, plus any fees, sponsorship, advertising, donations etc that come from any other sources for the project.

INCOME	
List all sources of income you expect will fund your project	
Grant amount you wish to apply for is:	\$
	\$
	\$
	\$
	\$
<b>TOTAL INCOME</b>	<b>\$</b>

**Expenditure:**

Please estimate and list ALL project costs and tick which components are likely to use funds received from this grant. (Please supply estimates/quotes)

EXPENDITURE	
List all expenses that you expect to incur for your project.	
<i>(Please indicate which components of the expenditure you wish to use the grant funds to cover by placing an (X) next to the dollar amount).</i>	
	\$
	\$
	\$
	\$
<b>TOTAL EXPENDITURE</b>	<b>\$</b>

**In kind assistance:**

Please describe how the group intends to contribute to the project through voluntary services or in-kind services. Please estimate a value for these contributions. (\$25 per hour is a suggested figure to use when estimating voluntary labour costs).

Description of in kind Assistance/contribution eg: how much volunteer time has been spent on this project or list goods or services provided at no cost to the project	Amount \$
<b>Total Contribution</b>	<b>\$</b>

**OPTIONAL: In support of your application – attach extra pages/documents if you wish.**

**APPLICATION FORM AUTHORISATION**

This section requires completion and signature by a committee or authorised staff member of the organisation that are managing the funds for this project (or the auspice if applicable).

Name	<input type="text"/>
Position/Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

**DECLARATION**

I affirm, on behalf of the applicant organisation, that any funds provided by the Colac Otway Shire will be expended in accordance with the terms and conditions outlined in the Funding Agreement. I affirm that all details supplied in this application and attachments are true and correct to the best of my knowledge. The application form has been submitted with the full knowledge and agreement of the applicant organisation. I/We acknowledge that the Guidelines and Funding Agreement have been read and fully understood.

**PRIVACY NOTIFICATION**

Council is collecting the personal information on this form for the purposes of assessing your application and to maintain statistical information. The personal information will be used solely by the Council for that primary purpose or directly related purposes. The applicant understands that they may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to 5232 9400.

Please read and sign this Agreement.

**THIS AGREEMENT IS MADE BETWEEN COLAC OTWAY SHIRE COUNCIL** of 2-6 Rae Street Colac ("the Council") and the Applicant

**BACKGROUND**

- A The Council makes available funds for community programs each year for the benefit of residents of and for activities that take place in the Colac Otway Shire.
- B The Council has criteria which must be met by the Applicant before funding is provided as set out in this agreement.
- C The Council has agreed to fund the Applicant on the terms and conditions set out in the agreement.

**AGREEMENT**

- 1. The Council may provide to the Applicant funds for the Applicant's activity. **Signing this Agreement does not commit Council to provide any funds unless the Applicant's submission is successful.**
- 2. The Applicant confirms and agrees that:
  - (a) it is a not for profit incorporated association or a natural person authorised by the incorporated association to enter into this agreement.
  - (b) activities arising from the grant allocation must take place within the Colac Otway Shire and/or benefit Colac Otway Shire residents and workers.
  - (c) if funds are granted by Council they must be spent on the approved activity. Any significant change to the activity must be approved by the Council.
  - (d) funds provided under this agreement must be spent by the Applicant within 12 months of the date of this agreement, unless otherwise agreed by the Council.
  - (e) the Applicant must return any funds not spent on the activity to Council.
  - (f) the Council is not responsible for any shortfall should the activity run over budget.
  - (g) the Applicant is required to recognise the Council as a funding source of the project. Contact must be made with the appropriate Council officer to obtain the relevant logo and to ensure that the Council signs and approves proofs of all materials prior to production. Unauthorised use of the Council logo on other material will result in the Applicant being ineligible to apply for further grants.
  - (h) accurate financial records of the recipient organisation be maintained and made available to the staff of Council in the event of any further audit by Council into the use of the Grant. Council officers may request meetings with the Applicant to check on progress during the period of the activity.

- (i) it will complete a reporting form for the grant. If the reporting form is incomplete the Applicant will be ineligible for further grants. A statement of the expenditure of the funds will be required within the reporting process.
- 3. The Council, its servants, agents and employees shall not be responsible at any time for any liability incurred or entered into by the Applicant as a result of or arising out of the Applicant's responsibilities under this agreement.
- 4. The Applicant shall release and indemnify the Council, its servants, agents and employees against any claim, demand, liability, costs, expenses, actions arising out of or in any way connected with the activities of the Applicant, or the Applicant's agents in consequence of this agreement except where the claim, demand, liability, costs or action are caused by the Council or its servants or agents.
- 5. Any variation of this agreement shall only be made in writing between the parties.
- 6. Projects that commence prior to this application being received by Council will be ineligible.
- 7. A "Tax Invoice" is required to be submitted prior to payment of the grant (only if the applicant is registered for GST).
- 8. Note that Council will publicly report grants awarded.

Signature





## **COLAC OTWAY SHIRE – Funding Guidelines COMMUNITY FUNDING PROGRAM 2015/16 Recreation Facilities: Total Project Cost up to \$10,000**

FORWARD COMPLETED APPLICATION FORM TO:

COMMUNITY FUNDING PROGRAM 2015/16  
Recreation Facilities up to \$10,000  
Colac Otway Shire Council  
PO BOX 283  
COLAC 3250  
EMAIL: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

**PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORM, THEN COMPLETE THE FOLLOWING CHECKLIST:**

**Have you:**

- Read the Community Funding Program Guidelines?
- Completed all questions in the Application Form?
- Provided a copy of the most recent bank/audited financial statements?
- Provided a copy of Public Liability Insurance Policy
- Provided Statement by Supplier (if you do not have an ABN)?
- Attached any relevant quotes supporting budget expenditure?
- Ensured that you have provided a Reporting Form if you have received any previous Colac Otway Shire funding?

**Need Any Help or Advice?**

Please contact Council's Recreation and Events Co-ordinator or Recreation Officer on 5232 9400 who can provide you with assistance and further information about your application and this program.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Funding Guidelines

### What Is The Community Funding Program?

- The Community Funding Program is offered to assist not-for-profit community organisations in providing opportunities that benefit the wider Colac Otway Shire community and help in achieving goals and outcomes consistent with Council's objectives.
- The program aims to provide an opportunity for a wide range of groups to obtain a share of the grant funds for a varied range of projects.
- Grants are awarded for amounts up to \$5,000 based on up to a 50% subsidy (i.e. on a dollar for dollar basis). Total project cost should not exceed \$10,000. However, projects up to \$15,000 may be considered on a case by case basis. Maximum grant amounts still remain at \$5,000.

### Who Can Apply?

- Incorporated (or those deemed by Council to hold a similar legal status) not-for-profit community groups and organisations operating within the Colac Otway Shire are eligible to apply under this program.
- If you have received funds from Council previously, please ensure that you have spent the funds in accordance with which the funds were provided and as required. You will need to have returned a Reporting Form to Council to show that this has occurred to ensure that you are considered eligible to receive any further funds.

### Who can I contact?

- Funding under this scheme is restricted. There may be external sources of funding available from State or Federal Government which may form project partners or offer greater levels of funding. Therefore applicants with proposals valued in excess of \$10,000 can contact:

#### Community Project and Recreation Facility proposals

Jodie Fincham  
Recreation and Events Co-ordinator  
Ph. 5232 9400  
Email: [jodie.fincham@colacotway.vic.gov.au](mailto:jodie.fincham@colacotway.vic.gov.au)

### Role of Auspice

- If your group is not incorporated or a similar legal entity, you may wish to appoint an incorporated body to auspice (manage) your application on your behalf.
- The auspice's role includes managing the funds on behalf of the group that is not incorporated and is responsible to manage those funds.
- Auspice organisations should provide a letter of consent to the group stating that it is willing to take financial and legal responsibility for the grant.
- Contact Council Officers if you are unsure if you need to appoint an Auspice or require any further clarification.

### What Projects Are Considered For Funding?

Projects that demonstrate broad benefit to the Colac community will be considered for projects with a total project cost up to \$10,000.

The Recreation Facilities category funds Recreation Reserve Committees of Management and organisations responsible for community facilities including Public Halls for the benefit of the citizens of the Colac Otway Shire. It will fund:

- High priority items of cyclical maintenance.
- Minor capital improvements.
- Purchase of equipment items, which are facility enhancing and designed to remain as part of the facility (above a total project cost of \$2,000.)
- Initiatives which align with Council priorities set out in the Council Plan.
- Initiatives that demonstrate multiple benefits, which may include cultural, environmental, heritage, health and wellbeing, social support and community participation outcomes.
- Initiatives which demonstrate community inclusiveness and do not discriminate against people on the basis of any characteristic covered by the Victorian Equal Opportunity Act 1995.
- Applications which clearly demonstrate the capacity of the applicant to deliver the project.
- Applications which demonstrate an in-kind, cash or voluntary contribution by the applicant.

### Please Note The Following

- Ensure that the activity that you are applying for is not associated with the normal operational or day-to-day running of your organisation (including staff salaries) and/or could commit Council funds on an ongoing basis.
- Ensure that your project has not commenced or has been held prior to the grant application being submitted to Council.
- Check that you have chosen the correct grant program for your project. Council offers a variety of funding programs aimed at assisting the community with specific activities.
- This funding program does not support fundraising activities or projects.
- Projects which have already received funding under the Colac Otway Shire Small Town Improvement Program will not be considered for funding.
- Schools are only eligible for funding assistance with COPACC venue hire under this funding program.
- Applicants are required to provide details of **ALL** previous grants provided by Council in the past 3 years.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Funding Guidelines

### How Do You Apply?

Electronic versions of guidelines and application forms are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) (look for the Community Funding Program icon on the front page or go to Sport & Recreation section) to download. A PDF writable version of the application form will be available. Email applications as a Microsoft Office compatible attachment to [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) with **Community Funding Program** in the subject line. All applications must be received by the closing date.

### When Can You Apply?

Applications open	Friday 20 March 2015
Applications close	Friday 1 May 2015
Submissions evaluated	May - June 2015
Notification of funding	July 2015

### **The closing date for applications is 4:00pm Friday 1 May 2015.**

Project completion and reporting form to be returned to Council by May 2016.

### Information Sessions

Two Information Sessions will be held to discuss the Grants Program, proposed projects and answer any specific questions. Information sessions will also include details about the Colac Otway Shire Festival and Events Support Scheme. These sessions will be held on:

- Monday 13 April 2015, 7.00 pm - 8.30 pm COPACC Meeting Room 1, Cnr Rae and Gellibrand Streets, Colac.
- Wednesday 16 April 2015, 7.00 pm - 8:30 pm at Marrar Woom, 6 Pengilley Ave Apollo Bay.

### Public Liability Insurance

Public Liability Insurance is required for all projects other than equipment purchases.

### Privacy Information

The personal information on the Community Funding Application Form is collected by Council for the primary purpose of processing your grant application.

### Risk Management

Risk Management analysis of your proposed project is part of the assessment criteria. A template is included for completion and must be submitted with the funding application.

### Allocation of Funds

- Allocations will be based on up to 50% subsidy i.e. a dollar for dollar basis of projects up to a total project cost of \$10,000. For example, based on an \$8,000 total project cost, the maximum allocation from Council could be \$4,000.

Generally the maximum contribution made by Council will not exceed \$5,000. Projects with a total project cost of up to \$15,000 may be considered under this scheme; however the maximum grant amount remains at \$5,000.

- Preference will be given to organisations that have demonstrated a "self-help" attitude through inclusion of in-kind resources, and/or a desire to contribute funding through cash from their own means. Documentation to support the organisation's 50% matching contribution must be included.

### Evaluation of Successful Projects

- It is essential the contact person/s nominated in the application form have a full understanding of the project, and are available during the May - July evaluation period to provide further details if required.
- Organisations successful in receiving a grant will be expected to complete a brief Reporting Form within a month of the completion of the project. The form will be available on allocation of funds and will require detail on the success of the project and how Council's funds were expended in relation to the project. Inclusion of visual evidence such as photographs and press clippings assists Council in assessing the success of the project and should be included.
- Organisations are required to acknowledge Council's contribution to the completed project in a manner deemed appropriate by Council, such as signage, verbal or written acknowledgement etc. and to document this acknowledgement.



## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Recreation Facilities: Total Project Cost up to \$10,000 Funding Guidelines

### Compliance considerations

All clubs and community organisations are reminded that any community project that involves construction, extensions, renovations, refurbishments and/or upgrading of venues and facilities requires compliance consideration. It is important that groups always consider the following checklist prior to commencing, to ensure all relevant requirements are met, including but not limited to:

COMPLIANCE ISSUE	COUNCIL DEPARTMENT	CONTACT PHONE NUMBER
<ul style="list-style-type: none"> <li>Permission from the landowner and manager, approving your project to proceed.</li> <li>Consent for works which may occur on a road or roadside area. Council is required to give consent for local roads. VicRoads are responsible for issuing consent for works on arterial roads.</li> </ul>	<p><b>COS Infrastructure</b></p> <p>Other, for example: DSE - Crown Land, Foreshore Committee, Trustees, etc</p>	5232 9400
<ul style="list-style-type: none"> <li>Determine if the site is subject to the Aboriginal Heritage Regulations.</li> <li>Planning Scheme Provisions, including requests for vegetation removal.</li> <li>Planning Permit/s.</li> </ul>	<p><b>COS Planning Department</b></p> <p>Community Groups are required to provide written evidence that the land manager (Crown/Council land) has given consent when a planning application is lodged.</p>	5232 9400 <a href="http://www.aav.nrms.net.au/aavQuestion1.aspx">http://www.aav.nrms.net.au/aavQuestion1.aspx</a>
<ul style="list-style-type: none"> <li>Building Permits.</li> <li>Factor in time and fees to process, plus costs for professional plans/designs to relevant Australian Standards.</li> </ul>	<b>Building Department</b>	5232 9443
<ul style="list-style-type: none"> <li>Occupational Health and Safety requirements</li> </ul>	<b>Risk Management</b>	5232 9400
<ul style="list-style-type: none"> <li>Food Safety Standards, Food and Tobacco Legislation.</li> <li>Approval food premises design.</li> <li>Registration of Premises and/or Temporary Food Premises Permit.</li> </ul>	<b>Health</b>	5232 9429
<ul style="list-style-type: none"> <li>Waste Management requirements.</li> </ul>	<b>Waste</b>	5232 9556
<ul style="list-style-type: none"> <li>Permission from utility providers / other agencies.</li> </ul>	Examples: Barwon Water CCMA	1300 656 007 5232 9100
<ul style="list-style-type: none"> <li>Guidance on planting lists for revegetation works and environmental and noxious weeds.</li> <li>Guidance on sustainability principles such as energy efficiency and water reuse and conservation.</li> </ul>	<b>Environment Department</b>	5232 9400
<ul style="list-style-type: none"> <li>Potential for other funding.</li> </ul>	<b>Economic Development</b> Consistency with Small Town Master plans. Grants availability.	5232 9444

### Future Planning

Council supports the development of community groups to become self sustaining through Strategic Planning, Action Plans and Business Plans that identify opportunities for growth and development. Evidence of planning must be provided as part of this application. Please note that Council provides support and resources to assist community organisations to undertake such planning.

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Community Projects Up to \$10,000 Application Form 2015/16

Eligible groups are required to meet the grant guidelines and complete an application during the advertised funding round which is available via the Council's website or contact 5232 9400. Assessment criteria will be used to assess all funding applications

### CONTACT DETAILS OF ORGANISATION UNDERTAKING THE PROJECT:

Name of Group or Organisation \*

Street address

Postcode:

Postal address (if different to above) \*

Postcode:

Phone number of Organisation

Contact person's name

Contact person's title in Organisation

Contact person's phone numbers:

Business hours number\*

After hours number

Mobile number

Email contact \*

Physical address of where project is to take place\*

Landownership

Council

Crown

Other

### CONTACT DETAILS OF \*AUSPICE ORGANISATION IF APPLICABLE:

\* For clarification, please refer to information contained in Guidelines

Name of Auspice Organisation

Phone number of Organisation

Address (please include postal address for correspondence)

Postcode:

Contact person of Auspice Organisation

Contact person's title in Auspice Organisation

Contact person of Auspice Organisation's phone numbers:

Business hours number

After hours number

Mobile number

Email contact

\* Mandatory fields

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Community Projects Up to \$10,000 Application Form 2015/16

## LEGAL AND TAXATION REQUIREMENTS:

Please complete the following details:

Incorporation Number of Organisation

*If you do not have an incorporation number, please state the nature of your organisation (Only groups that are incorporated or similar legal entities can receive funds).*

ABN (Australian Business Number) of the Organisation

**If you do not have an ABN – Have you included a ‘Statement by a Supplier’ Form with this application?**

Yes  No

*If you do not have an ABN you will need to obtain a ‘Statement by a Supplier’ Form (available from the Australian Tax Office or Colac Otway Shire Council) and submit it with your application. Failure to provide either an ABN or a Statement by a Supplier Form will result in Council being obliged to take 46.5% of any allocations made to grant applicants and send it to the Australian Tax Office (ATO).*

**Are you Registered for the GST?**

Yes  No

*If you are registered for the GST and you are allocated funds, Council will pay an additional 10% to accommodate the GST. In this case, a tax invoice will be required by Council prior to payment.*

Successful grants will be paid by cheque or preferably Electronic Funds Transfer (EFT) to a nominated bank account. If you have not supplied your EFT details, please request an EFT Form and one will be emailed to you. **If you bank account details have changed in the past year, please complete the details below.**

Account Name

BSB No

Account Number

Bank/Financial Institution

Please ensure that you have checked the list on the guidelines section (Page 1) to ensure that your project falls within the types of projects that Council will consider funding – All applications are checked against this criteria.

- 1** Please provide a brief description of your Project including the Project Title, its aim and its anticipated benefits to the Colac Otway Shire Community: (if you require more space, please attach extra pages as needed)

The project title is:

The project description is:

The aim of the project is:

**(a) Why is this project needed? (Criteria 15%)**

(How is this project supported locally? What demand exists that has created the idea for this project? Do you have evidence to show why this approach will work?)

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Community Projects Up to \$10,000 Application Form 2015/16

**(b) How will the project be delivered? (Criteria 15%)**  
(Will it involve knowledge and skills development? Will the project be an innovative and creative response to the issue? Will it be sustainable?)

**(c) Who is involved? (Criteria 20%)**  
Who will manage the project? Who are the partners? Will there be voluntary or in-kind contributions? Does the project actively involve a range of stakeholders?

**(d) What will it achieve? (Criteria 50%)**  
What are the anticipated benefits of the project to the community?

**2 Financial details.**

Total project cost (Please attach quotes)

\$

Funds requested from Council's Community Funding Program

\$

Total of group/organisation contribution

\$ Cash	<input style="width: 90%;" type="text"/>
\$ In-kind	<input style="width: 90%;" type="text"/>

Are you willing to accept partial funding?  
(Please tick as appropriate)

Yes  No

If yes, indicate priorities for partial funding:

Please provide as part of your application: Attached detailed Financial statement or Treasurer's report for the past 2 years.

Yes  No

Will this project have any direct environmental or energy sustainability benefits such as water or energy saving?

Yes  No

If yes, indicate examples:

**3 When will your project take place?**

*(Please note that requests for projects or purchases that have commenced or been made prior this application form being received by Council are not eligible for funding).*

**4 Has your organisation received funding from Council in the past three years?**

Yes  No

Please provide details of ALL funding support provided by the Colac Otway Shire in the past 3 years (including any current applications to the Festival & Event Support Scheme.)

Council Department	Project	Amount \$	Year

**BUDGET DETAILS OF PROJECT:**

Please detail the cost of your project by completing the budget section below. When estimating your expenses, take into consideration the materials for activities that will be used throughout the Community project such as:

- Purchase costs (including quotes where applicable).
- Advertising, printing and stationery costs.

**Please note that INCOME plus IN-KIND (if applicable) MUST EQUAL EXPENDITURE**

**Income:**

Please list **ALL** sources of income (the grant sum sought, plus any fees, sponsorship, advertising, donations etc that come from any other sources for the project.

<b>INCOME</b> List all sources of income you expect will fund your project	
Grant amount you wish to apply for is:	\$
	\$
	\$
	\$
	\$
<b>TOTAL INCOME</b>	<b>\$</b>

**Expenditure:**

Please estimate and list **ALL** project costs and tick which components are likely to use funds received from this grant. *(Please supply estimates/quotes)*

<b>EXPENDITURE</b> List all expenses that you expect to incur for your project.	
<i>(Please indicate which components of the expenditure you wish to use the grant funds to cover by placing an (X) next to the dollar amount).</i>	
	\$
	\$
	\$
	\$
<b>TOTAL EXPENDITURE</b>	<b>\$</b>

**In kind assistance:**

Please describe how the group intends to contribute to the project through voluntary services or in-kind services. Please estimate a value for these contributions. *(\$25 per hour is a suggested figure to use when estimating voluntary labour costs).*

Description of in kind Assistance/contribution eg: how much volunteer time has been spent on this project or list goods or services provided at no cost to the project	Amount \$
<b>Total Contribution</b>	<b>\$</b>

**OPTIONAL: In support of your application – attach extra pages/documents if you wish.**

**APPLICATION FORM AUTHORISATION**

*This section requires completion and signature by a committee or authorised staff member of the organisation that are managing the funds for this project (or the auspice if applicable).*

Name	<input type="text"/>
Position/Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

**DECLARATION**

*I affirm, on behalf of the applicant organisation, that any funds provided by the Colac Otway Shire will be expended in accordance with the terms and conditions outlined in the Funding Agreement. I affirm that all details supplied in this application and attachments are true and correct to the best of my knowledge. The application form has been submitted with the full knowledge and agreement of the applicant organisation. I/We acknowledge that the Guidelines and Funding Agreement have been read and fully understood.*

**PRIVACY NOTIFICATION**

*Council is collecting the personal information on this form for the purposes of assessing your application and to maintain statistical information. The personal information will be used solely by the Council for that primary purpose or directly related purposes. The applicant understands that they may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to 5232 9400.*

Please read and sign this Agreement.

**THIS AGREEMENT IS MADE BETWEEN COLAC OTWAY SHIRE COUNCIL** of 2-6 Rae Street Colac ("the Council") and the Applicant

**BACKGROUND**

- A The Council makes available funds for community programs each year for the benefit of residents of and for activities that take place in the Colac Otway Shire.
- B The Council has criteria which must be met by the Applicant before funding is provided as set out in this agreement.
- C The Council has agreed to fund the Applicant on the terms and conditions set out in the agreement.

**AGREEMENT**

1. The Council may provide to the Applicant funds for the Applicant's activity. **Signing this Agreement does not commit Council to provide any funds unless the Applicant's submission is successful.**
2. The Applicant confirms and agrees that:
  - (a) it is a not for profit incorporated association or a natural person authorised by the incorporated association to enter into this agreement.
  - (b) activities arising from the grant allocation must take place within the Colac Otway Shire and/or benefit Colac Otway Shire residents and workers.
  - (c) if funds are granted by Council they must be spent on the approved activity. Any significant change to the activity must be approved by the Council.
  - (d) funds provided under this agreement must be spent by the Applicant within 12 months of the date of this agreement, unless otherwise agreed by the Council.
  - (e) the Applicant must return any funds not spent on the activity to Council.
  - (f) the Council is not responsible for any shortfall should the activity run over budget.
  - (g) the Applicant is required to recognise the Council as a funding source of the project. Contact must be made with the appropriate Council officer to obtain the relevant logo and to ensure that the Council sights and approves proofs of all materials prior to production. Unauthorised use of the Council logo on other material will result in the Applicant being ineligible to apply for further grants.
  - (h) accurate financial records of the recipient organisation be maintained and made available to the staff of Council in the event of any further audit by Council into the use of the Grant. Council officers may request meetings with the Applicant to check on progress during the period of the activity.

- (i) it will complete a reporting form for the grant. If the reporting form is incomplete the Applicant will be ineligible for further grants. A statement of the expenditure of the funds will be required within the reporting process.
3. The Council, its servants, agents and employees shall not be responsible at any time for any liability incurred or entered into by the Applicant as a result of or arising out of the Applicant's responsibilities under this agreement.
4. The Applicant shall release and indemnify the Council, its servants, agents and employees against any claim, demand, liability, costs, expenses, actions arising out of or in any way connected with the activities of the Applicant, or the Applicant's agents in consequence of this agreement except where the claim, demand, liability, costs or action are caused by the Council or its servants or agents.
5. Any variation of this agreement shall only be made in writing between the parties.
6. Projects that commence prior to this application being received by Council will be ineligible.
7. A "Tax Invoice" is required to be submitted prior to payment of the grant (only if the applicant is registered for GST).
8. Note that Council will publicly report grants awarded.

Signature

**CHECK LIST** Please confirm that you have included the following with your submission:

✓		<b>Keep a copy of your application, including all attachments</b>
		Completed Application Form
		Completed Budget Table showing break-even result
		Attached Financial Statement or Treasurer's Report
		Attached Quotations for works, fees, venue hire etc. Applicants are encouraged to obtain more than one quote as part of their application
		Attached completed Risk Management template for the project
		Attached Support Letters (including auspicating body if applicable)
✓	NA	Attached written permission from the Colac Otway Shire Infrastructure Manager
		Attached written permission from the Land Owner and/or Manager, if other than COS
		Attached written advice regarding Planning Scheme provisions
		Attached written advice regarding Planning and/or Building Permits
		Attached determination regarding Aboriginal Heritage Regulations
		Attached evidence of compliance with Food Safety Standards Legislation
		Registration of Premises and/or Temporary Food Premises Permit
		Attached Waste Management Plan
		Supplier Statement
		Completed Risk Assessment
		EFT Form (if required)
		Confirmation and acceptance of conditions of Community Funding Program (signed)
		Other – photographs, resumes etc (please describe)
		.....



## COLAC OTWAY SHIRE – Funding Guidelines COMMUNITY FUNDING PROGRAM 2015/16 Community Projects: Total Project Cost up to \$10,000

### FORWARD COMPLETED APPLICATION FORM TO:

COMMUNITY FUNDING PROGRAM 2015/16  
Community Projects up to \$10,000  
Colac Otway Shire Council  
PO BOX 283  
COLAC 3250  
EMAIL: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORM, THEN COMPLETE THE FOLLOWING CHECKLIST:

#### Have you:

- Read the Community Funding Program Guidelines?
- Completed all questions in the Application Form?
- Provided a copy of the most recent bank/audited financial statements?
- Provided a copy of Public Liability Insurance Policy
- Provided Statement by Supplier (if you do not have an ABN)?
- Attached any relevant quotes supporting budget expenditure?
- Ensured that you have provided a Reporting Form if you have received any previous Colac Otway Shire funding?

#### Need Any Help or Advice?

Please contact Council's Recreation & Events Co-ordinator or Recreation Officer on 5232 9400 who can provide you with assistance and further information about your application and this program.



## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Community Projects: Total Project Cost up to \$10,000 Funding Guidelines – 2015/16

### What Is The Community Funding Program?

- The Community Funding Program is offered to assist not-for-profit community organisations in providing opportunities that benefit the wider Colac Otway Shire community and help in achieving goals and outcomes consistent with Council's objectives.
- The program aims to provide an opportunity for a wide range of groups to obtain a share of the grant funds for a varied range of projects.
- Grants are awarded for amounts up to \$5,000 based on up to a 50% subsidy (i.e. on a dollar for dollar basis). Total project cost should not exceed \$10,000. However, projects up to \$15,000 may be considered on a case by case basis. Maximum grant amounts of \$5,000 still remain.

### Who Can Apply?

- Incorporated (or those deemed by Council to hold a similar legal status) not-for-profit community groups and organisations operating within the Colac Otway Shire are eligible to apply under this program.
- If you have received funds from Council previously, please ensure that you have spent the funds in accordance with which the funds were provided and as required. You will need to have returned a Reporting Form to Council to show that this has occurred to ensure that you are considered eligible to receive any further funds.

### Whom can I contact?

- Funding under this scheme is restricted. There may be external sources of funding available from State or Federal Government which may form project partners or offer greater levels of funding. Therefore applicants with proposals valued in excess of \$10,000 can contact:

**Community Project and Recreation Facility proposals**  
Jodie Fincham  
Recreation & Events Co-ordinator  
Ph. 5232 9400  
Email: [jodie.fincham@colacotway.vic.gov.au](mailto:jodie.fincham@colacotway.vic.gov.au)

### Role of Auspice

- If your group is not incorporated or a similar legal entity, you may wish to appoint an incorporated body to auspice (manage) your application on your behalf.
- The auspice's role includes managing the funds on behalf of the group that is not incorporated and is responsible to manage those funds.
- Auspice organisations should provide a letter of consent to the group stating that it is willing to take financial and legal responsibility for the grant.
- Contact Council Officers if you are unsure if you need to appoint an Auspice or require any further clarification.

### What Projects Are Considered For Funding?

Projects that demonstrate broad benefit to the Colac community will be considered for projects with a total project cost up to \$10,000.

The Community Projects category is the broadest of categories within this funding program. It will fund:

- Initiatives which align with Council priorities set out in the Council Plan.
- Initiatives that demonstrate multiple benefits, which may include cultural, environmental, heritage, health and wellbeing, social support and community participation outcomes.
- Initiatives which demonstrate community inclusiveness and do not discriminate against people on the basis of any characteristic covered by the Victorian Equal Opportunity Act 1995.
- Applications which clearly demonstrate the capacity of the applicant to deliver the project
- Applications which demonstrate an in-kind, cash or voluntary contribution by the applicant.

### Please Note The Following:

- Ensure that the activity that you are applying for is not associated with the normal operational or day-to-day running of your organisation (including staff salaries) and/or could commit Council funds on an ongoing basis.
- Ensure that your project has not commenced or has been held prior to the grant application being submitted to Council.
- Check that you have chosen the correct grant program for your project. Council offers a variety of funding programs aimed at assisting the community with specific activities.
- This funding program does not support fundraising activities or projects.
- Schools are only eligible for funding assistance through the COPACC venue hire assistance category as part of this funding program.
- Applicants are required to provide details of **ALL** previous grants provided by Council in the past 3 years.
- Projects which have already received funding under the Colac Otway Shire Small Town Improvement Program will not be considered for funding.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Community Projects: Total Project Cost up to \$10,000 Funding Guidelines – 2015/16

### How Do You Apply?

Electronic versions of guidelines and application forms are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) (look for the Community Funding Program icon on the front page or go to Sport & Recreation section) to download. A PDF writable version of the application form will be available. Email applications as a Microsoft Office compatible attachment to [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) with **Community Funding Program** in the subject line. All applications must be received by the closing date.

### When Can You Apply?

Applications open	Friday 20 March 2015
Applications close	Friday 1 May 2015
Submissions evaluated	May - June 2015
Notification of funding	July 2015

**The closing date for applications is 4:00pm Friday 1 May 2015.**

Project completion and reporting form to be returned to Council by May 2016.

### Information Sessions

Two Information Sessions will be held to discuss the Grants Program, proposed projects and answer any specific questions. Information sessions will also include details about the Colac Otway Shire Festival and Events Support Scheme (FESS). These sessions will be held on:

- Monday 13 April 2015, 7.00 pm - 8.30 pm at COPACC Meeting Room, Cnr Rae and Gellibrand Streets, Colac.
- Wednesday 15 April 2015, 7.00 pm - 8:30 pm at Marrar Woom, 6 Pengilley Ave Apollo Bay.

### Public Liability Insurance

Public Liability Insurance is recommended for projects other than equipment purchases.

### Privacy Information

The personal information on the Community Funding Application Form is collected by Council for the primary purpose of processing your grant application.

### Risk Management

Risk Management analysis of your proposed project is part of the assessment criteria. A template is included for completion and must be submitted with the funding application.

### Allocation of Funds

Allocations will be based on up to 50% subsidy i.e. a dollar for dollar basis of projects up to a total project cost of \$10,000. For example, based on an \$8,000 total project cost, the maximum allocation from Council could be \$4,000. Generally the maximum contribution made by Council will not exceed \$5,000. Projects with a total project cost of up to \$15,000 may be considered

under this scheme; however the maximum grant amount remains at \$5,000.

Preference will be given to organisations that have demonstrated a "self-help" attitude through inclusion of in-kind resources, and/or a desire to contribute funding through cash from their own means.

Documentation to support the organisation's 50% matching contribution must be included.

### Evaluation of Successful Projects

- It is essential the contact person/s nominated in the application form have a full understanding of the project, and are available during the May-July evaluation process to provide further detail if required.
- Organisations successful in receiving a grant will be expected to complete a brief Reporting Form within a month of the completion of the project. The form will be available on allocation of funds and will require detail on the success of the project and how Council's funds were expended in relation to the project. Inclusion of visual evidence such as photographs and press clippings assists Council in assessing the success of the project and should be included.
- Organisations are required to acknowledge Council's contribution to the completed project in a manner deemed appropriate by Council, such as signage, verbal or written acknowledgement etc. and to document this acknowledgement.

**COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM:  
Community Projects: Total Project Cost up to \$10,000  
Funding Guidelines – 2015/16**

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# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Small Equipment & Training: Total project costs up to \$2,000 Application Form 2015/16

Eligible groups are required to meet the grant guidelines and complete an application during the advertised funding round which is available via the Council's website or contact 5232 9400. Assessment criteria will be used to assess all funding applications.

### CONTACT DETAILS OF ORGANISATION UNDERTAKING THE PROJECT:

Name of Group or Organisation\*

Street address

Postcode:

Postal address (if different to above)\*

Postcode:

Phone number of Organisation \*

Contact person's name\*

Contact person's title in Organisation

Contact person's phone numbers:  
Business hours number \*      After hours number  
     

Mobile number

Email contact \*

Physical address of where project it to take place

### CONTACT DETAILS OF \*AUSPICE ORGANISATION IF APPLICABLE:

*\* For clarification, please refer to information contained in the Guidelines.*

Name of Auspice Organisation

Phone number of Organisation

Address (please include postal address for correspondence)

Postcode:

Contact person of Auspice Organisation

Contact person's title in Auspice Organisation

Contact person of Auspice Organisation's phone numbers:  
Business hours number      After hours number  
     

Mobile number

Email contact

\*Mandatory fields

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Small Equipment & Training: Total project costs up to \$2,000 Application Form 2015/16

## LEGAL AND TAXATION REQUIREMENTS:

Please complete the following details:

Incorporation Number of Organisation

If you do not have an incorporation number, please state the nature of your organisation (Only groups that are incorporated or similar legal entities can receive funds).

ABN (Australian Business Number) of the Organisation

If you do not have an ABN – Have you included a 'Statement by a Supplier' Form with this application?

Yes

No

If you do not have an ABN you will need to obtain a 'Statement by a Supplier' Form (available from the Australian Tax Office or the Colac Otway Shire Council) and submit it with your application. Failure to provide either an ABN or a Statement by a Supplier Form will result in Council being obliged to take 46.5% of any allocations made to grant applicants and send it to the Australian Tax Office (ATO).

Are you registered for the GST?

Yes

No

If you are registered for the GST and you are allocated funds, Council will pay an additional 10% to accommodate the GST. In this case, a tax invoice will be required by Council prior to payment.

Successful grants will be paid by cheque or preferably Electronic Funds Transfer (EFT) to a nominated bank account. If you have not supplied your EFT details, please request an EFT Form and one will be emailed to you. **If your bank account details have changed in the past year, please complete the details below.**

Account Name

BSB No

Account Number

Bank/Financial Institution

Please ensure that you have checked the list on the guidelines section (Page 1) to ensure that your project falls within the types of projects that Council will consider funding – All applications are checked against this criteria.

1 Please provide a brief description of your Project including the Project Title, its aim and its anticipated benefits to the Colac Otway Shire Community (if you require more space, please attach extra pages as needed):

(a) The project title is:

(b) The project description is:

(c) The aim of the project is:

(d) The anticipated benefits of the project to the community:

2 How much do wish to apply for?

\$

3 When will your project take place?

(Please note that requests for projects or purchases that have commenced or been made prior this application form being received by Council are not eligible for funding).

4 Has your organisation received funding from Council in the past three years?

Yes

No

**BUDGET DETAILS OF PROJECT:**

Please detail the cost of your project by completing the budget section below. When estimating your expenses, take into consideration the materials for activities that will be used throughout the Community project such as:

- Equipment purchase costs (include quotes)
- Training fees (include quotes)

**Income:**

Please list **ALL** sources of income (the grant sum sought, plus any fees, sponsorship, advertising, donations etc that come from any other sources for the project.

INCOME	
List all sources of income you expect will fund your project	
Grant amount you wish to apply for is:	\$
	\$
	\$
	\$
	\$
<b>TOTAL INCOME</b>	<b>\$</b>

**Expenditure:**

Please estimate and list **ALL** project costs and tick which components are likely to use funds received from this grant. *(Please supply estimates/quotes)*

EXPENDITURE	
List all expenses that you expect to incur for your project.	
<i>(Please indicate which components of the expenditure you wish to use the grant funds to cover by placing an (X) next to the dollar amount).</i>	
	\$
	\$
	\$
	\$
	\$
<b>TOTAL EXPENDITURE</b>	<b>\$</b>

**OPTIONAL:** In support of your application – attach extra pages/documents if you wish.

**APPLICATION FORM AUTHORISATION**

*This section requires completion and signature by a committee or authorised staff member of the organisation that are managing the funds for this project (or the auspice if applicable).*

Name	<input type="text"/>
Position/Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

**DECLARATION**

*I affirm, on behalf of the applicant organisation, that any funds provided by the Colac Otway Shire will be expended in accordance with the terms and conditions outlined in the Funding Agreement. I affirm that all details supplied in this application and attachments are true and correct to the best of my knowledge. The application form has been submitted with the full knowledge and agreement of the applicant organisation. I/We acknowledge that the Guidelines and Funding Agreement have been read and fully understood.*

**PRIVACY NOTIFICATION**

*Council is collecting the personal information on this form for the purposes of assessing your application and to maintain statistical information. The personal information will be used solely by the Council for that primary purpose or directly related purposes. The applicant understands that they may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to 5232 9472.*

Please read and sign this Agreement.

**THIS AGREEMENT IS MADE BETWEEN COLAC OTWAY SHIRE COUNCIL** of 2-6 Rae Street Colac ("the Council") and the Applicant

**BACKGROUND**

- A The Council makes available funds for community programs each year for the benefit of residents of and for activities that take place in the Colac Otway Shire.
- B The Council has criteria which must be met by the Applicant before funding is provided as set out in this agreement.
- C The Council has agreed to fund the Applicant on the terms and conditions set out in the agreement.

**AGREEMENT**

1. The Council may provide to the Applicant funds for the Applicant's activity. **Signing this Agreement does not commit Council to provide any funds unless the Applicant's submission is successful.**
2. The Applicant confirms and agrees that:
  - (a) it is a not for profit incorporated association or a natural person authorised by the incorporated association to enter into this agreement.
  - (b) activities arising from the grant allocation must take place within the Colac Otway Shire and/or benefit Colac Otway Shire residents and workers.
  - (c) if funds are granted by Council they must be spent on the approved activity. Any significant change to the activity must be approved by the Council.
  - (d) funds provided under this agreement must be spent by the Applicant within 12 months of the date of this agreement, unless otherwise agreed by the Council.
  - (e) the Applicant must return any funds not spent on the activity to Council.
  - (f) the Council is not responsible for any shortfall should the activity run over budget.
  - (g) the Applicant is required to recognise the Council as a funding source of the project. Contact must be made with the appropriate Council officer to obtain the relevant logo and to ensure that the Council sights and approves proofs of all materials prior to production. Unauthorised use of the Council logo on other material will result in the Applicant being ineligible to apply for further grants.
  - (h) accurate financial records of the recipient organisation be maintained and made available to the staff of Council in the event of any further audit by Council into the use of the Grant. Council officers may request meetings with the Applicant to check on progress during the period of the activity.

- (i) it will complete a reporting form for the grant. If the reporting form is incomplete the Applicant will be ineligible for further grants. A statement of the expenditure of the funds will be required within the reporting process.
3. The Council, its servants, agents and employees shall not be responsible at any time for any liability incurred or entered into by the Applicant as a result of or arising out of the Applicant's responsibilities under this agreement.
4. The Applicant shall release and indemnify the Council, its servants, agents and employees against any claim, demand, liability, costs, expenses, actions arising out of or in any way connected with the activities of the Applicant, or the Applicant's agents in consequence of this agreement except where the claim, demand, liability, costs or action are caused by the Council or its servants or agents.
5. Any variation of this agreement shall only be made in writing between the parties.
6. Projects that commence prior to this application being received by Council will be ineligible.
7. A "Tax Invoice" is required to be submitted prior to payment of the grant (only if the applicant is registered for GST).
8. Note that Council will publicly report grants awarded.

Signature

**CHECK LIST Please confirm that you have included the following with your submission:**

✓	

- Keep a copy of your application, including all attachments**
- Completed Application Form
- Completed Budget Table showing break-even result
- Attached Financial Statement or Treasurer's Report
- Attached Quotations for works, fees, venue hire etc. Applicants are encouraged to obtain more than one quote as part of their application
- Attached Support Letters (including auspicings body if applicable)
- Supplier Statement
- Confirmation and acceptance of conditions of Community Funding Program (signed)
- EFT Form (if required)
- Other – photographs, resumes etc (please describe)
- .....





## **COLAC OTWAY SHIRE – Funding Guidelines COMMUNITY FUNDING PROGRAM 2015/16 Small Equipment and Training Total Project Cost up to \$2,000**

**FORWARD COMPLETED APPLICATION TO:**

COMMUNITY FUNDING PROGRAM 2015/16  
Small Equipment and Training up to \$2,000  
Colac Otway Shire Council  
PO BOX 283  
COLAC 3250

EMAIL: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

**PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORM, THEN COMPLETE THE FOLLOWING CHECKLIST:**

**Have you:**

- Read the Community Funding Program Guidelines?
- Completed all questions in the Application Form?
- Provided a copy of the most recent bank/audited financial statements?
- Provided Statement by Supplier (if you do not have an ABN)?
- Attached any relevant quotes supporting budget expenditure?
- Ensured that you have provided a Reporting Form if you have received any previous Colac Otway Shire funding?

**Need Any Help or Advice?**

Please contact Council's Recreation and Events Co-ordinator or Recreation Officer on 5232 9400 who can provide you with assistance and further information about your application and this program.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: Small Equipment and Training: Total Project Cost up to \$2,000 Funding Guidelines 2015/16

### What Is The Community Funding Program?

- The Community Funding Program is offered to assist not-for-profit community organisations in providing opportunities that benefit the wider Colac Otway Shire community and help in achieving goals and outcomes consistent with Council's objectives.
- The program aims to provide an opportunity for a wide range of groups to obtain a share of the grant funds for a varied range of projects.
- Grants are awarded for amounts up to \$1,000 based on up to a 50% subsidy (i.e. on a dollar for dollar basis). Total project cost must not exceed \$2,000.

### Who Can Apply?

- Incorporated (or those deemed by Council to hold a similar legal status) not-for-profit community groups and organisations operating within the Colac Otway Shire are eligible to apply under this program.
- If you have received funds from Council previously, please ensure that you have spent the funds in accordance with which the funds were provided and as required. You will need to have returned a Reporting Form to Council to show that this has occurred to ensure that you are considered eligible to receive any further funds.

### Role of Auspice

- If your group is not incorporated or a similar legal entity, you may wish to appoint an incorporated body to auspice (manage) your application on your behalf.
- The auspice's role includes managing the funds on behalf of the group that is not incorporated and is responsible to manage those funds.
- Auspice organisations should provide a letter of consent to the group stating that it is willing to take financial and legal responsibility for the grant.
- Contact Council Officers if you are unsure if you need to appoint an Auspice or require any further clarification.

### What Projects Are Considered For Funding?

Projects that demonstrate broad benefit to the Colac community will be considered.

- Equipment purchases which are facility enhancing (designed to remain as part of the facility) or which provide general benefit to groups through community projects.
- Training for the development of specialist skills for volunteer community members.

### Please Note The Following

- Ensure that the activity that you are applying for is not associated with the normal operational or day-to-day running of your organisation (including staff salaries) and/or could commit Council funds on an ongoing basis.

- Ensure that your project has not commenced or has been held prior to the grant application being submitted to Council.
- Check that you have chosen the correct grant program for your project. Council offers a variety of funding programs aimed at assisting the community with specific activities.
- This funding program does not support fundraising activities or projects.
- Schools are only eligible for funding assistance through the COPACC Hire assistance category as part of this funding program.
- Applicants are required to provide details of ALL previous grants provided by Council in the past 3 years.
- Projects which have already received funding under the Colac Otway Shire Small Town Improvement Program will not be considered for funding

### How Do You Apply?

Electronic versions of guidelines and application forms are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) (look for the Community Funding Program icon on the front page or go to Sport & Recreation section) to download. A PDF writable version of the application form will be available. Email applications as a Microsoft Office compatible attachment to [ing@colacotway.vic.gov.au](mailto:ing@colacotway.vic.gov.au) with Community Funding Program 2015/16 in the subject line. All applications must be received by the closing date.

### When Can You Apply?

Applications open	Friday 20 March 2015
Applications close	Friday 1 May 2015
Submissions evaluated	May - June 2015
Notification of funding	July 2015

**The closing date for applications is 4:00pm Friday 1 May 2015.** Project completion and reporting form to be returned to Council by May 2016.

### Information Sessions

Two Information Sessions will be held to discuss the Grants Program, proposed projects and answer any specific questions. Information sessions will also include details about the Colac Otway Shire Festival and Events Support Scheme (FESS). These sessions will be held on:

- Monday 13 April 2015, 7.00pm - 8.30pm at COPACC Meeting Room, Cnr Rae and Gellibrand Streets, Colac
- Wednesday 15 April 2015, 7.00pm - 8.30pm at Marrar Woom, 6 Pengilly Ave Apollo Bay.

### Public Liability Insurance

Public Liability Insurance is recommended for projects other than equipment purchases.

### Privacy Information

The personal information on the Community Funding Application Form is collected by Council for the primary purpose of processing your grant application.

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Application Form 2015/16

Eligible groups are required to meet the grant guidelines and complete an application during the advertised funding round which is available via the Council's website or contact 5232 9418. Assessment criteria will be used to assess all funding applications

### CONTACT DETAILS OF ORGANISATION UNDERTAKING THE PROJECT:

Name of Group or Organisation

Street address

Postcode:

Postal address

Postcode:

Phone number of Organisation

Contact person's name

Contact person's title in Organisation

Contact person's phone numbers:

Business hours number

After hours number

Mobile number

Email contact

### CONTACT DETAILS OF \*AUSPICE ORGANISATION IF APPLICABLE:

*\* For clarification, please refer to the information contained in the Guidelines.*

Name of auspice organisation

Phone number of Organisation

Address (please include postal address for correspondence)

Postcode:

Contact person of auspice organisation

Contact person's title in auspice organisation

Contact person of Auspice Organisation's phone numbers:

Business hours number

After hours number

Mobile number

Email contact

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Application Form 2015/16

## LEGAL AND TAXATION REQUIREMENTS:

Please complete the following details:

Incorporation Number of Organisation

*If you do not have an incorporation number, please state the nature of your organisation (Only groups that are incorporated or similar legal entities can receive funds).*

ABN (Australian Business Number) of the organisation

**If you do not have an ABN – Have you included a ‘Statement by a Supplier’ Form with this application?**

Yes  No

*If you do not have an ABN you will need to obtain a ‘Statement by a Supplier’ form (available from the Australian Tax Office or Colac Otway Shire Council) and submit it with your application. Failure to provide either an ABN or a Statement by a Supplier form will result in Council being obliged to take 46.5% of any allocations made to grant applicants and send it to the Australian Tax Office (ATO).*

**Are you registered for GST?**

Yes  No

*If you are registered for the GST and you are allocated funds, Council will pay an additional 10% to accommodate the GST. In this case, a tax invoice will be required by Council prior to payment.*

Successful grants will be paid by cheque or preferably Electronic Funds Transfer (EFT) to a nominated bank account. If you have not supplied your EFT details, please request an EFT Form and one will be emailed to you. **If your bank account details have changed in the past year, please complete the details below.**

Account Name

BSB No

Account Number

Bank/Financial Institution

Please ensure that you have checked the list on the guidelines section (Page 1) to ensure that your project falls within the types of projects that Council will consider funding – All applications are checked against this criteria.

- 1 Please provide a brief description of your Project including the Project Title, its aim and its anticipated benefits to the Colac Otway Shire Community: (if you require more space, please attach extra pages as needed)

The project title is:

The project description is:

The aim of the project is:

Proposed Timelines For Event:

Please indicate the key actions required for your project

Key Actions	Completed Date

# COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Application Form 2015/16

**(a) Why is this event needed? (Criteria 35%)**

What local support have you gathered for this event? How is this event linked with the culture, or cultural aspirations of local people? Does this event have any links with the district's cultural heritage or history? Has this event, or something similar, been held in the past? If so, please provide attendance figures. What motivated your group to plan this event? Do you have evidence to show why this approach will work?

**(b) How will the project be delivered? (Criteria 15%)**

Will it develop knowledge and skills development for your group? Will the project be an innovative and creative response to an identified need?

**(c) Who is involved? (Criteria 30%)**

How many people from your organisation will be involved? Have you partnered with other groups and organisations? Will there be voluntary or in-kind contributions? Please identify the target market for your event? What size audience do you hope to attract?

**(d) What will it achieve? (Criteria 20%)**

Demonstrate the extent to which the project will:  
• Support an increase in participation in cultural events  
• Increase the diversity of cultural events on offer in Colac Otway Shire?

**2 Financial details.**

Total project cost (Please attach quotes)

\$

Funds requested from Council's Community Funding Program

\$

Total of group/organisation contribution

\$Cash

\$ In-kind

Are you willing to accept partial funding?  
(Please tick as appropriate)

Yes  No

If yes, indicate priorities:

Please provide as part of your application: Attached detailed Financial statement or Treasurer's report for the past 2 years.

Yes  No

**3 When will your project take place?**

(Please note that requests for projects or purchases that have commenced or been made prior this application form being received by Council are not eligible for funding).

**4 Has your organisation received funding from Council in the past three years?**

Yes  No

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Application Form 2015/16

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Please provide details of ALL funding support provided by the Colac Otway Shire in the past 3 years (including any current applications to the Festival & Event Support Scheme.)

Council Department	Project	Amount \$	Year

**FUTURE PLANNING:**

Please provide as part of your application

- Risk Management Plan for the project, using the template provided
- Strategic or Business Plan for your organisation  
Marketing Plan

**BUDGET DETAILS OF PROJECT:**

Please detail the cost of your project by completing the budget section below. When estimating your expenses, take into consideration the materials for activities that will be used throughout the Community project such as:

- Purchase costs (including quotes where applicable).
- Advertising, printing and stationery costs.

**Please note that INCOME plus IN-KIND (if applicable) MUST EQUAL EXPENDITURE**

**Income:**

Please list **ALL** sources of income (the grant sum sought, plus any fees, sponsorship, advertising, donations etc that come from any other sources for the project.

<b>INCOME</b> List all sources of income you expect will fund your project	
Grant amount you wish to apply for is:	\$
	\$
	\$
	\$
	\$
<b>TOTAL INCOME</b>	<b>\$</b>

**Expenditure:**

Please estimate and list **ALL** project costs and tick which components are likely to use funds received from this grant. *(Please supply estimates/quotes)*

<b>EXPENDITURE</b> List all expenses that you expect to incur for your project.	
<i>(Please indicate which components of the expenditure you wish to use the grant funds to cover by placing an (X) next to the dollar amount).</i>	
	\$
	\$
	\$
	\$
<b>TOTAL EXPENDITURE</b>	<b>\$</b>

**In kind assistance:**

Please describe how the group intends to contribute to the project through voluntary services or in-kind services. Please estimate a value for these contributions. *(\$25 per hour is a suggested figure to use when estimating voluntary labour costs).*

Description of in kind Assistance/contribution eg: how much volunteer time has been spent on this project or list goods or services provided at no cost to the project	Amount \$
<b>Total Contribution</b>	<b>\$</b>

**OPTIONAL: In support of your application – attach extra pages/documents if you wish.**

**APPLICATION FORM AUTHORISATION**

*This section requires completion and signature by a committee or authorised staff member of the organisation which is managing the funds for this project (or the auspice if applicable).*

Name	<input type="text"/>
Position/Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

**DECLARATION**

*I affirm, on behalf of the applicant organisation, that any funds provided by the Colac Otway Shire will be expended in accordance with the terms and conditions outlined in the Funding Agreement. I affirm that all details supplied in this application and attachments are true and correct to the best of my knowledge. The application form has been submitted with the full knowledge and agreement of the applicant organisation. I/We acknowledge that the Guidelines and Funding Agreement have been read and fully understood.*

**PRIVACY NOTIFICATION**

*Council is collecting the personal information on this form for the purposes of assessing your application and to maintain statistical information. The personal information will be used solely by the Council for that primary purpose or directly related purposes. The applicant understands that they may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to 5232 9472.*

Please read and sign this Agreement.

**THIS AGREEMENT IS MADE BETWEEN COLAC OTWAY SHIRE COUNCIL** of 2-6 Rae Street Colac ("the Council") and the Applicant

**BACKGROUND**

- A The Council makes available funds for community programs each year for the benefit of residents of and for activities that take place in the Colac Otway Shire.
- B The Council has criteria which must be met by the Applicant before funding is provided as set out in this agreement.
- C The Council has agreed to fund the Applicant on the terms and conditions set out in the agreement.

**AGREEMENT**

1. The Council may provide to the Applicant funds for the Applicant's activity. **Signing this Agreement does not commit Council to provide any funds unless the Applicant's submission is successful.**
2. The Applicant confirms and agrees that:
  - (a) it is a not for profit incorporated association or a natural person authorised by the incorporated association to enter into this agreement.
  - (b) activities arising from the grant allocation must take place within the Colac Otway Shire and/or benefit Colac Otway Shire residents and workers.
  - (c) if funds are granted by Council they must be spent on the approved activity. Any significant change to the activity must be approved by the Council.
  - (d) funds provided under this agreement must be spent by the Applicant within 12 months of the date of this agreement, unless otherwise agreed by the Council.
  - (e) the Applicant must return any funds not spent on the activity to Council.
  - (f) the Council is not responsible for any shortfall should the activity run over budget.
  - (g) the Applicant is required to recognise the Council and COPACC as a funding source of the project. Contact must be made with the appropriate Council officer to obtain the relevant logo and to ensure that the Council sights and approves proofs of all materials prior to production. Unauthorised use of the Council and COPACC logo on other material will result in the Applicant being ineligible to apply for further grants.
  - (h) accurate financial records of the recipient organisation be maintained and made available to the staff of Council in the event of any further audit by Council into the use of the Grant. Council officers may request meetings with the Applicant to check on progress during the period of the activity.

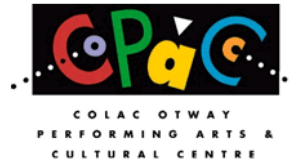
- (i) it will complete a reporting form for the grant. If the reporting form is incomplete the Applicant will be ineligible for further grants. A statement of the expenditure of the funds will be required within the reporting process.
3. The Council, its servants, agents and employees shall not be responsible at any time for any liability incurred or entered into by the Applicant as a result of or arising out of the Applicant's responsibilities under this agreement.
  4. The Applicant shall release and indemnify the Council, its servants, agents and employees against any claim, demand, liability, costs, expenses, actions arising out of or in any way connected with the activities of the Applicant, or the Applicant's agents in consequence of this agreement except where the claim, demand, liability, costs or action are caused by the Council or its servants or agents.
  5. Any variation of this agreement shall only be made in writing between the parties.
  6. Projects that commence prior to this application being received by Council will be ineligible.
  7. A "Tax Invoice" is required to be submitted prior to payment of the grant (only if the applicant is registered for GST).
  8. Note that Council will publicly report grants awarded.

Signature



**CHECK LIST Please confirm that you have included the following with your submission**

✓		<p><b>Keep a copy of your application, including all attachments</b>                  Completed Application Form                  Completed Budget Table showing break-even result                  Attached Financial Statement or Treasurer's Report                  Attached Quotations for works, fees, venue hire etc. Applicants are encouraged to obtain more than one quote as part of their application                  Attached completed Risk Management template for the project                  Attached Support Letters (including auspicing body if applicable)</p>
✓	NA	<p>Attached evidence of compliance with Food Safety Standards Legislation                  Registration of Premises and/or Temporary Food Premises Permit                  Supplier Statement                  Confirmation and acceptance of conditions of Community Funding Program (signed)                  EFT Form (if required)                  Other – photographs, resumes etc (please describe)                  .....</p>



## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM 2015/16 COPACC Hire Assistance

### FORWARD COMPLETED APPLICATION FORM TO:

COMMUNITY FUNDING PROGRAM 2015/16  
COPACC Assistance Fund  
Colac Otway Shire Council  
PO BOX 283  
COLAC 3250  
EMAIL: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORM, THEN COMPLETE THE FOLLOWING CHECKLIST:

#### Have you:

- Read the Community Funding Program Guidelines?
- Completed all questions in the Application Form?
- Provided a copy of the most recent bank/audited financial statements?
- Provided a copy of Public Liability Insurance Policy
- Provided Statement by Supplier (if you do not have an ABN)?
- Attached any relevant quotes supporting budget expenditure?
- Ensured that you have provided a Reporting Form if you have received any previous Colac Otway Shire funding?

### Need Any Help or Advice?

Please contact COPACC on 5232 9418 and staff will provide you with assistance and further information about your application and this program.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Funding Guidelines 2015/16

### What Is The Community Funding Program?

- The Community Funding Program is offered to assist not-for-profit community organisations in providing opportunities that benefit the wider Colac Otway Shire community and help in achieving goals and outcomes consistent with Council's objectives.
- The COPACC Assistance Fund operates to benefit citizens of Colac Otway Shire by providing financial assistance towards the hire of COPACC for the provision of performing arts and cultural activities during the 2015/16 financial year.
- Applicants may apply for up to 50% of the cost of hiring COPACC.
- Applicants must obtain a quote from COPACC outlining anticipated dates of hire and resources required – for example; rooms, audio-visual support, labour and technical staff. It is essential applicants obtain a quote at least 10 days prior to the application closing date.

### Who Can Apply?

- Incorporated (or those deemed by Council to hold a similar legal status) not-for-profit community groups, schools and organisations operating within the Colac Otway Shire are eligible to apply under this program.
- If you have received funds from Council previously, please ensure that you have spent the funds in accordance with the guidelines. You will need to have returned a Reporting Form to Council to show that this has occurred to ensure that you are considered eligible to receive any further funds.

### Who can I contact?

- Funding under this scheme is restricted. There may be external sources of funding available from State or Federal Government departments and philanthropic organisations. Therefore applicants with proposals valued in excess of \$10,000 can contact:

**Colac Otway Performing Arts and Cultural Centre  
(COPACC)**  
Ph. 5232 9418  
Email: [copacc@colacotway.vic.gov.au](mailto:copacc@colacotway.vic.gov.au)

### Role of Auspice

- If your group is not incorporated or a similar legal entity, you may wish to appoint an incorporated body to auspice (manage) your application on your behalf.
- The auspice's role includes managing the funds on behalf of the group that is not incorporated and is responsible to manage those funds.
- Auspice organisations should provide a letter of consent to the group stating that it is willing to take financial and legal responsibility for the grant.
- Contact Council Officers if you are unsure if you need to appoint an auspice or require any further clarification.

### What Projects Are Considered For Funding?

Projects that demonstrate broad benefit to the Colac Otway community will be considered.

The Community Funding program will fund:

- Initiatives which align with Council priorities set out in the Council Plan
- Initiatives that demonstrate multiple benefits, which may include cultural, environmental, heritage, health and wellbeing, social support and community participation outcomes.
- Initiatives which demonstrate community inclusiveness and do not discriminate against people on the basis of any characteristic covered by the Victorian Equal Opportunity Act 1995.
- Applications which clearly demonstrate the capacity of the applicant to deliver the project
- Applications which demonstrate an in-kind, cash or voluntary contribution by the applicant

### Please Note The Following

- Ticketing for all events at COPACC must be sold exclusively via the Colac Cinemas box office. Ticketing commission is \$1.38 for every ticket sold plus 4% commission on EFTPOS transactions.
- Your project must not have commenced or been held prior to the grant application being submitted to Council.
- Check that you have chosen the correct grant program for your project. Council offers a variety of funding programs aimed at assisting the community with specific activities.
- Examples of these programs are: the Festival and Events Support Scheme, Community Funding Program, Community/Recreation Projects small equipment/training (up to \$2,000), Council's Community Funding Program Recreation Facilities (up to \$10,000), Council's Community Funding Program Community Projects (up to \$10,000).
- This funding program does not support fundraising activities or projects.
- Schools are only eligible for funding assistance with COPACC venue hire.
- Applicants are required to provide details of **ALL** previous grants provided by Council in the past 3 years.

### How Do You Apply?

Electronic versions of guidelines and application forms are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) (look for the Community Funding Program icon on the front page or go to Sport & Recreation section) to download. A writable PDF version of the application for will be available. Email applications as a Microsoft Office compatible attachment to [ing@colacotway.vic.gov.au](mailto:ing@colacotway.vic.gov.au) with **Community Funding Program 2015/16** in the subject line. All applications must be received by the closing date.

## COLAC OTWAY SHIRE COMMUNITY FUNDING PROGRAM: COPACC Assistance Funding Guidelines 2015/16

### When Can You Apply?

Applications open	Friday 20 March 2015
Applications close	Friday 1 May 2015
Submissions evaluated	May - June 2015
Notification of funding	July 2015

**The closing date for applications is 4:00pm Friday 1 May 2015.**

Project completion and reporting form to be returned to Council by May 2016.

### Information Sessions

Two Information Sessions will be held to discuss the Grants Program, proposed projects and answer any specific questions. Information sessions will also include details about the Colac Otway Shire Festival and Events Support Scheme. These sessions will be held on:

- Monday 13 April 2015, 7.00 pm - 8.30 pm at COPACC Meeting Room, Cnr Rae and Gellibrand Streets, Colac.
- Wednesday 15 April 2015, 7.00 pm – 8.30 pm at Marrar Woom, 6 Pengilley Ave, Apollo Bay.

### Public Liability Insurance

Public Liability Insurance is required for all projects.

### Privacy Information

The personal information on the Community Funding Application Form is collected by Council for the primary purpose of processing your grant application.

### Risk Management

Risk Management analysis of your proposed project is part of the assessment criteria. A template is included for completion and must be submitted with the funding application.

### Allocation of Funds

Allocations will be based on up to 50% subsidy i.e. a dollar for dollar basis of projects up to a total project cost of \$10,000. For example, based on an \$8,000 project cost, the maximum allocation from Council could be \$4,000. Generally the maximum contribution made by Council will not exceed \$5,000. Preference will be given to organisations that have demonstrated a "self-help" attitude through inclusion of in-kind resources, and/or a desire to contribute financially. Documentation to support the organisation's 50% matching contribution must be included.

### Evaluation of Successful Projects

- It is essential the contact person/s nominated in the application form have a full understanding of the project, and are available during the May-July 2015 evaluation process to provide further detail if required.
- Organisations successful in receiving a grant will be expected to complete a brief Reporting Form within a month of the completion of the project. The form will be available on allocation of funds and will require detail on the success of the project and how Council's funds were expended in relation to the project. Inclusion of visual evidence such as photographs and press clippings assists Council in

assessing the success of the project and should be included.

- Organisations are required to acknowledge Council and COPACC's contribution to the completed project in a manner deemed appropriate by Council, such as signage, verbal or written acknowledgement etc. and to document this acknowledgement. Council and COPACC logos should appear in all materials promoting the event.

### Compliance considerations

It is important that groups always consider the following checklist prior to commencing, to ensure all relevant requirements are met, including but not limited to:

COMPLIANCE ISSUE	COUNCIL DEPARTMENT	CONTACT PHONE
<ul style="list-style-type: none"> <li>Occupational Health and Safety requirements</li> </ul>	Risk Management	5232 9463
<ul style="list-style-type: none"> <li>Food Safety Standards, Food and Tobacco Legislation</li> <li>Approval food premises design.</li> <li>Registration of Premises and/or Temporary Food Premises Permit</li> </ul>	Health	5232 9429
<ul style="list-style-type: none"> <li>Waste Management for COPACC</li> </ul>	COPACC	5232 9531
<ul style="list-style-type: none"> <li>Economic Development Potential for other funding</li> </ul>	COS Business Development Officer	5232 9444

### Future Planning

Council supports the development of community groups to become self-sustaining through Strategic Planning, Action Plans and Business Plans that identify opportunities for growth and development. Evidence of planning must be provided as part of this application. Please note that Council provides support and resources to assist community organisations to undertake such planning.





## FESTIVAL AND EVENT SUPPORT SCHEME GUIDELINES 2015 – 2016

### 1. WHAT IS THE FESTIVAL AND EVENTS SUPPORT SCHEME (FESS)?

The Colac Otway Shire (COS) recognises the importance of festival and events development in the municipality. The contribution of festivals and events to celebrating the region's diversity, cultural, economic and social development is highly valued. The Festival and Events Support Scheme (FESS) is council's funding program for events conducted within the Colac Otway Shire.

These guidelines outline the FESS for individuals, groups and organisations seeking funding from Council for an event within the Shire. Funding is available for:

- Established and new events
- One off and repeat events
- Not-for-profit
- Commercial events

There is one round of funding per year (opening 20 March 2015) for all event organisers conducting events in the following financial year.

This funding program provides seed funding to assist with the establishment of new event initiatives, supports the development and growth of established events and provides funding for one off events celebrating significant community milestones. An established event is defined as an event that has been conducted for more than 3 years.

These guidelines provide essential information for all applicants and outline the application process. They should be read in conjunction with Council's Event Policy.

The scope of the Colac Otway Shire Festival and Events Support Scheme is broad and potential applicants are required to discuss their proposal with Council's Events Officer on 5232 9400 or [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

### 2. AIMS AND OBJECTIVES

The aims and objectives of the Festivals and Events Support Scheme are to:

- Provide financial assistance to conduct established, one-off or new professional and quality festival or event activities within Colac Otway Shire.
- Improve the quality of life experiences for communities within the municipality by increasing access to quality festivals and events.
- Promote cultural diversity and greater awareness, appreciation and participation in activities within the Colac Otway Shire area.
- Promote a sense of pride and community identity.
- Stimulate visitation and tourism to the Colac Otway Shire area and increase economic and social development opportunities.

- Contribute to the recognition of the Colac Otway Shire area as a region to host festivals and events.
- Create an environment for innovation and creativity within the municipality.
- Assist established, or new Festivals and Events (where appropriate) to enable the Festival or Event to become as self-sufficient as possible.

### 3. DEFINITION OF AN EVENT

For the purposes of the Colac Otway Shire Festival and Support Scheme, the following definitions apply:

**“event”** means any planned activity open to the public held on Council owned or managed land where any structure (permanent or temporary), open area or road, (fenced or unfenced) will contain a number of persons greater than that normally found in that area or location at one time. This activity may affect the location surrounding the area prior to, during or after the activity, and includes:

- Sporting activities, whether conducted in an enclosed or unenclosed ground/venue (but does not include a regular, locally focussed and organised sporting competition at a venue built for that sport);
- One off or annual events such as religious meetings held in parks/sporting venues, rock concerts, promotional events and the like;
- Live performances and concerts; and
- Festivals.

**“event organiser”** means a commercial entity, community group or individual who undertakes the planning, control, management and/or implementation of an *event*.

### 4. ELIGIBILITY CRITERIA

You are eligible to apply for FESS if:

- Your event is held in the COS and is specifically designed to benefit residents and businesses of COS.
- You are an incorporated, not for profit or commercial organisation.
- You are an unincorporated, not-for-profit group with an auspice arrangement\* with an incorporated, not for profit group.
- Your event meets the criteria for funding.
- Your event has a strong community focus.

\*Auspicing allows not-for-profit, incorporated organisations to accept grant funding on behalf of individuals or groups who are not incorporated. The auspice organisation is responsible for accepting the grant, receiving the grant and paying the grant to the grant recipient and ensuring, to the best of their ability, that the funds are used for the purpose the grant is intended.

The auspice will also sign the Grant/Sponsorship Agreement and will be responsible for preparing the grant acquittal. Auspice organisations will need to provide a letter of consent to the group stating that it is willing to take financial and legal responsibility for the grant.

You are not eligible to apply for FESS if:

- Your event does not have a strong community base.
- Your event is conducted completely outside the boundaries of the Colac Otway Shire.
- Your event starts before 1 July 2015 or after 30 June 2016.

- Your event clashes with another major Colac Otway Shire Festival or Event.
- You are an individual without an auspice arrangement with a not-for-profit group.
- Organisations that have not completed an Acquittal Report for a previous COS Grant (FESS or Community Funding).
- Organisations that are accepting sponsorship from companies that Council deem are not suitable or align with the Council Plan 2013 – 2017.

The FESS supports new and established community events through the provision of financial assistance for costs associated with events. Examples of costs associated with events could include signage, promotional material, and professional project management and hire costs (eg. performers, PA equipment, staging, portable toilets etc).

Events can include but are not restricted to cultural, historical, artistic (music, theatre, visual) sporting, culinary, environmental or could include markets, festivals and exhibitions. (NB: Markets are not able to book Shire marquees). Events should enhance the region's profile, develop community co-operation and cohesion, build local skills or in other ways have a positive impact on the local community.

Applications should assist in establishing new or providing support to existing events and activities for the citizens and/or the promotion of the Colac Otway Shire. Preference is to be given to projects and groups making a significant financial or "in kind" contribution to the event.

Applications are to be for financial assistance for costs related to the delivery of new or established events, not for general ongoing administration costs. Applicants must demonstrate how their event contributes to the social, cultural and economic growth of the Colac Otway Shire.

This scheme can support events that raise money for the local community where the majority of funds raised remain within the Colac Otway Shire. The scheme does not support external fundraising events, activities or projects where funds raised are distributed to fundraising organisations outside the Colac Otway Shire.

The maximum amount of funding to be provided is \$5,000. Applicants with proposals for funding valued in excess of \$5,000 are encouraged to discuss event/festival related proposals with the Colac Otway Shire Council's Events Officer with a view to exploring alternative funding sources. Preference will be given to events that are supported by plans detailing a vision for their event, that are organised co-operatively and where some profits will be distributed back into the community.

Funding preferences will be given to events not previously supported under this program, however notes that some events occur annually and rely on Council's funding support.



5. HOW TO APPLY

Applications must be submitted on the attached application form. Any application that is considered incomplete or not in the required format may **not** be accepted.

Electronic versions of guidelines and application forms, including a writeable a writeable pdf version are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au). Email applications can be accepted only if a scanned signature is included on the final page. Email applications as a Microsoft Office compatible attachment to [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) with **Festival and Events Support Scheme 2015-2016** in the subject line. All applications must be received by the closing date.

**GST**

GST legislation will apply to the allocation of these funds. Organisations will be required to quote an Australian Business Number (ABN) or if an exemption applies to provide a written statement of entitlement to exemption (Supplier Statement). Supplier Statement forms are available on Council's web site: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) and can be downloaded.

Where an applicant organisation is GST registered, grant allocations will be calculated and assessed on income and expenditure excluding GST. In addition, organisations registered for GST will be required to submit a Tax Invoice to Council upon approval of their grant, including an additional 10% added to the approved grant amount.

**Lodgement**

**The closing date for applications is 4.00pm Friday 1 May 2015.** All applications must be received by this time. Late applications will not be considered.

Hard copy applications should be sent to:

**Festival and Events Support Scheme 2015-2016  
Colac Otway Shire  
PO Box 283  
COLAC VIC 3250**

Or email applications to [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) with **Festival and Events Support Scheme 2015-2016** in the subject line.

All applicants will receive written advice acknowledging receipt of their application within 1 week of receipt.

**IMPLEMENTATION FOR 2015-2016**

Applications open	Friday 20 March 2015
Closing date for applications	Friday 1 May 2015
Evaluation of applications	May - June 2015
Notification of funding	July 2014

Project completion, evaluation forms must be completed three months after your event.

## 6. SPONSORSHIP CATEGORIES

The level of assistance recommended will be determined by the current or potential value of the festival/event to generate positive economic impacts and enhance the social and cultural benefits within the community.

There are three levels of funding categories specific to the Colac Otway Shire Festival and Events Support Scheme in relation to the sponsorship of events. They are Sponsorship, Seed Funding and One-off events funding which are defined as follows:

### a. Sponsorship (Up to \$5,000 per year for 2 years, until 2017.)

- This level of sponsorship is available to existing events that have demonstrated that the event is sustainable (both financially and socially) and have run for over three years..
- Events within this category will provide significant benefits to the Colac Otway Shire in terms of economic, social and cultural growth to the region and contribution to the local community.
- Events within this category must demonstrate a significant community focus.

### b. Seed Funding (Up to \$2,000 per year for 2 years, until 2017.)

- This funding is designed to encourage the development of new events.
- Event organisers will need to show that the proposed event will provide strong benefits to the Colac Otway Shire in terms of economic, social and cultural contribution to the local community.
- Events within this category will demonstrate a strong community focus.

### c. One Off Events (Up to \$1,000 per event)

- This funding is for one off events for celebrations of significant local historical milestones or other important one-off events.
- Events within this category will demonstrate a strong community focus.

## 7. THE SPONSORSHIP AGREEMENT

Successful applicants will be required to enter into an agreement with the Colac Otway Shire Council.

Larger festivals and events may wish to select one or more aspects of their program to be sponsored by the Colac Otway Shire. The Colac Otway Shire would then be recognised as a sponsor of that event component or alternatively as a general sponsor of the overall festival or event. Acknowledgment will be commensurate with the nature of the project and level of support provided.

At a minimum, the Sponsorship Agreement includes:

- Colac Otway Shire signage at all activities and events related to the project, (or as mutually agreed with the event organisers).
- Recognition of Colac Otway Shire sponsorship in all advertising, promotional and social media.
- All printed material including invitations, fliers, posters and programs must include the Colac Otway Shire logo.
- An opportunity must be provided for a Colac Otway Shire representative to speak at key events and activities (or as mutually agreed with the event organisers).
- Inclusion of sponsor message in the festival or event program and related publications at no charge as mutually agreed.

- Colac Otway Shire flags or banners may be required by Council to be erected in designated positions, (or as mutually agreed with the event organisers.)
- The organisers must provide the Colac Otway Shire Events Officer with regular information updates on the project, i.e. minutes of meetings or two detailed summaries of arrangements prior to the event.
- Sponsor invitations to be provided for Colac Otway Shire to the Mayor, Councillors and key representatives.
- Agreement of Event/Festival organiser to ensure that all waste created by the event is appropriately managed.
- Access to the Colac Otway Shire Waste Trailer (where applicable for the event).

## **8. PUBLIC LIABILITY AND INSURANCE**

A Public Liability Insurance Policy for a minimum of ten million dollars (\$10 million) for the festival/event must be obtained by the organiser prior to the funds being released by Colac Otway Shire

All event organisers are required to complete and sign the Colac Otway Shire's Form of Indemnity. This means that you agree to indemnify, and to keep indemnified, the Colac Otway Shire, its servants and agents, and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever, which may be brought or made or claimed against them, or any of them, in connection with the event organiser's performance.

The Events Officer will provide you with the Council's Indemnity form, to read, sign and return along with the Events Application forms.

## **9. FINANCIAL AND REPORTING FORMS**

It is a condition of sponsorship that a written, detailed debrief be submitted within four (4) weeks of the end of the event. Financial Reports are also required within twelve (12) weeks of the end of the event. If a Financial Report cannot be returned in this time frame, please contact the Events Officer to negotiate an agreed date for the form to be submitted. The financial statement must detail the expenditure of the amount and purpose of the sponsorship against the budget submitted. Any unexpended funds must be returned to the Colac Otway Shire. Failure to meet these time frames, may affect further applications for future funding.

Evidence of all printed material is imperative. Printed material featuring the Council logo and clippings of media exposure should accompany the evaluation report. Colac Otway Shire will utilise promotional material for their own promotional purposes.

The reporting form and financial acquittal will be issued within two (2) weeks after your event by the Events Officer either via email or hard copy.

**10. ASSESSMENT**

Applications will be assessed to a Council Advisory Committee which will then provide recommendation for endorsement by Council.

**Assessment Criteria**

Factors taken into account when assessing applications include:

Assessment Criteria	Weighting
<b>Social opportunities</b> Detail the community benefits provided by the project both short and long term	25%
<b>Economic Development opportunities</b> Describe how the event stimulates visitation/tourism and increases economic development opportunities for residents of the Colac Otway Shire	25%
<b>Cultural opportunities</b> Describe how the event contributes towards the development of community arts & culture, networks, programs and/or projects.	25%
Provision of <b>sufficient documentation</b> for the proposal including letters of support, quotes etc	10%
Marketing/promotional opportunity for the Colac Otway Shire	15%

The Festival and Events Support Scheme is a competitive funding program. Applicants should note that the submission of an application **does not** necessarily guarantee funding of the proposal.

**11. AVAILABLE FUNDING**

The level of assistance available through the Festivals and Events Support Scheme is limited by Council's budget.

No applicant can be guaranteed sponsorship nor can any applicant be guaranteed funding to the level requested. Please note that Council cannot totally fund any festival or event, nor does it fund retrospectively. Council's ongoing support should not be relied upon as each year applications will be assessed in conjunction with other applications and will be determined on funding available.

An unsuccessful application does not necessarily mean that the project or activity is unworthy of support. An application could be rejected because of limited resources or the need to balance support given to a wide range of festivals and events after considering the assessment criteria.

**12. IMPLEMENTATION**

Upon notification of a successful application, the applicant organisation will negotiate the required services with the Events Officer. Events held on Council land will need to submit an Event Application and any relevant paperwork and plans, ie. traffic management plan, communications plan, etc. This may include participation in Council's Event approval process and attendance at Council "E Team" meetings as part of the Event Approval process. The Events Officer will notify you of the requirements.





**FESTIVAL & EVENT SUPPORT SCHEME  
APPLICATION FORM 2015-2016**

**EVENT DETAILS:**

Event Name	
Event Date	
Total Amount Requested	\$
If we had to reduce the grant amount, what is the minimum needed to successfully run your event?	
Total Event Cost	\$

Have you discussed your event with the Colac Otway Shire Events Officer?	YES	NO
--	-----	----

<b>Sponsorship Category (tick which category and which years you are applying for)</b>		
Sponsorship	<input type="checkbox"/>	2015-2016 and 2016-2017
Seed Funding	<input type="checkbox"/>	2015-2016 and 2016-2017
One Off Event	<input type="checkbox"/>	

**APPLICANT DETAILS:**

Name of applicant organisation/group/club

Postal Address

Suburb	State	Postcode
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>

**Contact Details**

(Please ensure the nominated contact person/s are aware of all project details)

Details	Primary Contact Person	Secondary Contact Person
Name		
Position		
Work phone		
Home phone		
Mobile		
Email		

**LEGAL AND FINANCIAL DETAILS:**

**Incorporation Number**

**ABN Number**

A Supplier Statement form must be completed if no ABN. Supplier Statement forms are available on Council's website [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)

**GST Registration**

Yes	Number	No
<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>

If you are registered for GST you will be required to submit a tax invoice to COS upon approval of your grant, including an additional 10% added to the approved grant amount.

**AUSPICE DETAILS:**

If your organisation is being auspiced, please provide the details of the auspice organisation below. The auspice organisation will need to provide a letter of consent with this application stating they are willing to take financial and legal responsibility for the grant.

**Auspicing body if not incorporated**

<b>Auspice body</b>	<input type="text"/>	
<b>Address</b>	<input type="text"/>	
<b>Contact Name</b>	<input type="text"/>	
<b>Position</b>	<input type="text"/>	
<b>BH phone</b>	<input type="text"/>	<b>Mobile</b> <input type="text"/>
<b>Email</b>	<input type="text"/>	

Does your organisation currently receive funding support from Federal or State Government sources (tick as appropriate)

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Please provide details of any commercial source of income

Source	Amount \$

Has your organisation received ANY funding support from the Colac Otway Shire in the past 3 years (please tick as appropriate)?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Please provide details of ALL funding support provided by the Colac Otway Shire in the past 3 years? (i.e. Community, Festival & Events Support Scheme or other)

Council Department	Project	Amount \$	Year

Has funding for this project been sought from any other body for this project?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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If yes, please list

Source	Amount \$

**PAYMENT DETAILS:**

Successful grants will be paid by cheque or preferably Electronic Funds Transfer (EFT) to a nominated bank account. If you have not supplied your EFT details, please request an EFT Form and one will be emailed to you. **If your bank account details have changed in the past year, please complete the details below.**

Account Name

BSB No

Account Number

Bank/Financial Institution



**EVENT PROJECT DETAILS:**

- 1. **Description of event** - Please a description of the event you are running. Please include as much detail as possible. This information may be used on Council's website and in any media

- 2. **Estimated number of visitors to event** – Please indicate the estimated number of visitors this event is likely to attract and the estimated number of participants from the community.

<b>Number of Visitors:</b>	
<b>Number of Participants:</b>	

- 2. **Detail event component to be funded by Council** - (Please itemise the specific event component(s) that Council funding will be expended upon i.e. hire of stage, hire of performers, etc.

- 4. **Social opportunities** - Detail the community benefits provided by the project both short and long term.

**Short term community benefits:**

**Long term community benefits:**

5. **Economic Development opportunities** - Describe how the event stimulates visitation/tourism and increases economic development opportunities for residents of the Colac Otway Shire.

6. **Cultural opportunities** - Describe how the event contributes towards the development of community arts and culture development, networks, programs and/or projects.

7. **Please provide details of community need for this proposal.** Please attach support letters and detail what discussions you have held with related groups in the area about this project.

8. **Please list what marketing/promotional opportunities are available for the Colac Otway Shire at your event.** Please note that all successful applicants will be required to enter into a Sponsorship Agreement with the Colac Otway Shire. Details of the Sponsorship Agreement are in the FESS Guidelines.

**BUDGET FORM**

Applicants must use the budget form provided. (Please advise if you require this table in excel as it is available to send electronically). The budget should list the total income and expenditure and reflect all costs associated with the project.

Applicants are expected to make at least a matching contribution in cash and/or volunteer labour costed **\$25 per hour**. Other in-kind contribution such as donated goods or materials may also be included, as well as use of plant and equipment. Indicate in-kind on the expenditure column under the relevant headings as well as the income column. You may also have grants, financial support and sponsorship from other sources. This should be indicated in the budget.

Please ensure that total income **EQUALS** total expenditure i.e. the project must break even.

EXPECTED INCOME	\$ AMOUNT	EXPECTED EXPENDITURE	\$ AMOUNT
Earned Income		Project Costs	
<b>Participant's Fees</b>	\$	<b>Fees</b>	\$
<b>Ticket sales</b>	\$	<b>Travel</b>	\$
<b>Other (Describe)</b>	\$	<b>Accommodation</b>	\$
Grants		<b>Materials/ Equipment</b>	<b>(itemise)</b>
Council Festival and Event Support Scheme	\$		\$
<b>Other (Describe)</b>	\$		\$
			\$
Applicants contribution			\$
<b>Cash</b>	\$	<b>Other (Describe)</b>	\$
<b>In-kind equipment (Describe)</b>	\$	<b>Insurance</b>	\$
<b>Volunteer labour @ \$25 per hour. (Describe)</b>	\$	<b>Volunteer labour @ \$25 per hour. (Describe)</b>	\$
Other Income		Administration Costs	
<b>Donations</b>		<b>Telephone, fax, photocopying etc.</b>	\$
<b>Sponsorship</b>		<b>Marketing Costs e.g. publicity and advertising</b>	\$
<b>Other (Describe)</b>		<b>Documentation Costs e.g. photographs, videos</b>	\$
		<b>Contingency @ 3%</b>	\$
Total Income \$		Total Expenditure \$	

Please read and sign this Agreement.

**THIS AGREEMENT IS MADE BETWEEN COLAC OTWAY SHIRE COUNCIL** of 2-6 Rae Street Colac ("the Council") and the Applicant

**BACKGROUND**

- A The Council makes available funds for festival and events funding each year for the benefit of residents of and for activities that take place in the Colac Otway Shire.
- B The Council has criteria which must be met by the Applicant before funding is provided as set out in this agreement.
- C The Council has agreed to fund the Applicant on the terms and conditions set out in the agreement.

**AGREEMENT**

1. The Council may provide to the Applicant funds for the Applicant's activity. **Signing this Agreement does not commit Council to provide any funds unless the Applicant's submission is successful.**
2. The Applicant confirms and agrees that:
  - (a) it is a not for profit incorporated association or a natural person authorised by the incorporated association to enter into this agreement.
  - (b) activities arising from the grant allocation must take place within the Colac Otway Shire and/or benefit Colac Otway Shire residents and workers.
  - (c) if funds are granted by Council they must be spent on the approved activity. Any significant change to the activity must be approved by the Council.
  - (d) funds provided under this agreement must be spent by the Applicant on the activity of this agreement, unless otherwise agreed by the Council.
  - (e) the Applicant must return any funds not spent on the activity to Council.
  - (f) the Council is not responsible for any shortfall should the activity run over budget.
  - (g) the Applicant is required to recognise the Council as a funding source of the activity. Contact must be made with the appropriate Council officer to obtain the relevant logo and to ensure that the Council sights and approves proofs of all materials prior to production. Unauthorised use of the Council logo on other material will result in

the Applicant being ineligible to apply for further grants.

- (h) accurate financial records of the recipient organisation be maintained and made available to the staff of Council in the event of any further audit by Council into the use of the Grant. Council officers may request meetings with the Applicant to check on progress during the period of the activity.
  - (i) it will complete a reporting form for the grant. If the reporting form is incomplete the Applicant will be ineligible for further grants. A statement of the expenditure of the funds will be required within the reporting process.
3. The Council, its servants, agents and employees shall not be responsible at any time for any liability incurred or entered into by the Applicant as a result of or arising out of the Applicant's responsibilities under this agreement.
  4. The Applicant shall release and indemnify the Council, its servants, agents and employees against any claim, demand, liability, costs, expenses, actions arising out of or in any way connected with the activities of the Applicant, or the Applicant's agents in consequence of this agreement except where the claim, demand, liability, costs or action are caused by the Council or its servants or agents.
  5. Any variation of this agreement shall only be made in writing between the parties.
  6. Projects that commence prior to this application being received by Council will be ineligible.
  7. A "Tax Invoice" is required to be submitted prior to payment of the grant (only if the applicant is registered for GST).
  8. Note that Council will publicly report grants awarded.

Signature

**CHECK LIST Please confirm that you have included the following with your submission:**

✓	Keep a copy of your application, including all attachments
	Completed application form
	Budget Table showing break even result
	Detailed Financial Statement or Treasurer's Report for the previous 2 years.
	Attached Quotes (For items to be funded by Council)
	Details of previous grants provided by council to your organisation in the past 3 years.
	Support Letters
	Supplier Statement (if applicable)

**Privacy Notification**

Council is collecting the personal information on this form for the purposes of assessing your application and to maintain statistical information. The personal information will be used solely by the Council for that primary purpose or directly related purposes. The applicant understands that they may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to 5232 9516.

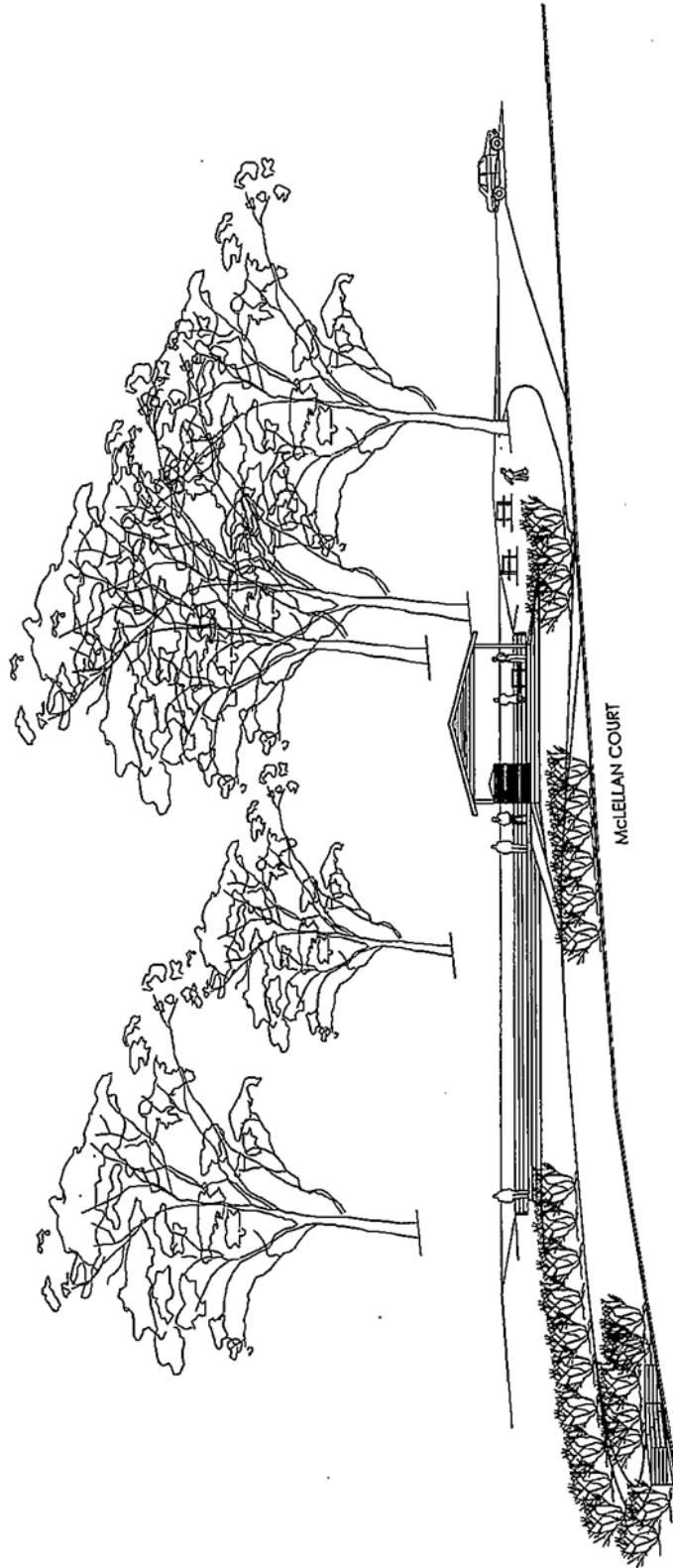
I/we acknowledge the above and confirm the above information is correct and approve the use of this data on the Colac Otway Shire applicants' data base.

Signed: .....




Name: .....

Date: ...../...../2015





STREET ELEVATION

 <p><b>KRIS THOMAS BUILDING DESIGN</b> DRAFTING SERVICES 44 New Street, Apollo Bay, Victoria, 3133. PH: 03 52373127, MOB: 08 9492 0000, WWW: KRISTHOMASBUILDINGDESIGN.COM.AU</p>	No. _____ DATE / AUGMENT	CLIENT: WYE RIVER COMMUNITY PROJECT: HARRINGTON PARK DEVELOPMENT SITES: McLELLAN COURT WYE RIVER	TITLE: STREET ELEVATION © Copyright DESIGN DRAWING	REVISED  <p>bdav Building Design Architectural Services</p>	DESIGN: KT DRAWN: KT CHECKED: FRP No. DP-AD 24574 LCB No. 12-089	DATE: 31/02/12 SHEET No. 1 OF 1 REV. 0 SCALE: 1:200 @ A3 LCB No. 12-089
						

# HARRINGTON MEMORIAL PARK, WYE RIVER

## Multi Use Recreation Facility (MURF)

The Harrington Memorial Park Advisory Committee, in partnership with Colac Otway Shire, is proposing to improve active and passive recreation facilities at Harrington Memorial Park. The focus of this upgrade project is to provide a focus for the community to come together and the promotion of health and wellbeing for all age groups.

### Components of the project:

- An expansion of the existing levelled area (12 x 18m). It will include 6 Petanque (bocce) rinks that will double as an outdoor badminton and volleyball court.
- A BBQ shelter, picnic tables and park furniture on the eastern side of the recreation area.
- Revegetation and landscaping of the surrounding area.
- Interpretative signage for local flora and fauna plus Indigenous and European history.
- An off street loading bay and a disabled parking bay.

The project will have a minimal environmental footprint and impact. It is anticipated that local tradespeople and volunteers will undertake the work where possible.

### Project cost:

The estimated total project cost is – \$80,000.

A funding application will be submitted to the State Government's **Putting Locals First Program**. Other contributions will come from the Colac Otway Shire along with donations from Powercor and Bunnings.

The Harrington Memorial Park Advisory Committee is seeking contributions from the community to fund the remainder of the project. You can pledge the cost of components of the project (e.g. picnic tables, park furniture, exercise equipment etc.) and the committee will supply the brass plaque. There are many loved ones (human and furry) who would be honoured to have something named after them in the park.

The MURF will be a fantastic facility that's available for the whole community. Its use is limited only by your imagination. Once completed, we hope to resume the very popular 'Summer in the Park' program. The MURF is pegged out in the park, so go and have a look. A layout map is on the Community Notice Board at the General Store.

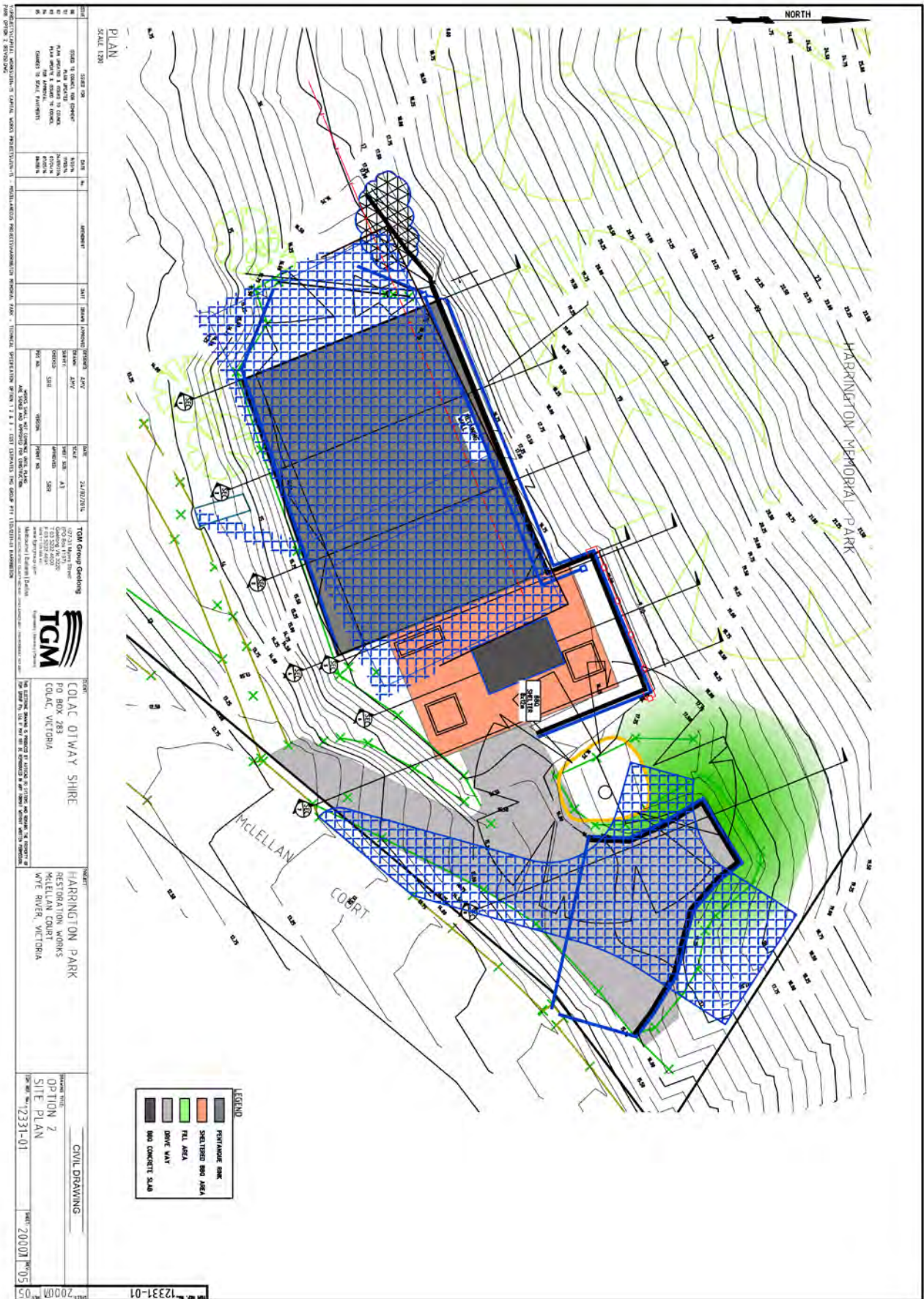
**If you have any feedback, ideas, suggestions or concerns about the project, or if you would like to pledge the cost of a component of the project (anonymous pledges most welcome), please contact:**

Sherryl Smith  
President, Harrington Memorial Park CoM  
Phone: 5289 0066 or 0408 464 400  
Post: PO, Wye River, 3221  
Email: [sherryl.smith@gmail.com](mailto:sherryl.smith@gmail.com)

Ian Seuren  
Manager Recreation, Arts and Culture – Colac Otway Shire  
Phone: 5232 9476 or 0400 635 252  
Email: [ian.seuren@colacotway.vic.gov.au](mailto:ian.seuren@colacotway.vic.gov.au)

If you would like to be notified of community events and activities, put 'Community List' in the subject line and send an email to: [sherryl.smith@gmail.com](mailto:sherryl.smith@gmail.com)







# **Half Year Review**

# **Financial Performance Report**

# **2014-2015**

# **December 2014**



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## **About the report**

In accordance with the Local Government Act 1989, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.

In line with our commitment to sound financial management, Council is provided with an analysis of financial and non-financial information each quarter. This information will include at a minimum a comparison of budgeted income and expenditure and actual income and expenditure.

This report covers the period from 1 July 2014 to 31 December 2014 and reports on:

- Significant variations from the adopted budget;
- Council's cash balance and forecast;
- Council's investment performance;
- Council's financial statements;
- Council's Audit Committee; and
- Income and expenditure for the services provided by Council.

This quarterly report examines Council's financial performance as at the second quarter of 2014-2015.

This report also reflects the outcomes of the detailed half year review conducted by the CEO in January 2015.

## **Overview**

At the time the budget for 2014-2015 was prepared, an operating surplus of \$3.015 million was estimated. This did not include carry over projects which have the effect of reducing the value of the operating surplus. The end of the second quarter provides an opportunity to investigate trends within the financial and operational environment and provide revised budget forecasts to suit. The revised forecasts now indicate a forecast surplus of \$2.777 million. This assumes all projects carried forward and budgeted for during 2014-2015 will be completed by 30 June 2015. The carried forward projects are funded from a cash backed reserve Council created for this purpose at the end of 2013-2014. This effectively meant that Council ended the 2013-2014 year with higher cash reserves than it anticipated to, due to underspending on projects during 2013-2014, which will then be used to provide for completion of these carried forward projects.

The achievement of an operating surplus for the 2014-2015 year continues to be a priority. It is important for Council and the community to understand that we continue to refine our forecasts and adjust our activities to ensure that Council is in the position to report an operating surplus for the 2014-2015 financial year.

The mid year review has identified items where the actual financial results will not equate to that budgeted. There were various reasons for this, including resource efficiencies, reduced use of equipment and consumables, funding delays and other income outcomes, changing program requirements, project savings and unforeseen events.

At the end of December 2014 Council had a cash balance of \$9.56 million, which is almost identical to the same time in 2013-2014 (\$9.55 million). Council anticipates to receive a significant amount of rates receipts during February (budgeted approximately \$10.5 million).

We are continuing to monitor the status of Council's financial position with the following aims in mind:

- An operating surplus achieved for the seventh consecutive year;
- Council continuing to fund our Infrastructure Renewal Gap;
- Delivery of responsible projects designed to enhance our community;
- Delivery of a responsible capital works programme; and
- An improved positive financial position.

In light of this, we are undertaking several important projects over the coming months in the areas of:

- Continued development of improved monthly reporting to management and Council;
- Review of the Long Term Financial Plan with closer linkages to various Council strategies;
- Review of Council's services and service levels.

The forecast indicates that the financial viability of Council will continue to improve, provided balanced decisions are made with financial sustainability considerations built into all decision making processes. Key information concerning the position of Council at the end of December is included in this report.

### Significant budget variations to forecast result

A budget is an estimate or expectation of Council's performance over the course of the financial year. It is expected that as the year progresses the actual performance of Council will vary from the original budget. These changes are recognised as variations and are included as a forecast budget.

The midyear review involved a critical assessment of all line items in Council's budget.

Overall a net saving has been identified. Some of this has been directed to necessary items, including funding service review work, the investigation of land in Bruce St, consultation programs, property plans and leases and the provision of a project reserve to assist with funding future projects and will be allocated to the operating statement as materials and services.

### Capital Budget

During the 2013-2014 end of year process, Council identified a net \$6.01 million value of works to be carried over from the 2013-2014 year into 2014-2015. Of this approximately \$4.95 million relates to capital expenditure, with \$2.57 million of this relating to the Bluewater Fitness Centre Upgrade.

The half year review identified forecast savings in the order of \$80,000 from Council's capital expenditure program which includes savings from Council's light fleet budget and Information Technology renewal budget.

### Operating Statement

Forecast savings (significant items) have been identified in the following programs/projects:

- Drainage Strategy \$198,000
- Cosworks Stormwater Maintenance \$ 50,000
- Cosworks Reserve Maintenance \$ 23,000

These savings are indicated in the operating statement with the category breakup being:

- Reduction in Materials & Services \$249,500
- Reduction in Employee Benefits \$ 88,500
- Increase in Statutory Fees & Charges \$ 7,000

Overall there is a net improvement in Council's forecast operating surplus for the year of \$120,000 to a predicted \$2.777 million.

Presented below are financial statements for the half year to date 31 December 2014 restated to include the savings highlighted above.

**Comprehensive Income Statement  
For Six Months Ended 31 December 2014**

	YTD Actual 2014-15	Original Budget 2014-15	Forecast Budget 2014-15	YTD Forecast Budget	YTD Variance	YTD % Variance
<b>Operating Revenue</b>						
Rates and charges	26,308,246	26,093,870	26,093,330	26,279,767	28,479	0%
Statutory fees and charges	283,143	478,800	485,300	219,087	64,056	29%
User fees and charges	1,607,482	3,618,684	3,453,495	1,619,513	( 12,031 )	-1%
Operating grants -state	2,382,106	6,320,447	4,612,100	2,435,337	( 53,231 )	-2%
Operating grants - federal	3,193,897	3,329,869	6,675,157	3,225,088	( 31,191 )	-1%
Capital grants -state	2,523,618	4,058,000	4,750,764	2,500,000	23,618	1%
Capital grants - federal	1,300,000	1,200,000	1,200,000	1,200,000	100,000	8%
Contributions	301,329	251,360	405,056	302,584	( 1,255 )	0%
Reimbursements	75,807	156,701	136,508	70,485	5,322	8%
Finance revenue	181,905	468,000	503,000	181,851	54	0%
Other revenue	70,352	86,250	74,250	37,135	33,217	89%
Net gain / loss on disposal of assets	115,912	101,000	101,000	46,256	69,656	151%
<b>Total Operating Revenue</b>	<b>38,343,797</b>	<b>46,162,981</b>	<b>48,489,960</b>	<b>38,117,103</b>	<b>226,694</b>	<b>1%</b>
<b>Operating Expenses</b>						
Employee benefits	8,181,043	16,634,780	16,686,791	8,493,070	( 312,027 )	-4%
Materials and services	2,577,876	5,602,983	6,048,522	3,107,588	( 529,712 )	-17%
Contracts	2,970,425	8,287,066	10,194,597	3,485,564	( 515,139 )	-15%
Depreciation and amortisation	4,549,291	9,634,866	9,634,866	4,412,924	136,367	3%
Finance expenses	121,942	374,733	409,733	132,362	( 10,420 )	-8%
Bad and doubtful debts	1,279	2,000	2,000	1,217	62	5%
Other expenses	588,576	1,090,922	1,216,940	563,430	25,146	4%
Assets written off	43,813	1,520,000	1,520,000	45,000	( 1,187 )	-3%
<b>Total Operating Expenses</b>	<b>19,034,245</b>	<b>43,147,350</b>	<b>45,713,449</b>	<b>20,241,155</b>	<b>( 1,206,910 )</b>	<b>-6%</b>
<b>Operating Surplus / Deficit</b>	<b>19,309,552</b>	<b>3,015,631</b>	<b>2,776,511</b>	<b>17,875,948</b>	<b>1,433,604</b>	<b>8%</b>
<b>Other Comprehensive Income that will not be reclassified to surplus or deficit:</b>	-	-	-	-	-	-
<b>Comprehensive Result</b>	<b>19,309,552</b>	<b>3,015,631</b>	<b>2,776,511</b>	<b>17,875,948</b>	<b>1,433,604</b>	<b>8%</b>

## Financial Position Statement

The information below provides details on the financial position or balance sheet as at 31 December 2014.

### Balance Sheet As at 31 December 2014

	YTD Actual 2014-15	Original Budget 2014-15	Forecast Budget 2014-15
<b>Assets</b>			
<b>Current Assets</b>			
Cash & Cash Equivalents	9,556,992	7,844,181	7,964,181
Trade & Other Receivables	24,910,728	4,995,051	4,995,051
Inventories	192,826	226,000	226,000
<b>Total Current Assets</b>	<b>34,660,546</b>	<b>13,065,232</b>	<b>13,185,232</b>
<b>Non Current Assets</b>			
Other Non Current Assets	397,268	360,317	360,317
Property, Infrastructure, Plant & Equipment	279,793,822	285,843,880	285,843,880
<b>Total Non Current Assets</b>	<b>280,191,090</b>	<b>286,204,197</b>	<b>286,204,197</b>
<b>Total Assets</b>	<b>314,851,636</b>	<b>299,269,429</b>	<b>299,389,429</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Trade & Other Payables	4,376,303	1,912,028	1,912,028
Interest Bearing Loans and Borrowings	320,184	590,659	590,659
Trust Deposits	265,576	249,000	249,000
Provisions	4,669,438	4,279,944	4,279,944
<b>Total Current Liabilities</b>	<b>9,631,501</b>	<b>7,031,631</b>	<b>7,031,631</b>
<b>Non Current Liabilities</b>			
Interest Bearing Loans and Borrowings	5,364,928	4,775,393	4,775,393
Provisions	3,581,779	4,608,181	4,608,181
<b>Total Non-Current Liabilities</b>	<b>8,946,707</b>	<b>9,383,574</b>	<b>9,383,574</b>
<b>Total Liabilities</b>	<b>18,578,208</b>	<b>16,415,205</b>	<b>16,415,205</b>
<b>Net Assets</b>	<b>296,273,428</b>	<b>282,854,224</b>	<b>282,974,224</b>
<b>Equity</b>			
Accumulated Surplus	134,534,815	109,748,547	109,868,547
Reserves	161,738,611	173,105,677	173,105,677
<b>Total Equity</b>	<b>296,273,426</b>	<b>282,854,224</b>	<b>282,974,224</b>



## Capital Works Statement

The information below provides details on the capital works expenditure as at 31 December 2014.

### Statement of Capital Works As at 31 December 2014

Capital Works Area	YTD Actual 2014-15	Original Budget 2014-15	Forecast Budget 2014-15	YTD Forecast Budget	YTD Variance	YTD % Variance
Buildings	3,513,782	4,106,000	7,273,200	3,500,000	13,782	0%
Road and Traffic Network	1,548,210	4,950,000	5,651,711	1,600,000 (	51,790 )	-3%
Bridges and Culverts	38,727	1,000,000	1,645,574	100,000 (	61,273 )	-61%
Kerb and Channelling	98,567	75,000	122,847	100,000 (	1,433 )	-1%
Footpaths	407,297	689,000	1,032,701	400,000	7,297	2%
Drainage	18,685	590,000	597,513	50,000 (	31,315 )	-63%
Other Structures	717,276	157,000	1,677,677	791,076 (	73,800 )	-9%
Plant, Equipment and Other	1,120,490	2,407,100	2,178,048	1,333,541 (	213,051 )	-16%
<b>Total Capital Works</b>	<b>7,463,034</b>	<b>13,974,100</b>	<b>20,179,271</b>	<b>7,874,617 (</b>	<b>411,583 )</b>	<b>-5%</b>
<b>Represented by:</b>						
Renewal	2,870,806	9,693,100	11,864,115	3,100,000 (	229,194 )	-7%
Upgrade	3,833,992	3,576,000	6,863,119	4,000,000 (	166,008 )	-4%
New	758,236	705,000	1,452,037	774,617 (	16,381 )	-2%
<b>Total Capital Works</b>	<b>7,463,034</b>	<b>13,974,100</b>	<b>20,179,271</b>	<b>7,874,617 (</b>	<b>411,583 )</b>	<b>-5%</b>

## Capital Works and Major Projects Programme Update

The capital works and major projects original budget for the 2014-2015 financial year was \$15.272 million of which \$13.974 million related to capital asset works. With carry-over projects and the mid year review included this has increased to \$20.1779 million.

Project commencement for many of the major infrastructure works will not occur until the second half of the year, where weather conditions are more conducive to works.

There have also been a number of unfinished capital and major projects carried forward from the previous year.

### Carry Forward Projects

Those projects and activities that were incomplete at the end of the 2013-2014 financial year and where a commitment exists for the expenditure and/or income to be incurred/raised have been listed below.

In summary, the value of carried forward items from 2013-2014 is:

	Expenditure	Income	Net Result
<b>Total</b>	6,895,951	(885,248)	6,010,703

Description	Carry Over Expense	Carry Over Income	Net Carry Over
Ferrier Drive Reconstruction	60,000		60,000
OBRT Ditchley Park to Dinmont Section	7,245		7,245
OBRT Beech Forest to Fergusson Lookout Section	70,226		70,226
Sealed Road Pavement - Larpent Road - Stage 1 Colac Final Seal	10,000		10,000
Sealed Road Pavement - Larpent Road - Stage 2 Colac Pavement overlay to full length of nominated section	97,100		97,100
Sealed Road Pavement - Weering School Road (Eurack - Weering School)	8,521		8,521
Reseal Programme - Larpent Road	47,962		47,962
Asphalt Programme	40,000		40,000
Colac Taxi Rank Improvements	85,329	67,334	17,995
Sealed Road Pavement Programme - Reconstruction Program - Division Rd, Muroon	3,860		3,860
Sealed Road Pavement Programme - Reconstruction Program - Weering School Rd, Weering	7,265		7,265
Advancing Country Towns (ACT) - Strategic Project Manager - Reducing Regional and Rural Disadvantage (administration work order)	392,113		392,113
STIP Programme - Wye river Pathway	60,000	8,000	52,000
Barwon Downs Combined Community Centre - STIP	212,659	100,000	112,659
Forrest Mountain Bike Trails Strategy	32,188	3,000	29,188
Advancing Country Towns - Workforce Planning & Skills Audit	41,243		41,243
Advancing Country Towns - Better Services Early Years	135,000		135,000
Advancing Country Towns - Green Industry	55,100		55,100
Advancing Country Towns - Education & Training TTC Business Plans	18,825		18,825
Carlisle River - Street Tree & Vegetation Management Plan - STIP	3,000		3,000
Kawarren Old School Site - STIP	218,770	195,000	23,770
Apollo Bay Foreshore Gazebo - funds - STIP Project changed/ on hold - DECK proposal	20,000		20,000
Birregurra Roadknight Street Pathway - funds - STIP - Project changed/on hold	20,000		20,000
Businesses Getting Social with Street Life	6,000	4,800	1,200
Colac CBD & Entrances - Detailed Design - Stage1	50,677	15,000	35,677
Climate Resilient Communities	374,317	80,000	294,317
NDRGS Relief & Recovery	39,788		39,788
Marengo Flora Reserve	894		894
Solar PV -Rae St	97,197		97,197
Solar PV - BWFC	148,532		148,532

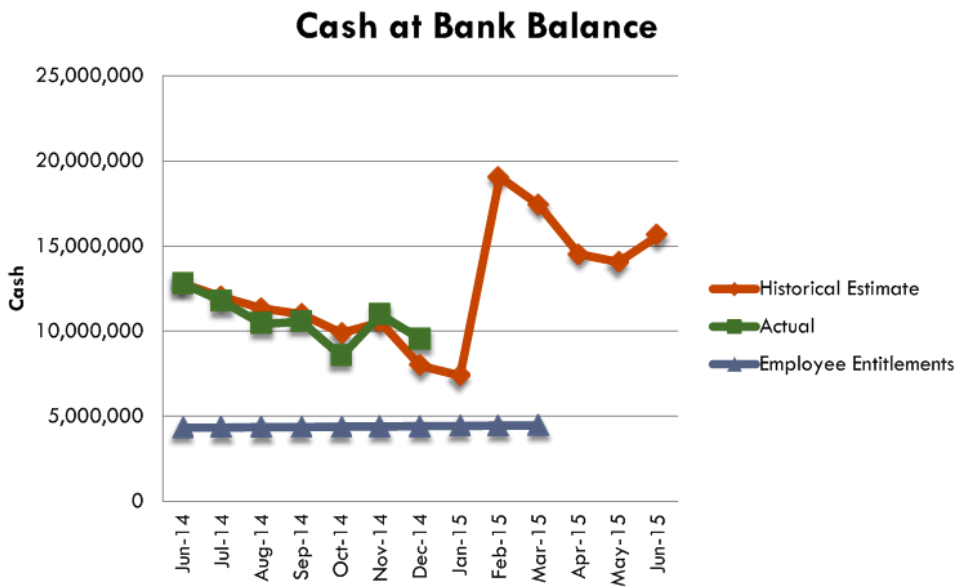
Description	Carry Over Expense	Carry Over Income	Net Carry Over
Street Smart Lighting Project	138,693		138,693
Improving Living for Older People	21,112		21,112
Minor capital HACC grant funding	16,933		16,933
Children's Outdoor Play Areas (no smoking signs)	5,000		5,000
Apollo Bay Harbour Masterplan	163,023		163,023
Colac Structure Plan	100,000	50,000	50,000
FReeza Programme - 2013 to 2015	2,678		2,678
Harrington Memorial Park - Wye River Open Space Development	70,356	12,000	58,356
Transport Investing in Regions (Wayfinding signage)	69,560	32,000	37,560
Botanic Gardens Park Furniture Renewal	9,290		9,290
Tiger Rail Trail Feasibility Study	31,165	14,500	16,665
Redevelopment of Apollo Bay Foreshore Reserve Playground	130,000	90,000	40,000
Eliminyl Playspace Stage 2	21,371		21,371
Cororooke Tennis Courts Redevelopment	30,000		30,000
Walk to School program	10,000		10,000
Carpark Improvement Programme - Pascoe Street Carpark Construction	7,513		7,513
BWFC Redevelopment	2,135,705		2,135,705
Building condition audit and updated 10 year works program	8,401		8,401
Morley Avenue Retaining Wall (Landslip rehabilitation)	105,696		105,696
Lyness Road Bridge Renewal - Bridge Asset ID CS041	280,404		280,404
Sand Road Bridge Renewal - Bridge Asset ID CS029	375,120		375,120
Asbestos Register Update	59,958		59,958
Building Renewal Programme - Larpent Hall ceiling replacement, kitchen refurbishment and new appliances (Building 0099)	52,861		52,861
Building Renewal Programme - Replacement of east and west switchboards and installation of safety switches - Rae Street office building (Building 0129)	11,500		11,500
Building Renewal Programme - Pirron Yallock Recreation Reserve Clubrooms replacement	271,443		271,443
Building Renewal Programme - Replacement of structural beams at Bluewater Fitness Centre (Building 0084)	35,000		35,000
Building Renewal Programme - Gellibrand Depot staff amenities and shower facility renewal (Building 0077)	16,469		16,469
Building Renewal Programme - Lake Colac Toilets, Fyans Street - Refit and renewal (Building 0074)	47,378		47,378
Old Beech Forest Road - Gravel Resheet	257,664	203,664	54,000
Bridge Renewal Programme - Cape Otway Bridge - CS125		9,950	9,950
Kerb & Channel Programme	47,847		47,847
<b>TOTAL</b>	<b>6,895,951</b>	<b>885,248</b>	<b>6,010,703</b>

## Cash Balance

The charts below gives an indication of how the cash balances of Council may perform over the course of the 2014-2015 financial year. The first chart, Cash at Bank Balance, portrays:

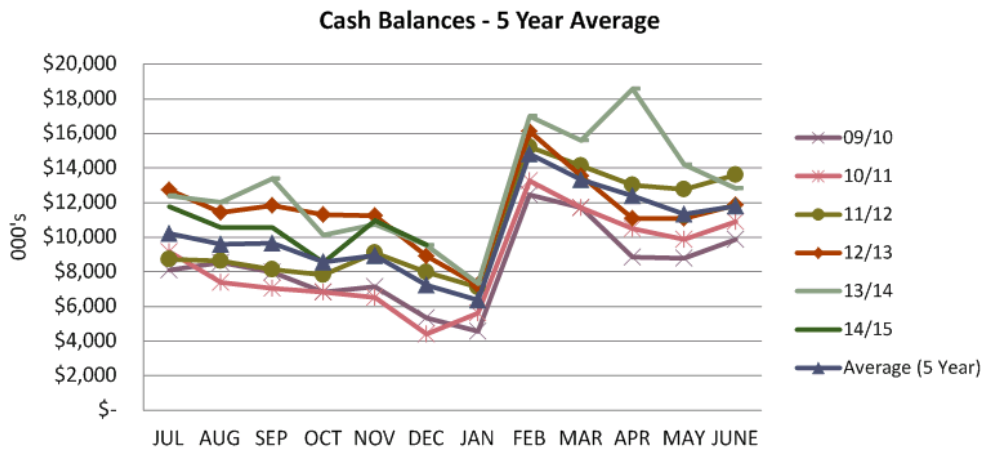
- The Estimate – which is an estimation of what the cash balance may be at the end of each month based entirely upon historical averages.
- The Actual – which is the actual balance at the end of each month of the year up to and including December 2014.

- Employee Entitlements – which is the value of employee entitlements owed to employees at that time. This is effectively for Council the cash balance at which point Council’s operating funds are zero (0).



Month	Historical Estimate	Actual	Employee Entitlements (Floor)
Jul-14	12,001,113	11,765,695	4,331,478
Aug-14	11,346,804	10,442,327	4,345,916
Sep-14	11,000,186	10,566,842	4,040,667
Oct-14	9,900,797	8,549,151	4,389,520
Nov-14	10,534,785	10,978,313	4,404,152
Dec-14	7,971,929	9,556,992	4,418,833

The following chart provides details on the cash balances at month end for the five (5) years prior to the 2014-2015 financial year. The chart also includes the five (5) year average of those cash balances.



Council's overall position, although appearing relatively strong in the financial statements, remains susceptible to shocks and is limited in its ability to take advantage of opportunities as they arise. Council can be more sustainable in the longer term provided it:

- Ensures it is in a position to undertake the necessary changes to make business more efficient;
- Seeks other and opportunistic revenue generation opportunities, such as grants funding, structured borrowing strategies, charge schemes and other entrepreneurial activities.

Given the level of expected future demands on Council and the level of current reserves, Council must carefully assess its resource capability before any commitment is made to additional works or projects, regardless of the opportunity it may offer.

### Investment Report

Deposit	Minimum Rate	Maximum Rate	Average
<b>TOTAL PORTFOLIO</b>			
Total	2.50%	3.94 %	3.12%
<b>GENERAL INVESTMENTS</b>			
At-Call deposits	2.50%	2.50%	2.50%
Fixed term deposits	3.00%	3.94%	3.46%
<b>PERFORMANCE BENCHMARK</b>			
Reserve Bank of Australia Cash Rate	2.50%	2.50%	2.50%
90-Day Bank Bill Index	2.72%	2.75%	2.74%

The portfolio has performed above the Reserve Bank of Australia (RBA) average cash rate (2.50%) and above the average 90-day bank bill index (2.74%).

The balance of Council's Investment Portfolio at the end of the quarter was approximately \$9 million in fixed term deposits and \$0.6 million in at call deposits.

Below is a summary of the fixed term deposits held at 30 September 2014.

Bank	Investment Amount	% Total Investments
Bank West	\$5,000,000	56%
CBA	\$4,000,000	44%

### Underlying result

The underlying operating result is a measure of the capacity of a municipality to finance recurrent services, pay debt interest and meet the cost of asset use (depreciation). Continuing deficits indicate that the asset base is being eroded and that insufficient resources are being allocated to meeting current service demands.

The model utilised by Colac Otway Shire to calculate the underlying operating result is to deduct from the operating surplus/deficit shown in the Income Statement: capital grants, cash contributions (e.g. developer contributions) contributed non-cash assets; asset revaluations and other "once off" adjustments.

The underlying result for the Colac Otway Shire is displayed below.

### Underlying Result

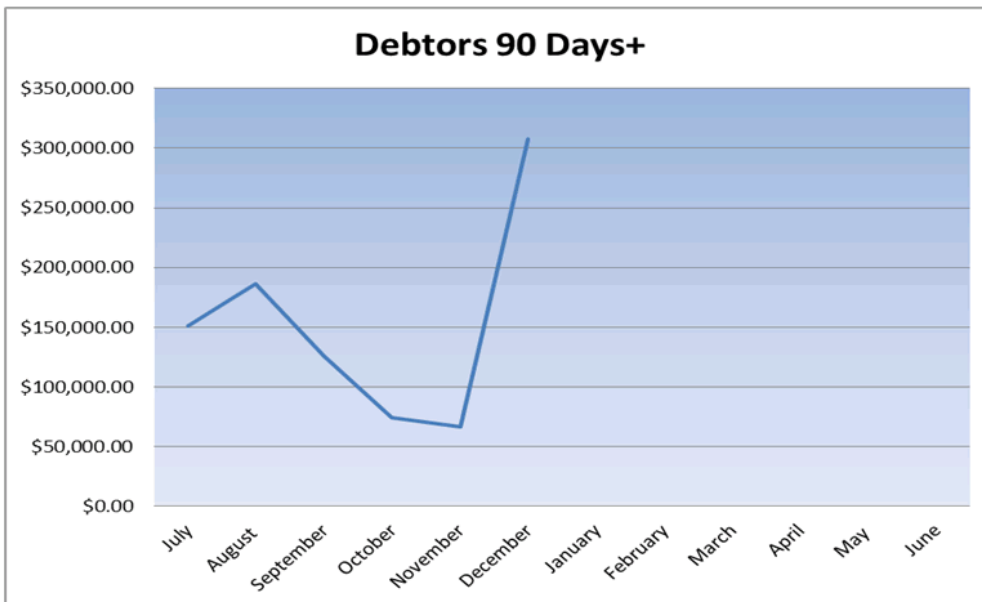
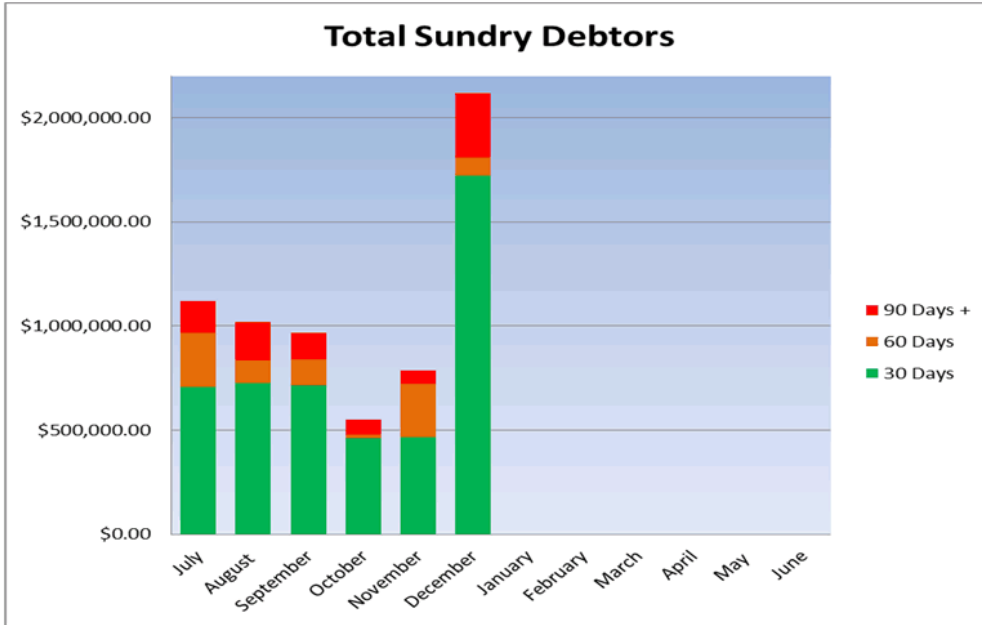
	Actual YTD	Budget YTD	Forecast Budget	Original Budget
Underlying result (surplus)/deficit	(15,413,836)	(14,174,692)	736,489	823,369

The forecast underlying deficit has increased quite substantially from the original budget. This is due to a combination of factors:

- The reduction in forecast operating surplus from \$3.02 million to \$3.00 million, resulting from budget revisions largely relating to carried over project commitments; and
- An increase in capital grant funding of \$0.69 million, the majority of which again relates to grants to be received from projects which were started in the previous year but not finished until 2014-15.

### Sundry Debtors

At the end of December 2014 Council owned outstanding sundry debts of \$2.12 million. Of these \$1.72 million was current, with \$0.09 million being outstanding for 60 days and \$0.31 million being outstanding for 90 Days+

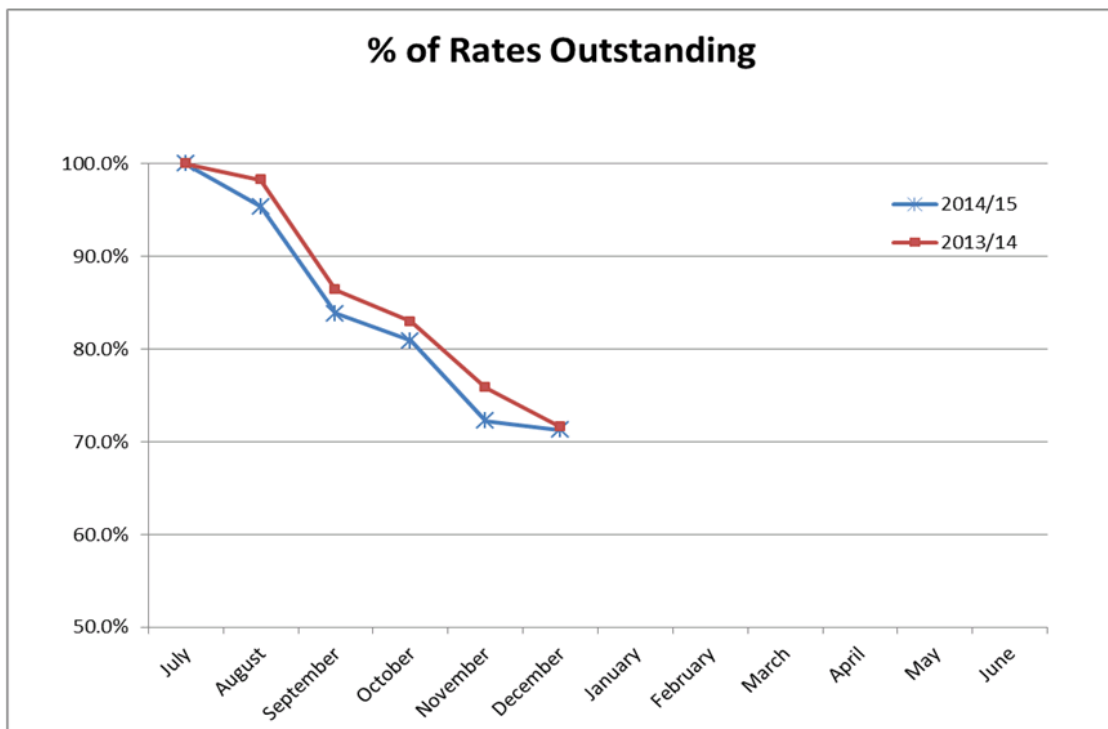


Of the \$0.31 million outstanding for 90+days, \$0.2million relates to grant processes. Half of that figure relates to the Old Beechy Trail project which had an audit acquittal finalised in late December, with the other half relating to the Colac Aerodrome project which is currently being finalised. Council does not consider these amounts to be doubtful at all, rather the timing of the invoice raised to the State Government was earlier than the acquittal finalisation and has led to a significant timing difference between the raising of the invoice and receipt of funds.

Council is pursuing all outstanding monies. This involves a mix of Council Officers directly contacting the outstanding debtor and the use of an external debt collection agency as appropriate.

### Rate Debtors

Rate collection as at 31 December 2014 is on par with the previous year, with 71.2% of the total rates raised (\$26.31 million) being outstanding as at the end of December as compared to the previous year (71.6%)



Based upon historical trends, Council expects to receive approximately 40% (approx. \$10.0 million) via the pay in full option which is due by 15 February.



## Service Summary

The information in the following pages provides an indication of the income and expense attributed to each department, business unit and section of Council as at 31 December 2014.

Service	YTD Actuals	YTD Current Budget	Annual Current Budget
<b>Chief Executive Office</b>			
<b>Elected Members Section</b>			
Elected Members Service	149,046.84	154,126.00	335,050.00
<b>Elected Members Section Total</b>	<b>149,046.84</b>	<b>154,126.00</b>	<b>335,050.00</b>
<b>Executive Office Section</b>			
Executive Office Service	(60,986.33)	(121,672.00)	141,720.00
<b>Executive Office Section Total</b>	<b>(60,986.33)</b>	<b>(121,672.00)</b>	<b>141,720.00</b>
<b>Public Relations &amp; Marketing Section</b>			
Public Relations Service	78,401.73	80,840.00	176,501.00
<b>Public Relations &amp; Marketing Section Total</b>	<b>78,401.73</b>	<b>80,840.00</b>	<b>176,501.00</b>
<b>Chief Executive Office Total</b>	<b>166,462.24</b>	<b>113,294.00</b>	<b>653,271.00</b>
<b>Corporate &amp; Community Services</b>			
<b>Accounting Adjustments Section</b>			
Asset Adjustments Depreciation & Write off	4,192,939.05	4,154,507.00	9,070,666.00
Asset Disposal Service	.00	165,115.00	360,500.00
Profit on Sale of Assets	86,331.65	(46,257.00)	(101,000.00)
Transfer Capital Works To Balance Sheet Service	(231,261.21)	(6,449,363.00)	(14,081,110.00)
<b>Accounting Adjustments Section Total</b>	<b>4,048,009.49</b>	<b>(2,175,998.00)</b>	<b>(4,750,944.00)</b>
<b>Bluewater Fitness Centre Section</b>			
Blue Water Leisure Centre Management Service	186,821.98	311,459.00	694,420.00
<b>Bluewater Fitness Centre Section Total</b>	<b>186,821.98</b>	<b>311,459.00</b>	<b>694,420.00</b>
<b>Children &amp; Family Services Section</b>			
Family In Home Day Care Service	43,790.10	45,515.00	99,379.00
Kindergartens Service	20,000.00	9,161.00	20,000.00
Maternal Child Health Service	73,677.79	57,128.00	144,303.00
<b>Children &amp; Family Services Section Total</b>	<b>137,467.89</b>	<b>111,804.00</b>	<b>263,682.00</b>
<b>COPACC Section</b>			
COPACC External Productions Service	(27,625.94)	(9,756.00)	(21,288.00)
COPACC Management Service	59,750.05	63,118.00	243,697.00
COPACC Productions Service	127,246.13	63,098.00	137,767.00
<b>COPACC Section Total</b>	<b>159,370.24</b>	<b>116,460.00</b>	<b>360,176.00</b>
<b>Corporate &amp; Community Services Management Section</b>			
Corporate & Community Services Management Service	175,082.32	172,544.00	325,360.00
<b>Corporate &amp; Community Services Management Section Total</b>	<b>175,082.32</b>	<b>172,544.00</b>	<b>325,360.00</b>
<b>Customer Service Section</b>			
Customer Service	220,284.51	215,173.00	469,793.00
<b>Customer Service Section Total</b>	<b>220,284.51</b>	<b>215,173.00</b>	<b>469,793.00</b>

Service	YTD Actuals	YTD Current Budget	Annual Current Budget
<b>Financial Services Section</b>			
Corporate Overheads Service	(7,320.03)	39,213.00	159,450.00
Financial Service	(2,724,864.92)	(2,792,903.00)	(5,459,599.00)
Loan Funds Service	121,941.52	187,362.00	374,733.00
On-Cost Recovery Service	88,741.31	637,719.00	987,766.00
<b>Financial Services Section Total</b>	<b>(2,521,502.12)</b>	<b>(1,928,609.00)</b>	<b>(3,937,650.00)</b>
<b>Health &amp; Community Service Management Section</b>			
Health & Community Services Management Service	105,911.63	103,289.00	225,516.00
<b>Health &amp; Community Service Management Section Total</b>	<b>105,911.63</b>	<b>103,289.00</b>	<b>225,516.00</b>
<b>Human Resources Section</b>			
Human Resources Management Service	92,721.35	123,903.00	270,093.00
Recruitment Service	27,872.72	40,308.00	87,999.00
<b>Human Resources Section Total</b>	<b>120,594.07</b>	<b>164,211.00</b>	<b>358,092.00</b>
<b>Information Management Section</b>			
Records Management Service	151,090.68	110,026.00	240,234.00
<b>Information Management Section Total</b>	<b>151,090.68</b>	<b>110,026.00</b>	<b>240,234.00</b>
<b>Information Services Section</b>			
Information Administration Service	634,727.47	715,327.00	1,307,350.00
<b>Information Services Section Total</b>	<b>634,727.47</b>	<b>715,327.00</b>	<b>1,307,350.00</b>
<b>Library Section</b>			
Library Service	345,544.71	348,322.00	690,637.00
<b>Library Section Total</b>	<b>345,544.71</b>	<b>348,322.00</b>	<b>690,637.00</b>
<b>Older Persons &amp; Ability Support Services Section</b>			
Aged Services Management Administration	237,056.09	231,674.00	508,808.00
Contract Funding Home and Community Care	(58,503.38)	(149,668.00)	(275,001.00)
Council Services Home and Community Care Services	4,853.30	(147,447.00)	(275,422.00)
<b>Older Persons &amp; Ability Support Services Section Total</b>	<b>183,406.01</b>	<b>(65,441.00)</b>	<b>(41,615.00)</b>
<b>Organisational Development Section</b>			
Organisational Development Service	170,088.03	169,818.00	373,222.00
<b>Organisational Development Section Total</b>	<b>170,088.03</b>	<b>169,818.00</b>	<b>373,222.00</b>
<b>Property &amp; Rates Section</b>			
Cemeteries Service	3,170.43	.00	.00
Property & Rates Service	(23,663,551.02)	(23,678,603.00)	(23,495,588.00)
<b>Property &amp; Rates Section Total</b>	<b>(23,660,380.59)</b>	<b>(23,678,603.00)</b>	<b>(23,495,588.00)</b>
<b>Public Health Section</b>			
Public Health - Immunisation Service	1,908.16	(391.00)	(850.00)
Public Health - Septic Service	(7,780.40)	(5,496.00)	(12,000.00)
Public Health Management Service	89,765.60	89,210.00	195,817.00
<b>Public Health Section Total</b>	<b>83,893.36</b>	<b>83,323.00</b>	<b>182,967.00</b>
<b>Recreation &amp; Events Section</b>			
Events Service	92,804.08	116,843.00	244,725.00
Recreation Service	214,346.65	238,885.00	521,579.00
Youth Initiatives Service	(1,775.78)	3,779.00	3,778.00
<b>Recreation &amp; Events Section Total</b>	<b>305,374.95</b>	<b>359,507.00</b>	<b>770,082.00</b>

Service	YTD Actuals	YTD Current Budget	Annual Current Budget
<b>Recreation, Arts &amp; Culture Management Section</b>			
Recreation, Arts & Culture Office Service	107,785.99	131,917.00	292,447.00
<b>Recreation, Arts &amp; Culture Management Section Total</b>	<b>107,785.99</b>	<b>131,917.00</b>	<b>292,447.00</b>
<b>Risk Management Section</b>			
Risk Management Service	448,250.68	379,363.00	471,790.00
Workcover Service	4,295.34	3,211.00	7,009.00
<b>Risk Management Section Total</b>	<b>452,546.02</b>	<b>382,574.00</b>	<b>478,799.00</b>
<b>Rural Access Section</b>			
Rural Access Service	(2,776.91)	623.00	250.00
<b>Rural Access Section Total</b>	<b>(2,776.91)</b>	<b>623.00</b>	<b>250.00</b>
<b>Vic Roads Section</b>			
Vic Roads Service	(1,525.09)	(457.00)	(1,000.00)
<b>Vic Roads Section Total</b>	<b>(1,525.09)</b>	<b>(457.00)</b>	<b>(1,000.00)</b>
<b>Corporate &amp; Community Services Total</b>	<b>(18,598,185.36)</b>	<b>(24,352,731.00)</b>	<b>(25,193,770.00)</b>
<b>Infrastructure &amp; Services</b>			
<b>Aerodrome Section</b>			
Aerodrome Service	10,251.76	9,493.00	20,715.00
<b>Aerodrome Section Total</b>	<b>10,251.76</b>	<b>9,493.00</b>	<b>20,715.00</b>
<b>Capital Works Management Section</b>			
Capital Works Management Service	308,652.04	266,945.00	582,806.00
Street Lighting Service	79,227.13	79,237.00	173,000.00
<b>Capital Works Management Section Total</b>	<b>387,879.17</b>	<b>346,182.00</b>	<b>755,806.00</b>
<b>Contract Management Section</b>			
Major Contracts Service	25,309.10	26,100.00	52,008.00
Other Contract Management Service	99,900.58	91,196.00	205,949.00
<b>Contract Management Section Total</b>	<b>125,209.68</b>	<b>117,296.00</b>	<b>257,957.00</b>
<b>COSWORKS Management Section</b>			
COSWORKS Administration Service	169,440.96	201,470.00	439,838.00
Private Works Service	(10,051.20)	(1,921.00)	(4,194.00)
<b>COSWORKS Management Section Total</b>	<b>159,389.76</b>	<b>199,549.00</b>	<b>435,644.00</b>
<b>Council Facilities Section</b>			
Council Facilities Service	326,812.22	365,395.00	802,880.00
<b>Council Facilities Section Total</b>	<b>326,812.22</b>	<b>365,395.00</b>	<b>802,880.00</b>
<b>Infrastructure Services Management Section</b>			
Infrastructure Management Service	156,881.45	158,957.00	304,586.00
<b>Infrastructure Services Management Section Total</b>	<b>156,881.45</b>	<b>158,957.00</b>	<b>304,586.00</b>
<b>Light Fleet</b>			
Plant Cost Recovery	(380,877.05)	(380,981.00)	(831,811.00)
Plant Operating Costs	227,813.07	275,220.00	587,504.00
<b>Light Fleet Total</b>	<b>(153,063.98)</b>	<b>(105,761.00)</b>	<b>(244,307.00)</b>
<b>Livestock Selling Centre Operations Section</b>			
Livestock Selling Centre Operations Service	(97,581.09)	(56,453.00)	(123,258.00)
<b>Livestock Selling Centre Operations Section Total</b>	<b>(97,581.09)</b>	<b>(56,453.00)</b>	<b>(123,258.00)</b>

Service	YTD Actuals	YTD Current Budget	Annual Current Budget
<b>Major Plant</b>			
Plant Cost Recovery and Grant Income	(963,592.23)	(1,051,656.00)	(2,296,114.00)
Plant Operating Costs	612,685.50	626,823.00	1,368,556.00
<b>Major Plant Total</b>	<b>(350,906.73)</b>	<b>(424,833.00)</b>	<b>(927,558.00)</b>
<b>Parks &amp; Reserves Maintenance Section</b>			
Botanic Gardens Maintenance Service	85,207.62	.00	.00
Memorial Square Maintenance Service	22,863.29	.00	.00
Other Passive Reserves Maintenance Service	164,433.58	567,778.00	1,139,119.00
P&G Streetscape Maintenance Service	253.96	.00	.00
Road and Street Tree Maintenance	356,312.83	264,945.00	455,120.00
Sport Grounds & Rec'tion Facilities Maint Service	51,365.31	112,363.00	229,249.00
<b>Parks &amp; Reserves Maintenance Section Total</b>	<b>680,436.59</b>	<b>945,086.00</b>	<b>1,823,488.00</b>
<b>Road Maintenance Section</b>			
Bridge Maintenance Service	85,047.65	94,320.00	205,936.00
Drainage Maintenance Service	246,908.75	264,052.00	538,882.00
Footpath, Kerb & Channel Maintenance Service	12,567.03	21,604.00	54,007.00
Road Furniture Maintenance Service	96,100.47	108,800.00	216,644.00
Road Maintenance	410,276.48	514,201.00	915,433.00
Road Safety & Pavement Marking Maintenance Service	16,022.43	66,283.00	155,665.00
Roadside Vegetation Control Service	262,323.00	175,677.00	322,879.00
Street Cleaning Service	80,263.43	101,886.00	216,528.00
<b>Road Maintenance Section Total</b>	<b>1,209,509.24</b>	<b>1,346,823.00</b>	<b>2,625,974.00</b>
<b>Sustainable Assets Management Section</b>			
Sustainable Assets Management Service	308,852.56	349,536.00	719,756.00
<b>Sustainable Assets Management Section Total</b>	<b>308,852.56</b>	<b>349,536.00</b>	<b>719,756.00</b>
<b>Waste Management Section</b>			
Waste Disposal	313,011.64	261,866.00	756,800.00
Waste Kerbside Collections	526,610.67	437,917.00	1,327,817.00
Waste Management Administration Service	(2,505,465.54)	(2,401,610.00)	(2,210,625.00)
Waste Site Operation	139,790.28	173,396.00	454,900.00
Waste Transport	132,707.31	151,298.00	432,200.00
<b>Waste Management Section Total</b>	<b>(1,393,345.64)</b>	<b>(1,377,133.00)</b>	<b>761,092.00</b>
<b>Infrastructure &amp; Services Total</b>	<b>1,370,324.99</b>	<b>1,874,137.00</b>	<b>7,212,775.00</b>
<b>Sustainable Planning &amp; Development Services</b>			
<b>Building Control Section</b>			
Building Control Service	82,255.55	93,360.00	203,864.00
<b>Building Control Section Total</b>	<b>82,255.55</b>	<b>93,360.00</b>	<b>203,864.00</b>
<b>Business Section</b>			
Business Service	52,995.66	50,464.00	110,174.00
Economic Development Service	149,058.27	152,450.00	332,859.00
<b>Business Section Total</b>	<b>202,053.93</b>	<b>202,914.00</b>	<b>443,033.00</b>
<b>Emergency Management Section</b>			
Emergency Management Service	126,419.47	111,845.00	246,098.00
Fire Prevention Service	14,768.45	16,123.00	35,200.00
Standpipe Management Service	2,004.29	4,579.00	10,000.00
<b>Emergency Management Section Total</b>	<b>143,192.21</b>	<b>132,547.00</b>	<b>291,298.00</b>

Service	YTD Actuals	YTD Current Budget	Annual Current Budget
<b>Environment Section</b>			
Environment Service	(55,902.31)	(22,199.00)	100,740.00
<b>Environment Section Total</b>	<b>(55,902.31)</b>	<b>(22,199.00)</b>	<b>100,740.00</b>
<b>Local Laws Section</b>			
Animal Management Service	(30,657.67)	(80,607.00)	(176,000.00)
Local Laws Service	173,070.67	209,421.00	457,249.00
School Crossing Management Service	58,397.05	29,473.00	64,346.00
<b>Local Laws Section Total</b>	<b>200,810.05</b>	<b>158,287.00</b>	<b>345,595.00</b>
<b>Statutory Planning Section</b>			
Statutory Planning Service	383,368.63	394,510.00	861,349.00
<b>Statutory Planning Section Total</b>	<b>383,368.63</b>	<b>394,510.00</b>	<b>861,349.00</b>
<b>Strategic Planning Section</b>			
Strategic Planning Service	132,814.99	128,078.00	83,909.00
<b>Strategic Planning Section Total</b>	<b>132,814.99</b>	<b>128,078.00</b>	<b>83,909.00</b>
<b>Sustainable Planning &amp; Develop Management Section</b>			
Sustainable Planning & Development Manag't Service	86,092.47	148,802.00	324,867.00
<b>Sustainable Planning &amp; Develop Management Section Total</b>	<b>86,092.47</b>	<b>148,802.00</b>	<b>324,867.00</b>
<b>Tourism Section</b>			
Colac VIC Service	82,228.05	84,659.00	184,831.00
GORVIC Service	116,254.51	81,560.00	178,069.00
Tourism Service	99,898.94	90,007.00	200,881.00
<b>Tourism Section Total</b>	<b>298,381.50</b>	<b>256,226.00</b>	<b>563,781.00</b>
<b>Sustainable Planning &amp; Development Services Total</b>	<b>1,473,067.02</b>	<b>1,492,525.00</b>	<b>3,218,436.00</b>
<b>Total</b>	<b>(15,588,331.11)</b>	<b>(20,872,775.00)</b>	<b>(14,109,288.00)</b>

## Contracts Awarded and Tenders Advertised

### October

#### Contracts Awarded

Contract No.	Description	Contractor	Value \$ (excluding GST)
1421	Harrington Memorial Park Development	Wayne Fitzgerald	\$72,580
1407	Older Persons & Ability Support Services – Food Services	RFK Pty Ltd	Schedule of Rates

#### Tenders Advertised

Tender No.	Description	Closing Date
1428	Asphalt Works	5/11/14

**November**

**Contracts Awarded**

Contract No.	Description	Contractor	Value \$ (excluding GST)
1426	Design & Construct – Apollo Bay Playground	Adventure Playgrounds Pty Ltd	127,500
1428	Asphalt Works	Boral Resources (Vic) Pty Ltd	74,329.20
1427	Bituminous Sealing Works	Inroads Pty Ltd	1,150,053.11

**Tenders Advertised**

Tender No.	Description	Closing Date
1422	Richmond Street Reconstruction	17/12/14
1429	Bluewater Fitness Centre Facility Management Software	17/12/14
1431	Organic Mobile Bins Supply	21/1/15
1432	Linemarking Services	28/1/15

**December**

**Contracts Awarded**

Contract No.	Description	Contractor	Value \$ (excluding GST)

**Tenders Advertised**

Tender No.	Description	Closing Date
1433	Supply & Deliver Grader	28/1/15

## Trending Issues

### Vision Super Defined Benefits Superannuation Vested Benefits Index

Council has a potential financial exposure to the Vision Super Defined Benefits superannuation plan.

Under the Australian Prudential Regulation Standards (SPS160) defined benefits funds must meet strict funding requirements. This funding requirement is measured by the Vested Benefits Index, which shows as a percentage the ratio of investments held by the fund compared to the estimated benefits payable by the fund at the same time.

The latest available quarterly Vested Benefits Index for the Vision Super Defined Benefits fund are listed in the table below:

Date	Vested Benefits Index
June 2014	103.4%
September 2014	102.6%

(the December quarter figure had not been released at the time of the preparation of this report)

The fund's quarterly threshold limits are:

Quarter Ending	VBI Threshold
September	97.0%
December	97.0%
March	97.0%
June	100.0%

If the VBI falls below the nominated amount in any quarter then the Australian Prudential Regulation Authority may require that the fund make a funding call on its members. Any funding call made must return the fund to a VBI position of over the nominated figure within 3 years.



# **COLAC OTWAY SHIRE**

## **PLANNING SCHEME REVIEW REPORT**

**2015**



COLAC OTWAY PLANNING SCHEME REVIEW REPORT 2015

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COLAC OTWAY PLANNING SCHEME REVIEW REPORT 2015

## Executive Summary

Colac Otway Shire is one of the most diverse municipalities in Victoria and its planning scheme contains a large suite of planning controls and policies which are derived from the State Government's Victorian Planning Provisions (VPPs).

Section 12B of the Planning and Environment Act 1987 ('the Act') requires each planning authority to regularly review its planning scheme. This is the third such review of the Colac Otway Shire Planning Scheme to be carried out since the translation to the new format planning schemes in the late 1990s.

In 2005, Colac Otway Shire commenced a major review of its planning scheme. That Planning Scheme Review recommended a significant streamlining of the Municipal Strategic Statement (MSS), local policies, and zones and overlays, with the aim of making policies clearer and more effective, rationalising content and giving effect to recent strategic work undertaken by the Shire. A subsequent Planning Scheme Amendment, C55, entailed a major re-write of the planning scheme, resulting in significant operational improvement.

The subsequent 2010 Planning Scheme Review considered new State planning initiatives and policies, and addressed emerging issues within the municipality, including the potential inundation of coastal areas from future sea level rise, increased pressures on valuable agricultural land and outcomes from the 2009 Bushfire Royal Commission.

This current 2014 Planning Scheme Review seeks to build on the work previously undertaken, having regard to recent significant State and local planning issues. Another key focus of this Review has been to consider whether options are available to streamline the planning process, reduce the complexity of processes and identify unnecessary permit requirements, having regard to community and stakeholder feedback.

Overall the 2014 Review has found that, whilst a bit cumbersome to use, the operation of the Colac Otway Planning Scheme remains structurally sound with good linkages between the State Planning Policy Framework (SPPF) and MSS. However, some duplication and inconsistency of controls remains, particularly within the overlays, and it is considered that further guidance could be provided on emerging issues. It is also considered that there is scope to further reduce permit triggers for minor works. The Review acknowledges the extent of planning reforms carried out by the Government since the last review was undertaken and how many of these have responded to previously identified issues from the 2010 Review.

This report identifies a range of strategic planning projects which Council should undertake in the coming years to respond to identified gaps, as well as further refinements to improve specific aspects of the planning scheme. It also identifies areas in which assistance is sought from the State Government.

In addition, it recognises the important role Council has in advocating for changes to the planning system and makes recommendations about advocacy that could be undertaken, e.g. in relation to the rationalisation of planning controls in coastal areas and the provision of flexibility to consider more tourist related uses in the Rural Conservation Zone.

This report will be considered by Council and forwarded to the Minister for Planning for approval.

## COLAC OTWAY PLANNING SCHEME REVIEW REPORT 2015

**1. INTRODUCTION**

This Planning Scheme review report has been prepared using *Planning Practice Note - Review of Planning Schemes* (DSE, February 2006). This review report is required to:

- identify the major planning issues facing the municipality;
- demonstrate how the planning scheme implements State Planning Policy;
- assess the strategic performance of the scheme;
- document the strategic work that has been completed or carried out since the previous review and any additional work required to strengthen the strategic direction of the planning scheme;
- articulate the monitoring and review that has been carried out;
- outline the consultation process and its outcomes; and
- make recommendations, including suggested changes to improve the operation and performance of the scheme.

It is important to note is that, although all elements of the planning scheme have been reviewed and commented on, only the MSS, schedules to zones and overlays, and selected clauses in the Particular Provisions can be varied by a Council, with the remaining sections set by the State Government under the Victorian Planning Provisions (VPPs).

In accordance with the requirements of section 12B(5) of the Act, this review report constitutes the formal planning scheme review and its findings are to be submitted to the Minister for Planning for approval after consideration by Council.

Due to the technical nature of this report and the extensive use of abbreviations relating to planning scheme controls and reports, an abbreviation section has been included at the back of the report.

## COLAC OTWAY PLANNING SCHEME REVIEW REPORT 2015

**2. COMMUNITY PROFILE OF COLAC OTWAY SHIRE****Shire Profile****Location and History**

Colac Otway Shire is located in Victoria's south-west, within a two hour drive of Melbourne. The Shire is approximately one hour from the large regional cities of Geelong to the east and Warrnambool to the west. The Shire contains the major urban centre of Colac, the coastal resort towns of Apollo Bay and Skenes Creek, the rural townships of Birregurra, Beeac, Cressy and Forrest, and a large rural hinterland. A large proportion of the Shire is made up of public land in the form of Forest Park and National Park.

Development in the Shire dates from the 1850s, when pastoralists and timber-getters established themselves in the areas around Colac. Colac experienced significant growth in the first half of the 20th century as it became the major service centre to the agricultural areas to the north and the timber getting areas to the south. Apollo Bay was established in the 1860s as a port for the timber being harvested in the Otway Ranges. The construction of the Great Ocean Road in the 1930s opened up the coastal strip for development and, in more recent years, Apollo Bay has established itself as a holiday destination.

**People**

The estimated population for 2015 is 21,057. The forecast through to 2036 is for a growth across the Shire of approximately 0.53% per annum. It is expected that this will increase once the dual highway to Geelong is completed, as that will open up the region making commuting an attractive option for both the local population and for those seeking a lifestyle change. The G21 Regional Growth Plan identifies Colac as a targeted growth node with a targeted population increase to 20,000 by 2050 as it continues to grow to provide a range of services to the surrounding areas.

**Age Structure**

Age structure is an important indicator of an area's residential role and function, and how it is likely to change in the future. The age structure of a population is usually indicative of an area's era of settlement and provides key insights into the level of demand for services and facilities, as most services and facilities are age-specific. At the 2011 Census, the Colac Otway Shire had the following age structure:

0 – 4 years	6.0%
5 – 19 years	19.5%
20 – 34 years	14.8%
35 – 59 years	34.0%
60 years and over	26.0%

**Employment and Education**

Young people in Colac Otway Shire tend to leave school earlier, and are less inclined to go to university, compared with regional Victoria. Overall, 41.0% of the population left school at Year 10 or below, and 31.9% went on to complete Year 12 or equivalent, compared to 38.5% and 35.6% respectively for regional Victoria based on the 2011 Census.

On the other hand, the Shire experiences a high employment rate with 96.3% (full time, 55.3%; part time, 38.3%).

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The five major industry sectors are:

- Health Care and Social Assistance (1,122 persons or 13.5%)
- Manufacturing (1,087 persons or 13.0%)
- Agriculture, Forestry & Fishing (991 persons or 11.9%)
- Retail Trade (924 persons or 11.1%)
- Accommodation and Food Services (693 persons or 8.3%)

In combination, these five industries employed a total of 4817 people or 57.8% of the employed resident population.

**Housing**

The housing market in the Shire shows distinct variations. Colac and the rural areas primarily provide housing for families, with rural areas recording some population decline in recent years due to ongoing structural change in agriculture and the ageing of the population.

By contrast, the coastal areas have a dual housing market focussed on families and retirees. However, the vacancy rates are extremely high, reflecting the role and function of these areas as holiday destinations. It is expected that demand for housing in the coastal areas will predominantly come from further afield, such as Geelong and Melbourne.

## COLAC OTWAY PLANNING SCHEME REVIEW REPORT 2015

### 3. STATE GOVERNMENT INITIATIVES SINCE LAST REVIEW REPORT

Since the last planning scheme review, the State Government has developed a number of significant policies that directly impact on the form, content and performance of the planning scheme, as well as establishing new policy directions on specific land use/development issues. These policy initiatives will need to be considered when reviewing the planning scheme, to ensure consistency between State and local planning policy. The key initiatives are considered below.

#### Wind Energy

VC82 introduced significant changes to the use of wind farms across Victoria. The amendment implemented the Government's policy that a turbine that forms part of a wind energy facility must not be located within two kilometres of an existing dwelling without the owner's consent, and specified locations in Victoria where wind energy facilities are prohibited.

In relation to Colac Otway Shire, there is currently one planning permit for a wind farm at Mt Gellibrand which is yet to be constructed (apart from a compound and some buildings which have been undertaken to commence development within the timeframe specified in the permit).

#### State Water Catchment Guidelines

In November 2012, the State Minister for Water released '*Guidelines for Planning Permit Applications in Open, Potable Water Catchments*'. These guidelines specify that where a planning permit is required in water catchments:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and
- each lot created in a subdivision should be at least 40 hectares in area.

Since the introduction of these guidelines, it has been difficult to obtain support for dwellings within Colac Otway's declared catchment areas from water authorities.

Discretion can potentially be applied by the water corporation if it is satisfied that the relevant Council has prepared, adopted and is implementing a Domestic Wastewater Management Plan (DWMP) in accordance with the DWMP Requirements set out in the Guidelines. This is not an automatic exemption, but allows the exercise of discretion. Currently, Colac Otway, in conjunction with water authorities, is preparing a Shire-wide DWMP. This is expected to be completed in mid-2015.

#### Review of Car Parking Provisions 2012

The revised Clause 52.06 and a new Parking Overlay (with accompanying schedule) were introduced into the VPP and planning schemes in June 2012, through Amendment VC90.

Clause 52.06 no longer requires a permit to reduce car parking for a change of use if the parking requirement for the new use is equal to or lower than that for the existing use. It also includes updated car parking rates and measures for a range of land uses. For some land uses, different rates and measures may apply depending on whether a Council applies the standard clause 52.06 'Column A' rates, lower standard 'Column B' rates or another rate through the application of a Parking Overlay. In Colac Otway Shire, Amendment C72 (Part 2) introduced the Parking Overlay, which applied two schedules for the Colac and Apollo Bay Commercial areas.

#### South West Landscape Study 2013

State Government commissioned a landscape assessment study of South West Victoria to better understand and assess the visual character and significance of the wide range of landscape types, which include the volcanic plains and cones that dominate much of the area, to the Great Dividing Range in the north, and the Grampians in the central west. The study was aimed at informing planning scheme policy to assist planning decision making, and to ensure landscapes of importance are adequately protected and managed into the future. The project recommended that the existing Significant Landscape Overlay Schedule 1 is revised to align with the outcomes of this study.

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**Reformed Rural Zones 2013**

Amendment VC103 amended the existing rural zones and made a number of consequential changes to the VPP and planning schemes to support the reformed rural zones. The reformed rural zones are intended to support agricultural activity, allow more tourism related uses and support population retention to sustain rural communities. Conditions that were considered unnecessary and the prohibition of some land uses have been removed and more permit exemptions have been applied to farming related activity. Council is continuing to advocate for further changes to allow more flexibility to consider tourism related uses in the Rural Conservation Zone.

**Reformed Residential Zones 2013**

The State Government finalised a review of the format and content of the residential zones to better respond to present-day requirements and give greater clarity about the type of development that can be expected in any residential area. The Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone were introduced into the Victoria Planning Provisions by Amendment V8, gazetted on 1 July 2013. The existing Low Density Residential, Mixed Use and Township Zones were also amended to align with the features of the new residential zones, through Amendment VC100, gazetted on 15 July 2013. The reformed residential zones provide an opportunity to activate local schedules to the zones. These schedules provide opportunity to implement key local planning regulations, such as maximum height limits. Council is continuing to advocate for consideration to be given to further changing the Township Zone, in order to allow a reduction in the number of overlays that currently need to be applied in coastal areas.

**Reformed Business and Industrial Zones 2013**

The State Government amended the Industrial Zones and replaced the Business Zones with the new Commercial 1 and 2 Zone within the Victoria Planning Provisions through Amendment VC100, gazetted on 15 July 2013. The new commercial zones provide greater flexibility and growth opportunities for Victoria's commercial and business centres. The new zones respond to changing retail, commercial and housing markets by allowing for a wider range of uses that will support more mixed use employment. In all cases, land zoned Business 1, Business 2 and Business 5 were converted to the Commercial 1 Zone. Land zoned Business 3 and Business 4 was converted to the Commercial 2 Zone. These changes have had limited implications for Colac Otway Shire.

**Victorian Coastal Strategy (VCS) 2014**

The Coastal Management Act 1995 requires the Victorian Coastal Council to review the Strategy every five years. The Victorian Coastal Strategy 2014, which was published in July 2014, builds on the framework set out in the VCS 2008 about coastal planning and management. This Strategy provides guidance for decision-making, and a framework for related plans and strategies. The 2014 Strategy continues the concept of a Hierarchy of Principles introduced in previous Strategies, which give effect to the directions in the 'Coastal Management Act 1995', i.e.:

- Value and Protect
  1. Ensure the protection of significant environmental and cultural values
- Plan and Act
  2. Undertake integrated planning and provide clear direction for the future
- Use and Enjoy
  3. Ensure the sustainable use of natural coastal resources
  4. Ensure development on the coast is located within existing, modified and resilient environments where the demand for development is evident and any impacts can be managed sustainably

**G21 Regional Growth Plan 2013**

The G21 Regional Growth Plan is one of eight plans to be developed across the State to manage growth. The Growth Plan has been developed in partnership between the five G21 municipalities (Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast), State Government

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departments, Corangamite CMA and the Committee for Geelong. The purpose of the Growth Plan is to manage growth and land use pressures to 2050.

The Growth Plan provides a regional land use and settlement planning framework, which will guide local level planning and infrastructure planning. It pulls together the strategic land use and growth planning already done across the region and sets out where future residential and employment growth will occur and the critical infrastructure required to support it. The Growth Plan was endorsed by each of the five G21 Councils during 2012 and was officially launched by Victoria's then Planning Minister in Geelong on 11 April 2013.

The Growth Plan specifically identifies Colac as a targeted growth node, which is a key town in the region's west that must continue to grow in order to provide a range of services to the surrounding area. The Growth Plan identifies that further strategic work is required to identify the most appropriate areas for growth within Colac and to identify major incentives to support growth. Growth in other towns in Colac Otway Shire is expected to be limited to existing settlement boundaries, with some minor growth consistent with the 'Apollo Bay Settlement Boundary and Urban Design Review', Colac Otway Shire 'Rural Living Strategy', and in Gellibrand and Beech Forest subject to further strategic work.

**Great South Coast Regional Growth Plan 2014**

Whilst Colac Otway was not a member of the five participating Councils, officers from Colac Otway attended some of the key meetings during the development of this project. The final plan was released on 2 July 2014 and identifies the importance of expanding the region's role in food and energy production and supporting emerging industries. Initiatives from the plan include improving transport and freight links particularly into Geelong and Melbourne, which would have significant benefits for Colac industries and business in general.

**Native Vegetation Reform 2013**

The State Government introduced significant reforms to the Native Vegetation Framework in 2013. These new regulations provide greater focus on managing risks to important biodiversity assets, and ensure the assessment and decision making process is guided by risk and impact. The reforms are designed to deliver better targeted environmental outcomes at lower costs to the community.

The risk based approach focuses more on the medium to high areas of conservation value at the State level. The VPP changes have implications for biodiversity mapping which Council abandoned through Amendment C70 in 2013. Council has been continuing discussions with the Department of Environment, Land, Water and Planning (formerly DEPI) about the potential for improved biodiversity mapping.

**Plan Melbourne 2014**

Plan Melbourne is the Victorian Government's Metropolitan Planning Strategy, which will guide the city's growth to 2050. In May 2012, the then Minister for Planning appointed a Ministerial Advisory Committee (MAC) to oversee the development of the new strategy. Drawing on conversations with stakeholders, and the results of research and studies carried out by the Department of Transport, Planning and Local Infrastructure (DTPLI), the MAC developed a discussion paper entitled 'Melbourne, Let's Talk about the Future'. Since then, around 10,000 Melbournians provided feedback prior to the development of Plan Melbourne.

Whilst Plan Melbourne has no direct impact on Colac Otway, the plan will improve links between Melbourne and regional cities including Geelong. Rebalancing Victoria's population growth to rural and regional Victoria is a key objective and Colac is expected to benefit from this increased growth in the coming years.

**State Planning Policy Framework Review 2014**

The Minister for Planning appointed an Advisory Committee to report on the review of the State Planning Policy Framework (SPPF), seeking advice on the content and structure of a revised SPPF to apply any consequential changes arising from recent legislation, and to align and integrate with the review of each of the following state policy matters:



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- The Vision for Victoria
- The proposed Metropolitan Planning Strategy
- The eight Regional Growth Plans
- The reformed commercial, industrial, residential and rural zones
- The Development Contributions system.

This review entails a policy neutral rewrite and restructure of the planning scheme. The Advisory Committee has prepared a document called the draft Planning Policy Framework (PPF) and Colac Otway Shire has provided comment.

Amongst other changes, the new format of the PPF proposes to change the order of content, with State, regional and local policy on each topic one after the other. The sequence would place all relevant policy in the one section where no item can be missed. No one piece of policy will have more prominence than another.

**Bushfire Management Overlay (BMO)**

A number of state-wide changes have been made to the bushfire provisions since the last Planning Scheme review was undertaken. The most recent changes in July 2014 were State Government introduced changes to the BMO through VC109, which have followed the introduction of the BMO in November 2011. Since the implementation of the BMO, a number of concerns have been raised about its practical implementation for new, replacement and upgraded single dwellings. The changes made through VC109 will allow landowners to build a new single dwelling on infill lots within the existing suite of residential/urban zones. In these circumstances, applications will be required to meet an improved bushfire construction standard, but will not be assessed against the broader landscape hazard. Calculation of the Bushfire Attack Level (BAL) for planning purposes will now be based on a Fire Danger Index (FDI) of 100, and not FDI 120.

As discussed later in this report under section 4.4 (further strategic work), the BMO changes came in on the eve of Council considering the Colac Otway Bushfire Planning Project.

**Floodplain Strategy**

In September 2014 Council was advised that the former DEPI would be undertaking a flood study for Colac commencing at the end of 2014. DEPI, with the Catchment Management Authorities (CMAs), had assessed mapping priorities across the region. As a result, the Dean and Barongarook Creeks (Lake Colac South) flood mapping project has been assessed as a high priority. The timing of the study is particularly important given the Colac 2050 Plan is due to commence in early 2015 (see section 4.4) and flood study work was being considered as part of the project to determine future growth areas for Colac.

Advice obtained in January 2015 was that the project would shortly be going out to tender and that it is scheduled as a 12 month project. As such, it is anticipated that the flood study should be completed early in 2016.

**Development Contributions Review**

In May 2012, the then Minister for Planning announced the Government had chosen a preferred framework for development contribution plans. The new system will give Councils a set of standard development contribution levies for different development settings based around five infrastructure categories. The new system will provide capacity to set a different levy for different development settings such as greenfield development, metropolitan infill development and regional and rural development, as well as a levy for residential and non-residential development. Standard Levies will be available for use from 1 July 2015 and will be able to be applied in identified metropolitan and non-metropolitan growth locations, but will not apply to urban infill areas unless identified as a 'strategic development area'.

The 'off the shelf' option is seen as a significant benefit to smaller regional Councils to apply to their future growth areas rather than relying on the traditional planning scheme amendment process that proved difficult to implement.

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#### 4. SIGNIFICANT LOCAL STRATEGIC WORK SINCE LAST PLANNING SCHEME REVIEW

The Council's approach to the monitoring and review of the performance of the scheme has been to conduct planning scheme amendments to either introduce new strategic work to the scheme or address redundant controls; or to undertake further strategic work to respond to the gaps and changing needs of the scheme.

##### 4.1 Approved Planning Scheme Amendments

The local amendments undertaken since the 2010 planning scheme review are outlined below:

- C12 Update to flood provisions based on mapping provided by the Corangamite Catchment Management Authority.** C12 introduced Clause 44.03 - Floodway Overlay and Schedule into the planning scheme, and applied the overlay to areas with the greatest risk and frequency of flooding. The amendment also updated the Land Subject to Inundation Overlay maps. **Formally approved and gazetted.**
- C54 Anomalies.** C54 corrected various planning scheme map errors and amended the Erosion Management Overlay mapping. **Formally approved and gazetted.**
- C58 Kennett River, Wye River and Separation Creek Structure Plans.** C58 introduced new strategic direction statements into the Municipal Strategic Statement to reflect the directions of the Kennett River, Wye River and Separation Creek Structure Plans, 2008. It also facilitated rezoning of land in Harrington Street and Dollar Drive, north of Separation Creek, from Low Density Residential Zone to Rural Conservation Zone. **Formally approved and gazetted.**
- C61 Heritage Act.** C61 implemented Section 48 of the Heritage Act 1995 to ensure that places in the planning scheme are consistently identified with places in the Victorian Heritage Register. **Formally approved and gazetted.**
- C62 Barham River Special Water Supply Catchment.** C62 applied the Environmental Significance Overlay Schedule 3 (ES03) to the Barham River Special Water Supply Catchment and removed the interim overlay ES05 and removed redundant provisions, including removal of ES03 from the former Skenes Creek water supply catchment. **Formally approved and gazetted.**
- C63 Planning Certificates.** C63 formally made the Minister for Planning the responsible authority for issuing planning certificates. **Formally approved and gazetted.**
- C65 (Part 1) DDO7 Amendment.** C65 (Part 1) removed the Design and Development Overlay Schedule 7 from land bound by Cawood Street, Great Ocean Road, and Murray Street and McLachlan Street in Apollo Bay, and applied Design and Development Overlay Schedule 6 to the land. **Formally approved and gazetted.**
- C65 (Part 2) DDO7 Amendment.** C65 (Part 2) amended Clause 43.02 Schedule 7 to the Design and Development Overlay. Rezoned land at 490 and 494-498 Princes Highway, Colac West and 10 Flaxmill Road, Colac East from Farming Zone to Rural Activity Zone. Introduced the Environmental Audit Overlay to the Colac Otway Planning Scheme and applied the overlay to 494-498 Princes Highway. Amended the Schedule to the Rural Activity Zone and made minor corrections to Clause 43.05-2 (Neighbourhood Character Overlay). **Formally approved and gazetted.**
- C66 Barham River Special Water Supply Catchment.** C66 extended the Environmental Significance Overlay Schedule 5 (ESO5) for Barham River Water Supply Catchment to allow time for preparation of a permanent amendment. **Formally approved and gazetted.**

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- C67 Salinity Management Overlay.** C67 proposed the application of the Salinity Management Overlay to areas identified through the Corangamite Catchment Management Authority Salinity Management Overlay Project. **Abandoned by Council.**
- C68 Erosion Management Overlay.** C68 amended the application of Erosion Management Overlay and replaced Schedule 1 to Erosion Management Overlay with a new Schedule. The CCMA provided Council with updated maps of land to be included in the Erosion Management Overlay in 2007 following a mapping project that focussed on smaller settlements. The maps reduced the coverage of the overlay, particularly in the smaller settlements. **Formally approved and gazetted.**
- C69 Colac Otway Rural Living Strategy 2011 and Forrest Structure Plan 2011.** C69 implemented selected recommendations from the adopted Colac Otway Rural Living Strategy 2011 and Forrest Structure Plan 2011.
- The Rural Living Strategy (2011) seeks to manage rural development within the Shire to direct growth and population distribution to the towns that are best placed to accommodate it and to restrict the growth of other townships and areas with poorer infrastructure, or constraints such as bushfire risk, significant landscape, environmental values and servicing issues.
- An incorporated document, 'Restructure Plans for Old and Inappropriate Subdivisions in the Colac Otway Shire' (2012), was introduced to restructure inappropriate subdivisions which are subject to use and development constraints, and which if developed to their full capacity, would have serious environmental, servicing and social impacts. The overlay is also required to outline fair and orderly planning outcomes on land where unreasonable expectations are being placed on lots for rural-residential development.
- In summary, an independent Planning Panel supported the recommendations of the Rural Living Strategy, which are translated to Amendment C69, as striking an appropriate balance between competing planning policy and objectives. The Panel was satisfied that the analysis underpinning the Rural Living Strategy comprehensively addressed the Shire's rural areas and smaller settlements. **Formally approved and gazetted.**
- C70 Biodiversity mapping.** C70 proposed changes to the mapping for biodiversity values and assets across the Shire; as well as to the provisions of the Colac Otway Planning Scheme relating to biodiversity protection. **Abandoned by Council.**
- C72 (Part 1) Colac CBD & Entrances Project.** Applied the recommendations of the Colac CBD Entrances Project, Planisphere 2012. **Formally approved and gazetted.**
- C72 (Part 2) Colac and Apollo Bay Parking Strategy 2011.** Introduced the Parking Overlay and applied two schedules for the Colac and Apollo Bay Commercial areas, as well as changing MSS provisions, including referencing the 'Colac CBD and Entrances Report' 2012, and the 'Colac and Apollo Bay Parking Strategy' 2011. Council owned land at 2-16 Railway Street was also rezoned to Public Use Zone 6 (Local Government0. **Formally approved and gazetted.**
- C75 Colac Otway Public Open Space Strategy 2011.** C75 implements the recommendations of the 'Colac Otway Public Open Space Strategy' (COPOSS) (2011), including changes to the MSS and amendment of clause 52.01 for public open space contributions. The Amendment introduces new minimum public open space contributions for development based on the number of new lots that are created through subdivision. The new provisions will result in increased developer contributions, which will assist in overcoming the shortage of open space in Colac identified through COPOSS. **Formally approved and gazetted.**

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- C76 Birregurra Structure Plan 2013 and Birregurra Neighbourhood Character Study 2012.** C76 included changes to the MSS, rezoning, and the introduction of Design and Development Overlays and a Vegetation Protection Overlay to implement the Birregurra Structure Plan (2013) and Birregurra Neighbourhood Character Study (2012). The Amendment confirms the current town boundary and encourages infill development at a range of densities based on identified character precincts. The different character precincts correspond to different Design and Development Overlays which dictate design standards to be achieved. The Amendment also rezones the business core of the township to Commercial 1 Zone. **Formally approved and gazetted.**
- C77 Heritage Prescribed Amendment.** C77 amended mapping and schedule errors in the Heritage Overlay. **Formally approved and gazetted.**
- C79 New Residential Zones.** C79 implemented the new residential zones into the Colac Otway Planning Scheme and applied to all land in the Residential 1 Zone (Colac, Apollo Bay and Marengo) and former Business 1, 2, 3 and 4 Zones (Colac and Apollo Bay) in the Colac Otway Shire. **Formally approved and gazetted.**
- C80 Princes Highway Duplication.** The amendment proposes to introduce the Princes Highway Duplication - Winchelsea to Colac and affects land to the north and south of the existing Princes Highway extending approximately 37km from Deans Marsh Road in Winchelsea to Corangamite Street in Colac. **Formally approved and gazetted.**

#### 4.2 Current amendments in progress

- C73 Apollo Bay Harbour.** C73 proposes to facilitate redevelopment of the Apollo Bay Harbour, and applies to all land and that part of the sea that forms the Apollo Bay Harbour and its surrounds. The Amendment seeks to put in place a planning framework which will include the requirement for a development plan which Council is expected to undertake with the community in 2015 following the completion of the amendment. The Panel hearing was held in December 2014 and the Panel Report is awaited at the time this Planning Scheme Review was completed.
- C74 Apollo Bay Settlement Boundary and Urban Design Review 2012.** C74 implements the recommendations of the 'Apollo Bay Settlement Boundary and Urban Design Review' 2012. It updates urban design initiatives for the Apollo Bay shopping centre, confirms the location of the settlement boundary for Apollo Bay and Marengo, rezones part of the Apollo Bay industrial estate in response to its proximity to residential areas, rezones and applies a DPO to land at the northern end of Apollo Bay for residential development, amends the DPO schedule for the Mariners Vue land and applies a common DDO schedule to both residential sites. The Planning Panel supported the amendment subject to some minor changes. **Council adopted the amendment in November 2014 and is awaiting approval from the Planning Minister.**
- C78 Wyuna Estate, Colac.** C78 seeks to rezone the remaining parcel of greenfield land as part of the overall development for residential purposes. **C78 is a private amendment currently being prepared for exhibition.**

#### 4.3 Completed strategic work since last review

Apart from formal planning scheme amendments, Council has continued with a strategic work program that addresses current issues and provides a policy direction. Strategic work which has been commissioned (or completed) since the last review includes the following:

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**Rural Living Strategy 2011**

The 'Rural Living Strategy' is a follow-up study to the 'Rural Land Strategy' in 2007 and recommended a series of objectives and strategies for the future management of rural living and rural settlements in Colac Otway Shire. The Strategy:

- Identified appropriate locations for the Rural Living Zone;
- Reviewed existing boundaries of small settlements;
- Identified areas for the application of the Restructure Overlay, across undeveloped land with small lots.
- Developed more refined policy for consideration of subdivision and housing applications in the rural zones.

Planning control outcomes were implemented in the planning scheme through Amendment C69 in July 2013.

**Forrest Structure Plan 2011**

The purpose of the Structure Plan is to direct future growth and encourage sustainable land use development in Forrest as the town establishes itself as a major Tourism and Mountain Biking destination. The Structure Plan provides a long term vision and planning and development framework for the town. Key outcomes for the project was the rezoning of developed Farming Zoned land south of the township to Rural Living Zone, rezoning land at the northern gateway into town to Rural Activity Zone and identifying land north west of the township for future residential expansion.

**Colac and Apollo Bay Car Parking Study 2011**

The Colac and Apollo Bay Car Parking Study examined parking utilisation in both Apollo Bay and Colac, reviewed parking rates, and developed a parking policy for incorporation into the planning scheme. It also provided recommendations for future management of parking areas.

**Apollo Bay Settlement Boundary and Urban Design Review 2012**

The Apollo Bay Settlement Boundary and Urban Design Review examined and made recommendations about potential residential rezoning of previously identified areas adjoining the existing settlement boundary. The review also identified urban design initiatives for Apollo Bay and updated the supply and demand analysis for housing.

**Colac CBD & Entrances Project**

The Colac CBD & Entrances Project sets the direction for the CBD of Colac as well as the corridors of the Princes Highway/Murray St from the eastern and western entries into the town from the outer edges of Colac. The key features of the project include the development of a new image for Colac based on a 'Botanic Garden City', with thematic tree planting, upgrading of streetscapes and improved traffic management to benefit pedestrians. The project has significant implications for the future livability of Colac and proposes a series of public interventions in the public realm to improve walkability and the attractiveness of the town. It is envisioned that these works will be a significant driver to attract new population growth and address social disadvantage in the town.

**Birregurra Neighbourhood Character Study 2012**

The Birregurra Neighbourhood Character Study reviewed the character of residential areas within the township with a view to recommending appropriate planning tools to effectively address and appropriately manage future development. The Study identified character precincts and recommended the implementation of corresponding Design and Development Overlays and a Vegetation Protection Overlay to manage and preserve the character of these precincts whilst enabling infill development.

**Birregurra Structure Plan 2013**

The Birregurra Structure Plan is the key strategic planning document that will assist in the management and monitoring of growth and development in the township. The Structure Plan critically examined the potential residential land supply and demand, and reviewed opportunities and constraints to urban development in the town. It concluded that existing infill land would provide the necessary future residential growth opportunities and should be prioritised for use prior to rezoning new residential land.

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**Draft Apollo Bay Harbour Master Plan 2013**

The redevelopment of the Apollo Bay Harbour has been considered for many years and a detailed process for establishing how the Harbour should be developed commenced in 2006. A draft Master Plan was prepared for Council in 2013 based on the adopted concept plan from the Enquiry by Design (EbD) community engagement process in 2008, but without the hotel and health and wellbeing centre component in accordance with a February 2012 Council resolution. Following initial exhibition in late 2013, Amendment C73 was re-exhibited in 2014 to reflect current community concerns about over-commercialising the harbour. Broad support was received for the latest changes. Whilst the amendment did not proceed with the Master Plan as an Incorporated Document, the key recommendations were translated into a Special Use Zone (SUZ2) to allow for more flexibility into the future.

**Heritage Strategy 2013**

The Heritage Strategy 2013 sets out priority actions for how identifying, protecting and celebrating our cultural heritage may be achieved at the local level. The key outcome of the strategy is a four year action plan that sets out heritage gaps and needs within the Colac Otway Shire where appropriate resources need to be directed.

**Heritage Audit 2013**

An audit of the Heritage Overlay was completed to inform a planning scheme amendment. The audit identified mapping and schedule errors, as well as opportunities for the reduction or expansion of Heritage Overlay coverage.

**Heritage Assessment of the Colac-Beech Forest-Crowes Railway 2013**

Consultants (Context) were appointed to undertake a heritage assessment of the former Colac-Beech Forest-Crowes Railway. The assessment identified additional sites for inclusion in the Heritage Overlay and recommended the introduction of a Significant Landscape Overlay to recognise the significance of the former railway embankment.

**4.4 Current strategic work**

The following strategic planning projects are in progress:

**Bushfire Planning Project**

Colac Otway Shire Council commissioned Tract Consultants and Terramatrix to investigate the potential to streamline bushfire management controls in the planning scheme through a schedule to the Bushfire Management Overlay (BMO), and to confirm the potential for outward settlement expansion for key inland settlements. The following settlements were investigated:

- Beech Forest
- Forrest
- Gellibrand
- Lavers Hill
- Skenes Creek
- Kennett River
- Wye River
- Separation Creek

The Project was divided into two parts:

- Assessment of the bushfire risk at the broader settlement scale for all eight settlements to identify potential for inclusion of land in a schedule to the BMO. Schedules offer the opportunity to standardise application requirements and streamline assessment processes for lower risk areas; and
- A strategic assessment of the potential outward settlement expansion areas identified in Gellibrand and Forrest through the Rural Living Strategy (CORLS) and Forrest Structure Plan (FSP), as well as areas identified for potential application of the Rural Living Zone at Beech Forest and Lavers Hill.

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This Report has been finalised, but consideration by Council was deferred due to State Government changes to the BMO through Amendment VC109. The changes will have implications on the recommendations of the final report and Council is currently discussing the possibility of getting support from DEWLP (formerly DTPLI) to re-engage consultants and determine what changes are required and whether schedules are still relevant.

### Colac Development Plans

Mesh consultants were appointed to produce Development Plans for three priority infill areas in Elliminyt currently covered by the Development Plan Overlay Schedule 2 (DPO2). The DPO2 had been introduced to prevent the ongoing ad hoc approach to subdivision that was occurring in the area and to facilitate more coordinated planning by approving a Development Plan for each area. Following extensive engagement with landholders, Council resolved in November 2014 to adopt Development Plans for Areas 4 and 5 and to abandon the Development Plan for Area 3.

### Colac Otway Domestic Wastewater Management Plan (DWMP)

The scope of the DWMP is management of all domestic and commercial wastewater originating from unsewered properties in the Colac Otway Shire. The key objective of the project is to clarify whether a higher density than 1 dwelling per 40 hectares in declared water catchments is appropriate given that the State-wide *'Guidelines for Planning Permit Applications in Open, Potable Water Catchments'* (2012) specifically requires the completion of a DWMP to demonstrate higher densities can be achieved. A risk assessment and prioritisation process occurred at the commencement of the project to assist in guiding the consultant as to which settlements/areas are given most focus in the development of the DWMP.

This is expected to result in the DWMP including at a minimum:

- The assessment of land identified for further development in the northern part of Beech Forrest, Gellibrand, Forrest, Beeac, Alvie, Cororooke and Coragulac.
- Assessment of all developed and vacant lots within the water catchments with a particular focus on the settlements of Beech Forrest, Lavers Hill, Gellibrand and Kawarren.
- A prioritised plan for upgrade of existing systems in Wye River/Separation Creek townships based on the SKM 2014 site audit database.
- A prioritised plan for upgrade of existing systems in other settlements based on the assessments conducted during this consultancy.
- A risk-based compliance monitoring regime and a broad based assessment of the resources needed to ensure that this is sustainable (i.e. affordable for Council).

The constraints mapping has been undertaken and a draft report is due to be released in mid-2015.

### Colac 2050

The Colac 2050 project aims to develop a sustainable strategic framework for the town that is visionary and aspirational, achieves the 'Botanic Garden City' theme identified for the city, providing drivers for growth in the population and local economy that will improve the overall wellbeing, productivity, functionality and livability of the town.

- The expected outputs of the project will be underpinned by a place-making approach and quality engagement plan. They include:
  - A strategic growth plan for Colac including a vision statement and principles for growth and development.
  - A township structure plan outlining proposed planning scheme amendments based on the growth plan.

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- An industrial land strategy/assessment which identifies land needs for future industrial and commercial development to match employment needs associated with growth.
- A housing strategy/assessment which plans for diversity of housing, retains relative housing affordability and facilitates opportunities for growth to meet the projected population.
- A retail strategy/assessment which makes recommendations for the location of new retail floor space which retains the primacy of the CBD but meets the needs of future residents.
- A social and civil infrastructure plan.
- Traffic and pedestrian management planning, including identification of areas where development should be avoided for the future deviation of the Princes Highway.
- The project will be informed by recent Shire strategies such as the Active Transport Strategy, Open Space Strategy, and Colac CBD & Entrances Project.

Other relevant projects that will influence recommendations arising from the Colac 2050 Plan, and be consulted on during the engagement phase, include the Lake Colac Masterplan, Colac Urban Forrest Strategy and the Colac Flood Study. A Project Manager has been engaged and work on the scope of the Colac 2050 Plan has commenced.

**4.5 Status of further work identified in current table from MSS (clause 21.06)**

The following table represents studies/amendments that are identified in the current MSS as further strategic work to be undertaken by Council.

PROJECT	STATUS/COMMENT
Undertake local bushfire assessments for the towns of Beech Forest, Forrest, Gellibrand and Lavers Hill to further clarify their development potential.	Colac Otway Bushfire Planning Policy Project provides clarification of the development potential of these townships in the context of bushfire. This report has been finalised, but consideration for adoption has been deferred due to State Government changes to the BMO through Amendment VC109. These changes have implications on the recommendations of the final report.
Prepare a Master Plan for Beeac. The work should include: • A Township Effluent Management Plan to determine capacity for infill development and future growth. Evaluation of development options immediately to the east and north-west of the existing township zone.	The Domestic Wastewater Management Plan will provide the technical basis for a township scale effluent management plan and determine the capacity for infill and future growth. Development of a Master Plan, including evaluation of development options, will follow.
Prepare a Master Plan for Gellibrand. The work should include: • A Township Effluent Management Plan to determine capacity for infill development and future growth. • Evaluation of development options in the vicinity of Gellibrand-Carlisle Road and along the northern approach to Gellibrand.	The Domestic Wastewater Management Plan will provide the technical basis for a township scale effluent management plan and determine the capacity for infill and future growth. Development of a Master Plan, including evaluation of development options, will follow.



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Consider the appropriateness of rezoning the Low Density Residential Zoned land in Christies Road to Farming Zone through the review of the Colac Structure Plan.	Colac 2050 Plan will update the land supply/demand in Colac and review future growth opportunities beyond current boundaries.
Prepare a precinct structure plan for Elliminyt.	Expected to be considered as part of the Colac 2050 Plan.
Prepare a precinct structure plan for the East Colac area north of the Princes Highway.	Expected to be considered as part of the Colac 2050 Plan.
Undertake a residential land supply analysis for all segments of the Colac market.	Expected to be included in the Colac 2050 Plan and will also be informed by the G21 Regional Growth Plan project.
Undertake an industrial land supply analysis for Colac.	Expected to be included in the Colac 2050 Plan and was also undertaken as part of the G21 Regional Growth Plan project.
Further investigate and consider the former Bruce Street landfill site for the purpose of a recreation area or other appropriate use linked to Lake Colac.	Expected to be included in the Colac 2050 Plan and/or the Lake Colac Master Plan.
Prepare an Apollo Bay Harbour Precinct Master Plan for the redevelopment of the port area with a tourism, fishing, boating, commercial and recreational focus, strengthening links to the town centre and providing net community benefits.	A draft Apollo Bay Harbour Precinct Master Plan was completed in 2013 and key elements are now part of Amendment C73, which seeks to put in place a planning framework for a Development Plan that will guide the redevelopment of the harbour precinct.
Update overlays on completion of the Corangamite Waterway Strategy (CWS) 2014-2022.	The 2014 CWS responds to other related CMA strategies and expands the scope of the 2006 River Health Strategy. A draft document was released for comment in July 2014 and is expected to be completed in 2015.
Update the Vegetation Protection and Environmental Significance Overlays to incorporate revisions to the Ecological Vegetation Class mapping.	Amendment C70 attempted to complete this but was abandoned by Council. Council officers are currently involved in discussions with the Department of Environment, Land, Water and Planning - DELWP (formerly the Department of Environment and Primary Industries - DEPI) about the requirement and funding for improved mapping.
Update the Land Subject to Inundation Overlay and schedule to align with revised data and mapping when available from the Corangamite Catchment Management Authority.	C12 which was approved in 2011 and is the most recent flood mapping for Colac in the planning scheme. It was announced in 2014 by DEPI (now DELWP) that a new flood study of Dean and Barongarook Creeks will be undertaken; this work will take place in 2015.
Revise the Erosion Management Overlay following completion of the Department of Primary Industries and Corangamite CMA review.	The EMO was updated through C54 (mapping) and C68 (schedule).
Consider applying the Salinity Management Overlay to areas recommended by the Corangamite Catchment Management Authority.	Amendment C67 attempted to complete this but it was abandoned by Council. Municipal Strategic Statement (MSS) changes could be pursued through a future update of the MSS. There is no intention to further pursue the implementation of a Salinity Management Overlay.

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Review retail and office floor space needs in Colac and review zones accordingly.	Expected to be included in the Colac 2050 Plan.
Investigate potential to accommodate additional township development on 2324 and 2330 Birregurra-Forrest Road, Forrest as part of a local bushfire risk assessment.	Colac Otway Bushfire Planning Policy Project provides clarification of the development potential of Forrest in the context of bushfire. This report has been finalised but was deferred following changes to the Bushfire Management Overlay and now requires further assessment in line with new methodology.
Prepare township plans for Alvie, Cororooke and Beeac to determine a revised settlement boundary that supports growth of the towns in accordance with the Rural Living Strategy.	The Domestic Wastewater Management Plan will provide the technical basis for a township scale effluent management plan and determine the capacity for infill and future growth. Development of a township plan, including evaluation of development options, will follow. Deferred until the completion of the Domestic Wastewater Management Plan.
Investigate potential for expansion of Gellibrand and Beech Forrest subject to further strategic assessment having regard to bushfire risk and effluent management.	The Colac Otway Bushfire Planning Policy Project provides clarification of the development potential of these townships in the context of bushfire. This report has been finalised but consideration for adoption has been deferred due to State Government changes to the BMO through Amendment VC109. The effluent management issues are being investigated as a part of the Domestic Wastewater Management Plan.
Prepare an advertising signs policy for Colac and Apollo Bay.	Not commenced.

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## 5. CONSULTATION

Consultation was held throughout April and May 2014 with practitioners in Colac which was attended by twelve people. Smaller meetings were also held with agencies in Geelong and Colac. In addition, internal discussions were held with Economic Development, Environment, Recreation, Arts and Culture and other relevant Council departments. A survey was placed on the Shire's website for the six week consultation period, which had 4 respondents.

The review has concentrated on the main users of the Planning Scheme and included discussions on the MSS, local policy, local zone and overlay provisions, referral arrangements and emerging issues. It should be noted that whilst the key issues raised by different stakeholder groups are listed below, some recurring issues arose from the workshops that are still relevant but are not considered high priority or are in the process of being reformed by State Government.

### 5.1 Councillor Consultation

Briefings were held with Council during the course of the review, including the draft version of this document. The key issues raised were:

- The desire to streamline local provisions to make the planning application process easier for applicants and Council officers.
- The need to review the Design and Development Overlay Schedules 1 and 3 (Colac Industrial Areas).

### 5.2 Statutory Planning

Workshops were held with the statutory planning team, as primary users of the planning scheme. The feedback is summarised below:

#### Municipal Strategic Statement (MSS):

- There were a numbers of key issues highlighted where there is currently a lack of policy content to guide decision making in the MSS. Key emerging issues that statutory planners consider require addressing within the MSS include:
  - Guidance for uses under accommodation, in light of the rural zone changes.
  - Guidance on consideration of applications for dwellings in the Rural Conservation Zone.
  - Policy content on salinity and acid sulphate soil issues.
  - The need to introduce policy guidance following the completion of the Bushfire Planning Policy Project and the Domestic Wastewater Management Plan.
- It was also noted that reference document policy needs to be better integrated into the MSS.
- It was suggested that key objectives of the Apollo Bay Neighbourhood Character Statements need to be incorporated into other relevant controls, as they currently do not carry sufficient weight to be supported by VCAT.
- More guidance required for requests to use Clause 52.03 (Specific Sites and Exclusions).

#### Zones:

- Continue to advocate for State Government to review the Township Zone and provide for a rationalisation of the overlays applied to coastal settlements relating to neighbourhood character, landscape and vegetation. Reduce duplication and complexity of the controls.
- Requested further clarification within the Farming Zone schedule about the minimum lot size for dwellings.

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- Include a map in the Farming Zone schedule showing the locations of minimum subdivision areas (40ha and 80ha).
- It is not necessary to list Category 1 and 2 roads in the Farming Zone schedule.
- Farming Zone does not include position on low and moderate agricultural land when considering dwellings and other development.
- Guidance required for dwelling applications on small lots in the Rural Conservation Zone (this could be provided in the MSS).

**Overlays:**

- The existing conflict between the Neighbourhood Character Overlay, revegetation requirements and the Bushfire Management Overlay needs consideration.
- There are a number of overlays where wording needs to be examined to make their implementation clearer. These include:
  - Requirement for additional exemptions, including minor alterations to dwellings, in the Neighbourhood Character Overlay.
  - Requirement for exemptions for public works in the Erosion Management Overlay.
  - Further examination of the permit triggers concerning lot size under Buildings and Works and exemptions for Design and Development Overlay, including in the industrial areas and DDO4 and DDO7.
  - Examine the purpose/need for the landscape plan requirement for the Significant Landscape Overlay on the coast.
  - Need to make changes to the Environment Significance Overlay Schedule 1 as proposed through Amendment C70.
  - Requirement for additional exemption in the Significant Landscape Overlay to address agricultural outbuildings.
  - Need to clarify guideline for subdivisions in Birregurra Design and Development Overlay areas.
  - A consistent approach is required when describing tree width/diameter permit triggers in the Significant Landscape Overlay (SLO), Neighbourhood Character Overlay (NCO) and Vegetation Protection Overlay (VPO).
  - The term 'outbuilding' is applied in the wrong context to the SLO and ESO and prevents hay sheds from being exempt from a planning permit; need consistency of wording in overlays.
  - Correct anomalies and errors in overlays, e.g. correct the cross reference in the Schedule to the NCO to Character Maps in the MSS.
  - Remove mandatory requirement for imposing condition in the Schedule to the EMO, so it does not have to be applied in cases where it is not required (e.g. boundary realignments and straightforward subdivision). Reword condition to better phrase reference to subsequent reviews of submitted reports.

**Particular Provisions**

- Wording in schedule to clause 52.01 (Public Open Space Contribution and Subdivision) needs to be amended to delete the word 'additional' from the first column.

**5.3 Other Council Departments**

The following Council Departments were consulted on the performance of the Planning Scheme:

- Infrastructure
- Environment and Community Safety (including fire prevention)
- Recreation, Arts and Culture
- Economic Development
- Building
- Community & Corporate Services
- Environmental Health

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Internal departments consider that the MSS needs to be thoroughly reviewed to ensure that it aligns with current policy. This is particularly relevant to the environmental and community services departments. It was noted that the 'Vision' in the current MSS fails to recognise the importance of the social environment as an element of Council's vision and its importance when considering land use and development. It is considered that several projects such as the Council Plan, the Municipal Public Health and Wellbeing Plan, the Active Transport Strategy, the Open Space Strategy, and the Access, Equity and Inclusion Plan, have identified emerging issues for Colac Otway that are not currently reflected in the MSS. There was also a need identified to update the list of reference documents contained in Clause 21.07 (Reference Documents).

#### 5.4 External Agencies

The following Government Departments and servicing authorities provided feedback into the Review:

##### **Former Department of Environment and Primary Industries (now Department of Environment, Land, Water and Planning)**

- Changes are required to 21.01-3 and 21.04 (Municipal Profile – Environment and Cultural Heritage) to reflect the importance of biodiversity value in State policy.
- Policy from recent Otway Coast Committee Coastal Management Plan needs to be integrated into the MSS.
- The MSS should support bushfire policy on both public and private land and be more complementary of Clause 13.05 (Bushfire).

##### **CFA**

- Policy relating to vegetation retention needs to be examined to ensure it does not conflict with bushfire safety policy.
- Support for defined township boundaries and acknowledgement of bushfire risk in all relevant towns in section 21.03 (Settlement).
- The CFA supports the implementation of the findings from Council's Bushfire Planning Policy Project and, in particular, a separate section in the MSS to address bushfire policy issues.

##### **Water Authorities**

- The water authorities have clarified that the catchment boundaries for ESO3 (Declared Water Supply Catchments) need to be updated. Barwon Water and Wannon Water are in the process of determining the correct boundaries and will provide these to Council once completed.
- There are a number of zoning changes that have been requested to correctly identify land that is owned by the water authorities and should be zoned Public Use Zone 1.
- It is expected that upon completion of the Domestic Wastewater Management Plan there will be considerable input into the Municipal Strategic Statement.
- Suggestions have been made for required edits to the Environmental Significance Overlay Schedule (ESO3).

##### **EPA**

- The EPA does not require changes to the current planning scheme but did highlight the issue of encroachment of residential development upon key industry. The EPA suggests the identification of important industries within townships and the identification of potential incompatible land uses in order to minimise future impacts to both industry and residents. This could be achieved through the Colac 2050 Plan.

#### 5.5 Practitioners

Council invited input from a range of practitioners who regularly submit planning permit applications in the Shire, including surveyors, designers, planning consultants, building surveyors and Geotechnical engineers. The workshop was attended by a small but diverse group of consultants.

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The following points were raised:

- The potential impacts of salinity need to be expressed in the MSS, given that Amendment C67 to implement the overlay was not successful.
- The Domestic Wastewater Management Plan is critical to give guidance for rural dwellings in water catchments, because currently it is very difficult area to navigate.
- The importance of undertaking a Master Plan for Gellibrand was highlighted.
- Support for the streamlining of controls in coastal areas where the numerous overlays add layers of complexity.
- More guidance is required for consideration of houses in the Farming Zone on small acreage.
- There is a need for design guidelines for development in the industrial area in Apollo Bay.
- The broader use of the Rural Activity Zone should be further investigated.

### 5.6 Community

A survey was placed on the Shire's website for the six week consultation period, which had 4 respondents. Comments made included:

- public knowledge of planning scheme is negligible
- the fact there is too much red tape
- the costs of obtaining a permit are too high for not-for-profit organisations
- lack of exemptions under the NCO
- overlay coverage is too broad and should be limited in area or scrapped
- a more liberal approach required, e.g. bushfire building regulations should not apply if certified bunker installed
- minimal area to build residence should be lowered to meet neighbourhood characteristics and to allow building on most blocks
- need for improved links on Council website to allow access to overlays
- need to ensure enquiry on address shows all applicable overlays
- the difficulty of getting a permit outside city limits
- the need for a change to the policy of limiting growth to Colac and Apollo Bay
- suggest conciliation and co-operative approach and a recognition of property owner's historical rights on private property
- disengagement of the community from the Council over last few years
- consider there are already too many planning controls and strategic studies/plans

It was also requested through a written submission and during the Apollo Bay Community Conversation, that the 20% site coverage under the Neighbourhood Character Overlay in Skenes Creek be increased to 40% or 50%.

### 5.7 Corporate Strategy Documents

A number of corporate policy documents make recommendations which need to be considered through this Planning Scheme Review.

Two such recommendations are to integrate affordable housing goals into the planning scheme and to implement a Council Environmental Sustainability policy that addresses opportunities for improving sustainability in developments.

It is considered that the former can be addressed through work on the residential strategy for Colac 2050, where most opportunity lies for providing affordable housing. This Review recommends that the latter be addressed initially through the opportunity to consider developing a policy around Environmentally Sustainable Design (ESD).

Audit reports have also flagged the need to consider issues such as climate change and the reduction of carbon emissions across the municipality. Such matters have been already been identified as key issues for the municipality, for example in terms of sea

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level rise which has been flagged as an issue that requires State Government involvement. It is also noted that State Government has been reviewing the sustainability provisions for new development.

In addition, the need to consider the historic importance of the Beechy Rail Trail has been flagged. In response, work has been undertaken on the identification of heritage items along the Trail and Council supported the exhibition of an associated amendment, which has been deferred to allow further consultation on proposed controls for dry stone walls.

The audit reports also identified the provision of open space in new urban neighbourhoods as a key strategic direction. Amendment C75 implemented the recommendations of the 'Colac Otway Public Open Space Strategy' (COPOSS) (2011), including changes to the MSS and amendment of clause 52.01 for public open space contributions (in operation since 11/9/14). The Amendment introduced new minimum public open space contributions for development based on the number of new lots that are created through subdivision. The new provisions will result in increased developer contributions, which will assist in overcoming the shortage of open space identified through COPOSS.

Another audit objective was to incorporate the most current environmental mapping into the planning scheme. This was considered through proposed Amendment C70, which was abandoned by Council. Discussions are ongoing with DEWLP about the potential to improve the mapping.

A broader audit recommendation was to review the MSS "and ensure climate change, salinity, sustainable land use and acid sulphate soils are recognised appropriately and are managed through statutory controls". These issues are identified for further consideration, as discussed elsewhere in this report.

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## 6. PLANNING ISSUES FACING THE MUNICIPALITY

This section provides an overview of the major planning issues facing the municipality based on a review of the municipality's physical and community characteristics, recent State and Local Government policies and strategic work and the current Council Plan.

### 6.1 Emerging and Ongoing Issues

- Water Catchment Management – In November 2012, the State Minister for Water released 'Guidelines for Planning Permit Applications in Open, Potable Water Catchments'. This document confirmed the density provisions for declared water catchment areas. As a result, the water authorities are now mandated to enforce regulations that are impacting on the approval of planning permits. The preparation of a Domestic Wastewater Management Plan, which is currently being undertaken by Council in consultation with the water authorities and other interested bodies such as the EPA, will provide some certainty for development within the declared water catchment areas.
- Bushfire Risk – Following the 2009 Black Saturday bushfires, a Royal Commission Report was released in July 2010 and the State Government also responded by introducing the Bushfire Management Overlay. The State Government introduced an amendment to the bushfire provisions in July 2014 that has significant implications for the assessment of applications within the residential zoned areas and the Rural Living Zone. This has provided a level of certainty to landholders who previously had difficulty obtaining planning approval for development in settlements with a high bushfire risk.
- Climate Change – Sea level rise and climate variability are significant issues which will become more relevant to the Shire given its coastal interface and high quality agricultural land. Council will need to work collaboratively to ensure that appropriate planning controls are introduced that respond to risk of coastal inundation, and that State Government funds further work to examine the policy implications for settlement in the coastal strip within the Shire e.g. Apollo Bay. In addition, issues resulting from increased heatwaves over summer affecting agriculture and vulnerable groups in the community will require mitigation and adaptation measures to ensure Colac Otway is more resilient into the future.
- Duplication of the Winchelsea to Colac section of the Princes Highway – The duplication of the highway to Colac, and future growth of Geelong to the south and west, will increase the linkages between Colac and Geelong and have an influence on the rate and location of growth in the Shire. Amendment C80 which puts in place the planning framework for the project was approved in November 2014.
- Bypass route for Colac – A decision on a preferred route for a long term bypass of Colac with the Princes Highway is required to be done by VicRoads, as investigation and planning for arterial roads is the responsibility of that authority.
- Public Transport – Increased passenger regional rail services have been identified as a major barrier to facilitating economic development in the Shire, particularly for Colac, and will continue to be pursued through the G21 and GSC regional forums to determine the potential for additional services to commence.
- Acid Sulphate Soils – The State Coastal Acid Sulphate Soils (CASS) Strategy has identified the existence of acid sulphate soils around Apollo Bay and Hordern Vale, but the mapping is poor and there are no planning controls to reflect this risk. Consideration needs to be given to improved mapping and appropriate planning overlays to support decision making. Council has taken a lead role in initiating a joint project with other agencies to map potential areas of acid sulphate soils inland.



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- Sustainability – Council through its planning scheme will need to increase its delivery of Environmentally Sustainable Design (ESD) outcomes within its scope of influence. Of note is an 'Advisory Committee and Panel Report' on a joint planning scheme amendment involving six Melbourne Councils advocating additional ESD requirements in planning schemes, which was released on 7 April 2014. The Committee concluded that a State-wide approach is the best way to facilitate an increased focus on sustainability but, in the interim, supported the six Amendments. The Committee also noted the strong linkages between planning and building in the area of sustainability. The Committee concluded that, whilst there should be improved clarity in roles, the two systems need not be in conflict and both have important roles to play.

## 6.2 Matters requiring State Government assistance

The following issues have been identified through the Review as ones which require State Government support to direct changes to particular aspects of the planning scheme, and provide greater levels of direction and information to address locally important issues.

- Bushfire Planning Project – Following changes to the bushfire provisions in July 2014, a substantial number of findings and recommendations from the draft report need to be revisited. A full review to consider the implications of the changes is required, along with a Government managed planning scheme amendment.
- Planning for settlements at risk of future sea level rise – Coastal Hazard Vulnerability Assessments (CHVAs) are required for settlements and coastal land within the Shire. This would build on Future Coasts' mapping to take account of local factors and develop policy responses to avoid the need for CHVAs to be undertaken for individual sites, and provide useful direction for strategic planning in affected towns.
- Improved mapping for Acid Sulphate Soils – This issue requires State Government to play a central role through its relevant agencies, to assist Colac Otway in identifying potential areas of acid sulphate soils with the best available mapping technology, and to introduce appropriate planning controls.
- Salinity Management – Whilst, as noted earlier in this Review, there is scope for information about salinity to be included in the MSS, there is also opportunity for the salinity issues to be considered through the building permit process. This issue needs to be addressed by State Government.
- Township Zone – The Township Zone applies to most small towns in the Shire. Despite recent reforms through the Residential Zones review, Colac Otway Shire remains concerned that greater flexibility is still required for the Township Zone, to allow consolidation of overlays such as the DDO and NCO and for the schedule of the Township Zone to be better utilised for local conditions. (e.g. the ability to nominate a minimum lot size). Council continues to lobby State Government and other bodies such as the MAV about changes to the zone, or the creation of a new coastal township overlay.

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**7. ASSESSMENT OF THE COLAC OTWAY PLANNING SCHEME****7.1 How the MSS implements the State Planning Policy Framework**

The State Planning Policy Framework (SPPF) contained within the Victoria Planning Provisions outlines the general principles for land use and development, and incorporates policies relating to settlement, environment, housing, economic development, infrastructure and particular uses and development, that must be considered in all planning decisions.

The following clauses make up the SPPF and are all relevant to Colac Otway:

- Clause 11: Settlement
- Clause 12: Environmental and Landscape Values
- Clause 13: Environmental Risks
- Clause 14: Natural Resource Management
- Clause 15: Built Environment and Heritage
- Clause 16: Housing
- Clause 17: Economic Development
- Clause 18: Transport
- Clause 19: Infrastructure

**7.2 Effectiveness of the current MSS**

This section provides an assessment of the effectiveness of the current MSS in terms of clarity, usability and alignment with the DTPLI Practice Note 4 (October 2013) 'Writing a Municipal Strategic Statement'. As an overall comment, the MSS is considered structurally sound and has been since the extensive restructure which came out of Amendment C55 in 2009.

This Planning Scheme Review has concentrated on identifying issues that need to be expressed more effectively in the MSS and to provide more specific direction for land use and development across the Shire. Changes to several sections of the MSS have occurred since the last review as a result of planning scheme amendments affecting Colac, Apollo Bay and smaller settlements across Colac Otway Shire.

The following changes are recommended:

- Clauses 21.02 (Vision) and 21.04-2 (Water) require stronger guidelines on effluent disposal, an explanation of why 'best practice' is required and the nature of constraints e.g. need for water catchment protection. Also needs to note existing septic issues in the small coastal towns. It will also be necessary to assess the need for further policy direction once DWMP is completed.
- Clauses 21.03-9 (Rural Living) and 21.05-1 (Agriculture) need to be strengthened to more clearly guide use of direction when considering applications for dwellings, excisions and boundary realignment in the Farming Zone and Rural Conservation Zone (being developed through the Rural Living Strategy). For example, there is no direction in relation to proposals on vegetated Farming Zone land or land in the Rural Conservation Zone.
- Include reference to Environmentally Sustainable Design and its importance in the context of land use and development in the Shire.
- Section required highlighting the issue of Acid Sulphate Soils and identifying areas where they potentially occur in the Shire.
- Clause 21.04 (Environment) – Given the significance of bushfire risk to the Shire, it is considered that this issue should be addressed in its own sub clause (as issues such as catchment management, water and vegetation currently are).
- Clause 21.04-2 (Water) requires a section on stormwater and a requirement for a management plan for Colac based around WSUD.
- Clause 21.04-3 (Vegetation) should include commentary on Timber Production on private land, and refer to native vegetation harvesting.

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- Consider expanding the policy on salinity, to provide further guidance to landholders on this issue following the abandonment of the proposed Amendment C67 to introduce a Salinity Management Overlay (SMO).
- Clause 21.04-5 (Erosion) requires more emphasis on landslip constraints and a distinction between landslip and erosion. This section should reference the updated mapping and schedule for the EMO, and provide guidance on when a risk is unacceptable.
- Clause 21.04-7 (Climate Change) requires updating in line with the Regional Climate Change Resilience Project that is currently underway.
- Clause 21.04-9 (Cultural Heritage) should include a section on the importance of 'Dry Stone Walls'.
- Add reference to 'Indigenous Heritage' at clause 21.04-9
- Clause 21.05-3 (Manufacturing) requires updating and further discussion around small towns and their relationship with Colac as the service centre.
- Review policy references to external colours/materials to clarify circumstances where muted tones are required. Subdued colour schemes not required in all circumstances, particularly rural land away from vegetated landscapes in the Otways.
- The eight metre height limit for development in small towns should be reviewed to incorporate some flexibility. Objectives can be achieved with clearer and possibly fewer guidelines addressing the overall design without over-emphasising a prescriptive height limit on a new building. A conflict exists with the EMO which requires minimal footprint and disturbance to the site – that can result in a design response which dominates surrounding properties and impacts on view lines.

It should be noted that the Minister for Planning established an Advisory Committee to review the State Planning Policy Framework (SPPF) in July 2013. In October 2013, the terms of reference of the Committee were expanded to review ways in which Local Planning Policy Frameworks (LPPF) could be better aligned with the SPPF. In light of this recent review of the Planning Policy Framework (PPF) and the draft report released in 2014 by the Advisory Committee, no changes are foreshadowed in this report until final decisions by the Government are available to consider. Colac Otway Shire officers participated in the consultation process and made a submission to the PPF review.

### 7.3 Effectiveness of the current local policies

The existing Colac Otway Planning Scheme contains only one local planning policy and the following is a brief commentary.

#### Clause 22.01 – Colac Otway Heritage Policy

Following the rationalisation of local policies into the MSS in 2009, the Colac Otway Heritage Policy remains the only local policy in Clause 22.01. This policy applies to all land with a Heritage Overlay, and provides guidelines for the conservation and enhancement of buildings and places within the overlay. The outcome of the PPF Advisory Committee Review will determine where existing local policies will be located under a new framework.

### 7.4 Effectiveness of the current zones and schedules

There are a total of 16 zones in the Colac Otway Planning Scheme as follows:

- General Residential
- Neighbourhood Residential
- Township
- Low Density Residential
- Industrial 1
- Commercial 1
- Commercial 2
- Rural Living
- Rural Conservation
- Farming

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- Rural Activity
- Public Use
- Public Park and Recreation
- Public Conservation and Resource
- Road Zone
- Special Use

**Residential Zones**

- New residential zones were introduced through Amendment C79 in June 2014. All areas of Colac Otway Shire zoned Residential 1 defaulted to the new GRZ, with the exception of the area covered by DDO7 in Apollo Bay. In that area, which was rezoned Neighbourhood Residential (NRZ), the DDO7 remains as the full translation of the DDO requirements were not possible in the new NRZ schedule.
- Whilst some changes to the Township Zone occurred as a result of the State Government's reforms to the suite of residential zones, these changes did not allow a rationalisation of all overlays in coastal township areas into the Township Zone schedule. Colac Otway continues to advocate for reform on this issue and has recently held discussions with DEWLP (formerly DTPLI) and Surf Coast Shire to identify possible solutions. It is considered that potentially a Schedule could be introduced to replace the multi-layered overlays required to address neighbourhood character in the small coastal towns (e.g. NCO, SLO and DDO) – this would simplify the controls for all users. Alternatively, as discussed later in this report, consideration could be given to a single overlay that rationalises the controls.
- In addition, the current Township Zone provisions limit the potential for boutique type commercial activities/uses that come within the land uses listed in clause 52.10 (Uses with Adverse Amenity Potential) to locate in smaller settlements, as small scale uses are assessed against the same criteria as larger industrial uses. Examples of uses that could be prevented from locating in some areas are microbreweries and small scale cheese-making operations. This is a State-wide control and Colac Otway Shire has previously advised the former DPCD and DTPLI of the zoning limitations in the Township Zone. Council continues to advocate for a thorough review of the Township Zone.
- Issues concerning inappropriate sheds in the Low Density Residential Zone (LDRZ) could be addressed by including a schedule to the zone limiting shed size and possible setbacks from boundaries.

**Industrial Zones**

- All industrial uses in Colac are located in Industrial 1 zoned land, which is located on the eastern and north-west areas of town. A future review of commercial and industrial land as part of the proposed Colac 2050 will consider current demand and whether some further industrial land is required in Colac.
- Amendment C74 recently included the rezoning of 3.9 hectares of land at the northern part of the Apollo Bay industrial estate (86 and 94 Montrose Avenue Apollo Bay) to the Industrial 3 Zone, which is appropriate for interfaces with sensitive areas. Ministerial approval of that amendment is awaited at the time this Review was completed.

**Commercial Zones**

- There is a need to investigate the demand for bulky goods developments in Colac and the demand for retailing floor space in general. A Retail Strategy or Assessment will form part of the Colac 2050 Plan and address the capacity of the Commercial 2 Zone to the west of Colac. This area has started to attract businesses formerly located in the CBD, which no longer require a central location or have out grown their former site. The Retail Strategy/Assessment will also assess current commercial zones in Colac and determine what level of retail development is appropriate for Elliminyt.

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**Rural Zones**

- There remains a need to further examine whether a wider use of the Rural Activity Zone (RAZ) should be considered. Increased demand for tourism accommodation, and other related uses which come under the definition of 'Place of Assembly', has occurred since the last review. The ability to consider such proposals on their merits is vital to build on existing ecotourism activities such as the 'Great Ocean Walk', the 'Otway Fly' and one off events/festivals.
- Council should also consider further advocacy on the matter of increased flexibility in the Rural Conservation Zone, for similar reasons.
- Consideration could be given to the removal of permit triggers for earthworks from the Rural Living Zone (RLZ) as this provision is vague, too difficult to determine and is generally covered by existing overlays. Whilst it is considered that the saline groundwater reference is equally problematic, it is considered that this should remain in light of Council's decision to abandon the introduction of the Salinity Management Overlay through amendment C67 in 2013.
- The 'conservation values list' within the Rural Conservation Zone (RCZ) schedule requires updating and a reference to 'impacts from dwellings' to be included.
- It is not necessary to list roads in Farming Zone (FZ) schedule, but consideration could be given to the necessity for them to be referenced in the MSS, for consideration when assessing the landscape impacts of development proposals.

**Public Use Zones**

- The Public Park and Recreation Zone has been applied to areas of public open space which does not reflect their correct status, as some of these areas are encumbered land or owned by the water authority.

**Special Use Zones**

- This zone is used in order to recognise or provide for use and development of land for specific purposes when there are no other more appropriate zones. It currently applies to the Apollo Bay airfield and is being considered for the Apollo Bay Harbour as part of Amendment C73. Consideration could also be given to applying this zone to the Colac airfield, which is currently zoned Farming Zone, or to major employment sites such as Bulla to simplify the planning process for appropriate developments within the site.

**Mapping Anomalies**

- Consideration needs to be given to updating zoning maps and correcting anomalies, e.g. rezoning land currently zoned General Residential to Public Park and Recreation Zone to align with title boundaries and/or the location of landfill at the Bruce Street landfill site.

**7.5 Effectiveness of the current overlays and schedules**

There are a total of 15 overlays in the Colac Otway Planning Scheme:

- Environmental Significance
- Heritage
- Design and Development
- Land Subject to Inundation
- Floodway
- Significant Landscape
- Development Plan
- Vegetation Protection
- Neighbourhood Character

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- Erosion Management
- Bushfire Management
- Public Acquisition
- Airports Environs
- Restructure
- Parking

A number of schedules require refinement in relation to unnecessary permit triggers, and would also benefit from clearer decision guidelines that build on recent amendments and changes to the VPP.

A brief overview of the overlays and schedules, and recommended improvements, are listed below.

**Environmental Significance Overlay**

This overlay has six schedules.

- Schedule 1: Warrion Groundwater
  - Schedule 2: Lakes, Wetlands and Watercourses
  - Schedule 3: Declared Water Supply Catchments
  - Schedule 4 Habitat Protection
  - Schedule 6: Colac Water Reclamation Plant Buffer
- Changes to ESO1 (Warrion Groundwater) were included in proposed planning scheme amendment C70, which was abandoned by Council. The changes relating to ESO1 were aimed at ensuring the overlay addressed groundwater protection issues and avoided unnecessary permit triggers. It is envisaged that the proposed changes will form part of a future amendment as they were not considered contentious and had support from the relevant authority and affected land holders.
  - It is likely that the existing ESO3 will require some changes to reflect the outcomes of the Domestic Wastewater Management Plan (DWMP). It is anticipated that a draft DWMP will be available in mid-2015.
  - It is recognised that there is a need to speed up the process to obtain a permit for smaller developments such as farm sheds and outbuildings. Discussions have been held with the water authorities, which have resulted in an agreed position that certain types of applications (such as applications for agricultural buildings and outbuildings to a certain size) need not be referred provided standard conditions are imposed on permits in those cases. A Memorandum of Understanding (MoU) has been developed with the water authorities, which is currently being circulated for final review and signing. The MoU will remove the need to refer planning applications to the water authorities if certain criteria are met, e.g. distances to waterways, maximum building area and confirmation that facilities that generate waste water are not being proposed in the building.

**Heritage Overlay**

- Amendment C77 was approved in October 2014. Several anomalies, relating to mapping errors and property identification within the schedule, required correction.
- Follow-on work is required through amendment C81, involving protection of remaining significant assets along the Old Beechy Railway Line and consideration of a permit requirement for works to Dry Stone Walls across the Shire.

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**Design and Development Overlay**

This overlay now has 15 schedules, following changes made as a result of C72 (CBD and Entrances Project) Part 1 and C76 (Birregurra) during the reporting period:

- Schedule 1: Colac Eastern Entrance and Industrial Area
  - Schedule 2: Colac West Business Area
  - Schedule 3: Colac Western Entrance
  - Schedule 4: Coastal Towns: Skenes Creek, Kennett River, Wye River and Separation Creek
  - Schedule 5: Apollo Bay Town Centre
  - Schedule 6: Apollo Bay Medium Density Residential Area
  - Schedule 7: Apollo Bay and Marengo – Lower Density Residential Areas
  - Schedule 8: Colac CBD
  - Schedule 9: 413-437 and 441-479 Murray Street, Colac
  - Schedule 10: (awaiting final approval as part of C74)
  - Schedule 11: Birregurra – Area A
  - Schedule 12: Birregurra – Area B
  - Schedule 13: Birregurra – Area C
  - Schedule 14: Birregurra – Area D
  - Schedule 15: Birregurra – Commercial Area
  - Schedule 16: Birregurra – Industrial Area
- Schedule 1 was amended through C72 (Colac CBD and Entrances Project) Part 1, to ensure future industrial buildings incorporate effective landscaping treatments and minimise their visual impact on the eastern town entrance. There remains some ambiguity concerning the minimum subdivision requirement of 5ha in schedule 1 and whether this is necessary for the area.
  - Schedules 2 and 3 should be revised to give more direction for subdivision minimum lots sizes and desired planning outcomes. It is envisaged that the outcomes of the Colac 2050 Plan will provide up-to-date information in response to this issue.
  - Council is currently exploring options for work to be done on the potential to rationalise overlay controls, including DDO4, in coastal areas. At present DDO4 is required in these townships, as other overlays do not control subdivision size. Council is advocating for an approach that would either alter the Township Zone provisions, or develop a new 'coastal township overlay' that would allow the deletion of DDO4 and other a number of the other existing overlay controls in order to minimise duplication and reduce the complexity of controls.
  - Schedules 6 (Apollo Bay – Medium Density Residential Area) and 7 (Apollo Bay and Marengo – Lower Density Residential Areas) require clearer guidelines in relation to their objectives and preferred outcomes for low density and medium density areas, to clearly differentiate the intended levels of development envisaged. Amendment C65 Part 1 extended Schedule 6 north of Cawood Street, Apollo Bay to reflect the medium density development that had already existed in the area.
  - However, the wording in Schedule 6 needs revising, as there are discrepancies for the minimum lot size for which a permit is not required to extend a dwelling.
  - Schedule 7 requires precinct maps to clarify minimum lot size, as these are not currently shown within their respective schedules and are difficult to identify.
  - Consideration should be given to introducing a DDO over the Apollo Bay industrial area to guide preferred development.
  - Amendment C76 introduced 6 schedules to the DDO in Birregurra. The drafting of the controls was complex and it will take time to gauge their effectiveness as infill development increases across the town.

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**Development Plan Overlay**

This Overlay currently has 4 Schedules, and a further one is proposed:

- Schedule 1: Colac Abattoir and Food Production Plant
  - Schedule 2: Future Residential Areas (Colac)
  - Schedule 3: Future Industrial Areas (Colac)
  - Schedule 4: Mariners Vue Development Area
  - Schedule 5 (this schedule, which will apply to land north of Mariners Vue at 6230 and 6280 Great Ocean Road, Apollo Bay, is awaiting final approval as part of C74)
- DPO1 has an approved development plan, although further development of the site is still anticipated and therefore it is not considered an appropriate time to consider removing the control.
  - Two areas in Elliminyt covered by DPO2 have had development plans approved by Council since the 2010 Planning Scheme Review. There is a need to maintain the DPO2 over the other affected sites and for Council to complete development plans for them as soon as possible. However, given that most of these areas are under single ownership, a subdivision application when approved will effectively become the default development plan.
  - The subdivision of land at 115-153 Pound Road has recently been granted a permit. The existing DPO2 could therefore be removed once the subdivision takes place.
  - DPO4 was updated as part of Amendment C74.

**Land Subject to Inundation Overlay**

- This overlay is applied to all watercourses and rivers throughout the Shire and Amendment C12 introduced changes, which have been in operation since 2011, by updating the mapping and introducing the Floodway Overlay. It also introduced a range of permit exemptions.
- Mapping of flood prone areas will need to be updated further if the 'Future Coasts' mapping is released, indicating areas of future sea flooding resulting from climate change. In addition, the former DEPI announced a flood study to be undertaken in Colac which, as noted earlier in this review, is expected to be completed early to mid-2016.

**Significant Landscape Overlay**

This Overlay has 5 Schedules.

- 5: Apollo Bay Landscape Schedule 1: Valleys, Hills and Plains Landscape Precinct.
  - Schedule 2: Coastal Towns: Skenes Creek, Kennett Rive, Wye River and Separation Creek.
  - Schedule 3: Apollo Bay Coastal Valley and Hills Precinct.
  - Schedule 4: Johanna Coast to Cape Otway Coastal Valley and Hills Precinct.
  - Schedule Precinct.
- The SLO5 should specifically discourage development on ridgelines as this policy outcome has been diluted with recent changes to the LPPF via Amendment C55. Whilst there is reference in the MSS, it needs to be reinforced in the overlay control.



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- Consideration should be given to removing the outbuilding exemption in the SLO3 and SLO4 as a permit trigger, as there is concern that this exemption may result in buildings that adversely affect the landscape.

**Vegetation Protection Overlay**

This overlay is currently applied to large areas of the Shire and has 2 schedules.

- Schedule 1: Significant and Remnant Vegetation
- Schedule 2: Roadside Vegetation
- Amendment C70 proposed to introduce updated biodiversity mapping for a suite of environmental overlays including the existing VPO. The amendment was abandoned in early 2014 following significant concerns from affected landholders. Notwithstanding this decision, less controversial elements of the amendment remain relevant and should be considered for a future amendment once mapping issues and some further qualitative work has been undertaken. These elements include updating of the VPO1 and VPO2 where mapping was being taken off some areas and extended into others.
- In light of the VPP changes to Clause 52.17, a review of the VPO schedules should be considered and could include permit exemptions for low impact proposals.

**Neighbourhood Character Overlay**

This overlay has one schedule: Coastal Towns: Skenes Creek, Kennett River, Wye River, and Separation Creek.

- The need to reduce the number of overlays applied to coastal townships remains an important issue and it is considered that more flexibility is required in the State standard controls. Council has already advocated that further work be done to rationalise the controls, and it is considered that this advocacy role should continue. The rationalisation of controls could, subject to further investigation, potentially be achieved by amendments to the existing Township Zone and schedule provisions, a new zone, significant alterations to an existing overlay or a new overlay. With appropriate wording, such provisions could be applied in coastal and inland areas.
- It is widely accepted that the Neighbourhood Character Overlay could incorporate exemptions for small scale exemptions from the requirement for a planning permit. Such exemptions could include specified alterations to dwellings, small outbuildings and minor extensions.
- There is scope to reduce the overlap between the DD04, NC01 and the preferred character statements of clause 21.03.

**Erosion Management Overlay**

- Since the 2010 review, more accurate mapping was introduced through amendment C54 and a revised schedule was introduced through Amendment C68, which has significantly improved the operation of the overlay. Further mapping upgrades should be pursued by Council as Lidar technology becomes more accessible.
- It is considered that the Schedule could be updated to clarify wording (e.g. the reference to an 'outbuilding for non habitable agricultural purposes' could be simplified).
- A review of exemptions, and particularly small extensions and minor ancillary structures, is recommended to establish whether the exemptions could be increased.

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- Such a review should also consider the potential to exempt some subdivision, e.g. a boundary realignment where dwellings already exist on the land.
- It is recommended that the wording of the mandatory condition in the Schedule be reviewed and also the need to impose this condition in certain cases, e.g. boundary realignments and two lot subdivisions. A Tribunal Member recently queried the use of this condition in the case of a two lot subdivision.

**Bushfire Management Overlay**

- This overlay applies to the southern part of the Shire, predominantly the Otway ranges and surrounding foothills. The BMO was introduced in 2011 and increased the difficulty of gaining planning approval for dwellings in high risk areas, particularly in coastal settlements. Notwithstanding this, the CFA has approved most applications in these areas since the introduction of the BMO. Through the Colac Otway Bushfire Planning Project, schedules and potential growth areas were recommended in some of the eight high risk settlements. Following further changes to the BMO by the State Government in July 2014, the final project report was deferred by Council pending the outcome of a reassessment to be undertaken in line with revised BMO methodology. Council is currently seeking support from DEWLP to commence this work.

**Public Acquisition Overlay**

- The PAO is currently applied to the west of Colac near Pirron Yallock on the Princes Highway, land at Apollo Bay to provide for a water storage facility and more recently sections of the Princes Highway between Colac and the eastern boundary of the Shire for road duplication which was recently applied through Amendment C80.

**Airports Environs Overlay**

- This overlay, which covers Apollo Bay airfield, incorporates a Schedule and identifies uses which require a referral under Section 55. Buildings must be constructed to comply with aircraft noise standards.
- Whilst Apollo Bay airfield is covered by an AEO, Colac airfield is not. The need for an AEO over the airfield and surrounding land could be considered; however this remains a low priority given its location and lack of development pressure around it.

**Consideration of Additional Overlays**

Consideration also needs to be given to the appropriateness and implications of new overlays on land to identify current constraints, e.g. an Environmental Audit Overlay or other control over land at and in the vicinity of the former Bruce Street landfill site.

**7.6 Effectiveness of the particular provisions**

There are 8 opportunities in Clause 52 of the Planning Scheme for Council to specify local variations to particular provisions and the most relevant are discussed below:

- Clause 52.01 Public Open Space Contribution and Subdivision  
Amendment C75 was approved in 2015 and introduced new public open space contribution requirements of up to 10 percent within the growth towns of Colac/Elliminyt, Apollo Bay/Marengo and Birregurra, and up to 5 percent elsewhere in the municipality excluding Farming Zone, Rural Activity Zone and the Rural Conservation Zone land.

The new provisions are considered sound and based on need, but the application of this provision has led to an issue with the current wording and it is

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recommended that the word 'additional' be deleted from the first column in the schedule.

- Clause 52.02 Easements, restrictions and reserves  
There is currently no requirement to utilise the schedule to this clause.
- Clause 52.03 Specific sites and exclusions  
There is currently no requirement to utilise the schedule to this clause although some requests have been made to Council to overcome limitations of existing zonings. It is acknowledged that when to use and when not to use the clause is a grey area and that more defined guidelines would prevent inappropriate requests.
- Clause 52.05 Advertising signs  
The development of a signage policy had been scheduled to commence during the 2014/15 financial year, but staffing issues meant the resources were not available for this to occur. The lack of policy guidance on signs represents a major gap in the planning scheme. A policy that considers local issues and expresses guidelines for preferred types, sizes and location of signs in different circumstances could be incorporated into a schedule to clause 52.05. This remains a work that would be beneficial to Council and stakeholders, and should be undertaken in 2015/2016.
- Clause 52.06 Car Parking  
The changes to Clause 52.06 and the introduction of the Parking Overlay have provided clarity.
- Clause 52.17 Native Vegetation  
No schedule exists in this clause, although there is some opportunity to identify certain weed species that should be exempt.
- Clause 52.27 Licensed Premises  
Whilst there is currently no local policy for licensed premises, it is considered that the changes made to this clause through Amendment VC81 in 2013 provide sufficient policy direction when considering planning applications.
- Clause 52.28 Gaming  
The Schedule currently prohibits new venues in most of the shopping areas and is relatively restrictive. However consideration should be given to developing a policy to guide local planning applications.

### 7.7 Relevance of current incorporated and reference documents

The Schedule to Clause 81.01 includes 32 documents, 26 of which are State Government project documents which must be retained.

Reference documents within the MSS that should be removed and/or updated include:

- Master plans for small towns – plans have been completed for most towns with part funding from the State Government. These relate mainly to public infrastructure improvement works rather than planning outcomes, and some plans have completed implementation and therefore are no longer relevant and should be removed from this section as a reference document.
- The Colac Otway Economic Development and Tourism Strategy (2004) is to be replaced by the Economic Development Action Agenda 2009-2013.
- Inclusion of the Active Transport and Physical Activity Strategies.

An audit of all incorporated and reference documents is recommended.

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**7.8 What works well in the planning scheme?**

- Consultation – the community values the opportunity to provide feedback and participate in the planning process, which is complemented by Council's own policy on Community Consultation.
- Protection of landscape values along coastal areas.
- Height controls for Apollo Bay.
- Current officer delegations which result in a relatively streamlined and effective decision making process.

**What does not work well in the planning scheme?**

- Conflict or inconsistency between various overlay objectives.
- Community understanding of planning process.
- Advice and permit conditions from some referral authorities.
- Confusion about the status of reference documents in planning decisions.
- Decision Guidelines when assessing dwellings in the suite of rural zones could be improved to reflect the broad range of circumstances that arise.
- Language is often contradictory and too complex – e.g. permit triggers and exemptions for Native Vegetation.
- Slow to keep up with communities on issues such as climate change, liquor licensing and energy efficiency.
- Changes to VPPs – not often fully explained or supported by information prior to coming into effect.

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**8. FURTHER STRATEGIC WORK**

Key future strategic work for Council that has been identified during the Review process is categorised as follows:

<b>HIGH PRIORITY PROJECTS</b>
Update of MSS, and zone/overlay schedules to address minor issues raised in or since the 2010 Planning Scheme Review
Colac 2050
Small Town Plans for Alvie, Beeac and Cororooke
Amendment to streamline current overlay controls, reducing duplication and providing appropriate exemptions for minor developments
Develop Advertising Signage policy
Development guidelines for industrial areas (DDO)
Amendment to correct mapping and remove redundant controls
Develop Precinct Plan for East Colac Rural Activity Zone land (part of Colac 2050 Plan)
Undertake settlement wide CHVAs in Coastal areas vulnerable to sea level rise
<b>MEDIUM PRIORITY PROJECTS</b>
Apply Heritage Overlay to additional sites in the Heritage Study
Apply development controls to areas with potential acid sulphate soils
Develop ESD policy
Review wider application of RAZ
Gaming policy
Develop licensed premises policy
Structure Plans for Gellibrand and Beech Forrest
<b>LOW PRIORITY PROJECTS</b>
Style Guidelines for Apollo Bay and other locations in Shire
Review the 2003 Heritage Study
Dry Stone Walls Heritage Protection and Colac-Crowes Rail Line Controls
Review the Apollo Bay/Marengo Neighbourhood Character Precinct Statements
Update biodiversity overlays, subject to State Government providing more accurate mapping

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## 9. RECOMMENDATIONS

Overall, the Review has found that, whilst cumbersome, the operation of the Colac Otway Planning Scheme is structurally sound with good linkages between the SPPF and the MSS. However, some duplication of controls could be further rationalised and clearer guidance is required in some areas to meet relevant objectives. There is also scope to reduce permit triggers within schedules to the zones and overlays for minor works.

The current Review has identified a number of actions, which are summarised below (with examples of proposed actions also provided):

- **Review and update the provisions of the MSS**, following the completion of the State Government PPF Review, in accordance with the recommendations of this Review. Consideration should be given to adding or enhancing policy on matters such as the Domestic Wastewater Management Plan, Environmentally Sustainable Design, Acid Sulphate Soils, Salinity and social inclusion.
- **Continue to advocate for appropriate changes to the provisions of the zones**, e.g. more flexibility for tourism related uses in the Rural Conservation Zone.
- **Continue to advocate for a rationalisation of controls in coastal areas**, whether through amendments to the current Township Zone provisions, or the introduction of a new overlay (which may also have the potential to be applied inland).
- **Continue to advocate for a review of the Township Zone** to allow greater flexibility for the introduction of appropriate small scale commercial and industrial operations that add to the economic development of the township and complement existing activities, e.g. boutique food or drink production
- **Ensure land is appropriately zoned**, e.g. explore whether the Rural Activity Zone should be applied to additional areas, and ensure that General Residential land at the Bruce Street landfill site is rezoned PPRZ to accord with landfill areas and/or title boundaries.
- **Consider the appropriateness of new zones or overlays to address existing land uses**, e.g. further use of the Rural Activity Zone, potential use of clause 52.03 (Specific Sites and Exclusions) and the application of an overlay over land at and in the vicinity of the former Bruce Street landfill site.
- **Review the schedules to the overlays**, to streamline and simplify processes where possible and appropriate. The potential for further exemptions from the requirement for a permit should be examined, with the inclusion of such exemptions recommended for the Neighbourhood Character Overlay in particular.
- **Refining and rewording of other overlays is also required in line with the findings of this Review** to correct discrepancies and make provisions clearer e.g. the use of the word 'outbuilding'; the contradiction of the lot size required for an extension to be exempt under the provisions of DDO7; and the use of the word 'additional' in the schedule to clause 52.01 (Public Open Space Contribution and Subdivision).
- **Streamline provisions by reaching agreements with relevant authorities about referral requirements** in line with the provisions in the planning scheme, e.g. finalising the Memorandum of Understanding with the water authorities.
- **Remove unnecessary requirements**, e.g. the requirement for a mandatory condition under the provisions of the Erosion Management Overlay, instead allowing discretion for an appropriately worded condition to be applied solely in cases where required.
- **Review and update incorporated and reference documents**. Ensure documents are relevant and up-to-date, and consider status.

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**10. ABBREVIATIONS**Zones

GRZ – General Residential Zone  
 NRZ – Neighbourhood Residential Zone  
 TZ - Township Zone  
 LDRZ – Low Density Residential Zone  
 IN1Z – Industrial 1 Zone  
 C1Z - Commercial 1 Zone  
 C2Z - Commercial 2 Zone  
 RLZ - Rural Living Zone  
 RCZ - Rural Conservation Zone  
 FZ - Farming Zone  
 RAZ - Rural Activity Zone  
 PUZ - Public Use Zone  
 PPRZ – Public Park and Recreation Zone  
 PCRZ – Public Conservation and Resource Zone  
 RZ - Road Zone  
 SUZ - Special Use Zone

Overlays

AEO – Airport Environs Overlay  
 BMO – Bushfire management Overlay  
 DDO – Design and Development Overlay  
 DPO – Development Plan Overlay  
 EMO – Erosion Management Overlay  
 ESO – Environmental Significance Overlay  
 HO – Heritage Overlay  
 LSIO – Land Subject to Inundation Overlay  
 NCO – Neighbourhood Character Overlay  
 PAO – Public Acquisition Overlay  
 PO – Parking Overlay  
 SLO – Significant Landscape Overlay  
 SMO - Salinity Management Overlay  
 VPO – Vegetation Protection Overlay

General

CASS – Coastal Acid Sulphate Soils  
 CHVA – Coastal Hazard Vulnerability Assessment  
 ESD – Environmentally Sustainable Design  
 GORRLAS – Great Ocean Road Region Landscape Assessment Study  
 LPPF – Local Planning Policy Framework  
 MSS – Municipal Strategic Statement  
 SPPF – State Planning Policy Framework  
 VPP – Victorian Planning Provisions  
 WSUD – Water Sensitive Urban Design

DEWLP – Department of Environment, Water, Land and Planning  
 DTPLI – Department of Transport, Planning and Local Infrastructure  
 DPCD – Department of Planning and Community Development  
 DEPI – Department of Environment and Primary Industries  
 DSE – Department of Sustainability and Environment

 <b>Agenda</b>	<h1>Councillor Workshop</h1> <p>Wednesday, 21 January 2015 COPACC Meeting Room 2.00 pm to 4.45 pm</p>	
	<p><b>ATTENDEES:</b>          Cr Frank Buchanan (Mayor), Cr Stephen Hart, Cr Chris Smith, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Brian Crook, Cr Lyn Russell (to 4.15pm)</p> <p>Sue Wilkinson (CEO)          Colin Hayman (GM, Corporate &amp; Community Services)          Stewart Anderson (A/GM, Sustainable Planning &amp; Development)          Phil Corluka (GM, Infrastructure &amp; Services)</p> <p><b>Apology:</b></p>	
	<h2>Agenda Topics</h2>	
2.00 pm	<b>Declaration of Interest</b> Nil	
2.00 pm – 2.30 pm	<b>Apollo Bay Harbour Berthing &amp; Mooring Processes</b>	Ranjani Jha/Paula Gardiner
2.30 pm – 3.15 pm	<b>Fees &amp; Charges Update &amp; Budget</b>	Ashley Roberts
3.15 pm – 3.30 pm	<b>Break</b>	
3.30 pm – 4.00 pm	<b>Draft G21 Regional Tennis Strategy</b>	Colin Hayman / Russell Whiteford
4.00 pm – 4.45pm	<b>General Business</b>	Tony White/Nikki Karpeles/T McLennan



## Council Meeting Running Order

**Wednesday, 28 January 2015**

**Venue – COPACC**

**ATTENDEES:**

Cr. Frank Buchanan (Mayor)  
 Cr. Brian Crook  
 Cr. Stephen Hart  
 Cr. Michael Delahunty  
 Cr Lyn Russell  
 Cr Terry Woodcroft

Sue Wilkinson, CEO  
 Colin Hayman, General Manager, Corporate & Community Services  
 Phil Corluka, General Manager, Infrastructure & Services  
 Doug McNeill, A/General Manager, Sustainable Planning & Development  
 Rhonda Deigan, Executive Officer

**Apologies:** Nil

**Conflicts of Interest:** Nil

**1.00 pm –  
2.25 pm**

**Councillor Briefing Session/Meeting Preparation**

- **Ordinary Council Meeting Agenda Items**
- **Meetings Attended**
- **General Business**

 Colac Otway SHIRE <b>Agenda</b>	<h1>Councillor Workshop</h1> <p>Wednesday, 4 February 2015          COPACC Rehearsal Room          1.00pm to 5.00 pm</p>	
	<p><b>ATTENDEES:</b>          Cr Lyn Russell, Cr Stephen Hart, Cr Frank Buchanan (1:00pm – 3:20pm), Cr Terry Woodcroft, Cr Brian Crook (3:05pm – 5:00pm)</p> <p>Sue Wilkinson (CEO)          Colin Hayman (GM, Corporate &amp; Community Services)          Doug McNeill (A/GM, Sustainable Planning &amp; Development)          Paula Gardiner (A/GM, Infrastructure &amp; Services)          Carmen Lawrence (Manager Organisational Support &amp; Development)</p> <p><b>Apology:</b>          Cr Michael Delahunty          Phil Corluka (GM, Infrastructure &amp; Services)</p>	
	<h2>Agenda Topics</h2>	
1.00 pm	<p><b>Declaration of Interest</b>  <b>Cr Hart</b> – Planning Scheme Review (Vegetation Protection of Environmental Significance Overlays)  <b>Cr Russell &amp; Cr Hart</b> – Possible Supermarket Development in Colac.</p>	
1.00pm – 1.40pm	<p><b>Bluewater Fitness Centre Update (verbal – no papers)</b></p>	Adam Lehmann Ian Seuren
1.40pm – 2.25pm	<p><b>Planning Scheme Review</b>  <b>Cr Hart</b> – Planning Scheme Review (Vegetation Protection of Environmental Significance Overlays) – left workshop at 1:55pm – returned 2:00pm.</p>	
2.25pm – 2.55pm	<p><b>Spraying vs Slashing Roadsides</b></p>	Adam Lehmann/Greg Anderton
2.55pm – 3.20pm	<p><b>Apex Shed Tenancy</b></p>	Adam Lehmann
3.20pm – 3.50pm	<p><b>Bruce Street Landfill</b></p>	Ranjani Jha
3.50pm – 4.25pm	<p><b>General Business</b>  <b>Cr Russell &amp; Cr Hart</b> – Possible Supermarket Development in Colac – left workshop at 4:15pm – returned 4:20 pm.</p>	

 <b>Agenda</b>		<h1 style="text-align: center;">Councillor Workshop</h1> <p style="text-align: right;">Wednesday, 11 February 2015 COPACC Meeting Room 9.00 am to 3.05 pm</p>	
		<p><b>ATTENDEES:</b></p> <p>Cr Frank Buchanan (Mayor), Cr Lyn Russell, Cr Stephen Hart, Cr Chris Smith (10.28am – 10.43am), Cr Terry Woodcroft (absent from 9.37am – 10.28am &amp; 1.03pm – 1.58pm), Cr Michael Delahunty (10.30am – 10.44am), Cr Brian Crook</p> <p>Sue Wilkinson (CEO) Carmen Lawrence (A/GM, Corporate &amp; Community Services) Doug McNeill (A/GM, Sustainable Planning &amp; Development) Phil Corluka (GM, Infrastructure &amp; Services)</p> <p><b>Apology: Colin Hayman</b></p>	
		<b>Agenda Topics</b>	
9.00 am	Declaration of Interest		
9.00am – 9.20am	Planning Committee Briefing	Jane Preston Smith, Blraithin Butler	
9.20am – 9.35am	<b>General Business:</b> <ul style="list-style-type: none"> <li>• Mid Year Review</li> <li>• Aire River Drainage Scheme</li> <li>• Tennis Court Consultation</li> </ul>		
9.30am – 10.15am	Central Reserve Development	Ian Seuren, Adam Lehmann	
10.05am – 10.30am	Break		
10.30am – 10.43am	Planning Committee Meeting		
10.43am – 10.55am	Break		
10.55am – 11.25am	Harrington Park	Ian Seuren	
11.25am – 12.40pm	Strategic Direction for Health & Wellbeing Planning	Greg Fletcher, Sharyn Ryan, Terry Maisey	
12.40pm – 1.05pm	Lunch		
1.05pm to 1.55pm	Colac 2050 Plan	Blraithin Butler, Suzanne Barker	
1.55pm – 2.15pm	<b>General Business:</b> <ul style="list-style-type: none"> <li>• Rate capping</li> </ul>		
2.15pm – 2.30pm	Council Meeting Agenda	Sue Wilkinson	
2.30pm to 3.05pm	<b>General Business:</b> <ul style="list-style-type: none"> <li>• Colac High School Site</li> <li>• Anzac Day 2015</li> <li>• Geelong Gambling Advisory Committee</li> </ul>		



Old Beechy Rail Trail Committee Meeting

Meeting Venue: Meeting Room 1, COPACC

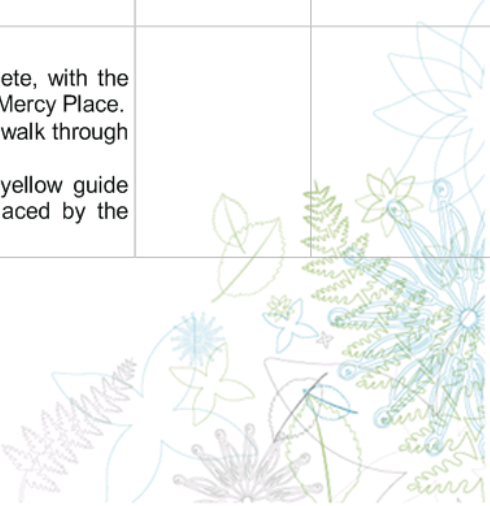
1 December 2014

Time: 10.00am to 12.30pm

MINUTES

	ITEMS & ACTIONS	RESPONSIBLE OFFICER	ACTION DUE DATE
1.	<p><b>ATTENDEES</b>                      Chris Smith (Chair), Jodie Fincham (COS), Noel Barry, Tony Grogan, Christine Humphris, John Wilson (COS), Tricia Jukes, Anthony Zappelli, Bernard Jordan, Craig Woodbridge (DEPI).                      Minutes: Mel Duve (COS)</p>		
2.	<p><b>APOLOGIES</b>                      Cyril Marriner, Phil Dandy, Vicki Jeffrey (COS)</p>		
3.	<p><b>CONFIRMATION OF MINUTES FROM PREVIOUS MEETING</b>                      Amendment: 2<sup>nd</sup> last page – Dinmont Section into Beech Forest (instead of Ferguson).                       Moved – Noel Barry                      Seconded – Tricia Jukes                      Carried</p>		
4.	<p><b>BUSINESS ARISING from previous minutes.</b></p> <ul style="list-style-type: none"> <li>Discussion of Friends' role in events? Currently they have no official presence. There is also no avenue for the public to contact them in regards to queries or RSVP to events, e.g. Golden Gumboot. No reference to the Friends of OBRT, this is of concern to the OBRT committee.</li> <li>The Old Beechy Rail Trail Committee is a Section 86 Committee of Council, which has specific functions, duties and powers defined in the Charter under the Instrument of Delegation. Further discussion to take place regarding the role of the Friends considering the Charter and Instrument of Delegation.</li> <li>Tony Grogan suggested that all members of the OBRT Committee should support members of the Friends group, whether actively or financially.</li> </ul> <p><b>Action – Postpone the above items until the February meeting. Jodie Fincham to provide the Old Beechy Rail Trail Charter and Instrument of Delegation at this meeting.</b></p> <ul style="list-style-type: none"> <li>Clarify the structure of the "Friends of the Old Beechy Rail Trail", specifically promotion and recruiting.</li> <li>Review which group best fits for event management – Friends or Committee?</li> <li>Copies of Instrument of Delegation to be provided.</li> </ul>	<p>Jodie Fincham  Jodie Fincham</p>	



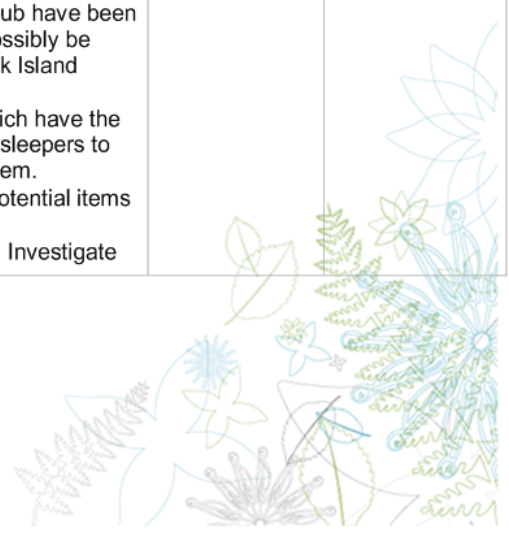
<p><b>Proposed launch event</b></p> <ul style="list-style-type: none"> <li>• February launch of the extension of the trail – waiting for the state election to finalise date.</li> <li>• Suggestion to unveil the Buchanan sign as part of the launch and walk from Beech Forrest to Buchanan.</li> <li>• Bronze plaque cost is approximately \$1500. Jodie Fincham to investigate other options for permanent signage. Standard wording on plaque to be used.</li> <li>• OBRT Committee to provide suggestions of what they would like at the launch to allow time to organise.</li> <li>• Christine Humphris suggested sandwiches instead of a BBQ as it is easier to organise.</li> <li>• Tree planting was considered as part of launch but rejected on basis of need to keep the program simple.</li> <li>• 10 year certificates to be presented</li> <li>• New Mayor and DEPI to be invited. Refer to proposed guest list minuted in August meeting.</li> </ul> <p><b>Action – Jodie Fincham to send the guest list to Committee Members.</b></p>	<p>Jodie Fincham</p> <p>Jodie Fincham</p>	
<p><b>5. CORRESPONDENCE IN</b></p> <ul style="list-style-type: none"> <li>• Media release – “Great Trails” website to promote nature based tourism, State Government.</li> <li>• Invitation from Port Fairy, Warrnambool Rail Trail Committee to attend meeting at Koroit Railway Station.</li> <li>• Cancellation of above meeting.</li> <li>• Rail Trail Connections – Rail Trails Australia Spring 2014 vol 21, Issue 1.</li> <li>• Invitation to attend AGM of Rail Trail Australia.</li> <li>• Congratulatory letter from Sarah Henderson for receiving the Innovation Award.</li> <li>• Congratulatory letter from outing Mayor, Cr Lyn Russell and CEO, Sue Wilkinson in regards to the Golden Gumboot event.</li> <li>• Summer edition of Rail Trail magazine will feature the OBRT. Tony Grogan submitted a few photos.</li> </ul>		
<p><b>6. CORRESPONDENCE OUT</b></p> <ul style="list-style-type: none"> <li>• Correspondence to complainant regarding inadequate directional signs on trail.</li> </ul>		
<p><b>7. Works Report – Capital Works Co-ordinator (John Wilson)</b></p> <ul style="list-style-type: none"> <li>• Mercy Place / Colac Rail Yard section is virtually complete, with the installation of one sign outstanding, to be negotiated with Mercy Place.</li> <li>• A final walk through has been done with V/Line. A “final” walk through has not yet occurred with Mercy Place.</li> <li>• The Trail has already been vandalised – a number of yellow guide posts have been stolen from the site, these to be replaced by the contractor at his cost.</li> </ul>		



	<ul style="list-style-type: none"> <li>Some drivers have mistaken the Trail connection to Wilson St to be a vehicle entry to the bowling club car park. A "No Entry" sign has been installed, intended to apply to vehicles / motorbikes only. This will be monitored for effectiveness. If deemed appropriate a bollard may need to be installed to prevent vehicles entering the Trail at this point.</li> <li>The section of Trail within the Otway Forest Park at Dinmont, from Old Beech Forest Rd to Humphris' north boundary has had vegetation trimmed, has been graded and sheeted with additional pavement material.</li> <li>The land exchange in relation to the Humphris section Dinmont to Ditchley remains to be finalised.</li> <li>Gellibrand staff did a detailed inspection of the full length of the Trail in late September. Team Leader Gellibrand has been on leave, but has now returned to work. Discussions will be held with him the outcomes of the inspection, and seek to identify which work items should be advanced as a priority.</li> <li>Emergency Markers – a representative from ESTA has visited to collect data in relation to EM's. ESTA are exchanging details with COS as to the precise instructions as to how emergency vehicles can reach each EM. ESTA has recommended that Ambulance Victoria locks be nested into Council locks on chained gates – an initial request to Ambulance Victoria regarding locks has not been fruitful. ESTA further advises that opportunities for emergency vehicles to turn around on the Trail are very limited, and that the creation of specific turn around areas would provide significant assistance with regards emergency vehicles operations.</li> </ul>		
<p><b>8. GENERAL BUSINESS</b></p>	<ul style="list-style-type: none"> <li>Reference to the email advising inadequate signage and a frustrating experience for visitor. John Wilson replied explaining it was a contractor issue with signage. Complainant was very grateful for the response, the follow up of Council and John in particular. The Committee congratulated John for his response and handling of the situation.</li> <li>John Wilson referred to a news article regarding insurance in which a bicycle rider was refused compensation by the TAC. Bicycle riders are specifically excluded from coverage under the Traffic Accident Act unless the collision involves a vehicle being driven, or unless the bicycle rider is travelling to or from work.</li> <li>Tree down near the tennis court. Chris Smith asked if this had been attended to. John Wilson to follow up. Tree has been removed but not sure if the fence has been repaired.</li> </ul>	<p>John Wilson</p>	



<p><b>Action: John to follow up status of fence repair near tennis court.</b></p>	<p>John Wilson</p>	
<p><b>Development of Information Sheet for Licence Agreements</b></p> <ul style="list-style-type: none"> <li>Request received from management to develop a fact sheet for Licence Agreements with private landowners.</li> <li>It was suggested that Jodie Fincham and John Wilson meet to initially develop a fact/info sheet (providing a Code of Conduct for Committee members in relation to approaches to private land owners regarding Licence Agreements). The draft document would then be emailed to all Committee members to review. This is required to be finalised before the next meeting.</li> </ul>	<p>Jodie/John</p>	
<p><b>Action – Jodie Fincham and John Wilson to develop and send out a draft of the guidelines to the committee members. If 50% or more of the committee give their approval of the draft, then the final document will be finalised. If 50% or less do not approve, then further discussion will be required.</b></p> <p><b>Moved – Anthony Zappelli</b>  <b>Seconded – Tricia Jukes</b>  <b>Carried - All</b></p>	<p>Jodie/John</p>	
<ul style="list-style-type: none"> <li>Tiger Rail Trail – Forrest through to Birregurra. Consultant’s report has suggested Yaughar and Barwon Downs – landowners are generally agreeable. Birregurra – not enough support and hazards identified. Council put forward a motion to abandon that section. Split vote to support at least to have community consultation first. Held over to the next Council meeting until all councillors are available to vote.</li> <li>Tony Grogan – Presentation of information regarding Robert Montgomery studies completed in 1975. Information from Vic Rail. Magazine Geelong Historical Society 1976 re setting up the trail including costs. Could this information be archived? The Otway Historical Group was suggested as an appropriate avenue to approach to archive these details and have agreed to this request.</li> </ul>		
<p><b>OBRT Friends Report</b></p> <ul style="list-style-type: none"> <li>Trees located along the railway section at the Bowling Club have been planted mid 1940’s. The trees are still there and could possibly be highlighted as a feature of trail. Signs/picnic area. Norfolk Island pines, Lilly Pilly.</li> <li>Contractors have found two sleepers (point sleepers) which have the potential to be displayed or featured. The removal of the sleepers to be secured until a decision is made on what to do with them.</li> <li>Noel Barry discussed the history of the trees and other potential items that may be buried.</li> <li>John Wilson has confirmed that this area is Council land. Investigate</li> </ul>		





	<p>how the Friends obtain permission to recover and explore more items buried. John Wilson not aware of any restrictions in digging these items out.</p> <ul style="list-style-type: none"> <li>• Risk management plan would need to be submitted to risk management department.</li> <li>• Dial before you dig enquiry.</li> <li>• Native vegetation issues.</li> </ul> <p><b>Action – Friends Committee to bring back a proposal to remove the buried items including appropriate storage of items.</b></p> <ul style="list-style-type: none"> <li>• Noel Barry listed jobs for the Friends to complete. Distributed to the committee.</li> <li>• Is there an opportunity to fast track repair of the Beech Forest name board? Noel Barry explained that it can be done and will require permission to buy wood, approximate cost \$200 to \$250.</li> </ul> <p><b>Action – Move a motion to permit Noel Barry to purchase the wood.</b>  <b>Moved – Tricia Jukes</b>  <b>Seconded – Craig Woodbridge</b>  <b>Carried – All</b></p> <ul style="list-style-type: none"> <li>• Tricia Jukes suggested providing contact details of the Golden Gumboot participants to Editor of Friends newsletter and putting a feature in the next Newsletter to distribute to those participants.</li> <li>• Treasurer Report submitted to Jodie Fincham.</li> <li>• Noel Barry – No active members under 50 years of age on the Friends committee. We need to recruit new members to secure future of Friends Group.</li> <li>• Chris Smith invited to speak at Probus meeting about the Old Beechy Rail Trail and also about the Beechy Train. Two bookings have been made for the train in 2015.</li> </ul>	<p>Friends committee/John Wilson</p> <p>Noel Barry</p>	
<p>9. Executive Officer Report – Jodie Fincham</p>	<p><b>Regional Development Victoria – Enhancement to the Old Beechy rail Trail Project</b></p> <ul style="list-style-type: none"> <li>• Completed written report has been forwarded to funding body (Regional Development Victoria). Completed financial audit will be sent, once finalised.</li> <li>• External Auditor has been reviewing the acquittal file and has requested further information re sample checking of invoices. Given some of these invoices date back several years, Council officers have had to source these documents from an offsite archive storage area, which has slowed the whole process down.</li> <li>• It is anticipated the full audit process to now take until the end of the week ending 5 December. Regional Development Victoria (RDV) has been kept informed of progress.</li> </ul>	<p>Jodie Fincham</p>	





<ul style="list-style-type: none"> <li>• After discussions with the RDV, it was agreed that the official opening would take place after the State Government election. In light of this falling so close to Christmas, it was decided to hold the opening in February 2015. This will provide further times to plan accordingly.</li> </ul> <p><b>OBRT Brochure</b></p> <ul style="list-style-type: none"> <li>• Brochures now displayed in Beech Forest cabinet after liaison with members of OSCA tourism group. Information in cabinet has been updated accordingly.</li> <li>• Possibility of need for three more tracker counters which are estimated to cost approximately \$2,000 each plus installation. (Costs to be confirmed.) Possible locations include:             <ul style="list-style-type: none"> <li>- top end of Ditchley;</li> <li>- Fairyland/Buchannan;</li> <li>- Mercy location.</li> </ul> </li> <li>• Tony Grogan suggested moving existing counter at Beech Forest, (which contains inconsistencies) further along the trail.</li> </ul> <p><b>Action – Investigate costs and brainstorm at next meeting ways to fund these counters and confirm precise locations for them.</b></p> <p>Meeting closed 12.30pm. Next meeting – Monday, 2<sup>nd</sup> February 2015 - 10am to 12.30pm.</p>		
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**FORMAL STANDARD AGREEMENT  
(Section 173 of the Planning and Environment Act)**

THIS DEED OF AGREEMENT is made the 4<sup>th</sup> day of November 2014

BETWEEN

COLAC-OTWAY SHIRE COUNCIL of 2-6 Rae Street, Colac in the State of Victoria (hereinafter called "Council")

AND

L D, J H & S D Scott Pty Ltd and L D Scott, Dairy Farmers (herein after called "the User")

RECITALS:

A L D, J H & S D Scott Pty Ltd and L D Scott are the owners of certain land abutting both sides of the Road being the land more particularly described as Lot 1, TP 562885 (809 Irrewillipe Road, Barongarook West) and Lot 2, LP 97061 (875 Irrewillipe Road, Barongarook West), (hereinafter called "the Land") and desires to construct a stock underpass under Adams Road, Barongarook West to enable stock to cross under that road.

B Council, will consent to the construction of the stock underpass subject to the following conditions:

In consideration of Councils' approval to the User causing a stock underpass to be built under Adams Road, Barongarook West and permitting the User to use the stock underpass the User agrees that:

- I. The stock underpass ("the works") shall be constructed in accordance with plans submitted by AGB Engineering Pty Ltd being Drawing Reference sheet E2043-DR-C01-A, E2043-DR-C02-C and E2043-DR-C03-A dated 16 October 2014 as amended to accord with Councils' requirements and which, as amended shall have met the approval of Council.
- II. The materials and works required to fully construct the stock underpass shall be supplied and carried out by a contractor approved by Councils' General Manager - Infrastructure at the User's expense, subject to any agreed contribution by Council, and shall be maintained by the contractor at the User's expense for a period of Four months after completion.
- III. The User shall obtain all relevant approvals and/or permits and ensure the Works, including the fenced approaches and walkways, are constructed in accordance with the plans and to the satisfaction of Council.
- IV. The User shall be responsible for the maintenance, repair and drainage of the stock underpass and associated guard rail. The User shall reimburse Council within one month should it incur any costs or expenses in repairing, maintaining or draining the stock underpass or associated infrastructure, should the User fail to do so. Council will not undertake routine inspections of the underpass or associated infrastructure. Council will be responsible for inspecting, maintaining and repairing the road and associated road infrastructure under which the underpass crosses, in accordance with Council's Road Management Plan. Council will accept liability for the cost of repairs attributable to a specially authorised overloaded vehicle travelling over the underpass, prior notification which will be given by Council to the User. The User shall notify Council of any such known damage within 28 days.
- V. The User shall advise any future purchaser of the Land of any part thereof in writing of the existence and contents of this agreement. The User shall advise Council in writing of any such change in tenure of ownership of the Land or any part thereof within 28 days of such change.
- VI. The User shall;

- A. wholly indemnify and hold harmless Council against any and all demands actions and claims or suits for damages brought against Council by any body or party in respect of the construction, existence and/or use of the stock underpass; and
  - B. protect itself and Council against any legal action which may result from the design construction and/or usage of the stock underpass or its approaches by obtaining an adequate insurance cover by a reputable insurer for an amount agreed to by Council and in default of such an agreement for an insured amount nominated by an independent broker agreed to by the parties, or in default of such agreement an amount nominated by the President for the time being of the Law /Institute of Victoria.
- VII. If Council is of the opinion that the stock underpass is in need of Cleaning or repair for those matters for which the User is responsible a notice may be served on the User directing that such cleaning and/or repairs as specified in the notice shall be carried out by the User within a period of 28 days after service of the notice.

In default of compliance by the User with such notice Council may carry out the repairs and charge the cost thereof to the user. Such cost may be recoverable in a court of competent jurisdiction.

- VIII. The stock Underpass shall:
- A. only be used for the passage of stock and by persons authorised by the User to assist with the passage of stock for which sole purpose this permission is granted;
  - B. not be used for the housing of animals, vehicles or farm machinery, or for the storage of produce or material at any time.
- IX. No attachments shall be made to any part of the stock underpass without prior approval in writing from Council.
- X. The User acknowledges that its continued use of the stock underpass is subject at all times to compliance by the User with terms of this Agreement. In the event of structural failure or evidence of structural weakness of the underpass, the User shall be responsible for rectifying the faults or removing the underpass and reinstating the road to proper condition. In the event of the road being widened and/or realigned in the future, Council would bear the cost of extending or relocating the underpass.
- XI. No compensation shall be claimed from or paid by Council upon termination of the usage of the stock underpass in accordance with the terms of this agreement by mutual consent of Council and the User.
- XII. The User's rights to use the stock underpass as set out in this agreement shall pass on to its successors in title subject to the provisions of this agreement.
- XIII. This agreement shall be for a period of five years commencing on 1 December 2014 and terminating, subject to any clause contained herein on 30 November 2019..
- XIV. "Provided the User is not in breach of this Agreement, the User may elect by notice in writing to be delivered to Council no less than three months prior to the expiration of the initial term of Agreement and any extension(s) of the term thereof extend the period of this Agreement for a further five years. The length of the Agreement shall therefore be five years with three further option periods of five years each, ie 5x5x5x5. Extension of this agreement pursuant to the exercise of an option period shall be deleted, so that at the end of the first period, there is only a further 5x5x5 years to run, after ten years then a further 5x5, and so forth".
- XV. "A notice (including, without limitation a document) shall be deemed to have been given when it is received by the person to whom it is addressed or is delivered to the address of that person stated in the Agreement or last communicated in writing by that person to the person giving the notice, whichever is the earlier".
- XVI. This Agreement supersedes any and all prior arrangements, agreements or undertakings and shall be binding notwithstanding any prior arrangements, agreements or undertakings made which may conflict

with or be at variance with this agreement or any correspondence or document relating to the subject matter of this agreement which may have passed between parties hereto.

XVII. Continued use of the underpass after the term of agreement will be subject to further agreement at that time. If there is no renewal of the agreement, the User will be responsible for removing the underpass and reinstating the road to proper condition.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first set herein before written.

**COLAC-OTWAY SHIRE COUNCIL**

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

.....  
**Councillor**

.....  
**Councillor**

.....  
**Chief Executive Officer**

**SIGNED SEALED AND DELIVERED**  
by the said Users in the presence of

.....  
*L D Scott*  
.....

**Witness** *J. Adcock* .....



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 02053 FOLIO 479

Security no : 124052818044L  
Produced 03/11/2014 01:18 pm

**LAND DESCRIPTION**

Lot 1 on Title Plan 562885E.  
PARENT TITLE Volume 00977 Folio 343  
Created by instrument 0226576 10/08/1888

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
L D J H & S D SCOTT PTY LTD of 251-257 TIMOR STREET WARRNAMBOOL VIC 3280  
AJ878965H 28/08/2012

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AJ878966F 28/08/2012  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP562885E FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 809 IRREWILLIPE ROAD BARONGAROOK WEST VIC 3249

DOCUMENT END



## Imaged Document Cover Sheet

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Document Identification	<b>TP562885E</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>03/11/2014 13:24</b>

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<b>TITLE PLAN</b>		<b>EDITION 1</b>	<b>TP 562885E</b>						
<b>Location of Land</b> Parish: BARONGAROOK Township: Section: Crown Allotment: 17 (PT) Crown Portion:  Last Plan Reference: Derived From: VOL 2053 FOL 479 Depth Limitation: NIL		<b>Notations</b>   ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN							
<b>Description of Land / Easement Information</b>		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 12/07/2000 VERIFIED: AC							
<table border="1" style="margin: auto;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="font-size: small;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2" style="text-align: center;">PARCEL 1 = CA 17 (PT)</td> </tr> </table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 17 (PT)	
TABLE OF PARCEL IDENTIFIERS									
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962									
PARCEL 1 = CA 17 (PT)									
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets							

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958  
VOLUME 08973 FOLIO 007 Security no : 124053507773F  
Produced 23/12/2014 05:01 pm

LAND DESCRIPTION  
Lot 2 on Plan of Subdivision 097061.  
PARENT TITLE Volume 02686 Folio 073  
Created by instrument LP097061 17/05/1973

REGISTERED PROPRIETOR  
Estate Fee Simple  
Joint Proprietors  
LIONEL DAVID SCOTT  
JOAN HELEN SCOTT both of IRREWILLIPE RD BARONGAROOK WEST 3249  
T556236P 15/02/1995

ENCUMBRANCES, CAVEATS AND NOTICES  
MORTGAGE AF196118N 10/07/2007  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section  
24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION  
SEE LP097061 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

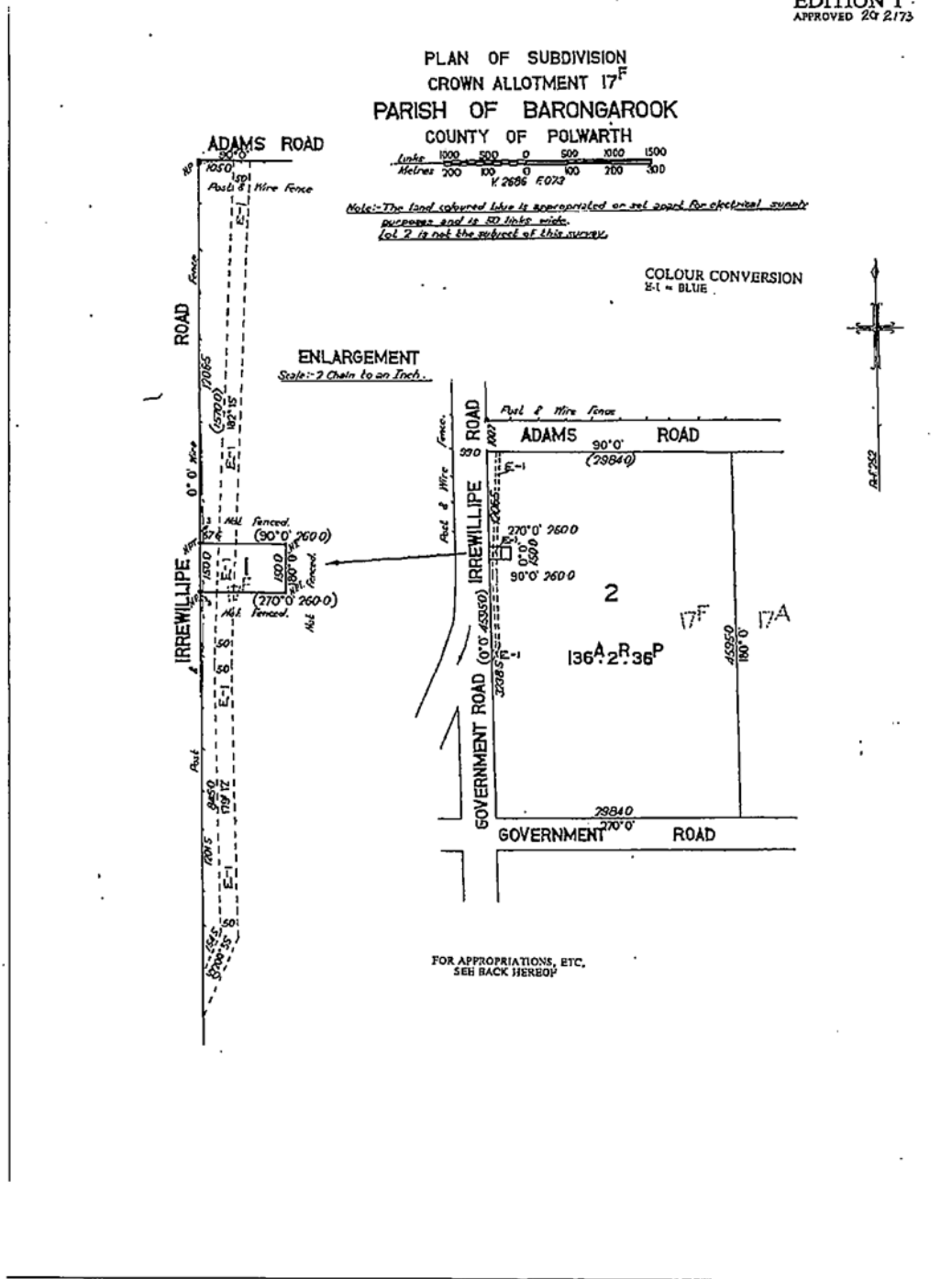
Street Address: 875 IRREWILLIPE ROAD BARONGAROOK WEST VIC 3249





Delivered by LANDATA®. Land Victoria limestamp 23/12/2014 17:14 Page 1 of 2  
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LP97061  
 EDITION 1  
 APPROVED 20/2/13





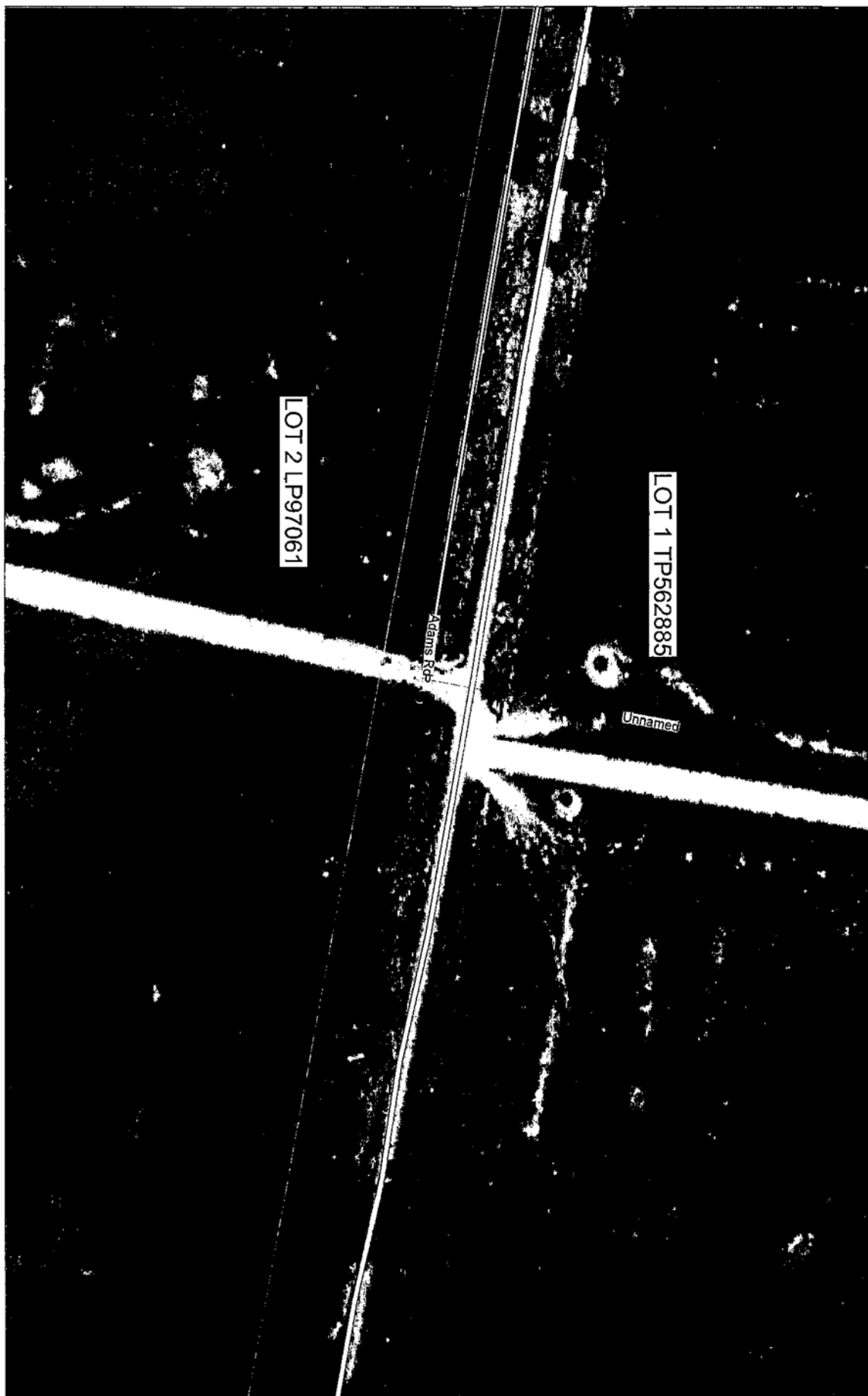
Delivered by LANDATA@. Land Victoria timestamp 23/12/2014 17:14 Page 2 of 2

CERTIFICATE OF TITLE V.2686 - F. 073  
LODGED BY P. ARUNDELL & SON  
DATE 8.11.72  
DECLARED BY DONALD C. BACKHOUSE 11.8.72  
CONSENT OF COUNCIL SHIRE OF  
COLAC  
9.10.72  
PLAN APPROVED DATE 20.2.73 TIME 10.15

LP 97061  
BACK OF SHEET 1

THE LAND COLOURED BLUE  
IS APPROPRIATED  
OR SET APART FOR  
EASEMENTS OF ELECTRICAL SUPPLY

PARCELS INDEX  
Barongarook...



### **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

**State Emergency Service (Colac)** of 87 Wilson Street, Colac Vic 3250 (*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.

1.1.1 It is acknowledged the buildings occupied by the tenant are the property of the tenant and remain the tenants property unless the tenant deems otherwise.

#### **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 Property**

- 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 as specified in Schedule 2 as is applicable..
- 4.3 The said buildings, fixtures and fittings shall be insured appropriately by the tenant who shall maintain such insurance coverage at all times and provide evidence of this to the landlord.
- 4.4 The tenant acknowledges there may be another tenant in the shed identified as the Apex Shed and will endeavour to ensure the tenant's operations and activities have as minimal adverse effect on the other tenant as is reasonably possible.
- 4.5 Maintenance of vehicles and machinery conducted on site is to be restricted to minor maintenance only and in the event there is likely to be changing or replacement of oils, fluids and liquids, the tenant must ensure that an appropriate Spillage Prevention Plan is in place to prevent such substances from being deposited onto the ground or allowed to run into the stormwater drainage system. To this end, all scheduled maintenance that is likely to give rise to removal of or change of oils and fluids that could result in spillage is to be notified to the landlord.
- 4.6 Alcoholic drinks are not permitted to be consumed, stored, sold or distributed within the confines of the subject property
- 4.7 All buildings on the subject property are to be smoke free zones with no smoking permitted within the buildings. Cigarette butts remaining from cigarettes smoked outside the buildings are to be properly extinguished and placed in an appropriate receptacle provided by the tenant. The receptacles are to be emptied regularly enough to ensure they are not unsightly or create a hazard or a nuisance.
- 4.8 No gambling and or gaming is to be conducted on the subject property or within the buildings located thereon.

#### **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 its 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 remove all of its buildings from the property as soon as is reasonably possible after termination or expiration of the lease. Alternatively, if the buildings are to be left on site by agreement between the parties, the tenant must ensure the property including buildings, fixtures and fittings is left in a 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 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.
- 8.3 Any costs incurred by the landlord as a result of the tenants failure to satisfactorily clear and/or clean the site will be reimbursed to the landlord by the tenant.
- 8.4 The landlord and tenant will inspect the property before it is finally vacated and sign off that all cleaning/clearance actions have been satisfactorily completed after which the landlord shall have no claim against the tenant in this regard

**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 rights 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

..... Councillor

..... Councillor

..... Chief Executive Officer

Signed for and on behalf of the State Emergency Service (Colac) by the delegated officer.

..... (Signature of Delegated Officer)

Name of Officer: .....

Address: 87 Wilson St, COLAC Vic 3250



## Schedule 1

Item No:	Type of Item	Details
1	<b>Property</b>	The property is addressed as No: 87 Wilson Street, COLAC and is described as being Lot 2 PS346248, Township of Colac.  The leased area is the land shown shaded on the attached plan and included the sheds identified on the plan
2	<b>Term of Lease</b>	Five (5) years with one(1) x four (4) year option.  The option is 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 State Emergency Service local headquarters, communications centre and incident response base.
7	<b>Landlord</b>	Colac Otway Shire
8	<b>Address of Landlord</b>	PO Box 286, COLAC Vic 3250  Office located at 2-6 Rae St, COLAC Vic 3250
9	<b>Tenant</b>	State Emergency Service (Colac) - SES
10	<b>Address of Tenant</b>	87 Wilson St, COLAC, Vic 3250
11	<b>Maintenance Responsibility</b>	The SES is generally responsible for maintaining all buildings, fixtures and fittings located on the property and the physical surrounds of the subject property. More specific responsibilities, as are applicable to the property are referred to in Schedule 2
12	<b>Responsibility for Rates and Charges</b>	The tenant is responsible for payment of :- <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>
13	<b>Responsibility for Payment of Utilities</b>	The tenant is responsible for the payment of all utilities levies and charges for services used, connected to or provided to the property.

## Schedule 2 – Maintenance Responsibilities

Item	Occupier's Responsibility	Council's Responsibility
<b>Air Conditioning and Heating Appliances</b>	<ul style="list-style-type: none"> <li>Service and repair when required</li> </ul>	<ul style="list-style-type: none"> <li>Replacement of unit and any major parts</li> </ul>
<b>Building</b>	<ul style="list-style-type: none"> <li>Determine and document the specific needs of the building relating to any requests to Council for building alterations.</li> <li>Prepare plans and obtain quotes for requests for minor improvements.</li> </ul>	<ul style="list-style-type: none"> <li>Assess all requests submitted.</li> <li>Undertake works required to bring premises and surrounds to appropriate standards to meet the required regulations. This excludes items identified as the lessee's responsibility in this document.</li> <li>Preparation of long-term development plans, design of major building alterations or major structural works.</li> </ul>
<b>Cleaning</b>	<ul style="list-style-type: none"> <li>Keep premises in clean, sanitary and fresh condition.</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>
<b>Ceilings, Walls and Skylights (internal)</b>	<ul style="list-style-type: none"> <li>Cost of repairs due to major or continual misuse.</li> <li>Regular cleaning</li> </ul>	<ul style="list-style-type: none"> <li>Major repair and/or replacement due to structural faults/age.</li> </ul>
<b>Curtains/Drapes/Blinds</b>	<ul style="list-style-type: none"> <li>Repairs costs.</li> <li>Replacement costs.</li> <li>Supervision of installation of replacement items.</li> <li>Regular cleaning.</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>
<b>Doors (Inc. cupboard doors)</b>	<ul style="list-style-type: none"> <li>Regular cleaning and repair of internal/external doors due to major or continual misuse.</li> <li>Minor adjustments.</li> </ul>	<ul style="list-style-type: none"> <li>Replacement due to age, structural fault.</li> </ul>
<b>Electrical Wiring, Fittings and Lights</b>	<ul style="list-style-type: none"> <li>Additional or security lighting.</li> <li>Cost of repair and replacement of electrical wiring if damage is due to major or continual misuse.</li> <li>Repair and replacement of all light globes.</li> <li>Regular cleaning of all light fixtures.</li> </ul>	<ul style="list-style-type: none"> <li>Replacement of all building wiring from main supply to and including the switchboard.</li> <li>Replacement of light fittings.</li> </ul>
<b>Essential Safety Measures (eg fire extinguishers, exit lights etc)</b>	<ul style="list-style-type: none"> <li>Notification to Council of maintenance or servicing issues.</li> <li>Not to interfere or obstruct essential safety measures elements</li> </ul>	<ul style="list-style-type: none"> <li>Undertake inspections, servicing and maintenance of all specified essential safety measures as required under the relevant Building Regulations.</li> <li>Meet all costs associated with this function.</li> </ul>
<b>Floor Surfaces and Coverings</b>	<ul style="list-style-type: none"> <li>All regular cleaning and maintenance of floor coverings such as carpet and tiles.</li> </ul>	<ul style="list-style-type: none"> <li>Replace to essential areas when excessively worn or dangerous.</li> </ul>

<b>Fly Screens</b>	<ul style="list-style-type: none"> <li>Maintain and replace fly wire.</li> <li>Install additional fly screens</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>
<b>Item</b>	<b>Occupier's Responsibility</b>	<b>Council's Responsibility</b>
<b>Garbage</b>	<ul style="list-style-type: none"> <li>Normal fee for service waste collection</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>
<b>Glass</b>	<ul style="list-style-type: none"> <li>Replace broken or cracked windows arising from misuse.</li> <li>Regular cleaning</li> </ul>	<ul style="list-style-type: none"> <li>Replace due to breakage arising from structural fault, age.</li> </ul>
<b>Grounds</b>	<ul style="list-style-type: none"> <li>Keep all entry/exit areas clear and sweep regularly.</li> <li>Maintain all grounds associated with building by cutting the grass, minor pruning, replacing trees, bushes and flowers if required.</li> <li>Repair fences.</li> <li>Remove dead foliage.</li> <li>Seek Council approval for any modification to the grounds.</li> <li>Maintenance of garden beds.</li> </ul>	<ul style="list-style-type: none"> <li>Repair paths, driveways etc.</li> <li>Replacement of essential pavement, driveway and carpark areas; retaining walls and ramps.</li> <li>Replacement of essential/required fences.</li> <li>Structural repairs or capital works re. fences.</li> <li>Trees lopped/pruned to meet security/safety requirements where considered dangerous.</li> </ul>
	<ul style="list-style-type: none"> <li>Maintenance of garden hoses and sprinklers etc.</li> <li>Cleaning and weeding of pavement and driveway areas</li> </ul>	
<b>Internal Appliances eg. Fans, Kettles, Food Processors etc.</b>	<ul style="list-style-type: none"> <li>Replacement as required of minor kitchen appliances.</li> </ul>	<ul style="list-style-type: none"> <li>Nil</li> </ul>
<b>Vandalism</b>	<ul style="list-style-type: none"> <li>Less than \$1000 (subject to change based on claims history)</li> </ul>	<ul style="list-style-type: none"> <li>More than \$1000 (subject to change based on claims history)</li> </ul>
<b>Keys and Locks</b>	<ul style="list-style-type: none"> <li>Repair and replacement of locks if damaged through major or continued misuse.</li> </ul>	<ul style="list-style-type: none"> <li>Replacement of lost or damaged keys as applies to Council's master key system.</li> <li>Supply of keys for user groups.</li> <li>Repair and replacement of locks as applies to Council's master key system.</li> </ul>
<b>Painting</b>	<ul style="list-style-type: none"> <li>Internal painting if damaged through major or continued misuse or colour scheme changes etc.</li> </ul>	<ul style="list-style-type: none"> <li>Internal and external for structural integrity reasons.</li> </ul>
<b>Permanent Fixtures</b>	<ul style="list-style-type: none"> <li>Regular cleaning of all fixtures.</li> <li>Repair and/or replace if damaged through major or continual misuse.</li> </ul>	<ul style="list-style-type: none"> <li>Replace when required the following items: <ul style="list-style-type: none"> <li>- hot water service</li> <li>- sinks and toilets</li> <li>- verandas attached to the building.</li> </ul> </li> </ul>
<b>Pest Control</b>	<ul style="list-style-type: none"> <li>Keep all areas in a clean and hygienic state.</li> <li>All pest control as required both internal and external.</li> </ul>	<ul style="list-style-type: none"> <li>Pest control relating to structural items (eg. woodborer and termites).</li> </ul>

<b>Item</b>	<b>Occupier's Responsibility</b>	<b>Council's Responsibility</b>
<b>Plumbing</b>	<ul style="list-style-type: none"> <li>• Cost of internal repair due to major or continued misuse.</li> <li>• Replacement and repair of internal surface plumbing fittings such as toilet seats, taps and washers etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Replacement of damaged or corroded plumbing fittings, toilet bowls and cisterns.</li> <li>• Repairs or works required for drainage purposes, including sewerage, drains, water pipes and pits.</li> <li>• Replacement of gas pipes.</li> <li>• Structural repairs or capital works.</li> </ul>
<b>Roof, Skylight, External Walls, Spouting and Downpipes</b>	<ul style="list-style-type: none"> <li>• Cleaning of roof, external walls, spouting, downpipes and guttering.</li> </ul>	<ul style="list-style-type: none"> <li>• All maintenance and repair of the structure of the premises as required.</li> </ul>
<b>Signage</b>	<ul style="list-style-type: none"> <li>• Maintain and replace all internal/external signs relating to the committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Identification signage to be provided by Council where required.</li> </ul>
<b>Smoke Detectors</b>	<ul style="list-style-type: none"> <li>• Install, repair and replacement of battery operated smoke detectors. Includes battery replacement as required.</li> </ul>	<ul style="list-style-type: none"> <li>• Installation and maintenance of hard wire system where required.</li> </ul>
<b>Telecommunication Systems (eg. fax, photocopiers, telephones etc)</b>	<ul style="list-style-type: none"> <li>• Purchase, service and maintenance cost.</li> <li>• Replacement costs.</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>Whitegoods (eg refrigerator, dishwasher etc)</b>	<ul style="list-style-type: none"> <li>• Service and maintenance costs.</li> <li>• Replacement costs.</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>

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Title Area Leased to State Emergency Service – 87 Wilson St, Colac.

Map: PROPERTY INFO

Bath St

Wilson St

TP326710

TP343305

LP3418

TP346210

87

TP676932

TP676932

TP619783

TP676932

TP343055

88

88

86

TP343055

809

LP72

88A

LP2

0 5 10 15 metres

Map Zoom: 200.1 m

Map Scale: 1:1,213

