



COUNCIL MEETING

AGENDA

Wednesday 23 November 2022

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac

Next Council Meeting: 14 December 2022



COLAC OTWAY SHIRE COUNCIL MEETING

Wednesday 23 November 2022

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COLAC OTWAY SHIRE COUNCIL MEETING

NOTICE is hereby given that the next **COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 23 November 2022 at 4:00 PM.

AGENDA

1 DECLARATION OF OPENING OF MEETING

OPENING PRAYER

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

AMEN

2 PRESENT

3 APOLOGIES AND LEAVE OF ABSENCE

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

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

RECORDING AND PUBLICATION OF MEETINGS

Please note: All Council meetings will be live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

As soon as practicable following each open Council meeting, the live stream recording will be accessible on Council's website. Audio recordings are also taken to facilitate the preparation of the minutes of open Council meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be permitted without specific approval by resolution of the relevant Council Meeting.

This meeting will be livestreamed to the public via Council's YouTube channel (search Colac Otway Shire Council at www.youtube.com).

5 QUESTION TIME

A maximum of 30 minutes is allowed for question time. Any person wishing to participate in public question time by videoconference will need to register their intention to do so by contacting the shire prior to 5pm on Monday 21 November 2022. To ensure that each member of the gallery has the opportunity to ask questions, it may be necessary to allow a maximum of two questions from each person in the first instance. You must ask a question. Question time is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting. Written questions must be received by 5pm on Monday 21 November 2022.
2. Questions via videoconference by prior arrangement.
3. Questions from the floor.

6 PETITIONS / JOINT LETTERS

A petition containing 660 signatures supporting the opening of the Visitor Information Centre in Colac seven days a week has been received from the community. A report responding to the petition will be presented to the Council meeting held on 14 December 2022.

7 DECLARATIONS OF INTEREST

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

8 CONFIRMATION OF MINUTES

- Council meeting held on 26 October 2022.
- Council meeting held on 9 November 2022.

RECOMMENDATION

That Council confirm the minutes of the Council Meeting held on 26 October 2022 and the minutes of the Council meeting held on 9 November 2022.

Item: 9.1

Review of Development Plan - Irrewillipe Road / Aireys Street, Elliminyt

OFFICER	Simon Clarke
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Community and Economy
ATTACHMENTS	<ol style="list-style-type: none">1. Existing Approved Development Plan - Area 4 Colac/Elliminyt [9.1.1 - 1 page]2. Draft Amended Irrewillipe Road Development Plan [9.1.2 - 1 page]

1. PURPOSE

To present to Council proposed changes to Development Plan No 2 – Area 4 in the Irrewillipe Road/Aireys Street precinct in Elliminyt for the purposes of community consultation.

2. EXECUTIVE SUMMARY

Land bounded by Irrewillipe Road, Main Street, Aireys Street and Hart Street is included in Development Plan Overlay (DPO2) under the Colac Otway Planning Scheme. In 2014 Council adopted a Development Plan for this area, referred to as Area 4 (refer Attachment 1).

The intent of the Plan was to coordinate the subdivision of land across multiple ownerships included in the General Residential Zone. However, since the Development Plan was adopted very little subdivision has occurred. Despite interest being received in developing land in the Area 4, there are barriers that are preventing this from occurring. Officers have worked with relevant land holders to prepare an amended plan that provides increased flexibility and would have potential to unlock the development potential of the land.

It is recommended the plan be placed on exhibition for three weeks to seek broader public feedback.

3. RECOMMENDATION

That Council:

- 1. Places the draft revised Development Plan for Development Plan DPO2 - Area 4 for land bounded by Irrewillipe Road, Main Street, Aireys Street and Hart Street, Elliminyt on public exhibition for a period of 3 weeks.***
- 2. Hears verbal presentations from any submitters wishing to speak to their submission, prior to formal consideration of the final plan.***

4. KEY INFORMATION

Officers invited landowners affected by Development Plan Overlay 2 (DPO2) in Area 4 to a workshop on 19 May 2022. The aim was to discuss the current approved Development Plan, understand landowner intentions regarding development of their land and to explore what barriers might be preventing land from being further developed. This is particularly important given the current lack of available subdivided land in Colac to meet the growing demand. Reviewing the plan and responding to the lack of housing supply in Colac is a key priority of the Council Plan 2021-2025. Land within the DPO2 is ideally suited for further in-fill development given its location in the broader Colac/Elliminyt context.

The landowner workshop examined some of the reasons for this lack of development and it is clear that the extent of road construction required by the Development Plan is a critical barrier in facilitating further development. Accordingly, Council officers prepared an alternative plan based on landowner feedback that significantly reduces the road extent while at the same time being more reflective of individual landowner aspirations.

The main elements of the revised Development Plan for Area 4 are as follows:

- Significantly reduced length of constructed road, with an east-west road from Hart Street to the centre of the precinct.
- Integrated stormwater drainage generally directed toward the north and east.
- Mix of lot sizes to suit landowner aspirations.
- Private access developments (ie subdivisions without a public road) used only in exceptional circumstances where traditional 16-metre-wide reserves cannot be achieved.
- Private refuse collection for private access developments where a formal Council road is not provided.
- CFA requirements to be met in all circumstances.

Council has distributed the revised Development Plan to all landowners on two occasions to provide feedback. One submission was received that did not object to the revised plan but requested that a future access driveway be shown on the southern side of their property rather than the northern side and that specific building location envelopes not be shown on the plan. The draft Development Plan has been adjusted to accommodate these changes. The revised draft Development Plan is presented at Attachment 2.

Conversations with other landowners have indicated a generally positive response to the review. Council's Statutory Planning and Infrastructure Units have reviewed and endorsed the revised plan.

Council is now in a position to place the revised Development Plan on broader public exhibition to ensure that input is received from the wider community, particularly those that border the precinct in adjacent residential areas. There is no statutory requirement to exhibit the revised Development Plan, but this engagement is considered appropriate. Given the consultation already conducted directly with affected landowners and positive feedback received to date, and that there is no statutory exhibition requirement, it will be recommended to Council that a three-week public exhibition period be conducted rather than the normal six weeks to allow exhibition to conclude prior to the Christmas/January 2023 holiday period.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

This report seeks to ensure that the amendment appropriately responds to relevant strategic planning principles by ensuring that residential development in the Development Plan area is considered holistically and in an integrated manner.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

It is a requirement under the Colac Otway Planning Scheme that a Development Plan be adopted by Council prior to any subdivision or development taking place on land included within a Development Plan Area. This revised Development Plan will replace an existing Development Plan which, for a variety of reasons has proven to be ineffective.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

The proposed Development Plan is on land which is in-fill development in Elliminyt that has been highly modified from an environmental perspective through the existing pattern of development. These matters have been considered at a high level in the Development Plan and will be given more detailed consideration upon planning permit assessment for subdivision proposals.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Formal exhibition of the amendment will occur for a three-week period. Iterations of the plan have been presented to the landowners for feedback on two occasions prior to preparation of this report.

Public Transparency (s58 LGA 2020)

Documentation will be made publicly available as part of the exhibition process.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 1: Affordable and available housing will support our growing community and economy

Objective 5: Grow the Colac Otway Shire's permanent population by at least 1.5%

Theme 2 - Valuing the Natural and Built Environment

Objective 5: Provide and maintain an attractive and safe built environment

Development of the land for residential purposes aligns with the Colac 2050 Growth Plan and key priorities of the Council plan to support an increase in Colac's population, a thriving business community and ensure adequate land availability for housing.

Financial Management (*s101 Local Government Act 2020*)

Revision of the Development Plan has been carried out using internal resources.

Service Performance (*s106 Local Government Act 2020*)

Not applicable.

Risk Assessment

Council has been engaging closely with landowners to ensure that support for the revised Development Plan is achieved. The risk of not achieving support for the proposed revision is therefore considered to be low.

Communication/Implementation

The revised development plan will be more broadly circulated to nearby affect landowners. The plan will be exhibited for a three-week period to allow submissions to be provided to Council.

Human Rights Charter

Not applicable. All owners of land in the area will have the opportunity to participate in the planning process and to have their submissions heard.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

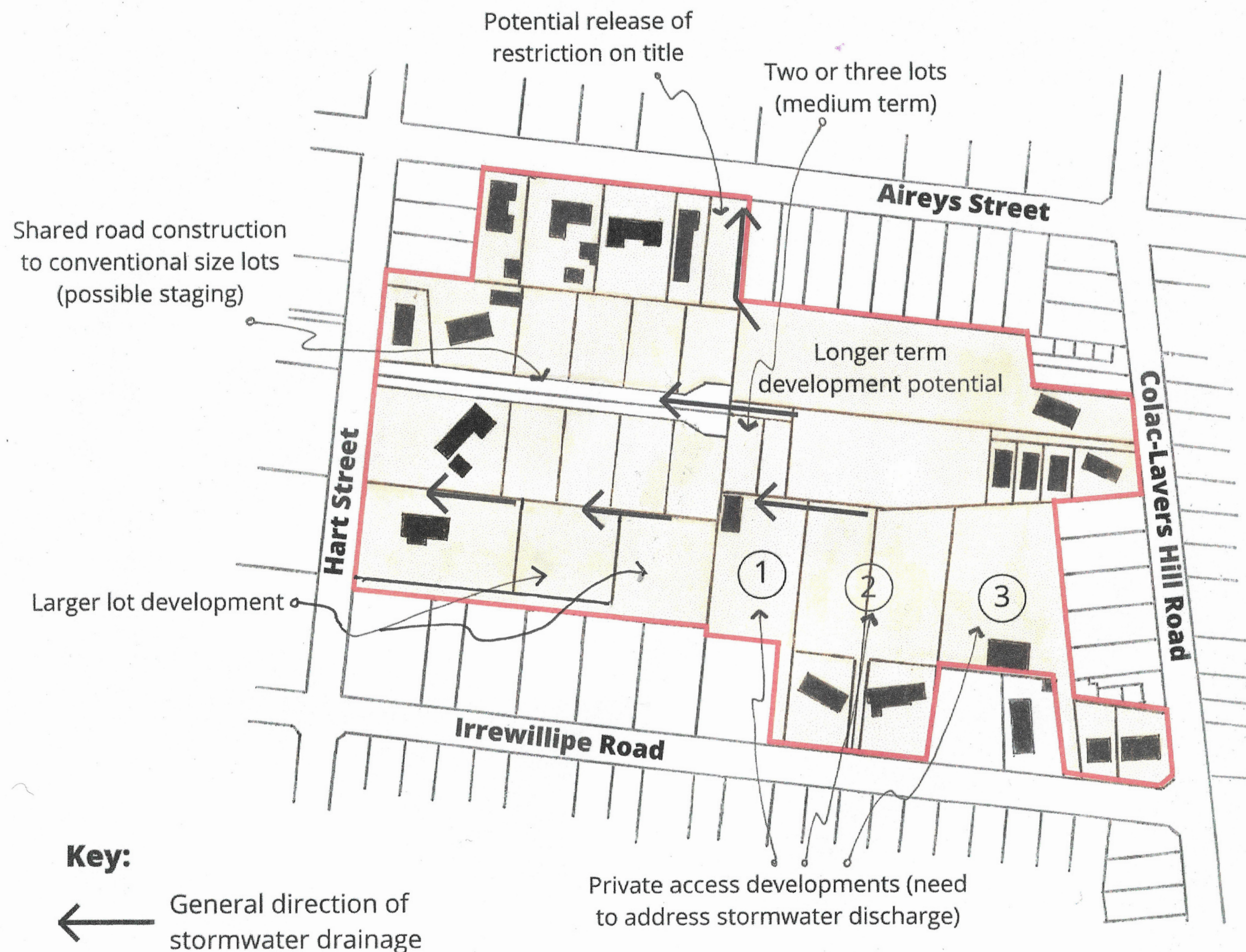
OptionsOption 1 – Place the revised Development Plan on exhibition

This option is recommended by officers as it will progress the draft development plan to enable the the potential to supply the market with additional housing in accordance with landowner aspirations.

Option 2 – Not place the revised Development Plan on Exhibition

This option is not recommended by officers as it will not progress the potential to supply the market with additional housing.





Irrewillipe Road Development Plan

(October 2022)

Requirements for Development

- Private access developments to be used only in exceptional circumstances within the Development Plan Areas of Colac, where traditional subdivision incorporating 16m road reserves cannot be reasonably achieved.
- Private access developments generally limited to no more than 10 lots.
- Private refuse collection for private access developments.
- CFA requirements must be met in all circumstances.

Item: 9.2

Contract 2301 - Design and Construct - Bridge Replacement - Howells Access, Skenes Creek

OFFICER	Matthew Skewes
GENERAL MANAGER	Heath Chasemore
DIVISION	Infrastructure and Operations
ATTACHMENTS	Nil

1. PURPOSE

To award Contract 2301 – Design and Construct – Bridge Replacement – Howells Access, Skenes Creek.

2. EXECUTIVE SUMMARY

Tender submissions have been received and evaluated for Contract 2301 – Design and Construct – Bridge Replacement – Howells Access, Skenes Creek.

The existing Howell's Access Bridge over Skenes Creek was identified for renewal following level 3 bridge inspections carried out by an external provider on behalf of Council. The inspections found significant corrosion of the existing metal beams (built circa 1950). A restrictive 2.5 tonne gross mass load limit was recommended and is currently in place. The load limit will be removed following construction of the replacement bridge.

The works scheduled in Council's 2022-23 Bridge Renewal Program involved the procurement of a contractor to carry out the design and construction work for a new replacement bridge over Skenes Creek at Howell's Access, 52 Skenes Creek Valley Road, Skenes Creek. The procurement phase has now concluded with the formalising of Contract 2301 now pending council acceptance to proceed with the works.

The replacement bridge will be an AS 5100 compliant structure that comprises a 12 metre long single lane structure having a steel sub-structure and a precast panel concrete deck. The contract encompasses the supply and delivery of all labour, plant and materials required to carry out the works and includes detailed design and design certification, demolition, piling and excavation work, bridge

construction, abutment reconstruction, approach road reinstatement, bridge barriers, approach guardrails and signage.

The new replacement bridge will increase the deck width from the existing 3.4 metres to 4.5 metres with a 4.2 metre trafficable width in compliance with current bridge standards. The new structure has a design life span of 100 years.

Contract 2301 is a lump sum AS4300 design and construct contract. The start date will begin on the day of awarding the contract and the nominated practical completion date is 31 March 2023.

The preferred contractor has successfully carried out bridge replacement works for Colac Otway Shire Council recently and has demonstrated a capability to undertake the works on time and within the available project budget.

3. RECOMMENDATION

That Council:

- 1. Awards Contract 2301 – Design and Construct – Bridge Replacement - Howells Access, Skenes Creek to Murray Valley Piling Pty Ltd for the lump sum price of \$288,000 (exclusive of GST).***
- 2. Authorises the Chief Executive Officer to execute the contracts for Contract 2301 – Design and Construct – Bridge Replacement – Howells Access, Skenes Creek, on behalf of the Council.***
- 3. Authorises the Chief Executive Officer to perform all roles of the Principal for Contract 2301 – Design and Construct – Bridge Replacement – Howells Access, Skenes Creek.***
- 4. Authorises the General Manager Community and Economy as the Superintendent for Contract 2301 – Design and Construction – Bridge Replacement - Howells Access, Skenes Creek, including managing variations in accordance with the contract conditions.***
- 5. Notes that unsuccessful tenderers will be advised of the outcome of the tender process and the successful tenderer and contract price will be listed on Council's website.***

4. KEY INFORMATION

Howells Access Bridge (CS074) was constructed circa 1950 and provides a single lane vehicle access across Skenes Creek to property along Skenes Creek Valley Road, Skenes Creek. The existing bridge load limit was recently reduced from an already restrictive 16 tonnes to 2.5 tonnes due to the deteriorating condition of the steel beams and the timber components.



Image 1: Howells Access Bridge over Skenes Creek



Image 2: Howells Access Bridge over Skenes Creek, heavy corrosion of beams



Image 3: Howells Access Bridge over Skenes Creek – Site location

A concept design was used as the basis for the procurement of contractors. During the contract detailed design phase, the new bridge length and the width will be finalised to suit existing site conditions and to comply with the current bridge standards AS 5100. The elevation of the new structure will be retained or slightly higher (approx. 0.3 metres) than the existing bridge to satisfy the Corangamite Management Catchment Authority (CCMA) permit requirements and maintain access during high water flood events.

Colac Otway Shire will permit a temporary road closure of Howells Access to carry out the bridge replacement works. The contractor will implement all road closure measures including temporary access and notifications to affected property owners.

To minimise inconvenience to the affected residents the Contractors will provide pedestrian access for the duration of the construction works. Vehicle access will be unavailable during the construction phase which is anticipated to take 10-14 days.

IMPLEMENTATION

Upon Council's approval, the contract will be awarded in December 2022 and the design work and permits will be finalised. It is proposed that the works under Contract will commence as soon as practicable following design finalisation. The nominated practical completion date is 31 March 2023.

COMMUNICATION

A letter of acceptance and contracts will be issued to the successful tenderer. The contract shall be signed by both the Contractor and Council prior to the commencement of works. Public notices of works will be circulated when a commencement date has been agreed. Local residents will be notified prior to the works via a letter drop.

TIMELINE

Contract Award: December 2022 / January 2023

Design and approvals: January / February 2023

Works Commence: March 2023

Practical Completion: 31 March 2023

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

This report's recommendations focus on delivering the best outcomes for the municipal community, including future generations.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

This report complies with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

The Contractor has provided their own Environmental Management Plan that will be incorporated into Council's site-specific Construction Environmental Management Plan (CEMP).

Specific areas will be designating for construction activities and recorded on the Construction Environmental Management Plan (CEMP) prior to the commencement of works.

An Environmental consultant was engaged and has confirmed there is no native vegetation at the immediate bridge site and no significant vegetation removal is anticipated for the works. There is vegetation near the bridge site that will be marked no-go zones, silt fences will be employed to filter site drainage and limit pollution of Skenes Creek. There is no in creek work required.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

The residents who are directly affected have been consulted during the planning phase and will be informed and kept updated as the project progresses, nearby residents will be advised of work times via letter drops and advertisements of the works will be placed in Council media and local newspapers for the general public.

Landowner consent for works on Crown Land is required from DELWP and consent for works over a waterway is required from the water authority CCMA. Council has received the Landowner Consent from DELWP and also received in-principle support for the works from CCMA. Council Officers will liaise further with CCMA to confirm approvals once the design work is finalised.

Public Transparency (s58 LGA 2020)

Public transparency is achieved by the provision of this report detailing the project and the procurement process.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 3: Key infrastructure investment supports our economy and liveability

Financial Management (*s101 Local Government Act 2020*)

The total project budget for the Howell's Access Bridge Replacement is \$552,000 (ex GST) inclusive of project management, contingencies, and all design and construction work. The works are funded in full by a Council allocation of \$552,000 in the 2022-23 Bridge Renewal Program.

Service Performance (*s106 Local Government Act 2020*)

The new structure will be designed and constructed to accommodate emergency services vehicles and have a design life of 100 years. The replacement bridge will be slightly wider and include bridge barriers to improve property access and user safety.

Risk Assessment

The successful tenderer is required to provide adequate documentation for occupational health and safety requirements including site specific potential hazard assessment and Safe Work Method Statements (SWMs). This documentation will be thoroughly checked prior to commencement and measures put in place to ensure it is adhered to throughout the works period.

The successful tenderer is required to have the necessary insurance to comply with Council's requirements.

A potential risk to timeframes is in obtaining Water Authority approvals in a timely manner. CCMA have been contacted in advance and issued in-principal support pending receipt of detailed design drawings.

Geotechnical investigations were carried out on site prior to the procurement phase as a part of preliminary investigations, the geotechnical findings and recommendations were included in the procurement documentation to inform tenderers of the ground conditions.

Presently, the preferred tenderer has the majority of construction components / materials required to build the bridge on hand, this significantly reduces material supply lead time risks as well as the overall project duration. The construction components / materials are pre-fabricated at the Contractor's depot and are available for use upon award/detailed design/permit approval.

Council's appointed project manager has substantial experience delivering bridge projects on behalf of Council, which also assists in minimising project risks.

Communication/Implementation

The affected residents will be updated directly during the design phase of the project with other nearby residents to be notified via a letter drop. Communications will be advertised in Council media and in local newspapers, emergency services will be notified.

A letter of acceptance and contracts will be issued to the successful tenderer. The contracts shall be signed by both the Contractor and Council prior to the commencement of works.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Award the contract in accordance with the recommendation

This option is recommended by officers as the contractor, Murray Valley Piling Pty Ltd, has been successful in Council's tender procurement process and provides the best value for money for the proposed works. This Contractor has a proven track record and has successfully completed bridge renewal construction works for Council on previous occasions.

Option 2 – Award the contract with changes

This option is not recommended by officers as it could lead to the preferred tenderer rejecting the changes, which would lead to a delay in the project.

Option 3 – Do not award the contract and re-tender

This option is not recommended by officers as failing to award the contract at this meeting will jeopardise the ability for this project to be delivered, within the current financial year as budgeted for and will continue to impact access for residents to their properties.

Item: 9.3

Contract 2214 - 3 Year Bituminous Surfacing Program 2022-2025

OFFICER	Paula Gardiner
GENERAL MANAGER	Heath Chasemore
DIVISION	Infrastructure and Operations
ATTACHMENTS	Nil

1. PURPOSE

To award of Contract 2214 – 3 Year Bituminous Surfacing Program 2022-2025.

2. EXECUTIVE SUMMARY

Tender submissions have been received and evaluated for Contract 2214 – 3 Year Bituminous Surfacing Program 2022-2025.

Contract 2214 seeks to engage a suitably experienced and capable contractor to carry out Council's annual Road Resealing and Final Seal Program for the next three financial years. As is typical for this type of works contract, the 3-year contract will be a Schedule of Rates Contract, with rise and fall provision applicable to each year the Contract is in operation.

The works program included within the Contract is subject to change to enable the extent of road resealing to be matched to the available budget allocated annually. The program identified within the tender document was formed using a conservative budget allowance of \$1 million per annum for the life of the contract, however the nature of the Contract, being a Schedule of Rates, does enable Council to add (or subtract) works under contract each year to match the required works to the budget allocation. For 2022-23 the approved budget for road resealing is \$1,292,000.

Request for Tenders were advertised via eProcure, and submissions closed on 5 October 2022. Four submissions were received by the closing date.

The preferred contractor has successfully carried out Council's Road resealing for at least the previous seven years.

3. RECOMMENDATION

That Council:

1. ***Awards Contract 2214 – 3 Year Bituminous Surfacing Program 2022-2025, to InRoads Pty Ltd for the tendered prices referred to in Schedule 1 – Schedule of Prices.***
2. ***Notes that the indicative contract value resulting from the tendered prices in Schedule 1, over the nominated 3-year period is \$2,348,094.46 (ex GST), however the annual program will be adjusted each year to reflect the approved annual budget allocation.***
3. ***Authorises the Chief Executive Officer to execute the contracts for Contract 2214 – 3 Year Bituminous Surfacing Program 2022-2025, on behalf of Council.***
4. ***Authorises the Chief Executive Officer to perform all roles of the Principal.***
5. ***Notes that unsuccessful tenderers will be advised of this decision and the relevant contract details will be published on Council's website.***

4. KEY INFORMATION

Resealing of roads is a maintenance operation that needs to be performed on sealed roads on a periodic basis throughout the life of the sealed road asset. Typically resealing is carried out at intervals of ten to twelve years. Resealing refreshes the waterproofing nature of the bitumen layer thereby keeping water out of the pavement and in doing so, extends the life of the pavement.

Resealing also provides a new layer of stone as wearing course, and refreshes friction factors for improved tyre grip which improves safety, especially in wet conditions. In order to provide this important renewal function Council undertakes annual resealing works which is delivered by way of Contract.

Bitumen sealing works that will be provided under this contract are very temperature and weather dependent and must be performed in warm and dry conditions to achieve the best outcome. Road resurfacing works will preferably be performed in summer each year, with sealing works to be completed by 31 March of that year.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

This report's recommendations focus on delivering the best outcomes for the municipal community, including future generations.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

This report complies with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

The Contractor is required to provide their own Environmental Management Plan.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

The Contractor is required to advise residents via a letter drop seven days prior to works being undertaken.

Public Transparency (s58 LGA 2020)

Public transparency is achieved by the provision of this report detailing the project and the procurement process.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 3: Key infrastructure investment supports our economy and liveability

Theme 2 - Valuing the Natural and Built Environment

Objective 5: Provide and maintain an attractive and safe built environment

Financial Management (s101 Local Government Act 2020)

The program identified within the tender document was formed using a conservative budget allowance of \$1 million per annum for the life of the contract, however the nature of the Contract, being a Schedule of Rates, does enable Council to add (or subtract) works under contract each year to match the required works to the budget allocation. For 2022-23 the approved budget for road resealing is \$1,292,000.

Service Performance (s106 Local Government Act 2020)

Resealing of roads is a maintenance operation that needs to be performed on sealed roads on a periodic basis throughout the life of the sealed road asset. Typically resealing is carried out at intervals of ten to twelve years. Resealing refreshes the waterproofing nature of the bitumen layer thereby keeping water out of the pavement and in doing so, extends the life of the pavement.

Risk Assessment

Not applicable.

Communication/Implementation

The Contractor is required to advise residents via a letter drop seven days prior to works being undertaken.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Award the contract in accordance with the recommendation

This option is recommended by officers as the contractor, InRoads Pty Ltd, has been successful in Council's tender procurement process and provides the best value for money for the proposed works. This Contractor has a proven track record and has successfully completed Council's road resealing works for the past seven years.

Option 2 – Do not award the contract and re-tender

This option is not recommended by officers as failing to award the contract at this meeting will jeopardise the ability for this project to be delivered within the summer period.

Item: 9.4

Review of Submissions Committee Terms of Reference

OFFICER	Marlo Emmitt
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Revised Terms of Reference for the Submissions Committee PDF [9.4.1 - 2 pages]2. Submissions Committee of Council - Terms of Reference - Adopted 26 August 2020 - for revocation [9.4.2 - 1 page]

1. PURPOSE

To adopt revised Terms of Reference for the Submissions Committee and consider scheduling meetings for 2023.

2. EXECUTIVE SUMMARY

The Submissions Committee (Committee) was established by Council (as a non-delegated Committee) on 26 August 2020, following the introduction of the *Local Government Act 2020* (Act).

Currently, Submissions Committee meetings must be called by resolution of Council. This approach is inconsistent with the way Council and Delegated Committee meetings are called/scheduled.

Proposed changes to the Submissions Committee Terms of Reference would enable the Mayor, or at least three Councillors to call meetings, if required.

A forward schedule of meeting dates would also provide more transparency to members of the public and assist officers with forward planning.

3. RECOMMENDATION

That Council:

- 1. Adopts the revised Submissions Committee Terms of Reference (at Attachment 1).***
- 2. Notes that the proposed schedule of Submissions Committee meetings for 2023 will be considered as part of the Council and Committee Meeting Dates 2023 report, which is the next item on the Council agenda.***
- 3. Revokes the Submissions Committee Terms of Reference at Attachment 2.***

4. KEY INFORMATION

The Submissions Committee (Committee) was established by Council (as a non-delegated Committee) on 26 August 2020, following the introduction of the *Local Government Act 2020* (Act).

The purpose of the Committee is to facilitate the hearing of submissions if a person is given a right to make a submission under section 223 of the *Local Government Act 1989*, or more generally under this Act, the *Local Government Act 2020*, or any other Act, by Council resolution or in accordance with Council's Community Engagement Policy and operational Community Engagement Framework.

Under the current Terms of Reference, meetings of the Submissions Committee must be called by Council resolution. This approach is inconsistent with current practice in the following two ways:

- Council's Governance Rules enable the Mayor or three Councillors to call unscheduled meetings of the Council or its Delegated Committees.
- In November each year, Council sets its meeting dates (Council and its Delegated Committees) for the following calendar year.

Scheduling Submissions Committee meetings a year in advance (with the ability to cancel if not required), and amending the Terms of Reference to allow the Mayor or three Councillors to call a meeting (where deemed necessary), will provide more transparency to members of the public and assist officers with forward planning.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

The following Governance Principles relate to the content of this report:

- Innovation and continuous improvement is to be pursued.
- The transparency of Council decisions, actions and information is to be ensured.
- The municipal community is to be engaged in strategic planning and strategic decision making.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Local Government Act 2020
Governance Rules

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Not applicable.

Public Transparency (s58 LGA 2020)

The proposal to scheduled Submissions Committee meetings for 2023 provides more transparency to members of the public regarding meeting dates and times.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Not applicable.

Communication/Implementation

The schedule of Council, Planning Committee and Submissions Committee meeting dates for 2023 will be advertised in both print and social media.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

OptionsOption 1 – Adopt the revised Submissions Committee Terms of Reference

This option is recommended by officers as it will allow the Mayor, or at least three Councillors to call meetings of the Submissions Committee (where required outside the endorsed meeting schedule), and cease the current requirement for a report to Council.

Option 2 – Do not adopt the revised Submissions Committee Terms of Reference

This option is not recommended by officers as having to write a report to Council every time a Submissions Committee meeting is required, is an inefficient practice.



Submissions Committee

Terms of Reference

Purpose

To facilitate the hearing of submissions if a person is given a right to make a submission to the Council under section 223 of the *Local Government Act 1989*, or more generally under this Act, the *Local Government Act 2020*, or any other Act, or, by resolution of Council that submissions be heard by this Committee.

Composition

The Submissions Committee (Committee) comprises all Councillors.

Quorum

At least a majority of the members of the Committee.

Chair

The Mayor is to chair Committee meetings. In the absence of the Mayor, the Deputy Mayor (if one has been appointed) is to assume the role. In the event both the Mayor and Deputy Mayor are absent, a Councillor appointed by the Committee members who are present at the meeting.

Voting

All members are entitled to vote (except in the case of a conflict of interest) with the Chair having a casting vote.

The Committee does not have any delegated power to make decisions. The Committee will make recommendations to either the Council, or its Delegated Committee.

Meeting Time and Frequency

An annual schedule of meeting dates will be determined by Council resolution.

If there are no items for consideration at a meeting scheduled by Council, then reasonable notice of the cancellation of the meeting will be provided to the public.

The Committee may call a meeting of the Submissions Committee, or alternatively, the Mayor, or at least three Councillors, may by written notice call a meeting of the Submissions Committee.

Reporting Requirements

Matters to be determined at a Council or Delegated Committee meeting will be presented to Council as soon as practicable after a meeting of the Committee.

Right to speak

Subject to a written request to be heard being received by close of the submissions/community engagement period, a submitter will be given the opportunity to be heard by the Submissions Committee with a restriction of five (5) minutes in each case, or for a longer period for a presentation if warranted by circumstances, at the discretion of the Chair.



SUBMISSIONS COMMITTEE OF COUNCIL TERMS OF REFERENCE

Purpose	to facilitate the hearing of submissions if a person is given a right to make a submission to the Council under section 233 of the Local Government Act 1989, or more generally under this Act, the Local Government Act 2020, or any other Act, or, by resolution of Council that submissions be heard by this Committee
Composition:	all Councillors
Quorum:	at least a majority of the members of the Committee
Chair:	the Mayor to chair meetings; or a Councillor appointed by the Committee members who are present at the meeting
Voting:	all members are entitled to vote (except in the case of a conflict of interest) with the Chair having a casting vote, in accordance with the Governance Rules
Meeting time and frequency:	dates and times as required, as determined by Council
Reporting requirements:	matters to be determined at a Council meeting must be presented to Council as soon as practicable after a meeting of the Committee
Right to speak:	subject to a written request to be heard being received by close of the submissions period, a submitter will be given the opportunity to be heard by the Submissions Committee with a restriction of five (5) minutes in each case, or for a longer period for a presentation if warranted by circumstances, at the discretion of the Chair

Item: 9.5

Council and Committee Dates 2023

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

1. PURPOSE

To consider the dates, times and venues for meetings of the Council, Planning Committee and Submissions Committee for 2023.

2. EXECUTIVE SUMMARY

The Governance Rules require Council to fix the date, time and place of its Council and delegated committee meetings. Unscheduled meetings may also be called by the Mayor, or at least three Councillors, as required.

Typically Planning Committee meetings are scheduled on the second Wednesday of the month and Council meetings are scheduled on the fourth Wednesday of the month (commencing at 4pm).

Throughout 2022, Submissions Committee meetings were scheduled by Council resolution on an 'as needs' basis. In 2023, it is proposed that Submissions Committee meetings be scheduled for the first Wednesday of the month (where possible), commencing at 4pm.

Rather than schedule meetings in January, it is recommended unscheduled meetings be called if/when the need arises.

3. RECOMMENDATION

That Council:

- Approves the schedule of Council, Planning Committee and Submissions Committee meetings for 2023 as detailed below:***

February 2023		
Submissions Committee	Wednesday, 1 February	4pm
Planning Committee	Wednesday, 8 February	4pm
Council	Wednesday, 22 February	4pm
March 2023		
Submissions Committee	Wednesday, 1 March	4pm
Planning Committee	Wednesday 8 March	4pm
Council	Wednesday 22 March	4pm
April 2023		
Planning Committee	Wednesday 5 April	4pm
Council	Wednesday 26 April	4pm
May 2023		
Submissions Committee	Wednesday, 3 May	4pm
Planning Committee	Wednesday 10 May	4pm
Council	Wednesday 24 May	4pm
June 2023		
Submissions Committee	Wednesday, 7 June	4pm
Planning Committee	Wednesday 14 June	4pm
Council	Wednesday 28 June	4pm
July 2023		
Submissions Committee	Wednesday, 5 July	4pm
Planning Committee	Wednesday 12 July	4pm
Council	Wednesday 26 July	4pm
August 2023		
Submissions Committee	Wednesday, 2 August	4pm
Planning Committee	Wednesday 9 August	4pm
Council	Wednesday 23 August	4pm
September 2023		
Submissions Committee	Wednesday, 6 September	4pm
Planning Committee	Wednesday 13 September	4pm
Council	Wednesday 27 September	4pm
October 2023		
Submissions Committee	Wednesday 4 October	4pm
Planning Committee	Wednesday 11 October	4pm
Council	Wednesday 25 October	4pm
November 2023		
Planning Committee	Wednesday 1 November	4pm
Council	Wednesday 22 November	4pm
December 2023		
Planning Committee	Wednesday 6 December	4pm
Council	Wednesday 13 December	4pm

- 2. Approves the scheduling of a Council meeting on Wednesday 8 November 2023 for the sole purpose of the term and election of the Mayor and Deputy Mayor, and determines that public question time will be restricted to questions relevant to the purpose of the meeting.**
- 3. Notes that all Council meetings, Planning Committee and Submission Committee meetings will be held at Colac Otway Performing Arts and Cultural Centre (COPACC), Colac and livestreamed, unless otherwise advertised.**
- 4. Will take all reasonable steps to hold at least one meeting every six months in 2023 at a suitable location in Apollo Bay.**

4. KEY INFORMATION

April 2023 Planning Committee meeting

Next year, Easter falls between 7 and 10 April 2023. The second Wednesday of April in 2023 falls on the 12 April (the Wednesday after Easter). Therefore, it is recommended that the April Planning Committee meeting be brought forward one week to Wednesday 5 April 2023. As such, it is recommended that no Submissions Committee be scheduled for April 2023 (noting that one may be called by the Mayor or three councillors, if required).

April Council meeting

The fourth Wednesday of April falls on 26 April 2022, the day after ANZAC day. Therefore, it is proposed that the agenda for this meeting be available on Council's website on Thursday 20 April 2023 (rather than Friday 21 April 2023).

November Planning Committee meeting

The second Wednesday of November 2023 coincides with the date proposed for the meeting to elect the Mayor and Deputy Mayor. It is proposed that the November Planning Committee meeting be brought forward to 1 November 2023. As such, it is recommended that no Submissions Committee be scheduled for November 2023 (noting that one may be called by the Mayor or three councillors, if required).

December 2023 Planning Committee and Council meetings

Council meeting - to facilitate Council business prior to the office closure over the Christmas/ New Year period, the December meeting has been scheduled for the second Wednesday of the month (13 December 2023).

Planning Committee meeting - due to the Council meeting being scheduled on the second Wednesday of the month in December 2022, it is proposed that the Planning Committee be scheduled for the first Wednesday of December 2022 (6 December 2023). As such, it is recommended that no Submissions Committee be scheduled for December 2023 (noting that one may be called by the Mayor or three councillors, if required).

Meeting venue

Holding meetings at COPACC enables us to hold hybrid meetings, if required. The technical capability of the facility at COPACC also enables meetings to be live streamed.

The ability to live stream is dependent on the internet capability of the meeting venue. Therefore, it cannot be assumed that meetings held at other locations (apart from COPACC) can be live streamed.

The ability to hold a hybrid meeting depends on the internet capability and setup of the meeting venue. Therefore, it may not be possible to hold a hybrid meeting at offsite meeting venues.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

The Overarching Governance Principles that relate to the content of this report are:

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- Innovation and continuous improvement is to be pursued.
- the transparency of Council decisions, actions and information is to be ensured.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Governance Rules

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Not applicable.

Public Transparency (s58 LGA 2020)

In accordance with the Governance Rules, Council is required to provide to the public reasonable notice of each Council and Planning Committee meeting. The Council's consideration of meeting dates for the calendar year ahead provides certainty and transparency for the community about decision making at Colac Otway Shire Council.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Not applicable.

Communication/Implementation

The dates, times and locations of Council meetings will be published in the local press and on Colac Otway Shire Council's website.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Approves the schedule of Council and Committee meetings for 2023

This option is recommended by officers as meeting dates for scheduled Council and Planning Committee meetings are required to be set by Council resolution.

Option 2 – Does not approve a schedule of Council and Committee meetings for 2023

This option is not recommended by officers as meeting dates should be set 12 months in advance to provide transparency to members of the public.

Item: 9.6

Quarterly Performance Report - 1 July to 30 September 2022

OFFICER	Marlo Emmitt
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. 2022-23 Quarterly Performance Report - July to September 2022 - Attachment 1 [9.6.1 - 45 pages]

1. PURPOSE

To provide the Quarterly Performance Report for the period 1 July to 30 September 2022.

2. EXECUTIVE SUMMARY

Pursuant to section 97 of the *Local Government Act 2020*, the Chief Executive Officer is required to present a quarterly budget report (which includes a comparison of the actual and budgeted results to date and an explanation of any material variations), to a Council meeting which is open to the public. The Chief Executive Officer has reviewed the quarterly budget report and deems that there is no need for Council to consider a revised budget at this time.

Explanation of budget and/or project performance variances to budget must provide information to Council and the public about allocation of financial resources to achieve Council Plan and Budget outcomes.

This report also includes a progress report against the Council Plan objectives (via the 2022-23 Annual Plan).

3. RECOMMENDATION

That Council notes the Quarterly Performance Report for the first quarter 2022-23, for the period 1 July to 30 September 2022.

4. KEY INFORMATION

This Quarterly Performance Report provides Council with a progress report for the first quarter of the financial year (July to September 2022) and is structured in the following sections:

- Introduction by the Chief Executive Officer
- Annual Plan Progress Report (including links to the Health and Wellbeing Plan)
- Capital Works and Major Initiatives Performance Report
- Budget Report for the quarter ending 30 September 2022

The Annual Plan Progress Report shows:

- 9 percent of actions have been completed
- 78 percent of actions are in progress
- 2 percent of actions are on hold
- 11 percent of actions have not started

The Budget Report for the three months ending 30 September 2022 includes:

- Analysis of full year forecast and year-to-date results compared to the 2022-23 adopted budget, including:
 - Comprehensive Income Statement
 - Balance Sheet
 - Cash Flow Statement
 - Capital Works Statement

The following is a summary in relation to the 2022-23 statements:

- The adopted budget reported an operating surplus of \$0.47m.
- The forecast operating surplus, at September 2022, has increased by \$6.24m to \$6.71m. This increase is predominantly due to grants funding carried forward from 2021-22.
- Closing cash balance is currently forecast to decrease from \$20.88m to \$14.23m, as a result of external funding already received being expended on projects and initiatives.

The higher year-to-date operating surplus of \$1.77m reported mainly reflects a timing variance:

- Operating grants revenue (\$4.87m) received prior to budgeted.
- Capital grants (\$1.81m) not yet received.
- \$820k decrease in user fees mainly related to Aged Care Services fees not yet receipted and less revenue from leisure centre fees (which is offset by lower operating costs).
- Annual WorkCover payment (\$532k) paid in the first quarter rather than instalments.
- Subscription and memberships fees - ICT operating costs (\$552k) including annual corporate system license, business licence and Information service paid in the first quarter.

- \$0.12m increase in employee costs relating to carry forward works from 2021-22.
- \$18.32m increase in materials and services costs relating to carry forward from 2021-22.

Further details of these results are provided in Attachment 1.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

A number of relevant governance principles under section 9 of the *Local Government Act 2020* apply to this report, specifically:

- *Council decisions are to be made and actions taken in accordance with the relevant law:*
 - i. The Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public that includes a comparison of the actual and budgeted results to date, and an explanation of any material variations. The quarterly report must also include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required (S97 LGA 2020).
- *Priority is to be given to achieving the best outcomes for the municipal community, including future generations:*
 - i. Explanation of budget and/or project performance variances to budget that provides information to Council and the public about allocation of financial resources to achieve Council Plan and Budget outcomes.
- *Innovation and continuous improvement is to be pursued:*
 - i. Continuous development of financial reporting information and systems to enable more useful information for Council decision making.
- *The ongoing financial viability of the Council is to be ensured:*
 - i. Regular monitoring of permanent and timing variances to Budget by the Executive Management Team and quarterly monitoring of Budget performance by the Audit and Risk Committee and Council to enable mitigation of identified financial risks.
- *The transparency of Council decisions, actions and information is to be ensured:*
 - i. Presentation of the quarterly performance report, including budget statements, provides the community with relevant information about Council's progress against key plans and adopted budget.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Section 97 of the LGA 2020 requires quarterly statements to be presented to Council, comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date. (S97 LGA 2020).

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Comprehensive community consultation and engagement was undertaken during the development of the Council Plan 2021-2025 and 2022-23 Budget

Public Transparency (s58 LGA 2020)

Council information on Council Plan progress, capital works and major initiatives performance and budget performance is scheduled to be reported quarterly to an open Council meeting.

Full year budget forecasts are updated regularly to transparently show the impact on Council's financial position of all material permanent variances forecast compared to the adopted Budget with explanations.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Objective 2: We are a financially robust organisation.

Financial Management (s101 Local Government Act 2020)

The financial and budgetary implications are disclosed in the attached report and show the anticipated financial impacts on Council's financial position. This information aims to:

- (a) Explain the financial operations and performance compared to the adopted budget for the financial year and forecast Council's financial position to 30 June.
- (b) Assist Council to effectively manage its revenue, expenses, assets, liabilities, investments and financial transactions in accordance with a Council's financial policies and strategic plans.
- (c) Assist Council to monitor and mitigate any financial risks identified during the financial year.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Council needs to continue to closely monitor and manage its financial sustainability and performance in light of the current economic conditions. Inflation in Australia is the highest it has been for decades and Council, like all sectors, faces a tight labour market and capacity constraints. These financial pressures are generally outside Council's control and influence and will continue to represent a significant financial risk throughout the year.

Communication/Implementation

The quarterly Budget Report to 30 September 2022, including the Capital Works and Major Initiatives Performance Report, will be presented to the Audit and Risk Committee on 7 December 2022, in accordance with the Committee's functions and responsibilities under S54 LGA 2020. This report has been presented to a Councillor Briefing on 16 November 2022 as part of the Quarterly Performance Report.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Note the Quarterly Performance Report 2022-23 for the first quarter 2022-23, for the period July to September 2022

This option is recommended by officers as this report meets Council's statutory requirement for the Chief Executive Officer to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public (S97 LGA 2020).

Option 2 – Do not note the Quarterly Performance Report 2022-23 for the first quarter 2022-23, for the period July to September 2022

This option is not recommended by officers as it would be inconsistent with the intent of the reporting requirements in the LGA 2020.



Quarterly Performance Report 2022-23

First Quarter

1 July to 3 September 2022

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Acknowledgement

The Colac Otway Shire Council respectfully acknowledges the Gulidjan and Gadubanud peoples of the Maar Nation as the Traditional Custodians of the Colac Otway region, the land and waterways upon which the activities of the Colac Otway Shire Council are conducted on.

We pay our respects to their ancestors and elders, past, present and emerging. We recognise and respect their unique cultural heritage, beliefs and up hold their continuing relationship to this land.

Chief Executive Report

The financial year commenced with the familiar challenges of working in a COVID-19 environment that continued to impact Council staff and operations in the July to September quarter. The July Council meeting held online and Council services were impacted by staff shortages which meant facilities such as Bluewater and our Customer Service Centres had periods of reduced operating hours due to staff availability.

Colac Otway Shire Council started September with a full count of its senior and executive management teams, marking the start of a new era for the organisation.



Council welcomed two new general managers: Andrew Tenni - General Manager Corporate Services and Heath Chasemore - General Manager Infrastructure and Operations. Alongside recruitment of these key executive management roles, the senior management team also welcomed three new managers: Rhassel Mhasho - Manager Healthy Environments, David Butterfield – Manager Property, Procurement and Contracts and Kanishka Gunasekara – Manager Assets and Engineering. These new staff bring a high level of skill and considerable and broad experience to Colac Otway Shire Council.

In July, Colac Otway Shire Council also had strong representation at the 2022 Australian Local Government Association (ALGA) meeting in Canberra, which saw approximately 900 councillors, CEOs and staff registered. A key purpose of the conference is to highlight to the Federal Government the local government and community issues and needs, with the goal of influencing decisions and policies that are important to our communities.

I joined the other CEO's from member Councils of the G21 Region Alliance in Canberra in August where we met a number of senior officials in the Federal Government. We were able to share and discuss the region's opportunities and challenges and the rationale behind those priorities. It was useful to gain further insight into the focus of the new government which we will consider as we continue our regional planning and advocacy work.

A cross-section of issues were raised by our Council including funding to local government, roads funding, environment and sustainability.

The Mayor attended the G21 Mayor's Spring Street Delegation at Victorian Parliament in September, with productive meetings with Ministers and Shadow Ministers over two days. The region's lack of affordable housing, key workers, public transport and active travel modes were topics for discussion with our state colleagues.

In Melbourne, I was part of the South West Victorian Alliance Victorian Parliamentary Delegation, where we advocated for the region ahead of the Victorian Election on issues such as ensuring the sustainability of natural assets and the tourist economy.

In recognition of biosecurity threats to our region, Council created a Steering Committee to plan and prepare us for any possible animal biosecurity incident.

As the livestock industry has an economic output of approximately \$240 million a year, and we have staff that may live on farms, or who need to visit or work near properties with livestock, we want to ensure we begin to understand and plan for any potential outbreak of the disease into the shire.

Key strategic documents were adopted by Council in this quarter, including Council's first Public Toilet Strategy, the updated Domestic Wastewater Management Plan and an updated Asset Management Policy.

Chief Executive Report

Council has also commenced work on the Deans Creek Precinct Structure Plan which, if rezoned residential, will satisfy much of the shire's demand for residential land for the next 30 years, addressing one of the key priorities of this Council, to open land for development for affordable and available housing.

The Minister for Planning provided approval to the Birregurra Flood Study Planning Scheme Amendment C116cola after full support being granted by an independent planning panel in June. This has been a multi-year process working with DELWP and CCMA and is a great result for the community as a timely response to local flood events and ongoing pressure for development in Birregurra.

Colac Otway Shire Council continues to work to our Council Plan 2021 – 25 which provides key objectives, strategies and direction and will continue to guide our work in the years ahead. I look forward to more progress as look to the end of this year, and the challenges and opportunities which lay ahead in 2023.

In September, we joined our Colac Otway community in acknowledging the passing of Her Majesty Queen Elizabeth II and the significant contribution she made to Australia over seven decades. The Queen was a constant and well-respected leader who demonstrated dedication, hard-work, empathy and was a reassuring presence for many people.

To commemorate Her Majesty, Queen Elizabeth II, Colac Otway Shire Council hosted a community morning tea at COPACC on the National Day of Mourning, Thursday 22 September 2022. The event included screening of the live broadcast of the National Memorial Service from the Great Hall of Parliament House in Canberra.

Anne Howard

Chief Executive Officer

Colac Otway Shire Council

Annual Plan 2022-23

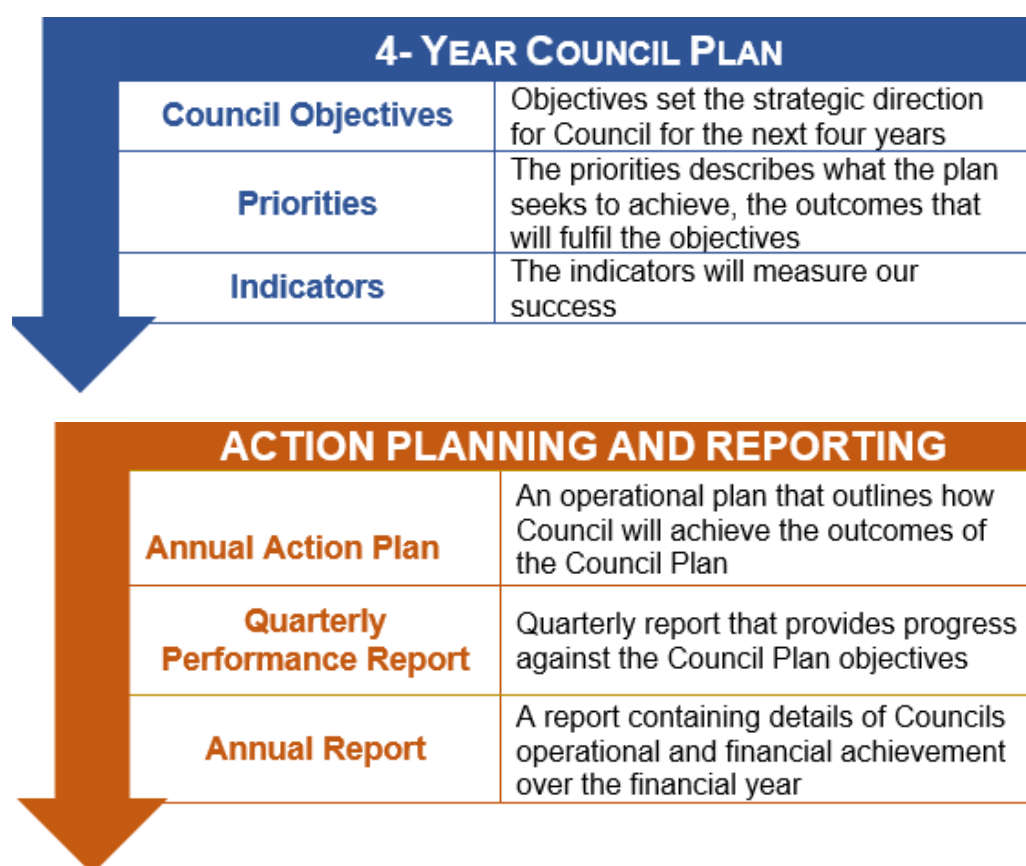
The Annual Plan is an operational plan that outlines how Council will achieve the outcomes of the Council Plan 2021-25.

As part of the Council Plan 2021-25, Council commits to generating an annual action plan to demonstrate how we will deliver on our commitments, evaluating our own performance, and publishing results within the annual report each October.

In addition, the development and implementation of the annual plan is informed by ongoing partnerships with agencies, community and other levels of government.

Each quarter, Council will produce a quarterly report showing progress against each of the actions in the annual plan, in addition Council produces an Annual Report, which outlines the work undertaken for the financial period.

Integrated Planning Framework



Annual Plan 2022-23

Council formally adopted the Council Plan 2021-25 at a Council meeting held on 27 October 2021. The Council Plan is a document developed in partnership with the community to guide Council's strategic direction over the next four years.

The key issues faced by our community, identified through the development of the Community Vision 2050, informs the choice of major projects and activities that Council identifies as its highest priorities.

Community Engagement

Development of the Council Plan 2021-25 included a comprehensive community engagement process, which conducted alongside development of the Community Vision 2050. The engagement process included:

- Regional roadshows at 12 community locations
- Online community sessions
- Community survey
- Stakeholder interviews
- Youth summit
- Community panel sessions
- Councillor workshops
- Exhibition of draft Community Vision 2050 and Council Plan 2021-25.

The Community Vision 2050 and Council Plan 2021-2025 is available for download from Council's website, or hard copies are available for viewing at Council offices in Colac and Apollo Bay.

Council Plan 2021-25 Strategic Themes

There are four themes in the Council Plan:

Theme One: Strong and Resilient Economy

We are committed to expanding our diverse industries, vibrant arts community, world-renowned tourism, and professional health services. A healthy, growing economy will provide sustainable industries and jobs, and opportunities for all ages.

Theme Two: Valuing the Natural and Built Environment

We will protect our natural environment and communities, by maintain and providing resilient infrastructure, and being leaders in sustainable living, modelling innovation and best practice.

Theme Three: Healthy and Inclusive Community

We will continue to be a great place to live. We embrace our diverse community, take care of our older community and prepare our children for success. We care for each other, are friendly and welcoming, and enjoy a vibrant and active lifestyle. We are a small population with big hearts.

Theme Four: Strong Leadership and Management

We will be leaders in good governance, transparency and strive for ongoing improvement.

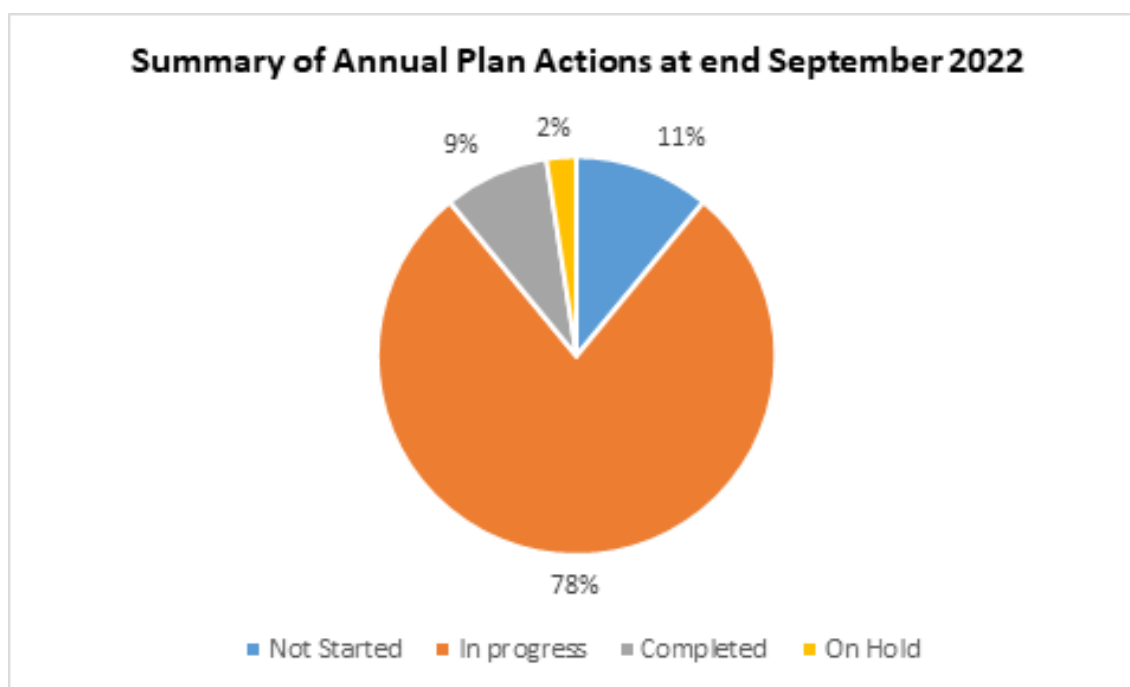
Links to the Public Health and Wellbeing Plan

The following legend indicates actions that are linked to the Public Health and Wellbeing Plan.

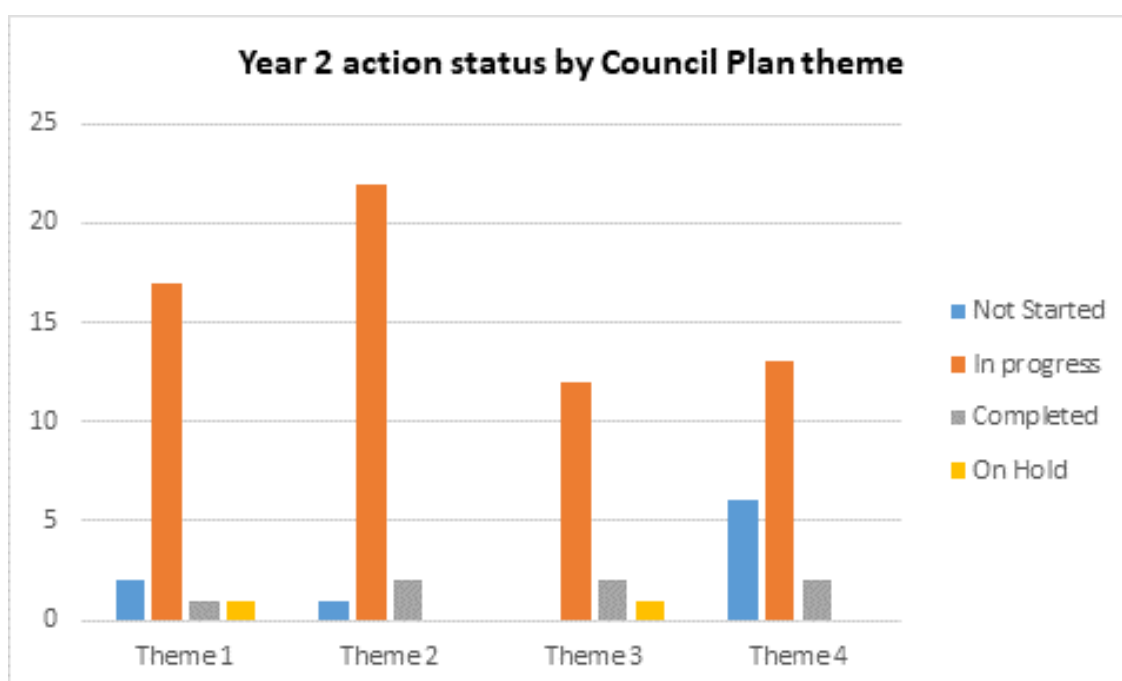
Preventing Violence	Climate Change	Active Living	Mental Health Wellbeing	Gender Equity	Panel Recommendation
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Annual Plan 2022-23

Overall Progress by Action












Progress by Theme



Theme 1 - STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
1.1 Affordable and available housing will support our growing community and economy					
1.1.1	Deliver a strategic growth plan for the shire and settlement strategy for all small towns and rural living areas ●	Participate in Great Ocean Road Authority Strategic Framework Plan	Officers have attended early State Government briefing sessions on this project. The development of the Great Ocean Road Authority Strategic Framework Plan will span a number of years and so participation will be ongoing.	25%	In progress
1.1.2	Deliver a refreshed Apollo Bay Structure Plan ●	<i>No Year 2 action planned.</i>			N/A
1.1.3	Facilitate the delivery of more diverse housing stock in Colac and Apollo Bay ● ●	Continue to participate on and work with the Apollo Bay Key Worker Housing Action Group ● ●	Officers have continued to engage with the Apollo Bay Key Worker Housing Action Group.	25%	In progress
1.1.4	Increase residential land supply in Colac ● ●	Continue to progress the Deans Creek Precinct Structure Plan ● ●	The Precinct Structure Plan is progressing well, with the commissioning of a number of technical assessments and landowner engagement scheduled to occur in November/December.	25%	In progress
		Finalise the Colac West Development Plan ● ●	Work has continued to occur on the Shared Infrastructure Plan associated with the Development Plan whilst the key landowners complete investigations into stormwater treatment options. Officers have met several times with State Government representatives to facilitate establishment of a road reserve for the new north-south connector road to unlock development in the plan area.	25%	In progress
		Progress Planning Scheme Amendments for rezoning land to residential in Colac ● ●	Draft planning scheme amendments prepared for two areas at Elliminyt, fronting Colac Lavers Hill Road and Irrewillipe Road, have been forwarded to the Victorian Government for processing under the Development Facilitation Program, and are close to being publicly exhibited. Officers have also progressed work with the proponents to advance Shared Infrastructure Funding plans associated with the rezonings.	25%	In progress



Theme 1 - STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
1.1.5	Deliver a Social Housing Strategy 	Work with G21 regional partners to finalise a regional plan 	A regional statement of social housing need has been prepared for the G21 Councils and used for advocacy with Homes Victoria for funding under the State Government's Big Housing Build program.	75%	In progress
		Work with Homes Victoria and housing providers to deliver social housing projects under the State's Big Housing Build program 	Discussions held with Homes Victoria about a number of potential opportunities for the development of affordable housing. The vacant cemetery land in Pound Road, Colac, is being considered as a site for a housing development by the Victorian Government.	50%	In progress
		Support the delivery of social housing through development of the Council land at Bruce Street, Colac 	The Council land at Bruce Street has been successfully sold to a developer who has lodged a planning permit for subdivision and is preparing to develop the land for housing. Allotments for social housing will be transferred to Council as the land is subdivided.	25%	In progress
1.1.6	Increase access to affordable accommodation for essential workers 	Work with the Apollo Bay community to progress actions that achieve key worker housing 	Officers have continued to engage with the Apollo Bay Key Worker Housing Action Group.	25%	In progress
		Work with regional partner Councils to complete the regional Key and Essential Housing Worker project 	The regional Key and Essential Worker Housing project was completed in August.	100%	Completed
		Investigate site options for future provision of key worker housing in Apollo Bay 	A site was investigated for feasibility through the regional Key and Essential Worker Housing project, and officers have provided advice to the Apollo Bay Key Worker Housing Taskforce on several occasions.	25%	In progress
		Advocate to State and Federal Government for support towards key worker accommodation 	In partnership with our neighbouring Councils and regional bodies such as the Barwon Regional Partnership, Council continues to advocate to other levels of Government to support key worker accommodation. The Barwon Regional Partnership recently presented to Homes Victoria CEO on housing challenges and opportunities across the region. The Key Worker Housing Group led by Moyne Shire has requested financial support from the Victorian Government for key worker housing across the region.	25% Ongoing	In progress

Theme 1 - STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
1.2 Attract, retain and grow business in our Shire					
1.2.1	Deliver Economic Development Strategy	Prepare targeted accommodation investment prospectus for Colac and present to industry stakeholders	Project commencement planed for the second quarter.	0%	Not started
1.2.2	Attract and retain a diverse range of businesses and industries, particularly those with green credentials 	Deliver small business Digital Transformation program	Delivery of the program continues with expected completion mid to late November 2022.	85%	In progress
1.2.3	Deliver City Deals project in Colac Otway Shire's coastal towns 	Implement City Deal projects to agreed plans 	All projects on hold pending guidance and direction from responsible ministers and stakeholders.	50%	On Hold
1.2.4	Develop the Apollo Bay Harbour precinct for community activity, commerce and tourism 	<i>No Year 2 action planned.</i>			N/A










Theme 1 - STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
1.3 Key infrastructure investment supports our economy and liveability					
1.3.1	Attract investment to implement key master plans and projects that will drive economic growth including but not limited to Lake Colac Foreshore Masterplan, Public Toilet Strategy, CBD and Entrances Plan, Apollo Bay, Marengo and Skenes Creek CIP, Murray Street upgrades, township masterplans, Colac Civic Health and Rail Precinct, Memorial Square Masterplan Tourism Traffic and Parking Strategy 	Advocate to State and Federal government for funding towards Council's priority projects 	Council continues to advocate to a range of politicians and Government agencies for support for its priority projects.	25% Ongoing	In progress
1.3.2	Deliver improvements to Colac and Apollo Bay CBD's to support their role as a hub for commerce, tourism and the community	Finalise the Colac Civic Precinct Master Plan	Further progress has been made in the preparation of a draft plan for the Civic Health and Railway Precinct with on-going discussions between key stakeholders. A draft Plan is expected early in 2023.	25%	In progress
		Complete the Apollo Bay Community Infrastructure Plan	The draft Community Infrastructure Plan was on exhibition until August and submissions will be considered by Council at the December meeting for adoption of the Plan.	75%	In progress
1.3.3	Advocate to relevant authorities for new and upgraded infrastructure to support business growth e.g. roads, utilities, NBN	Advocate to the Department of Transport for road improvements	Discussion with Department of Transport on potential upgrades planned are ongoing.	25%	In progress
1.3.4	Advocate for implementation of the Forrest Wastewater scheme	Continue to advocate to Barwon Water and State government to fund Forrest Wastewater Upgrade	Further discussions have been held with Barwon Water regarding the Forrest Wastewater Upgrade, with the design work included in Barwon Water's 2023 Price Submission.	50%	In progress

Theme 1 - STRONG AND RESILIENT ECONOMY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
1.3.5	Include consideration of arts and culture in strategic processes and projects	No Year 2 action planned.			N/A
1.4 Colac Otway Shire is a destination to visit					
1.4.1	Promote the Shire as a destination, not a gateway ●	No Year 2 action planned.			N/A
1.4.2	Maximise our key tourist attractions	No Year 2 action planned.			N/A
1.4.3	Work with our community to promote our towns as places to stop, visit and explore	Promote uptake of the GORRT partnership program to local tourism business	Officers raise the partnership program when interacting with local tourism businesses, however a targeted marketing push is yet to commence.	0%	Not started
1.4.4	Facilitate development of sustainable visitor infrastructure and accommodation	No Year 2 action planned.			N/A
1.5 Grow the Colac Otway Shire's permanent population by at least 1.5%					
1.5.1	Support business growth through population attraction and retention ●	No Year 2 action planned.			N/A






Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.1 We mitigate impacts to people and property arising from climate change					
2.1.1	Deliver a Climate Change Action Plan in partnership with other organisations 	Develop the COS Climate Change Action Plan 	A draft Environment and Sustainability Strategy is being prepared following extensive community engagement. This plan will establish the key strategic direction for Council, followed by development of an Action Plan for implementation of the Strategy in the early part of 2023. Both the Strategy and Action Plan will address climate change as a key priority.	25%	In progress
2.1.2	Green our streets and public places 	Deliver Council's Street Tree planting program to identified candidate streets (Year 2) 	Planning for the 2022-23 planting program has commenced with candidate streets identified.	25%	In progress
		Deliver the Colac Botanic Gardens Master Plan 	Phase 1 of the master planning process has commenced with preliminary meetings with experts and stakeholders. Phase 2, seeking expression of interest for suitable firms is planned to be offered to the market in Quarter two.	25%	In progress
2.1.3	Minimise the effects of climate change and extreme weather events on our community 	Implement and review emergency plans for emergency events and ensure Council is prepared to undertake its functions, if and when, required 	Review and transfer of the Municipal Emergency Management Plan and its sub-plans to the MEMPC as required by legislation commenced during this quarter. A revised and updated Animal Biosecurity Sub-plan Development, introduction and exercising of emergency management operational role statements were completed.	25%	In progress
2.2 We operate sustainably with a reduced carbon footprint					
2.2.1	Improve Council's sustainability practices through the reduction of Council's carbon emissions and/or need to pay for carbon offsets 	Develop a discussion paper relating to Council's Scope 3 GHG emissions 	A discussion paper relating to Council's Scope 3 emissions will be developed in the second half of 2022-23 (Quarter 3 or 4) after the development of Council's new Environmental Sustainability Strategy and related Action Plan has been completed.	0%	Not started

Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.2.2	Council supports the community to reduce carbon emissions ● ●	Raise awareness of and promote whole-of-community climate change mitigation/adaptation focused education opportunities, programs and forums ● ●	The Environment team continues to promote climate change mitigation/ adaptation focused education opportunities, programs and forums to the community and Council staff.	25% Ongoing	In progress
		Support community initiated environmental projects through the Colac Otway Shire Grant Program ●	The 2022-23 Colac Otway Shire Grant Program was fully allocated including funding for multiple community and local business lead environmental project.	100%	Completed
		Review the Council Grant Program to assess for carbon emission outcomes ●	A review of the Colac Otway Shire Grant Program commenced. This included identifying the best method for quantifying benefits of environmental projects that receive funding.	75%	In progress
2.2.3	Educating and assisting our community to act on climate change by reducing waste, emissions and water usage ●	Conduct detailed and targeted educational activities including bin audits, to educate the community in the correct sorting of household waste at the source ●	Education campaigns are currently on going through the use of the good sort app and other social media channels.	25%	In progress
2.3 Protect and enhance the natural environment					
2.3.1	Environment Strategy reviewed ●	Develop the new Environment Strategy 2022-2030 ●	A draft Environment and Sustainability Strategy is being prepared following extensive community engagement. This plan will establish the key strategic direction for Council, followed by development of an Action Plan for implementation in the early part of 2023.	75%	In progress



Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.3.2	Protect native vegetation, ecosystems, flora and fauna 	Deliver and support community and corporate environmental events (e.g. National Tree Day, World Environment Day, Clean Up Australia Day) 	The Environment Team continues to support community and corporate environmental events – recent examples include Trinity Collage Clean Up Day, Barwon Water Sustainable Gardening Forum and the upcoming Friends of Barongarook Creek Planting Day on 17 November 2022.	25% Ongoing	In progress
2.3.3	Undertake pest plant and animal management control programs and community education to target and reduce invasive species in natural systems 	Coordinate and deliver annual pest plant and animal control programs across environmental reserves, road reserves and other council managed land 	The Environment Team continues to coordinate and deliver annual pest plant and animal control programs across environmental reserves, road reserves and other council managed land, which has been challenging due to the wet seasonal conditions limiting access and control works.	25% Ongoing	In progress
		Collaborate with, support and connect Landcare groups/networks and other environmental interest groups to facilitate regional pest plant and animal programs and projects 	The Environment Team continues to support and connect Landcare groups/networks and other environmental interest groups to facilitate regional pest plant and animal programs and projects such as the projects delivered by the Victorian Blackberry Taskforce and the Serrated Tussock Taskforce.	25% Ongoing	In progress

Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.4 We will satisfy our community's reasonable expectations to reduce waste going to landfill, increase resource recovery and minimise waste charges					
2.4.1	Increase community satisfaction by community education, phone apps, reducing waste to landfill, pursuing joint waste contracts and other innovative approaches in partnership with our community and business sectors ●	Continue to implement year one actions from the Colac Otway Resource Recovery and Waste Management Strategy, including roll out of the COS Shire "Good Sort" app for residents ●	The use of the Good sort app is current at 2,824 downloads and approximately 72,000 views of the dashboard. About 38,000 searches of the waste materials types were undertaken during this quarter	25% Ongoing	In progress
		Continue to identify opportunities to collaborate with regional partners, including Barwon Water and Barwon South West Waste Resource & Recovery Group ●	Council is working with G21 Councils, Barwon Water and Recycling Victoria on a number of waste and recycling projects.	25% Ongoing	In progress
2.4.2	Reduce the % of food and organic (FOGO) waste in the landfill waste stream (red bin) by awareness raising and innovative approaches ●	Review Events Policy and include provisions for waste wise events ●	A review of the Colac Otway Shire Grant Program commenced. This included identifying the best method for quantifying benefits of environmental projects that receive funding.	75%	In progress
		Conduct detailed and targeted educational activities including bin audits, to educate the community in the correct sorting of household waste at the source ●	36.1per cent of FOGO waste was diverted from the landfill stream and composted. A total of 661 tonnes collected from July to September 2022, which is a 5.9 per cent decrease from this time last year.	25% Ongoing	In progress
2.4.3	Reduce the % of contamination of the recycling waste stream (yellow bin) by awareness raising and innovative approaches ●	Conduct detailed and targeted educational activities including bin audits, to educate the community in the correct sorting of household waste at the source ●	Contamination in recycling stream is currently at 16%. A total of 323 tonnes of recycling collected from July to September 2022, which is a reduction of 32.5 per cent from this time last year.	25% Ongoing	In progress







Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.4.4	Divert glass from landfill by rollout of glass recycling bins (purple bin) and public awareness raising and innovative approaches 	Post the introduction of the glass collection bin for the kerbside collection of glass, monitor the volumes generated in this stream and assess the contamination of the coming stream for the reduction in contamination. Continue to educate the community in the correct sorting at the source 	Glass diverted from landfill stream is currently at 4 per cent. A total of 139 tonnes of glass has been collected from July to September 2022	25% Ongoing	In progress
2.4.5	Trial a hard waste collection service	Deliver a hard waste trial for kerbside collection (book and call) with supplementary vouchers and report back on the outcomes of the trial ie volumes, % age take-up, contamination and % age of volume to landfill post sorting	Trial recommendations of a hard waste collection service has been presented to Council for further discussion and decision.	25% Ongoing	In progress
2.5 Provide and maintain an attractive and safe built environment					
2.5.1	Maintain road and drainage assets to ensure they are safe and reliable	Ensure that identified road defects are rectified in accordance with settings in the Road Management Plan	The asset team inspected the roads regularly and recorded defects that were rectified within the stipulated time in RMP. The council has achieved 100 per cent compliance with RMP inspection to date.	25% Ongoing	In progress
		Continue to apply for funding for priority safety improvements	Council will apply for any available funding when they become available.	0% Ongoing	In progress
		Advocate to State election candidates for road safety funding specific to Colac Otway Shire	Advocacy of potential upgrades are ongoing.	25% Ongoing	In progress









Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
2.5.2	Deliver a relevant Capital Works Program	Complete projects in line with the adopted budget and capital program	Delivery of projects within the Capital Works Program are progressing.	25%	In progress
2.5.3	Council meets annual infrastructure renewal gap	Commence implementation of priority actions outlined in the Asset Plan	The renewal projects for 2022-23 were prepared based on the service, risk and condition considerations as outlined in the Asset Plan. The budget allocation for asset renewal is \$8.254, in line with the Asset Plan for 2022-23 to 2031-32.	100%	Completed
2.5.4	Ensure planning processes and policies for new developments meet the intent of this objective	<i>No Year 2 action planned.</i>			N/A






Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.1 All people have the opportunity to achieve and thrive in our shire					
3.1.1	Advocate for access to and provision of education, employment and lifelong learning opportunities 	Deliver Small Business Digital Transformation project 	Delivery of the program continues with expected completion mid to late November 2022.	85%	In progress
3.1.2	Create environments where children can be happy, healthy, supported, educated and safe 	Continue to work towards securing long-term childcare solutions for Apollo Bay and Colac 	Discussion paper and advocacy plan developed, discussions occurring with a range of government and community stakeholders.	30%	In progress
		Complete Early Years Infrastructure Plan to guide facility maintenance and investment decisions across the shire	State Government's recent early years reform announcements requires a reforecast of kindergarten demand. This means a renewed Kindergarten Infrastructure and Services Plan needs to be completed first in order to inform a more localised Early Years Infrastructure Plan.	30%	On hold
		Attract more Educators to grow Council's Family Day Care program and enhance childcare availability and choice in the shire 	Recruitment campaign underway supported by a range of marketing initiatives including videos, advertising, an open night and attendance at a careers expo. One new Educator on boarded, but withdrew due to ill health. Another three potential Educators being supported through business establishment process currently.	50%	In progress
		Secure grant funding for an upgrade of Winifred Nance Kindergarten's playground 	Funding secured.	100%	Completed
		Complete bathroom upgrades at Wydinia and Colac East kindergartens	Projects completed.	100%	Completed





Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.1.3	Provide services to enable lifelong health and wellbeing from the early to senior years 	Continue to provide high quality and accessible home and community services 	In-home services continue to be provided. Council continues to actively recruit trained and qualified community care workers to ensure high quality professional care in aged care services. This includes working in partnership with South West TAFE and local employment agencies.	25% Ongoing	In progress
3.2 People are active and socially connected through engaging quality spaces and places					
3.2.1	Provide safe, inclusive, accessible and integrated transport networks that support active transport 	Complete the Lake Colac perimeter path feasibility study 	Consultant appointed and research phase complete. Next phase is community engagement.	30%	In progress
		Construction of a shared pedestrian and cycling path along the Great Ocean Road north of Cawood Street, Apollo Bay 	Finalised design for the path, including the boardwalk over Milford Creek along the path.	30%	In progress
3.2.2	Plan for and supply quality public open space to meet community needs 	Complete upgrades to the Cororooke Open Space 	Contractors have been engaged and work to commence onsite soon.	30%	In progress
		Secure land on the former Colac High School site for future public open space 	The settlement for the purchase of the additional 2ha of land is to occur in mid-December 2022.	75%	In progress














Theme 3 – HEALTHY AND INCLUSIVE COMMUNITY

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.2.3	Provide fit for purpose accessible and well-utilised recreation, arts and community facilities and services 	Continue work on detailed designs for the Elliminyt Recreation Reserve off field facilities. Complete City Reserves Masterplans (Eastern Reserve, Western Reserve, Lake Oval and Central Reserve) to provide direction for facility upgrades and improvements 	City Reserves Masterplan engagement process complete. Feedback being incorporated into final plan for re-presentation to Council prior to end of calendar year.	80%	In progress
		Complete oval lighting upgrades at five sporting reserves, being Alvie, Birregurra, Gellibrand, Irrewillipe and Warrowie recreation reserves 	Birregurra and Warrowie complete, Alvie to commence in November weather permitting, with Irrewillipe and Gellibrand to follow.	50%	In progress
3.2.4	Plan, design and maintain attractive and safe public spaces in partnership with our community and key agencies 	Participate in the Great Ocean Road Coast and Parks Authority's master planning process for the Apollo Bay Recreation Reserve 	Council has been an active contributor to GORCAPA's masterplanning activities. Project is ongoing.	30%	In progress







Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.2.5	Increase participation in physical activity throughout the shire through direct service provision and partnerships with health services and the wider community 	No Year 2 action planned.			N/A
3.2.6	Promote and demonstrate gender equity 	No Year 2 action planned.			N/A
3.3 We are a safe, equitable and inclusive community					
3.3.1	Support stakeholders such as Colac Area Health, Great Ocean Road Health, Barwon Health, Hesse Rural Health, Headspace and other community groups to improve mental health and wellbeing in our community 	Support the ongoing operation of Colac's Headspace via collaboration with partners on the Headspace Consortium 	Council is active member of the Headspace consortium and is collaborating with Headspace on a range of youth health matters.	25%	In progress

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.3.2	Support relevant stakeholders to improve healthy eating and living in our community 	Conduct an EOI for a private operator to open a café facility in Bluewater that provides health eating options 	The EOI is scheduled to commence in the third quarter.	0%	Not started
		Deliver youth health promotion modules focussed on building active communities; creating connected and supportive communities; and building healthier food systems in line with Council's VicHealth grant funding.  	Youth programs being delivered in line with VicHealth funding milestones and expectations. Recent achievements include the delivery of a mini-Youth Fest in Colac.	40%	In progress
3.3.3	Diversity is embraced   	<i>No Year 2 action planned.</i>			N/A
3.3.4	Deliver a Reconciliation Action Plan in consultation with Eastern Maar Aboriginal Cooperative  	Complete the 'Reflect' Reconciliation Action Plan  	A cross-functional working group has collaborated on a range of actions that could go into a Reconciliation Action Plan. Traditional owner input and guidance is essential to the RAP's development and a request for a meeting has been lodged with Eastern Maar Aboriginal Cooperative.	20%	In progress
		Deliver an event during Reconciliation Week  	Reconciliation Week event featuring Boon Wurrung Elder and Traditional Owner Aunty Fay Stewart-Muir and author Sue Lawson was well attended and received.	100%	Completed

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
3.3.5	Provide community safety services that enhance the liveability of our shire 	Commence a campaign to highlight the positive aspects of Council's compliance activities 	A number of articles were included in the Council Bulletin highlighting the positive aspects of Council's compliance activities.	25% Ongoing	In progress
		Commence the review of the Local Laws 	The Local Law review project has commenced. Internal consultation with Council staff has been undertaken during the first quarter.	25% Ongoing	In progress
		Develop, implement and review fire prevention plans/programs and awareness raising activities for Council and the community 	A 12-month rolling emergency management calendar and community engagement schedule has been developed to assist in building community awareness and resilience.	25% Ongoing	In progress
3.3.6	Support health, enforcement and other services to support initiatives to reduce all forms of violence 	<i>No Year 2 action planned.</i>			N/A
3.3.7	Reduce gambling-related harm in the Colac Otway Shire 	<i>No Year 2 action planned.</i>			N/A

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
4.1 We commit to a program of best practice and continuous improvement					
4.1.1	Identify and embrace best practice and modernise systems to realise efficiencies	Investigate and scope further cyber security and data protection measures to provide continued protection and compliance for council systems	Implementation of internal working group to manage and maintain information security across the organisation. Cyber security protection measures are ongoing as business as usual.	25% Ongoing	In progress
		Upgrade conference rooms to modern meeting technology	The upgrade to modern conference rooms has been implemented.	100%	Completed
4.1.2	Digital transformation to improve customer experience and interactions with community	Replacement of Customer Request Management System	A number of services are available online for customers, some of which include: digital payment options, online animal registration, changes to personal details, reporting issues with our roads, drains and footpaths, accessing Waste Collection services, signing up to our eNotice service, contacting a Planner, and submitting a media request. Analysis of the existing Customer Request Management system has commenced to identify redundant and superseded business processes.	5%	In progress
4.1.3	Building and Planning services are customer and solution focussed ●	Undertake review of local VicSmart provisions to increase the number of permit applications that could be assessed via a streamlined planning process	The State Government is undertaking a review in partnership with Council to identify opportunities for further local VicSmart application types. This will be implemented by a planning scheme amendment.	25%	In progress
4.1.4	Undertake a rolling program of service reviews	Conduct a service review of Colac Regional Saleyards	Responsible Manager has drafted a scope for this review which is to be presented to the Executive Management Team and Councillors prior to commencement.	5%	In progress
		Conduct a service review of Services and Operations	Work is yet to commence.	0%	Not started








Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
4.2 We are a financially robust organisation					
4.2.1	Plan for sustainable portfolio of assets to deliver the services the community needs within our financial constraints ●	Capital Funds Allocation and Prioritisation Policies adopted	Internal reviewing is in process for Capital Funds Allocation and Prioritisation Policies.	20%	In progress
4.2.2	Adopt a policy and approach to guide the disposal of assets no longer required ●	Develop methodology for decommissioning of assets	Internal consultation is in progress to develop a policy for decommissioning of assets.	5%	In progress
		Continue work on public halls and social infrastructure needs analysis, to better understand service levels and future facility requirements	Work is yet to commence.	0%	Not started
4.2.3	Manage procurement to get best value for the community	No Year 2 action planned.			N/A
4.2.4	Council businesses maximise community utilisation and minimise council subsidy ratios	No Year 2 action planned.			N/A
4.2.5	Financial and risk management practices are responsible and sustainable	Develop Statutory and Discretionary Reserve Policy	Due to an internal vacancy, policy development will start early 2023 after the recruitment. The successful candidate will work with staff and Senior Managers across the organisation to develop the policy.	0%	Not started
		Review Council's Borrowing Policy	The planned policy review work will commence in quarter two.	0%	Not started
		Review Council's Investment Policy	The planned policy review work will commence in quarter two.	0%	Not started

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
4.3 We provide exceptional customer service					
4.3.1	Council service delivery is efficient, accessible, solution-focused and responsive to the needs of the community	Development of online forms and payment options to deliver accessible customer services for all customers	Customers are able to pay their rates, debtor invoices, animal registration renewals, infringement notices and new animal registrations with our eServices payment gateway. Continuous improvement of our external and internal forms is ongoing. Business Units have reviewed all forms for currency of content and the redesign has commenced. 12 forms are being developed as smart forms with the remainder to be available as editable PDF.	80%	In Progress
		Development and implementation of Customer Service Charter	Recruitment for a new Customer Experience Co-ordinator role is occurring. The successful candidate will work with staff across the organisation to develop a new Customer Service Charter early in 2023.	0%	Not started
		Undertake engagement with our coastal communities to better understand factors that contribute to perceptions of Council's performance	Initial co-design workshop with a small but diverse group of community members revealed a desire for a representative group independent of Council to advise government bodies on the community's needs. Further discussions to take place.	15%	In Progress
		Establish Council's safety programs to the national audit tool.	A Gap Analysis against the National Self-Insurer OHS Management Tool has commenced. Further work on this will continue in the next quarter.	25%	In Progress

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
4.4.1	We respect and invest in our employees and continue to strengthen our workplace culture 	Commence the development of the organisation's purpose with engagement at the team level 	Work has commenced with the development of purpose statements at a team level that can then become a foundation for an aligned organisation-wide purpose. The Executive Management and Senior Leadership teams have commenced their purpose statements and each Department Manager is working with their own teams on this activity.	15%	In progress
4.4.2	We commit to safe work practices and take a positive approach to our work 	Measure alignment and adherence to safe work practices via annual performance plans 	Occupational Health and Safety forms a key competency in the Performance Planning and Review process. Safety practices and adherence are continually measured via Council's reporting platform Solv Safety and reported to the OHS Committee.	25%	In progress
		Implement the actions of the Prevention of Sexual Harassment Plan 	Further Prevention of Sexual Harassment mandatory training is proposed for early 2023. Ongoing educational campaigns are undertaken to ensure relevant information is up-to-date and reflects Council's zero tolerance to sexual harassment.	50%	In progress
4.4.3	Develop a skilled and diverse workforce by investing in training and development 	Investment in leadership programs across the organisation to create pathways for career progression and development 	The Leadership Development Program commenced in 2022 with the Executive Management Team and Senior Leadership Team. Coordinators participated in the November session, where they identified priorities for leadership development and assisted in identifying ideas for creating an environment for staff to thrive.	25%	In progress

Theme 4 – HIGH PERFORMING COUNCIL

	Four-year Priorities	Year 2 Annual Actions	Progress Against Quarter 1 (July to Sep)	% Complete	Status (Not started, In progress or Completed)
4.4.4	Council provides clear, accessible communication and opportunities for the community to participate in decisions that affect them in line with the Community Engagement Framework	Deliver training to Council staff to improve Council's community engagement practices in line with the Community Engagement Policy and Framework	Training delivered to a key group of staff who lead community engagement activities on behalf of Council.	100%	Completed
4.4.5	Council decisions are open and transparent and the public has access to relevant Council information	<i>No Year 2 action planned.</i>			N/A

Operational Projects
First Quarter Report
July - September 2022

Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
Chief Executive Office							
Chief Executive Office Total	\$ -	\$ -	\$ -	\$ -	\$ -		
Corporate Services							
00036991 - 2021-22 Operating Projects - ICT Officer Systems and Projects	\$ -	\$ 1,010.00	\$ -			COMPLETE	
00036998 - 2021-22 Operating Projects - Stage 2 - Management of Legacy Hardcopy Documents - Building and Planning	\$ -	\$ 2,075.00	\$ -			ON HOLD	
00037514 - 2022 - 2023 Operating Projects - IT helpdesk supporter	\$ 50,000.00	\$ 4,459.00				ON TRACK	
00037515 - 2022 - 2023 Operating Projects - ICT - Officer Systems and Projects	\$ 50,000.00	\$ 24,761.00	\$ -			ON TRACK	
00037518 - 2022 - 2023 Operating Projects - ICT - Intranet Drupal Upgrade	\$ 15,000.00	\$ 332.00	\$ -			ON TRACK	Initial Meeting with Vendor - Awaiting Availability
Corporate Services Total	\$ 115,000.00	\$ 32,637.00	\$ -	\$ -	\$ -		
Development and Community Services							
00035908 - 18-19 Mid Year - Operating Projects - Colac Civic Precinct Plan	\$ -	\$ -	\$ 106,397.00			ON TRACK	Draft preparation delay while awaiting advice from DoT & DELWP. Expect finalisation by 30 June 2023.
00035910 - 18-19 Mid Year - Operating Projects - Revised Erosion Management Overlay Mapping	\$ -	\$ 110.00	\$ 770.00			COMPLETE	Amendment adopted by Council and approved by Minister.
00035968 - 2019-20 Operating Projects - Domestic Wastewater Management Plan Review	\$ -	\$ -	\$ 25.00			COMPLETE	Project is complete and adopted by Council at the August 2022 Council Meeting.
00035974 - 2018-19 Major Project - Colac West Development Plan	\$ -	\$ 367.00	\$ 4,227.00			On Track	Preparation of Shared Infrastructure Plan on-hold since 2021 at land owner request whilst drainage options investigated.
00036241 - 2018-19 Operating Project - Apollo Bay Community Infrastructure Plan	\$ 15,000.00	\$ 23,142.00	\$ 11,068.00			On Track	Submissions received to draft CIP due to be considered by Council at the December meeting, with a Submissions Committee hearing in November
00036356 - 2019-20 Major Project - J Barrys Road Industry Development Plan	\$ -	\$ 1,540.00	\$ 8,109.00			On Track	Technical assessments for stormwater and drainage components complete & draft Development Plan being prepared. Shared Infrastructure Funding Plan prepared for review.
00036430 - 2020-21 Operating Project - Forrest MTB Revitalisation RDV/Council	\$ -	\$ 50,113.00	\$ 77,693.00	\$ -	\$ (246,919.00)	On Track	Contracts awarded and on track for December completion
00036436 - 2020-21 Operating Project - Colac City Reserves Master Plans (Western Reserve, Eastern Reserve, Lake Oval, Central Reserve)	\$ -	\$ -	\$ 58,563.00			On Track	Project currently in community exhibition phase.
00036664 - 2020-21 Major Project - Amendment C106 - Heritage Overlay	\$ -	\$ 125.00				Complete	Amendment approved by Minister and gazetted.
00036665 - 2020-21 Operating Project - Transition of Library Services	\$ -	\$ -	\$ -			Complete	Project is complete and can be removed from major projects report.
00036747 - 2020-21 Operating Project - Amendment C111cola 520 Corangamite Road, Cororooke	\$ -	\$ 1,188.00	\$ -	\$ -	\$ (4,972.00)	On Track	Amendment and combined planning permit application adopted by Council at the August Council meeting and forwarded to the Planning Minister for approval.
00036963 - 2020-21 Operating Project - Amendment C114colac Park Avenue, Apollo Bay	\$ -	\$ 3,174.00	\$ 220.00			On Track	Amendment currently in preparation, delayed by CFA concerns with subdivision design. Expect consideration at November Council meeting.
00036966 - 2020-21 Operating Project - MCH - Workforce Support Grant	\$ -	\$ 6,144.00	\$ -	\$ -	\$ (5,000.00)	On Track	Project uses grants for clinical placements of MCH nurses. Placements underway and grant expected to be fully expended in coming months.
00036983 - 2021-22 Operating Project - Bruce Street Land Sale	\$ -	\$ -	\$ 1,500.00			ON TRACK	Settlement will occur in mid November
00036986 - 2021-22 Operating Project - Deans Creek Precinct Structure Plan (Multi-year Project)	\$ 500,000.00	\$ 6,040.00	\$ 18,060.00	\$ (425,000.00)	\$ (528,942.00)	On Track	Technical assessments currently being commissioned in advance of community consultation concerning future plan design. Land owner engagement in Nov & Dec.
00036994 - 2021-22 Operating Project - Planning Scheme Amendment Birregurra Flood Study	\$ -	\$ (1,696.00)	\$ 1,540.00			Complete	Amendment approved by Minister and gazetted.
00036996 - 2021-22 Operating Project - RDV Digital Connectivity Program Grant Match	\$ -	\$ 45,149.00	\$ 44,660.00	\$ -	\$ (157,157.00)	On Track	On track for project completion
00037002 - 2021-22 Operating Projects - Fit out of Apollo Bay Kindergarten	\$ -	\$ 4,215.00	\$ 130.00			On Track	Small details left to complete, such as wifi connection to run the solar array.
00037084 - 2020-21 Operating Project - Forrest MTB Revitalisation DELWP	\$ -	\$ 105,100.00	\$ 9,500.00	\$ -	\$ (179,740.00)	On Track	Partially under contract for construction project. Currently out for quote for signage design project. Last part will be signage construction project.
00037090 - 2021-22 Operating Project - Lake Oval Electronic Scoreboard (Local Sports Infrastructure Fund)	\$ -	\$ 20,043.00	\$ -			On Track	Scoreboard installed, some minor site works still to complete.
00037091 - 2021-22 Operating Project - Local Government Business Concierge & Hospitality Support Program				\$ -	\$ (27,424.00)		
00037171 - 2021-22 Operating Project - Planning Scheme Amendment - Irrewillipie Road / Harris Road	\$ -	\$ 408.00	\$ 22,296.00			On Track	Amendment being handled by DELWP Development Facilitation team. Due to be placed on exhibition.
00037443 - Operating Projects - Family Day Care Marketing Campaign	\$ -	\$ -	\$ 1,400.00	\$ -	\$ (36,373.00)	On Track	Advertising/marketing campaign being rolled out in pulses. First pulse complete last financial year, about to commence another pulse.
00037482 - 2021-22 Operating Project - Outdoor Activation Fund	\$ -	\$ -	\$ 8,500.00	\$ -	\$ (194,770.00)		
00037509 - 2022 - 2023 Operating Projects - 4-yearly Planning Scheme Review	\$ 40,000.00	\$ 1,320.00	\$ -			ON TRACK	Officers have briefed Council and prepared project scope. Preparing to commission consultant.
00037511 - 2022 - 2023 Operating Projects - Colac Otway Shire Botanical Gardens Masterplan Review	\$ 30,000.00	\$ -	\$ -			ON TRACK	Pre meetings undertaken, scoping for RFQ presently being undertaken
00037513 - 2022 - 2023 Operating Projects - G21 Social & Affordable Housing Project	\$ 2,000.00	\$ -	\$ -			ON TRACK	Social housing initiative has progressed into 2022/23 with the funding for a facilitator expiring in December unless further external funds can be obtained.
00037556 - 2021-22 Operating Project - Youth Film - VLGP				\$ -	\$ (28,025.00)		

Operational Projects
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Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
00037614 - 2021 - 2022 Operating Project - Freeza	\$ -	\$ 2,697.00	\$ -	\$ -	\$ (13,798.00)	ON TRACK	Program being rolled out and achieving commitments, most recent being the mini-festival Septemberfest.
00037615 - 2021 - 2022 Operating Project - Engage	\$ -	\$ 7,339.00	\$ -	\$ -	\$ (40,726.00)	ON TRACK	Program being rolled out and achieving commitments, most recent being the mini-festival Septemberfest.
00037616 - 2020 - 2021 Operating Project - Vocal, Young and Local (VYL)	\$ -	\$ 9,506.00	\$ -	\$ -	\$ (36,925.00)	ON TRACK	Program being rolled out and achieving commitments, most recent being the mini-festival Septemberfest.
00037617 - 2022 - 2023 Operating Project - Positive Masculinities VLGP (Vic Health)	\$ -	\$ 2,100.00	\$ 31,818.00				
00037624 - 2022 - 2023 Grants Program - Category 5 Small Business Environmental Sustainability Program	\$ -	\$ 116,369.00	\$ -				
00037625 - 2022 - 2023 Grants Program - Category 4 Building Facade Improvement Program	\$ -	\$ 31,650.00	\$ -				
00037626 - 2022 - 2023 Grants Program - Category 3 Small Grants	\$ -	\$ 23,421.00	\$ -				
00037627 - 2022 - 2023 Grants Program - Category 2 Community Events & Support	\$ -	\$ 7,925.00	\$ -				
00037628 - 2022 - 2023 Grants Program - Category 1 Community Grants	\$ -	\$ 10,931.00	\$ -				
00037662 - 2021-22 Operating Project - Forrest MTB Revitalisation DELWP				\$ -	\$ (180,000.00)		
Development and Community Services Total	\$ 587,000.00	\$ 478,420.00	\$ 406,476.00	\$ (425,000.00)	\$ (1,680,771.00)		
Environment and Infrastructure Services							
00035012 - Roadside Weeds & Pests Management Project				\$ -	\$ (20,632.00)	ON TRACK	Requests for Quote process being finalised for award of contracts.
00035095 - 2015-16 Major Project - Birregurra Stormwater Drainage Strategy	\$ -	\$ -	\$ 2,750.00			ON TRACK	Minor changes required to Strategy following adoption by Council of Amendment C116.
00036443 - 2020-21 Operating Project - Services & Operations Bring Your Own Device (Phone)	\$ -	\$ 3,064.00	\$ -			NOT PROCEEDING	This is operational, and covered in the operational budget.
00036445 - 2020-21 Operating Project - Grant Preparation / Detailed Design	\$ -	\$ 293.00	\$ 2,413.00			ON HOLD	Reviewing designs required (scoping)
00036984 - 2021-22 Operating Project - Closed Landfill Aftercare Management Plan, Landfill Gas and Groundwater Investigation	\$ 145,000.00	\$ -	\$ -			ON TRACK	
00036989 - 2021-22 Operating Project - Hardwaste Collection	\$ -	\$ 641.00	\$ 63.00			ON TRACK	Project is is with Council for determination, proposed to commence in November subject to aporoval
00036990 - 2021-22 Operating Project - Kitchen Caddy and Liners	\$ -	\$ 1,440.00	\$ 2,356.00			ON TRACK	
00036995 - 2021-22 Operating Project - Services and Operations Professional Development	\$ -	\$ 311.00	\$ 8,182.00			ON TRACK	Project ongoing
00036997 - 2021-22 Operating Project - Operational Devices, Licences and System Integration - Legislative Road Management Plan	\$ -	\$ 4,000.00	\$ -			ON TRACK	
00037000 - 2021-22 Operating Projects - Township Tree Planting Program	\$ -	\$ 500.00	\$ 11,565.00			ON TRACK	Planting scheduled for Autum
00037001 - 2021-22 Operating Projects - Waste Transfer Station Upgrades for Glass Separation	\$ -	\$ 11,073.00	\$ 43,000.00			ON TRACK	
00037007 - 2021-22 Operating Project - Meeting Colac Otway Shire Council's Carbon Neutral 2020 Target	\$ -	\$ 25,536.00	\$ -			COMPLETE	Offsets purchased by Pengolin on behalf of Shire for 20/21 year. Allocation for purchase of offsets for 21/22 in the operational budget.
00037089 - 2021-22 - Operating Projects - Transfer Station Transition	\$ -	\$ 106,161.00	\$ 1,455.00	\$ -	\$ (76,606.00)	ON TRACK	
00037284 - 2021-22 Operating Projects - Kennett River Wetlands Maintenance Project	\$ -	\$ 14.00	\$ -			NOT PROCEEDING	This is operational, and covered in the operational budget.
00037305 - 2020-21 Operating Project - Grant Preparation / Detailed Design - Lake Colac Perimeter Pathway Feasibility Study	\$ -	\$ 15,833.00	\$ 38,092.00			ON TRACK	Mike Smith and Associates engaged and currently undertaking research phase. Engagement phase to commence late October/November.
00037306 - 2020-21 Operating Project - Grant Preparation / Detailed Design - Maternal & Child Health Centre Extension	\$ -	\$ 588.00	\$ 6,500.00			ON TRACK	Concept designs complete, ready to progress to detailed design, however reviewing scope in line with cost estimates received.
00037308 - 2020-21 Operating Project - Grant Preparation / Detailed Design - Duck Creek Bridge Flood Study	\$ -	\$ 816.00	\$ -			ON TRACK	Reviewing Scope
00037510 - 2022 - 2023 Operating Projects - Asbestos Compliance Audit	\$ 16,000.00	\$ -	\$ -				
00037512 - 2022 - 2023 Operating Projects - Data collection counters (public toilets)	\$ 6,000.00	\$ -	\$ -			ON HOLD	Program to be reviewed.
00037516 - 2022 - 2023 Operating Projects - Planning Scheme Amendments	\$ 30,000.00	\$ -	\$ -			ON TRACK	Hillview and Bakerland amendments in progress. Expenditure to be allocated against specific work orders for projects.
00037517 - 2022 - 2023 Operating Projects - VicSmart Provisions - Planning Scheme Amendment	\$ 20,000.00	\$ -	\$ -			ON TRACK	DELWP currently reviewing scope for greater VicSmart exemptions via Regional Planning Hub funding. Council will exhibit an amendment once DELWP review complete.
00037629 - 2021-22 Operating Project - Bus Service from Apollo Bay to COPACC	\$ -	\$ 2,290.00	\$ 1,883.00	\$ -	\$ (7,825.00)		
00037671 - Operating Projects - Foot and Mouth Disease	\$ -	\$ 8,446.00	\$ -				
Environment and Infrastructure Services Total	\$ 217,000.00	\$ 181,006.00	\$ 118,259.00	\$ -	\$ (105,063.00)		
Total	\$ 919,000.00	\$ 692,063.00	\$ 524,735.00	\$ (425,000.00)	\$ (1,785,834.00)		

Operational Projects
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Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
City Deals Programme							
00035954 - 2019-20 Operating Project - City Deal Project - Apollo Bay Harbour Redevelopment	\$ -	\$ 83,674.00	\$ 343,873.00	\$ -	\$ 72,751.00	ON HOLD	Awaiting advice from City Deal Leadership Team.
00036507 - 2019-20 Operating Project - City Deal Project - Great Ocean Walk Stage 1 Wild Dog to Skenes Creek	\$ -	\$ 43,142.00	\$ 5,206.00			ON HOLD	Awaiting advice from City Deal Leadership Team.
00036508 - 2019-20 Operating Project - City Deal Project - Infrastructure Improvements Kennett River	\$ -	\$ 41,156.00	\$ 79,641.00			ON HOLD	Awaiting advice from City Deal Leadership Team.
00036526 - 2019-20 Operating Project - City Deal Project - Contractor Suspense (To be Journalled each month)	\$ -	\$ 18,758.00	\$ 118,080.00			ON HOLD	Awaiting advice from City Deal Leadership Team.
City Deals Programme Totals	\$ -	\$ 186,730.00	\$ 546,800.00	\$ -	\$ 72,751.00		

Capital Works Program
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Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
RENEWAL							
Bridges Programme							
00031853 - Budget Work Order - Bridge Rehabilitation Programme	\$ 984,375.00	\$ -	\$ -				
00036839 - 2020-21 Capital Works - Bridge Renewal Programme - King Track	\$ -	\$ 255,069.00	\$ -	\$ -	\$ (74,831.00)	Complete	
00037280 - 2021-22 Bridge Rehabilitation Programme - Pearces Access Crossing, Apollo Bay	\$ -	\$ 2,797.00	\$ 282,000.00			ON TRACK	Works Complete awaiting final invoice
00037633 - 2022 - 2023 Capital Works - Design & Construct - Bridge Replacement Program - Howells Access	\$ -	\$ 1,107.00	\$ -			ON TRACK	Currently under evaluation
Bridges Programme Total	\$ 984,375.00	\$ 258,973.00	\$ 282,000.00	\$ -	\$ (74,831.00)		Carry over budget still to be uploaded. Program and projects on track and on budget. Other projects in current program include Devondale Road Culvert Replacement and contribution to Burrupa Road Bridge (Corangamite Shire).
Building Programme							
00031855 - Budget Work Order - Building Renewal Programme	\$ 750,000.00	\$ -	\$ -				
00035543 - 2018-19 Capital Works - Building Renewal Programme - Gellibrand Neighbourhood House	\$ -	\$ 881.00	\$ 28,022.00			ON TRACK	Work complete, final invoice to be processed
00035999 - 2018-19 Capital Works - Building Renewal Programme - Kennett River Toilets	\$ -	\$ 1,274.00	\$ 31,816.00			COMPLETE	
00036718 - 2020-21 Capital Works - Building Renewal Programme - Bluewater Roof Replacement	\$ -	\$ 4,167.00	\$ 556.00			ON HOLD	Reviewing options for roof renewal
00037526 - 2022 - 2023 Capital Works - Colac Otway Building Roof Compliance - OHS Renewal	\$ 30,000.00	\$ -	\$ -				
Building Programme Total	\$ 780,000.00	\$ 6,322.00	\$ 60,394.00	\$ -	\$ -		
Crack Sealing Programme							
Crack Sealing Programme Total	\$ 80,000.00	\$ 1,342.00	\$ 47,478.00	\$ -	\$ -		Program tendered, and contract awarded.
Footpath Programme							
Footpath Programme Total	\$ 179,000.00	\$ 3,631.00	\$ 35,049.00	\$ -	\$ -		Program on track.
Furniture Programme							
00037534 - 2022 - 2023 Capital Works - Fixtures, Fittings and Furniture Replacement	\$ 10,000.00	\$ -	\$ -				
Furniture Programme Total	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -		
ICT Hardware Programme							
00037533 - 2022 - 2023 Capital Works - ICT Device Renewals	\$ 100,000.00	\$ -	\$ -			ON TRACK	Scoping of HP device options available in the market - Procurement to be finalised.
ICT Hardware Programme Total	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -		
ICT Software Programme							
00037522 - 2022 - 2023 Capital Works - CRM Replacement Renewal	\$ 85,000.00	\$ 1,129.00	\$ -			ON TRACK	
00037532 - 2022 - 2023 Capital Works - CRM Replacement	\$ 85,000.00	\$ 27,794.00	\$ 36,491.00			ON TRACK	
ICT Software Programme Total	\$ 170,000.00	\$ 28,923.00	\$ 36,491.00	\$ -	\$ -		
Kerb and Channel Programme							
Kerb and Channel Programme Total	\$ 80,000.00	\$ 226.00	\$ 53,380.00	\$ -	\$ -		Program being reviewed.
Light Fleet Programme							
Light Fleet Programme Total	\$ 300,000.00	\$ 43,093.00	\$ -	\$ -	\$ -		On track
Major Plant Programme							
Major Plant Programme Total	\$ 1,236,500.00	\$ 43.00	\$ 57,234.00	\$ -	\$ -		On track
Open Space Assets							
00031849 - Budget Work Order - Open Space Renewal Programme	\$ 63,000.00	\$ 2,651.00	\$ -				Program to be finalised
Open Space Assets Total	\$ 63,000.00	\$ 2,651.00	\$ -	\$ -	\$ -		
Open Space Programme							
00035611 - Open Space Renewal Programme - Income Work Order	\$ -	\$ -	\$ 2,650.00				
00037520 - 2022 - 2023 Capital Works - Asset Condition Assessment	\$ 250,000.00	\$ -	\$ -				Scoping underway

Capital Works Program
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Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
00037535 - 2022 - 2023 Capital Works - Tree Planting	\$ 60,000.00	\$ 14,623.00	\$ -			ON TRACK	Underway
00037559 - 2022-2023 Capital Works - Open Space Renewal Program - Elliminyt Recreation Reserve Oval Lighting Replacement	\$ 425,000.00	\$ 880.00	\$ -	\$ (225,000.00)	\$ (225,000.00)		Project currently in procurement
00036011 - 2019-20 - Capital Works - Open Space - Elliminyt Recreation Reserve Velodrome Resurfacing	\$ -	\$ 2,400.00	\$ -			COMPLETE	
Open Space Programme Total	\$ 735,000.00	\$ 17,903.00	\$ 2,650.00	\$ (225,000.00)	\$ (225,000.00)		
Playground Programme							
00035946 - 2019-20 Capital Works - Playground Programme - Memorial Square Playspace	\$ -	\$ 204.00	\$ 164.00			COMPLETE	
Playground Programme Total	\$ -	\$ 204.00	\$ 164.00	\$ -	\$ -		
Reseal Programme							
Reseal Programme Total	\$ -	\$ -	\$ -	\$ -	\$ -		3 year contract tendered and being evaluated.
Resheet Programme							
Resheet Programme Total	\$ 1,000,000.00	\$ 213,382.00	\$ 138,528.00	\$ -	\$ -		Program on track
Road Reconstruction Programme							
00031850 - Budget Work Order - Sealed Road Reconstruction Renewal Programme	\$ 2,450,000.00	\$ -	\$ -	\$ (1,703,200.00)	\$ -		
00031882 - Budget Work Order - Sealed Roads Major Patch Programme	\$ 350,000.00	\$ 3,197.00	\$ -			ON TRACK	Contract awarded, programmed for Jan 2023.
00036597 - 2020-21 Capital Works - Sealed Road Pavement Programme - Forest Street Reconstruction	\$ -	\$ 314,796.00	\$ -			ON TRACK	Work complete, awaiting final invoice
00036940 - 2020-21 Capital Works - Road Reconstruction Programme - McLachlan Street	\$ -	\$ 212,113.00	\$ 77,928.00			ON TRACK	Work complete, awaiting final invoice
00036941 - 2020-21 Capital Works - Road Reconstruction Programme - Stewart Street	\$ -	\$ 3,031.00	\$ 6,088.00			ON TRACK	Work complete, awaiting final invoice
00037093 - 2021-22 Capital Works - Strachan Street, Birregurra	\$ -	\$ 3,424.00	\$ 692,789.00			ON HOLD	Reviewing timing of works
00037364 - 2021 - 2022 Capital Works - Sealed Roads Major Patch Programme - Phillips Track	\$ -	\$ -	\$ 1,818.00			COMPLETE	
00037365 - 2021 - 2022 Capital Works - Sealed Roads Major Patch Programme - Turner Drive, Forrest	\$ -	\$ -	\$ 1,818.00			COMPLETE	
00037369 - 2021 - 2022 Capital Works - Sealed Roads Major Patch Programme - Horden Vale Road, Horden Vale	\$ -	\$ -	\$ 1,818.00			COMPLETE	
00037376 - 2021 - 2022 Capital Works - Sealed Roads Major Patch Programme - Station Street Forrest	\$ -	\$ -	\$ 1,818.00			COMPLETE	
00037378 - 2021 - 2022 Capital Works - Sealed Roads Major Patch Programme McLachlan Street, Apollo Bay	\$ -	\$ -	\$ 1,818.00			COMPLETE	
Road Reconstruction Programme Total	\$ 2,800,000.00	\$ 536,561.00	\$ 785,895.00	\$ (1,703,200.00)	\$ -		
Road Safety Programme							
Road Safety Programme Total	\$ 72,000.00	\$ 932.00	\$ 1,564.00	\$ -	\$ -		Program to be reviewed
Road Slip Programme							
00031864 - Budget Work Order - Road Slip Rehabilitation Programme	\$ -	\$ 58.00	\$ -				
00037461 - 2021 - 2022 Emergency Response - Landslip (Storm Events)	\$ -	\$ 71,779.00	\$ 32,445.00			ON TRACK	Underway
00037524 - 2022 - 2023 Capital Works - Landslip Treatment - Emergency Response Upgrade Works	\$ 190,000.00	\$ -	\$ -			ON TRACK	To be used to fund any betterment works.
Road Slip Programme Total	\$ 190,000.00	\$ 71,837.00	\$ 32,445.00	\$ -	\$ -		
Stormwater Programme							
00035969 - Budget Work Order - Stormwater Programme	\$ 90,000.00	\$ 13,467.00	\$ 35,315.00				
00036742 - 2020-21 Capital Works - Stormwater Programme - Deans Creek Drainage	\$ -	\$ 3,036.00	\$ 1,267.00				
00037027 - 2020-21 Capital Works - Drainage Programme - Hart/Irrewillipe Road Elliminyt	\$ -	\$ -	\$ 1,022.00			COMPLETE	
00037492 - 2021 - 2022 Capital Works Stormwater Programme - (Emergency Drainage Repair) Armstrong Street, Colac	\$ -	\$ 295.00	\$ -			COMPLETE	
Stormwater Programme Total	\$ 90,000.00	\$ 16,798.00	\$ 37,604.00	\$ -	\$ -		
Renewal Total	\$ 8,869,875.00	\$ 1,202,821.00	\$ 1,570,876.00	\$ (1,928,200.00)	\$ (299,831.00)		

Capital Works Program
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Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
UPGRADE / NEW							
Building Programme							
00035072 - 2018-19 - Capital Works - Forrest Caravan Park Waste Water Upgrade	\$ -	\$ 3,532.00	\$ 1,780.00			ON TRACK	QS received, meeting with PCG to be arranged.
00037417 - 2021-22 Capital Works - Building Upgrade Programme - COPACC Cinema 2 Seat Replacement	\$ -	\$ 35,030.00	\$ -			COMPLETE	
00037418 - 2021-22 Capital Works - Building Upgrade Programme - Colac East Kinder Toilet Upgrade	\$ -	\$ 88,143.00	\$ 1,810.00	\$ -	\$ (90,623.00)	ON TRACK	Works complete, final invoices to be paid to close the project.
00037419 - 2021-22 Capital Works - Building Upgrade Programme - Wydinia Kinder Bathroom Upgrade	\$ -	\$ 44,909.00	\$ 29,775.00	\$ -	\$ (63,253.00)	ON TRACK	Works complete, final invoices to be paid to close the project.
00037496 - 2021-2022 - Capital Works - Building Upgrade Program - Toilet Upgrades Program	\$ -	\$ -	\$ 9,607.00				
00037527 - 2022 - 2023 Capital Works - Irrewillipe Recreation Netball Courts Change Rooms & Amenities Upgrade - Detailed Design	\$ 60,000.00	\$ -	\$ -				Brief for Architectural Consultancy underway
00037528 - 2022 - 2023 Capital Works - Maternal Child Health Centre - Building Upgrade Works	\$ 144,000.00	\$ -	\$ -			ON HOLD	Reviewing scope
00037497 - 2021 - 2022 Building Upgrade Programme - Community Shade Grants Program - Wydinia Kindergarten				\$ -	\$ (14,457.00)		
Building Programme Total	\$ 204,000.00	\$ 171,614.00	\$ 42,972.00	\$ -	\$ (168,333.00)		
Footpath Programme							
00037529 - 2022 - 2023 Capital Works - Footpath Upgrade - Strachan Street From Skenes Street to Bowden Street - Detail design	\$ 6,000.00	\$ -	\$ -			ON HOLD	Confirming scope
00037530 - 2022 - 2023 Capital Works - Footpath Upgrade - Main Street Between Strachen Street and Beal Street Birregurra - Detailed Design	\$ 6,000.00	\$ -	\$ -			ON TRACK	Preliminary concepts sent out to DoT & awaiting their response
Footpath Programme Total	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -		
ICT Hardware Programme							
00036968 - 2021-22 Capital Works - ICT Hardware - MS Teams AV Upgrades	\$ -	\$ 43,550.00	\$ -			COMPLETE	
00037521 - 2022 - 2023 Capital Works - ICT - Critical Infrastructure Improvement	\$ 150,000.00	\$ 60,966.00	\$ 88,222.00			ON TRACK	Project commend and work is underway
ICT Hardware Programme Total	\$ 150,000.00	\$ 104,516.00	\$ 88,222.00	\$ -	\$ -		
ICT Software Programme							
00037523 - 2022 - 2023 Capital Works - IM - Content Manager Upgrade - V9.4 to V10	\$ 35,000.00	\$ -	\$ 27,867.00			ON TRACK	Project start pending vendor availability.
ICT Software Programme Total	\$ 35,000.00	\$ -	\$ 27,867.00	\$ -	\$ -		
Land							
00037071 - 2020-21 Capital Works - Sale of Land - 36-52 Bruce Street, Colac	\$ -	\$ -	\$ 7,771.00			ON TRACK	Settlement of property in November 2022
Land Total	\$ -	\$ -	\$ 7,771.00	\$ -	\$ -		
LRCI Programme							
00036728 - 2020-21 Capital Works - LRCI Fund - Road Improvement - Swan Marsh-Stoneyford Road, Swan Marsh	\$ -	\$ -	\$ 2,670.00			COMPLETE	
00036729 - 2020-21 Capital Works - LRCI Fund - Bridges - Barongarook Creek Pedestrian Bridge	\$ -	\$ 38,972.00	\$ 38,258.00	\$ -	\$ (457,015.00)	ON TRACK	Bridge works complete, awaiting footpath construction (minor section)
00036740 - 2020-21 Capital Works - LRCI Round 2 - Great Ocean Road Path, Stage 1 & 2	\$ -	\$ 5,515.00	\$ 7,209.00	\$ -	\$ (333,706.00)	ON TRACK	Works due to commence mid November.
00037051 - 2020-21 Capital Works - LRCI Round 2 - Bass Crescent, GOR, Skenes Creek Drainage	\$ -	\$ 694.00	\$ 22,309.00	\$ -	\$ (245,836.00)	COMPLETE	
00037054 - 2020-21 Capital Works - LRCI Round 2 - Whytcross Lane, Birregurra - Rail Interface Upgrade	\$ -	\$ 494.00	\$ 120,750.00	\$ -	\$ (153,791.00)	ON TRACK	Works complete, final invoice to be paid
00037055 - 2020-21 Capital Works - LRCI Round 2 - Barongarook Creek Paths	\$ -	\$ -	\$ 2,290.00	\$ -	\$ (112,385.00)	COMPLETE	
00037056 - 2020-21 Capital Works - LRCI Round 2 - Old Beechy Rail Trail Upgrade	\$ -	\$ -	\$ 19,545.00			COMPLETE	
00037058 - 2020-21 Capital Works - LRCI Round 2 - Clark Street, Colac Paths	\$ -	\$ 187,315.00	\$ -	\$ -	\$ (37,750.00)	COMPLETE	
00037506 - 2021 - 2022 Capital Works - LRCI Funding Round 3 - Western Oval Drainage Improvements	\$ -	\$ 1,297.00	\$ 107,699.00			ON TRACK	Remaining drainage works programmed
00037577 - 2022 - 2023 Capital Works - LRCI - Memorial Square Toilet Redevelopment	\$ -	\$ 13,383.00	\$ 1,400.00			ON TRACK	Procurement underway for detailed design.
00037502 - 2021 - 2022 Capital Works - LRCI Fund Round 3 - Playground Program - Beeac Park Playground	\$ -	\$ 1,311.00	\$ 1,435.00	\$ -	\$ (110,000.00)	ON TRACK	Design & Construct RFQ being issued to Play Equipment Suppliers
00037538 - 2021 - 2022 Capital Works - LRCI Funding Round 3 - Road Reconstruction Colanda Street to Forest Road	\$ -	\$ 353.00	\$ 7,580.00	\$ -	\$ (146,200.00)	ON TRACK	Geotech pavement design underway
LRCI Programme Total	\$ -	\$ 249,334.00	\$ 331,145.00	\$ -	\$ (1,596,683.00)		

Capital Works Program
First Quarter Report
July - September 2022

Project Title	2022-23 Budget Allocation (Expenditure)	Spend to date 2022-23	Committal (Expenditure)	2022-23 Budget Allocation (Income)	Income Received to date 2022-23	Project Status	Comment
Open Space Programme							
00036452 - 2020-21 Capital Works - Cororooke Open Space Master Plan Implementation - Stage 1 (Site Establishment and Path Network) and Stage 3 (Playspace)	\$ -	\$ 3,461.00	\$ 680,505.00	\$ -	\$ (173,849.00)	ON TRACK	Civil Works to commence in Oct2022.
00036979 - 2021-22 Capital Works - Open Space Programme - Local Sports Infrastructure Stimulus Funding	\$ -	\$ 561,262.00	\$ -	\$ -	\$ (978,535.00)	ON TRACK	Works complete at Warrowie, Irrewillipe and Gellibrand. Alvie to be completed by end November.
00037019 - 2021-22 Capital Works - Open Space Programme - Community Sport Lighting Upgrades	\$ -	\$ 1,275.00	\$ -			ON TRACK	Works complete, final claim to be processed to close project.
00037560 - 2022-2023 Budget Work Order - Open Space Prrogram - Elliminyt Wetlands Development	\$ 3,000,000.00	\$ -	\$ -	\$ (3,000,000.00)	\$ -	ON TRACK	LRCI Income showing against WO 37539
Open Space Programme Total	\$ 3,000,000.00	\$ 565,998.00	\$ 680,505.00	\$ (3,000,000.00)	\$ (1,152,384.00)		
Road Improvement Programme							
00037525 - 2022 - 2023 Capital Works - Traffic Calming Treatment - Alexander Street - New	\$ 13,000.00	\$ -	\$ -			COMPLETE	Expenditure is showing on WO 37623
00037087 - 2019-20 Capital Works - Strategic Road Improvement - Swan Marsh Stoneyford Road, Pirron Yallock	\$ -	\$ 16.00	\$ 55.00			COMPLETE	
00036457 - 2020-21 Capital Works - Rail Level Crossing Interface Improvement (Back Larpent Road)	\$ -	\$ 527.00	\$ 146,983.00			ON TRACK	Pavement soft spot which meant asphalt couldn't be laid. Will be done in Nov
Road Improvement Programme Total	\$ 13,000.00	\$ 543.00	\$ 147,038.00	\$ -	\$ -		
Road Reconstruction Programme							
00036454 - 2020-21 Capital Works - Colac Aerodrome - taxiway - earthworks - Grant Match	\$ -	\$ -	\$ 15,099.00			ON TRACK	Awaiting the site to dry out to complete drainage and sealing of new taxiway
00037423 - 2021 - 2022 Capital Works - Sealed Road Reconstruction Upgrades - (Design) The Boulevard Wye River	\$ -	\$ 7,054.00	\$ 28,250.00			ON TRACK	Scope being investigated
00037088 - 2020-21 Capital Works - Road Reconstruction Programme - Conns Lane Widening - Birregurra Creek	\$ -	\$ 5,649.00	\$ -			COMPLETE	
Road Reconstruction Programme Total	\$ -	\$ 12,703.00	\$ 43,349.00	\$ -	\$ -		
Road Safety Programme							
00031867 - Budget Work Order - Road Safety Devices Programme	\$ -	\$ -	\$ 1,564.00				
00036976 - 2021 - 2022 Budget Work Order - Road Safety Programme New	\$ -	\$ 3,305.00	\$ 12,217.00				
00037558 - 2021-2022 Capital Works - Bus Shelter Skenes Creek Road	\$ -	\$ -	\$ 14,455.00			ON HOLD	Reviewing scope
00037579 - 2022 - 2023 Capital Works - Road Safety Program - Murray Street Bus Shelter DOT Funded	\$ -	\$ 11,221.00	\$ 9,795.00			ON TRACK	Works complete. Footpath tactiles to be placed.
00037623 - 2022 2023 Capital Works - Road Safety Prorgam - Alexander Street Speed Cushion	\$ -	\$ 11,200.00	\$ -			COMPLETE	Budget is showing on WO 37525
00037631 - 2021-22 Capital Works - Pascoe Street Pedestrian Crossing - Analysis and Design				\$ -	\$ (12,500.00)	ON TRACK	Design works to commence once Apollo Bay CIP is adopted
Road Safety Programme Total	\$ -	\$ 25,726.00	\$ 38,031.00	\$ -	\$ (12,500.00)		
Stormwater Programme							
00037531 - 2022 - 2023 Capital Works - Bruce Street Stormwater Improvements - Detailed design	\$ 50,000.00	\$ -	\$ -			ON HOLD	Identified project to hold and carry over.
Stormwater Programme Total	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -		
Upgrade / New Total	\$ 3,464,000.00	\$ 1,130,434.00	\$ 1,406,900.00	\$ (3,000,000.00)	\$ (2,929,900.00)		
Capital Works Total	\$ 12,333,875.00	\$ 2,333,255.00	\$ 2,977,776.00	\$ (4,928,200.00)	\$ (3,229,731.00)		

Quarterly Budget Report for the quarter ending 30 September 2022

Executive Summary

The financial performance for the quarter ending September 2022 is favourable compared to the adopted budget 2022-23.

After taking the 2021-22 actual financial results into consideration (including the carry forward balances relating to incomplete works for projects funded in 2021-22), the following summary is provided in relation to the 2022-23 forecast financial results.

Council's total comprehensive result (**Actual**) for the quarter ended 30 September 2022 is surplus of \$33.70m.

The higher year-to-date operating surplus of \$1.77m reported mainly reflects a timing variance:

- Operating grants revenue (\$4.87m) received prior to budgeted,
- Capital grants (\$1.81m) not yet received,
- \$820k decrease in user fees mainly related to Aged Care Services fees not yet receipted and less ticket revenue from leisure centre fees,
- Annual WorkCover payment (\$532k) paid in the first quarter rather than instalments,
- Subscription and memberships fees - ICT operating costs (\$552k) including annual corporate system license, business licence and Information service paid in the first quarter,
- \$0.12m increase in employee costs relating to carry forward works from 2021-22; and
- \$18.32m increase in materials and services costs relating to carry forward from 2021-22.

Forecasts compared to the adopted budget:

- The adopted budget reported an operating surplus of \$0.47m.
- The full year forecast operating surplus to September 2022 has increased by \$6.24m to \$6.71m. This increase is predominantly due to carried over capital and operating grant funding and expenditure.
- Closing cash balance is currently forecast to decrease by \$20.88m to \$14.23m.

Further detail of these results are provided in this report.

OPERATING RESULT

Colac Otway Shire Council
Comprehensive Income Statement
For the period ended 30 September 2022

	Year-To-Date				Full Year			
	Actual \$'000	Budget \$'000	Variance \$'000	Variance %	Budget \$'000	Forecast \$'000	Variance \$'000	Variance %
Revenue								
Rates and charges	33,235	33,576	(341)	(1%)	33,726	33,726	-	0%
Statutory fees and fines	294	162	133	82%	866	866	-	0%
User fees	1,041	1,861	(820)	(44%)	7,526	7,526	-	0%
Other income	584	103	480	465%	365	365	-	0%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	10	6	4	60%	25	25	-	0%
Share of net profits/(loss) of associates and joint ventures	-	-	-	0%	(68)	(68)	-	0%
Total own-sourced revenue	35,164	35,708	(545)	(2%)	42,440	42,440	-	0%
Grants - operating	8,693	3,819	4,874	128%	9,030	26,071	17,041	189%
Grants - capital	4,713	6,524	(1,811)	(28%)	4,928	12,621	7,693	156%
Contributions - monetary	101	6	95	1524%	25	190	165	660%
Total grants and contributions	13,507	10,349	3,158	31%	13,984	38,883	24,899	178%
Total revenue	48,671	46,057	2,614	6%	56,423	81,322	24,899	44%
Expenses								
Employee costs	6,111	5,559	(552)	(10%)	23,911	24,035	(124)	(1%)
Materials and services	5,491	5,138	(353)	(7%)	19,354	37,677	(18,323)	(95%)
Depreciation and amortisation	2,769	2,769	(0)	(0%)	11,076	11,076	-	0%
Amortisation - right of use assets	-	6	6	0%	24	24	-	0%
Bad and doubtful debts	-	5	5	100%	20	20	-	0%
Borrowing costs	8	8	(0)	(4%)	32	32	-	0%
Finance costs - leases	22	6	(16)	0%	25	25	-	0%
Other expenses	566	632	65	10%	1,509	1,722	(213)	(14%)
Total expenses	14,968	14,123	(845)	-6%	55,951	74,610	(18,659)	(33%)
Surplus for the year	33,703	31,934	1,769	6%	472	6,712	6,240	1322%
Other comprehensive income								
Items that will not be reclassified to surplus or deficit in future periods								
Net asset revaluation increment/(decrement)	-	-	-		-	-	-	
Share of other comprehensive income of associates and joint ventures	-	-	-		-	-	-	
Total comprehensive result	33,703	31,934	1,769	6%	472	6,712	6,240	1322%

Council's total comprehensive result (**Actual**) for the quarter ended 30 September 2022 is surplus of \$33.70m.

Council's adopted operating budget for the full year is a net surplus of \$0.47m.

The full year **forecast** reflects carry forward allocations for grant funding, including unspent funds received in a prior year for approved projects not completed at 30 June 2022. These funds were set aside in Council's working capital at 30 June 2022 and are forecast to be spent in 2022-23.

Further information is provided below:

Income

Rates and charges

Rates and charges forecast no change to the adopted budget.

Statutory fees and fines

Additional statutory fees (\$135k) including Town Planning fees and Engineering fees have been received in the first quarter.

Grants

Operating and capital grants are forecast to increase above budget by \$24.73m primarily due to:

- \$15.50m City Deals project new funding,
- \$1.17m Economy & Business
- \$0.79m Forrest mountain trail bike revitalisation project
- \$0.20m Outdoor Activation fund
- \$0.16m Digital Connectivity Program
- \$0.77m Transfer Station
- \$0.11m Strategic Planning - Deans Creek Precinct Structure
- \$5.88m Local Roads Community Infrastructure programme Round 2 & 3 funding

Contributions –monetary

Contributions – monetary received in 2022-23 is forecast to increase by \$165k due to the following:

- \$55k: Community Sport Lighting upgrades (carry over from 2021-22),
- \$20K: Birregurra Flood Study (carry over from 2021-22), and
- \$90k: Colac Civic Precinct Plan (carry over from 2021-22)

Expenses

Employee costs

Employee costs for 2022-23 have been forecast to increase by \$124k, resulting from operating project carry overs from 2021-22.

It is noted that the unfavourable temporary variance of \$300k is due to the timing of annual WorkCover payments being paid in the first quarter.

Material and Services

Materials and services for 2022-23 is forecast to increase by \$18.32m. The forecast movement includes:

- \$15.34m City Deals (carry over from 2021-22), and
- \$2.98m carry forwards to complete delivery of operating projects.

The unfavourable variance of \$724k is due to the timing of annual ICT service costs and the Geelong Regional Library contribution (Q1 and Q2), however it is not anticipated that the variance will be carried to the next quarter.

Other expenses

Other expenses for 2022-23 is forecast to increase by \$213k, mainly due to:

- \$34k Community Grants programmes (carry forward from 2021-22),
- \$171k Outdoor Activation Fund (carry forward from 2021-22), and
- \$8k Project Delivery (carry forward from 2021-22).

BALANCE SHEET**Colac Otway Shire Council****Balance Sheet****As at 30 September 2022**

	Sept 2022	Full Year		
	Actual	Budget	Forecast	Variance
	\$'000	\$'000	\$'000	\$'000
Assets				
Current assets				
Cash and cash equivalents	20,888	14,234	14,234	-
Trade and other receivables	35,225	2,748	2,748	-
Inventories	152	175	175	-
Non-current assets held for sale	-	-	-	-
Other assets	25	366	366	-
Total current assets	56,290	17,522	17,522	-
Non-current assets				
Intangible assets	-	-	-	-
Right of use assets	3,082	17	17	-
Property, infrastructure, plant and equipment	441,828	381,888	442,000	60,112
Investments in associates, joint arrangements and subsidiaries	147	399	399	-
Total non-current assets	445,056	382,305	442,416	60,112
Total assets	501,346	399,827	459,939	60,112
Liabilities				
Current liabilities				
Trade and other payables	8,168	5,685	5,685	-
Trust funds and deposits	764	1,147	1,147	-
Interest-bearing liabilities	575	125	125	-
Lease liabilities	24	18	18	-
Provisions	4,176	4,871	4,871	-
Total current liabilities	13,707	11,846	11,846	-
Non-current liabilities				
Interest-bearing liabilities	-	255	255	-
Lease liabilities	18	-	-	-
Provisions	4,866	5,792	5,792	-
Total non-current liabilities	4,885	6,047	6,047	-
Total liabilities	18,591	17,894	17,894	-
Net assets	482,755	381,933	442,045	60,112
Equity				
Accumulated Surplus	165,566	143,759	203,871	(60,112)
Reserves	317,188	238,174	238,174	-
Total Equity	482,754	381,933	442,045	60,112

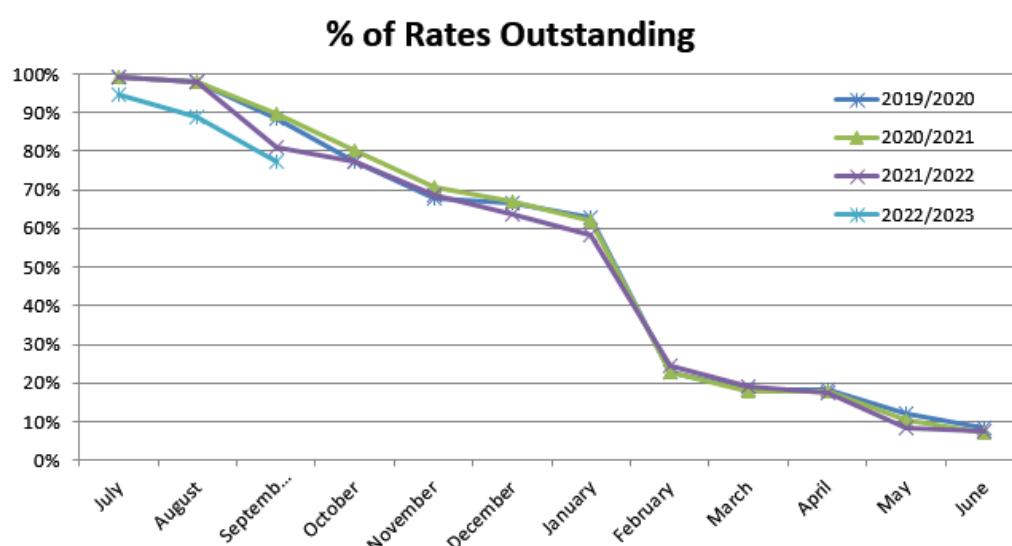
Rate Debtors

At 30 September 2022, \$33.24 million was raised in rates and charges including batches of supplementary valuations generated by changes to Council's property base. At 30 September 2022 23% of rates and charges raised have been collected, which was similar to the collection rate for the same period in the 2021-22 financial year of 19%. The reason 100% of rates were not outstanding when rates were raised for 2022/23, a number of rate payers had a credit balance from the previous financial year which was rolled over into current financial year.

The due date for ratepayers opting to pay in full is 15 February 2023. The due dates for ratepayers opting to pay via instalments are 30 September 2022, 30 November 2022, 28 February 2023 and 31 May 2023.

The following graph 1 shows that current collection rate is higher at the end of September than the reported collection trends for the previous three years:

Graph 1: Outstanding rates



Borrowings & Leases

One remaining loan (Loan 12) is due for settlement in 2022-23. It is proposed that an additional repayment of \$130k of the loan liability due for settlement in 2022-23 is made and the remaining balance of \$380k is refinanced in June 2023. 2022-23 repayments represent scheduled loan repayments of \$86k and the \$130k one-off repayment.

The borrowings held by Council at 30 September 2022 is given below:

Borrowings	Current \$'000	Non- Current \$'000	Total Borrowings \$'000	Meeting Schedule
9208 - Loan 12 - Colac Livestock Selling Centre roof - (\$1.178m - CBA)	575	-	575	Y
Total Borrowings	575	-	575	

As at 30 September 2022, principal repayments of \$20k have been made in 2022-23.

The leases held by Council at 30 September 2022 is given below:

Lease Liability	Current \$'000	Non- Current \$'000	Total Borrowings \$'000	Meeting Schedule
Gym Equipment Lease	24	18	42	Y
Total Leases	24	18	42	

It is anticipated \$24k will be made during the year for the gym equipment.

CAPITAL WORKS

Colac Otway Shire Council

Statement of Capital Expenditure as at 30 September 2022

Capital Expenditure	September YTD		Full Year	
	Actual YTD Sept \$	Budget YTD Sept \$	Adopted Budget \$'000	Programme Allocation \$'000
Property				
Land	181	108	984	108
Building	-	426	-	2,698
Total Property	181	534	984	2,806
Plant and Equipment				
Plant, machinery and equipment	43	384	1,537	2,056
Fixtures, fittings and furniture	-	-	-	-
Computers and telecommunications	133	43.55	455	507
Total Plant and Equipment	177	428	1,992	2,563
Infrastructure				
Roads	865	1,560	4,235	6,179
Bridges	259	504	984	1,797
Footpaths and cycleways	4	48	191	191
Drainage	17	38	140	146
Other infrastructure	843	2,241	3,808	10,164
Total Infrastructure	1,987	4,391	9,358	18,477
Total	2,345	5,353	12,334	23,846

The Capital Works program has an unfavourable variance of \$3.01m against the year to date budget for the quarter to 30 September 2022. This is impacted by the delays in obtaining resources and materials.

The current programme allocation to the Capital Works program is significantly higher than the adopted Budget due to unexpended projects budgets carried forward from 2021-22.

STATEMENT OF CASH FLOWS**Colac Otway Shire Council****Statement of Cash Flows****For the period ended 30 September 2022**

	Sept 2022	Full Year		
	Actual	Budget	Forecast	Variance
	\$'000	\$'000	\$'000	\$'000
Cash flows from operating activities				
Rates and charges	5,967	34,860	34,113	(747)
Statutory fees and fines	294	866	866	(1)
User fees	1,041	7,526	7,526	(0)
Grants - operating	8,693	9,114	26,093	16,979
Grants - capital	4,713	4,928	12,621	7,693
Contributions - monetary	101	25	190	165
Trust funds and deposits received/(paid)	-	469	16	(453)
Other receipts	584	365	444	79
Payments for Employees	(6,111)	(23,911)	(22,800)	1,111
Payments for materials and services (Incl GST)	(5,270)	(22,078)	(32,593)	(10,515)
Other payments	(566)	(1,509)	(1,722)	(213)
Net cash provided by/(used in) operating activities	9,446	10,655	24,755	14,100
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(2,345)	(12,334)	(25,039)	(12,705)
Proceeds from sale of property, infrastructure, plant and equipment	10	210	25	(185)
Net cash provided by/(used in) investing activities	(2,335)	(12,124)	(25,014)	(12,890)
Cash flows from financing activities				
Finance costs	(8)	(32)	(32)	(0)
Proceeds from borrowings	-	380	-	380
Repayment of borrowings	-	(596)	(323)	273
Interest paid - lease liability	(22)	(25)	-	25
Repayment of lease liabilities	-	(24)	-	24
Net cash provided by/(used in) financing activities	(30)	(297)	(355)	322
Net increase (decrease) in cash and cash equivalents	7,081	(1,765)	(614)	1,151
Cash and cash equivalents at the beginning of the period	13,807	15,999	13,807	(2,192)
Cash and cash equivalents at the end of the period	20,888	14,234	13,193	(1,041)

Cash balance

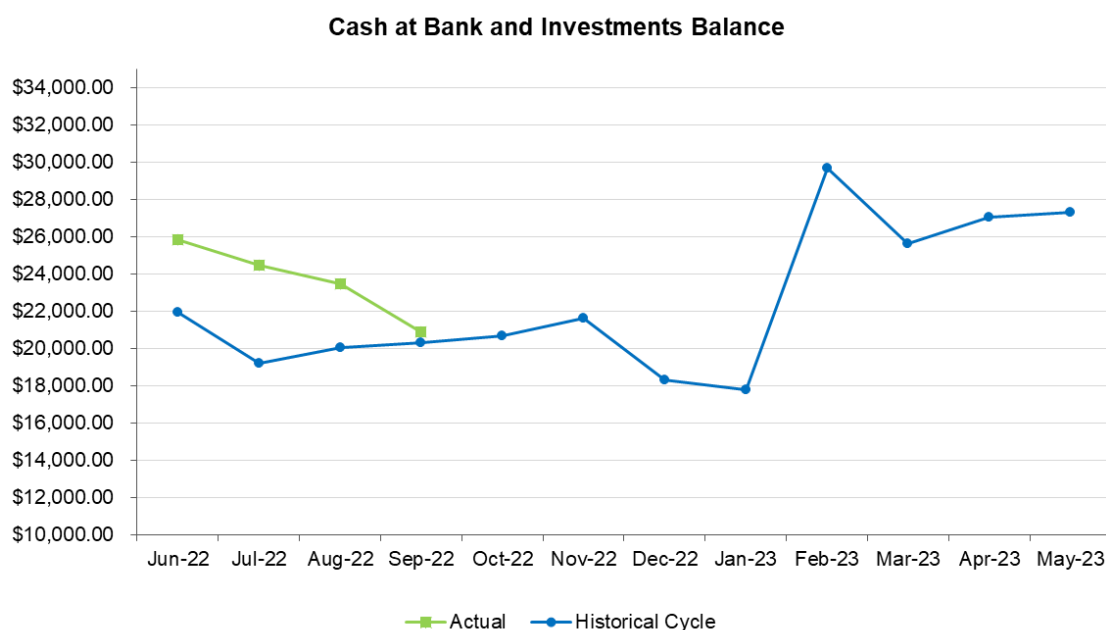
The current actual cash balance is \$20.89m as at 30 September 2022. The forecast assumes that all budgeted capital works and major projects, including carry overs, will be complete by 30 June 2023.

The net increase in the cash flows from operating activities is \$14.23 million. Net decrease from the investing activities is forecasted to be \$12.89 million during the year.

Graph 2 below shows how the Council's cash balance is expected to perform at 30 September 2022. The graph portrays:

- Historical Cycle – which is an estimation derived from 2021-22 actual cash balances that are expected to be achieved at the end of each month.
- The Actual – this is the actual balance at the end of each month from July to September.

Graph 2: Cash balance performance



Every opportunity is taken to invest surplus cash to maximise investment returns in accordance with Council's investment policy. Investment income received for the first three months to 30 September 2022 was \$23k which has already exceeded the income budget for the year. Investment income is subject to availability of cash flow and has been steadily increasing as a result of successive interest rates rises announced by the Reserve Bank. The cash rate at the time of writing is 2.85%. This compares to 0.10% only 7 months ago.

Our investments were within the investment and risk rating limits set-out in the investment policy.

Local Authorities Superannuation Fund - Defined Benefits

Local government councils have a potential financial exposure to the Local Authorities Superannuation Fund – the Defined Benefits Plan. Under the Australian Prudential Regulation Standards (SPS160) the Defined Benefits funds must meet strict funding requirements. This funding requirement is measured by the Vested Benefits Index (VBI), which shows as a percentage of the ratio of investments held by the fund compared to the estimated benefits payable by the fund at the same time. The latest available Vested Benefits Index for the Vision Super Defined Benefits fund is listed in the table below:

Date	Vested Benefits Index
June 2019	107.10%
September 2019	107.30%
December 2019	107.70%
March 2020	102.10%
June 2020	104.60%
September 2020	104.50%
December 2020	109.60%
March 2021	111.50%
June 2021	109.70%
September 2021	109.90%
December 2021	111.20%
March 2022	108.50%
June 2022	102.20%

If the VBI falls below the nominated amount in any quarter then the Australian Prudential Regulation Authority may require that the fund must make a funding call to its members. Any funding call made must return the fund to a VBI position of over the nominated amount within 3 years.

A VBI must generally be kept above the nominated shortfall threshold of 97% when a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year.

At 30 June 2022, the updated VBI for the sub-plan continued to fall to 102.20%, which presents a decrease of 6.3% compared to 31 March 2022. The VBI is primarily impacted by:

- The level of investment returns which impacts the asset pool supporting the defined benefit liabilities of the sub-plan; and
- The level of active member salary increases advised to Vision Super and pension increases in line with the CPI, which impacts the defined benefit liabilities of the sub-plan.

At the time of preparing this report there was no information available regarding the final VBI estimations as at 30 September 2022.

Item: 9.7

Audit and Risk Committee Biannual Report

OFFICER	Natasha Skurka
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. Audit and Risk Committee - Report to Council of Colac Otway September 2022 [9.7.1 - 5 pages]

1. PURPOSE

To receive for information the Colac Otway Shire Audit and Risk Committee Biannual Risk Report.

2. EXECUTIVE SUMMARY

Under section 54(5) of the *Local Government Act 2020* the Audit and Risk Committee must prepare a biannual report and provide it to the Chief Executive Officer for tabling at the next Council meeting.

The Chair of the Audit and Risk Committee attended a Councillor Briefing session to provide Councillors an opportunity to ask questions and discuss matters of interest/relevance.

3. RECOMMENDATION

That Council:

- ***Receives for information the Colac Otway Shire Audit and Risk Committee Biannual Report, dated 14 September 2022.***
- ***Thanks the Chair and Committee members for their efforts and commitment to Colac Otway Shire Council.***

4. KEY INFORMATION

The Audit and Risk Committee (ARC) plays an important role in providing oversight of Colac Otway Shire Council's governance, risk management, internal control practices, internal and external audit functions. This oversight mechanism also serves to provide confidence in the integrity of these practices.

Section 53(1) of the *Local Government Act 2020* stipulates that a Council must establish an ARC. The Colac Otway Shire ARC consists of two Councillors and three independent members. The ARC meets at least four times per year.

The ARC must prepare a biannual audit and risk report that describes its activities and includes its findings and recommendations. A copy of the report must then be provided to the Chief Executive Officer for tabling at the next Council meeting.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

The Overarching Governance Principles that are most applicable to the work of the Audit and Risk Committee are:

- a) Council decisions are to be made and actions taken in accordance with the relevant law.
- b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- e) Innovation and continuous improvement is to be pursued.
- g) The ongoing financial viability of the Council is to be ensured.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Audit and Risk Committee Charter
Local Government Act 2020

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

No impact.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Not required.

Public Transparency (s58 LGA 2020)

Presentation of the Audit and Risk Committee Biannual Report to an open Council meeting, ensures transparency with the public.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 *Local Government Act 2020*)

Not applicable.

Risk Assessment

Tabling the biannual Audit and Risk report to Council meets the requirements of the *Local Government Act 2020*.

Communication/Implementation

Not applicable.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Receive for information the Colac Otway Shire Audit and Risk Committee biannual report.
This option is recommended by officers as tabling the Audit and Risk Committee Biannual Report at the next Council meeting is a requirement of the *Local Government Act 2020*.

Option 2 – Do not receive for information the Colac Otway Shire Audit and Risk Committee biannual report

This option is not recommended by officers as tabling the Audit and Risk Committee Biannual Report at the next Council meeting is a requirement of the *Local Government Act 2020*.

Report to Council of Colac Otway's Shire Council Audit and Risk Committee (ARC) for presentation to Council – September 2022

1. Introduction

Section 53(1) of the Local Government Act 2020 (the Act) states that "a Council must establish an Audit and Risk Committee (ARC)". Section 54(1) of the Act states "a Council must prepare and approve an Audit and Risk Committee Charter." A Charter has been developed in response to the Act requirements.

The Charter outlines the roles and responsibilities, and an annual work plan is developed to ensure these are met throughout the year.

This report covers the ARC meetings held in May 2022 and August 2022. The Committee is required under the Act to report to Council twice each year. The Chair will verbally report any specific matters arising about the 2021/22 financial statements.

2. ARC Membership

The membership of the Committee during the reporting period was:

Name	Role	Expiry Date	Attendance
Mr. Brian Keane	Independent Chair	04/12/2024	2 of 2 meetings
Mr Richard Trigg	Independent Member	30/11/2023	2 of 2 meetings
Ms Melissa Field	Independent Member	30/11/2024	2 of 2 meetings
Cr. Graham Costin	Internal Member	24/11/2022	1 of 2 meetings
Cr Margaret White	Internal Member	24/11/2022	2 of 2 meetings

3. ARC Purpose

The purpose of the ARC is to provide a structured, systematic oversight of Council's governance, risk management and internal control practices. The ARC assists the Council and management by providing advice and guidance on the adequacy of initiatives for:

- Values and behaviours (What We Stand For)
- Governance structure
- Risk management
- Internal control framework
- Oversight of the internal audit activity, external auditors, and other providers of assurance
- Financial and performance statements and public accountability reporting.

It does this by adherence to its annual work plan and a formal agenda for each meeting.

4. Responsibilities and Activities for the period

a. Operational Governance:

The CEO briefed and provided the ARC at both the May and August meeting with reports related to emerging risks and threats. Members were able to raise and question the CEO on matters in the report and other compliance matters. The Committee requested that the annual accounts included an appropriate note to explain the two-way radio accounting treatment. It also sought a copy of the revised organisation structure.

b. Values and Ethics:

The CEO briefed ARC on a matter of alleged unauthorised release of confidential information. At the time of writing this report, there was no further update on the matter.

Colac Otway Shire participated in the Victorian Auditor General's Office (VAGO) Sexual Harassment in Local Government survey in June 2020. At the May meeting, Council provided ARC with a status report against the recommendations emanating from the report. It was pleasing to see many of the recommendations have been implemented while others are in progress.

c. Financial Reporting:

The development of an Asset Plan is a new requirement of the Local Government Act 2020 with the Act outlining the specific requirements. Council was required to implement the Plan by 30 June 2022. The Asset Plan and framework presented to ARC at the May meeting, provided an understanding Council were to adopt it at their June meeting. At the August meeting, ARC was provided with an update on the status of the Asset Management Policy review, Asset Management Strategy, and Asset Management Plans. These documents support the overarching Asset Plan previously tabled at ARC.

At the May meeting, ARC noted the 2021-22 financial position for 9 months to March 2022 was on track for a budgeted surplus. It also noted that capital expenditure was significantly under budget.

In preparation for the 2021/22 financial statements, an assets revaluation report was tabled for noting with considerable value added to Council's balance sheet.

ARC also noted the discussions and decisions regarding the accounting treatment and reporting of assets identified as "right of use", namely Colac Regional Library and Apollo Bay Kindergarten / HUB.

d. Internal Control:

Council presented ARC with an update of Council's initiatives to tighten cyber security controls and reduce cyber risk by upgrading to a new hybrid cloud Microsoft email service allowing the introduction of an additional layer of security.

At the September 2021 ARC meeting, a matter was raised in relation to an issue with the raising of requisitions in Council's accounting system. Further reports were presented to the December 2021 and February 2022 meetings. The reports indicated that specific analysis would be undertaken to determine the amount of potential financial exposure. Unfortunately, this has not been possible. Instead, the CEO outlined actions that would be undertaken to mitigate any possibility of inappropriate behaviour.

ARC noted the internal reviews of Council's general compliance of its Community Grants Program against the VAGO recommendations, with some minor changes needed to increase alignment.

An analysis of the 2021-22 Gifts, Benefits and Hospitality Internal Register was received by ARC at the August meeting.

e. Risk Management:

ARC received a report on the strategic and operational risks as of May 2022. ARC requested that further consideration be given to risks associated with cyber security. ARC also sought an update on legislative changes associated with Child Safe standards. A report was tabled at the August meeting, and Council continues to implement the changes.

At the May meeting, Council presented its approach for business continuity and used one such plan as an example (People and Culture Team). providing a review of Council's current insurance program and OH&S Strategic Action Plan. It also received a paper outlining Council's IT Disaster Recovery Plan framework and testing regime including cyber security. The Committee reviewed Council's risk management framework, processes, risk appetite statement and strategic risk profile.

At the August meeting, ARC endorsed 18 new strategic risks proposed by the Executive Management Team in consultation with the Senior Leadership Team. ARC also recommended that Council endorse proposed changes to the financial consequences in line with a revised financial risk appetite.

f. Fraud and Corruption Prevention:

The newly appointed VAGO representative, RSD, has conducted a staff awareness survey to establish understanding of what might be construed to be fraud and corruption. RSD received 65 responses to the survey. RSD considered that overall, the responses provided an indication that there is a reasonable understanding of the framework in place against fraud and corruption.

g. Internal Audit:

At each meeting, a report is provided highlighting progress against the approved Internal Audit program.

ARC noted that the Internal Audit tender has been awarded to Moore

Australia. It noted at the August meeting a transition and planning approach for the transition from Crowe, the exiting Auditor. ARC also endorsed the plan for the next 3 years. The areas proposed for coverage are as follows:

Proposed Internal Audits for 2022-23
<ul style="list-style-type: none"> • Procurement • Delegations and Authorisations • Workplace Health and Safety.
Proposed Internal Audits for 2023-24
<ul style="list-style-type: none"> • Property Management including leases and licences • Accounts Payable • Compliance with Environment and Waste Management legislative requirements.
Proposed Internal Audits for 2024-25
<ul style="list-style-type: none"> • Statutory Building • Food Act compliance • Cash Handling and Receipting

At the time of writing this report, two of the audit activities for 2021/22 remain incomplete; Project Management and Follow Up of Previous Audit Findings.

An internal audit review covering exposure to Cybercrime was completed and recommendations tabled at the May meeting. Council officers agreed with all recommendations. The IT team were to develop an action plan by 30 June 2022. At the August meeting, an approach to deal with the issues reported in the internal vulnerability report was tabled. Council is focussing on the most critical matters first.

As part of normal Committee process, an update on the progress of the individual components of ageing audit recommendations and management's proposal for action is also tabled at each meeting.

h. External Audit:

RSD have replaced the previous VAGO agent as the external auditor. It is proposed to meet with them prior to 14 September meeting in an in-camera session. There are no known issues as this report is being prepared.

External audit work has been interrupted through staff absences through COVID. The scheduled ARC meeting for September has been rescheduled for 14 September.

i. Compliance:

Ongoing monitoring of the Local Government plan continues through 2022. At the August meeting, it was noted that the transition process to the Local Government Act 2020 is now complete, and this would be the final report to

ARC on this matter.

A report tabled at the August meeting, outlining an approach to determine Council's compliance to legislation. The proposal outlined that a survey would be undertaken to assess compliance. It noted that this approach is work in progress and an update will be tabled at the December meeting.

The ARC Charter was reviewed in August, and options were provided to Council for consideration to make improvements. It also noted that the Plan should again be reviewed in August 2023.

j. Performance Evaluation:

The annual ARC performance evaluation will be tabled at the December meeting.

5. General:

This report has been reviewed and approved by all members of ARC.

Brian Keane

Chair

Colac Otway Audit and Risk Committee

14 September 2022

Item: 9.8

Audit and Risk Committee Meeting - Unconfirmed Minutes - 6 October 2022

OFFICER	Natasha Skurka
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. Unconfirmed Audit and Risk Committee Minutes - 6 October 2022 [9.8.1 - 11 pages]

1. PURPOSE

To provide for information the Colac Otway Shire Audit and Risk Committee unconfirmed minutes, dated 6 October 2022.

2. EXECUTIVE SUMMARY

The Audit and Risk Committee Charter (adopted by Council on 28 September 2022), requires that the draft minutes of each meeting be presented to the next practicable Council meeting as 'unconfirmed minutes'. If the Audit and Risk Committee (which meets quarterly) determines that changes are required to the unconfirmed minutes (ie changes other than minor administrative changes), then the final minutes will be represented to Council.

The unconfirmed minutes of the Audit and Risk Committee meeting held on 6 October 2022 are attached.

3. RECOMMENDATION

That Council:

- 1. Receives for information the Colac Otway Shire Audit and Risk Committee unconfirmed minutes, dated 6 October 2022.***
- 2. Notes the recommendations made by the Audit and Risk Committee.***

4. KEY INFORMATION

The Audit and Risk Committee (ARC) plays an important role in providing oversight of Colac Otway Shire Council's governance, risk management, internal control practices, internal and external audit functions. This oversight mechanism also serves to provide confidence in the integrity of these practices.

Section 53(1) of the *Local Government Act 2020* stipulates that a Council must establish an ARC. The Colac Otway Shire ARC consists of two Councillors and three independent members. The ARC meets at least four times per year.

The ARC Charter states that the draft minutes of Committee meetings will be prepared and circulated to Committee members within ten working days of each meeting. These draft minutes, (without attachments) will then be presented as 'unconfirmed minutes' to the next practicable Council meeting to ensure that Council receives the Committee's advice in a timely manner. The ARC will confirm its minutes at its next meeting (held quarterly) and will become the 'final minutes'. Final minutes will only be presented to a Council meeting if there are significant changes to the unconfirmed minutes (ie changes other than minor administrative changes).

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

The Overarching Governance Principles that are most applicable to the work of the Audit and Risk Committee are:

- a) Council decisions are to be made and actions taken in accordance with the relevant law
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations
- e) innovation and continuous improvement is to be pursued
- g) the ongoing financial viability of the Council is to be ensured.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Audit and Risk Committee Charter
Local Government Act 2020

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Not applicable.

Public Transparency (s58 LGA 2020)

Whilst the meetings and agendas of the Audit and Risk Committee are confidential, the outcomes/recommendations from the meeting are reported to the next practicable open Council meeting.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:
Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Financial Management (s101 *Local Government Act 2020*)

Not applicable

Service Performance (s106 *Local Government Act 2020*)

Not applicable

Risk Assessment

Not applicable.

Communication/Implementation

Not applicable.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Receive for information the Colac Otway Shire Audit and Risk Committee Unconfirmed Minutes dated 6 October 2022.

This option is recommended by officers as the Audit and Risk Committee Charter requires that the unconfirmed minutes be presented to the next practicable Council meeting.

Option 2 – Do not receive for information the Colac Otway Shire Audit and Risk Committee Unconfirmed Minutes dated 6 October 2022.

This option is not recommended by officers as the Audit and Risk Committee Charter requires that the unconfirmed minutes be presented to the next practicable Council meeting.



AUDIT AND RISK COMMITTEE MEETING

MINUTES

Thursday 6 October 2022

at 11:30 AM

by videoconference

COLAC OTWAY SHIRE AUDIT AND RISK COMMITTEE MEETING

Thursday 6 October 2022

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COLAC OTWAY SHIRE AUDIT AND RISK COMMITTEE MEETING

MINUTES of the **AUDIT AND RISK COMMITTEE MEETING OF THE COLAC OTWAY SHIRE** held by
videoconference on Thursday 6 October 2022 at 11:30 AM.

MINUTES

1 DECLARATION OF OPENING OF MEETING

2 PRESENT

Brian Keane (Chair)
Richard Trigg
Melissa Field
Cr Graham Costin
Cr Margaret White

Anne Howard, Chief Executive Officer
Andrew Tenni, General Manager Corporate Services
Heath Chasemore, General Manager Infrastructure and Operations
Ian Seuren, General Manager Community and Environment
Lyndal McLean, Governance Coordinator
Natasha Skurka, Risk and Insurance Officer
Amanda Barber, Manager Financial Services
Toni Uphill, Coordinator Management Accountant
Blessing Mendoza, (RSD Audit)
Nick Bell (RSD Audit)
Kylie Maher (Moore)

3 APOLOGIES

Nil

4 DECLARATIONS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

- **Audit and Risk Committee meeting held on 10 August 2022.**

RESOLUTION

MOVED Richard Trigg, SECONDED Melissa Field

That the Audit and Risk Committee confirm the minutes from the Audit and Risk Committee meeting held on 10 August 2022.

CARRIED 5 : 0

6.1 BUSINESS ARISING FROM THE PREVIOUS MEETING

Nil

6.2 EXTERNAL AUDIT

Audit and Risk Committee Plan

- Item 8.5: Meet in camera with External Auditor in absence of management.

A Closed Session meeting of the Audit and Risk Committee members and Nick Bell (RSD Audit) took place on 6 October 2022 at 11.30am to consider the item listed immediately above.



Item: 7.1

Chief Executive Officer Update

OFFICER	Anne Howard
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

RESOLUTION

MOVED *Melissa Field*, ***SECONDED*** *Richard Trigg*

That the Audit and Risk Committee notes the Chief Executive Officer's verbal report.

CARRIED 5 : 0



Item: 7.2

Financial Reporting - Review annual financial and performance statement 2021/22

OFFICER	Amanda Barber
GENERAL MANAGER	Andrew Tenni
DIVISION	Corporate Services
ATTACHMENTS	<ol style="list-style-type: none"> 2020-21 Colac Otway Shire Financial Statements [7.2.1 - 46 pages] Performance- Statement-2021-22 - LGPRF [7.2.2 - 17 pages] Governance and Management Checklist 2021-22 [7.2.3 - 3 pages] Summary of Changes - Performance Statement 2021-22 and LGPRF Indicators 2021-22 [7.2.4 - 7 pages]

RECOMMENDATION

That the Audit and Risk Committee recommends that Council:

- Approves in principle the 2021-22 Financial Statements and Performance Statement for Colac Otway Shire Council, subject to any changes that are recommended or agreed by the Auditor in accordance with Section 98(2) of the Local Government Act 2020.*
- Makes provision for the 2021-22 Colac Otway Shire Council Financial Statements and Performance Statement to be referred to the Audit and Risk Committee for information, if there is any significant change prior to certification.*
- In accordance with section 98 of the Local Government Act 2020, nominates and authorises Councillors Graham Costin and Marg White to certify and approve the 2021-22 Financial Statements and Performance Statement in their final form, after any changes recommended or agreed with the Auditor, have been made on behalf of Council.*

RESOLUTION

MOVED Cr Graham Costin, **SECONDED** Cr Margaret White

That the Audit and Risk Committee recommends that Council:

- 1. Approves in principle the 2021-22 Financial Statements and Performance Statement for Colac Otway Shire Council, subject to any further changes that are recommended or agreed by the Auditor in accordance with Section 98(2) of the Local Government Act 2020.***
- 2. Makes provision for the 2021-22 Colac Otway Shire Council Financial Statements and Performance Statement to be referred to the Audit and Risk Committee for information, if there is any significant further change prior to certification.***
- 3. In accordance with section 98 of the Local Government Act 2020, nominates and authorises Councillors Graham Costin and Marg White to certify and approve the 2021-22 Financial Statements and Performance Statement in their final form, after any further changes recommended or agreed with the Auditor, have been made on behalf of Council.***

CARRIED 5 : 0

Notes:

- 1. The draft financial and performance statements and accompanying closing report were circulated to all Committee members prior to the meeting and members were given the opportunity to submit any queries ahead of the meeting. Written responses to queries raised by members were circulated to the Committee by Council officers prior to the meeting and further clarification was provided at the meeting, as required.**
- 2. The Audit and Risk Committee acknowledged and expressed their appreciation of the work by officers involved in the preparation of the financial and performance statements under exceptional circumstances.**



Item: 7.3

Financial Reporting - Review significant accounting and reporting issues - Port of Apollo Bay Special Purpose Statements

OFFICER	Amanda Barber
GENERAL MANAGER	Andrew Tenni
DIVISION	Corporate Services
ATTACHMENTS	1. 2021-22 Port of Apollo Bay Financial statements [7.3.1 - 15 pages]

RESOLUTION

MOVED Richard Trigg, SECONDED Melissa Field

That the Audit and Risk Committee notes the 2021-22 Port of Apollo Bay Special Purpose Financial Report, subject to any changes that are recommended or agreed by the auditor to be used to meet the reporting requirements of the Port of Apollo Bay Management Agreement.

CARRIED 5 : 0



Item: 7.4

Reporting Responsibilities: Chair Report on Audit Committee activities to Council

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. Audit and Risk Committee - Report to Council of Colac Otway September 2022 Final [7.4.1 - 5 pages]

RESOLUTION

MOVED Brian Keane, SECONDED Melissa Field

That the Audit and Risk Committee receives for information the Colac Otway Shire Audit and Risk Committee biannual report dated 14 September 2022.

CARRIED 5 : 0

Note: The Audit and Risk Committee Chair update to be scheduled for Councillor Briefing on 2 November 2022.



Item: 7.5

Recommended Appointment of Audit and Risk Committee Chairperson

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

The Chief Executive Officer assumed the role of Chair for the recommended appointment of the Audit and Risk Committee Chairperson.

The Chief Executive Officer called for nominations for a period of 12 months, commencing on 2 December 2022.

NOMINATION Brian Keane

MOVED Melissa Field, SECONDED Richard Trigg

Brian Keane accepted the nomination.

No further nominations were received.

RESOLUTION

MOVED Melissa Field, SECONDED Richard Trigg

That the Audit and Risk Committee recommends to Council the appointment of Brian Keane as the Chairperson of the Audit and Risk Committee for a period of 12 months, commencing on 2 December 2022.

CARRIED 5 : 0

Brian Keane resumed the role of Chair for the remainder of the meeting.

The meeting was declared closed at 12.35pm.

CONFIRMED AND SIGNED at the meeting held on 7 December 2022.

.....**CHAIR**

Item: 9.9

Revocation of Authorised Officer under the Planning and Environment Act 1987

OFFICER	Janine Johnstone
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. Final - Signed - Instrument of Authorisation - Authorised Officer Planning and Environment Act - Jas [9.9.1 - 1 page]

1. PURPOSE

To revoke the Instrument of Appointment and Authorisation to Jason Scammell, who is no longer employed by Council.

2. EXECUTIVE SUMMARY

Instruments of Appointment and Authorisation to Council officers under the *Planning and Environment Act 1987* (the Act) are required to be signed under resolution of Council. When an employee resigns, Council is required to revoke the Instrument.

3. RECOMMENDATION

That Council revokes the Instrument of Appointment and Authorisation under the Planning and Environment Act 1987 to Jason Scammell, dated 6 September 2022 (refer Attachment 1).

4. KEY INFORMATION

The *Planning and Environment Act 1987* (Act) establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians. Various staff members within Council are required to undertake assessments, give advice or investigate various issues in relation to the Act. In order to undertake these assessments authorisation is required under section 147(4) of the Act.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

Council decisions are to be made and actions taken in accordance with the relevant law. Under section 224(1) of the *Local Government Act 1989*, a Council may appoint any person, other than a Councillor, to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council. Authorisations to Council officers under the Act are required to be signed and/or revoked by resolution of Council.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Instruments of Appointment and Authorisation are only provided to any person required to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council. Those authorised under the Act must be made or revoked by resolution of Council.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Not applicable.

Public Transparency (s58 LGA 2020)

Not applicable.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Theme 4 – Strong Leadership and Management

Objective 1: We commit to a program of best practice and continuous improvement

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Not applicable.

Communication/Implementation

If so resolved, the Instrument of Appointment and Authorisation, noting revocation of the instrument, will be sent to the Chief Executive Officer for signature.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Option 1 – Endorse the Revocation of the Instrument of Authorisation and Appointment

This option is recommended as the person is no longer employed by Council and therefore should not be an Authorised Officer of Council.

Option 2 – Endorse the Revocation of the Instrument of Authorisation and Appointment with amendments

This option is not recommended as the Instrument needs only to be revoked to cease its currency.

Option 3 – Do not endorse the Revocation of the Instrument of Authorisation and Appointment

This option is not recommended as the person would still retain the powers under the *Act* authorised by Council while not employed by Council.



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(*Planning and Environment Act 1987*)

In this Instrument "officer" means –

JASON SCAMMELL

By this Instrument of Appointment and Authorisation Colac Otway Shire Council –


1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

It is declared that this Instrument –

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 24 August 2022.

THE COMMON SEAL of Colac Otway Shire Council was hereunto affixed in accordance with Local Law No 4


Chief Executive Officer
Anne Howard

Dated: 06/09/2022



Item: 9.10

Report of Informal Meetings of Councillors

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none"> 1. Informal Meeting of Councillors - Councillor Briefing - 19 October 2022 [9.10.1 - 2 pages] 2. Informal Meeting of Councillors - Council Meeting Preparation - 26 October 2022 [9.10.2 - 2 pages] 3. Informal Meeting of Councillors - Councillor Briefing - 02 November 2022 - CB 20221102 [9.10.3 - 2 pages] 4. Informal Meeting of Councillors - Councillor Briefing - 09 November 2022 [9.10.4 - 2 pages]
PURPOSE	To report the Informal Meetings of Councillors

1. EXECUTIVE SUMMARY

INFORMAL MEETINGS OF COUNCILLORS

The Colac Otway Shire Governance Rules require that records of informal meetings of Councillors which meet the following criteria:

If there is a meeting of Councillors that:

- *is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
- *is attended by at least one member of Council staff; and*
- *is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

be tabled at the next convenient meeting of Council and recorded in the minutes of that Council meeting.

All relevant meetings have been recorded and documented, as attached.

2. REPORTING

The Informal Meetings of Councillors are reported herewith.

- | | |
|--------------------------------|-----------------|
| 1. Councillor Briefing | 19 October 2022 |
| 2. Council Meeting Preparation | 26 October 2022 |
| 3. Councillor Briefing | 2 November 2022 |
| 4. Councillor Briefing | 9 November 2022 |

3. KEY INFORMATION

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

- | | |
|--------------------------------|-----------------|
| 1. Councillor Briefing | 19 October 2022 |
| 2. Council Meeting Preparation | 26 October 2022 |
| 3. Councillor Briefing | 2 November 2022 |
| 4. Councillor Briefing | 9 November 2022 |

4. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.



Informal Meeting of Councillors Record

Councillor Briefing

Date: 19 October 2022

Time: 12.45pm

Meeting Location: Meeting Rooms 1 and 2, COPACC

Invitees:

Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart , Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt

Attendees:

Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt, Belinda Rocka, Peter Macdonald, Mark McLennan, David Butterfield

External attendees:

Nil

Apologies:

Nil

Absent:

Cr Joe McCracken - Leave of Absence (Council resolution 24 August 2022)

Meeting Commenced at: 1.11pm

Declarations of Interest:

Name	Type of Disclosure	Item	Reason
Nil			



Councillor Briefing – 19 October 2022		
Time	Item	Attendees
1.11pm-1.12pm	Councillor and EA to CEO, Mayor and Councillors catch up	Belinda Rocka
1.12pm-1.14pm	Break	
1.14pm-1.45pm	Submissions - Lake Colac Caravan Park EOI	Mark McLennan David Butterfield
1.45pm-2.14pm	Community Engagement for Apollo Bay and Surrounds Cr Potter left the meeting at 2.01pm and did not return.	Peter Macdonald
2.14pm-2.32pm	General Business: <ul style="list-style-type: none"> • Flood mapping • Colac Otway Shire grants process • Apollo Bay childcare • Apollo Bay Cable Museum • Renewable energy (solar) and farming 	
2.32pm	Meeting closed	



Informal Meeting of Councillors Record

Council Meeting preparation

Date: 26 October 2022

Time: 2.00pm

Meeting Location: The Project Space, Apollo Bay

Invitees:
Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt, Lyndal McLean
Attendees:
Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt, Lyndal McLean, Frank Castles.
External attendees:
Nil
Apologies:
Nil
Absent:
Cr Joe McCracken on Leave of Absence (Council Resolution 24 August 2022)

Meeting Commenced at: 2.12pm

Declarations of Interest:

Name	Type of Disclosure	Item	Reason
Nil			



Council Meeting preparation – 28 September 2022		
Time	Item	Attendees
2.12pm- 3.16pm	Council Meeting preparation.	Frank Castles
3.16pm	Meeting closed	



Informal Meeting of Councillors Record

Councillor Briefing

Date: 02 November 2022

Time: 12.30pm

Meeting Location: Meeting Rooms 1 and 2, COPACC

Invitees

Invitees:			
Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt			
Attendees:			
Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt, Doug McNeill, James Myatt, David Butterfield, Mark McLennan, Belinda Rocka			
External attendees:			
Chair - Audit and Risk Committee			
Apologies:			
Cr Joe McCracken on Leave of absence (Council Resolution 24 August 2022), Cr Jamie Bell			
Absent:			
Nil			

Meeting Commenced at: 12.49 pm

Declarations of Interest:

Name		Item	Reason
Nil			



Councillor Briefing – 02 November 2022		
Time	Item	Attendees
12.49pm – 1.02pm	Audit and Risk Committee - Biannual Audit and Risk Report	Chair - Audit and Risk Committee by videoconference
1.02pm – 1.37pm	Social & Affordable Housing Update	Doug McNeill James Myatt
1.37pm – 1.52pm	Request to transfer land	David Butterfield Mark McLennan
1.52pm – 1.59pm	Councillor and EA to CEO, Mayor and Councillors catch up	Belinda Rocka
1.59pm – 2.12pm	General Business <ul style="list-style-type: none"> • Council Meeting Dates for 2023 • Subdivision of land • OHS Workshop Cr Hanson left the meeting at 2pm; returned at 2:04pm	
2.12pm	Meeting Closed	



Informal Meeting of Councillors Record

Councillor Briefing

Date: 9/11/2022

Time: 1.00pm

Meeting Location: Meeting Rooms 1 and 2, COPACC

Invitees:

Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt

Attendees:

Cr Jamie Bell, Cr Graham Costin, Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Margaret White, Anne Howard, Andrew Tenni, Heath Chasemore, Ian Seuren, Marlo Emmitt, Louise Harvey, Simon Clarke, Doug McNeill, Brendan Walsh, Maddison Harty, James Myatt, Paula Gardiner, Kanishka Gunasekara

External attendees:

Nil

Apologies:

Cr Joe McCracken - Leave of absence (Council Resolution 24 August 2022)

Absent:

Nil

Meeting Commenced at: 1.11 pm

Declarations of Interest:

Name	Item	Reason
Nil		



Councillor Briefing		
Time	Item	Attendees
1.11pm-1.13pm	Councillor and EA to CEO, Mayor and Councillors catch up	Louise Harvey
1.13pm-1.36pm	Planning Reform Update	Doug McNeill
1.36pm - 1.46pm	Review of Development Plan – Irrewillipe Road/Aireys Street, Elliminyt	Simon Clarke Doug McNeill Brendan Walsh
1.46pm-1.56pm	Break	
1.56pm-2.32pm	Events Policy Review	Maddison Harty James Myatt
2.32pm-2.36pm	Contract 2301 - D&C - Bridge Replacement - Howells Access, Skenes Creek	Paula Gardiner Kanishka Gunasekara
2.36pm-2.49pm	General Business <ul style="list-style-type: none"> • MAV Motion • Harris Street Foot Bridge • Apollo Bay Dining Parklets 	
2.49pm	Meeting Closed	

Item: 10.1

Notice of Motion: Sale of Bruce Street land, requested report regarding options for sale proceeds

COUNCILLOR	Cr Stephen Hart
ATTACHMENTS	1. Extract from 4 May 2022 Closed Session Council Meeting [10.1.1 - 2 pages]

1. NOTICE OF MOTION

That Council:

- 1. Notes that the substantive resolution carried in the confidential session of the Unscheduled Council meeting held on 4 May 2022, regarding the sale of the Bruce Street, Colac land, has since been made public, in accordance with the Council resolution of 25 May 2022.***
- 2. Notes that point 6 of that resolution stated that Council “Considers the allocation of net income from this sale for a project(s) in Colac or surrounds, at a future meeting of Council to be held as soon as practicable once the contract becomes unconditional”.***
- 3. Notes that the report to action point 6 of the resolution has not yet been presented to Council.***
- 4. Agrees to consider a report regarding the allocation of net income from this sale for a project(s) including, but not limited to, Colac or surrounds, at a future meeting of Council to be held as soon as practicable once the contract becomes unconditional.***
- 5. Agrees that point 4 above supersedes point 6 of the resolution carried in the confidential session of the Unscheduled Council meeting held on 4 May 2022.***
- 6. Notes that this resolution does not seek to implement any other changes to the yet to be provided report or any other aspect of the resolution adopted on 4 May 2022.***

2. COUNCILLOR COMMENT

Statement in support

During the confidential session of the Unscheduled Council meeting held on 4 May 2022, Council resolved to sell Council's land at 36-52 Bruce Street, Colac. The sale of the land is a good outcome for the community as it raises funds for Council and will result in more housing blocks being available in Colac, including some blocks available for social housing.

The substantive resolution to approve the sale was tied to an unclear clause calling for a report on how to spend the proceeds from the sale with the options being limited to "Colac and surrounds"¹. At the Council meeting on 29 June 2022 Council considered a notice of motion lodged by me, Cr Hart, to remove those words so that Management could provide suggestions for any area in the municipality. That motion was lost on 3:4 vote so, currently, Council is still required to provide a report on a project or projects for "Colac or surrounds".

The debate on that item, 10.21 on 29 June 2022 can be viewed on Council's YouTube channel at the following link:

https://www.youtube.com/results?search_query=colac+otway+shire+council+meetings

From the debate on 29 June 2022 it can be seen that different Councillors have different views on where the boundary ends for "Colac or surrounds". One possibility is that it can extend to towns further out from Colac. Another is that it is confined to Colac, Elliminyt and probably the southern boundary of Lake Colac where it joins the Colac urban boundary. There are many other possibilities.

On the other hand, the intent may have been to ensure that the area in and near Colac was considered in the report so that the sale proceeds weren't all spent elsewhere, outside Colac.

There are any number of potential projects that may cover areas in and out the area described as "Colac or surrounds". For example, a project that included the southern part of Lake Colac near the urban centre would appear to be within the definition of "Colac or surrounds" but what if that project extended to Meredith Park further north. If the report is restricted to "Colac or surrounds" I would suggest that Meredith Park is outside that boundary.

There is a significant amount of strategic planning work that Council needs to complete and remains unfunded. This includes strategic planning to improve the housing options in many of the towns outside Colac. This work could cost in excess of \$200,000 but could be seen as an investment to improve housing options and reduce planning red tape. Under the current wording of clause 6 in the resolution adopted on 4 May 2022 in the confidential meeting the words "Colac or surrounds" is likely to limit what can be included in the report requested from Management as many of the areas needing updated planning work are so far from Colac as to be outside that boundary.

Unlike the resolution considered on 29 June 2022, this resolution doesn't seek to remove the words "Colac or surrounds", even though there is some confusion about what that term means. What this resolution does seek to do is ensure that the report isn't limited to "Colac or surrounds". Whilst that doesn't define where the boundary lies it means that provided Council Management include options in and near Colac within their report, the intent of that term will be satisfied.

¹ Substantive resolution carried in the confidential session of the Unscheduled Council meeting held on 4 May 2022 and subsequently released by Council.

Making it clear that the report includes but is “not limited to, Colac or surrounds” will ensure that Management is able to provide a report that isn’t restricted in relation to projects that cross the boundary, wherever that boundary might be.

The final decision on how the funds are used will still be subject to a separate Council decision even if this notice of motion is supported.

Attachment:

Substantive resolution carried in the confidential session of the Unscheduled Council meeting held on 4 May 2022 and subsequently released by Council.

This information has been released as per the Council resolution of 25 May 2022 and is no longer considered confidential.



Extract from minutes of Closed Council meeting held on 4 May 2022

The following resolution from the Closed Session of the 4 May 2022 Unscheduled Council meeting regarding the sale of 36-52 Bruce Street Colac is being released to the public in accordance with the resolution of Council on 25 May 2022.

Sale of 36-52 Bruce Street, Colac

The substantive motion was put:

That Council:

- 1. Endorses TW Projects Pty Ltd as the preferred purchaser of the property known as 36-52 Bruce Street, Colac (the property).*
- 2. Resolves to sell the property to TW Projects Pty Ltd for the amount of \$2,860,000 (inclusive of GST), with a settlement period of no more than 6 months, or to a subsidiary entity established for the purchase and development of this property.*
- 3. Authorises the Chief Executive Officer to execute all necessary documentation of, and incidental to, a Contract of Sale.*
- 4. Authorises the use of the common seal in accordance with Colac Otway Shire Council's Governance Local Law No 4 – 2020, if required.*
- 5. Approves the transfer of the income of the sale of the property, net of related costs incurred since 1 July 2021, to the Strategic Project Reserve, to be held until Council resolves otherwise.*
- 6. Considers the allocation of net income from this sale for a project(s) in Colac or surrounds, at a future meeting of Council to be held as soon as practicable once the contract becomes unconditional.*
- 7. Resolves that if it has not previously received a report in response to point 6, requires a report be presented to its February 2023 Council meeting on matters including, but not limited to, the following:*
 - a) Any delays to the sale process including settlement;*
 - b) Progress or delays relating to the development of the land for residential use;*
 - c) Opportunities identified to achieve social housing outcomes on parcels of land to be transferred to Council; and*
 - d) The allocation of net income from the sale.*

This information has been released as per the Council resolution of 25 May 2022 and is no longer considered confidential.

- 8. Notes that this resolution establishes timeframes for future reports to be presented to Council but does not create any obligation with respect to allocating funds from the sale of the property by any particular date.*
- 9. Approves the release of the media statement attached to this report immediately after the preferred purchaser has been notified of this decision.*
- 10. Deems those points 1 and 2 of this resolution are no longer confidential information and can be released following the execution of a contract of sale.*

CARRIED 6 : 1

DIVISION

For the motion: Cr Jamie Bell, Cr Joe McCracken, Cr Chris Potter, Cr Stephen Hart, Cr Margaret White, Cr Kate Hanson

Against the motion: Cr Graham Costin

