



Colac Otway  
SHIRE

**UNSCHEDULED COUNCIL MEETING**

**AGENDA**

**Wednesday 1 February 2023**

**at 3:30 PM**

**COPACC**

**95 - 97 Gellibrand Street, Colac**



# COLAC OTWAY SHIRE UNSCHEDULED COUNCIL MEETING

Wednesday 1 February 2023

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## COLAC OTWAY SHIRE UNSCHEDULED COUNCIL MEETING

NOTICE is hereby given that the next **UNSCHEDULED COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 1 February 2023 at 3:30 PM.

### AGENDA

#### **1 DECLARATION OF OPENING**

##### **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: 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](http://www.youtube.com)).

The sole purpose of this Unscheduled Council meeting is to consider the following agenda item:

- Lake Colac Holiday Park Fees and Charges.

## **5 QUESTION TIME**

Please note that as this is an Unscheduled Council meeting, only questions pertaining to this agenda will be responded to. A maximum of 15 minutes is allowed for question time at Unscheduled Council meetings. Any person wishing to participate in question time by videoconference will need to register their intention to do so by contacting the shire prior to 5pm on Monday 30 January 2023. 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 30 January 2023.
2. Questions by videoconference (by prior arrangement).
3. Questions from the floor.

## **6 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.

Item: 7.1

## Lake Colac Holiday Park Fees and Charges

<b>OFFICER</b>	James Myatt
<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy
<b>ATTACHMENTS</b>	Nil

### 1. PURPOSE

To set the fees and charges for the Lake Colac Holiday Park.

### 2. EXECUTIVE SUMMARY

Council recently entered into a short-term lease agreement with BelgraviaPRO for the Lake Colac Holiday Park (the Park) from 27 January 2023 for 30 days, with an intention that BelgraviaPro then contract manage the Park from the conclusion of the lease on 24 February 2023 until 30 June 2023. BelgraviaPRO are able to set fees and charges whilst operating under lease, however from 25 February 2023 when the Park is under contract management, Council is required to set the fees and charges. Fees and charges need to be set for a period sufficiently into the future to enable bookings to be taken into the future, however this does not indicate any pre-determined management model at this time.

### 3. RECOMMENDATION

*That Council:*

- 1. Resolves the following short stay fees and charges are to be applied to the Lake Colac Holiday Park from 25 February 2023 until 31 December 2023, noting prices are based on two persons per site:**

<b>Tariff</b>	<b>Unpowered</b>	<b>Powered</b>
<b>Off-peak season, per night</b>	<b>\$25</b>	<b>\$45</b>
<b>Peak season, per night</b>	<b>\$30</b>	<b>\$50</b>
<b>Extra adult, per night</b>	<b>\$10</b>	<b>\$10</b>
<b>Extra child, per night</b>	<b>\$5</b>	<b>\$5</b>

2. ***Resolves the following long term tenant fees and charges are to be applied to the Lake Colac Holiday Park from 25 February 2023 until 31 December 2023:***
  - a. *\$200 per week.*
  - b. *The weekly fee currently paid by individual long-term tenants prior to 25 February 2023 will be charged until the end of any required notice period to enable the \$200 per week fee to be implemented.*
3. ***Notes for the purpose of applying the fees and charges, peak season for 2023 is considered to be:***
  - a. *Australia Day including weekend: 26 – 30 January 2023.*
  - b. *March long weekend: 10 – 12 March 2023.*
  - c. *Easter school holidays: 7 – 25 April 2023.*
  - d. *June long weekend: 9 – 12 June 2023.*
  - e. *June school holidays: 23 June – 9 July 2023.*
  - f. *September school holidays: 15 September – 1 October 2023.*
  - g. *Melbourne Cup weekend: 3 – 7 November 2023.*
  - h. *Christmas school holidays: 21 December 2023 – 28 January 2024.*
4. ***Notes that the future management arrangements for the Lake Colac Holiday Park will be scheduled for discussion with Councillors at an upcoming briefing session to enable options beyond 1 July 2023 to be discussed.***

## 4. KEY INFORMATION

In 2022 Council undertook an Expression of Interest (EOI) process for the lease of the Lake Colac Caravan Park. The process didn't provide a suitable outcome for Council so it was determined to enter into a short-term management arrangement with a suitable provider to ensure the park remained in operation.

Council recently entered into a short-term lease agreement with BelgraviaPRO for the Lake Colac Holiday Park (the Park) from 27 January 2023 for 30 days. The intention is for BelgraviaPRO to then contract manage the Park after the 30 days expires, from the 25 February 2023 until 30 June 2023. BelgraviaPRO are able to set fees and charges whilst under lease, however from 25 February 2023 when the Park is under contract management, Council is required to set the fees and charges as per the *Local Government Act 2020*.

### **Short Stay Fees and Charges**

No formal pricing list is currently known to exist for the Lake Colac Holiday Park. Anecdotally Council understands the following prices have previously been charged by Council's former tenant:

1. Powered site - \$45 per night
2. Unpowered site - \$20 per night

It is unknown if a different rate was applied for more than two people, or at different times of the year.

To assist setting fees and charges for the Park, Council requested BelgraviaPRO recommend a pricing model based on their experience across the industry. BelgraviaPRO has 40+ Holiday parks throughout Australia and New Zealand, as well as being a registered training organisation providing specialist and nationally recognised qualifications in resorts, parks and tourism.

Council then benchmarked prices against other similar caravan/holiday parks to ratify the BelgraviaPRO recommendation, which resulted in the below proposed fees and charges. Prices are based on two persons per site with charges applicable for additional guests, with a maximum of six guests per site.

Proposed fees and charges for Lake Colac Holiday Park:

Tariff Season	Unpowered	Powered
Off-Peak	\$25	\$45
Peak	\$30	\$50

Additional charges:

	Unpowered	Powered
Extra adult, per night	\$10	\$10
Extra child, per night	\$5	\$5

For 2023, peak season is considered to be any long weekend, school holidays, Melbourne Cup weekend, Easter and Christmas.

The below table demonstrates benchmarking undertaken for fees and charges in place at other similar caravan/holiday parks:

Park	Unpowered site per night	Powered site per night
Forest Holiday Park	\$41 off-peak (2 adults) \$52 peak (2-night min, 2 adults) +\$15 per additional adult +\$10 per additional child	\$46 off-peak (2 adults) \$57 peak (2-night min, 2 adults) +\$15 per additional adult +\$10 per additional child
Camp Crusty, Bright	\$48	\$56
Lakes & Craters Holiday Park, Camperdown	\$28 (2 adults) + \$15 per additional adult (2-night min peak season)	\$37 (2 adults) +\$15 per additional adult (2-night min peak season)
NRMA Warrnambool Riverside Holiday Park	Not applicable	\$44 (2 adults) +\$15 per additional adult +\$10 per additional child

It is proposed to set fees for the period up until 31 December 2023 to enable future bookings to be taken, irrespective of who is managing the Park.

### Long Stay Fees and Charges

Currently long-term site holders at the Lake Colac Holiday Park pay a range of fees from \$170 to \$280 per week. All sites are powered with en-suites, with the site holder bringing in their own caravan or other accommodation, similar to short stay users. It is proposed to move all long-term site holders to

a standard charge of \$200 per week, which is calculated at approximately 65% of the daily proposed off-peak powered site fee.

The *Residential Tenancies Act 1997* applies to long-term site holders as they are known to have been on site for longer than 60 days; therefore a 3-month notice period is required to be given for any change to fees and charges. It is proposed to continue to charge the existing fees paid by individual long term site holders prior to 26 February 2023 during the 3-month notice period. Notice will be provided within five working days after the Council meeting, should Council resolve to adopt the proposed fees and charges.

#### **Other Fees and Charges**

There are no other fees and charges applicable to the Lake Colac Holiday Park.

## **5. CONSIDERATIONS**

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

The overarching governance principles are:

- Council decisions are to be made and actions taken in accordance with the relevant law.
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- The ongoing financial viability of the Council is to be ensured.
- The transparency of Council decisions, actions and information is to be ensured.

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

*Local Government Act 2020*  
*Residential Tenancies Act 1997*

#### **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 1 - Strong and Resilient Community

Objective 3: Key infrastructure investment supports our economy and liveability

Objective 4: Colac Otway Shire is a destination to visit

#### **Financial Management (s101 Local Government Act 2020)**

Discussed in the body of this report.



### **Service Performance (s106 Local Government Act 2020)**

If fees and charges are not set for Lake Colac Holiday Park, it will inhibit the ability of Council to contract out management of the Park.

### **Risk Assessment**

Not applicable.

### **Communication/Implementation**

Communication relating to fees and charges will be distributed to long term site holders within five working days of a resolution of Council. Short stay fees and charges will be implemented into any booking system used in the management of the Lake Colac Holiday Park to enable advance bookings to be taken beyond 25 February 2023.

### **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 – Adopt the proposed recommendation

This option is recommended by officers as it allows future booking to be taken for Lake Colac Holiday Park at a competitive rate.

#### Option 2 – Adopt the proposed recommendation with amended fees and charges

This option is not recommended by officers as whilst it allows future booking to be taken, the proposed fees and charges were calculated using industry benchmarking. It is forecast that a reduction in the fees may result in a financial loss for Council, and increase see reduced booking numbers.

#### Option 3 – Do not adopt the proposed recommendation

This option is not recommended by officers as it does not allow for bookings to be taken for Lake Colac Caravan Park beyond 25 February 2023.

