

**Colac Otway  
SHIRE**

**AGENDA**

**ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL**

**25 MARCH 2008**

**at 3.00 pm**

**COPACC Meeting Room  
Rae Street, Colac**

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

# COLAC-OTWAY SHIRE COUNCIL MEETING

25 MARCH 2008

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NOTICE is hereby given that the next **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in the COPACC Meeting Room, Rae Street, Colac on 25 March 2008 at 3.00 pm.

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## **AGENDA**

1. **OPENING PRAYER**
2. **PRESENT**
3. **APOLOGIES**
4. **QUESTION TIME**
5. **PRESENTATION OF MAYORAL AWARDS**
6. **DECLARATION OF INTEREST**

### **Recommendation**

That items ..... to which an interest declaration has been made be withdrawn from the Consent Calendar.

7. **CONFIRMATION OF MINUTES**

- Ordinary Meeting of the Colac-Otway Shire Council held on the 26/02/08.

### **Recommendation**

That Council confirm the above minutes.

## **OFFICERS' REPORTS**

### **Chief Executive Officer**

- OM082503-1 CEO'S PROGRESS REPORT TO COUNCIL  
OM082503-2 OATH OF OFFICE - SWEARING IN OF NEW COUNCILLOR

## **Corporate and Community Services**

- OM082503-3 BEECHY PRECINCT PROJECT - GLOBAL CONNECTOR INCLUDING JOINT USE LIBRARY
- OM082503-4 2008-2009 FESTIVAL AND EVENTS SUPPORT SCHEME
- OM082503-5 COMMUNITY FUNDING PROGRAM 2008-2009
- OM082503-6 FINANCIAL PERFORMANCE REPORT

## **Infrastructure**

- OM082503-7 DECLARATION OF ROAD AS UNUSED - ROAD NORTH OF 10 MCCORKELLS ROAD, PIRRON YALLOCK
- OM082503-8 EVENT ROAD CLOSURE CONSULTATION AND COMMUNICATION POLICY

## **GENERAL BUSINESS**

### **OM082503-9**     **General Business**

- OM082503-9.1 ITEM FOR SIGNING & SEALING - INSTRUMENT OF AGREEMENT - CONTRACT 0713 CRESSY-SHELFORD ROAD PAVEMENT REHABILITATION
- OM082503-9.2 ITEM FOR SIGNING & SEALING - AGREEMENT BETWEEN COLAC OTWAY SHIRE & JOHN ANTHONY FENN KEMP KING

**Tracey Slatter**  
**Chief Executive Officer**

**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

| ITEM   | D | W |
|--|---|---|
| <p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p><br><p><b><u>OM082503-1 CEO'S PROGRESS REPORT TO COUNCIL</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council receive the CEO's Progress Report to Council for information.</i></p>      |   |   |
| <p><b><u>OM082503-2 OATH OF OFFICE - SWEARING IN OF NEW COUNCILLOR</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council note that Cr Carol Wilmink has taken the Oath of Office signed and dated before me on 20 March 2008.</i></p> |   |   |

**Recommendation**

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

**MOVED** .....

**SECONDED** .....

**OM082503-1 CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR: Tracey Slatter  
DEPARTMENT: Executive

ENDORSED: Tracey Slatter  
FILE REF: GEN00460

**EXECUTIVE****Otway Ward By-Election Outcome**

The Otway Ward By-election result was announced at 5.30 pm on Saturday 15 March 2008 at COPACC with Cr Carol Wilmink being declared the successful candidate. The Mayor made a short congratulatory speech to Carol, welcoming her to Council. Cr Wilmink was sworn-in as a Councillor on Thursday 20 March 2008 after an all day induction workshop. A formal report is attached.

**G21**

G21 Board will be meeting on Friday 28 of March 2008. It is expected that this meeting will finalise the Board Structure for G21 including relationship between the Board and the Pillars. G21 is also finalising the priority projects for further development and funding.

**Victorian Drug and Alcohol Prevention Council**

As Councillors are aware I have been asked to participate on the Victorian Drug and Alcohol Prevention Council. The first meeting of this group was held on Wednesday 5 March 2008. The meeting was attended by Minister Neville and discussed the range of views from members about issues and potential strategies to prevent drug and alcohol problems in the community. It is a privilege to be a member of this committee and to provide both a local government and rural community perspective as well as draw on my previous experience in health promotion. I have appreciated being able to meet with local practitioners in Colac who have provided valuable on-the-ground knowledge which I will endeavour to feed into the Council.

**CORPORATE & COMMUNITY SERVICES****Recreation Art and Culture****City Reserves Masterplans/Agreements/Fees & Charges**

The Final City Reserves Masterplans has been completed and will be distributed to user groups.

The implemented "draft form" of the New City Reserve was submitted to the Risk Management Meeting on 17 March 2008.

The Fees and Charges works are in progress, looking at options for fees and charges policy. These are expected to be implemented by 2008/09 financial year.

**Pirron Yallock Recreation Reserve**

The Pirron Yallock Recreation Reserve upgrade works are nearing completion. Bore works were completed mid March with expected final site inspection early April 2008.

**Country Action Grants Scheme**

Awaiting funding announcement from State Government, to undertake Strategic Planning Workshops for local clubs/organisations.

**Water Harvesting**

Works are in progress at Forrest Recreation Reserve and Birregurra Recreation Reserve and the Birregurra Golf Club works are complete.

**Country Football Netball Program**

Awaiting funding announcement for re-development works at Eastern Reserve Netball Courts and Forrest Football Netball Courts.

**Birregurra Skatepark**

Awaiting announcement from State Government, regarding funding. A Cultural Heritage Management Plan is to be undertaken.

**Central Reserve Lighting**

The Installation of lighting at Central Reserve is complete. Colac Auskick and Colac Football Netball Club are to contribute \$2,000 each towards the project.

**COPACC**

COPACC has begun work on a new business plan, with particular focus on reviewing the Centre's business positioning. COPACC and Council staff, conferencing and events clientele, and theatre-goers will be surveyed as a starting point for the business plan. COPACC's 2008 Theatre Subscription Season has received strong support from the community with 43 people subscribing to nine shows, 85 subscribing to 7 shows and 130 subscribing to five shows.

**INFRASTRUCTURE****Carpendeit-Bungador Road Rehabilitation**

Cosworks has completed the road widening work on the Carpendeit - Bungador Road with completion of culverts expected to be finished over the following months. The road was opened to traffic in February.

**Barpinba - Poorneet Road Pavement Widening**

Work commenced in February, 2008, on widening of the Poorneet Road. Widening of the pavement has been completed and major pavement rehabilitation is currently being undertaken.

**Bituminous Sealing Works**

Sealing works were all finished in February, with the exception of one additional job to be completed in April.

**Irrewillipe Road Pavement Widening**

The works are well underway and expected to be completed by the end of March this year when the road will be opened to traffic.

**Cressy Shelford Road Pavement Rehabilitation**

A contract has been awarded to Draper's Civil Contracting to rehabilitate pavement on the Cressy Shelford Road for approximately 3.1 kilometres with works to be completed by May, 2008.

**Marks Street Construction and Slater Street Construction**

Contracts have been awarded for these two projects and works are expected to commence in April, 2008.

## **SUSTAINABLE PLANNING & DEVELOPMENT**

### **Amendment C55 (Planning Scheme Review)**

Following Council's consideration of submissions at the Ordinary Meeting of Council on 26 February 2008, submissions have been forwarded to Panels Victoria with a request that the Minister for Planning appoint an independent Panel. Once the Panel is appointed, a directions hearing will be scheduled to determine the details of the Panel hearing such as timetable, venue etc. Panels Victoria will advise all submitters of the date of the directions hearing.

### **Amendment C27 (Heritage Overlay)**

Amendment C27 Part 1, adopted by Council on 26 February 2008 has now been submitted to the Minister for Planning for approval. Council officers and Council's Heritage Adviser continue to work on Part 2 of this amendment.

### **Kennett River, Wye River and Separation Creek Structure Plan**

The Kennett River, Wye River and Separation Creek Structure Plan was adopted by Council on 26 February 2008. Council officers have now commenced the process of sourcing a contractor to draft planning scheme amendment documents to facilitate inserting the recommendations and policy elements of the structure plan into the Colac Otway Planning Scheme.

### **Amendment C50 (Zoning anomalies)**

Amendment C50 (Zoning anomalies) was approved by the Minister for Planning on 14 February 2008. This amendment corrects zoning anomalies at various locations throughout the Shire.

### **Amendment C57 (Local Policy Review)**

Following from the Council resolution of 26 February 2008 "*That Council request the Minister of Planning to prepare and approve a 'fast track' amendment to the Colac Otway Planning Scheme to implement the recommendations of the Expert Review of the Colac Otway Local Planning Policy Framework*" this request has been submitted to the Minister. Council will now await advice from the Minister and his Department about the request.

### **Birregurra and Forrest Structure Plans**

Structure plans for Birregurra and Forrest to provide long term vision and planning and development framework for these townships were identified to be undertaken in the 2005 - 2009 Council Plan. Council officers have commenced preparing detailed project briefs to facilitate the engagement of a consultant to prepare these plans. Once a consultant is appointed, community consultation for these structure plans will commence.

### **Fire Prevention**

The strategic fire prevention inspection process has been completed. The Municipal Fire Prevention Officer and Local Laws Officers will continue to monitor fire prevention activities and issue fire prevention notices where breeches are observed during their standard patrols across the Shire.

As part of the strategic fire prevention inspection process over 400 fire prevention notices were issued. Follow up inspections identified that 25 properties had not been managed in accordance with the requirements of the fire prevention notice. Contractors have been organised to clean up these properties. Accordingly Infringement notices will be sent to the owners of these properties and a bill for the cost of the clean up operations will be added to their rates notice. These are expected to go out in the week starting 8 March.



Although it is disappointing that infringements need to be issued it is encouraging that only a small proportion of the properties issued with fire prevention notices did not comply with the requirements. It is important to note that inspections are being conducted on our own land and where necessary notices will be issued to COS to ensure that the appropriate works are carried out. Once the fire season is over a meeting will be held to examine how the fire prevention inspection process can be further improved for next summer.

### **Carp Management in Barongarook Creek and Lake Colac Update**

In early February large numbers of dead carp were found on the western side of the lake between Ross' Point and the mouth of Deans Creek. Relatively small numbers (approximately 10 tonne between the boat ramp and Ross' point) were also washing up directly in front of the town. A decision was made by the working group to leave these carp at the southern end of the lake because access is very difficult and any removal attempt would be very inefficient. The working group agreed to reassess the situation if conditions changed dramatically.

Some odour problem is being experienced in the western parts of Colac near Ross' point and although this may continue for weeks to come it is fair to say that the majority of the town has been very fortunate. If the majority of the carp in the lake had washed up in front of the botanical gardens and hot northerly winds had followed then the odour could have been significantly worse for Colac residents.

A significant amount of media has and is still being carried out to explain the situation to the Colac community. The working group is meeting to discuss how the event was managed and to discuss appropriate processes for the future.

### **Safeway Carpark**

The Local Laws Unit commenced patrols of the Safeway Carpark on Monday 18 February 2008. The response was immediate. Seven persons were fined in the first week and a total of eighteen in the first month. There has been a reduction of approximately 80 to 90 vehicles using the car park as all day parking. There is now ample parking for patrons wishing to shop at the Safeway complex.

There has however been an impact on other parking areas in the vicinity. Noticeably the Railway Station carpark is now full most of the time, the Shire (Rear Rae St) carpark and Railway Avenue (Home Hardware) carparks and Johnstone's carpark. More vehicles are also using the Coles & Target carparks. These impacts will continue to be monitored and consideration given to management options where it is warranted.

### **Visitor Information Centres (VICs)**

GORVIC Upgrade – is complete. The upgrade has involved the complete removal of the old displays, including many that were fixed, and the instillation of many new fixtures and fittings, display stands, images and media outlets. Visitor numbers have increased since the upgrade; visitors are staying longer in the centre exploring options for tourism activities and accommodation and spending more in the retail section. Revenue from the PCs for internet use has also increased.

Web based booking system – Installation at the VICs has taken place. More information sessions have been held for tourism business operators and there has been a good response to signing up for the new system.

**G21 Economic Development Pillar**

Funding for "Secure Water for Industry" submission has been secured. The Steering Group has met and approved a tender brief to engage a consultant.

**AgriBusiness Network**

Funding has been secured. The Steering Group is to meet to commence the process of writing a tender brief to engage a consultant.

**Otways Tourism and Otways Business Inc.**

Economic Development Unit facilitated a meeting between Otways Tourism and Otway Business Inc that resulted in agreement to work more closely together on the promotion of Colac Otway Shire.

**Natural Gas to Elliminyt**

SP Ausnet has appointed a contractor. Council officers have met with SP AusNet to discuss project commencement. The mains pipes were delivered on the 12 March 2008 and work will commence at the end of March 2008 with the project to be completed by the end of the year.

**Lake Colac**

The Expressions of Interest process to form the new Lake Colac Coordinating committee has concluded and the first meeting of the new group was held on 12 March 2008.

Another successful Lake Colac Clean Up was held as part of Clean Up Australia Day on 2 March 2008. Approximately 60 volunteers worked with Council officers in teams along the Southern Foreshore, Barongarook Creek and at Meredith Park.

**Small Towns Improvement Program**

A meeting was held on the 17 March 2008 to assess 2008/2009 Small Towns Improvement Program applications.

**Affordable Housing**

The expressions of Interest process for the Colac Affordable Housing Working Group has commenced. This Group will work with Council on implementing the Colac Otway Shire Affordable Housing Strategy.

The Economic Development Unit is working closely with the G21 Affordable Housing Pillar to establish a registered Housing Association, which will provide the region with an organisation that can access State Government funding for affordable housing.

**Recommendation(s)**

***That Council receive the CEO's Progress Report to Council for information.***

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**OM082503-2 OATH OF OFFICE - SWEARING IN OF NEW COUNCILLOR**

AUTHOR: Tracey Slatter  
DEPARTMENT: Executive

ENDORSED: Tracey Slatter  
FILE REF: GEN00460

**Purpose**

To report that the Oath of Office has been taken by Cr Carol Wilmink following the declaration by the Victorian Electoral Commission (VEC) of the filling of the vacancy in the Otway Ward.

**Background**

Following the one vacancy in the Otway Ward, the VEC conducted a By-Election in the Otway Ward in March 2008. On 15 March 2008 the VEC declared that Ms Carol Wilmink was duly elected.

I report that on Thursday, 20 March 2008 Cr Carol Wilmink made the following Oath of Office, in accordance with Section 63 of the Local Government Act (1989), before me:

"I, Carol Wilmink swear that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Colac Otway Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the **Local Government Act 1989** or any other Act to the best of my skill and judgement."

The Minutes of this Council meeting will record that the Oath of Office has been taken by Cr Carol Wilmink. The Oaths of Office for Cr Wilmink has been signed and dated before me and a copy has been tabled.

**Corporate Plan/Other Strategies/Policy**

The Oath of Office is required to be undertaken in accordance with section 63 of the Local Government Act 1989.

**Issues/Options**

Not applicable.

**Proposal**

It is proposed that Council note Cr Carol Wilmink has taken the Oath of Office in accordance with Section 63 of the Local Government Act (1989).

**Financial and other Resource Implications**

The VEC has provided an estimate of costs for conducting the Otway Ward by-election at \$30,000.

**Risk Management & Compliance Issues**

The process has been conducted to comply with the Local Government Act (1989).

**Environmental Considerations**

Not applicable

**Communication Strategy/Consultation**

Not applicable.

**Implementation**

The swearing in of the new Councillor has been implemented.

**Conclusion**

Cr Carol Wilmink has taken the Oath of Office in accordance with section 63 of the Local Government Act (1989).

**Attachments**

To be tabled - Copy of Cr Carol Wilmink's completed Oath of Office signed by me as Chief Executive Officer on 20 March 2008.

**Recommendation(s)**

***That Council note that Cr Carol Wilmink has taken the Oath of Office signed and dated before me on 20 March 2008.***

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## CONSENT CALENDAR

### OFFICERS' REPORT

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | D | W |
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| <b><u>CORPORATE AND COMMUNITY SERVICES</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |   |   |
| <b><u>OM082503-3 BEECHY PRECINCT PROJECT - GLOBAL CONNECTOR INCLUDING JOINT USE LIBRARY</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |   |   |
| Department: Corporate and Community Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |   |
| <b><u>Recommendation(s)</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |   |   |
| <b><i>That Council commit to the implementation of the Global Connector including 1,500 square metres of joint use facilities comprising a library, meeting, lecture and seminar rooms, "children's corner" and gallery for full time joint community and school use, in partnership with the Department of Education &amp; Early Childhood Development (DEECD) and commit to the allocation of \$3M in funding subject to:</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |   |   |
| <ol style="list-style-type: none"> <li><b><i>1. Confirmation from the State Government of an allocation of at least \$1.5M towards the community component of the joint use facility and DEECD contributing \$2.94M towards the total cost of the joint use facility (estimated to be approximately \$6M);</i></b></li> <li><b><i>2. The design being consistent with the preliminary drawings presented to the community for consultation on 17 December 2007 and incorporating the feedback from the community consultation (as per attachment A) and Council endorsing the final plans prior to contract documentation;</i></b></li> <li><b><i>3. Signage and entrance giving prominence to the main purpose of the building being a library (and not the main school entrance);</i></b></li> <li><b><i>4. Agreement by all parties to the key elements of a governance model and a joint use agreement of a minimum of 30 years, but preferably 40 years, comprising (unless otherwise agreed by Colac Otway Shire Council):</i></b> <ol style="list-style-type: none"> <li><b><i>(a) Establishment of a management body that is chaired by a person independent of the</i></b></li> </ol> </li> </ol> |   |   |

***Department of Education and Early Childhood and Development and the Colac Otway Shire and comprising representatives of all parties including a community representative to provide ongoing governance direction for the joint use facility;***

- (b) The joint use facility operating for a minimum of 30 years (with a preference for 40 years) with the option being provided to Colac Otway Shire Council for a further extension of up to 20 more years (to guarantee long term community use of the facility commensurate with the public funds being invested in the public library, lecture, seminar and meeting room components of the facility);***
- (c) The DEECD paying all Operating Costs for the joint use facility as they fall due and payable and Colac Otway Shire reimbursing the DEECD for not more than 50% of the operating costs. For the purposes of this clause, Operating Costs means all recurrent costs and expenses of operating and maintaining the joint use facility (excluding Staff Costs) including (but not limited to):***
- (i) all rates and taxes (the DEECD is exempt from these)***
  - (ii) insurance costs;***
  - (iii) all routine maintenance and repair costs (including air conditioning);***
  - (iv) cleaning of the joint use facilities and surrounds including carpark;***
  - (v) power, gas, water, telecommunications and other utilities supplied to and used in or at the joint use facility; and***
  - (vi) the cost of operating and maintaining all other services, facilities and equipment in the joint use facility.***
- (d) The relative percentage share of floor space (on a 50:50 basis) for the various parts of the joint use facility and the relative proportions applicable to each party will be clearly documented, agreed and used as the basis for shared cost attribution;***
- (e) Facility insurance is the responsibility of the DEECD;***

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |
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| <p><b>(f) Insurance for equipment, books and other resources would be insured on the basis of an agreed percentage proportion;</b></p> <p><b>(g) Based on the minimum book stock of 50,000, purchase and replacement of book stock, library furniture and equipment will be based on an initial audit of current stocks at establishment and an agreed contribution for ongoing maintenance and increase of stock in accordance with the needs of each party (there will be no cross subsidization between the parties for their respective book stock and equipment needs);</b></p> <p><b>(h) Agreed basis for the contribution towards new equipment and any adjustment to this being agreed by the Management Body;</b></p> <p><b>(i) The DEECD promptly carrying out all maintenance and repair works to the facility and associated fixed equipment such as air conditioning unit, including adherence to an agreed maintenance schedule and maintenance standard and Council will reimburse the cost of these maintenance works up to 50% of the total cost;</b></p> <p><b>(j) The DEECD being responsible for carrying out and funding 100% of all necessary maintenance and repairs of a capital nature (ie major structural repairs and replacement; major repairs and replacement of any fixed plant and fixed equipment including such as air conditioning unit so that the library remains in an agreed standard consistent with industry standards, legislation);</b></p> <p><b>(k) Renewal of the joint use facility is 100% the funding responsibility of the DEECD;</b></p> <p><b>(l) All staff working in the joint use library are to be employed through a single employment arrangement - either the Corangamite Regional Library Corporation or Colac Otway Shire (subject to consultation and agreement with affected parties and meeting industrial requirements);</b></p> <p><b>(m) Staffing levels to be at least maintained at the current level of the combination of Colac High School, Colac College and Colac Otway Shire as per both budget and EFT allocations for 2006/07 financial year with each parties ongoing contribution to staffing costs being</b></p> |  |  |
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| <p><i>based on these proportions (plus the respective industrial and CPI increases);</i></p> <p><b>(n) The library operating to the public for at least 41 hours per week including at least for the current hours that the Colac Municipal Library operates unless otherwise agreed by the Management Body and by Colac Otway Shire Council;</b></p> <p><b>(o) Supervision arrangements to ensure an appropriate balance and diversity of users groups including students and other community members;</b></p> <p><b>(p) A single booking system for meeting, lecture and seminar rooms.</b></p>                                                                                                                                                                                                                 |  |  |
| <p><b><u>OM082503-4 2008-2009 FESTIVAL AND EVENTS SUPPORT SCHEME</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council adopts the Colac Otway 2008-2009 Festival and Events Support Scheme.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |
| <p><b><u>OM082503-5 COMMUNITY FUNDING PROGRAM 2008-2009</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendations</u></b></p> <p><b><i>That Council endorse the 2008/2009 Community Funding Program as detailed in the attached guidelines and application form noting the program timelines as follows:</i></b></p> <p><b><i>Applications open - 28 March 2008</i></b><br/> <b><i>Applications close - 9 May 2008</i></b><br/> <b><i>Submissions evaluated - 14 May to 2 June 2008</i></b><br/> <b><i>Councillors Assessment Panel - 3 June 2008</i></b><br/> <b><i>Report to Council Meeting - 24 June 2008</i></b><br/> <b><i>Notification of funding at Civic Reception - 14 July 2008</i></b><br/> <b><i>Project completion, evaluation forms returned - May 2009</i></b></p> |  |  |



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| <p><b><u>OM082503-6 FINANCIAL PERFORMANCE REPORT</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That the Financial performance Report to the end of February 2008 be received.</i></b></p> |  |  |

**Recommendation**

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

**MOVED** .....

**SECONDED** .....

**OM082503-3 BEECHY PRECINCT PROJECT - GLOBAL CONNECTOR INCLUDING  
JOINT USE LIBRARY**

AUTHOR: Marg Scanlon ENDORSED: Colin Hayman  
DEPARTMENT: Corporate and Community Services FILE REF: GEN00374

**Purpose**

The purpose of this report is to:

1. Provide Council with an update of the Beechy Precinct Project specifically including the community consultation undertaken further to the release of the preliminary plans for the Global Connector including the Joint Use Library on 17 December 2007.
2. Provide Council with advice in respect of the financial implications and options related to the project.
3. Seek Council endorsement to proceed with implementation of the Global Connector incorporating the Joint Use Library as a part of the Beechy Precinct development including commitment of necessary funding.

Note: This is a lengthy report to provide a comprehensive overview of the project since conception in light of three Councillors having joined Council eighteen months after the project commenced.

**Background**

The idea to develop an Education Recreation Community Precinct in Colac emerged through a collaborative process involving staff, School Councillors and Colac Otway Shire Council. A Project Feasibility Case was endorsed by both School Councils and by the (then) Department of Education and Training (DET) to scope the concept further. Council together with the two schools identified the opportunity to further develop what was potentially just a merger of the two schools to one site, to a broader community project to achieve significant outcomes for the entire community.

To gain community input from the outset, Council, in partnership with DET, hosted a public forum in August 2006 to workshop possibilities for the proposed precinct development. This forum scoped community needs and opportunities that could be addressed and achieved through the proposed merger of the Colac College and Colac High School and the possible partnership with Council. Three open parent and community meetings were also convened to discuss possible features of the new school. Staff *Research and Development Teams* involving over 25 staff from both schools visited other schools and researched key features of successful educational programs. A joint staff workshop was held in September 2006 where all staff discussed options and approaches for the educational programs at the new school. A series of ongoing public forums were conducted over the following 12 months to further scope the community needs, opportunities and aspirations regarding education, community and recreation facilities, programs and service needs. The merger of the two Colac secondary schools was formally announced on 8 September 2006.

One critical factor that makes this project different to typical new community development projects is the opportunity for Council to partner with the education sector to provide a broad range of facilities, programs and services that address community disadvantage and provide new opportunities that will encourage economic, community, education and recreation growth. This project concept was not typical of Council initiatives which are normally

identified in the Council Plan. Rather, this project was initiated as a result of the rare opportunity presented to Council and the community. Council requested that this opportunity be actively explored including design development, consultation and funding potential.

#### Research and Benchmarking

Further to the needs and opportunities identified through community input at public forums, research and benchmarking was undertaken to learn from other models.

A group of approximately 25 representatives from the Colac College, Colac High School, DEECD, Colac Library, Council, the Project Architect and the Joint Use Library Sub Committee visited three joint use library facilities in Melbourne on 4 June 2007. The Mill Park, Hume Global Learning Centre, and Caroline Springs Libraries were visited and discussions were held with the facility representative. These facilities differed in aspects of facility elements, services, client, management and operation. Not one single facility visited demonstrated exactly what was being proposed for Colac, but through the recognition of various successful elements the visit proved worthwhile in the planning for the proposed Colac Joint Use Library.

Dr. Alan Bundy, an international expert specialising in public, joint use library and library collaboration, was engaged to provide advice to Council and the Joint Use Library Sub Committee. Dr. Bundy presented at a public forum on 1 October 2007 which was attended by approximately 90 people. Dr. Bundy said "*Colac could set a benchmark with its proposed global connector facility...it could be the first successful joint-use library in Victoria*". Dr. Bundy identified a range of factors that required significant consideration relating to facility design, operations, management and access necessary for its success. These features have been incorporated into the Beechy Centre proposed model.

On 22 and 23 October 2007 ten representatives from the Colac College, Colac High School, Council and Friends of the Colac Library visited two joint use library facilities in South Australia; Berri and Seaford. Tours of the facilities and discussions with the facility representatives enabled the tour group to specifically discuss various issues or aspects to understand how these similar issues were addressed through design, operation or management. Again the learning from these visits has been incorporated into the proposed Beechy model.

In 2007 Wangaratta Rural City Council entered into a joint venture with Goulburn Ovens Institute of TAFE and Wangaratta Library a branch of the High Country Library Co-operation and now delivers an integrated service to both the public and the Go TAFE staff and students. The library previously was only used the purpose of the TAFE students and was considered to be underutilised considerably. Opportunity arose to redevelop the facilities in partnership through funding contributions from Council, State Government through the *Living Libraries* Program and the Community Support Fund, TAFE and Federal Government through Regional Partnerships.

#### **Corporate Plan/Other Strategies/Policy**

##### Colac Otway Shire strategic support

On 28 February 2007 Council adopted the Draft Final Colac Structure Plan which specifically detailed the Colac Education, Recreation Community Precinct. The development of a new secondary school in Colac, near Central Reserve, in the context of the State Government's "Building Futures" policy provides an opportunity to design a precinct that can benefit the whole community for decades to come. The Concept Plan and Design Guidelines developed herein provide a mechanism or management tool to retain, recognise or modify the spatial development that currently exists and which, through any expansion, has the potential to exist on this site.

The Guidelines can be used to set the parameters for appropriate development on the site and in the context of a whole precinct that integrates facilities at Central Reserve, the Special Development School, Bluewater Fitness Centre, the CBD and the Civic Centre precinct. The guidelines provide the basis for a master plan to be developed that incorporates both existing and potential new elements that would provide increased benefits to the community.

The Colac Structure Plan identifies the vision and objectives as follows:

#### Vision

To deliver a new precinct for Colac which integrates a range of educational recreational and community facilities which together provide a focus for an active, learning community.

The precinct will focus around the new secondary school, which has been announced as the site bordered by Queen and Hearn Streets, and Central Reserve which is Colac Otway Shire's premier sporting and recreational facility. The further development of the Old Beechy Rail Trail will provide links for the precinct to the South of Colac and to the Civic Centre precinct and the CBD precinct.

The vision aims to encourage the development of facilities which can be jointly used by the secondary school, other sectors of education – particularly post compulsory education – and the broader community.

The vision also aims to support the continued sustainable growth of the Colac Otway Shire economy by encouraging an innovative and 'whole of community' approach to education, learning, health and wellbeing, and community development.

The precinct will aim to set a new standard for educational precincts in rural Victoria providing a safe, accessible and functional school precinct with high amenity spaces and quality environmental conditions.

#### Key Objectives:

The Key Objectives of these guidelines are to ensure:

- Development within the precinct achieves the desired spatial outcomes and appearance and contributes to the activities on the site
- New development enhances the precinct's role as a strategically significant community asset and centre for learning, recreation and personal development
- The provision of safe access to and from the school and between shared school and community facilities
- New development reflects the scale of existing development and natural features within the precinct
- New development recognises and responds to the environmental and open space qualities of the site and on adjoining land uses
- Buildings, car parking, traffic management facilities and landscaped areas that offer a high level of amenity and safety to users

Council's 2006-2010 Recreation Strategy identifies the need and opportunity to improve and scope facilities and infrastructure within Colac's Central Reserve and Bluewater Fitness Centre. The Recreation Strategy identifies this opportunity in partnership with the Department of Education and Early Childhood Development (DEECD) given the existing partnership with the Bluewater Fitness Centre Stadium. Specifically the Recreation Strategy recommended that the opportunity to improve sporting and recreation facilities be further

investigated specifically Central Reserve and Bluewater Fitness Centre in light of the proposed Education Recreation Community Precinct development.

The Colac Education Recreation Community Precinct is consistent with the objectives of the Council Plan, however the project was not instigated from the Council Plan.

The Beechy Precinct Project relates to the following Council plan objectives;

*Providing strong community leadership, governance and advocacy services which will benefit the community now and into the future.*

*Providing and promoting quality health, recreation and community services by working in partnership with local health, aged care, welfare, youth, housing, education providers, sporting groups and employment organisations to promote community wellbeing.*

*Driving economic development by:*

- *Progressing the regeneration of our small towns*
- *The promotion of our Shire's local business and the attraction of new business.*
- *Working to attract more tertiary education opportunities and skilled and unskilled employees to our Shire.*

#### State Government strategic support

The Education Recreation Community Precinct Project is consistent with current State Government policy and direction specifically the *Building Future's* Policy.

The *Building Futures* Policy is the State Government's policy and process for all capital investment in school facilities and infrastructure. It will guide the next phase of capital investment in Victorian schools and aims to ensure that expenditure on educational assets will provide Victorian communities with access to a modern curriculum, individualised learning opportunities and excellent school facilities.

*Building Futures* is the conceptual framework that guides all capital investment in government school infrastructure in Victoria. *Building Futures* ensures that the educational needs of every student inform the planning and development of school infrastructure.

It enables new facility design and the organisation of education services to better meet contemporary education needs.

The schools design must:

- promote individualised learning
- create settings for innovative teaching
- incorporate new technology
- be environmentally sustainable, and
- support community involvement.

*Neighbourhood Renewal* is a long-term commitment by the State Government to narrow the gap between disadvantaged communities and the rest of the State. It is a new approach that brings together the resources and ideas of residents, governments, businesses and community groups to tackle disadvantage in areas with concentrations of public housing. Neighbourhood Renewal is creating vibrant places where people want to live.

To achieve this aim it tackles local causes of disadvantage, not just the symptoms. It focuses on people and the place where they live, learn, work and play. It engages residents and

fosters partnerships between government, business, service providers and the local community.

Together they develop local action plans built around six practical objectives:

- increasing community pride and participation
- enhancing housing and the physical environment
- lifting employment and learning opportunities and expanding local economies
- improving personal safety and reducing crime
- promoting health and wellbeing
- improving government responsiveness

The Beechy Precinct is consistent with Neighbourhood Renewal objectives as it proposes to improve facilities available to the community, provide new learning opportunities and increase the options for life long learning, provide support for small and emerging businesses, promotes community and individual health and wellbeing through facilities, programs and services. The Colac Neighbourhood Renewal has specifically identified the opportunity to strengthen and further develop the existing program through connections with the Global Connector including the joint use library.

The Colac Hub (Colac Neighbourhood House) is the base location for the majority of the Colac Neighbourhood Renewal programs and activities; however this has space and capacity limitations. Various local professionals and organisations partner in the provision of the Neighbourhood Renewal services and activities to broaden the knowledge and awareness of community networks and to strengthen program and learning sustainability.

40% of Colac residents live in neighbourhood renewal areas. It is vital that the Global Connector provides a range of programs, services, activities, facilities and new technologies to improve employment and learning opportunities, to expand and support local economies, to increase and encourage community participation which in turn develops community pride.

The provision of meeting rooms, dedicated ITC facilities, community information displays, improved collections and gallery at the Global Connector will provide Colac Neighbourhood Renewal with greater scope to address specific needs. The myriad of life long learning, economic and social connection opportunities that the joint use library will provide will further develop independence, confidence and skill base for many disadvantaged people in Colac. The Colac Hub has provided a critical link between disadvantaged people in Colac to various services and activities. Through Neighbourhood Renewals programs the Global Connector will be a further extension of this relationship but with the capacity to provide alternative training options, specialist resources and a broader range of programs and services.

#### Other Strategic Support

Colac is ranked 14th most disadvantaged place in Victorian and New South Wales "Unequal in Life" (1999) and among the 18 most disadvantaged Victorian postcodes in the more recent study "Dropping off the Edge" (2007). Forty percent of Colac's residents live in neighbourhood renewal areas. 74% of males and 65% of females have no qualifications beyond Year 10 and in comparison Colac has very low levels of formal TAFE delivery (60,000 hours per annum currently provided). The Beechy Centre aims to address disadvantage through more accessible services and the provision of modern facilities. The Beechy Centre is proposed to be a key central community hub for life long learning, information dissemination for post compulsory education, sporting, recreation and other social opportunities. Colac Otway Shire has a strong track record of collaboration with the Neighbourhood Renewal Project. Continued collaboration with neighbourhood renewal residents will be a feature of the design and development phase of the Beechy Centre to

ensure the new facilities are responsive and accessible to these residents along with all members of the community.

## Issues/Options

### Issues

Over the course of the project thus far, community consultation processes, benchmarking research and the Project Management Group have identified and raised various issues which have been considered and scoped. The following details each of these issues and how they have been addressed:

| <b>Issue</b> | <b>Concerns</b>                                                                                                                                                                                                                                      | <b>How addressed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Access       | <p>Location of the site</p> <p>Limited access to the site</p> <p>Preference for existing Colac library</p> <p>Too busy and noisy</p> <p>Students and general public access</p> <p>34% of the Colac population currently use the existing library</p> | <ul style="list-style-type: none"> <li>• Community transport (bus) service provided to the site with published timetable.</li> <li>• Defined car and bus parking within the Precinct with specific library parking including short and longer term bays close to entrance.</li> <li>• Pedestrian and cycle trails provided between the Precinct and the Colac CBD.</li> <li>• Entrance directly off Queen Street; street frontage.</li> <li>• New facilities will provide more space, more collection choice, range of meeting and reading rooms, seminar and lecture theatre.</li> <li>• Dedicated space for children's activities, specifically a Toy Library.</li> <li>• Managed access for students to ensure a balance of students and other community members in the library at any time during school hours.</li> <li>• School classes to be supervised.</li> <li>• Meeting rooms with multi-function capacity.</li> <li>• Separate entrances for students and public</li> <li>• Managed access for students to ensure a balance of students and other community members in the library at any time during school hours.</li> <li>• Student classes to be supervised.</li> <li>• Capacity to cater for specific group meetings and activities through provision of meeting, lecture and seminar rooms.</li> <li>• The multiple activities at the Precinct (school, further education, toy library, meeting room,</li> </ul> |

| Issue                           | Concerns                                                                                        | How addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Management                      | Community access to the facilities and services                                                 | <p>gymnasium, swimming pool etc.) means more people will be accessing the site making it more likely for them to attend the library.</p> <ul style="list-style-type: none"> <li>• New facilities, programs and services will encourage people to reacquaint themselves with the library.</li> <li>• The diversity of programs and services to be offered will introduce people to the site that otherwise would not have had a connection eg. post compulsory education, business incubator and Toy Library.</li> <li>• The design and program opportunities ensure provision of more than a traditional library, subsequently regular use levels are expected to increase.</li> <li>• Retention of 41 hours per week.</li> <li>• Booking system for the meeting rooms, lecture and seminar room.</li> <li>• Provision of IT resources will enable youth without access at home to have access to state of the art resources.</li> <li>• Provide a <i>one-stop-shop</i> through provision of improved library, new services, close proximity to Bluewater Fitness Centre and Central Reserve, access to U3A and Toy Library and meeting rooms.</li> </ul> |
|                                 | Confusion between school and community librarians                                               | <ul style="list-style-type: none"> <li>• One centralised management system employing all staff.</li> <li>• One centralised borrowing and booking system for all collection items, facilities and resources.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                 | Industrial relation issues for existing staff transferring to one centralised management system | <ul style="list-style-type: none"> <li>• One centralised management system employing all staff.</li> <li>• Specific agreements to acknowledge specific terms or conditions.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Limited education opportunities | Lack of co-ordination of the Post Compulsory Education information and opportunities            | <ul style="list-style-type: none"> <li>• Secured partnership with Post Compulsory Education providers.</li> <li>• Provision of 'shop front' for education information.</li> <li>• Dedicated staffing to co-ordinate community needs and disseminate information.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                 | Access to Information                                                                           | <ul style="list-style-type: none"> <li>• Provision of community meeting</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



| Issue                                   | Concerns                                                                                                                        | How addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Disadvantage                  | Technology resources                                                                                                            | <ul style="list-style-type: none"> <li>space and individual areas with IT resources.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                  |
|                                         | Limited community learning opportunities                                                                                        | <ul style="list-style-type: none"> <li>• Blending of IT facilities and resources throughout the Library space</li> <li>• Provision of audio visual resources.</li> <li>• Provision of multi-function meeting rooms, lecture and seminar rooms.</li> <li>• Provision of the post compulsory education 'shop front' for education information and advice.</li> </ul>                                                                                                               |
|                                         | Lack of support for small or emerging businesses                                                                                | <ul style="list-style-type: none"> <li>• Location for the Colac U3A to conduct classes and promote activities and information.</li> <li>• Provision of a Business Incubator to provide small or emerging business connectors to IT resources, information and services otherwise not accessible.</li> </ul>                                                                                                                                                                      |
|                                         | Low education levels                                                                                                            | <ul style="list-style-type: none"> <li>• Capacity to provide alternative methods of learning regardless of age or ability.</li> <li>• New facilities, services and resources will encourage the disinterested through new methods of research and learning.</li> <li>• Various training and education options provided through Beechy Precinct specifically the Global Connector.</li> <li>• Life Long Learning opportunities which will provide for all of community</li> </ul> |
| Facility Governance and Management      | Limited economic growth                                                                                                         | <ul style="list-style-type: none"> <li>• Support for those wishing to return to work or develop home based business.</li> </ul>                                                                                                                                                                                                                                                                                                                                                  |
|                                         | Community and student security                                                                                                  | <ul style="list-style-type: none"> <li>• One centralised management system.</li> <li>• Defined codes of conduct</li> <li>• Review of collections available</li> <li>• Booking systems for room hire and access.</li> <li>• Long term agreements between Council and the Department</li> <li>• Significant external funding</li> </ul>                                                                                                                                            |
| Financial capacity of Council/community | Council's ability to contribute to the capital development                                                                      | <ul style="list-style-type: none"> <li>• Confirmed agreement in place defining terms of roles and responsibilities for all parties.</li> </ul>                                                                                                                                                                                                                                                                                                                                   |
|                                         | Council's capacity to contribute to the ongoing maintenance and service costs<br>Expectation on user groups to pay fees for use | <ul style="list-style-type: none"> <li>• Provision of community and commercial fee scale.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                             |

The Colac Otway population is increasing at 1% per annum but growth is projected to be mainly in the 55 years and older age categories. Therefore increased training and education within the Shire is a priority to ensure the retention of young people and better access to further education for those people to post compulsory education.

In 2001 6.8% of the Shire's population were born overseas and since 2002 Colac has welcomed over fifty Sudanese residents and local businesses are now increasingly attracting workers from China. Positive settlement of these culturally and linguistically diverse (CALD) residents relies on education, community and social services being available and able to cater for their specific needs. The Beechy Centre will provide further community links for the CALD communities and provide important educational, sporting and social facilities and services. In turn the linkage with the CALD communities will broaden the students' knowledge and interaction with diverse cultures. The Global Connector will provide educational, life long learning services and resources for the CALD residents, but also provide an important social connection and support.

One of the guiding principles supporting the development of the Beechy Centre is the importance of the Centre being accessible to the whole community to encourage life long learning. It is considered important that persons of all ages, backgrounds and abilities have access to the Centre to participate in established interests or to establish new interest areas through opportunities previously not available whether they are educational, social, sporting, recreational or other. These guiding principles have been translated through the design development and operational aspects of the Global Connector which will specifically include:

- Various dedicated spaces for telecommunication resources including access to computers and audio visual equipment.
- Dedicated meeting spaces with multi function capacities.
- Shared library and collection area for community and school access.
- 'Shopfront' for post compulsory education providers in the region offering information regarding availability and opportunities for adult and further education.
- Seminar and dedicated private study rooms with enhancing equipment and resources.
- Space and resources specifically to provide access and support for emerging local community businesses.
- A life long learning hub to encourage learning regardless of age, interests or abilities.

The development of the merged secondary school on the Hearn Street Colac site (main access to be from Queens Street) will provide substantial benefit for the secondary school students (aged 12- 18years) with facilities constructed to reflect best practise teaching and learning pedagogy with programs designed to meet the specific needs of the students. The development of the Beechy precinct will benefit the students through increased educational, sporting, social and other opportunities that they otherwise would not have had access or exposure. If endorsed, the Global Connector will be the first shared element of the Beechy Precinct to be developed and subsequently students together with the community will be exposed to a broad range of new learning opportunities early in the development of the Precinct.

Currently community access to school facilities is limited to out of school hours and does not have any active link with the school community or curriculum. However through the development of the Beechy Centre it is proposed that various community groups, businesses and individuals would have an active link with the school activities through such opportunities as the Global Connector which will offer post compulsory education opportunities, a business incubator, other programs and services relating to arts and cultural activities. Specifically as an example, the Colac Toy Library has indicated interest to be based at the Global Connector which will provide necessary space and resources but also provide a community link between children, families and library services. The preliminary

plans indicate space for children's services which includes capacity to cater for the Colac Toy Library. Using the Toy Library just as an example it demonstrates the opportunities the Global Connector will present to the Colac community to introduce young people to the resources and services available through the Global Connector. This establishes a positive relationship between the generation of the future through community connectedness, services and programs.

#### Facility Governance and Operations

The facility governance structure and details regarding the specific operations of the Global Connector including the Joint Use Library have been a consistent point of discussion for the project partners. The specific agreements continue to be developed and will require legal professional input. Detailed agreements will be presented to Council for consideration at a later date however; it is proposed that the following principles form the basis of these agreements:

- The agreement term is for a minimum of 30 years (with a preference for 40 years) with an option to continue for a further 20 years.
- Entrance signage will clearly designate the primary purpose of the Global Connector as a community library.
- Asset Renewal is the responsibility of the DEECD.
- Maintenance costs are no more than 50% based on floor space.
- Service costs are no more than 50% based on floor space.
- Staffing is managed through a single model with either the Corangamite Regional Library Corporation or Colac Otway Shire as the employer subject to industrial consultation and agreements.
- Management of the Global Connector including the Joint Use Library will be by a Management Body comprising representatives of each of the partners, the community and including an independent chair.
- Retention of 41 hours of operation for the library to ensure no change in access hours.
- Booking systems for the meeting, lecture and seminar rooms.

It is further proposed that Council's agreement to implement be conditional on the above.

#### Options

There are three main options for Council.

Option 1: Delay. The first option is to delay deciding whether or not to proceed with the proposed joint use facility. This option is not feasible. The DEECD has set timelines for the implementation and construction of the new Secondary College for Colac. We are advised by DEECD that the Global Connector, which includes the joint use facility, is proposed to be implemented as part of the next stage. This would mean tendering in June/July 2008 for opening by January 2010. The project architect has advised that there are significant cost savings in implementing the joint use facilities as part of one construction process and that to plan in a "footprint" for later construction of a library at the site would add at least \$1.5M to the cost. The architect has also advised that this may not be feasible due to design issues of designing a truly integrated joint facility. This option is not recommended.

Option 2: Not Proceed with the Joint Use Facility. Council has strongly supported the planning for the joint use elements at the Beechy Centre including the joint use library. The Beechy Centre including the library forms part of Council's endorsed Structure Plan for Colac. Council has requested that the opportunity presented by the new secondary college being built, be actively explored and that funding be sought to support the implementation of the proposed library. Officers have met on a fortnightly basis as part of the Project

Management Group for the past 18 months to enable designs, joint use agreements, consultation and funding issues to be sufficiently explored to enable Council to be in a position to decide whether or not to proceed with the library at this time. This work has been done largely within existing resources despite being an additional and significant project that was not included in the Council Plan (2005).

However, it is important to note that Council has not yet made a decision to implement and can withdraw from the process at this stage without incurring further costs. The Colac Secondary College would still construct a library for its students to a budget of approximately \$3M however this would not be a joint use facility. Work on other elements of the Beechy Centre can still continue.

Community consultation has been inconsistent. The idea of a joint use library and its further development emerged from community input. However, in response to the consultation on the draft designs, over 300 submissions were received and almost all of these were against the proposal. Feedback about the design (which had incorporated feedback from community, benchmarking and research) was largely positive, but submitters are strongly committed to retention of the library in its current location and do not support the joint use proposal. Not proceeding with the joint use library would therefore be consistent with the feedback from the submission process.

The process of exploring the opportunity to build a joint use library as part of the Beechy Centre has highlighted the deficiencies of the current library. However, neither the Council Plan nor the Structure Plan process (both which involved significant community consultation and input) identified the need to redevelop the current library at its current site. Council has not requested a detailed study on redevelopment of the current library. However, officers have undertaken initial investigations that show some improvements could be made to the existing library to increase the space by up to 200 square metres (a total of 750 square meters) and improve lighting and other aspects of the building. This work is estimated to cost approximately \$600,000, although detailed designs and costings have not been undertaken. It should also be noted that if the library remains in its current location, Council would need to implement other options for resolving the currently inadequate customer service centre office accommodation. Prior to the proposal for the library to be relocated, work had commenced on options for expanding the current Rae St site (along with other options which have not proven feasible). Consideration of the library site as an option was not explored until after the proposal for the joint use library was developed. Whereas fitting out the current library building for customer service offices is estimated to cost \$400,000, expanding the Rae St site is estimated to be at least \$2.75M (including fit out of the existing offices). While the financial implications are significant, the merits of the proposed joint use library can be considered on their own rather than as a comparison to other projects such as office accommodation.

Option 3: Proceed with the Joint Use Facility. The proposed new facility has a total cost of about \$6M and includes a range of community facilities including a joint use library. It is proposed that Council would contribute \$1.3M to the capital cost of this facility and have guaranteed access for at least 30 years as a community/municipal library operating at least 41 hours per week (as currently). The new facility would be built to best practice standards and the designs incorporate all criteria identified through the benchmarking, research and community input. Council could not replicate the benefits and features of this facility in another location within a budget of \$1.3M. There are a range of added complexities with a joint use facility that Council does not own. As with Blue Water Fitness Centre and the Stadium, Council would need to enter into a joint use agreement to address these joint operating issues. However, progress has been made on these indicating agreement to providing an asset to the community for at least 30 years. The proposal represents good value for money and would provide an asset to the community with a value far exceeding the

Council contribution of \$1.3M. While the proposed design and operating arrangements overcome almost all issues and concerns raised by the community, it does not provide the preferred location. This is a factor outside the project's control and has been known from the outset. Submitters would prefer the library to remain in its current location. It is recognised that the proposed location is further from the CBD, but it is relatively central to residential Colac. Further there would be direct public transport access and excellent parking facilities. The range of other services and activities at the Beechy Precinct is likely to attract people to the facility that may not otherwise access a library. This may help address the currently low percentage of the community who currently access the library.

In summary this option is proposed because it offers a rare opportunity to provide the community with a first class facility that helps address key social and economic disadvantage, provides substantial benefits and represents excellent value for money.

### **Proposal**

It is proposed that Council commit to the implementation of the Global Connector including the Joint Use Library in partnership with the DEECD. This proposal is subject to four key elements;

- Confirmation of State Government funding of \$1.5M towards the community "half" of the joint use facility and the DEECD contributing \$2.94M representing the school "half" of the facility.
- Development of the joint use agreements based on the principles as detailed in the recommendation.
- Council endorsement of the final plans prior to tender.
- Prominent signage pertaining to the Colac Community/Municipal Library with smaller directional signage for the other services and facilities within the Global Connector including the school administration.

### **Financial and other Resource Implications**

#### Borrowing

If Council resolves to go ahead with the Joint Use Library then Council needs to finance it; and borrowing the funds is proposed.

Council's borrowing strategy aims to provide a framework for Council to work within when sourcing funds for various projects by borrowings. Part of Council's medium to long term financial strategy is to provide adequate and appropriate levels of service to the community, whilst maintaining a prudent financial position. In the light of this requirement, it can be seen that the borrowing strategy is an integral part of Council's long term financial plan.

Borrowings are identified as an important funding source for capital works programs. In the past, Council has previously borrowed strongly to finance large infrastructure projects, including those not on Council land such as the Bluewater Fitness Centre.

The following table provides a history of Council borrowings for the last five years and the prudential ratios applicable.

Borrowing Position 2002/03 to 2006/07

| Year    | Total Borrowings<br>30-Jun<br>'000 | Working Capital<br>Ratio<br>% | Debt Mgt<br>Loan<br>Debt / Rates<br>% | Debt Mgt<br>Serv Cost<br>/ Revenue<br>% |
|---------|------------------------------------|-------------------------------|---------------------------------------|-----------------------------------------|
| 2002/03 | \$4,591                            | 155%                          | 42.15%                                | 1.30%                                   |
| 2003/04 | \$4,865                            | 201%                          | 41.72%                                | 1.30%                                   |
| 2004/05 | \$4,333                            | 173%                          | 35.14%                                | 1.12%                                   |
| 2005/06 | \$3,923                            | 243%                          | 29.72%                                | 0.87%                                   |
| 2006/07 | \$3,466                            | 154%                          | 23.49%                                | 0.85%                                   |

Borrowing Position 2006/07 to 2010/11

| Year    | New Borrowings<br>'000 | Principal Paid<br>'000 | Interest Paid<br>'000 | Balance<br>30-Jun<br>'000 | Debt / Rate<br>Revenue |
|---------|------------------------|------------------------|-----------------------|---------------------------|------------------------|
| 2006/07 | \$0                    | \$457                  | \$252                 | \$3,466                   | 23.49%                 |
| 2007/08 | \$0                    | \$486                  | \$221                 | \$2,980                   | 18.20%                 |
| 2008/09 | \$0                    | \$518                  | \$190                 | \$2,462                   | 13.63%                 |
| 2009/10 | \$0                    | \$305                  | \$161                 | \$2,157                   | 11.17%                 |
| 2010/11 | \$0                    | \$274                  | \$141                 | \$1,883                   | 9.11%                  |

The SRP indicates when Council should consider borrowing. The SRP indicates that the Shire will have the capacity to borrow up to \$6m by 2010/11. A smaller level of borrowings can occur earlier. The following factors should be taken into account when considering borrowing:

- Prudential guidelines and level of the rating base
- Ability to raise revenue to fund the project in addition to rates
- Achieving the right mix of capital works and debt commitments
- Community needs and demographics
- Major infrastructure assets that will serve the community for a long period of time

The Colac Otway Shire has been in a debt reduction phase for a number of years as indicated by the figures above.

Council is responsible and accountable for indebtedness and the cost of debt servicing needs to be controlled to manageable levels.

By comparing the level of debt and a number of different debt ratios within the large Shire council grouping it starts to provide a picture of what level of debt may be appropriate for Colac Otway.

The Large Shire Grouping includes 15 Councils of varying sizes.

As at 30 June 2007 the range of debt is \$1.1 million to \$13.4 million and the Debt Commitment ratios range from 4.2% to 9.2%.

| <b>Municipality</b>      | <b>Debt</b>      | <b>Debt Commitment Ratio</b> |
|--------------------------|------------------|------------------------------|
| Shire of Moyne           | \$1.087 m        | 4.2%                         |
| Shire of Glenelg         | \$2.953 m        | 7.9%                         |
| Mitchell Shire           | \$3.440 m        | 7.0%                         |
| <b>Colac Otway Shire</b> | <b>\$3.514 m</b> | <b>5.0%</b>                  |
| Corangamite Shire        | \$3.553 m        | 6.5%                         |
| Southern Grampians Shire | \$4.655 m        | 5.7%                         |
| Surfcoast Shire          | \$5.769 m        | 6.7%                         |
| Moorabool Shire          | \$6.204 m        | 5.9%                         |
| Macedon Ranges           | \$7.292 m        | 8.2%                         |
| Shire of Campaspe        | \$7.400 m        | 5.1%                         |
| East Gippsland Shire     | \$7.693 m        | 7.5%                         |
| Moira Shire              | \$8.108 m        | 7.9%                         |
| Baw Baw Shire            | \$9.919 m        | 9.2%                         |
| South Gippsland Shire    | \$10.437 m       | 8.2%                         |
| Wellington Shire         | \$13.369 m       | 8.4%                         |
| <b>AVERAGE</b>           | <b>\$6.360 m</b> | <b>6.9%</b>                  |

These figures indicate that Colac Otway's debt level is well below the average for this group of Councils. The level of debt is approximately 55% of the average while Council's Debt Commitment ratio is approximately 72% of the average.

Council should also assess its capacity to borrow against the Victorian State Government's prudential guidelines.

All borrowings by individual councils are assessed under a borrowings assessment policy adopted by the Local Government Division.

The policy identifies four key areas of financial management with certain thresholds that are required to be met.

| <b>Area</b>            | <b>Financial Indicator</b>                    | <b>Threshold</b> | <b>Position<br/>2005/06</b> | <b>Position<br/>2006/07</b> | <b>Budget<br/>2007/08</b> |
|------------------------|-----------------------------------------------|------------------|-----------------------------|-----------------------------|---------------------------|
| <b>Liquidity</b>       | Current Assets to Current Liabilities         | 110%             | 243.20%                     | 266.60%                     | 124.40%                   |
| <b>Debt Exposure</b>   | Total indebtedness to Total Realisable Assets | 50%              | 13.90%                      | 12.10%                      | 12.00%                    |
| <b>Debt Management</b> | Total Debt as a % of Rate Revenue             | 80%              | 30.24%                      | 23.83%                      | 18.26%                    |
| <b>Debt Management</b> | Debt Servicing Costs as a % of Total Revenue  | 5%               | 0.90%                       | 0.80%                       | 0.70%                     |

Colac Otway Shire is well within the State Government prudential guidelines as at 30 June 2007 and is forecast to improve all thresholds except the liquidity ratio.

As can be seen Colac Otway is under the prudential guidelines set by the State Government and compares favourably with the Large Shire Grouping.

Borrowings are a critical component of the funding mix to deliver the infrastructure to the community.

The use of loan funds to fund capital expenditure is an effective mechanism of linking the payment of the asset (via debt redemption payments) to the successive Council populations who receive benefits over the life of that asset. This is known as intergenerational equity. This theory is based on the premise that successive generations and new residents should contribute to infrastructure or facilities that they will enjoy and benefit from.

By borrowing Council will ensure today's ratepayers are not fully funding these facilities.

There are limits though on what Council should borrow due to the cost of interest payments. If Council borrowed too heavily it would result in an inability to invest in capital works due to funds being consumed in debt repayment.

It is important that Council remains well within the prudential guidelines and other relevant indicators.

It is also important to note that the works listed will have a negative affect on the various indicators calculated by the MAV and the Auditor General in terms of:

- level of debt;
- operating position etc.

It is suggested that Council could borrow to a maximum of \$4 million over a 3-4 year period 2008/09 to 2012/2013.

The cost of borrowing an amount of \$1.3m for the Joint Use Library equates to annual repayments of \$151,000 based on monthly repayments over 15 years at an interest rate of 8.2%. This equates to an approximately 0.9% increase in rates (based on 08/09 levels which is the earliest that borrowings may be needed for the Joint Use Library). It should be noted that if Council wishes to implement other components of the Beechy Precinct (or any other major projects over and above those in the current SRP) these will also require a financing strategy.

#### Non Council Assets

The development of the Joint Use Library will not be a Council asset, as it will be on DECCD land. The expenditure on the Joint Use Library will be a contribution towards the project and therefore will be classed as an operating expense offset by any Government Grants that are received.

This will have a detrimental effect on the financial result for the year that the expenditure is incurred. At this stage the main part of the expenditure is expected to be in the 2009-10 financial year although some expenditure may be needed on 08/09.

It is intended to have a long term agreement in place of at least 30 years for the Joint Use Library. Council will contribute on a proportional basis of the area of the Joint Use Library towards the maintenance of the building and the operational costs. In this regard while Council does not own the building it would still be providing a community asset. DEECD and not Council will have responsibility for the asset's renewal.



### Office Accommodation

By contributing to the Joint Use Library the current Colac Library building will be available to meet the needs of Council's customer service office commitments. The use of the library building would be the lowest cost option to Council of dealing with our current non-compliance with industry standards, building regulations and occupational health and safety requirements.

If the Joint Use Library did not proceed the costs for Office Accommodation will be at least \$2.75m (estimate for ground floor including refurbishment of existing building).

This would result in an extension to the current Rae Street Building and would also result in increased:

- Equity on Council's Balance Sheet
- Depreciation
- Renewal Requirements in the future
- Control

### Rates

The SRP allows for a 5.5% increase each year in rates and charges plus provision for supplementary rates over and above the 5.5%. Based on data from the MAV, Colac Otway Shire' rates per assessment are close to the average and on a per population basis is above the average for the large Shire grouping.

In developing the latest Strategic Resource Plan, Rates and Charges are an important part as they are an important source of revenue.

Higher percentage of rates and charges as a proportion of total revenue represents greater financial independence and financial sustainability.

Over the last five years the percentage has increased:

|           |         |
|-----------|---------|
| - 2003/04 | - 40.9% |
| - 2004/05 | - 39.4% |
| - 2005/06 | - 44.0% |
| - 2006/07 | - 46.4% |
| - 2007/08 | - 49.7% |

Rates revenue will continue to be the major funding source for council operations in the foreseeable future. This is because government grants in most cases are pegged to around CPI levels, while costs to council keep increasing in excess of CPI. Council has limited capacity to raise revenue through other means.

It is also necessary to balance the importance of rate revenue as a funding source with community sensitivity to increases.

The funding of the Joint Use Library will result in an increase over and above the 5.5% allowed for in the SRP.

As noted above the cost of borrowing an amount of \$1.3m for the Joint Use Library and office accommodation equates to annual repayments of \$151,000 based on monthly repayments over 15 years at an interest rate of 8.2%. This equates to an approx 0.9% increase in rates, most likely in the 2009/10 financial year.

### Other Funding

The initial discussions between the Colac College and Colac High School Principals and Council considered the opportunities possible through the proposed merge of the two

secondary schools. Further to the decision to continue with the scoping and investigation of the opportunities Council's Recreation Unit has led this project within Council with significant input from various other Council units as required. This collaborative project has also relied on resource input from the project partners.

In November 2006 Council endorsed the implementation of the Precinct Project Brief and that the Project Architect, Bradbury Dicker Group be engaged to undertake Stage 1 which was the development of masterplan concepts and cost estimates for the Library, Performing Arts Facility, Sports Stadium and Traffic Management at the cost of \$13,200 by 15 December 2006.

In May 2007 the Council resolution was;

- (i) acknowledged the planning undertaken to date, the recently announced \$5 million State Government commitment together with the economic, social, recreation and community opportunities that exist within this project;
- (ii) continue to develop the detail design for the precinct elements;
- (iii) submit for funding from the State Government to support design and implementation of each of the six elements (noting that implementation will occur in a staged way over several years);
- (iv) prioritise funding and implementation of the Global Connector so that it can be designed and implemented concurrently with the school component of the Global Connector and fully realise community aspirations including immediate allocation of \$80,000;
- (v) undertake more detailed consultation with existing and potential library users and other key stakeholders including further education providers (eg. TAFE, Colac ACE) over immediate weeks;
- (vi) undertake consultation with schools and other groups to ascertain the next likely elements to be implemented (eg. basketball stadium); and
- (vii) progress discussions with key stakeholders in relation to the Youth Club building and the opportunities for upgrades to Central Reserve.

Council allocated \$150,000 through the 2007/2008 budget for design and other costs as part of the Colac Education Recreation Community Precinct.

A funding submission was lodged with the Department of Planning and Community Development (Sport and Recreation Victoria) in October 2008 seeking \$30,000 to match Council funding to engage consultants to undertake the Bluewater Fitness Centre Stadium Redevelopment Feasibility Study. The purpose of the study is to determine the need, demand and financial viability to redevelop the Bluewater Fitness Stadium. The study commenced in November 2007 with the engagement of Stratcorp Consulting and is expected to be completed by April 2008. The Bluewater Fitness Centre Stadium Sub Committee together with a Sport and Recreation Victoria representative are overseeing this project. This project is being managed and administered by Council's Manager Recreation Arts and Culture.

The DEECD together with the Council, Department of Infrastructure and VicRoads have joined in partnership to undertake a Traffic Management Plan for the Colac Education Community Recreation Precinct. Fenner Consulting were engaged in 2007 to undertake the following project objectives;

- (a) Specific traffic management issues such as the traffic loads and management on Gravesend, Hearn and Queens Street and Pound Road Colac and traffic routes to other school nodes.
- (b) Intersection management particularly at Gravesend and Hearn Streets and Queen and Hearn Streets.

- (c) Traffic management recommendations specifically for school student parents, community members access the Beechy Centre facilities, nearby residents.
- (d) The type of local traffic management devices within the study area (relationship between speed humps, roundabouts, lights, cycle lanes, drop off points/lanes etc)
- (e) Recognition of the relevant guidelines and standards pertaining to traffic management.
- (f) Environmental impacts including but not limited to noise, pollution and speed
- (g) Parking for Beechy Centre visitors and community facility users.
- (h) The most efficient and effective manner of transporting students between homes (collection points) and within the capacity of schools to provide duty of care.

The Traffic Management Plan is expected to be available for consideration early March 2008. Each of the project partners have contributed \$5,000 and officer resources to this project.

An application to Federal Government through the (now) Department of Infrastructure, Transport Regional Development and Local Government resulted in an allocation of \$635,000 towards the Beechy Precinct development. Specifically \$272,000 is contributed to the development of the Global Connector to ensure community access to a new business incubator, seminar and meeting rooms and the overall lifelong learning resource centre. \$200,000 is contributed to the redevelopment of Central Reserve and \$133,334 towards the redevelopment of the Colac Youth and Recreation Centre. A total of \$30,000 of this Federal Government funding is a contribution towards project management.

Further to the identified need by the Project Management Group for a dedicated Project Communications Strategy, the DEECD agreed to meet the associated costs. GenR8, a Marketing company based in Warrnambool were engaged in October 2007 and have provided draft documents to the Project Management Group for consideration.

Council's financial commitment to this project to date has contributed to:

- Precinct Masterplan Designs
- Concept designs for the Global Connector, Bluewater Fitness Centre Stadium and Traffic Management
- Preliminary designs and quantity surveyor costings for the Global Connector including the Joint Use Library
- Precinct Traffic Management Plan (contribution of \$5,000)
- Financing Strategy for major projects including the Beechy Precinct proposals
- Community consultation including media coverage and venue hire
- Joint Use Facility site visits to South Australia and Melbourne

In light of Council's commitment to continuously improving its financial position, Council highlighted to State Government that it would be unable to commit to the Joint Use Library on the basis of the limited funding available through the *Living Libraries* Program. Council in correspondence to State Government have sought special consideration in the consideration of funding requests directly relating to the high level of disadvantage in Colac which will restrict Council's revenue capacities to maintain a positive financial direction. The State Government is considering a special request of an additional \$1M (primarily through the Community Support Fund) over and above the maximum allocation of \$500,000 under *Living Libraries*. Consideration of this request is only being given because of the innovative project concept and Council's financial situation.

Specifically this special consideration request was based on the following factors:

- 1) Colac Otway Shire Financial Position and Context

- 2) Options for financing Beechy Centre implementation
- 3) COS socio-economic disadvantage
- 4) Beechy Centre Transformational Opportunity
- 5) Summary of Special Consideration

The current application submitted to State Government for the development of the Global Connector including the Joint Use Library includes a request of the maximum allocation possible of \$500,000 through the *Living Libraries* Program. Administrators of the Living Libraries program have indicated that Council could apply for funding under this program for the redevelopment of the existing Colac library if the development of the Global Connector as a part of the Beechy Precinct is not supported by Council. However, it should be noted that Council would be likely to receive much less than the maximum allocation under the *Living Libraries* program (\$500,000). Council would be required to submit an application to the program and all applications are subject to the assessment criteria.

The current application for funding is based on the following contributions:

Global Connector cost estimate \$5,894,000 comprising the proposed allocations:

1. DEECD - \$2,940,000
2. TAFE - \$33,000
3. COS - \$2,921,000 comprising :
  - State Government - \$1,500,000 (Living Libraries \$500,000 and Community Support Fund and related \$1,000,000)
  - Federal Government - \$272,000 (committed)
  - Colac Otway Shire - \$1,149,000 (allow a maximum of \$1,300,000)

Note that these figures include cost escalations to the tender date and architect's fees.

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

The Minister for Local Government granted approval under section 186(5)(c) of the Local Government Act 1989 (the Act) for a contract that the Colac Otway Shire is proposing to enter into with the Bradbury Dicker Group for architectural services. The approval was granted because BDG was appointed by the DEECD as its architect for the Beechy Centre and given the design of the Beechy Centre, the only architect feasible for the Council to appoint is BDG. The proposed contract is for the design of the joint use library and sports pavilion which will be part of the Beechy Centre in Colac.

The proposed tendering process for the construction contract of the Global Connector will be managed by the DEECD. Council will be represented in partnership with the Department in the Global Connector project but not the managing organisation of the construction tender or contracts as the project is located in Department land.

If Council do not proceed with the Global Connector including the Joint Use Library, consideration needs to be given to the options to upgrade the existing library facilities. Advice sought from administrators of the Living Libraries program have indicated it is unlikely that Council would be successful in securing the maximum funding under this program for the purpose of upgrading the existing Colac Library. The maximum funding available under the *Living Libraries* Program is \$500,000.

Council needs to manage the risk of potential cost blow-outs. Discussions with the project architect and DEECD indicate that cost estimates of these projects are very accurate and are required by DEECD to be within 5% of actual cost. Any variation within this 5% is managed through minor variations to the tender specifications to bring the price back to cost estimate. Any variations would be subject to Council approval.

Council also needs to be comfortable that industrial issues are properly managed. Council is not the employer of the current Colac library staff and it is important that the Corangamite Regional Library Corporation effectively manage this process.

There are also a range of potential risks in how the facility is managed. The responsibilities of the key parties (such as maintenance and renewal costs) need to be detailed in a joint use agreement. While this agreement needs to be further developed, key aspects have been discussed with DEECD.

To protect Council, these issues have been included in the recommendation as conditions of any Council decision to proceed. This makes clear to all parties the conditions on which Council agrees to proceed with the project. These conditions have been discussed with DEECD and while no formal agreement has been made, representatives have expressed comfort with what is proposed.

### **Environmental Considerations**

The development of the Beechy Precinct acknowledges the original alignment of the Beechy Rail Line specifically between Wilson and Hearne Streets and from Hearn to Queen Street. This original alignment has been retained through Central Reserve and is proposed to be retained through the school facilities as heritage link as a part of the redevelopment. Pedestrian and cyclist access is proposed to be diverted around the school site via designated pathways to reconnect to the alignment in Queen Street.

The architects brief requires incorporation of energy sustainability. There will be a range of measures to ensure the buildings are energy efficient such as movement sensors for lighting, switching thermostatic overrides for energy conservation, water saving devices and water harvesting for toilets and selection of energy efficient appliances. Other environmental measures such as building materials used, shade and glazing are being further scoped.

### **Communication Strategy/Consultation**

Community consultation throughout the life of the project has been undertaken through various mediums including public forums, focus groups, feedback forms, establishment of project sub committees, media releases, newsletters and project information columns.

A key factor in establishing the **project governance** was the recognition of the importance of the community input and ownership. The project partners (Colac College, Colac High School, Council, Post Compulsory Education Providers, the DEECD and the Department of Planning and Community Development) established a Project Governance structure early in the life of the project to ensure maximum community and organisation input to the project detail. This governance structure identified the establishment of specific sub committee's linked with project elements. To date the following subcommittees exist and meet on a regular basis;

- Global Connector
- Joint Use Library
- Bluewater Fitness Centre Stadium
- Central Reserve including Colac Youth and Recreation Centre
- Traffic Management
- Communications

Each of the project sub committees have representation from project partners, community organisations and individuals. Terms of Reference have been developed by each of the sub committees to ensure their objectives are clear and consistent with the project.

This collaborative project requires endorsement from all project partners of all communication material and consultation processes prior commencement. While this could have added significant time and impact to the project the goodwill has ensured the timely progress of project communications which has been critical.

To date seven **public forums** have been held to provide project information and to enable community discussion and feedback to the project content. On average 80 people attend these forums and it has been a good representation of the broad community. The purpose or context of each forum has been advertised and invitations have been sent to persons registered on the project mailing database. The format of the forums has been the provision of up to date project information to then provide a workshop forum for attendees to consider and discuss the information presented. These forums have had representation from project partners to ensure access to information and knowledge was available on hand.

Several **focus group** meetings have been held with disability services, youth and the sporting sector to provide information and to gain specific input to the project to ensure specific needs and aspirations are considered.

Both print and audio **media** measures have been employed to provide project information to the community and to advertise upcoming project activities or key critical dates. Response to the media coverage of the project has been mixed with many community members indicating that the project columns, for example, have been valuable but some community members have indicated they do not read local papers and therefore have not gained the project updates. Subsequently alternative print communications were developed including the project newsletter which was distributed through various community facilities (Council offices, Colac Library, Bluewater Fitness Centre, Visitor Information Centre's and the Colac HUB)

Through the Project Communications Sub Committee a dedicated Beechy Precinct webpage has been developed as a part of the Colac Otway Shire website. This webpage provides up to date project information.

A public forum was held specifically for the release of the Global Connector including the **Joint Use Library Preliminary Designs**. This forum held on 17 December 2007 was attended by representatives of the Bradbury Dicker Group (Project Architects) who facilitated discussions on the plans. Following the presentation of the plans attendees of the forum discussed the plans and provided immediate feedback. Information packs including copies of the plans, facility details and a feedback form and details regarding the consultation period and opportunity for public submissions. Seven sites throughout the Shire (Colac Otway Shire Colac and Apollo Bay Customer Service Centres, Bluewater Fitness Centre, COPACC, Colac Library, Apollo Bay Library and the Colac HUB) were provided with displays of the preliminary plans for the Global Connector and multiple copies of the information packs. This consultation period closed on 8 February 2008 providing the community with eight weeks to review and consider the plans; acknowledging this included the Christmas New Year period. Less than ten submissions were received after the closing date and these have been included in the review.

From this consultation process a total of 362 submissions were received in the following format:

- 223 completed feedback forms
- 40 written submissions (with 5 hearings)
- 95 individual postcards
- 6 Petitions (with 3,516 signatures)

Consistent with Council's Community Consultation and Engagement Policy and further to the specific community consultation process after the release of the preliminary plans for the Joint Use Library, 5 submitters requested that their submissions be heard by Council. The hearing of submissions was held on Wednesday 20 February 2007 and was attended by approximately 15 community representatives, two Council Officers, Mayor Chris Smith, Crs Lehmann, Mercer and Riches.

It should be noted that four of the six petitions were conducted outside of the formal Community Consultation period (17 December 2007- 8 February 2008). A total of 3,132 signatures were collected in October and November 2007 prior to the release of the Preliminary Global Connector including the Joint Use Library Plans. A total of 385 signatures were collected in January and February 2008.

The majority of the submissions were opposed to the relocation of the current library to the new site as part of the joint use facility. Comments were generally supportive of the design and offered further input to the detail. Feedback on the design has been sent to the project architects for incorporation into the final design (see Attachment A). It is clear that the vast majority of those who have sent submissions are opposed to the joint use facility proposal.

Information gained from these submissions has been reviewed with issues identified and addressed throughout this report. Constructive suggestions to the design, operations or management have been provided to the Project Architect and Project Management Group for consideration. The issue of location cannot be resolved directly through the joint use proposal. However as noted earlier there are many advantages of having a library as part of a multi-purpose precinct and access is addressed through parking and public transport.

An independent survey and petitions have been conducted in the community since October 2007. It is Officers understanding that these have been undertaken by the Friends of the Colac Library. In October 2007 Council endorsed that Council receive the report on the Joint Use Library for information as presented. The Council resolution with regard to the petition as submitted by the Friends of the Colac Library was:

1. That Council receive the petition to the Colac branch of the Corangamite Regional Library Corporation
2. Council agrees to deal with the petition at today's meeting.
3. Council advises the petitioners that the process Council is committed to, already involves and will continue to involve information to and consultation with the community prior to making a decision.

Various formal correspondences from the community have been received with regard to the Colac Education Recreation Community Precinct project. With exception of the submissions received specifically in response to the Joint Use Library Preliminary Plans, the majority of correspondence has sought project clarification regarding timelines, funding or facility elements.

In November 2007 Council endorsed the Joint Use Library Principles to underpin the design brief for the Joint Use Library and to guide Council's decision making in relation to the implementation of the proposed Joint Use Library. The design principles were developed further to discussions held with Dr. Alan Bundy, members of the Joint Use Library and Global Connector Sub Committee's, attendees of the South Australia facility tour and feedback from the Corangamite Regional Library Corporation. The designed principles were also discussed and considered by the Precinct Management Group. The following table details the mandatory and preferred design and operational elements and how these have

been captured or addressed in the facility preliminary plans or through the proposed agreement within the operational or management scope of the facility:

| <b>MANDATORY DESIGN ELEMENTS</b>                                                                              | <b>HOW ADDRESSED</b>                                                                                                     | <b>ACHIEVED</b>  |
|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------|
| Location – street frontage.                                                                                   | Directly off Queen Street                                                                                                | ✓                |
| Separate entrances for students and community.                                                                | Two separate entrances                                                                                                   | ✓                |
| 70 car spaces for community to be close to facility.                                                          | Traffic Management Plan addressing short, medium and accessible parking in close proximity to the Global Connector.      | ✓                |
| A range of meetings rooms to be included (1 with kitchenette facilities and external entrance).               | Capacity for 6 meeting rooms and multi function capacity. 2 meeting rooms with direct access to kitchenette.             | ✓                |
| Vehicle access for deliveries and 'Outreach Service' to be provided and be close to staff work area.          | Dedicated vehicle access to staff and library work rooms.                                                                | ✓                |
| Placements for photocopier and printer.                                                                       | Specific allocated areas close to circulation desk.                                                                      | ✓                |
| Blending of ITC facilities throughout the Library space.                                                      | One dedicated ITC room with capacity for 18 points and individual ITC pods located on library floor.                     | ✓                |
| Area of Joint Use Library should be at least 1,500 sq metres (including related areas such as meeting rooms). | Excluding the school specific rooms the area is 1500 sqm.                                                                | ✓                |
| The size of the collection should be at least 50,000.                                                         | Agreed in principle.                                                                                                     | To be determined |
| A separate children's area is required including a Toy Library space with shelving and storage area.          | Located close to circulation desk and public toilets.                                                                    | ✓                |
| The furniture needs to be modular and flexible.                                                               | Agreed in principle.                                                                                                     | ✓                |
| A lockable audio visual room.                                                                                 | Capacity through the lecture and seminar rooms, the meeting rooms and the dedicated ITC room.                            | ✓                |
| Needs to be a high level of visibility to all areas from circulation desk.                                    | Centrally located and shelving height (max 1.8m) agreed.                                                                 | ✓                |
| Automatic doors for main entrance.                                                                            | Provided                                                                                                                 | ✓                |
| Activity areas to be available for various groups.                                                            | Various spaces provided including children's corner, meeting rooms, lecture and seminar room, library floor and gallery. | ✓                |
| A bus stop outside the front gate for the town bus.                                                           | Colac city bus service committed, bus stops located in Gravesend, Queen and Hearn Streets, Colac.                        | ✓                |
| Air conditioning.                                                                                             | Agreed in principle.                                                                                                     | ✓                |
| Storage spaces including compactus etc.                                                                       | Located close to staff and work rooms, children's corner and lecture room.                                               | ✓                |
| Staffing facilities                                                                                           | Provided for both school student welfare and library staff                                                               | ✓                |
| Sufficient space for gophers, walking frames etc at entrance and around facility.                             | Provided                                                                                                                 | ✓                |
| The facilities need to be designed to allow for possible expansion if necessary in the future.                | Capable for expansion of various directional options                                                                     | ✓                |
| The design to not include the Regional                                                                        | Capacity provided                                                                                                        | ✓                |



|                                                                                                                                                 |                                                                                                               |                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------|
| Headquarters (which will be located where the Regional Library Co-operation determines) but capacity to cater for the Regional Library service. |                                                                                                               |                  |
| <b>PREFERABLE DESIGN ELEMENTS</b>                                                                                                               | <b>HOW ADDRESSED</b>                                                                                          | <b>ACHIEVED</b>  |
| Public Toilets including a baby change room                                                                                                     | Provided                                                                                                      | ✓                |
| Archives space to be included (20 sq m).                                                                                                        | Located close to staff work area.                                                                             | ✓                |
| An alcove area with a coffee machine and tea making facilities etc.                                                                             | Kitchenette located in meeting rooms                                                                          | ✓                |
| Prominent external signage.                                                                                                                     | Identified in agreement                                                                                       | ✓                |
| Spaces at both entrances for drop off points/after hours return chutes for public and student loans.                                            | Provided                                                                                                      | ✓                |
| Shelving to be at height of 1,500 mm where possible. Maximum height of 1,800 mm.                                                                | Consideration for fit-out                                                                                     | To be determined |
| Exhibition/display space.                                                                                                                       | Gallery provided at entrance                                                                                  | ✓                |
| Community information display.                                                                                                                  | Provided at entrance and within library floor                                                                 | ✓                |
| Post education areas.                                                                                                                           | Dedicated Post Compulsory Education <i>shop-front</i> and access to meeting rooms, lecture and seminar rooms. | ✓                |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------|
| <b>OPERATIONAL ELEMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>HOW ADDRESSED</b>                                      | <b>ACHIEVED</b> |
| Collections to be integrated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | In agreement                                              | ✓               |
| One library software system for school and community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | In agreement                                              | ✓               |
| Minimum opening hours of the library to be established for during school times and at other times.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 41 operational hours per week identified within agreement | ✓               |
| Establishment of a joint use Library Agreement to include the following: <ul style="list-style-type: none"> <li>- Management Committee</li> <li>- Financial contributions to construction</li> <li>- Joint use objectives</li> <li>- Equipment</li> <li>- Library materials and resources</li> <li>- School services</li> <li>- Staffing arrangements under sole employment model</li> <li>- Staffing costs</li> <li>- Maintenance and repair</li> <li>- Cleaning</li> <li>- Alternations and additions</li> <li>- Health and safety</li> <li>- Insurance and indemnity</li> <li>- Operating costs</li> <li>- Dispute resolution</li> <li>- Length of agreement – long term</li> </ul> | In agreement                                              | ✓               |
| Name of the Centre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | In agreement                                              | ✓               |
| <b>Overriding Operational Principles</b> <ul style="list-style-type: none"> <li>• The new library should be part of the Regional Library Service.</li> <li>• Staff arrangements need to be under on employer body with the provisio that a transitional process is in place for existing staff to continue with no disadvantage in regard to their current employment terms and conditions.</li> <li>• Colac College Library, Colac High School</li> </ul>                                                                                                                                                                                                                             | In agreement                                              | ✓               |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p>Library and Colac Library collections to be integrated and subject to security checking.</p> <ul style="list-style-type: none"> <li>• All items in the collection are available for borrowing by all users.</li> <li>• One library software system to be used and needs to be regionally compatible.</li> <li>• The current number of opening hours for community be viewed as a minimum number in terms of opening hours for the new facility (currently 41 hours).</li> <li>• Volunteers continue to be encouraged to participate in a number of different functions within the new facility (eg. operation of the Toy Library).</li> </ul> |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

### Implementation

If Council endorses the project, it is proposed that the construction of the Global Connector would commence in January 2009. The Project Architect will develop final designs stage for Council's consideration in either April or May 2008. Project timelines dictated by the DEECD require all final documentation for tendering purposes to be completed by 1 June 2008. A project manager will be appointed to support all parties in the development of a joint use agreement and governance model. The State Government intends to use the outcomes of this project as a model for other similar projects in Victoria.

### Conclusion

This opportunity presented to Council to support the development of the Global Connector including the Joint Use Library is a unique opportunity for the Colac Otway community to have access to life long learning programs and activities, new information technology, multi-functional meeting rooms, seminar and lecture theatre, specific space to cater for children's activities including Toy Library, all of which are not currently provided within the one location in Colac. The Global Connector will be accessible via Colac public bus service, shared pathways, excellent parking and roads with improved traffic management.

The Global Connector including the Joint Use Library is the first of the innovative facilities to be developed within the Beechy Precinct that will offer a diverse range of social, economic, educational and recreation programs and services to the whole community. The Global Connector proposal presents Council with an opportunity to partner with both Federal and State Government to address the significant disadvantage evident in Colac through the provision of new facilities and resources which are currently not available. The level of funding contributions proposed represents excellent value for money for Colac Otway Shire and help ensure the project is financially responsible.

### Attachments

Attachment A: Facility Specific Feedback

Attachment B: Community Consultation Summary

Attachment C: Preliminary Global Connector including Joint Use Library Plans

### **Recommendation(s)**

***That Council commit to the implementation of the Global Connector including 1,500 square metres of joint use facilities comprising a library, meeting, lecture and seminar rooms, "children's corner" and gallery for full time joint community and school library, in partnership with the Department of Education & Early Childhood Development (DEECD) and commit to the allocation of \$3M in funding subject to:***

1. **Confirmation from the State Government of an allocation of at least \$1.5M towards the community component of the joint use facility and DEECD contributing \$2.94M towards the total cost of the joint use facility (estimated to be approximately \$6M);**
2. **The design being consistent with the preliminary drawings presented to the community for consultation on 17 December 2007 and incorporating the feedback from the community consultation (as per attachment A) and Council endorsing the final plans prior to contract documentation;**
3. **Signage and entrance giving prominence to the main purpose of the building being a library (and not the main school entrance);**
4. **Agreement by all parties to the key elements of a governance model and a joint use agreement of a minimum of 30 years, but preferably 40 years, comprising (unless otherwise agreed by Colac Otway Shire Council):**
  - (a) **Establishment of a management body that is chaired by a person independent of the Department of Education and Early Childhood and Development and the Colac Otway Shire and comprising representatives of all parties including a community representative to provide ongoing governance direction for the joint use facility;**
  - (b) **The joint use facility operating for a minimum of 30 years (with a preference for 40 years) with the option being provided to Colac Otway Shire Council for a further extension of up to 20 more years (to guarantee long term community use of the facility commensurate with the public funds being invested in the public library, lecture, seminar and meeting room components of the facility);**
  - (c) **The DEECD paying all Operating Costs for the joint use facility as they fall due and payable and Colac Otway Shire reimbursing the DEECD for not more than 50% of the operating costs. For the purposes of this clause, Operating Costs means all recurrent costs and expenses of operating and maintaining the joint use facility (excluding Staff Costs) including (but not limited to):**
    - (i) **all rates and taxes (the DEECD is exempt from these)**
    - (ii) **insurance costs;**
    - (iii) **all routine maintenance and repair costs (including air conditioning);**
    - (iv) **cleaning of the joint use facilities and surrounds including carpark;**
    - (v) **power, gas, water, telecommunications and other utilities supplied to and used in or at the joint use facility; and**
    - (vi) **the cost of operating and maintaining all other services, facilities and equipment in the joint use facility.**
  - (d) **The relative percentage share of floor space (on a 50:50 basis) for the various parts of the joint use facility and the relative proportions applicable to each party will be clearly documented, agreed and used as the basis for shared cost attribution;**
  - (e) **Facility insurance is the responsibility of the DEECD;**

- (f) Insurance for equipment, books and other resources would be insured on the basis of an agreed percentage proportion;**
- (g) Based on the minimum book stock of 50,000, purchase and replacement of book stock, library furniture and equipment will be based on an initial audit of current stocks at establishment and an agreed contribution for ongoing maintenance and increase of stock in accordance with the needs of each party (there will be no cross subsidization between the parties for their respective book stock and equipment needs);**
- (h) Agreed basis for the contribution towards new equipment and any adjustment to this being agreed by the Management Body;**
- (i) The DEECD promptly carrying out all maintenance and repair works to the facility and associated fixed equipment such as air conditioning unit, including adherence to an agreed maintenance schedule and maintenance standard and Council will reimburse the cost of these maintenance works up to 50% of the total cost;**
- (j) The DEECD being responsible for carrying out and funding 100% of all necessary maintenance and repairs of a capital nature (ie major structural repairs and replacement; major repairs and replacement of any fixed plant and fixed equipment including such as air conditioning unit so that the library remains in an agreed standard consistent with industry standards, legislation);**
- (k) Renewal of the joint use facility is 100% the funding responsibility of the DEECD;**
- (l) All staff working in the joint use library are to be employed through a single employment arrangement - either the Corangamite Regional Library Corporation or Colac Otway Shire (subject to consultation and agreement with affected parties and meeting industrial requirements);**
- (m) Staffing levels to be at least maintained at the current level of the combination of Colac High School, Colac College and Colac Otway Shire as per both budget and EFT allocations for 2006/07 financial year with each parties ongoing contribution to staffing costs being based on these proportions (plus the respective industrial and CPI increases);**
- (n) The library operating to the public for at least 41 hours per week including at least for the current hours that the Colac Municipal Library operates unless otherwise agreed by the Management Body and by Colac Otway Shire Council;**
- (o) Supervision arrangements to ensure an appropriate balance and diversity of users groups including students and other community members;**
- (p) A single booking system for meeting, lecture and seminar rooms.**

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**OM082503-4 2008-2009 FESTIVAL AND EVENTS SUPPORT SCHEME**

|             |                                  |           |              |
|-------------|----------------------------------|-----------|--------------|
| AUTHOR:     | Jodie Fincham                    | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate and Community Services | FILE REF: | GEN00338     |

**Purpose**

The purpose of this report is to present the Draft Colac Otway 2008-2009 Festival & Events Support Scheme seeking Council adoption, further to the completion of a review conducted by the appointed Advisory Committee.

**Background**

The Colac Otway Festival and Events Support Scheme 2007-08 was adopted at the July 2007 Council meeting, with the recommendation that the guidelines be trialed for a twelve month period to be further worked through. An Advisory Committee comprising of representation from Council (3 Councillors and 1 Officer), Otways Tourism and Regional Development Victoria were appointed to review the document.

The introduction of this new funding Scheme for Events was well supported in 2007 by both commercial and community based event organisers with a total of nine applications received. Commercial operators were permitted to apply for funding under this Scheme as in some cases it is difficult to distinguish where some commercial based events stop and community based events start. It is also challenging to differentiate between commercial versus community events based on strong community involvement in some events and benefits provided to the local community from events that are commercial by nature.

A meeting in September 2007 of the Advisory Committee to assess applications, led to further suggested improvements to the funding application guidelines and acquittal documents. Where appropriate these changes have been captured in the respective final Draft 2008-2009 Festival and Events Support Scheme documents.

Most notable amongst suggested changes is the strengthening of the definition of what constitutes event eligibility under the current Festival and Event Support Scheme guidelines. For the purposes of distinction between event funding under this scheme and the events component of the Council Community Grant Program, events which have operated for three or more years will be considered "established" and therefore eligible for Festival and Support Scheme Funding. Conversely, events eligible for seed funding under the Community Grants Program will have operated for less than three years.

Further suggested amendments to the original funding guidelines include expanding the range of sponsorship funding categories available to community based events. Under the new guidelines, funding sponsorship categories have been revised to ensure that there is equal funding opportunities available for events that are both commercial and community based. This will ensure that community based events have the same flexibility as commercial based events to seek different funding allocations, based on meeting identified criteria.

The timing of implementation of the Draft Colac Otway 2008-2009 Festival and Support Scheme has also been reviewed. This will result in the Scheme being rolled out to coincide with the 2008-2009 Council Community Grants Scheme. It is anticipated that bringing the timing of the Scheme forward will provide applicants with an increased time frame in which to apply and greater opportunity to discuss applications if required with the Events Co-ordinator.

**Corporate Plan/Other Strategies/Policy**

The development of the Draft Colac Otway 2008-09 Festival and Events Support Scheme is a direct outcome of the recommendations contained in the 2007-2011 Festivals and Events Strategy, endorsed by Council in January 2007.

**Issues/Options**

There are three options available to Council:

1. Oppose the adoption of the Draft Colac Otway 2008-2009 Festival & Events Support Scheme. By not adopting this recommendation will not enable a growing number and range of events held within the municipality to access funding to assist with the continued growth and development of events.
2. Undertake further review of the proposed guidelines for the Draft Colac Otway 2008-2009 Festival and Events Support Scheme and return to Council for further consideration. A delay in adopting the recommendations made by the Advisory Committee for Events Funding and Support will be detrimental to the funding process as it may negatively impact the ability of some organisers to secure funding from other agencies and/or deliver their events on time. In addition, it may create confusion with regard to the implementation of the Council Community Grants Scheme.
3. Adopt the recommendations made by the Advisory Committee for the Draft Colac Otway 2008-2009 Festival & Events Support Scheme for implementation.

**Proposal**

It is proposed that Council adopts the recommendations made by the Advisory Committee to endorse the Draft Colac Otway 2008-2009 Festival & Events Support Scheme.

**Financial and other Resource Implications**

It is proposed that the Colac Otway 2008-09 Festival and Events Support Scheme will have dedicated funds through the development of specific project budget lines under the 2008/09 budget process.

A Business Case has been prepared seeking a total budget allocation of \$60,000, comprising of \$50,000 cash and \$10,000 "in-kind" contribution from Cosworks. Costs associated with "in-kind" support provided by Cosworks will be included in each individual allocation. This is a similar level requested for the current financial year.

**Risk Management & Compliance Issues**

Endorsement of the Draft Colac Otway 2008-09 Festival and Events Support Scheme recommendations will reduce the risk to Council by ensuring that a fair, equitable and transparent process is applied to the administering of Council funding for events.

**Environmental Considerations**

The Draft Colac Otway 2008-2009 Festival and Events Support Scheme guidelines specify that is a condition of all successfully funded applicants that they ensure their events are Waste Wise. Other environmental considerations are identified throughout the approval process and are dealt with accordingly.

**Communication Strategy/Consultation**

Research of 11 Local Government Authorities Event Policies has been undertaken to assist with developing the Colac Otway Festival and Event Support Scheme. In addition, the development of the funding allocation has been raised and discussed at Local Government Events Network meetings.

The Advisory Committee appointed to review applications has met twice since the adoption of the Scheme. An initial meeting took place to review submitted applications. A follow up meeting took place 10th September to further refine and improve the Funding scheme guidelines for future implementation. A final meeting to confirm the proposed changes to the Funding Scheme Guidelines took place Wednesday 27<sup>th</sup> February 2008.

### **Implementation**

It is proposed that subject to Council adoption, the implementation of the Draft Colac Otway 2008-2009 Festival and Events Support Scheme will commence immediately.

### **Conclusion**

Following the introduction of the Colac Otway Festival and Events Support Scheme in 2007, it should be acknowledged that this was a transitional year for the Scheme. Therefore minor modifications and adjustments were required to improve the Scheme until it becomes firmly embedded as the accepted process for obtaining funds through Council for existing events. The unique "one off" payment scenario for events in the 2007-08 year is not a situation that event organizers should expect nor count on in future years. It is now expected that all applicants must apply under the relevant prescribed event category contained in the application form with relevant funding allocations. The Draft Colac Otway 2008-2009 Festival and Events Support Scheme (guidelines, application and acquittal form) will ensure clarity, transparency and accountability in administering future Council funding in relation to events.

### **Attachments**

Draft Colac Otway Festival and Events Support Scheme 2008-09 Guidelines  
Draft Colac Otway Festival and Events Support Scheme 2008-09 Application form  
Draft Colac Otway Festival and Events Support Scheme 2008-09 Acquittal

### **Recommendation**

***That Council adopts the Colac Otway 2008-2009 Festival and Events Support Scheme.***

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**OM082503-5 COMMUNITY FUNDING PROGRAM 2008-2009**

AUTHOR: Irene Pagram  
DEPARTMENT: Corporate and Community Services

ENDORSED: Colin Hayman  
FILE REF: GEN 00374

**Purpose**

The purpose of this report is to seek Council endorsement of the proposed 2008/2009 Colac Otway Shire Community Funding Program including the program guidelines and application as attached.

**Background**

The Council Community Grants Program has been offered to the Colac Otway community for the past ten years. The program currently comprises three categories: Community Projects, Recreation Facilities and COPACC Assistance Fund. The 2007/2008 implementation of this program allocated \$40,000 to various community projects and events, \$65,000 towards recreation facility works and \$7,500 towards functions held at COPACC.

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

Community Projects

- An increase in innovative projects resulting in increased participation or new initiatives.

Events

- Continuing evidence of community interest and scope for more community events across the Shire, requiring a greater share of the funding allocation.
- Events funded under the Department of Sustainability and Environment (DSE) "A New Future for the Otways" Program continuing to seek other funding options including Council Grants following the expiration of the DSE grants scheme.

Recreation Facilities

- Evidence of significant works to be undertaken to Council owned facilities that may be able to be channelled through the Council Capital Works or other dedicated facility development programs such as Country Football Netball Program.
- Growing evidence of projects outsourced (works quotations and risk management requirements) rather than being completed with substantial in-kind input from clubs, therefore increasing the cost of projects.

COPACC

- Schools continue to seek funding assistance to stage performances at COPACC.
- Schools that travel a considerable distance to attend a theatre season performance prefer a full-day experience to justify the travel to Colac; i.e. a 3-4 hour COPACC-based activity such as performance plus workshops or interaction with artists.
- Community groups continue to seek funding assistance to stage events or exhibitions at COPACC.

Other

- Currently the Community Funding Program does not provide any proactive incentive for energy sustainable practice or implementation; however a checklist question has been included to gauge community awareness over the following 12 months.



- Over the past twelve months Recreation Reserve Masterplans have been completed in partnership between Council, the Reserve Committee's and Resident Clubs. The program's application form refers to these Masterplans as evidence of strategic support for the proposed project.
- The new combined guidelines and application form for the three categories were well received by the community in 2007/2008 and provided consistent assessment for Officers.

Commencing with the forthcoming 2008/2009 Community Funding Program round, Council will receive applications via email in addition to hard copy via post, bringing Colac Otway in line with Federal and State Government funding agencies.

Over the past 5 years similar reports have been tabled for Council consideration to ensure community groups and organisations have maximum time to commence and complete their funded projects. This reduces the requirement for project carry over into the next financial year. The later the program is commenced and funding allocated in the financial year the less time the organisations would have to undertake their project.

#### **Corporate Plan/Other Strategies/Policy**

The Council Community Grants Program is supported by the 2006-2010 Colac Otway Recreation Strategy, the 2007-2011 Colac Otway Arts and Culture Strategy and the 2007-2011 Colac Otway Festivals and Events Strategy.

The program is also consistent with Council's Corporate Plan Vision, Mission and Values and the Health, Recreation and Community Services Priority:

*Providing and promoting quality health, recreation and community services by working in partnership with local health, aged care, welfare, youth, housing, education providers, sporting groups and employment organisations to promote community wellbeing.*

#### **Issues/Options**

The program was reviewed internally in 2007/2008 in order to better respond to current community trends particularly within the sport, recreation, arts and event sectors within the Shire, particularly noting exponential growth in the events sector. The Guidelines and Application Form documentation was simplified in response to customer feedback and to assist with program administration given the growth of interest in the program.

Implementation of the 2006-2010 Colac Otway Recreation Strategy, the 2007-2011 Colac Otway Arts and Culture Strategy and the 2007-2011 Colac Otway Festivals and Events Strategy has provided additional funding into the sectors through various dedicated program funding. It is therefore recommended that the funding for the Colac Otway Shire Community Funding Program remain at the same level as 2007/2008 which was as follows:

- Community projects and events \$40,000.
- Recreation facility works \$65,000.
- COPACC assistance \$7,500.

The proposed timelines for 2008/2009 are as follows:

- Applications open Friday 28 March 2008.
- Applications close Friday 9 May 2008.

- Submissions evaluated 14 May to 2 June 2008.
- Councillors Assessment Panel 3 June 2008.
- Report to Council Meeting 24 June 2008.
- Notification of funding at Civic Reception 14 July 2008.
- Project completion, evaluation forms returned May 2009.

There are two options for Council's consideration:

1. Commence implementation of the Council 2008/2009 Community Grants Program in accordance with the proposed timelines.
2. Further review the Council Community Grants Program and propose alternative program options to Council for further consideration.

### **Proposal**

#### 2008/2009 Community Funding Program

It is proposed that Council's 2008/2009 Community Funding Program as detailed in the attached guidelines and application, be implemented from Friday 28 March 2008 noting the program timelines as follows:

- Applications open Friday 28 March 2008.
- Applications close Friday 9 May 2008.
- Submissions evaluated 14 May to 2 June 2008.
- Councillors Assessment Panel 3 June 2008.
  
- Report to Council Meeting 24 June 2008.
- Notification of funding at Civic Reception 14 July 2008.
- Project completion, evaluation forms returned May 2009.

### **Financial and other Resource Implications**

The program contributes significantly to numerous community projects across the Shire. Specifically, it is estimated the \$40,000 contributed to Community Projects resulted in \$51,416 of project value and a further \$112,927 in Events and Festivals, \$65,000 allocated to the 2007/2008 Recreation Facilities projects resulted in a improvement works to the value of \$246,843, and the COPACC assistance of \$7,500 resulted in performances and exhibitions with a total value of \$155,088.

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

Specific risk management and compliance issues embedded within each project application are assessed on their individual merit.

The proposed guidelines and application forms ensure potential risk and compliance issues are identified.

### **Environmental Considerations**

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

### **Communication Strategy/Consultation**

There is significant communication from Council to the community released via local media, electronic newsletters and direct correspondence informing the community of the grants program and its associated timelines. Information sessions are held in Colac and Apollo Bay.

A workshop was held with staff from the Recreation, Arts and Events Units in January 2008 to ascertain current trends and the appropriateness of the guidelines and application forms. Information discussed at this workshop has been included in this report and the proposed guidelines.

### **Implementation**

It is proposed that the 2008/2009 program implementation would commence on Friday 28 March 2008 upon Council endorsement of this report.

### **Conclusion**

Council's Community Funding Program allocation of \$112,500 in 2007/2008 resulted in community projects, events, facility improvements, exhibitions and performances with a total estimated value in excess of \$566,274. Furthermore, community partnerships were formed and/or consolidated with arts and cultural groups, festival and event managers, committees of management of recreation facilities, schools and performing arts groups consistent with Council's Corporate Plan Vision, Mission and Values and the Health, Recreation and Community Services Priority:

*Providing and promoting quality health, recreation and community services by working in partnership with local health, aged care, welfare, youth, housing, education providers, sporting groups and employment organisations to promote community wellbeing.*

### **Attachments**

1. 2008/2009 Council Community Grants Guidelines and Application Form.

### **Recommendations**

***That Council endorse the 2008/2009 Community Funding Program as detailed in the attached guidelines and application form noting the program timelines as follows:***

***Applications open - 28 March 2008***  
***Applications close - 9 May 2008***  
***Submissions evaluated - 14 May to 2 June 2008***  
***Councillors Assessment Panel - 3 June 2008***  
***Report to Council Meeting - 24 June 2008***  
***Notification of funding at Civic Reception - 14 July 2008***  
***Project completion, evaluation forms returned - May 2009***

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**OM082503-6 FINANCIAL PERFORMANCE REPORT**

AUTHOR: Ashley Roberts  
DEPARTMENT: Executive

ENDORSED: Brett Exelby  
FILE REF: GEN00392

**Introduction**

The following Financial Performance Report is for the eight month period to the end of February 2008.

**Budget Variances**

Rates and Charges of \$16.3m raised. Projected accumulated cash surplus of \$32,700.

**Cash Position**

Net cash inflow of approx \$7.98m for the month of February. Improved cash position of \$0.57m compared to previous year due to additional income that has been received.

**Rates Debtors**

Rates to the value of \$16.3m have been raised. Percentage collected is similar to the previous year at 78.90% compared to 79.30% for 2006/7.

**Trade Creditors**

Total creditors paid of \$1.35m for month of February, compared to \$1.42m previous year.

**Interest on Investment**

Interest received for the month of February of \$26,727. Current interest rate 6.65%.

**Capital Works**

|                                                |         |
|------------------------------------------------|---------|
| Local Roads Unsealed                           | \$0.51m |
| Plant Replacement                              | \$0.49m |
| Plant Cosworks                                 | \$0.28m |
| Deepdene Road (RTR2)                           | \$0.26m |
| Local Roads Sealed Rehabilitation              | \$0.24m |
| Carpendeit-Bungador Road                       | \$0.23m |
| Lake Colac Redevelopment (stage 2)             | \$0.19m |
| Drainage Works                                 | \$0.18m |
| Local Roads Reseals                            | \$0.16m |
| GOR VIC Upgrade                                | \$0.11m |
| Building Renewal Program                       | \$0.11m |
| Alvie Transfer Station Weighbridge             | \$0.09m |
| Borwick Street                                 | \$0.08m |
| Dowling St                                     | \$0.08m |
| Rossmoyne Rd (RTR2)                            | \$0.07m |
| Apollo Bay Transfer Station Design & Construct | \$0.07m |
| Cressy Landfill Rehab                          | \$0.07m |
| Forrest St Asphaltting                         | \$0.06m |
| Apollo Bay Infrastructure Development          | \$0.06m |
| Neighbourhood Renewal Playground (Stage 2)     | \$0.06m |
| BWFC Filtration Upgrade                        | \$0.06m |
| Conns Lane (RTR)                               | \$0.06m |
| Neighbourhood Renewal Playground               | \$0.06m |
| BWFC Filtration Upgrade                        | \$0.06m |
| Local Footpaths                                | \$0.05m |
| Storm Water Management Plan                    | \$0.05m |

|                                                |                |
|------------------------------------------------|----------------|
| Cape Otway Rd (RTR)                            | \$0.05m        |
| Access For All Abilities – Regional Playground | \$0.05m        |
| Total                                          | <u>\$3.84m</u> |

**Recommendation**

***That the Financial performance Report to the end of February 2008 be received.***

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**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
 W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                | D | W |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>INFRASTRUCTURE</u></b></p> <p><b><u>OM082503-7 DECLARATION OF ROAD AS UNUSED - ROAD NORTH OF 10 MCCORKELLS ROAD, PIRRON YALLOCK</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council resolve to advertise its intention to declare a section of government road abutting the northern boundary of 10 McCorkells Road, Pirron Yallock as unused.</i></p>                                 |   |   |
| <p><b><u>OM082503-8 EVENT ROAD CLOSURE CONSULTATION AND COMMUNICATION POLICY</u></b></p> <p>Department: Corporate &amp; Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council endorses the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy to enable wider consultation to be undertaken in accordance with the Colac Otway Shire Community Consultation and Engagement Policy.</i></p> |   |   |

**Recommendation**

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

**MOVED** .....

**SECONDED** .....

**OM082503-7 DECLARATION OF ROAD AS UNUSED - ROAD NORTH OF 10 MCCORKELLS ROAD, PIRRON YALLOCK**

AUTHOR: Adam Lehmann  
DEPARTMENT: Infrastructure

ENDORSED: Julie Jagôt  
FILE REF: GEN00016 - Unused Roads

**Purpose**

The purpose of this report is to allow Council to consider declaring a section of government road as unused.

**Background**

Council has recently received a request from the owners of 10 McCorkells Road, Pirron Yallock to consider declaring a section of government road north of the property as unused. If Council considers it appropriate to do so then this will enable the Department of Sustainability and Environment to issue an unused road licence for this area.

The portion of government road to be licenced directly abuts the northern boundary of 10 McCorkells Road. The area of land measures approximately 0.18 Ha and is fully described as the unused road north of Crown Allotments 1 & 3, Section 7, Parish of Nalangil.

**Corporate Plan/Other Strategies/Policy**

No policy considerations are applicable.

**Issues/Options**

There is no formed roadway along the full length this section of road and it has been assessed that it is not presently required for future expansion of the road network in this area. Declaration of this section of this road will not compromise access to any other abutting private property particularly 25 McCorkells Road (refer attached locality map).

Under Section 400 of the *Land Act 1958*, DSE requires agreement from Council that it considers the road is not reasonably required for public traffic. Upon the giving of any such notice any road or part of a road specified therein shall be an unused road and is then able to be licenced to the adjoining landowner. It is believed that it is intended to use this area of road for grazing purposes.

**Proposal**

It is recommended that Council seek further community feedback in relation to this matter and should advertise its intention to declare the section of road abutting the northern boundary of 10 McCorkells Road as unused.

**Financial Implications**

Council officer time will be required for the preparation of public notices, consideration of any submissions received and preparation of a report back to Council. This resource impact will be prioritised within existing projects currently being undertaken.

**Risk Management Implications**

No risk management considerations are applicable.

**Environmental Considerations**

No environmental considerations are applicable.

**Communication Strategy/Consultation**

Council procedure requires that it give public notice of its intention to declare a road as unused. In addition, all abutting property owners will be written to advising them of Council's intention and their right to make submission.

All submissions received will be considered following Section 223 of the *Local Government Act 1989*.

All utility companies will also be advised of Council's intention to provide consent to closure to ensure that all necessary easements in favour of any underground services located within the area are created.

**Implementation**

Advertising advising of Council's intention will be prepared upon resolution. This will also include the forwarding of required correspondence to all abutting property owners and utility agencies.

**Conclusion**

It is considered that the declaration of the section of government road abutting the northern boundary of 10 McCorkells Road will not impact on service delivery and Council should advertise its intention to declare this area of road as unused pursuant to the provisions of the *Land Act 1958*.

**Attachments**

- 1. Locality Plan

**Recommendation(s)**

***That Council resolve to advertise its intention to declare a section of government road abutting the northern boundary of 10 McCorkells Road, Pirron Yallock as unused.***

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**OM082503-8 EVENT ROAD CLOSURE CONSULTATION AND COMMUNICATION POLICY**

|             |                                |           |                                |
|-------------|--------------------------------|-----------|--------------------------------|
| AUTHOR:     | Jodie Fincham                  | ENDORSED: | Gary Dolan                     |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN01688/Policies & Guidelines |

**Purpose**

The purpose of this report is to seek Council endorsement of the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy further to the completion of the Community Consultation and Engagement Policy requirements.

In addition to formalising a sign off process for events for road closures, this Policy considers the level of community "host tolerance" to the number of event road or street closures that residents/traders would accept per year.

Community "host tolerance" of the number of events held on Public Reserves managed by the Colac Otway Shire will also be considered.

**Background**

Over the past 12 month period there have been 28 events conducted across the municipality requiring involvement of the Colac Otway Shire. Of these events, 14 included the closure of a street or road as a component of the event (some of these closures were minor with little inconvenience to the community.)

In a number of recent events that were either one off in nature or being conducted for the first time in the municipality there has been conflicting advice provided by event organisers and the community relating to consultation undertaken. This is particularly related to the closure of sections of street or roads for a period of time.

**Corporate Plan/Other Strategies/Policy**

Council does not have a policy relating to formal consultation and communication requirements necessary to be undertaken by event organisers relating to events that contain street or road closures on or involving local roads within the municipality.

There is also currently no mechanism in place to determine the impacts resulting from the number of events held on Public Reserves managed by the Colac Otway Shire, or to consider the level of community "host tolerance" to the number of event road or street closures that residents/traders would accept per year.

**Issues/Options**

Documents have been prepared to provide Event Organisers with guidance regarding Council requirements in relation to a consultation and communication sign off process for events with street or road closures. Additional information will also be provided through a set of guidelines (Guidelines to Road Closures for Events – Communication and Consultation Process) detailing how and when Event Organisers are expected to implement this process.

Public Reserves are dedicated or used for outdoor cultural, environmental, sporting or recreational purposes. Therefore, the community expect to access and utilise these areas unhindered.

Consultation undertaken by event organisers will assist to ascertain the level of "host tolerance" to the event proposal.

Events that require a road closure should have consultation completed and submitted to Council for consideration four months prior to the proposed event date.

Where resistance to an event is demonstrated by the community a report based on an officer review of objections shall be prepared for Council consideration on whether to approve of the event proceeding.

There are three options available to Council:

1. Oppose the endorsement of the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy. This policy document is critical to ensuring clear and open communication specifically with regard to event implementation and impacts on communities resulting from road closures. The policy also provides a mechanism for capturing important community feedback regarding host tolerance to the number of event road or street closures that residents/traders would accept per year.
2. Undertake further review of the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy and return to Council for further consideration.
3. Endorse the initial Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy to enable wider consultation to be undertaken in accordance with the Colac Otway Shire Community Consultation and Engagement Policy.

### **Proposal**

It is proposed that the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy be presented to Council seeking Council endorsement, to enable wider consultation to be undertaken in accordance with the Colac Otway Shire Community Consultation and Engagement Policy.

### **Financial and other Resource Implications**

There will continue to be resource implications in the preparation and implementation of a policy to address this issue, however the outcomes of a policy to formalise sign off requirements for events road closures is expected to save organisational time closer to the event. Significant time has been spent in the past dealing with enquiries from members of the community on issues of event road closure communication and seeking final sign off from coordinating authorities.

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

Permits are only issued to conduct an event if all issues identified by the E Team (Council Departments involved in event approval) have been addressed. This includes acknowledgement that a traffic management plan has addressed traffic issues associated with the conduct of an event.

There is additional pressure placed on organisational staff (and co-ordinating authorities) to sign off on events (often the day prior to the event) when information is not provided in a timely manner by the event organisers or in sufficient detail to indicate that issues of concern have been addressed. This also diverts Officers attention from undertaking other important programmed work for the organisation.

There have been no events conducted within the municipality with out the necessary permits being issued.

**Environmental Considerations**

Environmental considerations are not applicable to this report.

**Communication Strategy/Consultation**

Some communication has been undertaken with the community and stakeholder groups in the preparation of the draft Policy consistent with Council's Community Consultation and Engagement Policy. Feedback has been obtained from some event organisers who conduct events entailing road closures and other external agencies including Vic Roads.

Subject to Council approval it is proposed that the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy would be available for public review and comment for 6 weeks and then the Final Draft will be developed for Council consideration and endorsement at the May 2008 meeting. The document will be available for public review and comment via the Colac Otway Shire website, hard copies in Customer Services Centres and direct mail out to affected event organisers and stakeholders.

**Implementation**

It is proposed that subject to Council endorsement, the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy consultation will be undertaken with the wider community in accordance with the Colac Otway Shire Community Consultation and Engagement Policy as outlined above.

**Conclusion**

Concerns raised within the communities of Apollo Bay and Forrest relating to impacts of road and street closures associated with events highlight the need that all events within the Shire require a formalised communication and consultation sign off process to be undertaken by event organisers and developed as Council Policy to address this issue. In addition to the sign off process, the proposed Policy considers the level of community "host tolerance" of residents/traders.

Furthermore, this Draft Policy also considers parameters associated with requests to use Public Reserves managed by the Colac Otway Shire for events (such as the type and number of events to be permitted access to public reserves across a year.)

**Attachments**

- Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy
- Draft Guidelines to Road Closures for Events – Communication & Consultation Process
- Draft Road Closures for Events - Communication Plan Development

**Recommendation(s)**

***That Council endorses the Draft Colac Otway Shire Event Road Closure Consultation and Communication Policy to enable wider consultation to be undertaken in accordance with the Colac Otway Shire Community Consultation and Engagement Policy.***

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**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

| ITEM   | D | W |
|--|---|---|
| <p><b><u>GENERAL BUSINESS</u></b></p> <p><b><u>OM082503-9.1      Item for Signing &amp; Sealing -<br/>Instrument of Agreement - Contract 0713<br/>Cressy-Shelford Road Pavement Rehabilitation</u></b></p> <p><b><u>Recommendation</u></b></p> <p><i>That Council sign and seal the Instrument of Agreement between the Colac Otway Shire and Draper's Civil Contracting Pty. Ltd.</i></p> |   |   |
| <p><b><u>OM082503-9.2      Item for Signing &amp; Sealing -<br/>Agreement Between Colac Otway Shire &amp; John<br/>Anthony Fenn Kemp King</u></b></p> <p><b><u>Recommendation</u></b></p> <p><i>That Council sign and seal the Agreement documents between Colac Otway Shire &amp; John Anthony Fenn Kemp King.</i></p>  |   |   |

**Recommendation**

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

**MOVED**                    .....

**SECONDED**                .....

**OM082503-9 GENERAL BUSINESS*****OM082503-9.1 Item for Signing & Sealing - Instrument of Agreement - Contract 0713  
Cressy-Shelford Road Pavement Rehabilitation***

Council awarded the contract for rehabilitation of Cressy-Shelford Road (3.1 kilometres) to Draper's Civil Contracting Pty. Ltd. The contract sum is \$299,728.50 (excluding gst). An *Instrument of Agreement* is now prepared for signing and sealing.

**Recommendation**

***That Council sign and seal the Instrument of Agreement between the Colac Otway Shire and Draper's Civil Contracting Pty. Ltd.***

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***OM082503-9.2 Item for Signing & Sealing - Agreement Between Colac Otway Shire & John Anthony Fenn Kemp King***

The attached Agreement relates to the creation of a 1.5 metre Council Reserve adjacent to the boundary of Lot 14 & Lot 15 Harrison Street, Marengo, for the purpose of a public walkway linking Harrison Street with the Coastal Reserve.

This Agreement is required to implement the resolution of Council at the Planning Committee Meeting held on 14 November 2007 to issue “....*Permit for a two lot subdivision, creation of a walkway reserve to vest in Colac Otway Shire, removal of carriageway easement ‘E3’ from the eastern boundary of Title Vol 09640 Fol 089, and ..... as described in the application to the two lots created, of Lot 14, LP44888, Parish of Krambruk, 14 Harrison Street, Marengo,....*”

Agreement documents consistent with the above resolution are now presented to Council for signing and sealing.

**Recommendation**

***That Council sign and seal the Agreement documents between Colac Otway Shire & John Anthony Fenn Kemp King.***

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**Recommendation**

***That pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:***

| <b>SUBJECT</b>                   | <b>REASON</b>  | <b>SECTION OF ACT</b>          |
|----------------------------------|--|--------------------------------|
| <b><i>Financial Analysis</i></b> | <b><i>Matter which may prejudice Council or any person</i></b> | <b><i>Section 89(2)(h)</i></b> |
|                                  |  |                                |
|                                  |  |                                |

IN-COMMITTEE