Colac Otway
S H I R E

Naturally Progressive

AGENDA

ORDINARY COUNCIL MEETING

OF THE

COLAC-OTWAY SHIRE

COUNCIL

25 NOVEMBER 2008

at 3.00 pm

Captain's At The Bay
Pascoe Street, Apollo Bay

COLAC-OTWAY SHIRE COUNCIL MEETING

25 NOVEMBER 2008

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NOTICE is hereby given that the next ***ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL*** will be held at Captain's At The Bay, Pascoe Street, Apollo Bay on 25 November 2008 at 3.00 pm.

AGENDA

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

2. **PRESENT**

3. **APOLOGIES**

4. **MAYORAL STATEMENT**
   Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions relating to matters being considered by Council at the current meeting. Questions not related to current agenda items can be made in writing and will be addressed if received within two days of the Council meeting. Council meetings also enable Councillors to debate matters prior to decisions being taken.

   I ask that we all respect each other during this process by:

   - being courteous and respectful in the way in which you speak;
   - not speaking unless you have been permitted to by me as chairperson;
   - respecting the local laws which govern meeting procedure (copies of these are here for your information); and
   - understanding that I have a responsibility to ensure proper meeting procedure and the upholding of the local law.

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

   1. Questions received in writing prior to the meeting
   2. Questions from the floor

5. **QUESTION TIME**

6.   DECLARATION OF INTEREST

7.   CONFIRMATION OF MINUTES

- Ordinary Meeting of the Colac-Otway Shire Council held on the 28/10/08.

Recommendation
That Council confirm the above minutes.

OFFICERS' REPORTS

Chief Executive Officer

OM082511-1   CEO'S PROGRESS REPORT TO COUNCIL
OM082511-2   SYSTEMS / PROCESS IMPROVEMENTS

Corporate and Community Services

OM082511-3   COUNCIL COMMITTEES POLICY
OM082511-4   CUSTOMER SERVICE POLICY/GUIDELINES
OM082511-5   S86 COMMITTEE OF MANAGEMENT APPOINTMENTS
OM082511-6   APOLLO BAY LIBRARY AND FACILITY DEVELOPMENT PROJECT
OM082511-7   FINANCIAL PERFORMANCE REPORT

Infrastructure

OM082511-8   AMENDMENT OF UNUSED ROAD LICENCE NO. 0511057 –
              HINDS ROAD, BIRREGURRA
OM082511-9   PROPOSED LEASE AGREEMENT, CROWS NEST TOWER,
              TUXION ROAD, APOLLO BAY
OM082511-10   INFRASTRUCTURE SERVICES STAFF REVIEW
OM082511-11   MANAGEMENT OF CATTLE GRIDS ON LOCAL ROADS

Sustainable Planning and Development

OM082511-12   BARWON DOWNS PARK UPGRADE STAGE 1 LEGAL AGREEMENT
OM082511-13   AMENDMENTS TO OTWAYS TOURISM INC. STATEMENT OF
              PURPOSE
OM082511-14   FIRE PREVENTION BRIEFING AND UPDATE
OM082511-15   DOMESTIC ANIMAL MANAGEMENT PLAN

Tracey Slatter
Chief Executive Officer

CONSENT CALENDAR

OFFICERS' REPORT

D = Discussion
W = Withdrawal

ITEM	D	W
CHIEF EXECUTIVE OFFICER **OM082511-1 CEO'S PROGRESS REPORT TO COUNCIL** Department: Executive ***Recommendation(s)*** ***That Council receive the CEO's Progress Report to Council for information.***		
OM082511-2 SYSTEMS / PROCESS IMPROVEMENTS Department: Executive ***Recommendation(s)*** ***That Council note the excellent outcomes achieved and endorse ongoing continuous improvement of organisation systems.***		

Recommendation

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

MOVED   ....

SECONDED   ....

OM082511-1 CEO'S PROGRESS REPORT TO COUNCIL

AUTHOR:	Tracey Slatter	ENDORSED:	Tracey Slatter
DEPARTMENT:	Executive	FILE REF:	GEN00460

EXECUTIVE

Australian Council of Local Government
The Mayor attended the Inaugural Meeting of the Australian Council of Local Government held in Canberra on 17 and 18 November.

Mayors from Councils around Australia attended this meeting at Parliament House.

The Prime Minister, Hon. Kevin Rudd addressed the meeting and announced a $300 m funding announcement for local government.

The Mayor also attended sessions on 'Investing in Local, Regional and National Infrastructure" and "Improving Wellbeing in our Communities."

Ministerial Taskforce Roundtable
On 5 November 2008 the CEO attended a Ministerial Taskforce on Regional Planning in Geelong. Six State Government Ministers attending namely:

- Jacinta Allen, Minister for Regional and Rural Development and Minister for Skills and Workforce Participation;
- Justin Madden Minister for Planning;
- Joe Helper Minister for Agriculture and Minister for Small Business
- John Lenders, Treasurer;
- Lisa Neville, Minister for Community Services Mental Health and Senior Victorians and
- Peter Batchelor, Minister for Community Development.

Discussion centred on future challenges and opportunities in the Barwon South West Region as the Victorian Government is embarking on a new direction in planning for the future of provincial Victoria.

Meeting with Minister for Housing & Local Government
The CEO attended on 17 October 2008 a meeting with the Hon. Richard Wynne. Representatives from the G21 member Councils were present along with Mr John Watson, Local Government Victoria. Discussions were held regarding issues of significance to the region including water, infrastructure and affordable housing.

Local Government Chief Officers Group
The CEO attended the Local Government Chief Officers Group Meeting in North Sydney from 5 to 7 November. Issues discussed were:

- Sustainable development: revitalisation of the North Sydney CBD
  Presentations by the NSW Department of Planning, Property Council of Australia and North Sydney Council

- Sustainable North Sydney: Snapshots
  Presentations by officers from North Sydney Council

- Sustainability: influencing change through the media and community action
  Presentations by Sydney Morning Herald and World Wildlife Fund

- Community Leadership
  Presentations by Federal Member for North Sydney, CEO KU Children's Services and former Wallaby's player.

The Annual General Meeting of the Group concluded proceedings.

CORPORATE AND COMMUNITY SERVICES

Rural Access
Funding of $35,000 has been received from the State Government to provide Internet Training for People with a Disability.   A pilot project will be implemented over a twelve month period. Project partners include Colac Otway Shire Rural Access, Colac Otway Disability Association, The Meeting Place and Colac Community Hub.

The Meeting Place has received funding from the Disability Services Commissioner for the performing arts troupe Ants Pantz Arts to develop a script and deliver a performance at the "Having a Say Conference 2009" which is being held in Geelong next February. The performance will convey messages about "Its OK to Complain".

International Day of People with Disability a worldwide celebration held on December 3rd will be celebrated locally during the first week in December.

There will be a range of activities and events available, an awards program is also being promoted to raise awareness of peoples skills and abilities, there are two awards being presented one for businesses and community groups that provide Good Access and one for Personal Achievement. The Awards will be presented at a Celebration Cabaret which is being held at COPACC on 5 December.

Colac Disability Network Healthy Lifestyles Project "Step into Summer" All abilities pedometer challenge is now underway. The pedometer challenge received 12 team entries. A tally of steps along the Great Ocean Road is currently on display at Bluewater Fitness Centre.

Transport Connections
A new bus service between Colac and Lorne will start next month through funding from the joint Transport Connections Project between Colac Otway and Surf Coast Shires. Approximately sixty people attended the launch by Community Development Minister Batchelor in Lorne on Friday 7 November.

The Colac-Lorne seasonal bus service will operate five times a day, seven days a week for eight weeks to connect people living in the Colac area to employment and recreational opportunities in Lorne over summer. This means that families, or young and older people living in Colac, Birregurra and Deans Marsh can access the beaches in Lorne during summer, and the people lviing in Lorne can access the specialist medical, social and shopping facilities in Colac for $8.80 return trip ($4.40 concession).

More than 100 local people have been involved in making this project happen - from completing initial surveys, to volunteering on the TCP *Bringing Communities Together* advisory groups. Timetables are available from the Colac Otway Shire Customer Service counter, Rae Street Colac.

Events

E Team Developments - November
The November "E Team" meeting was held Tuesday 11 November for Event Committees representing the Birregurra Celtic Celebration, the 2009 GO Marathon, the Great Ocean and Otway Classic Ride and a debrief from the Birregurra Weekend Festival.

Final FReeZA Event for 2008 – "Just Dance!"
Over 80 young people danced the night way at COPACC on Saturday 11 October   at the final FReeZa event for 2008. Events held throughout 2008 included a FReeZa stage and Art Workshop at the Apollo Bay Music Festival, FReeZA stage at Otway Idol, 2008 Push Start FReeZa Battle of the Bands and the Just Dance! dance Party.

Attendees at the "Just Dance" dance party enjoyed over 3 hours of the latest chart hits by local DJ's "Angry Panda" and Roland Kettle, mixing a range of music styles from hip hop to the Nut-bush.

Dance members from Kate's Dance House (Colac and Camperdown) treated the crowd to a jaw dropping hip hop performance before turning the dance floor into a battle field where attendees could battle it out for the best moves to win prizes from sponsors Offshore and Subway.

The event was extremely popular with young people despite having to compete with a lot of other events on at the weekend. The FReeZA Committee was really pleased with the response to the event.

The fully supervised drug, alcohol and smoke free night was incident free and provided young people from the region with another form of entertainment other than the live music shows traditionally hosted by the FReeZA Committee.

Wye Day Out – postponed for 2009
Event Organisers of the Wye Day Out event have announced that the event will be postponed for 2009.

Cancellation of Otway Idol 2009
Volunteer burden and fatigue, combined with competing outside interests have signalled the end for the Otway Idol Competition. Event Organisers have agreed that the successful 2008 Idol, which was combined with a FReeZA event would be the last Idol event to be staged at Gellibrand. Otway Idol had previously been held in Beech Forrest in 2007 and at the Gellibrand recreation reserve in 2008. Organisers of the proposed 2009 Otway Idol event had successfully applied for funding to the value of $2,500 under the Colac Otway Festival and Event Support Scheme 2008/09.

The saving of $2,500 will offset the funding of $7,500 that was approved by Council at the 28 October 2008 Council meeting for the 2009 Great Victorian Bike Ride.

Guidelines for Road Closures on Great Ocean Road for Community Events
A set of draft guidelines developed by Vic Roads, Surf Coast Shire, Victoria Police and the Colac Otway Shire are soon to be finalised. The guidelines provide criteria for consideration for approving community /sporting events that require the closure of the Great Ocean Road across the municipal boundaries of Surf Coast Shire and Colac Otway between Anglesea and Apollo Bay.

Feedback received from those attending community meetings in relation to the guidelines has now been incorporated into the final document. The final guidelines will be provided to all community members who attended the public meetings and provided input.

COPACC
November is a bumper month for COPACC with the launch of its 2009 Morning Music Season and the launch of its 2009 Colac Herald Subscription Season.

There was also an Education Launch, highlighting COPACC's theatre productions , plus dance and music masterclasses targeted at children and young adults.

More than 85 events were held at COPACC in November.

Recreation

Recreation 'Live It Up' Week
The Live it Up Week was held from Monday 10th November to Saturday 15th November 2008. Recreation Week provided a range of recreational activities for all residents across the Shire, free of charge. Bluewater Fitness Centre had seven programs on offer as part of Recreation Week.   Twenty three community clubs registered with Recreation 'Live It Up' Week to offer such a broad range of activities.

Program brochures and posters were distributed across the community including Colac Visitor Information Centre, Colac Otway Shire Customer Service, Colac Library, all sport and recreation clubs, participating clubs/organisations, all primary and secondary schools, local progress associations, Colac Area Health, Neighbourhood Houses, Disability Sectors and Leisure Networks.

All participating clubs will be awarded with a 'Certificate of Appreciation' and a follow up questionnaire will be distributed to the clubs for feedback on the success of Recreation Week.

SRV Community Facility Funding Program 2009/10
Colac Otway Shire's application to Sport and Recreation for the redevelopment of Eastern Reserve netball courts has been submitted through the Community Facilities Funding Program – Minors category on 31st October 2008. The proposed application for funding for the redevelopment of the Colac Lawn Sports clubrooms was not submitted as the project application was not developed to the level as required by the funding program. The project working group agreed further scoping and costings are to be completed for consideration. The planning application auspiced by the City of Greater Geelong for a regional Soccer Strategy has been submitted. Colac Otway Shire is a project partner and this project will consider facility and club development aspects for further growth and demand on soccer in the region.

Birregurra Skate Park
Council's Planning Department has received one objection to the Birregurra Skate Park. Planning is awaiting some advice from VicRoads prior to making a decision on the application. The Birregurra Community Group fundraising is complete. The Group have raised and invested the $35,000 cash until the project commences.

Multi-purpose sports field legacy project
Sports Turf has provided to Council final detailed specifications and design drawings for the redevelopment of the two hockey fields at Central Reserve Colac. Council's Contracts Co-

ordinator is in the process of developing the tender requirements, with works scheduled to commence early 2009.

SRV Synthetic Surface Bowls Funding
A funding application has been submitted in collaboration with the Birregurra Bowls Club to seek funding for the conversion of the current lawns to synthetic lawns. If funded this project will significantly reduce water use and maintenance requirements to the club. The maximum funding allocation which is $60,000 is being sought from this state government program.

Current Funding Opportunities
Recreation reserve Committees and Clubs are encouraged to consider the two current funding opportunities which provide funding towards drought relief through water harvesting infrastructure or sustainable surfaces and the improvement of football and netball facilities. The Sport and Recreation Victoria Drought Relief Funding and the Country Football Netball Program are currently open for applications. All applications must be submitted by Council. Interested clubs should contact the Council's Recreation Unit to discuss further.

Barwon South West Regional Trails Masterplan
A project intensive consultation week was held from 20 – 24 October 2008. Public forums were held in Colac, Geelong and Warrnambool and were well attended with good representation of the local communities. Numerous meetings were held with state and local government representatives and other key stakeholders who have an interest in the planning, development, maintenance and management of trails. The next project newsletter is to be published over the coming week.

Beechy Precinct
The Development and Joint Use Agreement for the Global Connector including the Joint Use Library has been signed and sealed by the Colac Otway Shire.

The Central Reserve Advisory Committee is meeting over the coming weeks to discuss the draft Masterplan. Other stakeholders including the Colac Secondary College and other community groups will be consulted.

Youth Council
Youth Council have completed their formal activities for 2008 but will be celebrating their year with an end of year dinner on 14 November 2008 at Colac Bowling then La Porchetta. Youth Council finished their activities with a presentation to Council on 28 October 2008.

Bluewater Fitness Centre
Recruitment continues to be advertised on the Shire website for program positions such as Learn to Swim instructors, Lifeguards and Gym instructors.

Position descriptions for Senior Lifeguard and Lifeguard at Apollo Bay pool have been developed and plans are continuing in preparation for summer operations at the Apollo Bay P-12 College pool to commence with the completion of facility redevelopment works which are currently underway.

Capital Works completed this month include the installation of roof access system allowing safe and secure works to be carried out on the external roof of the building. Electrical works included the installation of additional power points in the Gym area servicing the upgraded cardio equipment. Seasonal adjustments have also been made to car park and security lighting coinciding with the daylight saving period.

The Term 4 Learn to Swim Program commenced with 305 enrolments and vacancies still exist. New enrolments continue to be processed each week.

Questacom Science fair was conducted in the Stadium on Tuesday 21 October which was a successful event for those involved.

An Ironman Challenge was completed in October with over 20 participants attempting the gruelling challenge of a 3.8 km swim, 180 km bike ride, 42.2 km run. The challenge was simulated in the centre using the gym equipment, pool and group exercise classes. The first member to complete the challenge was Sharron Redmond and first COS employee to complete was Greg Fletcher. We congratulate both and all who participated.

The launch of a Seniors Strength Training Program as part of the Go For Your Life! State Government program is scheduled for Late November with similar launches proposed for Colac and Forrest.

INFRASTRUCTURE AND SERVICES

Waste Education
Year 3-6 students from the South West Primary School visited the Barwon Region Waste Management Group recently .   South West Primary School is the catchment school for the area in one of our highest contamination regions. This trip was sponsored by the Colac Otway Shire under the Waste Education Program.

Apollo Bay Litter Bins
The litter bins situated in the main street of Apollo Bay have been becoming blocked, giving the appearance that the bin is full and overflowing. This has been caused by larger items not fitting through the inner hole but being placed under the roof of the bin, for example pizza boxes. The problem is also compounded by visitors placing their weekend household garbage in the street litter bins. An interim step of removing the hood to provide more direct access to the bin has been successful in the short term.

Discussions have been held with Gary McPike from the Apollo Bay Foreshore Committee and contact made with the Apollo Bay Chamber of Commerce. Quotes are now being sought to either replace the stainless steel lid with a plate with a larger hole, or to have the existing hole enlarged.

Beech Forest Relocation of Domestic Collection Site
A meeting of the Beech Forest Progress Association was recently attended by Janet Forbes, Waste Management Officer and a number of potential sites were suggested for the relocation of the domestic collection site. The community requested that Council could

provide a report on the sites with suggestions to the Progress Association for them to then select two or three sites for Council approval.

Building Maintenance
The roof access system and skylight covers at Bluewater Fitness Centre have been installed, the additions to the roof access system at the Rae St office and COPACC have also been completed.

Colac Lavers Hill Road
Following Colac Otway Shire's success in lobbying for the $15m upgrade of the Colac-Lavers Hill Road, VicRoads have developed the scope of works. The detail of the scope is:

- Shoulder construction to provide an 8m wide sealed road pavement suitable for local, tourist and freight traffic from Colac to Lavers Hill.
- Pavement repair at two locations between Elliminyt and Gellibrand.
- Three slow vehicle turnouts to enable overtaking of slow vehicles in hilly areas.
- Additional delineation works including guide posts, advisory signage and raised reflective pavement markers.
- Improvements to intersections including sealing of bell-mouths and additional widening to allow through traffic to pass a stationary or turning vehicle.
- Improvements to bus stops along the route.
- Minor batter clearing to improve site distance on the inside of some curves.

VicRoads are also investigating the installation of safety barriers and motorcycle rubbing rail to be submitted to the Government for consideration under the "Safer Roads Infrastructure Program".

Construction Reference Group

VicRoads will form a Construction Reference Group for this project to discuss any issues in relation to traffic management and the timing of the works. If you would be interested to be a part of this group please respond to this email.

Construction Timeframes (subject to approval of yearly funding arrangements)

Section 1 - Construction of the section between 3.2km to 8km.:
Early November 2008 to early January 2009

Section 2 - Construction of the section between 8km and 20km:
Late January 2009 to mid April 2009

Section 3 - Construction of the section between 20km and 29km:
Early February 2009 to mid March 2009

Section 4 - Construction of the section between 29km and 41km:
October 2009 to December 2009

Section 5 - Construction of the section between 41km and 55.8km:
November 2009 to April 2010

Asbestos Audit

Asbestos audits of Council's buildings have been completed. A revised asbestos register has been prepared.

The objective of the asbestos audit was to:

- Determine, so far as reasonably practical, whether asbestos is present in the workplace;
- To assess the risks posed by the materials identified; and
- Recommend control actions necessary to manage these asbestos related risks.

A draft asbestos management plan was also developed as part of the consultants brief. Council officers are presently reviewing these documents and assessing works programs to manage high priority items identified through the inspection process.

SUSTAINABLE PLANNING AND DEVELOPMENT

Exhibition of Planning Scheme Amendment C12 (Flood mapping)

Amendment C12 to the Planning Scheme proposes changes to mapping of flood prone areas to reflect updated information from the Corangamite Catchment Management Authority (CCMA). The public exhibition period ended on 27 October 2008 with a small number of submissions received. Officers will assess issues raised in the submissions in consultation with the CCMA before putting a report to Council early in 2009.

Off-street Car Park Pascoe Street, Apollo Bay

Consultants have been appointed to prepare a preliminary design and cost estimates for the construction of an off-street car park at the rear of properties fronting Pascoe Street and Great Ocean Road, south of Moore Street, accessed via Council land at 14 Pascoe Street. Permits issued for development of these sites have led to legal agreements being put in place during the course of 2007/08 to facilitate the car park, and this current work is the first step in the process of determining its layout and drainage requirements, as well as likely cost apportionment to affected land owners.

Colac and Apollo Bay Car Parking Study

Some initial work was carried out for this project early in 2008, but tenders have now been called for consultants to undertake a comprehensive study of car parking provision in both Apollo Bay and Colac. The successful consultant will commence work in January 2009.

Amendment C55

Planning Scheme Amendment C55 which implements the Planning Scheme Review and a number of strategic studies was adopted by Council at its October meeting. The amendment has now been modified to accord with the Council resolution and forwarded to the Planning Minister for his approval. It is likely that the amendment will be gazetted and introduced into the Colac Otway Planning Scheme early in 2009.

Broiler Farm Applications

The two planning permit applications for broiler farms at 210 Pierces Road, Beeac will now be decided by the Victorian Civil and Administrative Tribunal (VCAT) after the applicant lodged an appeal against the Shire's failure to make a decision on the applications within the statutory time frame. Council's Planning Committee had previously expressed concern at considering the applications before an Environmental Risk Assessment (ERA) had been

carried out, and deferred considering Farm B at its October meeting. The applicant is currently carrying out an ERA for both farms due to their close proximity to one another. VCAT will now schedule a hearing for the applications early in 2009. Officers will put a report to the Planning Committee once the ERA is finalised to seek a Council position on the applications which can be advocated at the VCAT hearing (likely to be January 2009 at the earliest).

Environment Strategy

In 2007 the Colac Otway Shire became a signatory of the Victorian Local Sustainability Accord (the Accord).   The Accord is a partnership initiative designed to strengthen collaborative efforts by the Victorian State Government and Local Governments to create better environmental sustainability outcomes at the local level.

The development of an Environment Strategy is identified in the Colac Otway Shire's Sustainability Accord Priority Statement as being the highest priority. As described in the priority statement 'setting priorities across programs at a project level is problematic due to the absence of an overarching strategy. The strategy would set out a process for prioritising projects across programs and existing strategies. This would enable the development of integrated Environmental Action Plans for the Colac Otway Shire'.

Funding has been approved by Sustainability Victoria for Council to develop an Environment Strategy for the Colac Otway Shire. A steering committee will be established to oversee the development of the strategy that will be submitted to Council for endorsement by the end of 2009.

Roadside Grazing Permits

Following a review of its roadside grazing permit processes the Council has clarified that in addition to a roadside grazing permit, a planning permit is required if there is any removal of native vegetation associated with roadside grazing in a fenced area.   Council has written to all previous roadside grazing permit holders to explain the situation.   Council has now processed all current grazing applications. No planning permits have been required as yet because conditions have been placed on the permits that require the applicant to remove stock if they start grazing native vegetation. This is acceptable in areas where the native vegetation is not the preferred feed for the stock (i.e. they only graze it if there is no other feed left).

If there is an increase in the number of applicants this year because of the poor season it is anticipated that planning permits will be triggered where the stock cannot be managed to prevent grazing of native vegetation.   Council will continue to work with the State Government to examine whether roadside grazing should be exempt from the planning scheme.

Weed Management Update

Weeds are a serious threat to primary production and biodiversity within the Colac Otway Shire. They reduce farm and forest productivity, displace native species and contribute significantly to land and water degradation. Under the direction of the Weeds Consultative Committee, which has representation from a range of land management agencies, a new strategic direction is being pursued by Council to address weed management. This financial year the Colac Otway Shire Environment Unit will work to protect and enhance high conservation values on Council managed land, as well as allocating a portion to high conservation roadsides and to address an emergent weeds.

Recently, weed control contractors were invited to submit quotes to undertake these works. A selection criteria that considers their experience, skills, training, quote price, previous performance and continuity with the treatment sites, has then been applied to identify who is most appropriate to be engaged. The process has now been completed and the successful contractors advised of this, as well as their requirement to attend a meeting with Council Officers to discuss the specifics of the sites and weeds to be targeted. Further training is being coordinated for contractors who will be working in grassland communities, as these areas require specific skills and techniques to identify and target weed species. Sites will now be monitored to assess the performance of the contactors engaged and the degree of success of this weed control process.

Apollo Bay Harbour

The Enquiry by Design process to complete community consultation for the development of the Apollo Bay Harbour Precinct Master Plan was undertaken over the period of 18 September to 23 September 2008.

The new Master Plan was adopted by Council on 28 October 2008 and approval to commence a Planning Scheme Amendment.

An eight page Community Newsletter to explain the Enquiry by Design and the new master Plan was sent to all residents and ratepayers in Apollo Bay in November 2008.

Small Towns

The Small Town Improvement Program applications for 2009/10 close in late November.

Works will commence shortly on the Barwon Downs Old School Grounds upgrade and construction of a replica of the world's smallest bank that once operated from Barwon Downs.

Lake Colac

A Cultural Heritage Management Plan has been completed and is waiting on approval from Aboriginal Affairs Victoria (AAV). The plan will guide capital works in Council's area of responsibility around the Lake Foreshore.

Action Agenda for Economic Development

Colac Community Hub has commenced one on one interviews to contribute business intelligence to Council's next Economic Development Strategy. Neil Noelker and Associates will commence in December 2008 to conduct economic trend research and integrate this with the results of the community consultation. The Action Agenda due for completion in June 2009 will integrate with the proposed Community Plan and Council Plan.

Community Planning

The second stage of planning for the development of a Community Plan has been completed. Results of consultation with the following Stakeholder Groups will be completed by the end of November 2008:

- Learning, Careers and Skills
- Council Committees
- Youth Council
- Business, including Tourism Groups & Representative Groups
- Volunteers & Community Organisations - Lions, Apex
- Health and Community, Disability Groups & Older people

- Government Departments, Statutory Authorities, CFA, Police, Ambulance and SES
- Environment Groups, Landcare Networks
- Lobby and Action Groups
- Recreation, Arts, Culture and Events
- Council
- Council Staff

A Community Support fund (CSF) grant submission for the three year implementation stage has been lodged. The result is expected early in 2009. If the funding submission is not successful the Community Plan will be implemented on a low scale through inclusion of community priorities assessed as suitable Council Commitments in the Council Plan.

Recommendation(s)

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

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OM082511-2 SYSTEMS / BUSINESS PROCESS IMPROVEMENTS

AUTHOR:	Neil Allen	ENDORSED:	Tracey Slatter
DEPARTMENT:	Executive	FILE REF:	Infrastructure / General

Purpose
To provide Council with information on improvements that have been made to Business Systems in the Infrastructure & Services Department and the organisation as a whole.

Background
Local Government provides a significant range of complex services to the community. In doing so, it is required to comply with an array of legislation and consult and liaise with many stakeholders.

The delivery of the various programmes and capital works projects is always under pressure to meet budget constraints and timelines. This in turn creates an environment where embedded systems and processes are crucial to support the staff and the organisation to deliver effective and successful outcomes.

Documented and adopted corporate systems and processes provide appropriate rigour and checklists to ensure that the various checks and balances required within the defined process are followed. They can also assist in flagging required inputs and potential issues in advance and can form part of an overall quality assurance program.

Issues
Colac Otway Shire has well developed systems in place and these are assessed and reviewed through a range of mechanisms both responsively and proactively.

The road works at Cressy Shelford Road which may have had an impact on protected flora and fauna on the Cressy-Shelford Road roadside has led the organisation to review existing systems and processes through a project called the Systems Review Project. As part of the Systems Review Project it was identified that the project management systems already in place were relatively strong, requiring assessment of planning, risk management and environmental issues for any project undertaken by the Shire. These systems are on the intranet and made aware to new staff. Projects were not able to progress through the budget stage without these systems being completed. However, the review has identified that these assessments could be strengthened by requiring formal internal referral processes and sign-off by relevant authorised officers from Planning, Environment and Risk Management areas. This has resulted in an outcome that formalises interdepartmental liaison and referral advice and further minimises risk to Council.

Rather than undertake the project with only a focus on infrastructure projects, a whole of organisation approach was taken and a cross-organisational project management group established.   The group comprises representatives of all departments and includes Infrastructure, Economic Development, Human Resources and Environment. The review process included engagement with the Managers Workshop Forum and the Executive.
The group has completed its review and a revised project management template and associated business rules have been endorsed by the Executive. The new processes are more rigorous requiring significant additional documentation and referrals. Legislative requirements have also increased which must be dealt with carefully and systematically to minimise potential risk implications.

Environmental considerations require internal referrals, external consultant advice and often the need to obtain Planning Permits.

Notwithstanding the efficiencies generated by the system improvements in achieving appropriate outcomes, additional resourcing is necessary to support them, particularly in the infrastructure department to manage the significant number of capital works projects.

This has been an excellent example of cross functional teamwork achieving agreed improvements to important organisational outcomes.

Corporate Plan/Other Strategies/Policy
The Council Plan identifies that Council is "committed to providing strong…governance". Undertaking reviews and improvements of business systems is an important part of good governance. This report identifies just one of the many reviews and processes that the organisation conducts.

Proposal
It is proposed Council note the excellent outcomes achieved and endorse ongoing continuous improvement of organisation systems.

Financial and other Resource Implications
Improved systems and changing legislation and requirements are an impact on required resources, with a net increase being evident.

Whilst this may be an additional cost it is seen clearly as an investment against the potential cost of failing to address the growing need to undertake tasks systematically.

Risk Management & Compliance Issues
As outlined in the Financial section above, failure to ensure continuous systems improvement in a changing legislative environment exposes the organisation to a heighted risk. Investment in risk minimisation processes is sound business practice.

Environmental Considerations
Environmental considerations are a key component of project planning and they have been addressed as part of the systems improvement undertaken.

Communication Strategy/Consultation
Support and recognition of the value of the improvements implemented by staff, departments and organisation wide is an important component of maintaining the drive for ongoing continuous improvement.

Implementation
To ensure ongoing implementation of systems improvement, the cross functional organisation Working Group will continue to operate and identify and address priority processes for review and improvement.

Conclusion
Excellent progress has been made in building on previous good work on systems improvement. Staff should be congratulated on their efforts and a continuous improvement program be maintained via the Working Group and the Executive.

Attachments
Nil

Recommendation(s)

That Council note the excellent outcomes achieved and endorse ongoing continuous improvement of organisation systems.

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CONSENT CALENDAR

OFFICERS' REPORT

D = Discussion
W = Withdrawal

ITEM	D	W
CORPORATE AND COMMUNITY SERVICES **OM082511-3 COUNCIL COMMITTEES POLICY** Department: Corporate and Community Services *Recommendation(s)* *That Council adopt the Council Committees Policy.*		
OM082511-4 CUSTOMER SERVICE POLICY/GUIDELINES Department: Corporate and Community Services *Recommendation* *That Council adopts the Customer Service Policy/ Guidelines and Service Charter.*		
OM082511-5 S86 COMMITTEE OF MANAGEMENT APPOINTMENTS Department: Corporate & Community Services *Recommendation(s)* *1. That pursuant to Section 86 of the Local Government Act 1989, Council resolve to appoint the following elected members -* *Birregurra Public Hall – Gary McCormack, Ian McDonald, Sue Bateson, Margaret McDonald, Brian Lawrence, Bryan Sanders, Kate Cockayne, Katrine & Mike Juleff* *Carlisle River Recreation Reserve - Pat Shaw, Gaylene Simpson, Owen Lucas, Keith Kent, Nick Lucas, Leon Smart, Matt Reid*		

2.   *That in accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, Council resolve to exempt members of the Committees from being required to submit a primary or ordinary pecuniary interest return in accordance with this section.*

3.   *That the Committees be advised that a copy of minutes of committee meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided annually.*

OM082511-6 APOLLO BAY LIBRARY AND FACILITY DEVELOPMENT PROJECT

Department: Corporate and Community Services

Recommendation

That Council –

1.   *Receive the report on the Apollo Bay Library and Facility Development Project.*

2.   *Note that the Apollo Bay Library and Facility Development Project be referred to the Council Planning and Community Planning processes to be considered with other projects and priorities for the Shire, Apollo Bay and surrounding areas.*

3.   *Consider the funding for the proposed Apollo Bay Library and Facility Development as part of the development of a new Strategic Resource Plan based on the Council Plan process.*

OM082511-7 FINANCIAL PERFORMANCE REPORT

Department: Corporate and Community Services

Recommendation

That Council receive the Financial Performance Report to the end of October 2008 be received.

Recommendation

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

MOVED   ....

SECONDED   ....

OM082511-3 COUNCIL COMMITTEES POLICY

AUTHOR:	Colin Hayman	ENDORSED:	Tracey Slatter
DEPARTMENT:	Corporate and Community Services	FILE REF:	GEN01688 Policies & Guidelines

Purpose

For Council to consider the adoption of the "Council Committees Policy".

Background

At the Council Meeting held on 23 September 2008 it was resolved:

"That Council:
1.   Endorse the draft Council Committees Policy for public comment;
2.   Endorse a 4 week community consultation period where formal written submissions will be received."

Advertisements were placed in the local papers seeking public comment on the draft policy. No comments were received.

The "Council Committees Policy" proposes to govern the operation of the following four committee type:

(a)   Special Committees
(b)   Advisory Committees
(c)   Specific Purpose Committees
(d)   External Committees

(a)   Special Committees

Council currently has two special committees consisting solely of Councillors who are appointed in accordance with Section 86 of the Local Government Act 1989.

- Planning Committee
- Contracts Committees

The purpose of the Contracts Committee will be reviewed in line with changes to the Local Government Act. This will be done in conjunction with a review of tendering processes.

Council may formally delegate decision making powers and responsibility to a Special Committee.

Other S86 Committees

Council also has a number of other Section 86 Committees who manage facilities on behalf of Council.

(b)   Council Advisory Committees

A Council may establish Advisory Committees whose purpose is to look into and advise the Council on matters referred to it.

Unlike a Special Committee of Council, an Advisory Committee does not have any formal, delegated powers to act in place of the Council. Advisory Committee decisions or

recommendations have no legal standing unless they are adopted by the Council at a formal meeting.

Although there is no delegation of powers, an Advisory Committee should operate under a "Terms of Reference" document in which the Council sets out the Committee's purpose and how it will function. As with Special Committees the Council retains control over the membership and purpose of the committee.

The main function of an Advisory Committee is to assist Council in the consultative process and provide valuable information to support the decision making of Council.

Council currently has the following Advisory Committees:

- Audit Committee
- Australia Day Advisory Committee
- Central Reserve Advisory Committee
- Colac Livestock Selling Centre Advisory Committee
- Friends of the Botanic Gardens Advisory Committee
- Grants/Community Funding Advisory Committee
- Lake Colac Community Advisory Committee
- Roads Advisory Committee
- Small Town Improvement Program Advisory Committee

As a result of feedback from Councillors the word Advisory has been added to the name of the committees (other than the Audit Committee). Appendix 3 of the Policy has been amended to reflect the change.

Councillor representation on the various committees will be considered by the new Council at the Statutory Meeting to be held on Friday, 5 December 2008.

(c)   Specific Purpose Committees

Specific Purpose Committees are created for a discrete and specific purpose. Their role is to review an issue or undertake a project and report back to Council. These committees conclude/sunset at the delivery of the project brief.

A current example of Specific Purpose Committees is the Volunteer Engagement Project Steering Committee.

(d)   External Committees

Community and industry based committees that operate with their own Terms of Reference or mandate where Council has been invited to participate in partnership or as a community advocate.

Current examples of External Committees are:

- Barwon Regional Waste Management Committee
- Corangamite Regional Library Corporation
- Geelong Otway Tourism Board
- Great South West Municipalities Group
- Municipal Association of Victoria

There are many others which are considered as part of the Statutory Meeting process.

The purpose of the policy is to provide a consistent approach to the establishment of Council Committees on which there is Council representation. Council Committees are an important tool for engaging the community in Council decision making.

Each year Council appoints Councillor and officer representation to a number of committees. Their role in relation to these committees can range from delegated authority to representation, advocacy and consultation. The policy provides support and direction in the formation of committees and distinction between the roles and responsibilities of different committees on which there is Councillor representation.

The policy governs the establishment of committees and the ongoing review of existing committees giving the Council the opportunity to monitor the performance and relevance of all committees against the Annual Plan. This structured approach clearly articulates the role of each different committee type and allows for a review of the relevance and the performance against documented Terms of Reference and annual objectives for each committee. This approach will ensure that committees do not operate in perpetuity beyond achieving their purpose.

Council Plan/Other Strategies/Policy
In the Council Plan under the community priority of strong leadership, it states "We are committed to providing strong community leadership, governance and advocacy services which will benefit the community now and into the future."

Council has 2 existing policies with regard to Committees of Management.

- Policy No.15.1 "Committees of Management of Drainage Systems"
- Policy No 15.2 "Section 86 Committees"

The objectives of the policies are to ensure that guidelines are in place to assist the Committees of Management in the operation of the various committees.

Issues/Options
The purpose of the policy is to provide a consistent approach to the establishment of Council committees on which there is Councillor representation.

Policy Review
All policies will need to be reviewed within 12 months after the general election. Along with a review of policies any delegations to a special committee will also need to be reviewed within the period of 12 months after a general election.

Public Comments
Advertisements were placed in the local papers seeking public comment on the draft policy. No comments were received.

Changes to Draft Policy
(a)   As noted the word Advisory has been added to the name of Advisory Committees (other than the Audit Committee);
(b)   Under 6.13 "Delegated Authority and Decision Making" the following wording has been added:
        "The Council must review any delegations to a Special Committee within the period of 12 months after a general election."

Proposal
That Council consider the adoption of the Council Committees Policy.

Financial and other Resource Implications
There are no additional financial and resource implications.

Risk Management & Compliance Issues
The policy assists in further clarifying sections of the Local Government Act with respect to the operation of Council committees.

The policy will be reviewed following the election of the new Council.

Environmental Considerations
Not applicable.

Communication Strategy/Consultation
In line with the Community Consultation and Engagement Policy, a four week timeframe was provided for community input up to Friday 31 October 2008.

A copy of the policy was forwarded to community groups and made available at both the Colac and Apollo Bay offices and on the Council's website.

No comments were received.

Implementation
Once adopted, copies of the Council Committees Policy will be available on the Shire's website.

Conclusion
Council has a number of committees. Their role can range from delegated authority to representing advocacy and consultation.

The policy proposes to govern the operation of the various committee types in a consistent approach.

Attachments
Council Committees Policy

Recommendation(s)

That Council adopt the Council Committees Policy.

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COUNCIL COMMITTEES
POLICY

1. PURPOSE

The purpose of this policy is to provide a consistent approach to the establishment of Council Committees on which there is Councillor representation. Council Committees are an important tool for engaging the community in Council decision making. Participation by interested parties and affected stakeholders assists Council in making decisions that incorporate the interests and concerns of affected stakeholders. This policy governs the operation of Special Committees, Advisory Committees, Specific Purpose Committees and External Committees.

Each year Council appoints Councillor and officer representation to a number of committees. Their role in relation to these committees can range from delegated authority to representation, advocacy and consultation. The policy provides support and direction in the formation of committees and distinction between the roles and responsibilities of different committees on which there is Councillor representation.

This policy governs the establishment of committees and the ongoing review of existing committees giving the Council the opportunity to monitor the performance and relevance of all committees against the Annual Plan. This structured approach clearly articulates the role of each different committee type and allows for a review of the relevance and the performance against documented Terms of Reference and annual objectives for each committee. This approach will ensure that committees do not operate in perpetuity beyond achieving their purpose.

2. BACKGROUND

A need has been identified to have a policy that encompasses all Council Committees.

3. SCOPE

This policy applies to the formation, development and sunsetting of Council endorsed committees including:

- Special Committees – comprising only Councillors
- Special Committees – other S86 committees who manage facilities on behalf of Council
- Advisory Committees
- Specific Purpose Committees
- and where detailed in the policy involvement in External Committees.

This policy applies to Councillors, public members of committees and staff members of committees.

4. REFERENCES

- Local Government Act 1989
- Processes of Municipal Government Local Law
- Conflict of Interest Guidelines

5. DEFINITIONS

(a) Special Committees

Formally appointed committee under section 86-88 of the Local Government Act 1989. Council may formally delegate decision making powers and responsibilities to a Special Committee.

The first category of Special Committees are those which comprise only Councillors. Council currently has 2 special committees in this category:

- Planning Committee of Council
- Contracts Committee

The second category of Special Committees are other S86 Committees who manage facilities on behalf of Council.

Current special committees in this category are:

Barongarook Public Hall and Tennis Reserve
Barwon Downs Hall
Beech Forest Hall
Beech Forest Recreation Reserve
Birregurra Hall
Carlisle River Recreation Reserve
Chapple Vale Hall
Colac Municipal Aerodrome
Cororooke Public Hall
Cressy Hall
Eurack Hall and Tennis Reserve
Irrewillipe Public Hall and Reserve
Larpent Recreation Reserve
Lavers Hill Public Hall
Old Beechy Rail Trail
Pennyroyal Hall and Tennis Reserve
Pirron Yallock Recreation Reserve
Stoneyford Hall
Swan Marsh Hall and Tennis Club
Tirrengower Drainage
Warncoort Tennis Reserve
Warrion Public Hall
Wingeel Tennis Reserve
Yeo Recreation Reserve

How Council Assists S86 Committees? What are our Responsibilities?

- Recognition of the important role played by Committees of Management in the efficient operation and management of facilities.
- Delegate powers to the committee.
- Provide support and assistance to committees in matters regarding maintenance, grants, facility development etc.
- Provide guidance to committees to ensure they have adequate information to continue their operation and management of the facility.

- Maintain effective communication links between the Shire and the various groups utilising the facilities.
- Undertake information forums as required to provide information to committees and user groups of relevant changes to Council policy or provide information on issues of importance.
- Provide reminders to committees re annual returns, financial information, copies of minutes etc.

Section 86 Committees Policy

There is a separate Council Policy for these Section 86 Committees – Management of Council Owned and Controlled Properties – Policy No 15.2.

(b) Advisory Committees

The main function of an Advisory Committee is to assist Council in the consultative process and provide valuable information to support the decision making of Council and in turn the achievements of its objectives under the Community and Council Plan. Furthermore, Advisory Committees allow Council to access independent external advice that may be available in the community. These committees would generally have a lifespan beyond one year and be focused in conjunction with a Council Plan or Strategy.

The Council has a number of Advisory Committees including the Audit Committee which is established in accordance with section 139 of the Local Government Act 1989 and will operate generally in accordance with the Act and any Ministerial guidelines.

(c) Specific Purpose Committees

Specific Purpose Committees are created for a discrete and specific purpose and their role is to review an issue or undertake a project and report back to Council. These committees sunset at the delivery of the project brief. The committee may be ongoing in that it performs an annual function.

(d) External Committees

Community and Industry based committees that operate with their own Terms of Reference or mandate where Council has been invited to participate in partnership or as a community advocate. Current examples of External Committees are:

- Barwon Regional Waste Management Committee
- Corangamite Regional Library Corporation
- Geelong Otway Tourism Board
- Great South West Municipalities Group
- Municipal Association of Victoria

(e) Committees of Management – Crown Land

Council has been appointed under the Crown Land (Reserves) Act 1978 to manage a number of reserves on behalf of the Minister and have responsibility and authority to manage, improve, maintain and control the reserve.

Appendix 1 provides a summary of "What are Council's Responsibilities where Council is the Committee of Management?".

6.   COUNCIL POLICY

General Provisions

Although the different types of Council, Special, Advisory, Specific Purpose and External Committees have different roles within and relationships with Council, a standard Terms of Reference template must be used to create a common ground for all committees to begin from.

The Terms of Reference provides a framework within which the Committee operates. Included in the Terms of Reference is information about the purpose and objectives of the committee, appointment of members, information about meetings, minutes, voting and reporting. A template to assist with the development of a Terms of Reference document is referenced at the end of this document.

Councillors are appointed annually to the various committees.

The term of a Councillor on a committee depends on their appointment at the Statutory meeting of Council or another Council meeting. If a Councillor is not appointed to a committee or a Councillor's term ends, they would no longer be the Council representative on a committee.

The following sections specifically prescribe operating expectations for each committee type.

6.1   SPECIAL COMMITTEES

This section refers only to Special Committees which comprise only Councillors. Other S86 Committees which manage Council owned and controlled properties come under policy No. 15.2.

6.1.1   Formal Appointment

In accordance with section 86 of the Local Government Act 1989, Council may establish one or more Special Committees.

6.1.2   Membership, Period of Membership and Method of Appointment

A Special Committee may comprise solely of Councillors, Council staff or other persons or any combination thereof. The most appropriate mix of membership for each Special Committee will be determined by Council at the formation of the Special Committee.

Council may, by resolution, appoint members to a Special Committee and may at any time remove a member from a Special Committee.

Councillors are appointed annually to Special Committees.

The Mayor is, by virtue of the Office, ex-officio member of any incidental committees which may be established by Council from time to time. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance. The Mayor has no voting rights as an ex-officio member of the committee.

6.1.3   Delegated Authority and Decision Making

Council must keep a register of delegations to Special Committees.

The Council must review any delegations to a Special Committee within the period of 12 months after a general election.

Except as provided below, Council may, by Instrument of Delegation, delegate any of its functions, duties or powers under the Local Government Act or any other Act to a Special Committee:

(a)   this power of delegation
(b)   to declare a rate or a charge
(c)   to borrow money
(d)   to enter into contracts for an amount exceeding an amount previously determined by Council
(e)   to incur any expenditure exceeding an amount previously determined by Council
(f)   any prescribed power

The formal Instrument of Delegation provides a Special Committee with the delegated authority to make decisions as if it were the Council. The Instrument of Delegation will define the Special Committee's Terms of Reference/Purpose. A decision of a Special Committee which does not relate to a matter delegated to that Special Committee cannot be given effect to until formally approved by Council.

Subject to Section 93A of the Local Government Act, Council's Election Period Policy and the Code of Conduct, a Special Committee acting under a delegation given by the Council, must not make a major policy decision during the election period for a general election.

6.1.4   Notification of Meetings

The Chief Executive Officer must give notice to the public of any meeting of a Council Special Committee, by placement of advice as to the date, time and place of such meeting in the local newspapers at least 48 hours before the meeting in accordance with the Processes of Municipal Government Local Law No 4.

6.1.5   Meeting Procedures

Special Committee meetings shall be conducted in accordance with Processes of Municipal Government Local Law No 4 where Council has resolved that the provisions of the Local Law are to apply.

A meeting of a Special Committee must be held at a time and place determined by the Special Committee.

Meetings are open to the public unless the committee resolves to close the meeting in accordance with section 89(2) of the Local Government Act 1989.

6.1.6 Chair

The Mayor will be the chair of the Planning Committee of Council. The position of Chairperson of other Special Committees comprised solely of Councillors shall be reviewed annually immediately following Councillor appointments to committees.

6.1.7 Agendas and Minutes

Agendas and minutes must be prepared for each meeting of a Special Committee. The agenda must be provided to members of a Special Committee not less than 48 hours before the time fixed for the holding of the meeting.

Where a Special Committee has delegated powers, the Chief Executive Officer must ensure that all agendas for meetings of that committee are provided to all Councillors (whether or not they are members of the committee).

The Chairperson must arrange for minutes of each meeting of the committee to be kept.

The minutes of a meeting of a Special Committee must:

(a) contain details of the proceedings and resolutions made;
(b) be clearly expressed;
(c) be self-explanatory; and
(d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process.

The Chairperson must submit the minutes of a committee meeting to the next meeting of the committee for confirmation. If the minutes are confirmed, the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.

Agendas and minutes are available to the public excluding any confidential reports and attachments.

6.1.8 Voting

Each member of a Special Committee present at a meeting of the Special Committee who is entitled to vote is entitled to one vote.

All members of a Special Committee have equal voting rights unless otherwise stated. Council may specify in the Instrument of Delegation to the Special Committee that a member of a Special Committee who is a member of the public or of Council staff does not have voting rights.

In the event of an equality of votes the Chairperson has a second vote.

6.1.9 Conduct and Interest Provisions

Members of a Special Committee are required to comply with the Conduct and Interest provisions contained in Division 1A of the Local Government Act 1989.

Council may, by resolution, exempt a member of a Special Committee, who is not a Councillor, from being required to submit a Primary Return or an Ordinary Return.

With the above exception, all other Conduct and Interest provisions contained in Division 1A that relate to members of a Special Committee shall apply.

Where a member of a Special Committee has an interest or conflict of interest in a matter that is likely to be discussed, the member must declare that interest immediately prior to the matter being considered by the Special Committee. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

6.1.10 Administrative Support

Administrative support is provided to Special Committees comprised solely of Councillors by the department whose functions are most aligned to the committee.

6.1.11 Sunset Clause

Council is required to consider the continuation of the special committee and its formal Instrument of Delegation within 12 months following a general election. Whilst this is not a legal requirement, it is considered appropriate as a good governance practice.

6.2   ADVISORY COMMITTEES

6.2.1   Terms of Reference

The Terms of Reference must be presented to Council for consideration and adoption at the inception of the committee. The Terms of Reference must include a clear statement of purpose and the committee's objectives. Objectives should be supported by measurable outcomes that will be reported to Council.

The Terms of Reference and objectives of an Advisory Committee are to be reviewed by the committee biennially and by Council within twelve (12) months after a general election. Any proposed changes to the Terms of Reference resulting from a review must be agreed on by the committee and be presented to Council for formal approval.

See Appendix 2.

6.2.2   Membership, Period of Membership and Method of Appointment

The most appropriate mix of membership will be determined by Council. The committee may comprise:

- **Councillor(s)** - appointed annually by Council

- **Community Representative(s)** – appointed by Council through a registration of interest and selection process for a period of up to (3) years. Every effort should be made to ensure a representative cross section of people from the municipality are elected to the committee, as appropriate.

- **Staff** – appointed for a time period specified by the Chief Executive Officer or relevant Director to provide administrative support and advice to the committee. Staff do not have voting rights (refer to section 6.2.7) unless specified in the Terms of Reference.

The Mayor is, by virtue of the Office, ex-officio member of any committees which may be established by Council from time to time. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance. The Mayor has no voting rights in their capacity as an ex-officio member of the committee.

6.2.3 Delegated Authority and Decision Making

Advisory Committees act in an advisory capacity only and have no delegated authority to make decisions as if they were the Council. Advisory Committees provide advice to Council and staff to assist them in their decision making.

6.2.4 Meeting Procedures

Advisory Committee meetings shall be conducted generally in accordance with Processes of Municipal Government Local Law No 4 where Council has resolved that the provisions of the Local Law are to apply.

Meetings are to be held at a time and place determined by the Advisory Committee. Advisory Committees are not required to give public notice of their meetings and meetings are not required to be open to the public.

6.2.5 Chair

The position of Chairperson shall be reviewed annually immediately following Councillor appointments to committees.

Where there is one Councillor representative on the committee that Councillor stands as chair. Where there is more than one Councillor the chair is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the chair.

A committee may determine, with consent of the Councillor representative/s, to appoint another member other than the Councillor representative/s as Chairperson.

If the Chairperson is not present at a meeting, any other Councillor representative shall be appointed Chairperson. In the absence of any other Councillor representative/s, the committee members shall appoint a Chairperson for the purpose of conducting the meeting.

The Committee must advise the Governance Team of the name of the chairperson within one week of appointment. These details will then be updated on the intranet and internet.

6.2.6 Agendas and Minutes

Agendas and minutes must be prepared for each meeting of an Advisory Committee. The agenda must be provided to members of the committee not less than 48 hours before the time fixed for the holding of the meeting.

The Chairperson must arrange for minutes of each meeting of the committee to be kept.

The minutes of a meeting of an Advisory Committee must:

(a) contain details of the proceedings and resolutions made;
(b) be clearly expressed;
(c) be self-explanatory; and
(d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process.

Minutes must be approved by the chair before being published or distributed and then formally endorsed at the subsequent meeting.

The committee must determine through its Terms of Reference whether minutes are to be made available to the public. As a general rule, committees are encouraged to provide this information to the public, with the exception of reports and attachments that are confidential in nature. Where it is determined that minutes will be made available to the public, a copy should be placed on the Internet.

6.2.7 Voting

Councillor and community members have voting rights unless otherwise stated in their Terms of Reference. Staff provide support and advice to the committee and have no voting rights unless specified in the Terms of Reference.

In the event of an equality of votes the chairperson has a second vote.

6.2.8 Conduct and Interest Provisions

In performing the role of Advisory Committee member, a person must:

- act honestly;
- exercise reasonable care and diligence;
- not make improper use of their position; and
- not make improper use of information acquired because of their position.

Where a member of the committee has an interest or conflict of interest in relation to a matter in which the committee is concerned, or is likely to be considered or discussed, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

6.2.9 Reporting

As a minimum, Advisory Committees are required to prepare a formal report on an annual basis in line with their stated objectives. The report must be formally adopted by the committee and should directly reflect the objectives and the performance measures of the committee as set out in the Terms of Reference. The report will be presented to Council for noting under the relevant department heading. The committee's Terms of Reference may stipulate more frequent reporting.

6.2.10 Administration Support

Administration support, where required, is provided to Advisory Committees where required by the department whose functions are most aligned to the committee's objectives.

6.2.11 Review of Committee

Advisory Committees will be reviewed as part of the annual Council Statutory meeting.

6.3 SPECIFIC PURPOSE COMMITTEES

6.3.1 Terms of Reference

The Terms of Reference must be presented to Council for consideration and adoption at the inception of the committee. Clear objectives for the committee need to be included in the Terms of Reference. The Terms of Reference shall include a project outcome/deliverable and stipulate the timeframe for completion.

For committees that are ongoing in nature, Terms of Reference and objectives are to be reviewed biennially by the committee. Any proposed changes to the Terms of Reference must be presented to Council for formal approval.

6.3.2 Membership, Period of Membership and Method of Appointment

Membership of a Specific Purpose Committee is not prescribed. The most appropriate mix of membership will be determined by Council at the inception of the committee and may include any combination of the following:

- **Councillor(s)** - appointed annually by Council

- **Community Representative(s)** – appointed by Council through a registration of interest and selection process for a period of two (2) years. Every effort should be made to ensure a representative cross section of people from the municipality are elected to the committee, as appropriate.

- **Staff** – appointed for a time period specified by the Chief Executive Officer or relevant Director to provide administrative support and advice to the committee. Staff do not have voting rights (refer to section 6.3.7) unless specified in the Terms of Reference.

The Mayor is, by virtue of the Office, ex-officio member of any committees which may be established by Council from time to time. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance. The Mayor has no voting rights in their capacity as an ex-officio member of the committee.

6.3.3 Delegated Authority and Decision Making

Specific Purpose Committees have no delegated authority to make decisions as if it were the Council.

The Committee's Terms of Reference, as adopted by Council, may provide that the committee has the capacity to make a decision/s in relation to the project brief. In making decisions, the committee must comply with Council policies, procedures and guidelines, particularly in relation to Occupational Health and Safety. Decisions will be implemented by a staff member who has the appropriate delegation and level of authority.

The committee cannot make decisions outside the agreed scope detailed in its Terms of Reference.

6.3.4 Meeting Procedures

Meeting procedure of a Specific Purpose Committee is not prescribed. As a guide, committees may consider conducting their meeting generally in accordance with Processes of Municipal Government Local Law No 4.

Meetings are to be held at a time and place determined by the Specific Purpose Committee. Specific Purpose Committees are not required to give public notice of their meetings and meetings are not required to be open to the public.

6.3.5 Chair

The position of Chairperson shall be reviewed annually immediately following Councillor appointments to committees.

Where there is one Councillor representative on the committee that Councillor stands as chair. Where there is more than one Councillor the chair is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the chair.

A committee may determine, with consent of the Councillor representative/s, to appoint another members other than the Councillor representative/s as Chairperson.

If the chairperson is not present at a meeting, any other Councillor representative shall be appointed Chairperson. In the absence of any other Councillor representative/s the committee members shall appoint a chairperson for the purpose of conducting the meeting.

6.3.6 Agendas and Minutes

Agendas and minutes must be prepared for each meeting of an Specific Purpose Committee. The agenda must be provided to members of the committee not less than 48 hours before the time fixed for the holding of the meeting.

The Chairperson must arrange for minutes of each meeting of the committee to be kept.

The minutes of a meeting of a Specific Purpose Committee must:

(a) contain details of the proceedings and resolutions made;
(b) be clearly expressed;
(c) be self-explanatory; and
(d) in relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision making process.

Minutes must be approved by the chair before being published or distributed and then formally endorsed at the subsequent meeting.

The committee must determine through its Terms of Reference whether minutes are to be made available to the public. As a general rule, committees are encouraged to provide this information to the public, with the exception of reports and attachments that are confidential in nature.

6.3.7 Voting

Councillor and community members have voting rights unless otherwise stated in their Terms of Reference. Staff provide support and advice to the committee and have no voting rights unless specified in the Terms of Reference.

In the event of an equality of votes the chairperson has a second vote.

6.3.8 Conflict and Interest Provisions

In performing the role of Specific Purpose committee member, a person must:

- act honestly; and
- exercise reasonable care and diligence; and
- not make improper use of their position; and
- not make improper use of information acquired because of their position.

Where a member of the committee has an interest or conflict of interest in relation to a matter in which the committee is concerned, or is likely to be considered or discussed, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

6.3.9 Reporting

Specific Purpose Committees are required to prepare a formal report on an annual basis and also at the completion of its project as stated in their Terms of Reference. The report must be formally adopted by the committee and should directly reflect the objectives and performance measures of the committee as set out in the Terms of Reference.

A report will then be presented to Council detailing the outcomes of the committee and any recommendations to Council.

6.3.10 Administration Support

Administration support where required is provided to Specific Purpose Committees by the department whose functions are most aligned to the committee's objectives.

6.3.11 Sunset Clause

All Specific Purpose Committees will sunset at the conclusion of the project they were created to undertake. If the committee considers that there is a need for its existence to be ongoing beyond the life of the project, the committee must dissolve and seek Council approval to create an appropriate Advisory Committee for the new purpose. A Specific Purpose Committee may be ongoing in that it undertakes a project on a regular basis, for example annually.

6.4 EXTERNAL COMMITTEES

Council does not have any power to enforce operating expectations on External Committees. There are however still some areas that are important to note regarding External Committees, these include:

6.4.1 Membership

Councillors are appointed to External Committees annually. Staff are appointed to External Committees at the discretion of the Chief Executive Officer or their General Manager.

6.4.2 Conflict and Interest Provisions

In performing the role of External Committee member a person must:

- act honestly; and
- exercise reasonable care and diligence; and
- not make improper use of their position; and
- not make improper use of information acquired because of their position.

Where a member of the committee has an interest or conflict of interest in relation to a matter in which the committee is concerned, or is likely to be considered or discussed, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of meeting.

7. RELATED DOCUMENTS

- Policy No 15.2 "Section 86 Committees - Management of Council Owned and Controlled Properties".

8. APPENDIX

- Council's Responsibilities where Council is the "Committee of Management" – Appendix 1.
- Terms of Reference Template – Appendix 2.
- Current Committee Listing – Appendix 3.

APPENDIX 1

WHAT ARE COUNCIL'S RESPONSIBILITIES WHERE COUNCIL IS THE "COMMITTEE OF MANAGEMENT?"

INTRODUCTION

A Crown Land Reserve is public land that has been set aside for public purposes for the enjoyment and benefit of the people of Victoria.

Council has been appointed under the Crown Land (Reserves) Act 1978 to manage a number of reserves on behalf of the Minister and have responsibility and authority to manage, improve, maintain and control the reserve.

Committees of Management can also consist of locally elected or appointed people, statutory bodies of trustees.

COMMITTEES OF MANAGEMENT RESPONSIBILITIES

The powers given under the Crown Land (Reserves) Act 1978 enable committees to:

- Manage and develop the reserve;
- Undertake financial transactions including borrowing money and entering contracts;
- Enter tenure arrangements, such as leasing and licensing, for part or all of the reserve, subject to Minister's approval;
- Employ people;
- Enforce regulations.

POWER TO MANAGE THE RESERVE

The main guiding principle in managing the reserve is that it is public land for the use and enjoyment of all.

Council must manage the reserve and its assets. May also develop and enhance them.

A Committee (Council) can:
- Set fees and charges
- Limit access
- Establish sub-committees

MANAGEMENT DOCUMENTS

Committees are strongly recommended to prepare plans, for example:

- Management plan
- Works schedule

RISK MANAGEMENT

Committees are required to:

- Undertake a formal risk assessment
- Develop a risk management plan
- Conduct an annual review

EMPLOYMENT POWER

Council can utilise five categories of people who might work on our reserves:

- Volunteers
- Contractors
- Employees
- Tenants
- Other agencies

FINANCIAL POWER

Committees of Management can enter into contracts, set fees and charges and spend revenue for the purposes of the reserves.

- Revenue received by a committee must be directed to activities associated with the reserve.

POWER TO DEVELOP THE RESERVE

All proposed new developments are subject to the same approvals process as any other building or development on private land.

- For all developments on Crown land, prior to seeking any approvals a committee will need to consult with their local DSE office (Ballarat) as landowners consent is required.
- If consent is obtained, still subject to planning and building approvals.
- The Crown, not the committee, will become the owner of any development works on the reserve.

LEASING AND LICENSING POWER

Committees can grant leases or licences for their reserve subject to Minister's consent.

- Before entering into any lease or licence negotiations, contact should be made with the local DSE office.

LEASES

- Lease proposals require the approval of the Minister before entering into negotiations.
- Leases must comply with the requirements of DSE.
- Leases can only be issued up to the maximum term of 21 years.
- Must use standard DSE lease documents.

LICENCES

- Licences are for non-exclusive use of part or all of a reserve.
- Licence proposals require the approval of the Minister and must comply with the requirements of DSE.
- A licence can be issued for up to 3 years.
- Must use standard DSE licence documents.

APPENDIX 2

TERMS OF REFERENCE

Committee Name:

Directorate	
Responsible Officer	
Committee Type	

1.   PURPOSE

Briefly outline the purpose of the committee.

2.   OBJECTIVES

Provide a brief explanation of the objectives of the committee including performance   measures.

3.   MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF   APPOINTMENT

Membership, period of membership and method of appointment will be determined in accordance with the committee types defined in the Council Committee Policy.

4.   DELEGATED AUTHORITY AND DECISION MAKING

Delegated authority and decision making will be determined in accordance with the committee types defined in the Council Committee Policy.

5.   MEETING PROCEDURES

Meeting procedures will be determined in accordance with the committee types defined in the Council Committee Policy.

6.   CHAIRPERSON

The Chairperson will be determined in accordance with the committee types defined in the Council Committee Policy.

7.   AGENDAS AND MINUTES

Preparation, distribution and availability of minutes will be determined in accordance with the committee types defined in the Council Committee Policy.

8.   VOTING

Voting rights of committee members will be determined in accordance with the committee types defined in the Council Committee Policy.

9.   CONDUCT AND INTEREST PROVISIONS

Conduct and interest provisions will be determined in accordance with the committee types defined in the Council Committee Policy.

10.   REPORTING

Minimum reporting requirements will be determined in accordance with the committee types defined in the Council Committee Policy.

11.   ADMINISTRATION SUPPORT

Administration support is provided by the department whose functions are most aligned to the committee's objectives.

12.   SUNSET CLAUSE

The committee will sunset in accordance with the committee types defined in the Council Committee Policy.

APPENDIX 3

LIST OF COUNCIL COMMITTEES (As at October 2008)

(A) **SPECIAL COMMITTEES (COUNCILLORS)**

- Planning Committee
- Contracts Committee

(B) **OTHER S86 COMMITTEES**

- Barongarook Public Hall and Tennis Reserve
- Barwon Downs Hall
- Beech Forest Hall
- Beech Forest Recreation Reserve
- Birregurra Hall
- Carlisle River Recreation Reserve
- Chapple Vale Hall
- Colac Municipal Aerodrome
- Cororooke Public Hall
- Cressy Hall
- Eurack Hall and Tennis Reserve
- Irrewillipe Public Hall and Reserve
- Larpent Recreation Reserve
- Lavers Hill Public Hall
- Old Beechy Rail Trail
- Pennyroyal Hall and Tennis Reserve
- Pirron Yallock Recreation Reserve
- Stoneyford Hall
- Swan Marsh Hall and Tennis Club
- Tirrengower Drainage
- Warncoort Tennis Reserve
- Warrion Public Hall
- Wingeel Tennis Reserve
- Yeo Recreation Reserve

(C) **COUNCIL ADVISORY COMMITTEES**

- Audit Committee
- Australia Day Advisory Committee
- Central Reserve Advisory Committee (Premier Recreation Reserve
  Committee)
- Colac Livestock Selling Centre Advisory Committee
- Festival and Events Support Scheme Advisory Committee
- Friends of the Botanic Gardens Advisory Committee
- Grants/Community Funding Advisory Committee
- Lake Colac Community Advisory Committee
- Roads Advisory Committee
- Small Town Improvement Program Advisory Committee

OM082511-4 CUSTOMER SERVICE POLICY/GUIDELINES

AUTHOR:	Colin Hayman	ENDORSED:	Tracey Slatter
DEPARTMENT:	Corporate and Community Services	FILE REF:	GEN01688 Policies & Guidelines

Purpose
For Council to consider the adoption of the Customer Services Policy/Guidelines and Service Charter.

Background
At the Council meeting held on 23 September 2008 it was resolved:

"That Council:
1.   Endorse the draft Customer Service Policy/Guidelines and Service Charter for public comment.
2.   Endorse a 4 week community consultation period where formal written submissions will be received. "

Following the Council meeting advertisements were placed in the local newspapers, copies of the Policy and Charter were forwarded to community groups and made available at both the Colac and Apollo Bay offices and on the Council's website.

No submissions have been received.

At the Council meeting held on 30 January 2008, Council considered the Best Value Review of Customer Services, Property and Rates.

Council resolved to receive the Best Value Services Review Report and endorse the implementation of the Continuous Improvement Plan for Customer Services, Property and Rates.

The Continuous Improvement Plan for Customer Services included a number of actions regarding Performance Standards/Protocols.

- Review the Customer Service Performance Standards.
- Prepare a summary of the Standards into a few short sharp simplified statements.
- Review and revise the telephone policy/protocol.
- Ensure standards, key procedures and protocols are consistent, understood by all staff and documented.
- Relaunch the Customer Service Performance Standards and key procedures and protocols on an organisation wide basis.
- Ensure staff are made aware of the standards and that compliance with standards is monitored.

Following on from the Council resolution a Customer Services Review Team was formed made up of a number of staff from units across the organisation.

The review team held 5 meetings to work through 2 documents:
- Customer Services Policy/Guidelines
- Service Charter

The Policy/Guidelines have been combined into one document from a number of previous operational policies and guidelines from various publications.

Council Plan/Other Strategies/Policy

In the Council Plan under the community priority of strong leadership, it states "we are committed to providing strong community leadership, governance and advocacy services which will benefit the community now and into the future."

Councillors and staff are required to maintain the highest standards of conduct and abide by the Shire's values:

- **Partnership**
  We will work in partnership with the community to achieve agreed goals.

- **Consultation**
  We will undertake genuine consultation on key issues as part of our decision-making processes to improve the quality, accountability and transparency of those decisions.

- **Service**
  We will provide a culture in which our services respond to community needs and aspirations.

Council currently has a Service Charter but it has not been reviewed for some time.

The ongoing application by the organisation of the Best Value Principles is an integral part of Council's annual business planning in the form of Business Unit/Service Continuous Improvement Plans. Through the Continuous Improvements Plans, officers review alternative operations to enable the organisation to fulfil its Best Value legislative requirements and to continually improve service delivery to the community.

Issues/Options

Council Policy

The Customer Service Policy has previously been an Operational Policy.

As part of the discussions with the Review Team it was evident that the policy should be a Council Policy.

Customer Services is a whole of Council issue. The purpose of the policy is to outline Council's approach to Customer Service.

All areas of the organisation need to be committed to being customer focussed.

Service Charter

The revised Service Charter updates the information in the current document. The Charter should be regularly updated as information changes.

Review

The Policy and Charter will be reviewed in 2009 as part of a review of all Council policies following the election of the new Council.

Supporting Documentation

All staff will receive a copy of the Policy and Charter plus 2 A5 sheets on:

- Telephone Interaction
- Customer Services

Telephone Interaction will include a Performance Objective, Criteria and Telephone Systems Functions, while the Customer Services Sheet will also include Customer Service Tips.

These sheets will be in different colours. Staff will be encouraged to have them close by to remind them of the standards expected of all areas of the organisation.

Proposal
For Council to adopt the "Customer Service Policy/Guidelines" and "Service Charter".

Financial and other Resource Implications
The review of the documents has involved a number of staff resources at different levels. This has been through involvement on the Review Team and other consultation opportunities.

Risk Management & Compliance Issues
Not applicable.

Environmental Considerations
Not applicable.

Communication Strategy/Consultation
The process to review the documents was undertaken by a review team formed specifically for the project.

An opportunity was provided for persons to make submissions on the documentation. No comments/submissions have been received.

Implementation
The implementation of the Customer Service Policy/Guidelines and the revised Service Charter will be an important process for the whole organisation. Customer Service is a whole of Council issue.

Once adopted copies of the Policy and Charter will be available on the Council's website as well as on the intranet as a ready reference for all staff.

As indicated all staff will have access to the Policy and Charter through the intranet or by a hard copy. As well as having access to the documents all staff will receive 2 A5 sheets on:

- Telephone Interaction
- Customer Service

These sheets will include the Performance Objective, Criteria and other useful information. Staff will be encouraged to have these sheets next to their phone or in a spot close by to remind them of the standards expected of all areas of the organisation.

Other mechanisms using technology will be investigated in making sure that the message about the importance of Customer Service is regularly conveyed to all staff.

With the appointment of the Customer Service Co-ordinator there will be more regular contact with all areas of the organisation. This will ensure not only that the message of the importance of good Customer Service is regularly discussed, but will provide the opportunity to implement other improvements that will assist departments in how Customer Service is provided across the whole organisation. All areas of the organisation need to be committed to being customer focussed.

Improving our Image - Customer Services
The Best Value Review and the implementation of the Policy and Charter will provide a framework to further progress Customer Service improvements across the whole organisation and the Customer Services Unit and improve our image.

Objective of the Customer Services Unit - "to build a quality working relationship across all Business Units. This will allow us to create a Customer Service Environment throughout the Colac Otway Shire"

We will achieve this by providing:

A Well Trained Team -
- compile a comprehensive procedure manual for Customer Service;
- grow and develop the Customer Service Team and build relationships through internal relief placement and attendance of meetings;
- increase the productivity of the Customer Service Team - look at the systems we use for opportunity of improvement;
- develop the Customer Service Team through external courses;
- source Champions within Local Government and learn from; and
- participate in team meetings, internal and also regional to gain an understanding of concerns and to gather information and ideas.
-
Clear Flow of Information
- To reinvent the way the Customer Service Team communicates to all Business Units.
- Welcome open, honest feedback across the Total Team.
- Ensuring the flow of information from all Business Units to Customer Service is timely and precise by utilising communication tools.
- Ensuring the flow of information from Customer Service to other Business Units is timely and precise by utilising communication tools .

By having a timely and precise flow of information across all Business Units will allow us to offer a far better quality service to our external customers.

Conclusion
Both the Customer Service Policy/Guidelines and Service Charter are important documents which outline Council's approach to Customer Service.

The policy applies to all Council staff and Councillors, contractors, consultants, work placement students and volunteers who deal with customers of Colac Otway Shire.

All Council staff and Councillors must strive to meet the needs of our customers in a professional and ethical manner with courteous and efficient service.

The development of the documents has taken place since January 2008 and has been a positive process through the involvement of staff from different units and different levels.

Attachments
- Customer Service Policy/Guidelines
- Service Charter

Recommendation

That Council adopts the Customer Service Policy/Guidelines and Service Charter.

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CUSTOMER SERVICE POLICY/GUIDELINES

Policy No: 2.6

Date Adopted: 25/11/08

File No: GEN01688

Revised:

1. **PURPOSE**

The purpose of this policy is to outline Council's approach to Customer Service.

Colac Otway Shire is committed to ensuring customers using Council facilities or services receive quality, efficient and responsive service through our Performance Standards.

2. **INTRODUCTION**

Colac Otway Shire aims to work in a courteous, consistent, timely and fair manner and satisfy all reasonable requests from customers.

The Customer Service Policy aims to provide a document for staff, councillors and customers alike regarding enquiries or complaints received by the Colac Otway Shire, and how they should be resolved.

All areas of the organisation are committed to being customer focussed and our working environment is based on respect for the individual and the community.

Councillors and staff are required to maintain the highest standards of conduct and abide by the Shire's values:

- **Partnership**
  We will work in partnership with the community to achieve agreed goals.

- **Consultation**
  We will undertake genuine consultation on key issues as part of our decision-making processes to improve the quality, accountability and transparency of those decisions.

- **Service**
  We will provide a culture in which our services respond to community needs and aspirations.

Council's dual role as a service provider and a regulatory body can create situations where not all customer requests can be met. However, Council has an obligation to provide customers with an accessible, fair and equitable mechanism to access services, make service requests and obtain assistance. The establishment of a standardised, courteous and professional approach to the management of customer contact, in conjunction with clear policies and procedures, will facilitate the achievement of Council's obligation to its customers. This will enhance Council's image and provide customers with a positive experience of Council.

2.1 Definition of Customers

For the purpose of this policy, customers include individuals and organisations to whom Council provides service. Customers include ratepayers, residents, asset users, daily visitors as well as people passing through the Colac Otway local government area en route to another destination. Internal customers include other Council Departments and members of staff.

3.   SCOPE OF THE POLICY

This policy applies to all Council staff and Councillors, contractors, consultants, work placement students and volunteers who deal with customers of Colac Otway Shire.

All Council staff and Councillors provide service to Council's customers either directly or indirectly.

All Council staff and Councillors must strive to meet the needs of our customers in a professional and ethical manner with courteous and efficient service. Staff and Councillors will:

- Act impartially and actively listen to other people's views, seek advice from a range of sources before forming opinions, making decisions or taking actions
- Treat all people with courtesy and respect even when disagreeing with their views and recognise there are legitimate differences in opinions, race, culture, religion, language, sexuality, gender and abilities and act to prevent offence or embarrassment being caused
- Act in the interest of the Colac Otway Shire community as a whole
- Take personal responsibility for decisions, actions and behaviours
- Exercise all reasonable care and diligence in performing the responsibilities and functions of a Colac Otway Shire employee/councillor.

Further, in conducting our business we will:

- act with integrity and honesty
- be customer-focused
- deliver 'value for money' services in a professional manner
- be innovative, with a focus on performance, outcomes and excellence
- be environmentally responsible
- be effective and open in our communication.

4.   WHAT IS CUSTOMER SERVICE?

Customer service refers to the interaction between internal staff, councillors, interaction between agencies and those in the community who want or need a product or service from the Colac Otway Shire. Such contact can take a variety of forms including personal or telephone communication, media messages, forms and publications.

Quality customer services is defined as the provision of service which meets customer needs and expectations on the aspects of service which matter most to the customers, within the framework of legislation, policy and budget.

5.   PERFORMANCE STANDARDS

To achieve Council's Service value, Performance Standards have been developed to ensure consistency and quality in presentation and responsiveness to meet our customer's expectations, and accessibility to information:

1.   Customer Interaction
2.   Request Handling
3.   Corporate Image
4.   Information Management

These Performance Standards will guide our overall organisational customer focus however, Business Units may adopt site-specific standards to assist them to meet their particular customer expectations within their resources. These must be in line with the standards and the Shire values.

A copy of the standards are attached at Appendix 1 of this document. They contain an explanation of the Performance Standards, how they are going to be measured and what actions can be taken to improve the overall organisational targets.

The Performance Standards are monitored and measured through the following mechanisms:

- The Annual Customer Satisfaction Survey (co-ordinated by the Office of Local Government) indicator for Council's interaction and responsiveness in dealing with the public.
- Performance Management process (PES).
- Colac Otway Requests System (MERIT).
- Regular reviews by individual Business Unit Team Leaders and Managers.
- Feedback Sheets for Customer Interaction.

6.   **GUIDING PRINCIPLES OF SERVICE PROVISION**

The standards our customers have a right to expect:

At all times Council aims to:

- listen to what you say
- be approachable and professional
- treat customers courteously and with respect
- address you by your name when we know it
- give officer identification when talking to customers
- follow up on service commitments that we make to you
- respond as quickly and efficiently as possible to service requests and service complaints
- be punctual for meetings and appointments
- treat customer's personal information with confidentiality
- be factual and accurate in the information provided.

7. TYPES OF CUSTOMER SERVICES

Customers contact Council for a wide variety of issues ranging from enquiries and requests for information or advice, to the provision of direct services, i.e., Development Applications, Dog Registrations, etc.

(1) Telephone Calls

Council recognises the importance of telephone calls and will answer all calls promptly and efficiently, referring calls to the appropriate officer quickly and providing clear and concise information in response to caller enquiries. Council endeavours to:

- Advise all callers of the name of the person answering the call, or making the call where it is outgoing from Council
- Deal with the call, redirect the call or take a clear message from the caller as required
- Ensure all messages include details of the caller's name, contact number and message as well as details of who took the message and when
- When calls cannot be fully responded to immediately, give clear advice to the caller about when the caller can expect a response
- Put calls on hold for the minimum amount of time possible
- Speak clearly, deal with customers calmly, courteously and patiently, even when the callers are angry, aggressive or distressed
- Answer unattended telephones in the absence of staff in the particular section/department whenever practical.

Telephone protocols have been developed which provide basic guidelines for staff in terms of managing telephone calls and establishes some standards and practices with the use of technical features of telephone services. It aims to ensure that telephones are answered in a welcoming, consistent and informative manner that gives a positive and professional impression of the Shire.

A copy of the Telephone Protocols is attached at Appendix 2 of this policy.

 (2) Written

Council recognises the importance of correspondence (letters, facsimiles and email messages) and will provide clear and concise responses promptly. Council endeavours to:
.
- Provide a response to all matters in line with the Request Handling Performance Standard
- Ensure that all outward correspondence includes the name and contact details of the officer dealing with the matter and Council's file reference
- Use language that is clear and concise
- Provide documentation in a larger font on request.

Colac Otway Shire style guidelines provide further information on communications on behalf of the organisation.

(3) Face to Face

Council recognises the need to promptly serve members of the public who come to Council to seek information or transact business. Council will endeavour to have officers available to the public during office hours and at designated times. Council endeavours to:

- Make staff available for interviews by prior arrangement
- Attend to members of the public at the customer service help desks in a professional and helpful manner
- Promptly advise staff if there is a member of the public in the reception area for an appointment
- Provide a full range of information for public inspection in customer service areas
- Speak clearly and deal with visitors calmly, courteously and patiently, even when visitors are angry, aggressive or distressed
- Make appointments to visit a customer external to Council's facilities. At the beginning of any Council visit, staff or Councillors must clearly identify themselves and the purpose of the visit
- Ensure that all relevant staff are present to address each matter appropriately.

8. RECORDING AND FOLLOWING THROUGH ON REQUESTS

Colac Otway Shire has a Customer Request Management System (MERIT) which is used to record internal and external customer requests and complaints.

All requests are directed to the relevant department for a response and actions taken are recorded. Timelines for resolving responses are set and adherence to the timelines are monitored.

The system has many benefits including:

- A record of all customer requests.
- Enables the quality of the response to be monitored through reporting and escalation processes.
- Produces quality reports for senior management.
- Facilitates the identification of patterns and trends for the purposes of service improvement and planning.

9. HOW STAFF ARE SUPPORTED TO PROVIDE CUSTOMER SERVICES

In order to meet the objectives of the Customer Service Policy, organisational resources have been provided in the areas of training and induction programs, telephone facilities, monitoring systems, accessibility and maintenance of Council information, survey and feedback mechanisms.

10.   DEALING WITH DIFFICULT CUSTOMER BEHAVIOUR

Council staff and Councillors aim to treat customers with courtesy and respect at all times and to make every reasonable effort to address the customer's needs even when s/he is rude or difficult. Customers are also expected to treat Council staff and Councillors with respect and courtesy. It is certain however, that whatever standard of professional and positive customer service Council achieves, there will always be a small percentage of customers whose issues cannot be dealt with to their satisfaction. This may be due to refusal by the customer to accept a Council decision, demands placed on Council which are not within our scope or resources to meet, or a level of rudeness or aggression shown to staff or a councillor by the customer that makes it unsafe or unreasonable to proceed.

In these situations Colac Otway Shire will take steps to ensure our staff's health, safety and wellbeing is protected.

10.1   Definitions

Difficult customer behaviours: Rude, abusive or aggressive behaviour may include rude or otherwise vulgar noises, expressions or gestures, verbal abuse either of a personal or general nature, intimidating, threatening or offensive behaviour, physical violence against property or physical violence against a person.

Customers who cannot be satisfied and/or who constantly raise the same issue with different staff: may include any person or groups who do not accept that Council is unable to assist them, provide any further assistance or level of service than has been provided already and/or disagree with the action Council has taken in relation to their complaint or concern and who continue to make representations to staff insisting, demanding action/attention/resolution to their matter.

Customers who make unreasonable demands: Customers who make unreasonable demands include any person whose demands on Council start to significantly and unreasonably divert Council's resources away from core functions or create an inequitable allocation of resources to other customers. Such demands may result from the amount of information requested, the nature or scale of services sought or the number of approaches seeking information, assistance or service.

10.2   Procedure for Dealing with Difficult Customer Behaviours

Rights and responsibilities

If, in any interaction with a customer over the phone or in person a staff member or a councillor feels uncomfortable due to the hostile or volatile nature of the customer, it is appropriate that the call/interaction is terminated by doing one of the following:

- Advise the person that *"I can not help you and will get someone else to …"*
- If they are swearing, abusive or threatening advise the person that *"I would like to assist you and will do so if you refrain from using inappropriate language, but I am unable to assist you if you continue to behave in this manner. I will ask my Manager/Coordinator to come and assist you"   ; and*
- If appropriate introduce a third person into the interaction.

If the behaviour continues advise the customer *"I am unable to help you and I am terminating the call/meeting".* If necessary the staff member should either hang up or leave the room and move to another safe area to ensure personal safety.

Where a conversation or interview is terminated or if a staff member or councillor is verbally or physically abused, the staff member must then immediately inform his/her Manager or the CEO of the incident and complete an incident report. The matter will then be discussed to determine what action, if any should be taken with respect to the customer's behaviour. If necessary a meeting should be arranged with the Councillor, relevant staff, their Manager and General Manager to discuss the details of the situation.

If a staff member is observed or heard to be involved in a difficult interaction with a customer, other staff are expected to provide assistance or immediately seek assistance from another staff member. Assistance may be provided simply by being present during the interaction.

Staff are encouraged to talk to and seek advice from their Manager regarding dealing with difficult customers.

Council will provide training on dealing with difficult people following an assessment of Organisation Development requirements/needs.
.

10.3   Management responsibilities

Where the General Manager/Manager is satisfied that every effort has been made by staff to address a customer's needs, he/she may make a decision that there is no reasonable prospect of reaching a position where a particular customer is satisfied with Council's actions and service. In such a case the General Manager may make a decision to stop or limit responses to the customer in relation to the issue in question and/or further interactions with the customer.

This may include:

•   Refusal to accept telephone calls or make appointments with the customer
•   A request that all future communication be in writing
•   Provision of responses to queries
•   Information requests only where a new issue has been presented
•   Identification of a single staff member as contact person through whom all communication must occur.

Where such a decision has been made the General Manager will communicate the decision in writing to the customer and ensure the customer is given the opportunity to make representation or appeal to the Chief Executive Officer about the proposed course of action.

The Chief Executive Officer will advise the Mayor/Councillors of any correspondence issued in relation to such a decision.

The General Manager/Manager will ensure that relevant staff including the Customer Services Unit are advised of any decisions/actions

Customer Services are to be provided with a standard response: *"Thank you for calling, however as you have been previously advised, you are required to put all your requests in writing addressed to the Chief Executive Officer Colac Otway Shire."*

The General Manager/Manager in consultation with relevant staff will continue to monitor any further contact with the customer over the issue and the above directions be amended as appropriate.

The General Manager/Manager shall advise the Organisational Support & Development Unit of situations referred to in this policy. As appropriate the Organisational Support & Development Unit shall arrange appropriate support services for staff. .

10.4   General responsibilities

In all of the situations referred to, adequate documentary records, incident reports etc must be made and maintained on the appropriate Council file.

11.   RESPONSIBILITY/ACCOUNTABILITY

11.1   One of the key functions for the organisation is to create a customer-focused environment.

It is important that all staff in the organisation own the Shire's values.

- **Partnership**
  We will work in partnership with the community to achieve agreed goals.

- **Consultation**
  We will undertake genuine consultation on key issues as part of our decision-making processes to improve the quality, accountability and transparency of those decisions.

- **Service**
  We will provide a culture in which our services respond to community needs and aspirations.

Creating a customer service environment is integral to the business of the Colac Otway Shire.

In a customer service organisation everyone, not just customer service staff need to be focused on the customer as everyone is part of the customer service chain.

11.2   Everyone who acts on behalf of the Colac Otway Shire is:

- *accountable for the quality of the service they deliver*
- *responsible for identifying and reporting any impediments to delivery of good customer service.*

11.3   **General Managers** are accountable for ensuring consistently high levels of customer service in their Departments.

Management is responsible for acting upon any identified impediments to the delivery of good customer service.

11.4   The **Organisation, Support and Development Department** is responsible for arranging any training and/or coaching on customer service and communication skills.

12.   REPORTING AND COMMUNICATION

Council will communicate outcomes of our performance to Staff, Councillors and the Community through the Annual Report.

13.   BREACH OF POLICY

Non-compliance with this policy will be determined through individual staff performance management.

Opportunity for re-training made available if required.

14.   RELATED POLICIES/PROCEDURES/GUIDELINES

- Performance Management System
- Colac Otway Shire Style Guidelines
- Council Code of Conduct
- Colac Otway Shire Service Charter
- Staff Code of Conduct

15.   POLICY IMPLEMENTATION

All staff will be responsible for implementing this policy. Managers and Supervisors will be responsible for monitoring their staff through the Performance Management System and contractors through contract monitoring processes.

16.   ATTACHMENTS/APPENDIX

APPENDIX 1 – Performance Standards
APPENDIX 2 - Telephone Protocols

APPENDIX 1 – CUSTOMER SERVICE PERFORMANCE STANDARDS

Introduction

One of Colac Otway Shire's organisational values is Service and a key objective is to ensure all staff are committed to being customer focused and embrace the Customer Service Performance Standards. These Performance Standards will ensure consistency and quality in our presentation, responsiveness to meet our customer's expectations, and accessibility to information.

In June 2004, a staff committee reviewed the current performance standards and integrated them into four organisational customer service responsibilities:-

1. Customer Interaction
2. Request Handling
3. Corporate Image
4. Information Management

These Performance Standards will guide our overall organisational customer service focus. Business Units may adopt site-specific standards to assist them to meet their particular customer expectations within their resources. These must be in line with the standards and the Shire's values.

Customer Service training and refresher courses will be made available to all staff annually or as required to ensure consistent standard of service delivery.

Customer Satisfaction is independently measured on an annual basis on all Councils throughout Victoria.

MERIT includes ongoing and agreed time lines for responses against each category and outstanding requests are monitored on a regular basis.

The Organisation recognises staff who comply with criteria set out in the Performance Standards through the Performance Management process. Council further recognises excellence in Customer Service through Reward & Recognition programs.

This document contains an explanation of the Performance Standards, how they are going to be measured and what actions staff can take to improve the overall organisational targets.

1.   Customer Interaction

Performance Standard Objective
To guide the way we interact with internal and external customers directly by telephone or personal contact.

Criteria

Telephone Interaction
- All telephone calls will be answered within 3 rings where possible.
- Council staff will identify themselves to callers, being courteous and professional at all times *(Refer to Appendix 2 – Telephone Protocols).*
- Telephone messages will be returned within 24 hours, wherever possible.
- Staff should answer other staff members' phones in their common group in their absence and assist the caller or take a message and record on MERIT.
- Where staff have use of a dedicated mobile phone, their office phone should be diverted to their mobile phone or message bank for short term absences.

Customer Contact
- When visiting Council premises, customers will be attended to without delay in a friendly, courteous, helpful and professional manner.
- Use the customer's name to help build rapport and diffuse tense situations.
- Show empathy and acknowledge the customer's concerns.
- Actively listen, take notes and tell the customer what you are going to do, and when they can expect a response. Be realistic, "only promise what you can deliver".
- Do not take comments personally – sometimes people may be angry at the system – not you personally.
- Do not argue or enter into dispute – remain calm, objective and professional.
- Do not blame other people, units or the customer.
- Staff will take responsibility for finding a resolution to the customers' enquiry and ensure the customer has a contact name for follow up.
- Staff will be responsive to requests for information.
- Staff will arrive on time for meetings and appointments.
- When absent, staff will use appropriate mechanisms to advise other staff when they will be available.
- Where a record of conversation form is used, staff are to ensure that it is filed electronically in the Library system.

How Performance Standards will be Measured

By the Annual Customer Satisfaction rating for Council's interaction and responsiveness in dealing with the public. Customers are asked to rank Council's performance in the way they were treated with things like ease of contact, helpfulness and ability of staff, speed of response, and attitude. (Survey co-ordinated by the Office of Local Government).

Performance will also be measured through the organisation's Performance Management process.

How Staff can improve their Performance

- Answer and return telephone calls promptly and identify yourself and the organisation.
- Treat all customers consistently and use a professional and friendly manner.
- Use Absence Text on your office phone indicating time/date of your return, or use message bank facilities during absences.
- Divert your phone to another staff member when you are on annual leave or away for a period of time longer than one day.
- Take messages for other staff in your common group and record on MERIT.
- Attend to all customers promptly.
- Provide timely, useful and accurate information.
- Listen to the customer's concerns.
- Be aware of the Dealing with Difficult Customer Behaviour clause in the Customer Services Policy.

2. Request Handling

Performance Standard Objective
To guide the way we deal with and respond to internal and external requests, and action items arising from meetings.

Our aims are to:
- Provide an easy mechanism through which a customer or staff member can make a request.
- Recognise the community and staff have a right to make a request and that this should be seen as a positive and constructive process.
- Ensure that staff are committed to responding to the requests of other staff members, our customers, the Council and the wider community.
- Ensure all internal and external requests, including action items from minutes are entered in MERIT and are acted upon within designated timeframes.

Criteria
- Staff who handle requests, either in writing, over the telephone, or face-to-face, which require any further action should enter the request into the MERIT System so that the requests can be recorded and tracked.
- When you are absent for extended periods, ensure your MERIT requests are actioned by another officer.
- Discretion is to be used as to whether the customer is asked to put a request in writing.
- Take personal responsibility for the request and provide a contact name for follow up.
- Requests for information should be distributed within 1 working day of the request.
- Attempt to resolve the request at the time. It is acknowledged that many requests take time to resolve. If it is not possible to deal with the request immediately, make a commitment to resolve the matter within a timeframe that is realistic and agreed with the customer. Note the expected completion times are programmed into the MERIT system.
- Give the customer options to consider when negotiating a resolution to a request.
- Once resolved, and if appropriate, confirm in writing what the resolution is. If any actions are required, make sure you complete them.
- Conclude or complete a verbal or written enquiry or request by thanking the customer.
- Regularly inform the customer on the progress of matters that cannot be resolved in a given short time frame.
- If a request is received by letter, it may be appropriate to call the person involved to find out more information or to advise that the matter is being investigated.
- If the customer is still not happy at the end of the process, explain that you will refer it to your Team Leader/Manager/ General Manager. Prior to briefing your Manager ensure that MERIT is updated with the latest information.

How Performance Standards will be measured

- Executive and Managers will regularly monitor outstanding requests through reports generated from MERIT.

- By the Annual Customer Satisfaction rating for Council's interaction and responsiveness in dealing with the public. Customers are asked to rank Council's performance in the way they were treated with things like ease of contact, helpfulness and ability of staff, speed of response, and attitude. (Survey co-ordinated by the Office of Local Government).

- Performance will also be measured through the organisation's Performance Management process.

How Staff can Improve their Performance

- Recognise that requests can provide constructive information through which we can improve our service and performance.
- Listen, remain calm and professional and always treat the customer with respect.
- Take responsibility for resolving the request, including finding information from other work areas.
- Negotiate with the customer to provide a response within an agreed timeframe.
- Keep the customer informed of progress if a matter takes some time to resolve.
- Log all customer requests which require any further action on MERIT.
- Log all actions from minutes on MERIT.
- Ensure you check your MERIT requests regularly and respond to requests within the agreed timeframes as stated in the MERIT system.

3. Corporate Image

Performance Standard Objective
To present a professional approach when interacting with our customers both in person, over the telephone and through written correspondence; and to ensure the clean, tidy and neat image of our Customer Service areas.

Criteria

Presentation
- Ensure all areas especially areas in public view are clean, tidy and professionally presented.
- Staff will present a professional image in appearance (full uniform where required) and have a high standard of personal presentation (well groomed).
- Staff will wear Council name badges or identification when dealing with external customers or when representing Council.
- No food, drink (other than water) or chewing gum will be consumed by staff in Customer Service or areas in public view.
- All signage on walls to be professionally presented.
- Conference/meeting rooms and Staff rooms are to be left in a neat and tidy manner by users, including ensuring all food and drink is removed.

Written Correspondence, Agendas & Minutes

- Standard templates and Corporate Style Guidelines will be used for all correspondence, agendas and minutes.
- When preparing correspondence, all staff will ensure:
- layout complies with Corporate Style Guidelines
    - contact name and phone number is provided
    - a professional and personal tone is used
    - the correct greeting is used
    - letters are signed
    - correspondence is free of spelling, grammatical and typing errors
    - all attachments are enclosed
    - "With Compliments" slips are attached when appropriate
    - envelopes are addressed correctly and typed
    - Corporate forms should be printed on Corporate Form paper (available from DMS).

How Performance Standards will be Measured

Customer Service staff will regularly ensure that public areas are clean, tidy and neat and information brochures and documents are up to date. Team Leaders and Managers will also monitor staff presentation to ensure a professional image is conveyed to our customers.

It is essential that correspondence is written in a professional and accurate manner following the criteria set out above. Executive and Managers will monitor response times to written requests using reports generated through the MERIT system.

Every quarter, Document Management Services Business Unit will review random items of outgoing correspondence for compliance with the Corporate Style Guidelines, template used, spelling/grammar checked, envelopes typed, letters signed and copy filed in Teamware Library (to be further discussed).

Performance will also be measured through the organisation's Performance Management process.

How Staff can Improve their Performance

- Ensure all areas have a clean, tidy and professional appearance.
- Ensure work areas and meeting rooms are kept tidy and clear of clutter.
- Attend to all customers promptly and present a friendly and professional approach when dealing with customers.
- Staff members are appropriately presented with name badge or identification.
- Provide timely useful information.
- Use Microsoft Word templates and Corporate Style Guidelines to guide layout, font size, text, addressing etc.
- Use a professional and personal tone of writing.
- Use spell check and proof read all outgoing correspondence.
- Ensure attachments are enclosed with correspondence.
- Make sure all envelopes are correctly addressed and typed (either directly or using labels).
- Make sure all written requests are responded to within specified timeframe.
- When you are away for extended periods ensure your MERIT requests are actioned by another officer.

4.   Information Management

Performance Standard Objective
To ensure our customers have access to relevant and accurate Council information and services.

Criteria
- Ensure the most relevant media is used to inform our customers through advertising, media releases and news columns.
- Ensure that web site and intranet information is up to date, relevant and accurate.
- Ensure brochures, directories, public documents and other publications are available from our Customer Service Centres in Colac and Apollo Bay and available via the Internet.
- Inform our customers of Council's performance through our Annual Report.
- Circulate information to new residents through our New Residents Kit.
- Incoming information will be managed and distributed daily.
- Ensure accurate and complete information is maintained in the Teamware Library system, Corporate Library and hardcopy files.
- Ensure information contained within the Colac Otway Shire Databases is maintained.
- Ensure the organisation's induction program is made available to all new staff.
- Ensure an induction program is made available to staff who transfer within the organisation.

How Performance Standards will be Measured
The Public Relations Co-ordinator will conduct quarterly audits of website and intranet information to ensure information is up to date, relevant and accurate. All Business Units are responsible for ensuring their information is correct and up to date.

The Public Relations Co-ordinator will regularly review brochures, directories, public documents, New Residents Kit and other publications to ensure availability, relevance and accuracy.

The Annual Report will be made available to our customers and residents.

Document Management Services Business Unit will conduct quarterly reviews to ensure staff are using Teamware Library effectively.

Performance will also be measured through the organisation's Performance Management process.

How Staff can improve their Performance

- Regularly review relevant web site and intranet pages and provide up to date, relevant and accurate information to the Public Relations Co-ordinator.
- Provide the Public Relations Co-ordinator with information to be included in media, brochures, public documents and other relevant publications.
- Contribute information to Council's Annual Report.
- Participate in training and refresher workshops on Teamware Library system.
- Ensure all relevant incoming and outgoing corporate documents, correspondence, faxes, e-mails and information are stored in the Teamware Library system.

APPENDIX 2 - TELEPHONE PROTOCOLS

Section 1: PURPOSE

(1)   Colac Otway Shire staff make and receive many telephone calls each day. Telephone contact is one of the most important communication points for the Shire.

(2)   These protocols present basic guidelines for staff in terms of managing telephone calls and establishes some standards and practices with the use of technical features of telephone services. It aims to ensure that telephones are answered in a welcoming, consistent and informative manner that gives a positive and professional impression of the Shire.

(3)   To improve staff professionalism when managing customer enquiries over the telephone and to minimise the time taken to respond to and conclude an enquiry to the customer's satisfaction.

Section 2: Policy Statement

(4)   The Shire's policy is to answer all telephone calls in a welcoming and professional manner that conveys confidence to the caller that their enquiry is valued and that they will be acknowledged and responded to within a stipulated timeframe.

Part A – Telephone Answering Protocols

Initial Answering
(5)   It is important that telephones are answered within three rings and that when you answer an external call you should welcome the caller using the following phrase *"Good morning/afternoon, Colac Otway Shire, this is (first name)".*
A professional manner and friendly tone of voice should be demonstrated.

(6)   Telephones should not be left to ring out. Where a telephone is unattended, arrangements should be made with other staff or call forwarding.

Placing a Call on Hold
(7)   Always ask the customer's permission to put them on hold and thank them for waiting. Make sure you get back to the caller every 30 seconds and ensure the caller is to be placed on hold for no longer than 2 minutes. The hold or "park" facility on phones will ensure the customer can not hear any office noise.

Transferring a Call
(8)   Always ask the customer's permission to transfer them to the appropriate officer. The customer should be advised who they are being transferred to and the area/department. Always advise the person you are transferring the call to of the caller's name and the nature of their enquiry to allow the staff member to be prepared. If the officer is absent from their phone/office, advise the caller *"they are unavailable"* and offer to take a message or transfer to another staff member.

The officer is not "out to lunch", "on their RDO", "not here right now" or "around somewhere".

Customers should not be transferred more than once wherever possible.

Forwarding/Diversion of Calls
(9)   All telephones have the capacity to redirect an incoming call to another telephone. Where calls are being intentionally forwarded to another staff member, the name of the staff member and their number should be provided to the caller. Calls should be diverted to another staff member within the particular department wherever possible.

(10)   Calls should not be transferred more than once but if a staff member receives a call that has come to them in error and it is obvious that the caller has been transferred more than once then the staff member should take down the details and get an appropriate staff member of the Shire to return the call. The only exception to this should be where the recipient of the call can make direct and immediate contact with the correct staff member and there is certainty that the call will not have to be transferred again. Calls should not simply be redirected to reception.

(11)   Where a staff member is away from their workplace and in appropriate circumstances needs to use call forwarding, it is essential that the person to receive the calls is aware of that and is available and willing to take the calls.

(12)   Call forwarding to mobile telephones may be appropriate in particular circumstances and decisions need to be taken having regard to the needs, balanced against the cost to the Shire. The forwarding of telephone calls to mobile phones is a more expensive option and should be avoided where possible.

(13)   If calls are forwarded to the Customer Service Unit, staff are to ensure that the Absence Text option is also used.

Answering of Other Staff Phones

(14)   The telephone system is set up in such a way that common groups have the ability to answer each others phone easily and simply. People in the differing groups should answer calls in their own areas. If a phone call is not answered it will direct to the Customer Services Unit who will take a message and submit a MERIT request.

Staff should use the Absence Text option on their phone to let internal callers know details of their absence ie. when they will return or that they are away for the day etc.

It is ineffective to answer a telephone call in an area that you do not work unless your desk is close to another area and you have a good understanding of issues. It is more effective to allow the call to transfer to customer services who will then take the message and submit a MERIT request.

Ending a Call

(15)   Always thank the customer for calling and finish the call on a positive note. For external calls allow the customer to hang up first.

Returning a Call

(16)   All calls should be returned within 24 hours wherever possible.

Absence Text

(17)   In your absence, your phone must be diverted to another staff member or your mobile number (for short term absences) and enter a time/date text message advising when you will be returning on your office phone.

A time/date message allows staff to look at your phone or to ring your line and see when you are returning.

Mobile Phone Message Bank

(18)   It is your responsibility to ensure that your message bank facility is set up with a message similar to the following:
"Thank you for calling (your full name) of the Colac Otway Shire. I am unable to take your call at the moment. Please leave a message after the tone and I will return your call as soon as possible."

Part B – Role of Customer Services/Reception

(19)   Customer Services/Reception operates the general Shire telephone number 03 5232 9400. The role of Customer Services/Reception is to answer incoming calls to the Shire in a positive and informative manner and refer them to the appropriate units within the Council. The Customer Services Unit assists both external callers and Shire staff with their general telephone enquiries.

(20)   To undertake its role effectively the Customer Services Unit must be advised where there are significant changes or disruptions to unit telephones. For example where the entire staff of a unit will be away from their area (eg training, meeting) it is essential that customer services be notified in advance. Also where a special interest issue has arisen that is likely to prompt increased calls to the Shire, the Customer Services Unit should be briefed on the appropriate forwarding of the calls and advised of relevant information to provide to customers.

Part C – Responsibilities of Supervisors and Staff

(21) Managers/Supervisors are responsible for ensuring that all staff who have significant telephone answering duties attend training as required and are aware of the telephone procedures.

(22) Managers/Supervisors need to ensure that callers are managed in a professional and informed way.

(23) Managers/Supervisors are responsible for ensuring that their units have in place procedures to manage calls, particularly where staff are absent from the workplace.

(24) Managers/Supervisors and individual staff members have a responsibility to ensure that the Customer Services Unit are advised where the staff phone list is not up to date.

(25) In terms of use of Shire telephones for personal purposes, staff should adhere to the principles outlined in the Code of Conduct and also in the Telephony Policy (Operational).

Part D – Mobile Telephones

(26) Approved staff are provided with mobile telephones by the Shire. Criteria and usage of mobile telephones are provided in the Telephony Operational Policy.

Part E – How Staff Can Improve their Performance – Summary

(27) • Answer and return telephone calls promptly and identify yourself and the organisation.
   • Treat all customers consistently and use a professional and friendly manner.
   • Use absence text on your office phone indicating time/date of your return or use voicemail or message bank facilities during absences.
   • Divert your phone to another staff member when you are on annual leave or away for a period of time longer than one day.
   • Take messages for other staff in your area and record in MERIT where appropriate.
   • Attend to all customers promptly.
   • Provide timely, useful and accurate information.
   • Listen to the customer's concerns.
   • Staff to respond to being paged in less than 1 minute.
   • Phone calls are returned within timeframe agreed with customer.
   • Improve in the way you deal with "difficult" customers.

SERVICE CHARTER

Our Vision

*Colac Otway is naturally progressive
and strives to achieve the best possible
social, economic and environmental
outcomes to create a vibrant,
liveable community.*

September 2008

INTRODUCTION

At Colac Otway Shire Council our commitment is to ensuring that everyone using our facilities or services receives quality, efficient and responsive service.

This charter is one of the ways in which we will achieve a consistently high service standard.

The charter contains all the details required to enable a customer to access a particular service, and clearly defines the customer's right to redress should Council fail in the delivery of that service.

HOW DO YOU ACCESS COUNCIL SERVICES?

SERVICE CENTRES

The Colac Otway Shire Council has two Service Centres:

Colac
2-6 Rae Street
Colac Victoria 3250
Telephone: 03 5232 9400   (24 HRS)
Telephone: 03 5237 7366   (for Apollo Bay residents wishing to call Colac Office for the price of a local call)
TTY (Telephone Typewriter):   03 5231 6787
Facsimile   03 5232 1046
Hours: 8.30 am - 5.00 pm, Monday to Friday

Apollo Bay
69 Nelson Street
Apollo Bay Victoria 3233
Telephone: 03 5237 6504 local call
Facsimile: 03 5237 6734
Hours: 8.30 am - 1.00 pm, Monday to Friday

TELEPHONE
Telephone (24 HOURS) 03 5232 9400

Between 8.30am – 5pm Monday to Friday this number will be answered by a telephonist or by a recorded message which will give you the opportunity to be called back by a council officer or to be placed in a queue. Outside these hours the number will be answered by a paging service that will have your request referred to the most appropriate council officer.

EMAIL
inq@colacotway.vic.gov.au

WEBSITE
www.colacotway.vic.gov.au

POSTAL ADDRESS
Colac Otway Shire
PO Box 283
Colac Victoria 3250

COUNCILLORS

Cr Chris Smith	Colac Ward	5235 1255
Cr Tony Graham	Colac Ward	0419 35249
Cr Fran Lehman	Colac Ward	5231 3965
Cr Peter Mercer	Murray Ward	5236 6246
Cr Joe Di Cecco	Otway Ward	(bh) 5237 7999
Cr Carol Wilmink	Otway Ward	5237 6987
Cr Warren Riches	Warrion Ward	5234 8206

OTHER COUNCIL SITES/BUSINESSES

Aged & Disability Services
6 Murray Street, Colac   5232 9420

Apollo Bay Harbour
Breakwater Road, Apollo Bay   5237 6614

Bluewater Fitness Centre
118-134 Hearn Street, Colac   5231 4398

Colac Livestock Selling Centre
Colac Ballarat Road, Irrewarra   5231 3868

Colac Visitor Information Centre
58 Queen Street, Colac   1300 689 297 (1300 Otways)

Colac Otway Performing Arts and Cultural Centre (COPACC)
Cnr Gellibrand and Rae Street, Colac   COPACC Hire 5232 9504

Depots
Colac, 140 Pound Road   5232 9494
Apollo Bay, 69-71Nelson Street   5237 6704
Gellibrand, Link Road   5235 8327

Great Ocean Road Visitor Information
100 Great Ocean Road, Apollo Bay   1300 689 297 (1300 Otways)

Other phone numbers of other locations are in the local telephone directory or the Colac Otway Directory.

HOW IS INFORMATION ABOUT COUNCIL SERVICES COMMUNICATED?

We will use local media including print and electronic to regularly inform the community of new initiatives and services.

Language used
We will provide information in plain English. We will ensure that non-English speaking members of our community have access to a translation service where required.

Displays
Information on services is openly displayed and readily available at the Colac and Apollo Bay Service Centres.

Disability Access

Council recognises that providing good access to all venues is an important part of building more inclusive communities. All Council Customer Service Centres will be accessible to people with a disability.

Information about Council services will be available in a range of formats including large text.

Educational programs will continue to outline the requirements of the Disability Discrimination Act 1992 and other relevant disability legislation throughout the organisation.

Advertising
The community will be kept informed by Council through public notices in The Colac Herald and where appropriate in The Echo, The Colac Extra,The Otway Light, The Apollo Bay News, The Cressy Newsletter, The Birregurra Mail and Beeac Country News.

Public Notices
Public notices of draft documentation that is available for comment, is placed on Council's website at www.colacotway.vic.gov.au and on community notice boards at these post offices:

- Apollo Bay, 155 Great Ocean Road
- Beeac, 65 Main Street
- Birregurra, 65 Main Street
- Cororooke, 540 Corangamite Lake Road
- Forrest, 33 Grant Street
- Gellibrand, 16 Main Road
- Lavers Hill, 2-6 Great Ocean Road
- Wye River, 35 Great Ocean Road

News Columns – Colac Otway Shire News
Council publishes news columns through the local media. These can also be found on the Colac Otway Shire web site.

Internet
Council provides information on its web site, which can be found at
www.colacotway.vic.gov.au

New Resident's Kit
The new resident's kit containing information about Council services is available to all new residents.

Community Directory
Information on Council services is included in the Regional Friendly Directory, which is delivered annually to all residents.

Council Meetings
The public are welcome to attend Council meetings, which are held on the 4th Tuesday of each month commencing at 3pm. A detailed schedule is available on Council's website.

HOW CAN YOU INFLUENCE COUNCIL DECISIONS?

Contact Customer Service Centres
The public can contact the Council at the Colac and Apollo Bay Service Centres.

Public Forums
Council actively seeks input from the community and industry groups through public forums.

Community Satisfaction Surveys
Colac Otway Shire participates in the annual Community Satisfaction Survey conducted on behalf of the State Department for Victorian Communities. A minimum of 350 telephone interviews are conducted with residents asked to rate the municipalities performance on an overall basis as well as for specific services, customer service and community representation on key local issues.

Input into Draft documents
Draft information which is on public display and available for public comment can be obtained from the Colac & Apollo Bay Service Centres and the Colac Library.   The information is also available on Council's website.

Councillors
Councillors are available for consultation and can be contacted on the numbers provided on page 3.

Lodging a Submission or Objection
Where legislation provides for a submission or objection to be lodged we will advise the community of their right to do so and the method to use. Please call us on 52329400 for further information.

HOW DO YOU MAKE A REQUEST OR ENQUIRY?

We have a Customer Action Request System to record and action enquiries and requests . To log a request or enquiry on this system:

- please visit the Colac or Apollo Bay Service Centre;
- call 5232 9400;
- email us at inq@colacotway.vic.gov.au
- complete the investigation form attached and return by mail or by fax.

Your Contribution

In order for Council to meet Council's customer service standards you are asked to:

- provide complete, accurate and detailed information including your full name and contact details to the Council's Officer when you first contact the Council;

- treat our Officers respectfully and courteously;

- provide clear details of your request including location;

- focus on the facts of your request so that the Council's Officer is able to gain a clear understanding of your needs and concerns; and

- Inform the Council's Officer if and when there is a change to the status of your enquiry.

Your Rights

You have the right to expect that:

- you will receive courteous, professional and friendly service at all times.

- in respect to each Council service, you will be informed of:
  o the services that we will provide and how we will provide them
  o the standards you can expect
  o the rights and obligations you may have as a user of these services
  o how any concerns and complaints will be handled
  o your right to redress if the service standards are not met.

- your enquiries, requests and complaints will be dealt with appropriately and within a reasonable time;

- your dealings with Council will be treated with the utmost discretion and confidentiality;

- the information provided to you will be accurate, timely and complete;

- we will provide opportunities for you to comment on and make suggestions about our services;

- You will be kept fully informed about Council policies, decisions, actions, services and facilities.

Redress

- The Colac Otway Shire Council is committed to continuous service improvement and believes that if Council fails to meet its Service Standards, compensation or monetary restitution would not be appropriate.

- Should any service fail to meet its service standard, a formal reporting process will occur, in which you will be provided with a copy of the Complaints Handling Policy and the procedure to be implemented to prevent recurrence.

Consultation and Accountability

We will:

- establish mechanisms for, and will welcome, your feedback, as it will provide us with the opportunity to improve our service;

- publish and make readily available copies of this charter;

- respond to comments forwarded using the contact points listed under accessing Council Services; and

- review this charter on a regular basis.

CUSTOMER SERVICE CHARTER AND GUARANTEE

We have established standards for a number of our services to you. This charter outlines the standards that you can expect, how you can measure whether Council is achieving the specified standards, what will occur if we fail to meet the specified standard, and the rights and obligations you may have as a user of these services. For further information on Customer Services, Council's Customer Service Policy is available on request.

Accessibility
- Council can be contacted 24 hours 7 days per week by calling 03 52329400.
- We will ensure that all residents can use our 24-hour number at the cost of a local call.

Consultation
- All draft policies, strategies, local laws and other documents as determined by the Chief Executive Officer will be on public display seeking comment in line with Council's Consultation Policy.

Visitor Acknowledgment
- When visiting the Service Centres at Colac or Apollo Bay our aim is to acknowledge you within 20 seconds.
- When visiting the Service Centres at Colac or Apollo Bay our aim is to attend to you within 3 minutes.

Telephone
- Telephone calls will be answered in a courteous and prompt manner.
- Telephone calls will be returned within 24 hours, wherever possible.

Correspondence
- A response to written request will be made within 7 working days. However, if a resolution takes longer due to the complexity of the issue, regular updates on progress will be provided.
- When you have made a request which has had to be referred to a Council Meeting you will be informed of the outcome, in writing, within 5 days of the decision being made.

Accounts
- Creditor payments will be made within 28 days of receipt of the invoice.

GUARANTEE NON-COMPLIANCE

We are committed to improving the quality of our service. If you believe we have not met the above guarantees please complete the non-compliance form attached and return it to either of our Service Centres.

Failure on any part of Council to meet its guarantees will result in the following:

- Immediate referral of the issue to the relevant General Manager; or
- If the issue is complex an Investigations Officer will be appointed to resolve the matter. This will include direct customer contact, within 1 business day of Council receiving the non-compliance form, to outline the investigation process.

INVESTIGATION REQUEST

I request that Council investigate the following issue:

Location _____

_____

_____

_____

Information Request
I request information about the following service: _____

_____

_____

_____

Please contact me directly

Yes ☐   No ☐

If yes, my particulars are:

Name _____

_____

Address _____

_____

_____

Telephone _____

_____

_____

Date _____

_____

Colac Otway
S H I R E

'Naturally Progressive'

CHARTER NON-COMPLIANCE FORM

Please indicate which of the guarantee areas you believe non-compliance has occurred (tick the appropriate box).

Accessibility
- ☐ Council can be contacted 24 hours 7 days per week by calling 03 52329400.
- ☐ We will ensure that all residents can use our 24-hour number at the cost of a local call.

Consultation
- ☐ All draft policies, strategies, local laws and other documents as determined by the Chief Executive Officer will be on public display seeking comment for at least 28 days from the date of advertising.

Visitor Acknowledgment
- ☐ When visiting the Service Centres at Colac or Apollo Bay our aim is to acknowledge you within 20 seconds.
- ☐ When visiting the Service Centres at Colac or Apollo Bay our aim is to attend to you within 3 minutes.

Telephone
- ☐ Telephone calls will be answered in a courteous and prompt manner.
- ☐ Telephone calls should be returned within 24 hours wherever possible.

Correspondence
- ☐ A response to written request will be made within 7 working days. However, if a resolution takes longer due to the complexity of the issue, regular updates on progress will be provided.
- ☐ When you have made a request which has had to be referred to a Council Meeting you will be informed of the outcome, in writing, within 2 days of the decision being made.

Accounts
- ☐ Creditor payments will be made within 28 days of receipt of the invoice.

Issue _____

_____

Date _____
Time
Officer You Dealt With _____

Your Name _____
Address _____

Telephone _____
Date

- ☐ Is additional Information Attached?

Thank you for your request

OM082511-5 S86 COMMITTEE OF MANAGEMENT APPOINTMENTS

AUTHOR:	Colin Hayman	ENDORSED:	Tracey Slatter
DEPARTMENT:	Corporate & Community Services	FILE REF:	42-44 Main Street Birregurra 45 Gellibrand River Road Carlisle River

Purpose
To consider appointment of newly elected Committee members to the Birregurra Hall and the Carlisle River Recreation Reserve Committees of Management.

Background
Council appoints Committees of Management under Section 86 of the *Local Government Act* 1989 as Special Committees to Council to act in accordance with rules and conditions of appointment adopted by Council. The purpose of the Committees is to manage the operations of the facility. Council policy is that Committees of Management members are appointed up to a 3 year term.

Meetings to appoint new Committees were conducted and chaired by the ward Councillor:

        Birregurra Public Hall   13 August 2008
        Carlisle Recreation Reserve   23 October 2008

Corporate Plan/Other Strategies/Policy
Council in its Council Plan seeks to see Colac Otway recognised as a progressive community, proud of its achievements and creating social and economic conditions that generate growth and employment and improve the quality of life. The decision by Council to appoint local persons to these Committees is seen to be progressive and inviting the community to participate in the conduct of Council's administration of public facilities. A decision in this regard also sees Council working in partnership with the community to achieve agreed goals.

Issues/Options

Option 1
Council's policy is that Committees of Management members are appointed for a 3 year term or less where applicable.

The 3 year term for these facilities is up and community persons have been put forward to be on the committee for a period of 3 years.

Option 2
Not to appoint the community persons put forward. It is an important process that each 3 years the members of the particular community/facility consider the membership of the S86 committee.

Proposal
It is proposed to appoint the following community persons to the committee named for a term of 3 years.

Birregurra Public Hall	Gary McCormack, Ian McDonald, Sue Bateson, Margaret McDonald, Brian Lawrence, Bryan Sanders, Kate Cockayne, Katrine & Mike Juleff, Greg McKay

Carlisle River Recreation Reserve	Pat Shaw, Gaylene Simpson, Owen Lucas, Keith Kent, Nick Lucas, Leon Smart, Matt Reid

Financial and other Resource Implications
The Committees hold their own bank accounts and administer budgets set by the Committee in accordance with funds within these accounts.

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

Communication Strategy/Consultation
The Management Committees were advised that a meeting was required to be held to appoint community persons to the committee for a 3 year period. Meetings were chaired by ward Councillors.

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

Conclusion
The decision to appoint these Committees as Special Committee of Council is in keeping with Council's policy of working with its community in the management of halls and reserves throughout the Shire.

Attachments
Nil

Recommendation(s)

1.   That pursuant to Section 86 of the Local Government Act 1989, Council resolve to appoint the following elected members -

Birregurra Public Hall – Gary McCormack, Ian McDonald, Sue Bateson, Margaret McDonald, Brian Lawrence, Bryan Sanders, Kate Cockayne, Katrine & Mike Juleff
Carlisle River Recreation Reserve - Pat Shaw, Gaylene Simpson, Owen Lucas, Keith Kent, Nick Lucas, Leon Smart, Matt Reid

2.   That in accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, Council resolve to exempt members of the Committees from being required to submit a primary or ordinary pecuniary interest return in accordance with this section.

3.   That the Committees be advised that a copy of minutes of committee meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided annually.

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OM082511-6 APOLLO BAY LIBRARY AND FACILITY DEVELOPMENT PROJECT

AUTHOR:	Colin Hayman	ENDORSED:	Tracey Slatter
DEPARTMENT:	Corporate and Community Services	FILE REF:	GEN0592 Apollo Bay Library

Purpose
To provide an update to Council on the Apollo Bay Library and Facility Development Project.

Background
The last update to Council on the Library Project was in April 2008.

To undertake the project a Working Group was formed made up of representatives from the various agencies:

- Colac Otway Shire
- Corangamite Regional Library Corporation
- Apollo Bay Library
- Otway Health and Community Services
- Apollo Bay P-12 College
- Department of Planning and Community Development

The Working Group appointed Andrew Crowley from Capacity Consulting to undertake the project.

The Working Group last met on Monday, 27 October 2008 to commence finalising the draft report and plans.

Since the last report to Council in April, a number of meetings have been held and work undertaken to further develop the preferred site and draft plans.

(a) On the 2 May 2008 a meeting was held between members of Otway Health and Community Services and representatives from the Colac Otway Shire and Corangamite Regional Library Corporation with Andrew Crowley and the Architect Tony Hobba to discuss:

- preliminary designs;
- possible locations
- existing building
- car parking

(b) On 9 July 2008 a letter was received from Otway Health and Community Services advising that the Board of Otway Health had considered the proposal to offer a site on which to locate the new library development.

The Board has decided to offer the site at 7 Ramsden Avenue as the preferred site for the library and community development.

(c) On 24 July 2008, Colin Hayman General Manager Corporate and Community Services and Andrew Crowley met with Linda West CEO and Joanna Redmond Director Corporate Services of Otway Health and Community Services.

The purpose of the meeting was to clarify a number of issues regarding the 7 Ramsden Avenue site.

(d)   The Consultant and Architect have met with representatives from the Corangamite Regional Library Corporation to discuss and clarify issues regarding the proposed design.

(e)   A site feature survey prepared for 7 Ramsden Avenue.

Council Plan/Other Strategies/Policy
The Council Plan indicates that the Shire is committed to providing and promoting quality health, recreation and community services.

The Library services are an important community services.

Issues/Options
Report – Part 1
A report (attached) has been prepared on the project.

The report provides a background on the project as well as details on:

- Community engagement
- Site selection
- Design of the facility
- Cost estimates
- Management model
- Funding

The report makes a number of recommendations which have been endorsed by the Working Group.

1.   *That Otway Health and Community Services (7 Ramsden Avenue) is the preferred site for the development of a permanent library in Apollo Bay.*
2.   *That the project partners continue to work together on the planning of a permanent library and community facility for Apollo Bay.*
3.   *That the Colac Otway Shire seeks funding for the development of the facility.*
4.   *The facility incorporates a library that offers space for 6,000 books and associated facilities that are included in the design detailed in this report.*
5.   *That a multi-purpose space be developed that offers music, audio-visual and a children's area for the community. This area will celebrate the Apollo Bay Music Festival.*
6.   *That the multi-purpose space be available outside library hours to the community.*
7.   *That the community kitchen is established in an existing building within Apollo Bay and that Otway Health and Community Services takes a leadership role in facilitating the process.*
8.   *That Otway Health and Community Services seek funding for the establishment of a Community Kitchen Program.*
9.   *If a permanent library is not constructed at the Otway Health and Community Service within five years of this report that consideration be given for the library to be incorporated at the Apollo Bay P-12 College.*

Report Part 2
Part 2 of the report will include further details on:

- Community engagement
- Case studies

The final project report will be forwarded to the Government as per the requirements of the Grant that Council received to undertake the project.

Current Temporary Library
The current temporary library has been performing quite well for the community. The major issues that have been identified through the research are as follows:

- The existing building only provides basic library facilities;
- The library currently has approximately 3,300 books;
- There is a perception that there is not enough books which deters users;
- There is not space to program sessions such as children's reading; and
- The limited space does not provide opportunities for soft furnishings and areas for people to read in a relaxed setting.

There have been positive discussions held between the Shire and Otway Health as to the current temporary facility.

If a permanent facility is not identified as a priority for the Shire in the Short to Medium term there will need to be further discussions with Otway Health and Community Services.

Preferred Site for the Library and Community Facilities
As indicated the Otway Health and Community Service Board have identified 7 Ramsden Avenue as the preferred site. This is a significant contribution to the project by Otway Health and Community Services.

The site was preferred due to the close proximity to other community facilities such as the child care centre, the neighbourhood house and the community services building.

This site will enable a small precinct of community facilities to be developed with ready access for children and families as they also visit the other services.

Design of the Facility
The brief for the project called for a 'welcoming community facility", a "community hub" and for it to "be more than a library".

The design includes a library area that has been developed to provide space for 6,000 books and easy circulation for the community as well as a community facility area.

Will provide space/area for the following aspects:

- Community lounge
- Apollo Bay Music Festival corner
- Kids corner
- Hanging space for displays
- Steiner books area

The customer service desk is central to the facility with a direct line of sight from the front entrance. The customer service desk has been designed so that a number of staff can be located in the area. This potentially provides the opportunity for the Colac Otway Shire's Customer Services to be relocated to the facility in the future.

It is important that the facility is available to community groups. The 'Community Lounge' has been provided to allow the building to be accessed by community groups, independently at any time. The community will also have access to the kitchen and toilet areas.

<u>Council Plan and Community Plan</u>
Following the election of a new Council a new Council Plan will be developed for the 4 year period 2009-2013.

The Council Plan is a strategic document that outlines to the community the agreed strategic objectives of the council.

The Plan will be developed in consultation with its key stakeholders – our employees and the community we serve.

Through both the Council and Community Planning processes, priorities will be developed for both the Shire and individual areas. The development of a new Library and Community Facility will need to be considered as part of the process. The project will need to be ranked along with many other projects and whether it is a priority as against other projects for the Shire, Apollo Bay and surrounding areas.

Proposal
That Council receive the updated report on the Library and Facility Development Project for information.

Due to the cost of the project and a number of other significant projects across the Shire it will be important that the Development of the project is considered through the various planning mechanisms that will commence to take place over the next few months. Both the Council Planning and Community Planning process will involve setting priorities for Council and the Community over the short, medium and long term.

The Council and the Community will need to consider the importance of this project when compared with other priorities in Apollo Bay and across the Shire.

Financial and other Resource Implications
Sections 7 to 9 provides details on:
- Cost estimates
- Management model
- Funding

The cost estimates indicate total building costs of up to $920,000 plus civic works.

As the report clearly indicates the development of the facility in Apollo Bay will be dependant on funding from both the Shire and Government.
The report identifies a number of possible funding options:
- Living Libraries Funding Program
- Community Support Fund
- Rural Development Victoria
- Commonwealth Government

As indicated the project will need to be considered as part of Council's Planning processes for the future. The development of a Council Plan will also involve the development of a Strategic Resource Plan (SRP) for the next 4 years.

If the new Facility is seen as a priority of Council and the Community the project and the funding of the project will be required to be incorporated into both the Council Plan and the SRP.

The report indicates that the Facility would be built on Otway Health and Community Services Land. The operations of the facility would be subject to an agreement between the various parties.

Risk Management & Compliance Issues
The design of the facility will consider Risk Management Issues.

Environmental Considerations
The design of the facility will take into account environmental considerations.

Communication Strategy/Consultation
Chapter 4 of the report details the Community Engagement process that has been undertaken.

A further 'In the Community Day' was held by the consultant at the Apollo Bay Market with the draft plans of the facilities on Saturday 22 November.

A short article will also be prepared for the Apollo Bay Newsheet.

The plans are also currently available for viewing at the current Library, the Shire's Customer Service Centre in Nelson Street and at the Marror Woorn Community Centre.

The information to be provided, notes that for the project to commence into the future that it will require funding from the Colac Otway Shire and other levels of Government.

Implementation
The implementation of the facility will depend on priorities of the new Council and availability of possible funding.

As indicated the project can be considered as part of the Council and Community Planning processes that are to be undertaken. The project will need to be considered in terms of its priority as against other projects in the Shire and possible funding opportunities that may be available to assist in the project.

If the project is identified as a priority for Apollo Bay, there will need to be further discussions with various Government departments as to possible funding opportunities which will assist in developing a new Strategic Resource Plan.

There will also need to be further discussions between the various parties involved, including the Colac Otway Shire, Otway Health and Community Services and the Corangamite Regional Library.

Conclusion
The report on the Apollo Bay Library and Facility Development Project provides recommendations to move forward with the future development of the project.

The report identifies the significant contribution that Otway Health and Community Services is prepared to provide to the project.

The next steps of the project will depend on Council priorities and availability of Government funding.

Attachments
Apollo Bay Library and Facility Development Project Report October 2008 - Part 1
Concept Designs – Apollo Bay Library and Community Facility.

Recommendation

That Council –

1. **Receive the report on the Apollo Bay Library and Facility Development Project.**

2. **Note that the Apollo Bay Library and Facility Development Project be referred to the Council Planning and Community Planning processes to be considered with other projects and priorities for the Shire, Apollo Bay and surrounding areas.**

3. **Consider the funding for the proposed Apollo Bay Library and Facility Development as part of the development of a new Strategic Resource Plan based on the Council Plan process.**

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APOLLO BAY LIBRARY AND FACILITY DEVELOPMENT PROJECT
REPORT OCTOBER 2008
PART 1

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ACKNOWLEDGEMENTS

Disclaimer

1.0 EXECUTIVE SUMMARY

The Apollo Bay Library and Facility Development Project was aimed at undertaking research and consultation with the Apollo Bay community in relation to development of a permanent Library and potential associated community facilities. This report provides recommendations on the location of the community Library, the community facilities that should be incorporated and the design for the facility.

A detailed community engagement process was undertaken with the community which included the following processes:

- A community survey that was mailed to every household in Apollo Bay through Australia Post;
- Community Forums;
- In the Community Days;
- Site meetings;
- A survey to community groups; and
- Meetings with key stakeholders.

Location

The key sites that were investigated in the research were the Apollo Bay P12 School and Marrar Woorn Community Centre (Otway Health and Community Services).

Design

Research was also undertaken on contemporary designs for Libraries how the facility could provide additional community facilities for Apollo Bay. One of the key facilities considered in the process was incorporating a Community Kitchen.

The major findings of the research community engagement process for the development of a permanent Library in Apollo Bay were as follows:

- The preferred location for the facility is Otway Health and Community Services (7 Ramsden Avenue);
- The design of the Library and Community Facility is based on the development of two areas of the facility that can be accessed independently;
- That the facility will have an open plan space that celebrates the Apollo Bay Music Festival and an area specifically designed for children;
- The community aspect of the facility will be designed to encourage gatherings and connecting people in the community;
- This area will also be designed to be accessed after hours with a separate entrance;
- That the book stock should be increased to 6,000;
- Four computer terminals will be provided;
- Wireless technology should be incorporated into the design; and
- The development of a Community Kitchen program should occur within an existing facility in Apollo Bay rather than be co-located with the Library.

Opening times and days

The days and the hours that the Library is open should be reviewed as a result of the research in this report. Consideration should be given to extending the number of days that the Library is open to the community.

Welcoming environment

The concept for the facility is based on developing a warm, welcoming environment that can be accessed by the community when it is not being used as a Library.

The Library will have a contemporary design that encourages people to relax and enjoy books, technology and access to life long learning.

Funding for the implementation of the project

The project will be dependant on funding from the Colac Otway Shire and funding from the Victorian Government. It is not anticipated that the project will be in a position to receive funding until the 2009/2010 financial year or beyond. The full details of the funding programs are outlined in section 9.0 of this report.

2.0 RECOMMENDATIONS

The recommendations of the Apollo Bay Library and Facility Development Project are as follows:

1. That Otway Health and Community Services (7 Ramsden Avenue) is the preferred site for the development of a permanent Library in Apollo Bay.
2. That the project partners continue to work together on the planning of a permanent Library and Community Facility for Apollo Bay.
3. That the Colac Otway Shire seeks funding for the development of the facility.
4. The facility incorporates a Library that offers space for 6,000 books and associated facilities that are included in the design detailed in this report.
5. That a multi-purpose space be developed that offers music, audio visual and a children's area for the community. This area will celebrate the Apollo Bay Music Festival.
6. That the multi-purpose space be available outside Library hours to the community.
7. That the Community Kitchen is established in an existing building within Apollo Bay and that Otway Heath and Community Services takes a leadership role in facilitating the process.
8. That Otway Health and Community Services seek funding for the establishment of a Community Kitchen Program.
9. If a permanent Library is not constructed at the Otway Health and Community Service within five years of this report that consideration be given for the Library to be incorporated at the Apollo Bay P-12 College.

3.0 BACKGROUND

The Apollo Bay Library and Facility Development Project commenced in December 2007. The funding for the project was provided by the Colac Otway Shire and the Department of Planning and Community Development. The research and planning for the project was undertaken by Capacity Consulting. The Architectural planning for the project was provided by Tony Hobba Architects.

3.1   History of the Library Services to Apollo Bay

The Corangamite Regional Library Corporation provides public library service to Apollo Bay. The Corangamite Regional Library Corporation provides services to four municipalities: the City of Warrnambool and the Shires of Colac Otway, Corangamite and Moyne.

The Colac Library is Colac Otway Shire's main library with the regional library headquarters also located within this building. The recently established Library Outreach Service is also based there.

Up to the end of June 2007 Apollo Bay was serviced by a Regional Mobile Library Service. The service was established in 1973 and concluded at the end of June 2007 due to a review undertaken by the Corangamite Regional Library Corporation.

The Mobile Library service previously visited Apollo Bay weekly. The mobile site had 300 registered members with loans averaging between 200 and 400 issues per visit.

From July 2007 a temporary Library Facility has been set up at Otway Health - the Marrar Woorn Community Centre. The library is currently open for 2 half days a week.

Current Temporary Library

The current temporary Library has been performing quite well for the community. The major issues that have been identified through the research are as follows:

- The existing building only provides basic library facilities;
- The Library currently has approximately 3300 books;
- There is a perception that not there is not enough books which deters users;
- There is not space to program sessions such as children's reading; and
- The limited space does not provide opportunities for soft furnishings and areas for people to read in a relaxed setting.

The importance of Libraries within communities

Libraries provide an important base for knowledge, culture, personal growth and learning. Libraries also should provide a space where individuals and families can relax and source materials such as books, magazines, CD's and read.

Libraries should provide accessible free information to the whole community and contribute to the social wellbeing of the people who live in the area. Today a community library is a community meeting space to undertake research, participate in community activities and access information technology.

Contemporary libraries need to contribute to strengthening communities by providing spaces that are meeting places that promote life long learning in the community.

A key principle of the Apollo Bay Library and Facility project is that the research is to design a permanent facility that is based on the vision of the community.

For a Library to be successful it must provide a space that is flexible, stimulating and can be adapted to perform additional community needs.

3.2 Scope of the Project

The Scope of the Apollo Bay Library and Facility Development Project has been to research the development of a permanent Library in Apollo Bay and associated facilities. The project considered the following aspects:

- The specific needs of the Apollo Bay community;
- Location of the facility;
- Design and cost;
- Access to the service;
- Other associated community facilities identified, including a potential community kitchen or community spaces;
- The technology required for the Library;
- Documented similar case studies of models to learn from.

3.3 Local context

In undertaking the research it was imperative to gain an understanding of the local context for the development of a permanent Library. It was therefore important to acquire the community's perspective on the future development of the service. As a consequence a detailed community engagement process was undertaken whereby a number of research approaches were undertaken.

3.4 Methodology for the project

The project had the following research and community engagement methodologies which are outlined in this section.

3.4.1 Research on Council, Apollo Bay and Library Services Documents

The following documents were reviewed as part of the project:

- Colac Otway Shire Council Plan
- 2006 – Apollo Bay Structure Plan
- 2006 – Colac Otway Arts and Culture Strategy
- 2006 – Apollo Bay Harbour Precinct Master plan
- 2005 – The Great Ocean Road Regional Tourism Development Plan
- 2005/06 Colac Otway Shire Library Service Review
- Colac Otway Shire review of all library services December 2005/ 2006
- 2005/06 Apollo Bay P-12 School redevelopment designs

<u>Library Specific documents</u>

- Places and Spaces: Public Libraries for the 21st Century in Australia and New Zealand (Conference Procedures Adelaide 31 March – 1st April 2006)
- Living Libraries Program Guidelines Department of Planning and Community Development 2007
- "People Places: A Guide for Public Libraries in New South Wales" http://www.sl.nsw.gov.au/pls/publications/pdf/peopleplaces_2ndedition.pdf.

3.4.2   Integrating the research and community engagement

The process was specifically designed to integrate the research for the project with the community engagement that was undertaken with the Apollo Bay community. The process is highlighted in figure 1.

Figure 1 – Integration of research and community engagement

APOLLO BAY LIBRARY AND FACILITY DEVELOPMENT PROJECT

4.0 COMMUNITY ENGAGEMENT

To ensure that the Library and Community Facility meets the needs of the community a comprehensive Community Engagement process was undertaken. The following table provides an overview of the Community Engagement process.

Process	Where	Participation
Community Survey	Every household in Apollo Bay	266 surveys returned
In the Community Days	Apollo Bay Market Arcade outside Food Works	50 people 20 people
Community Forums	Senior Citizens Hall	15 community members
Meetings with key stakeholders	Onsite meetings with Architect and community groups.	3 site meetings
Community Group Surveys	Surveys sent to community groups in Apollo Bay	14 community groups returned the survey

The full results of the Community Engagement process are detailed in Part 2 of this report.

4.1   Community Survey

Background

The community survey was developed to provide information and data on the community's perspective of the issues associated with planning the development of a permanent Library.

The survey was distributed through Australia Post in March/April 2008 to mail boxes, post office boxes and customer pick ups. The survey was also available at the Apollo Bay P12 School, the Marrar Woorn Community Centre, Otway Health and the Colac Otway Shire Customer Services Centre at Nelson Street.
Given that Apollo Bay has a high number of non permanent residents it is not possible to estimate the number of people that received the survey.

Design of the survey

The survey was designed in a manner that was easy to complete. The majority of questions were structured so that the person could tick boxes. Several questions were open ended to allow people to provide comments and more substantial information.

From the responses received it appeared that the survey was clear and easy to use. The majority of the surveys were completed successfully.

Methodology

The rationale for including a community survey in the community engagement process is that it provides broad feedback and also promoted awareness about the project. The survey also provided a level of statistical data that can be used to gain an understanding of the community's perspective.

The results from the survey need to be considered in partnership with the other community engagement processes that have been undertaken for the Apollo Bay Library and Facility Development Project. These include community forums, meetings with stakeholders and 'In the Community Days'.

Surveys returned

A total of 266 surveys were returned. This response was very good considering that the permanent population of Apollo Bay is approximately 1,000 people.

Age of those who completed the survey

Of those who returned the survey the age categories were reasonably well spread. The highest returns of surveys came from the 60-69, 35-49, 50-59 and 70-84 age groups. The levels of participation were lower in the 85 plus and people below 34 years of age.

Graph 1 Age of the people who participated in the survey

Gender

A higher number of females (186) 72% returned the survey in comparison with males at (71) 28%.

Length of time that people have lived in Apollo Bay

The highest amount of people that completed the survey have lived in Apollo Bay for more than 11 years.

Use the current temporary Library

When community members were asked if they use the existing temporary library (154) 59% indicated that they do with (106) 41% saying that they do not use the current facility. Some people indicated that they value the current service.

In the comments section of the survey some of the reasons giving for not accessing the current service were as follows:

- They preferred the previous Mobile Library service;

- The limited size of the current book stock;
- The limited hours that the service is available;
- The size of the current facility; and
- That there is no space for children.

How often do people use the current Library service?

Of those who completed the survey (105) 41.5% visited the Library more than ten times per year. However (76) 30% have not visited the Library service in the last twelve months.

How many times would people visit if a permanent Library was developed?

When people were asked how many times they would visit if a permanent Library was developed there was a very strong indication that they would use the Library more than ten times per year (147) 72.5%.

Internet access

As internet access is required within a modern Library people were asked if they have internet access at home. The data in relation indicated that (177) 68% of those surveyed have internet access at home. A total of (82) 32% do not have internet access in their home. This reinforces the need for internet access to be provided if a permanent Library is developed.

Preferred days and hours to access the Library Service

To assist with the planning of a permanent Library Service the community were asked what days and times they would the prefer to access the service. The information showed that the most popular days were Mondays, Wednesdays, and Friday afternoons. The survey results also indicated that afternoons were requested more than mornings.

The statistics show the broad range of times that the community would like to access the services. There was limited support for services to be delivered on weekends with Saturday mornings being the highest preference.

DAY	MORNING	AFTERNOON	TOTAL SURVEY RESPONSES
Monday	59	68	127
Tuesday	58	59	117
Wednesday	63	69	132
Thursday	32	65	101
Friday	46	73	119
Saturday	28	26	54
Sunday	14	22	36

Table 1 – Days and hours that the community would prefer to access the Library

The current times and days that the service is available are Wednesday from 10.00am to 1.00pm and Friday 1.30pm to 5.00pm.

<u>Potential sites for the Library</u>

To identify the most appropriate site for a permanent Library, people were asked to indicate what they believed was the best location. The survey results indicate that Marrar Woorn Community Centre (Otway Health and Community Services) has the highest amount of community support as the preferred location for the development of a permanent Library.

The survey results indicated that (152) 60% believe that Marrar Woorn Community Centre would be the best location. There was a significant difference between this and the second highest response which was the Apollo Bay P-12 School (60) 22.5%.

Prefered location for a permanent Library

■	Apollo Bay P 12
■	Marrar Woorn Community Centre
□	Harbour Development
□	Other

Graph 2 – Which potential site would be best location for a permanent Library?

There was a strong indication from the community that the Harbour Precinct Development is not an appropriate site for the development of a permanent Library. This was also reflected in the comments section of the question.

Other locations suggested included; the central business area/shopping area, next to the Visitor Information Centre, the old Police Station and the Youth Hall.

Priority areas for the Library and Facility Development Project

As part of the community survey, people were asked to identify the priority areas in the planning process. The feedback from the community has been used in the planning process for the facility and design guidelines for the Architects.

PRIORITY	AREA	HIGH	MEDIUM	LOW
1.	Access to service	217	25	
2.	Pedestrian access	185	45	4
3.	Hours that the service can be accessed	165	74	
4.	Car parking	146	77	16
5.	Design of the facility	98	93	27
6.	Internet Access	84	80	54
7.	Co Location of the service	66	69	65
8.	Inclusion of a Community Kitchen	39	53	158
9.	Other	10		

Table 3 - Priority areas for planning the development of a permanent Library

Community Kitchen

The community survey asked people if they believed the development of Community Kitchen would be beneficial to the Apollo Bay community. Of those survey (121) people 50% felt that a community kitchen would be of benefit to the community. A total of (121) 50% answered no to the question.

Book stock and resources

The size and the quality of the book stock/resources were raised as an issue in the general comments section of the community survey. The survey highlighted that the community are not satisfied with the current temporary Library's book stock and the quality and variety of books.

Summary of the outcomes of the survey

The community survey in relation to the potential development of a permanent Library in Apollo Bay has successfully assisted the planning process. The level of participation in the survey has shown that the community supports the development of a permanent Library.

The survey has identified Otway Health and Community Services is the most preferred location for the development of a Library. This aspect was reinforced at the Community Forums.

4.2 In the Community Days

Apollo Bay Library and Facility Development Project "In the Community Day" Sign

Background

As part of the Community Engagement process for the Apollo Bay Library and Facility Development Project, two "In the Community Days" were conducted. These days were provided to enable general community members to learn more about the project and have input into the process. The Consultant for the project Andrew Crowley was available to discuss the project with interested community members.

Aspects of the project that were discussed were the development of a permanent Library, site selection and potential associated community facilities. People were also asked to comment on the potential development of a Community Kitchen.

At the "In the Community Days" people were provided with information sheets on the projects and surveys designed for this component of the Community Engagement strategy.

A number of the people that participated in the "In the Community Day" stopped and discussed the Library and Facility Development Project.

A summary of the findings of the 'In the Community Days' is detailed in part 2.

4.3 Community Forums

Background

Two Community Forums were conducted with members of the Apollo Bay Community. The meetings were held at the Apollo Bay Senior Citizens Centre on Wednesday 13th of February and Thursday 14th of February 2008.

A total of 15 people attended the two forums. The dates and times were promoted in the Apollo Bay News over a three week period.

Of those who attended the forums there was a high representation from older adults. The group also featured a number of people who are members of the Apollo Bay community groups.

There were also representatives from the Colac Otway Shire and the Corangamite Regional Library Corporation.

The community forums indicated a strong support for Otway Health and Community Services as the preferred location for the library. There was also detailed feedback on book stock. The full details of the Community Forums are in part 2.

4.4 Community Groups Survey

A survey was sent out to the various community groups in Apollo Bay. The survey was designed to gain the perspectives of the community groups in relation to the Apollo Bay Library and Facility Development Project.

The following 14 Community Groups responded to the survey:

- Apollo Bay Target Rifle Club
- Apollo Bay Bowls Club
- Soft Tennis
- Skenes Creek Advancement Association
- Apollo Bay 2 Book Club
- Apollo Bay Probus Club
- Ocean Readers – Book Group
- Apollo Bay CDFLNA
- Apollo Bay Children's Centre
- Apollo Bay RSL
- Apollo Bay Golf Club
- Apollo Bay informal fishing group
- Apollo Bay Kennet River Public Reserve Committee of Management
- Apollo Bay Community Yoga

The Community Groups survey also highlighted that Otway Health and Community Services was the preferred site for the potential Library and Community Facility. The full details of the outcomes for the survey are detailed in part 2.

5.0 SITE SELECTION

5.1 Community input into the site selection

The community engagement process clearly identified that the preferred site for the development of the Apollo Bay Library and Community Facility was Otway Health and Community Services. This evidence was gained through the community survey, in the community days and the focus group meetings.

5.2 Preferred site

The Project Working Group for the project endorsed for the design of the library to be based on the Otway Health and Community Services precinct. This was on the basis of the results of the community engagement process and the recommendations of Capacity Consulting.

This site was also preferred given the following aspects:

- Good quality community access;
- That it is adjacent to the location of the existing temporary library;
- The synergies with the Neighbourhood House;
- The close proximity to other services such as child care, the Kindergarten and the school;
- The site has the capability to have a library and community facility constructed; and
- Opportunities for joint management of the facility with Otway Health and Community Services.

5.3 Otway Health and Community Services Master Plan

As Otway Health and Community Services was identified as the preferred site for the Library and Community Facility the Board needed to consider the implications of the development of the facility on their overall Master Plan.

The Board of Otway Health and Community Services requested that they have a period of three months (May, June and July 2008) to consider the potential development of a Library and Community Facility on the site.

The options considered by the Board of Otway Health and Community Services were as follows:

- 7 Ramsden Avenue, Apollo Bay
- 37 McLauchlan Street, Apollo Bay

Both sites have street frontages however 7 Ramsden Avenue was preferred due to the close proximity to other community facilities such as the child care centre, the neighbourhood house, the community services building and the preschool centre.

This proximity enables a small precinct of community facilities to be developed with ready access for children and families as they also visit the other services.

On May 29th the Otway Health Board unanimously accepted to offer the site at 7 Ramsden Avenue, as the preferred site for the library and community facility development.

5.4   Lease agreement

It is recommended that a lease agreement be developed between Otway Health and Community Services and the Colac Otway Shire for Library and Community Facility. This lease should be for a minimum of 20years. The ownership of the building will be Otway Health and Community Services. A maintenance agreement should also be developed for the facility as part of the lease that clearly defines both parties' responsibilities.

6.0   DESIGN OF THE FACILITY

6.1   Background to the design

Background

Early in 2008, Capacity Consulting, led by Andrew Crowley, undertook a community survey to determine the preferred site for the Library.

The preferred site was identified as being the Marrar Woorn Community Centre precinct.

The existing library operates from this site in a weatherboard building, previously utilised as a "men's shed".

An initial concept design was developed near the Community Centre to provide an indication of the land required. This is provided in the Part Two report.

After Otway Health and Community Services endorsed 7 Ramsden Avenue, Apollo Bay as the site a site feature survey was prepared by Jeavons and Tomkinson see 11.2. The final concept plans have been developed on this basis.

Design Guidelines

To assist with the design of the Apollo Bay Library and Community Facility a set of design guidelines were developed for Tony Hobba Architects by Capacity Consulting.

They were established to provide principles for the design and an overview of the research from the project. The guidelines were used for the development the initial concept plans see Part 4.1.

The first design concept proposed doubling the size of the existing building.

6.2   Architectural response

Size of the building

The current library has a floor area of 60 sq metres. The proposed library has a total area of 230 sqm, comprising of the following functions;

•	Airlock	10 sqm
•	Foyer	15 sqm
•	Desk	17 sqm
•	Community facility space Lounge	42 sqm
•	Chair Store	14 sqm
•	Kitchen	7.5 sqm
•	Toilets	15 sqm
•	Store	10 sqm
•	Main Library	65 sqm
•	Reading area	10 sqm.

6.2.1 Concept plans

A set of plans have been developed in response to the project planning process for 7 Ramsden Ave. The plans are attached as 11.1 within this report.

6.2.2 Library area

The Library area has been developed to provide space for 6,000 books and easy circulation for the community. The library also features space for four computers, a reading lounge and storage area for book sorting. The delivery area is also connected to the storage area.

The vision

The brief calls for a "welcoming community facility", a "community hub", and for it to "be more than a library".

Tony Hobba Architects are proposing a quiet iconic approach, celebrating the facility as a new and contemporary community resource. The language of the façade adopts a library metaphor, introducing a book shaped structure as a "window to learning", and repeated black and white colour of the wall representing typeface.

External finishes

The external finishes will be a mix of:

- Reverse brick veneer construction, consisting of block work on the inside leaf and stud frame, timber clad on the exterior, with recycled lining boards.
- Metal Cladding, to the south and west elevations and part East walls.
- Double blockwork construction, bagged finish.
- Recycled timber to the front "feature wall".

Eaves

All north walls will have eaves to eliminate summer sun and capture winter sun.
The east will not require screening, but the highlight windows to the west may require adjustable screens, or internal furnishings. Final window sizes will be the matter for future discussions with facility operators/owners.

Customer Service Desk

A customer service desk is central to the facility with a direct line of sight from the front entrance. The customer service desk has been designed so that a number of staff can be located in the area. This potentially provides the opportunity for the Colac Otway Shire's Customer Services to be relocated to the facility in the future.

The customer services desk also has high visibility of the Library area and the community lounge area.

Book stock

The floor area has been designed to cater for at least 6,000 books.

With reference to major suppliers of library shelving, there is an allowance to accommodate 1.5 metre high shelving, in bays 896 wide, 50 books per shelf, and requiring 120 shelves in 30 bays.

The design allows for 27 lineal metres of shelving.

Pedestrian access

The building has been designed without any steps or ramps for easy access.
Entry from Ramsden Avenue is via a covered way, and a secondary entry is available from the car park at the rear. Entry to the building is via automatic sliding glass doors, with bike/pram/gopher parking adjacent.

Car parking

Five on site car spaces have been provided, including two disabled spaces.

Otway Health and Community Services Master Plan

This plan was not available at the time of preparing this design concept.

Existing architecture

The existing buildings in the precinct includes;

- Marrar Woorn Community Centre;
- Current library;
- Storage Sheds;
- Child Care facilities;
- Aged Care Accommodation;
- Office space; and
- Rural Ambulance.

These buildings are a mixture of simple architectural forms, generally adopting a residential palette. They are not visually related apart from the low level scale.

The wider and historical character of Apollo Bay consists of generally modest buildings. More recent structures reflect an appreciation of the relationship between architecture, art and landscape, with sculpture being introduced, particularly around the foreshore public domains.

Light

The building will have adequate natural light. With 1.5 metre high shelving units and 3 metre ceiling heights, there is scope for an abundance of natural light.

Technology

The building can accommodate the latest technologies and it is intended to incorporate these into the structure during construction. The technology for the building will incorporate the following:

- Front counter with computer and internet access;
- 4 computer terminals with internet access;
- Wireless internet access –ADSL;
- OPAC Online Public Access Catalog;
- Two phone lines to the front desk;
- CD and DVD in the Apollo Bay Music Festival Corner;
- Small speakers to play music; and
- A flat screen TV wall mounted.

Mariners Corner

An area set aside for 6-8 people to sit, relax and read. This is provided on the northern end of the library, providing a sunny retreat from the main library space.

Internal signage

The internal layout of the building is simple and open, with good visibility right through the main spaces. Signage as required by Building Codes, will direct occupants to exits and toilets.

Indoor outdoor flow

The site at Ramsden Avenue with its street frontage and the requirement to provide onsite car parking makes this requirement difficult to achieve. The design however allows for the possibility to access the outdoor area to the east, towards Ramsden Avenue.

Wall surface

The design allows for extensive glazing to the north and proposes limited glazing to the south and west, with consideration of solar gain, thermal comfort and light quality.

Other surfaces will be generally plasterboard fixed to block work, or bagged block work.

Flooring

Carpet will be used generally. The entry and wet areas to be tiled and/or sheet vinyl.

Ceiling lights

The proposed ceiling height is 3 metres.

Emergency ready

This facility will be wired and set up appropriately.

Acoustics

Design measures will be employed to suppress noise.

<u>Air-conditioning</u>

An appropriate reverse cycle split system will be designed and installed, most likely engaging ceiling mounted cassette-type units.

<u>Staff</u>

The service desk has been designed to accommodate two staff comfortably.

<u>Storage</u>

Storage has been provided for:

- Book sorting, with delivery access from car park; and
- Walk-in chair and trolley store.

<u>Return chute</u>

A chute has been provided at the front door, into the foyer.

<u>Toilets</u>

Facilities have been provided for:

- Disabled wc and baby changing room;
- Female, wc and vanity;
- Male, wc and urinal, as required by Building Codes; and

6.2.3 Community facility area

The community section of the facility will feature a community lounge area that will be accessed when it functions as Library.

The area will include the following aspects:

<u>Flexibility in design</u>

The 'Community Lounge' has been provided to allow the building to be accessed by community groups, independently at any time. The placement of security doors and screens on the desk area means that the community has access to the kitchen and toilet facilities outside library area.

<u>Apollo Bay Music Festival Corner</u>

An area has been created to feature the music from the Apollo Bay Music Festival. Each year artists who perform at the Music Festival provide a CD as part of the application. This area would provide space for the CD's and DVD's to be placed on shelving. The technology in this area will included, CD, DVD, ear phones, a flat screen TV and speakers. This will be a point of difference to other Library spaces and be a celebration of the innovative music from the area.

The room has large floor to ceiling windows to the street, (east), taking in the street activity and the Otway ranges. The north wall, with high level windows, can be used for placement of displays, screens, shelves, etc. The Apollo Bay Music Festival archive and collection may be housed on these shelves.

This space can also be used for the Apollo Bay Music Festival to assess applications. It is also aimed at the younger generation with a focus on the arts.

Kids Corner

The Community Lounge will also be used as a children's area for learning and development that includes soft furnishings to encourage relaxation and reading. Mobile shelving will be used to allow a larger space for children's activities in Library hours. This area would allow for children to sit on the floor while a person is running activities.

Hanging Space for displays

Both of the main rooms will generally have highlight windows, allowing for generous amounts of wall space for displays.

Steiner books area

The local Steiner Playgroup has requested that a specific area be provided for their books. It is intended that this will be in the community lounge section of the library.

Views

The community lounge section of the facility will feature beautiful views of the Apollo Bay hills at the front of the facility.

The front windows in the community section will also provide a sense of movement in the facility from the street.

Defining spaces –wheels

The facility has been planned to have a number of the book shelves on wheels this will predominantly be the children's books. This will allow the space to be programmed for a number of different needs. The furniture will need to be chosen so that it can be easily moved by two people. A chair storage space is proposed to be connected to the community facility to allow for flexibility of use. It is envisaged that the children's book shelves could be temporarily moved to the storage area.

7.0 COST ESTIMATES

The cost estimates for the Apollo Bay Library and Community Facility have been provided by Tony Hobba Architects. They are based on the design of the facility proposed in this report.

7.1 Building costs

The building cost estimates are as follows:

Building

230 sqm @ $2000 -$2500/sq   m, $460,000 - $575,000

Fit out costs

230 sqm@ $1500, $345,000

Total building estimate

Total building estimate, $805,000 - $920,000

7.2 Civil Works

The Civil Works cost estimates are as follows:

Driveway, drainage & car parking, $25,000

Landscape allowance $20,000

Contingency for demolition of existing building   5,000

7.3 Exclusions

The above estimates do not include consultancy fees for architectural, building services and engineers.

8.0 MANAGEMENT MODEL

8.1 Proposed management model

The proposed management model for the Apollo Bay Library and Community Facility is to manage the Library and Community Facility through the Corangamite Regional Library Corporation and Otway Health and Community Services. The roles of the organisations would be follows:

8.2 Library

The Library operations would be managed by the Corangamite Regional Library on behalf of the Colac Otway Shire. The Library hours shall be determined by the Colac Otway Shire in consultation with the Corangamite Regional Library Corporation. and be reviewed on an

annual basis. The Library component of the facility will have priority of access in terms of hours.

## 8.3	Community facility

The recommended model of the management of the Community Facility aspect of the building is that Otway Health and Community Services manage the bookings. The objective will be to manage the facility so that it is highly used by the community in times that it is not being accessed as a library.

There is the opportunity to provide new programs through the Marrar Woorn Community Centre in particular for families, children and young people. The facility has been designed to encourage people to socialise and relax. The technology within the facility including the provision of an audio visual screen has been planned so that it will be attractive to young people and children.

It is recommended that the Colac Otway Shire have priority access to the Community Facility to provide services. This may include using the facility as a Customer Services point in the future.

The structure of the management model should also allow for joint meetings with Colac Otway Shire, Corangamite Regional Library Corporation and Otway Health and Community Services on a regular basis to monitor use by the community.

# 9.0	FUNDING

The development of a Library and Community Facility within Apollo Bay will be dependant on funding from the Colac Otway Shire and the Victorian State Government.

## 9.1	Living Libraries Funding Program

The key funding program for the development of a Library's is the Department of Planning and Community Development Living Library Program. The Living Libraries Program will support projects that deliver demonstrated community benefits and/or provide increased community access. This funding program is based on a three year funding program from the State Government. Funding is available on a 2:1 basis for Regional and Rural communities for up to $500,000.

Living Libraries is a three year funding program from 2007/2008 to 2009/2010

Council has recently been successful in receiving the maximum funding of $500,000 for the Beechy Centre in Colac.

The aims of the funding program are as follows:

- Provide new or improved public library infrastructure; and
- Support the role of the public library in strengthening communities as a meeting place, facilitator of life long learning and provider of free access to information and reading resources.
  Source:	Living Library Program Guidelines

The feedback from the Department of Planning and Community Development in relation to the funding scheme is as follows:

- Projects are required to meet the Funding Guidelines;
- To date approximately 80% applications have been funded;
- Historically the majority of projects funded have been larger facilities;
- The number of applications for smaller facilities is expected to increase in the future;
- Each project will be considered on it's own merits; and
- Projects that are well researched and have high level of community involvement are more likely to be successful.

9.2 Community Support Fund – Community Facilities Funding Program

The Community Support Fund Community Facilities Funding is available for the development of community infrastructure. There is evidence that strong, active communities rely upon well-designed and operated facilities and spaces. The Victorian Community Support Grants aim to support the development of community infrastructure to provide "hubs" for the community to contribute to strengthening of the community.

The objectives of the funding program are as follows:

- Develop quality community facilities throughout Victoria.
- Create more accessible community infrastructure.
- Encourage greater participation in social, learning, recreational, cultural and civic activities; and
- Build strong community ownership and involvement in the management of community facilities in growth areas.

The Community Support Fund Community Facilities Funding Program would only apply to the community component of the facility and not the Library aspect.

9.3 Rural Development Victoria

Rural Development Victoria has a Small Towns Development Fund targeted at assisting communities in small towns, creating new opportunities for growth and developing economic and social infrastructure.

The Fund is targeted at projects that enhance the appeal of rural townships and surrounding areas and that contribute to economic development, such as improvements to community, business and tourism facilities. (Towns with a population defined as up to 10,000 are the major focus of the Fund.)

Applications are only accepted from local Councils, with community groups encouraged to work with their local Council to develop projects.

Funding is available on $2 to $1 basis and grants will generally be up to a maximum of $250,000 per project.

9.4 Colac Otway Shire

The Colac Otway Shire will need to provide a significant contribution to the development of a Library for the project to be implemented. The contribution by the Colac Otway Shire will depend on the annual Capital Works Budget. The Apollo Bay Library Facility Development project will therefore need to compete with other projects within the budget planning process.

9.5 Commonwealth Government

The Commonwealth Government may have some funding opportunities available for capital projects in the near future. Whilst previous regional infrastructure funding schemes are currently not available it is anticipated that new funding programs targeted at regional communities will be announced in the future.

In relation to the Apollo Bay Library and Community Facility the project may be well placed to attract Commonwealth Government funding given that it would create employment opportunities and strengthen a rural community.

10.0 SUMMARY

The Apollo Bay Library and Facility project has been very successful in engaging the community in the planning process. The feedback from the community has significantly impacted on the decision on the location for the facility and the blueprint for how it will be developed.

The design of the Library and Community Facility will enable it to be a hub of activity within the community. The space has also been developed so that it encourages interaction between people in a relaxed format.

The facility will also not duplicate existing facilities within the Apollo Bay.

The concept for the facility will celebrate the existing strengths of Apollo Bay through the music festival. The location of the library also enables partnerships with existing community facilities including the Marrar Woorn Community Centre, Otway Health and Community Services, Child Care and the Kindergarten.

11.0 ATTACHMENTS

11.1 ARCHITECTURAL DRAWINGS

See attached Architectural Plans provided by Tony Hobba Architects.

11.2 SITE SURVEY

See attached site survey provided by Jeavons and Tomkinson.

RE. CYCLED TIMBER

METAL CLADDING

ADJOINING SHED.

WATER TANKS

STREET ELEVATION.

BAGGED BLOCKWORK

NORTH ELEVATION.

TIMBER CLADDING

CONCEPT DESIGN. APOLLO BAY LIBRARY 7 RAMSDEN AVE.	ELEVATIONS ARCHITECTS/LANDSCAPE/PLANNERS. TONY HOBBA PTY LTD 03 52633524

1:100 @ A3.

COVERED ENTRY

AIRLOCK 10 M²

FOYER 15 M²

10 M²

READING LOUNGE

LIBRARY 65 M²

SEAT

DESK 17 M²

COMMUNITY LOUNGE FESTIVAL COLLECTN KIDS CORNER 42 M²

DELIVERIES

STORE 10 M²

M F DIS. 7.5 K.

CHAIR STORE 14 M²

TANKS

NORTH

CONCEPT DESIGN
APOLLO BAY
LIBRARY.
7 RAMSDEN AVE.

1:100
AT A3.

SITE / FLOOR PLAN.
AREA 230 M²

ARCHITECTS/LANDSCAPE/PLANNERS
TONY HOBBA PTY LTD. 0352633358

WATER TANKS

CONCEPT PLAN
APOLLO BAY
LIBRARY
7 RAMSDEN AVE   1:100
                       C A3

ROOF PLAN

ARCHITECTS/LANDSCAPE/PLANNERS
TONY HOBBA PTY LTD
0352633524

OM082511-7 FINANCIAL PERFORMANCE REPORT

AUTHOR:	Ashley Roberts	ENDORSED:	Brett Exelby
DEPARTMENT:	Corporate and Community Services	FILE REF:	GEN00392

Introduction
The following Financial Performance Report is for the four month period to the end of October 2008.

Budget Variances
Rates and Charges of $18.0m raised. Projected accumulated cash deficit of $0.54m.

Cash Position
Net cash outflow of approx $1.81m for the month of October. Improved cash position of $0.02m compared to previous year.

Rates Debtors
Rates to the value of $18.0m raised. Percentage collected is similar to the previous year at 16.60% compared to 16.19% for 2007/8.

Trade Creditors
Total creditors paid of $2.32m for month of October, compared to $2.69m previous year.

Interest on Investment
Interest received for the month of October of $17,122. Current interest rate is 5.90%.

Capital Works

Plant Replacement	$0.23m
Cosworks Unsealed Roads Rehabilitation	$0.23m
Special Charge Scheme – Slater St	$0.09m
Birregurra Footpath Replacement	$0.08m
Colac Bus Shelters	$0.08m
IT Equipment Upgrades	$0.07m
Virtualisation Project	$0.06m
Bromfield St Pollution Trap	$0.04m
IT Server Replacement	$0.04m
Apollo Bay Footpaths	$0.03m
Road Furniture Upgrade	$0.03m
Meeting Room Audio & Visual System	$0.03m
Slater St Construction	$0.02m
School Bus Routes Improvements	$0.02m
BWFC Spa/Sauna Refurbishment	$0.02m
Marks St Special Charge Scheme	$0.02m
Total	$1.09m

Recommendation

That Council receive the Financial Performance Report to the end of October 2008 be received.

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FINANCIAL PERFORMANCE REPORT

FOR MONTH OF OCTOBER 2008

TABLE OF CONTENTS

BUDGET VARIANCES
Net Cost to Council

Summary by Service

	Actual 31-Oct-08	Budget	Forecast	% Actual of Forecast
GOVERNANCE	$1,824,895	$4,160,126	$4,573,751	39.90%
INFRASTRUCTURE	($282,074)	$5,573,556	$5,453,666	-5.08%
STRATEGIC DEVELOPMENT	$1,721,814	$5,143,800	$5,517,188	31.21%
DEBT SERVICES	$299,071	$682,700	$682,700	43.81%
CAPITAL WORKS	$1,070,853	$6,014,029	$6,298,465	17.00%
RATES	($15,525,710)	($15,542,939)	($15,547,289)	99.86%
OTHER INCOME	($1,247,468)	($4,950,351)	($4,989,873)	25.00%
Net from Revenue	($12,138,619)	$1,080,921	$1,988,608	
APPROPRIATION	($1,551,009)	($1,551,009)	($1,551,009)	
(SURPLUS)/DEFICIT C/FWD	($13,689,628)	($470,088)	$437,599	

Points to Note

Governance
- Insurance premiums paid.
- Community Minor Projects Grants provided
- Workcover premiums paid

Infrastructure
- Approx $0.8m Cosworks maintenance.
- Waste Management Charges raised for the full year.

Strategic Development
- Tourism Memberships paid
- Building fees higher than budgeted
- Minor Recerartion Facilities Projects Grants provided

Debt Services
- No new loan borrowings for year

Capital Works
- Aprox $1m carried forward expenditure on Marengo Transfer Station

Rates
- Total rates of $15.8m raised.

Other Income
- First quarter Grants Commission funding received.

Appropriation
- Accumulated cash surplus brought forward from 2007/08 of $1.55m

OPERATING STATEMENT

	October YTD ACTUAL	BUDGET	FORECAST	NOTE
OPERATING REVENUE				
Rates	$13,512,651	$13,454,089	$13,454,089	
Garbage Charge	$2,138,090	$2,143,599	$2,153,000	
Municipal Charge	$2,008,080	$2,003,850	$2,008,200	
Grants Commission	$1,247,468	$4,950,351	$4,989,873	
Recurrent Grants & Subsidies	$1,251,466	$2,525,619	$2,564,779	
Non-recurrent Grants & Subsidies	$591,409	$3,095,871	$3,726,916	1
Charges Fees & Fines	$1,114,003	$3,862,919	$3,929,887	2
Reimbursements & Contribution	$265,263	$442,923	$620,908	3
Interest Revenue	$95,574	$420,000	$470,000	
Donated assets	$46,333	$139,000	$139,000	
TOTAL OPERATING REVENUE	**$22,270,338**	**$33,038,221**	**$34,056,652**	
OPERATING EXPENDITURE				
Employee Costs	$3,209,583	$10,875,000	$10,899,092	
Materials & Services	$3,694,421	$11,671,000	$12,860,081	4
Plant Costs	$307,815	$427,000	$683,469	
Loan Interest	$105,198	$190,500	$190,500	
Grants & Donations	$103,494	$140,900	$151,900	
Other	$311,286	$936,883	$941,074	
Depreciation	$2,710,000	$8,430,000	$8,130,000	
Written Down Value - Assets Sold	$183,333	$550,000	$550,000	5
TOTAL OPERATING EXPENDITURE	**$10,625,130**	**$33,221,283**	**$34,406,116**	
NET SURPLUS/(DEFICITS) FROM OPERATIONS	**$11,645,207**	**($183,062)**	**($349,464)**	
Proceeds from Sales	$88,536	$550,000	$565,000	
Property, Plant & Equipment Write Off	($50,000)	($150,000)	($150,000)	
RESULTING FROM OPERATIONS	**$11,683,743**	**$216,938**	**$65,536**	

Notes

1 Non-Recurrent Grants & Subsidies
- Living Libraries grant $0.1m received
- Joint Use Sports Facilities Grant $0.2m received

2 Charges, Fees & Fines
- Council Property rentals raised

3 Reimbursements and Contributions
- Increased Private Scheme charges (Marks St)

4 Materials & Services
- Additional $0.5m contingency for roadworks

5 Written Down - Value of Assets Sold
- Slight gain expected on Sale of Land

END OF YEAR PROJECTED RESULT

Predicted accumulated cash surplus/deficit
position as at 31/10/2008.

Comments
Estimated accumulated cash surplus $0.47m
Projected cash deficit as at 31/10/2008 forecast
at approx $0.54m

END OF YEAR PREDICTED RESULT

WORKING CAPITAL RATIO

To assess Council's ability to meet current
commitments.

Comment
Current Ratio of 4.5:1 as at 31/10/08

Estimated to be 1.88:1 at 30/06/09

WORKING CAPITAL RATIO

CASH POSITION

Comparison of General Account Bank balance
at the end of month compared to previous year.
Does not include Port of Apollo Bay or LSL investments.

Comment
Net cash outflow approx. $1.81m for October 2008.
Improved cash position of approx $0.02m as compared
to previous year.

	2008/09	2007/08
Income	$1.60m	$1.85m
Exp.	-$3.28m	-$-3.86m
Net	-$1.64m	-$2.01m
Balance	$1.81m	$1.79m

CASH POSITION

RATES DEBTORS

Progressive % rates collection at end of
month compared to previous year.

Comment
Rates to the value of $18.0m raised.
Collection % slightly up on previous year.

	000's	2008/09	2007/08
July	$17,928	0.50%	0.80%
August	$17,841	1.00%	1.60%
September	$15,687	12.90%	12.10%
October	$15,027	16.60%	16.19%
November			
December			
January			
February			
March			
April			
May			

RATES DEBTORS

OTHER DEBTORS

Balance outstanding of other debtors excluding
rates and special charges by 30 days and over.

OTHER DEBTORS

	NUMBER	AMOUNT	% OF TOTAL
1-30 Days^	59	$146,835	24%
30-60 Days^	21	$109,826	18%
60+ Days^	44	-$51,714	-8%
Payment Arrangements	1	$89,281	15%
Final Notice	0	$0	0%
Debt Collectors	3	$4,312	1%
Other Debtors*	722	$17,238	3%
Private Schemes	-	$268,215	44%
Harbour	2	$24,813	4%
TOTAL	**852**	**$608,806**	**100%**

	WORKS	MISC	TOTAL	% OF TOTAL
1-30 DAYS	$8,868	$137,967	$146,835	24%
30-60 DAYS	$34	$109,792	$109,826	18%
60+ DAYS	$17,140	$24,739	$41,879	7%
Other Debtors*	-	-	$17,238	3%
Private Schemes	-	-	$268,215	44%
Harbour	-	-	$24,813	4%
TOTAL	**$26,042**	**$272,498**	**$608,806**	**100%**

* Please note Other Debtors include CRLC, Superannuation Debtors and Pension Rebates.
^ Values are for Works & Miscellaneous debtors only

Major debtors outstanding greater than $20,000.

	1-30 DAYS	30-60 DAYS	60+ DAYS	TOTAL	COMMENT
Department Victorian Communities	$0	$0	$80,630	$80,630	Recreation Facilities Grants
Dept of Justice	$61,600	$0	$0	$61,600	Landslide Mapping Grant
Regional Development Victoria	$0	$11,000	$33,000	$44,000	Regional Trails Masterplan / Economic Development Strategy
Parks Victoria	$0	$0	$25,061	$25,061	Lake Colac Carp Management
Apollo Bay Fisherman's Co-Operative		$24,739	$0	$24,739	Annual Rental 2008-9
Dept Innovation, Industry & Regional Develop.	$0	$0	$22,000	$22,000	Colac Structure Plan
HF Industries	$22,000	$0	$0	$22,000	Sale of Gym Equiipment
	$83,600	**$35,739**	**$160,691**	**$280,030**	

TRADE CREDITORS

Payments to trade creditors for the month.

Creditor Voucher No.s 38685 - 38821 for $495,741.68 and Electronic Funds Transfers Nos. 40815 - 41353 for $1,824,118.56 for the month of October were approved by the Chief Executive officer under delegated authority on Wednesday 29 October 2008

Major creditor payments for the month comprising 59% of total payments were:

Australian Taxation Office	Employee Tax	$234,799.20
Vision Super	Employee Superannuation	$224,107.94
Ecologically Design Pty Ltd	Port of Apollo Bay Precinct Plan	$88,000.00
Bartons Waste Collection Pty Ltd	Waste Contract	$82,118.95
Wheelie Waste Pty Ltd	Waste Contract	$71,163.73
Corporate Express	Software Licence/Stationery	$63,523.17
Dept Planning and Community Development	Planning Panel Fees	$57,721.16
Clifford Excavations	Road Grading / Construction	$53,262.00
Ctity of Greater Geelong	Recycling Fee	$49,557.03
R Slater and Sons	Pollution Trap - Bromfield Street	$45,980.00
Southern Rigging and Scaffolding	Bus Shelters	$44,533.50
Civil Force (Vic) Pty Ltd	Birregurra Footpath Replacement	$40,618.55
G21 Geelong Regional Alliance Ltd	Membership 08/09	$39,600.00
Colac Cleaning Services	Cleaning Contract	$37,290.51
Civica Pty Ltd	Authority Implementation	$33,149.03
AK McKenzie Motors	Vehicle Purchase	$32,873.35
AGL Electricity	Electricity Accounts	$30,321.97
Superior Staff Pty Ltd	Contract Staff Waste Management	$28,200.97
Dell Computers Pty Ltd	Computer Equipment	$27,871.14
Rex Gorell	Vehicle Purchase	$27,708.30
J Chisholm Pty Ltd	Fuel/Oil	$27,647.37
Brian Dunn Ford	Vehicle Purchase	$21,056.80
		$1,361,104.67

LOAN LIABILITY

Level of loan liability, new loans and loan redemption for the year.

Comments	LOAN NO.	BAL 01/07/08	NEW LOANS	PROJ. REDEMP. 2007/2008	YTD ACTUAL	BAL 30/06/09
No new loans forecast.	C.O.S. 5	$231,833	$0	$232,000	$114,273	-$167
	C.O.S. 6	$694,303	$0	$45,600	$22,437	$648,703
	C.O.S. 7	$1,259,919	$0	$67,300	$33,011	$1,192,619
	C.O.S. 8	$234,118	$0	$89,200	$4,094	$144,918
	C.O.S. 9	$558,687	$0	$83,800	$20,397	$474,887
		$2,978,860	$0	$517,900	$194,212	$2,460,960

INTEREST ON INVESTMENT

Comparison of interest earned on credit balances of Colac Otway Shire's bank accounts at the end of each month to previous year.

Comment
Progressive 2008/09 to 31/10/2008 $85,356
Progressive 2007/08 to 31/10/2007 $94,558

Current Interest Rate 5.9%

INTEREST ON INVESTMENT

Month	07/08	08/09
July	28000	31500
Aug	21000	19000
Sept	22000	18000
Oct	23500	17500
Nov	21500	
Dec	16000	
Jan	12500	
Feb	26500	
Mar	47000	
April	42000	
May	36500	
June	35000	

CAPITAL WORKS

CAPITAL WORKS EXPENDITURE

MAJOR PROJECTS PROGRESS REPORT

Roads to Recovery
Capital works priorities ongoing

Local Roads
Cosworks Local roads program - ongoing
Cosworks Drainage program - ongoing
Road Furniture Upgrade - ongoing, items being upgraded as identified
Marks Street - Complete
Bus Shelters - Complete
Bromfield Street Pollution Trap - Complete

Other
Gellibrand Landfill Rehab Design - Underway, ongoing
Cressy Landfill Rehab Design - Underway, ongoing
BWFC Sauna & Spa Upgrade - Complete
Playground Improvement Program - Underway - ongoing as needs identified
IT Virtualisation project - complete
IT Strategic Plan - underway, draft report received, ongoing
COPACC Meeting Room Audio & Visual System - installed
Special Charge Scheme - Slater St - approaching finalisation

CONSENT CALENDAR

OFFICERS' REPORT

D = Discussion
W = Withdrawal

ITEM	D	W
INFRASTRUCTURE **OM082511-8 AMENDMENT OF UNUSED ROAD LICENCE NO. 0511057 – HINDS ROAD, BIRREGURRA** *Recommendation(s):* *That Council subject to the granting of a Planning Permit for removal of native vegetation, resolve to:* *1. Amend the unused road licence (Ref No. 0511057) by the extent specified in the attached Agreement;* *2. Instruct the Department of Sustainability and Environment to amend the current licence subject to the applicant agreeing to pay for the full cost of upgrading the road to the Councils standards;* *3. Inform the Licensee, the operator, and other objectors of Council's resolution in writing; and* *4. Inform the Applicant in writing of Council's resolution including their requirement to satisfy the following:* ▪ *That all clauses of the Agreement drafted by the Applicant and dated May 2008 are observed;* ▪ *The extent of the unused road licence to be amended shall be restricted to that length stated in Clause 3 of the Agreement;* ▪ *That all statutory planning approvals associated with construction of the proposed road are determined and obtained by the Applicant;* ▪ *That due consideration is given to any requirements under both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007 to prepare a Cultural Heritage Management Plan;* ▪ *That the new roads design and its subsequent construction observe the requirements of Council's Roadside Vegetation Management Plan;* ▪ *Minimisation of any impacts to existing underground services which may exist within the works area;* ▪ *That the design and construction of the extension of Hinds Road consider land stability issues, road side drainage and discharge, road geometry,*		

alignment, location of existing underground services, environmental impacts, etc.;
- *That the new section of road is designed and constructed to Council's satisfaction;*
- *That road design details/plans are forwarded to Council for approval;*
- *Consent to works being received from Colac Otway Shire prior to any works being undertaken; and*
- *That all costs associated with road construction and the removal, reinstatement, or fencing of any property boundaries are to be borne by the Applicant.*

OM082511-9 PROPOSED LEASE AGREEMENT, CROWS NEST TOWER, TUXION ROAD, APOLLO BAY

Department: Infrastructure

Recommendation(s)

That, subject to a Planning Permit being obtained by Otway FM for the proposed works, Council sign and seal two (2) copies of the lease agreement documents between the Colac Otway Shire and Otway FM for the installation of radio broadcast equipment at the Crows Nest Communications Tower located at Tuxion Road, Apollo Bay.

OM082511-10 INFRASTRUCTURE SERVICES STAFF REVIEW

Department: Infrastructure

Recommendation(s)

That Council notes the proposed Infrastructure & Services Staff Structure based on a three (3) year implementation plan at a net overall cost in the order of approximately $255,000 per annum when fully resourced.

OM082511-11 MANAGEMENT OF CATTLE GRIDS ON LOCAL ROADS Department: Infrastructure **Recommendation(s)** **That Council resolve to:** **1. Endorse the proposal to develop a Cattle Grids policy for the management of such structures on local roads;** **2. Undertake direct consultation with landowners in the vicinity of all existing cattle grids identified to determine ongoing use requirements;** **3. Receive a future report detailing the outcomes of the proposed consultation process;** **4. Defer any decision in relation to the existing cattle grids located on Minchinton Road until such time as the Cattle Grids Policy is adopted by Council; and** **5. Communicate Council's resolution to all affected parties with an interest in the operation of the Minchinton Road cattle grids.**		

Recommendation

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

MOVED ....

SECONDED ....

OM082511-8   AMENDMENT OF UNUSED ROAD LICENCE NO. 0511057 – HINDS ROAD, BIRREGURRA

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure	FILE REF:	GEN00016 - Unused Roads

Purpose

This report is presented for Council to further consider the proposal to amend Unused Road Licence No. 0511057 to provide primary access to 35 Hinds Road, Birregurra.

Background

A report was presented to Council at its meeting of 28 October 2008 recommending the amendment of the existing Unused Road Licence (Ref No. 0511057) to allow unrestricted access along Hinds Road to the property at 35 Hinds Road, Birregurra. Council resolved at that meeting to withdraw the report subject to the provision of further information.

At present, this property does not have any 'made' road access. This property is a single parcel being fully described as C/A 10, Parish of Yeo and is abutted by a Government Road at its western boundary. A portion of this Government Road is subject to an Unused Road Licence as issued by the Department of Sustainability and Environment (DSE) in accordance with Section 130 of the Land Act 1958 (the 'Act') and is for the exclusive purpose of grazing. The licence area extends along the majority of the frontage of this property (refer Attachment 1).

The land is subject to the following Planning Scheme requirements under Section 40.

Title Description	Address	Overlay(s)	Schedule(s)	Name	Parcel Overlap
CA 10	35 Hinds Road	WMO		Wildfire Management Overlay	25%
CA 10	35 Hinds Road	EMO	EM01	Erosion Management Overlay - Schedule 1	100%
CA 10	35 Hinds Road	SLO	SL01	Significant Landscape Overlay -Schedule 1	100%
CA 10	35 Hinds Road	LSIO		Land Subject to Inundation Overlay	75%

The Unused Road licence is currently held by the owner of 575 Colac Lorne Road. The term of the licence is 99-years and was first issued in 1990.

Under Section 407(1) of the Act, Council, should it consider it desirable in the public interest that a licence issued in respect to any unused road be cancelled or amended may do so by informing DSE in writing.

Where a licence has been cancelled, the land to which that licence related shall cease to be an unused road and reverts back to the management of Council.

At present, part of 35 Hinds Road is covered by a private softwood plantation which is due for harvesting in the foreseeable future. It is expected that Midway Pty Ltd will undertake harvesting operations on behalf of the owners of this property. Access is primarily being sought to support the extraction of timber from this block in the short term, however there is an ongoing issue in providing both a legal and practical point of access to this property.

Council received objections from the owners of the properties at 20 Hinds Road, 25 Hinds Road and 575 Colac Lorne Road with the respect to the request to cancel or amend the existing unused road licence.

The objectors cited issues such as amenity impacts during timber harvesting operations, the ability of the landscape to support the construction of a 'new' access road, the extent of amendment to the licence, responsibility for the ongoing maintenance of the new road and road safety during timber cartage, as being of major concern.

In response to these concerns Council officers attempted to mediate a mutually agreeable resolution to this matter between each of the interested parties.

Based on the discussions held during this process, a number of issues were raised that were subject to further negotiation with a view to establishing an outcome that satisfied the expectations of the applicant seeking amendment to the existing unused road licence (the 'Applicant'), the licence holder (the 'Licensee'), and the operator of the land which is subject to the unused road licence (the 'Operator').

Prior to any further consideration being given to the amendment of the existing unused road licence the following matters were to be negotiated and resolved to the satisfaction of the Applicant, the Licensee, and the Operator.

- The extent as to which the unused road licence (Ref no. 0511057) was to be amended to permit a legal point of access along the northern section of Hinds Road to the property at 35 Hinds Road;
- Agreement to the standard of fencing and the distribution of those costs involved in fencing the 'new' road at its western and southern boundaries. This included the provision of gate access. It was suggested that the Applicant should bear these costs; and
- Establishment of an alternative route to transport timber from 35 Hinds Road to avoid the need for trucks to use the northern section of Hinds Road. The Applicant was to discuss the feasibility of a number of different options which were presented during discussions with their harvesting contractor.

Following a further meeting between the Applicant, the Licensee, and the Operator to discuss these matters an agreement was drafted. No further progress has been able to be made between each of the parties since and now requires Council intervention to resolve this matter.

Corporate Plan/Other Strategies/Policy
No policy considerations are applicable.

Issues/Options
The current proposal provides a requirement to obtain a Planning Permit for environmental considerations, but not for the construction of the road as this will need to be managed as part of the amendment of the Unused Road Licence.

There are a number of options available in providing a resolution to this matter. These options are:

1.   Maintaining the status quo

Council may resolve to not cancel or amend the existing Unused Road Licence and require the Applicant to use the extension of Birregurra Yeodene Road as their primary point of access to the south.

This route may not provide practical access to 35 Hinds Road as it will require the construction of 400 metres of roadway and the upgrade of an existing stream crossing. Council would ultimately become responsible for the management and maintenance of the new length of road.

It would seem unreasonable to require the proponent to incur such an expense and Council an ongoing maintenance cost when alternative options are available.

2.   Cancel the Unused Road Licence

This would provide unrestricted access from the north to the full frontage of 35 Hinds Road; however, the licensee would no longer have rights to the quiet enjoyment or grazing of the subject land. Cancellation of the licence would also have implications for Council in that it would be then responsible for the care and management of the full extent of the formerly licensed area.

3.   Amend the Unused Road Licence

Discussions with DSE officers have indicated that the existing licence may be amended in such a way so as to afford unrestricted access to 35 Hinds Road whilst also allowing the licensee to graze at least part of the existing licensed area. The Applicant would be required to construct access over the section of unused road acquired through amendment of the licence. Council would then become responsible for this new but shorter, length of Hinds Road.

Amending the licensed area to accommodate a point of access to 35 Hinds Road would require the construction of an approximate length of 120m of new road extending from the end of the constructed section of Hinds Road to the new accessible frontage.

It is recognised that this option will involve an increase in traffic past the existing dwellings located at 20 Hinds Road and 25 Hinds Road. This would be particularly evident during the harvesting of plantation softwood from 35 Hinds Road. Traffic volumes other than this peak are expected to be minimal and it should be noted that whilst a section of Hinds Road has been previously declared as unused and licensed for grazing purposes it is still a road set aside for the primary purpose of access.

Proposal
In terms of equity it is considered that option 3 as discussed above provides optimum benefit to each the Applicant, the Licensee, and the Operator. Access via Hinds Road will result in the provision of a legal and practical point of access to 35 Hinds Road whilst allowing the Licensee and the Operator the opportunity to continue to use exclusively part of the unused road although reduced minimally in area.

This option is also potentially more cost effective in the short term for the proponent through a reduced length of new road requiring construction. From Council's perspective this option is also desirable as compared with maintaining the status quo as it will result in lower ongoing operational and maintenance costs due to the shorter length of road for which it would become responsible for.

Other than a peak period of traffic flow associated with timber harvesting operations, traffic would generally be minimal and amenity impacts the same. The management of timber

cartage vehicles and other machinery involved in timber harvesting could be implemented to minimise impact on area amenity (e.g. times of operation, etc)

Any amendment to the existing unused road licence would be conditional upon the following:

- Formal Council approval and agreement with DSE on amendments to the unused road licence;
- That all clauses of the Agreement drafted by the Applicant and dated 5 May 2008 being observed;
- The extent of the unused road licence to be amended shall be restricted to that length stated in Clause 3 of the Agreement;
- That all statutory planning approvals associated with construction of the proposed road are determined and obtained by the Applicant;
- That due consideration is given to any requirements under both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007 to prepare a Cultural Heritage Management Plan;
- That the new section of road is designed and constructed in order to satisfy Council's minimum specifications;
- That the new roads design and its subsequent construction observe the requirements of Council's Roadside Vegetation Management Plan;
- Any impacts to existing underground services which may exist within the works area are minimised; and
- Colac Otway Shire provide consent to works, and that the work is constructed to the minimum standard specification of Council.

The design and construction of the extension of Hinds Road will need to consider a number of factors including land stability issues, drainage, road geometry, alignment, location of existing underground services, environmental impacts, etc.

Financial Implications
It is intended that Council remain 'cost neutral' with respect to this matter. All costs associated with road construction and the removal, reinstatement, or fencing of any property boundaries are to be borne by the Applicant.

There will be no immediate financial impact to Council. However, amending the licensed area to accommodate a point of access to 35 Hinds Road will add approximately 120 metres to the road network currently maintained by Council.

Risk Management Implications
In the event that the licensed area is amended, Council Officers will need to ensure that the additional length of Hinds Road is included on the Municipal Road Register to ensure that it is managed in accordance with Council's Road Management Plan and the Road Management Act 2004.

Environmental Considerations
Any road works associated with the construction of either the extension of Hinds Road or the extension of Birregurra Yeodene Road would be subject to the Applicant making a planning permit application. A number of issues, including; environmental impacts, land stability, erosion control, cultural heritage, etc would need to be considered through this process.

A number of environmental issues will need to be considered by the Applicant through both the processes of road design and construction. It is considered that adherence to the requirements of Council's Roadside Vegetation Management Plan and any planning permit conditions, if applicable, will minimise likely impacts to the surrounding environment.

Timber harvesting operations are to be conducted in accordance with the Code of Practice for Timber Production 2007. This document provides guidance to operators to deliver sound performance when undertaking commercial timber growing and harvesting operations.

Other than a peak period of traffic flow associated with timber harvesting operations, traffic would generally be minimal and amenity impacts the same. The management of timber cartage vehicles and other machinery involved in timber harvesting could be implemented to minimise impact on area amenity (e.g. times of operation, etc)

Communication Strategy/Consultation
Should Council resolve to amend the existing unused road licence (Ref No. 0511057) it is proposed to:

- Inform the Licensee, the operator, and other objectors of Council's resolution in writing;
- Inform the Applicant in writing of Council's resolution including all associated conditions and requirements;
- Request in writing that DSE amend the unused road licence. The extent of amendment shall be in accordance with Clause 3 of the Agreement previously mentioned.

Implementation
All actions will be implemented upon resolution of Council.

Conclusion
It is considered that a section of the unused road being licensed is reasonably required for public purposes in that it will provide both a legal and practical point of access to 35 Hinds Road.

Amendment to this licence will provide the best possible outcome to the Applicant, the Licensee, and the Operator. This course of action will result in the adequate property access whilst also allowing part of the unused road to be continued to be used for grazing purposes. This option will also minimise the additional extent of new road network which Council will be responsible for managing on an ongoing basis.

Attachments
1.   Locality Plan
2.   Proposed Amended Licence Area
3.   Colour Aerial Photograph of the location

Recommendation(s):

That Council subject to the granting of a Planning Permit for removal of native vegetation, resolve to:

1.   Amend the unused road licence (Ref No. 0511057) by the extent specified in the attached Agreement;
2.   Instruct the Department of Sustainability and Environment to amend the current licence subject to the applicant agreeing to pay for the full cost of upgrading the road to the Councils standards;
3.   Inform the Licensee, the operator, and other objectors of Council's resolution in writing; and

4.   *Inform the Applicant in writing of Council's resolution including their requirement to satisfy the following:*

- *That all clauses of the Agreement drafted by the Applicant and dated May 2008 are observed;*
- *The extent of the unused road licence to be amended shall be restricted to that length stated in Clause 3 of the Agreement;*
- *That all statutory planning approvals associated with construction of the proposed road are determined and obtained by the Applicant;*
- *That due consideration is given to any requirements under both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007 to prepare a Cultural Heritage Management Plan;*
- *That the new roads design and its subsequent construction observe the requirements of Council's Roadside Vegetation Management Plan;*
- *Minimisation of any impacts to existing underground services which may exist within the works area;*
- *That the design and construction of the extension of Hinds Road consider land stability issues, road side drainage and discharge, road geometry, alignment, location of existing underground services, environmental impacts, etc.;*
- *That the new section of road is designed and constructed to Council's satisfaction;*
- *That road design details/plans are forwarded to Council for approval;*
- *Consent to works being received from Colac Otway Shire prior to any works being undertaken; and*
- *That all costs associated with road construction and the removal, reinstatement, or fencing of any property boundaries are to be borne by   the Applicant.*

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Dunlops Road

Birregurra Yeodene Road

Hinds Road

20 HINDS ROAD

25 HINDS ROAD

575 COLAC LORNE ROAD

35 HINDS ROAD

Unused Road Licence
(Ref No. 0511057)

Birregurra Yeodene Road

Colac Lorne Road

Legend

Crown Licence

N

Birregurra Yeodene Road

Hinds Road

Attachment 2 - Proposed Amended Licensed Area

20 HINDS ROAD

25 HINDS ROAD

575 COLAC LORNE ROAD

**Section to be Reopened
as Public Road**

**Amended Unused Road
Licensed Area**

35 HINDS ROAD

N

Birregurra Yeodene Road

Hinds Road

20 HINDS ROAD

25 HINDS ROAD

Option 3
- Construction of Extension of Hinds Road
(approx. 120-metres)

575 COLAC LORNE ROAD

35 HINDS ROAD

Option 1
- Construction of Extension of Birregurra Yeodene Road
(approx. 400-metres)

Legend

— Public Road

Crown Tenure

— Water Course

Parcel

OM082511-9 PROPOSED LEASE AGREEMENT, CROWS NEST TOWER, TUXION ROAD, APOLLO BAY

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure	FILE REF:	GEN00220 - General

Purpose
The purpose of this report is for Council to consider the proposal to enter into a formal lease agreement with Otway FM, subject to planning approval.

Background
Council at its meeting of 26 August 2008 resolved to advertise its intention to enter into a lease agreement with Otway FM for the premises described as the Crows Nest Communications Tower located on Tuxion Road, Apollo Bay.

Otway FM's proposal is to utilise Council's existing tower and communications hut for the purposes of installing equipment to enable radio broadcast into Apollo Bay and the surrounding area.

In accordance with Council's resolution at this meeting the term of the proposed lease has been reduced from ten (10) years to three (3) years.

Corporate Plan/Other Strategies/Policy
This proposal aligns with Council's commitment to advocate for improved infrastructure services, including telecommunications.

Issues/Options
Given the community based nature of Otway FM's services which has no major funding sources, it is intended to recognise this organisation as a community group and as such charge a peppercorn rental fee of $1 per annum with an additional charge for reimbursement of electricity usage.

Interference by the proposed equipment on existing equipment needs to be monitored and the lease includes requirements that obligate Otway FM to immediately switch off all their equipment should any interference be caused by its installation and subsequent operation to Council's and / or any other current tenant transmissions.

Planning approval is required for any buildings or works associated with Otway FM's proposal.

Proposal
That Council agrees to recognise in principle the terms and conditions of the Lease Agreement and to recognise Otway FM as a community based organisation.

The term of the proposed lease is three (3) years with no option for extension. Should Otway FM wish to continue its lease, it will need to request Council to enter into a new lease at the end of the lease term. It is proposed to charge Otway FM a nominal fee of $151 per annum. This fee consists of a $1 per annum peppercorn rental and $150 reimbursement for power usage.

Otway FM has offered to recognise the accommodation of the equipment by providing 'Major Sponsor Status' to the Shire which will give regular on air promotion of the Colac Otway Shire's activities.

This promotion provides benefits in terms of regular on-air mentions at least 10 times daily, the choice to have Council's logo on Otway FM stationary and its outside broadcast van.

The outside broadcast van visits a range of regional events and launches in the Apollo Bay, Camperdown, Winchelsea and Lorne areas.

A condition relating to 'Major Sponsor Status' will be incorporated into the lease agreement as a special condition prior to the lease being finalised.

Financial and other Resource Implications
In this instance it is proposed that a $1 per annum lease fee be charged and that full cost recovery occurs for power consumption, which is estimated at $150 per annum and that Council enters into a binding agreement in relation to the sponsorship offer.

Risk Management & Compliance Issues
Otway FM is already licensed to operate in Apollo Bay on 99.1 MHz (Australian communications & media Authority Licence number 1170591).

Environmental Considerations
Given that the structure is in existence and already has antenna attached, the addition of one more antennae is not considered a key issue. This aspect will also be considered through the planning permit process.

Communication Strategy/Consultation
Council at its meeting of 26 August 2008 resolved to advertise its intention to enter into a lease agreement with Otway FM.

Public notices were published in the Colac Herald on 22 October 2008 and the Apollo Bay News Sheet on 23 October 2008.

Any submissions received regarding this proposal were to be considered in accordance with Section 223 of the Local Government Act 1989.

One submission was received with respect to this matter from a nearby property owner. Concerns were raised in relation to the potential of Otway FM's proposed installation to negatively impact economic, social, and amenity values. The potential for adverse health risks was also raised.

Otway FM's proposed utility installation requires statutory planning approval. As such, there is an opportunity for person(s) to lodge an objection through the referral/notification process. Any issues raised would need to be resolved adequately prior to the granting of a planning permit.

Council does not intend to enter into a lease with Otway FM until such time that all planning approvals have been obtained.

Implementation
No submissions have been received with respect to the proposed lease agreement. Subject to planning approval, it is now in order for Council to sign and seal the documents which will be forwarded to Otway FM.

Conclusion
Otway FM's proposal to utilise Council infrastructure for the purposes of installing telecommunications facilities is supported and will ultimately provide an additional media service for residents and visitors to Apollo Bay and its surrounds.

It is recommended that Council execute the agreement by signing and sealing the documents subsequent to Otway FM obtaining planning approval for the installation of their equipment.

Attachments
- Lease Area Plan
- Copy of Public Notice

Recommendation(s)

That, subject to a Planning Permit being obtained by Otway FM for the proposed works, Council sign and seal two (2) copies of the lease agreement documents between the Colac Otway Shire and Otway FM for the installation of radio broadcast equipment at the Crows Nest Communications Tower located at Tuxion Road, Apollo Bay.

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Area Proposed to be Leased

510 TUXION ROAD, APOLLO BAY

500 TUXION ROAD, APOLLO BAY

TUXION ROAD

480 TUXION ROAD, APOLLO BAY

**Attachment 1
Plan of Lease Area**

![Colac Otway SHIRE logo] Colac Otway
SHIRE
Naturally Progressive

Notice of Intention to Enter into Lease

The Colac Otway Shire gives notice under Section 190 of the *Local Government Act 1989* (the 'Act') that it proposes to grant a lease to Otway FM to install radio broadcast equipment on the Crows Nest Communications Tower located at Tuxion Road, Apollo Bay

The proposed essential terms of the Lease are as follows:-

Rental:	$1 per annum plus $150 per annum electricity charge reimbursement
Payment:	Payable in lump sum upon the anniversary of the commencement date of the lease
Rental Review:	The Rent will be reviewed annually on each anniversary of the Date of Commencement Term
Term:	3 years
Permitted Use:	To install and operate radio broadcast equipment

Any person may make a submission on the proposal. All submissions will be considered in accordance with Section 223 of the Act. Any person proposing to make a submission under Section 223 of the Act must do so until **21 November 2008.**

Persons making written submissions should also state whether they wish to be heard in support of their written submissions.

Written submissions should be addressed to the Chief Executive Officer, Colac Otway Shire, PO Box 283, Colac, 3250.

Tracey Slatter
Chief Executive Officer
www.colacotway.vic.gov.au

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OM082511-10 INFRASTRUCTURE SERVICES STAFF REVIEW

AUTHOR:	Neil Allen	ENDORSED:	Tracey Slatter
DEPARTMENT:	Infrastructure	FILE REF:	Infrastructure / General

Purpose

This report is to advise Council of the Infrastructure Services Review undertaken and the proposal to increase the staff numbers to recognised industry levels over the next three (3) years.

Background

Council's Infrastructure Department has faced increasing workload pressures over the last couple of years as the complexity and amount of work has increased.

Factors which have impacted on the staff workloads within the infrastructure service area can be summarised as follows:

- Complexity of work has increased through the need for staff to comply with increased levels of reporting for OH&S and government agency requirements.
- Cultural heritage planning for Infrastructure works.
- Council's need to comply with native vegetation requirements.
- Changes in information technology have also increased workloads for council staff, particularly with the need to capture and record more data. Although this has lead to an overall increase in quality that increase has been based on additional staff time to undertake the necessary work.
- Council's Capital Works budget has increased from $5.80m in 2004/05 to $9.66m in 2008/09. This increase in capital expenditure was accompanied by a minimal increase in staff resources with the appointment of one additional staff member.
- A national shortage of engineers and resourcing of skilled engineering staff throughout the local government sector is becoming increasingly difficult due to a number of factors including an ageing workforce of baby boomers and the lack of training for new engineers. Recruitment now is a longer process and appropriate staff are difficult to attract.

The current Capital Works program is in the order of $10 M per annum with the majority of those capital works requiring long-term planning, detailed analysis of works required, and preparation of designs and costs to carry out the works. These works then need to be included in an appropriate works program for consideration by Council as part of the budget process. The current engineering demands and existing staff levels make achieving these outcomes increasingly difficult, particularly in relation to the long-term planning requirements due to staff having to deal with the immediate day-to-day operations.

In light of the issues identified it was determined that a review of the infrastructure services staff needed to be undertaken to ensure that adequate resources were provided to meet the objectives of the community and the Council Plan.

A benchmarking study was undertaken and it indicated that the staff ratio per budget for similar type Councils is typically in the order of 0.4, with the Surfcoast Council being 0.395 and Swan Hill Council being 0.414. The Colac Otway Shire currently has the lowest cost staffing ratio in the Region in the order of 0.3 for the existing staff. It is proposed under a new Staffing Structure that this ratio be increased closer to the industry benchmark of 0.4. A review of the Staffing Structure based on the addition of six (6) extra staff and the upgrade of an existing position over the next three (3) years will see that staff ratio increase to 0.375 which is closer to the recommended staffing rate for municipalities this size.

Corporate Plan/Other Strategies/Policy
Council's Corporate Plan states that Council is committed to improving and renewing our roads and other infrastructure by allocating additional Council funds and strongly advocating for State and Federal Governments to also provide additional funding.

Issues/Options
A number of options were considered as part of this Review, which included the investigation of the function of the various Officers. The Review found that workloads were impacting on the Officers ability to undertake the various roles and responsibilities, particularly for the Asset Management Group to the desired level. The Review also found that in order to ensure clarity of roles and functions it would be appropriate to split the Asset Development function into a pure Asset Management function and Major Capital Works and Projects function.

In line with this Review it was recommended that the Asset Development role be formalised to manage and report on asset development and that a new Capital Works section be developed to undertake longer term strategic planning, provide detailed estimates of proposed capital works projects and undertake detailed designs and costings.

The Review also determined that Major Contracts should be supported with an organisational resource which works from the Infrastructure Services area but supports the organisational role in contract management with collation of tender information and assessment requirements.

A potential problem was identified with an ageing workforce in the Cosworks area, however, at this stage Cosworks does not require any major changes. The review did however, identify that although work was carried out to a high standard, there was a need for succession planning for specialist skilled staff in the area such as grader drivers etc. A number of staff are approaching retirement around the same time. The review identified that with the large number of potential retirees due, that unless new staff were trained there would be a significant shortage of skills in particular areas which would cause a resourcing hump. This resourcing hump could be managed through the progressive appointment and succession planning of key staff. Budget expectations could be managed through the individual work programs of Cosworks from within their existing budgets.

Proposal
The proposal to increase the existing Staff Structure is based on the review of the current engineering and works staff. The existing structure has the three management areas as follows:

• Asset Development;
• Major Contracts; and
• Works.

The proposed structure is based on implementing the review over a 3 year period to bring staffing levels up to industry standards. A key focus of change is the separation of the current Asset Development area into Asset Development and Capital Works. This will require sourcing additional staff for the Capital Works area to achieve the required work demands. The structure also looks at resourcing the Property Officer, Systems Officer and Contracts Officer in years 2 and 3 to ensure that council can adequately manage its assets and ensure council programs provide for the best value for money to the community.

The proposed structure identifies the management areas as follows:

- Asset Development;
- Capital Works;
- Major Contracts; and
- Works.

Key changes are as follows:

- Position of Manager Capital Works to be implemented immediately;
- Position of Capital Works Design Engineer and Environmental Engineer to be implemented immediately; and
- Position of Property Officer, Assets Systems Officer and the Contracts Officer to be implemented in the 2009/10 budget.

Financial and other Resource Implications

A number of savings have been identified where staff time could be charged to the preparation of Special Charge Schemes, government grants for works and services and charging of staff time for checking and supervision of sub-division construction.

The review of the current budget systems has also shown that potential savings can be achieved through better charging of staff time to specialist projects and major projects under the capital works program. This would allow the true cost of the design, documentation and construction of capital works to be captured.

An analysis has been carried out to determine the financial impact of the additional staff on the budget over the next three (3) years and that analysis is as follows:

Description	Costs/Savings		Year 1		Year 2		Year 3
Total Income Sources	-$	218,250.00	-$	148,000.00	-$	215,750.00	-$	218,250.00
Net (Increase in Expend)	$	473,706.48	$	148,609.29	$	387,061.79	$	473,706.48
Net (Expend - Income)	$	255,456.48	$	609.29	$	171,311.79	$	255,456.48

It was also identified that by increasing Council staff there would be a reduced need to employ consultants to fill the current gaps in the organisation producing savings in the order of $50,000 per year which could directly offset the associated staff costs.

The Review determined that potential savings in the order of $218,250.00 would be able to be achieved after Year 3.   As outlined the net increase in staff costs would rise from $148,600.00 in Year 1 to $473,700.00 in Year 3 if a full compliment of engineering staff are able to be sourced. The net levels of expenditure and income generated would rise from nil in 2008/09 through to a total cost in the order of $255,500.00 in Year 3.

This cost will be offset by a number of significant benefits including:

- An increase in completion of the Capital Works program in accordance with the Council Budget;
- An increase in the quality of projects undertaken by Council. This will include ensuring that the engineering projects better meet and exceed the Council standards and community expectations;
- Adequate resources will be available to implement the Council Plan;

- Ability to better undertake the costing and strategic planning of Council's long term Capital Works program;
- Improved contract management and supervision of works and services; and
- Reduce risk to Council from an increase in auditing and compliance with legislation and reporting requirements being proactively addressed.

Risk Management & Compliance Issues
Council needs to proactively manage its Risk Management and Compliance to protect itself into the future. A suitable way of mitigating this risk is to increase staff numbers in Council to ensure that sufficient staff are available to carry out workload requirements. If Council does not adequately manage its risk by addressing the issues, then the flow on effect of this could result in a re-evaluation of the insurance premium and cost impost from Councils Insurer.

Environmental Considerations
By adequately resourcing the area, sufficient staff resources will be provided to reduce Council's risk of not complying with its legal requirements under the State Planning Framework and Department of Sustainability and Environment (DSE) requirements. The provision of an Environmental Engineer identified in the Staffing Structure, has potential to increase Council's efficiency and ensure that the Capital Works program will be completed, without holdups in obtaining environmental approvals.

Communication Strategy/Consultation
The Staffing Structure has been reviewed in consultation with staff and they have agreed to the Review. A review of the Structure was also undertaken with the Council Executive and they have also endorsed the Structure.

Implementation
It is proposed that the Structure be implemented progressively over the next three (3) years with the focus in Year 1 for procuring a Manager Capital Works, Capital Works Engineer, Design Engineer and Environmental Officer. The procurement process would most likely see the above positions resourced over the next six (6) months. In relation to the Property Officer, Assets System Officer and Contracts Officer, it is proposed to implement in the next financial year based on a 50% workload in Year 2 increasing to a 100% workload in Year 3. This will be managed through the appointment of staff affective partway through the financial year to ensure that budget resources are managed appropriately.

Conclusion
The creation of an appropriate Staffing Structure to meet the workloads for Council will ensure that over the next three (3) years, Council is able to achieve its requirements in relation to the Capital Works Program and service provisions. This will assist Council maintain its complement of staff. The net overall financial impact on the organisation rises from an effective $nil in 2008/09 through to approximately $255,000 in 2010/11.

Attachments
Nil

Recommendation(s)

That Council notes the proposed Infrastructure & Services Staff Structure based on a three (3) year implementation plan at a net overall cost in the order of approximately $255,000 per annum when fully resourced.

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OM082511-11 MANAGEMENT OF CATTLE GRIDS ON LOCAL ROADS

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure	FILE REF:	GEN00007 - General

Purpose
The purpose of this report is to provide Council with management options for the ongoing operation of existing and new cattle grids located on its local roads.

Background
A report was presented to Council at its meeting of 28 October 2008 seeking endorsement to sign an agreement to enable the ongoing operation of two (2) cattle grids located on Minchinton Road, Weeaproinah. Council resolved to defer consideration of this report until it is provided with further advice.

In order to reach a conclusion to this particular matter, and for future management purposes, it is proposed that a Cattle Grid policy be developed. The aim of this policy is to provide for, and encourage, the proper management of cattle grids located on local roads by developing and maintaining a systematic approach to the approval, inspection, evaluation, maintenance, and repair of such infrastructure.

Through this process it is aimed to:

- Document a transparent system for the making and determination of applications related to the installation of cattle grids.
- Identify the standards of construction of cattle grids.
- Define maintenance responsibilities for cattle grid users/applicants.
- Define registration and recording procedures for cattle grids.
- Ensure that the location of cattle grids does not materially affect the quiet enjoyment of persons or parties wishing to the Colac Otway Shire's road network.
- Control private structures on public roads and to ensure that all associated works are carried out to approved standards.

Corporate Plan/Other Strategies/Policy
The proposal is to develop a new Council Policy for the management of new and existing cattle grids located on local roads and will developed in accordance with the operational policy and procedure for Council Policy Development & Review.

Issues/Options
There are a number of options which may be considered applicable in this instance. These are:

1.   Maintain existing management arrangements

       Cattle grids exist on Council's road network and present a risk to road users, property owners, and Council. Council officers have recently completed an audit of existing cattle grids which are located across the municipality. Fifteen (15) such structures have been identified on local roads. Each of these structures are of differing construction standard and in varying states of deteriorated condition.

Section 40 of the Road Management Act 2004 (the 'Act') reads:

40   Statutory duty to Inspect, Maintain and Repair Public Roads
        (1)   Subject to Part 6, a road authority has a statutory duty to inspect, maintain and repair a public road—
                 (a)   to the standard specified in the road management plan for that public road or a specified class of public roads which includes that public road; or
                 (b)   if paragraph (a) does not apply, to the standard specified in a policy in respect of that public road; or
                 (c)   if no standard is specified for that public road or in relation to a particular matter, to a reasonable level having regard to the matters specified in paragraphs (a) to (e) of section 101(1).

Note
Section 101 sets out principles for determining whether there is a duty of care and if there is a duty of care, the standard of care.
        (2)   The statutory duty imposed by subsection (1) does not create a duty to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed.

        (3)   The statutory duty to inspect applies to any part of a public road which is—
                 (a)   a roadway;
                 (b)   a pathway;
                 (c)   a shoulder;
                 (d)   road infrastructure.

        (4)   The statutory duty to inspect does not apply to—
                 (a)   a road which is not a public road; or
                 (b)   any roadside or other area of a public road that has not been developed by a road authority for use by the public as a roadway or pathway; or
                 (c)   non-road infrastructure which is installed in the road reserve.

        (5)   A road authority has a discretionary power to inspect, maintain or repair a road which is not a public road but this Act is not to be construed as imposing a duty to do so.

Example
A road authority has a duty to maintain its roadways and pathways on a public road for use by vehicles and pedestrians. However, a road authority is not under a duty to maintain roadside bushland for public use and is not responsible for maintaining non-road related infrastructure.

As it is considered that a cattle grid is intrinsic to the fabric of a road and, by its nature, can be considered road infrastructure for the purposes of this section, under present circumstances Council has a statutory duty to inspect and maintain all of the existing cattle grids identified. Council is confronted by an increased exposure to risk and potential financial burden if the current arrangements are maintained. Council has the ability to transfer responsibility for cattle grids, should it be deemed that their continued operation is necessary, through the establishment of formal agreements. The other option is to remove all existing cattle grids however this may impact negatively on existing use rights.

2.   Consider the operation of cattle grids on an individual basis

The retention or installation of cattle grids could be considered on a 'case by case' basis, however this could result in inconsistent and unsupported decision making by not having the benefit of having a clear set of criteria defined.

Management agreements could still be formalised under this process.

3.   Establish a policy for the management of cattle grids on local roads

Having an adopted policy provides Council with a managed approached to the provision of cattle grids and supports the procedures for systematic process for their approval, inspection, evaluation, maintenance, and repair.

The use of standardised agreements removing Council's responsibility to inspect, maintain, and repair cattle grids would form the basis of such a policy.

Proposal
The establishment of a policy governing the management of cattle grids is the preferred option.

As part of this process it is also proposed to establish the ongoing need for all existing cattle grids. Direct consultation with all surrounding landowners will be used to determine operational requirements. In conjunction with the issuing of a letter to the responsible parties a notice will also be placed on the specific cattle grids. A submission period of a specified length will be defined.

If no responses are received following a request of submissions it is proposed that Council take action to remove all redundant structures from the road reserve. All adjoining landowners should be notified prior to the removal of a cattle grid to allow provisions to be made for the containment of stock.

It is intended that no further action be taken with respect to the two (2) remaining grids located on Minchinton Road until such time as a policy basis has been formally adopted by Council. Whilst these cattle grids are in relatively poor condition any risk to vehicular traffic is being managed through the implementation of a 15-tonne load limit along this road. Any delay in reaching a decision on this matter will not adversely impact on road user safety.

Financial Implications
Council officer time will be required to prepare and implement the proposed Cattle Grid Policy and may impact on the delivery of other tasks or projects.

Risk Management Implications
Policy development will need to consider the outcomes of Council's Road Management Plan and the requirements of Victorian Occupational Health & Safety legislation, the Road Safety Act 1986, the Road Management Act 2004, and applicable Australian Standards.

It is intended that where consent is provided to the use of cattle grids the applicant will be required to maintain public liability insurance for the sum of $10 million indemnifying Council against any claims for damages brought against it by any party in respect of the existence and/or use of the cattle grids.

Environmental Considerations
There are a range of roadside vegetation issues which may need to be considered in the development of the proposed policy.

Communication Strategy/Consultation
To ensure the development of a sound policy framework it will be important to obtain inputs and feedback from a variety of key internal and external stakeholders.

It is also intended that the public be given the opportunity to make comment on the proposed Cattle Grid Policy. Public consultation will be undertaken in accordance with the provisions of the current Community Consultation Policy.

Direct consultation with all surrounding landowners will be used to determine operational requirements for the ongoing need of all existing cattle grids. To facilitate this process a standard letter will be sent in relation to a specified structure(s) requesting submissions within a period of 28 days.

In conjunction with the issuing of a letter to the responsible parties a notice will also be placed on the specific cattle grids.

Implementation
Policy development will commence upon resolution of Council. The consultation process to establish the required ongoing usage of all cattle grids identified through recent inspection activities will occur as a concurrent process.

Conclusion
Council has an obligation to support the activities of primary producers along Minchinton Road within the constraints of its statutory powers and resource limitations. Any lengthy restriction placed on this road through load limiting has the potential to significantly impact on other farming operations in the area. Council officers have worked closely with the User in order to reach an acceptable long term solution by both having the two (2) remaining cattle grids repaired to an adequate standard.

Attachments
1.   Locality Plan
2.   Cattle Grid Register

Recommendation(s)

That Council resolve to:

1.   Endorse the proposal to develop a Cattle Grids policy for the management of such structures on local roads;
2.   Undertake direct consultation with landowners in the vicinity of all existing cattle grids identified to determine ongoing use requirements;
3.   Receive a future report detailing the outcomes of the proposed consultation process;
4.   Defer any decision in relation to the existing cattle grids located on Minchinton Road until such time as the Cattle Grids Policy is adopted by Council; and
5.   Communicate Council's resolution to all affected parties with an interest in the operation of the Minchinton Road cattle grids.

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**Colac Otway Shire
Cattle Grid Locality Plan**

Colac Otway
SHIRE
'Naturally Progressive'

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Cattle Grid Register

GridID	Street Name	Street Code	Street From	Location (km)	Road Type	Profile Type	Deck Type	Sub Frame Type	Deck Dimensions (m)	Overall Condition	Maintenance Required	Notes
25	Unnamed	Road	Wild Dog Road	0.03	Gravel	Grid Level	Rail Line	Steel	3.0 x 2.2	5	Clean Pit	Photos Taken 1286, 1287,
26	Meredith Park	Road	Colac Ballarat Road	0.3	Sealed	Grid Level	Rail Line	Concrete	5.0 x 1.6	2	Clean Pit	Concrete Cracking Photo No 1373,1374,1375
27	Carsons	Road	Swan Marsh Road	0.45	Gravel	Grid Level	Other	Concrete	3.0 x2.1	1	Suck Pit Out	Concrete Deck Photo No 1399,1400
28	Carsons	Road	Swan Marsh Road	0.5	Gravel	Grid Level	Other	Concrete	3.0 x 2.1	1	Suck Pit Out	Concrete Deck Photo No 1401,1402,
29	Scoullers	Road	Carpendiet Bungador Road	4.3	Gravel	Grid Level	Rail Line	Concrete	3.3 x 1.6	3	Other	Spray Weeds Clean Pit Out Photo No 1416, 1417
30	Scoullers	Road	Carpendiet Bungador Road	5.1	Gravel	Grid Level	Rail Line	Concrete	3.7 x 2.0	3	Clean Pit	Spray Weeds Photo No 1421, 1422,
31	Scoullers	Road	Carpendiet Bungador Road	6.6	Gravel	Grid Level	Rail Line	Concrete	4.0 x 2.0	3	Clean Pit	Photo No 1429, 1430,
32	Scoullers	Road	Carpendiet Bungador Road	7.4	Gravel	Grid Level	Rail Line	Concrete	3.4 x 2.0	5	Clean Pit	Clean Deck & Pit Photo No 1434, 1435,
33	Jones	Road	Scoullers Road	0.25	Gravel	Grid Level	Rail Line	Concrete	4.0 x 2.0	2	Other	Spray Weeds Photo No 1439, 1440,
34	Dykes	Road	Cobden Stoneyford Road	0.03	Gravel	Grid Level	Rail Line	Concrete	3.5 x 1.5	2	Clean Pit	Photo No 1444, 1445,
35	Dykes	Road	Cobden Stoneyford Road	2.3	Gravel	Grid Level	Rail Line	Concrete	3.5 x 2.0	4	Replace Rail in Deck	Rail Broken Photo No 1448, 1449,
37	Dykes	Road	Cobden Stoneyford Road	2	Gravel	Grid Level	Steel	Concrete	4.0 x 2.0	5	Other	Deck Been Removed Photo No 1452, 1453,
38	Minchintons	Road	Colac Lavers Hill Road	0.1	Gravel	Grid Level	Rail Line	Concrete	3.5 x 1.7	4	Replace Rail in Deck	Rails Rusted Photo No 1454, 1455, 1456,
39	Minchintons	Road	Colac Lavers Hill Road	0.13	Gravel	Grid Level	Rail Line	Concrete	3.7 x 2.2	3	-	Deck Rusted Photo No 1461, 1462, 1463,
40	Sand	Road	Great Ocean Road	3.1	Gravel	Grid Level	Steel	Concrete	3.4 x 2.1	3	Other	Spray Weeds Photo No 1508, 1509,

CONSENT CALENDAR

OFFICERS' REPORT

D = Discussion
W = Withdrawal

ITEM	D	W
SUSTAINABLE PLANNING AND DEVELOPMENT **OM082511-12 BARWON DOWNS PARK UPGRADE STAGE 1 LEGAL AGREEMENT** Department: Sustainable Planning and Development *Recommendation(s)* *That Council affix the Common Seal of the Colac Otway Shire to the two (2) funding agreements between Regional Development Victoria and the Colac Otway Shire in order to officially ratify the $120,000 of funding received by Council for the Barwon Downs Park Upgrade Stage 1 project.*		
OM082511-13 AMENDMENTS TO OTWAYS TOURISM INC. STATEMENT OF PURPOSE Department: Sustainable Planning and Development *Recommendation(s)* *That Council:* *1. Note amendments and proposed amendments to the Otways Tourism Inc (OT) Statement of Purpose.* *2. Note impact of the amendments and proposed amendments.* *3. Write a letter to OT expressing agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives on the OT Board from Colac Otway Shire to OT.* *4. Include in the letter:* *(i) endorsement of the current skills based Board representatives appointed by Council to continue in that role until the proposed amendment is formally approved by Consumer Affairs Victoria*		

(ii) *endorsement of the proposed OT process for recruitment and appointment of skills based representatives.*		
OM082511-14 FIRE PREVENTION BRIEFING AND UPDATE Department: Sustainable Planning and Development *Recommendation(s)* *That Council acknowledges the work that has been undertaken by officers in this area and supports the current approach being taken to Fire Prevention and Fire Management.*		
OM082511-15 DOMESTIC ANIMAL MANAGEMENT PLAN Department: Sustainable Planning and Development *Recommendation(s)* *That Council formally adopt the Domestic Animal Management Plan 2008 and that it be submitted to the Secretary for the Department of Primary Industry before the end of November 2008.*		

Recommendation

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

MOVED   *...................................*

SECONDED   *...................................*

OM082511-12 BARWON DOWNS PARK UPGRADE STAGE 1 LEGAL AGREEMENT

AUTHOR:	Joel Kimber	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning and Development	FILE REF:	GEN0414

Purpose

For Council to affix the Common Seal of the Colac Otway Shire on the two (2) copies of the legal agreement between Regional Development Victoria and the Colac Otway Shire in relation to the Barwon Downs Park Upgrade Stage 1 project.

Background

The Barwon Downs Park Upgrade was recognised as the number one priority in the Barwon Downs Master Plan by the community as a community and tourism asset for the district. The Colac Otway Shire has provided Small Town Improvement Program funding of $40,000 from the 2007/2008 and 2008/2009 financial years towards the Barwon Downs Park Upgrade Stage 1 project.

As a project partner, the Barwon Downs community are providing $2,500 cash and $17,500 of in-kind labour towards the project. The combination of Council's financial contribution and the contributions from the Barwon Downs community was used as leverage to apply for $120,000 funding from Regional Development Victoria under the Small Town Development Fund.

The application to Regional Development Victoria was subsequently successful. In order to officially receive the funding, the attached legal agreements between Regional Development Victoria and the Colac Otway Shire must be ratified by Council with the Common Seal of the Colac Otway Shire.

Corporate Plan/Other Strategies/Policy

This project is aligned to Council Plan priority CP14:
Continue implementation of Small Town Improvement Program in partnership with community groups.

Issues/Options

Without the Common Seal of the Colac Otway Shire, Council will not receive the $120,000 funding for the Barwon Downs Park Upgrade Stage 1 project. The Common Seal is a requirement of all legal agreements between rural and regional Victorian Councils and Regional Development Victoria for projects above $100,000.

Option 1

That Council provide the Common Seal of the Colac Otway Shire to the two (2) legal agreements.

Option 2

That Council do not provide the Common Seal of the Colac Otway Shire to the two (2) legal agreements and therefore withdraws the funding opportunity.

Option 1 is the preferred option.

Proposal

The Barwon Downs Park Upgrade Stage 1 project will provide $180,000 of public infrastructure in the township of Barwon Downs and act as a tourist drawcard for people taking the inland route from the Princes Hwy to the Great Ocean Road. In addition, the facilities will provide a destination for community gatherings and events in order to improve civic pride in the township.

It is for these reasons that it is recommended that Council affix the Common Seal of the Colac Otway Shire for the purposes of the two (2) legal agreements to ensure that Council obtain the $120,000 in funding from Regional Development Victoria.

Financial and other Resource Implications

The Barwon Downs Park Upgrade Stage 1 project has been fully costed and scoped as per the project management requirements of the Colac Otway Shire by the Economic Development Unit.

Risk Management & Compliance Issues

The Economic Development Unit have undertaken a risk assessment of the project as per the project management requirements of the Colac Otway Shire.

Environmental Considerations

An assessment of the project has been undertaken by Council's Environment Department and a Planning permit for all works has been obtained.

Communication Strategy/Consultation

The Barwon Downs community have been consulted in the development of the Barwon Downs Park Upgrade Stage 1 project and have committed financially and in-kind to the project works. The Economic Development Unit will engage with the Barwon Downs community in delivering their specific components of the project.

Implementation

Following the Common Seal on the legal agreement, the Economic Development Unit will send the two (2) legal agreements to Regional Development Victoria in order for Council to officially ratify the $120,000 funding.

Conclusion

The Barwon Downs Park Upgrade Stage 1 project will see the development of tourist and community facilities for the township of Barwon Downs. The Colac Otway Shire is thankful to Regional Development Victoria in obtaining the $120,000 funding for the project and it is with the Common Seal of the Colac Otway Shire that we can officially ratify this funding.

Attachments

Nil

Recommendation(s)

That Council affix the Common Seal of the Colac Otway Shire to the two (2) funding agreements between Regional Development Victoria and the Colac Otway Shire in order to officially ratify the $120,000 of funding received by Council for the Barwon Downs Park Upgrade Stage 1 project.

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OM082511-13 AMENDMENTS TO OTWAYS TOURISM INC. STATEMENT OF PURPOSE

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning and Development	FILE REF:	GEN00233

Purpose

To inform Council of amendments and proposed amendments to the Otways Tourism Inc (OT) Statement of Purpose.

To advise Council on the impact of the amendments and proposed amendments.

To seek Council agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives to Board of OT, from Colac Otway Shire to OT.

To inform Council on the process that OT has proposed to recruit and appoint the skills based representatives and the extension of appointment time span from one to two years.

To seek Council's endorsement of the current skills based Board representatives appointed by Council to continue in that role until the proposed amendment is formally approved by Consumer Affairs Victoria.

Background

OT operates under a Statement of Purpose which is the organisation's Constitution or Rules of Association. It is the document that describes the purpose, memberships, and governing arrangements of the incorporated body. (Attachment 1)

The following amendments were adopted at the OT Annual General Meeting held in Apollo Bay on 29 October 2008. (Attachment 2)

Agenda Item 8 Special Business
Recommendations for the following changes to the Statement of Purpose are

> 1. *Under Item 3 – Qualification for membership*

> *That Otway Coast Tourism be included as a "member of the association"*

> 2. *Under Item 4.3 – Application for membership and delegates*

> *That Otway Coast Tourism has 2 delegates appointed to the board*

> 3. *Under item 4.3 – Application for membership and delegates*

> *That Colac Otway Shire has their number of delegates reduced from 3 delegates to 1 that being a Councillor as nominated by Colac Otway Shire*

> 4. *Under Item 4.3 – Application for membership and delegates*

> *New criteria to be included under 4.3.vi*

> *That Otways Tourism is responsible for the appointment of 2 Skills based members to the board via application and a set of criteria as determined by the officer of the association. A panel to be appointed by the board to appoint the 2 skills based members who shall come from the members of Otway Tourism and from a different local tourism association. This appointed role to be for a minimum of 2 years but not restricted to 2 years only.*

Agenda Items 8.1 and 8.2 resolves an inconsistency in the Statement of Purpose and the operational Structure of OT to include the Sub Local Tourism Association (Sub LTA) that covers the Colac Otway Shire area between Lorne and Apollo Bay taking in Kennet River, Separation Creek and Wye River.

Agenda Items 8.3 and 8.4 refer to Item 4.3 in the Statement of Purpose

[1]   "*Members of the association shall be entitled to appoint as delegates to represent the member in the conduct of the affairs of the association the number of delegates set out hereunder:*

(i)   *Otway and Hinterland Tourism Association Incorporated – 2 delegates*

(ii)   *Otway Scenic Circle Association Incorporated – 2 delegates*

(iii)   *Apollo Bay Chamber of Commerce and Tourism Incorporated – 2 delegates*

(iv)   *Colac Otway Shire Council – 3 delegates, one of whom shall be a Councillor and two of whom shall be financial members of any of the above named local tourism associations, provided that each of the two delegates shall represent a different local tourism association.*

(v)   *Other members of the association shall be entitled to appoint to represent them in the conduct of the affairs of the association the number of delegates determined by resolution of the Board at the time of acceptance of the application for membership made by that member. No member shall be entitled to appoint more than three delegates. The board may in the case of a member which represents a small number of tourist operators require that a delegate representing that member jointly represent a like member of members of the association.*

(vi)   *The board shall from time to time review changes in the nature and location of the tourism industries within the region with a view to determining whether tourism interests within the region are equitably represented by the distribution of members delegates to the association then applying within the association. In the event that the board determines that a more equitable representation of tourism interests would occur by changing the number of delegates any member or members are entitled to appoint to the board shall confer with the member or members whose entitlement to appoint delegates is sought to be changed ("the affected member"). In the event that agreement is reached between the board and the affected member on a change to the number of delegates, that member is entitled to appoint, such changed entitlement shall apply until any further agreement as to change is reached altering the entitlement or the entitlement is changed as a consequence of a change to the rules of the association."*

As per Item 4.3. (iv) Council appoints a Councillor Representative and two Shire wide skills based positions. Mr Ross Stephens (Otway Estate) and Mr Paul Thompson (Cape Otway Light Station) were appointed to the skills based positions by Council in November 2007 for a one year period which has now expired.

Corporate Plan/Other Strategies/Policy

The amendments are consistent with:

- Colac Otway Economic Development & Tourism Strategy 2004 – 2009
- Colac Otway Shire Tourism Review 2006
- Colac Otway Shire and Otways Tourism Inc. Service Agreement June 2007

Issues/Options

There are no issues for Colac Otway Shire in the amendments related to the inclusion of Otway Coast Sub LTA. They simply resolve an inconsistency and formally recognise the role that Otway Coast Sub LTA has been playing for some time.

The transfer of responsibility of appointing skills based representatives to OT is justified both in the Service Agreement between Colac Otway Shire and the OT Statement of Purpose. Section 4.3. (vi) indicates that the Board may alter the membership representation on agreement with the member. Agenda Item 8.3 recommends:

> *"That Colac Otway Shire has their number of delegates reduced from 3 delegates to 1 that being a councillor as nominated by Colac Otway Shire"*

Section 5 of the Colac Otway Shire and Otways Tourism Inc Service Agreement outlines Colac Otway Shire's Obligations. (Attachment 3) Item 5.9:

> *"Nominate an appropriate Council representative to the Otways Tourism Board and have an officer attend regular meetings."*

The reduction of Colac Otway Shire representatives from 3 to 1 is consistent with the Service Agreement.

Agenda Item 8.4 recommends a *new criteria to be included under 4.3.vi:"*

> *"That Otways Tourism is responsible for the appointment of 2 Skills based members to the board via application and a set of criteria as determined by the officer of the association. A panel to be appointed by the board to appoint the 2 skills based members who shall come from the members of Otway Tourism and from a different local tourism association. This appointed role to be for a minimum of 2 years but not restricted to 2 years only. "*

Section 8 of the Colac Otway Shire and Otways Tourism Inc Service Agreement, outlines OT's Core Areas of Responsibility.

> *"To lead the development of a successful and sustainable tourism industry for the region in advocacy and partnership consistent with these purposes."*

Agenda Item 8.4 is consistent with OT taking the lead in the development of the Tourism industry in Colac Otway Shire.

The process proposed by OT to recruit and appoint the skills based representatives is consistent with Council's prior practice in this matter. The extension of time span of appointment from 1 to 2 years is a sensible change as it reduces the cost and resource commitment to the process and provides the appointees with a term appropriate to learning about the Tourism Industry and making an informed contribution.

Since the amendment adopted by the OT Board at the Annual General Meeting will take some time to come into effect it would be appropriate to continue the appointment of the current skills based representatives until that time. Since Council appointed Mr Stephens and Mr Thompson to those positions it is appropriate that Council be given the opportunity to consider this matter.

This report is seeking Council agreement to the proposed amendment and endorsement of the current skills based representatives to continue in that role until the proposed amendment is formally approved.

Option 1 is to note the amendments and proposed amendments and issue OT with a letter of agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives from Colac Otway Shire to OT. The letter would include endorsement of the current skills based representatives continuing in that role until the proposed amendment is formally approved by Consumer Affairs Victoria and endorsement of the proposed OT process for recruitment and appointment of skills based representatives.

Option 2 is to note the amendments and proposed amendments and issue OT with a letter declining acceptance of agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives from Colac Otway Shire to OT. The letter would include endorsement of the current skills based representatives continuing in that role until the proposed amendment is formally approved by Consumer Affairs Victoria and endorsement of the proposed OT process for recruitment and appointment of skills based representative.

Option 1 is preferred because it is justified both in the Service Agreement between Colac Otway Shire and OT. OT Statement of Purpose. It is also supported by the Colac Otway Shire Tourism Review 2006 which recommended that Council "make the tourism industry more accountable and independent…." (Attachment 4 Tourism Review 2006 Executive Summary)

Proposal
That Council notes the amendments and proposed amendments and issues OT with a letter of agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives from Colac Otway Shire to OT. The letter would include endorsement of the current skills based representatives continuing in that role until the proposed amendment is formally approved by Consumer Affairs Victoria and endorsement of the proposed OT process for recruitment and appointment of skills based representatives.

Financial and other Resource Implications
There are no financial implications in the issues raised in this report. The impact on Council resources is positive in that the exercise of recruiting the 2 skills based representatives annually would transfer from Council Staff to OT.

Risk Management & Compliance Issues
There are no Risk or Compliance issues related to this report.

There may be a perceived loss of Council influence on the OT board however the skills based representatives while appointed by Council are independent and not responsible to Council.

Council will remain represented on the Board by a Councillor and the Manager Economic Development will also continue to attend Board meetings.

Environmental Considerations
There are no Environmental Considerations related to this report.

Communication Strategy/Consultation
The decision of Council would be communicated through a formal letter to OT.

There is no need for further broad communication or consultation with the community. It is a matter for the Board and Council and there is no impact on the community in general.

Implementation
The decision of Council will be implemented immediately through a letter from Council to OT.

Conclusion
The amendment to the OT Statement of Purpose to include Otway Coast Tourism Sub LTA as member of the OT and to provide it with the opportunity to appoint 2 delegates to the Board is a correction to provide formal recognition of what already happens in practice.

The amendment to reduce the number of Colac Otway Shire representatives from 3 to 1 is to enable the responsibility for the recruitment of skills based representatives to be undertaken by the Board by rather than Council.

If Council is in agreement with these amendments then it would be appropriate to continue the appointment of the current 2 Council appointed skills based Board representatives to until such time as the amendments to the Statement of Purpose are accepted by Consumer Affairs Victoria.

Attachments
1.   OT Statement of Purpose
2.   Minutes of OT 2008 AGM
3.   Service Agreement between Colac Otway Shire and OT
4.   Tourism Review 2006 (Executive Summary)

Recommendation(s)

That Council:

1.   Note amendments and proposed amendments to the Otways Tourism Inc (OT) Statement of Purpose.

2.   Note impact of the amendments and proposed amendments.

3.   Write a letter to OT expressing agreement to the proposed amendment that transfers the responsibility for recruiting skills based representatives on the OT Board from Colac Otway Shire to OT.

4.   Include in the letter:

(i)   endorsement of the current skills based Board representatives appointed by Council to continue in that role until the proposed amendment is formally approved by Consumer Affairs Victoria

(ii)   endorsement of the proposed OT process for recruitment and appointment of skills based representatives.

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OTWAYS TOURISM INCORPORATED

STATEMENT OF PURPOSES
Associations Incorporation Act 1981 – Section 5(b)

The name of the proposed incorporated association is Otways Tourism Incorporated

The purposes for which the proposed incorporated association is established are:-

[1] To promote and develop tourism generally within but not restricted to the Colac Otway Shire within the State of Victoria ["the region"].

[2] In conjuction with local tourism associations in the region:

 (i) Encourage increased visitor yield, numbers (specifically in the hinterland) and length of stay

 (ii) Maintain and improve the diversity and quality of visitor and local experiences in the Otways

 (iii) Encourage environmentally sustainable business and tourism activity with a long-term view

 (iv) Development of a cohesive tourism and business industry network

 (v) Encourage professional development within the industry to ensure improving levels of service and quality product delivery

 (vi) Encourage and promote the acceptance of tourism by the local community

 (vii) Reflect the individuality of townships within Colac Otway Shire and the needs of the local tourism associations

 (viii) Communicate and cooperate with local Council on regional tourism issues and initiatives

 (ix) Act as the recognised tourism industry body for the Otways region

 (x) Lobby relevant bodies on behalf of members, on issues of major concern and provide a united industry response

 Name: _____

 Signed: _____ Date: _____

RULES OF OTWAYS TOURISM INCORPORATED

1.   Name
The name of the incorporated association is Otways Tourism Incorporated.

2.   Definitions
[1] In these rules unless the contrary intention appears:

"association" means Otways Tourism Incorporated.

"board" means the committee of management of the association.

"delegate" means a natural person appointed by a member to represent it in the conduct of the affairs of the association.

"financial year" means the year ending on the 30th June.

"general meeting" means a general meeting of members convened in accordance with these rules.

"local tourism associations" are incorporated associations which are established for the purposes of promoting and developing tourism in a part of the region whose membership includes persons involved in the tourism industry in that part of the region.

"member" means the members of the association from time to time until such time as such members resigns or ceases to be a member under these rules.

"person" means a natural person, or a legal person, or a Committee or like body established or authorised by a municipal Council within the region for the purposes of promoting tourism within the municipal district of that Council, or a Government Department or like body having an interest in the promotion of tourism.

"region" means the municipality of the Colac Otway Shire.

"secretary" means secretary of the association.

"the Act" means the Associations Incorporation Act 1981.

"the regulations" means regulations under the Act.

"council" means the Colac Otway Shire Council.

"councillor" means a persons elected to serve on Council pursuant to the provisions of the Act and the Constitution Act 1975.

[2] Words and expressions contained in these rules should be interpreted in accordance with the provisions of the Interpretation of Legislation Act 1984 and the Act as in force from time to time.

[3] In these rules the masculine gender shall include the feminine gender and neutral gender, and the singular includes the plural.

3. Qualifications for Membership

The members of the association shall be:
[1] (i) Otway and Hinterland Tourism Association Incorporated
  (i) Otway Scenic Circle Association Incorporated
  (ii) Apollo Bay Chamber of Commerce and Tourism Incorporated
  (iii) Colac Otway Shire Council
[2] other local tourism associations which apply for and are granted membership of the association

4. Application for membership and delegates

[1] An application for membership of the association shall:
  [a] Be made in writing in the form required by the Board from time to time; and
  [b] Be lodged with the secretary of the association; and
  [c] Include the name and address of a natural person to act as its delegate who shall, in the event of admission of the applicant to membership and until the member by written notice to the secretary advises that the member has revoked the appointment of its delegate and provides the name and address of a new delegate, act for and on behalf of that member in the affairs of the association.

[2] Subject to sub-rule [3] (vi) of the Rule each member of the association shall provide to the secretary of the association the name and address of such numbers of natural persons as that member is entitled to appoint as its delegate pursuant to sub rule [3] who shall act as its delegate who shall, until the member by written notice to the secretary advises that the member has revoked the appointment of its delegate and provides the name and address of a new delegate, act for and on behalf of that member in the affairs of the association.

[3] Members of the association shall be entitled to appoint as delegates to represent the member in the conduct of the affairs of the association the number of delegates set out hereunder:
  (i) Otway and Hinterland Tourism Association Incorporated – 2 delegates
  (ii) Otway Scenic Circle Association Incorporated – 2 delegates
  (iii) Apollo Bay Chamber of Commerce and Tourism Incorporated – 2 delegates
  (iv) Colac Otway Shire Council – 3 delegates, one of whom shall be a Councillor and two of whom shall be financial members of any of the above named local tourism associations, provided that each of the two delegates shall represent a different local tourism association.

(v) Other members of the association shall be entitled to appoint to represent them in the conduct of the affairs of the association the number of delegates determined by resolution of the Board at the time of acceptance of the application for membership made by that member. No member shall be entitled to appoint more than three delegates. The board may in the case of a member which represents a small number of tourist operators require that a delegate representing that member jointly represent a like member of members of the association.

(vi) The board shall from time to time review changes in the nature and location of the tourism industries within the region with a view to determining whether tourism interests within the region are equitably represented by the distribution of members delegates to the association then applying within the association. In the event that the board determines that a more equitable representation of tourism interests would occur by changing the number of delegates any member or members are entitled to appoint to the board shall confer with the member or members whose entitlement to appoint delegates is sought to be changed ("the affected member"). In the event that agreement is reached between the board and the affected member on a change to the number of delegates, that member is entitled to appoint, such changed entitlement shall apply until any further agreement as to change is reached altering the entitlement or the entitlement is changed as a consequence of a change to the rules of the association.

5.   Referral of application

As soon as practicable after receipt of application for membership the secretary shall refer the application to the board.

6.   Consideration of application

Upon an application being referred to the board the board shall determine whether to approve or reject the application.

7.   Approval of application

On an application being approved by the board the secretary shall, with as little delay as possible, notify the applicant in writing that the application for membership of the association has been approved and request payment within a period of twenty eight days after receipt of the notification of any sum payable under these rules as an entrance fee and the current year's annual subscription or as the board otherwise determines from time to time where there remains less than six months in that financial year.

8.   Entry of names on register

The secretary upon payment of the amounts referred to in clause 10, within the period referred to in that clause shall enter the applicant's name in the register of members kept by the association and upon the name being so entered the applicant shall be a member of the association.

9. Cessation of membership

A right, privilege and obligation of a member shall terminate upon the cessation of membership by resignation or otherwise. Membership shall (unless the board resolves to extend membership for a period of not greater than 180 days) cease if the member has not paid all monies due to the association within one month of monies falling due. All monies owing to the association other than annual subscriptions of a person whose membership has lapsed as a consequence of non payment of the annual subscription, shall remain payable and recoverable by the association. All rights and privileges of a member shall be suspended for such period, as any such member does not have any lawful delegate representing that member.

10. Entrance fee and annual subscription

[1] The entrance fee is ten dollars [$10] or such other sum [if any] as determined by the board.

[2] The annual subscription shall:

[a] For members other than local tourism associations be that sum which is determined by the board; and

[b] For local tourism associations shall be $100 provided that the board may at the annual general meeting any year determine that the membership fee of any local tourism association should in respect of that year be some other amount. Notice of any proposed change to the membership of any local tourism association shall be given in the notice to all members of the annual general meeting.

[3] Membership fees shall be payable within 28 days of receipt of invoices sent by the association.

11. Register of members

The secretary shall keep and maintain a register of members in which shall be entered the proper name, address and date of entry of the name of each member and the current delegate or delegates for each member. The register shall be available for inspection by any member of any delegate of any member at the address of the public officer.

12. Resignation of a member

A member of the association may resign from the association by first giving one months notice in writing to the secretary of its intention to resign and upon the expiration of that period of notice, the member shall cease to be a member. Any monies due and payable by the member to the association shall remain a debt due to the association notwithstanding the resignation of the member.

13. Expulsions and suspension of members

[1] Subject to these rules the board may be resolution:

[a] Expel a member of the association; or

[b] Suspend a member from membership of the association for a specific period;

If the board is of the opinion that the member:

[a] Has refused or neglected to comply with these rules; or

[b] Has been guilty of conduct unbecoming a member or prejudicial to the interests of the association.

[2] A resolution of the board under sub-clause [1]:

[a] Does not take effect unless the board, at a meeting held not earlier than fourteen and not later than twenty eight days after the service on the member of a notice under sub-clause [3] confirms the resolution in accordance with this clause; and

[b] Where the member exercises the right of appeal to the association under this clause does not take effect unless the association confirms the resolution in accordance with this clause.

[3] Where the board passes a resolution under sub-clause [1] the secretary shall, as soon as practicable, cause to be served on the member a notice in writing:

[a] setting out the resolution of the board and the grounds on which it is based; and

[b] stating that the member or its delegate or other representative may address the board at a meeting to be held not earlier than fourteen and not later than twenty eight days after the service of the notice; and

[c] stating the date, place and time of the meeting; and

[d] informing the member that the member may do one or more of the following:

[1] may by itself or its delegate or other duly authorised agent or representative attend that meeting;

[2] give to the board before the date of that meeting a written statement seeking the revocation of the resolution;

[3] not later than twenty-four hours before the date of the meeting, lodge with the secretary a notice to the effect that it wishes to appeal to the association in general meeting against the resolution.

[4] At a meeting of the board held in accordance with sub-clause [2] the board:

[a] Shall give to the member or its delegate or other representative an opportunity to be heard;

[b] Shall give due consideration to any written statement made on behalf of the member; and

[c] Shall by resolution determine whether to confirm or to revoke the resolution.

[5] Where the secretary receives a notice under sub-clause [3], he shall notify the Board and the Board shall convene a general meeting of the association to be held within twenty-one days after the date of which the secretary received the notice.

[6] At the general meeting of the association convened under sub-clause:
[a] No business other than the question of the appeal shall be transacted;
[b] The Board shall place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
[c] The member shall by its delegate or other representative be given an opportunity to be heard; and
[d] The members present shall by ballot determine the question whether the resolution should be confirmed or revoked.

[7] If at the general meeting:
[a] Two-thirds of the members present by themselves or their delegates vote in favour of the confirmation of the resolution, the resolution is confirmed; and
[b] In any other case, the resolution is revoked.

[8] Any notice required by this rule to be given to members shall be given by the secretary in writing addressed to the member at the address shown in the register of members.

14. Annual General Meeting

[1] The association shall in each calender year convene an annual general meeting of its members to be held in any of the months of October, November or December.

[2] The annual general meeting shall be held on such a day as the Board determines

[3] The annual general meeting shall be specified as such in the notice convening it

[4] The ordinary business of the annual general meeting shall be:
[a] To confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
[b] To receive from the Board reports upon the transactions of the association during the last preceding financial year;
[c] To receive and consider the statement submitted by the association in accordance with section 30 of the Act.
[d] To elect an auditor for the next ensuing year;
[e] To determine the entrance fee and the annual subscriptions for the ensuing year.

[5] The annual general meeting may transact special business of which notice is given in accordance with these rules.

[6] The annual general meeting shall be in addition to any other 4 general meetings that are held in the same year.

15. Special general meetings

All general meetings other than the annual general meeting shall be called special general meetings.

(1) The Board may, whenever it thinks fit, convene a special general meeting of the association and where but for this sub-rule, more than fifteen months would elapse between annual general meetings, shall convene a special general meeting before the expiration of that period.

[2] The Board shall, on the requisition in writing of members requesting not less than one third of the total number of members, convene a special general meeting of the association.

[3] The requisition for a special general meeting shall state the objects of the meeting and shall be signed by delegates of not less than two members who are authorised by resolution of the member whose delegate has signed the requisition and be sent to the address of the secretary and may consist of several documents in like form each signed on behalf of one or more of the members making the requisition.

[4] If the Board does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than three months after that date.

[5] A special general meeting convened by members shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Board and all reasonable expenses incurred in convening the meeting shall be refunded by the association to the persons incurring the expenses.

16. General Meeting Notice

[1] The secretary shall, at least seven days before the date fixed for holding a general meeting of the association, cause to be sent to each member at the member's address appearing in the register of members, a notice by prepaid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

[2] No business other than that set out in the notice convening this meeting shall be transacted at the meeting.

[3] A member desiring to bring any business before a meeting may give notice of that business to the secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

17.   Procedure

[1] All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.

[2] No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item and voting upon it.

[3] A quorum for the transaction of the business of a general meeting of the association shall be present if not less than half the number of members are by their delegate present and not less than half the number of delegates are present.

[4] If within half an hour after the appointed time for the commencement of a general meeting. A quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in other cases shall stand adjourned to the same day in the next week at the same time and [unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned] at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting shall lapse.

18.   Chairman

[1] The Chairman shall preside at each general meeting of the association.

[2] If the Chairman is absent from a general meeting the members present shall elect one of their number to preside as Chairman at the meeting.

19.   Adjournment

[1] The Chairman of a general meeting at which a quorum is present may with the consent of the meeting adjourn the meeting from time to time and place to place but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting which the adjournment took place.

[2] Where a meeting is adjourned for fourteen days or more a like notice of the adjourned meeting shall be given as in case of the general meeting.

[3] Except as provided in sub-rules [1] and [2] it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

20. Voting

A question arising at a general meeting of the association shall be determined on a show of hands. A declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the minute book of the association is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(1) Upon any question arising at a general meeting of the association a member has the number of votes determined by the number of delegates at the meeting provided that where a delegate represents more than one member that delegate shall have only one vote.

[2] All votes shall be given personally. No proxy voting shall be allowed.

[3] In the case of an equality of voting on a question the Chairman of the meeting is entitled to exercise a second or casting vote.

21. Poll

(1) If at a meeting a poll on any question is demanded by not less than half the members it shall be taken at the meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be the resolution of the meeting on that question.

[2] A poll that is demanded for the election of a Chairman or on the question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

22. Board – powers

[1] The affairs of the association shall be managed by a board of management constituted as provided in Rule 25.

[2] The Board:
[a] Shall control and manage the business and affairs of the association.
[b] May, subject to these Rules, the Regulations and the Act, exercise all such powers and functions that are required by these Rules to be exercised by general meetings of the members of the association; and
[c] Subject to these Rules, the Regulations and the Act, has the power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the association.
[d] Shall appoint (2) two of its number, who with the Chairman, Deputy Chairman and Treasurer shall comprise an executive of the association who shall act in accordance with any direction of the Board and shall attend to all matters essential for the proper management of the business and affairs of the association arising and needing to be dealt with between Board meetings. In appointing the two members to the executive of the association the Board shall endeavour to ensure an

equitable representation on the Executive of the geographical areas within the region and that persons having experience in the tourism industry are adequately represented.

[e] Shall appoint a person as secretary of the association who shall not be required to be a delegate of a member.

23. Constitution of board of management

[1] The Board shall comprise:

[a] The delegates appointed by each member

[2] Members of the Board, shall, provided they remain delegates of a member or a person appointed, remain in office for a period of one (1) year but are eligible to serve further terms.

[3] The Chairman, Deputy Chairman and Treasurer are the officers of the Association.

[4] The officers of the Association shall be elected annually by the Board from among their number at the first Board meeting to be held after the annual general meeting in each year.

[6] Each officer of the association shall hold office until election of his successor at the first Board meeting held after the annual general meeting next after the date of his election but is eligible for re-election.

[7] In the event of a casual vacancy in any referred to in sub-rule [3] the Board may appoint one of its members to the vacant office and the member so appointed may continue in office until the next date upon which officers are elected pursuant to sub-rule [4].

24. Election of officers of the Board

[1] Nominations of candidates for election as officers of the Board:

[a] shall be made verbally at the first meeting of the board following the Annual General Meeting; and

[b] Candidates for election of officers must be elected delegates of members at which time officers are elected.

[2] If only one nomination is received for any position of officer the person nominated shall be deemed to be elected.

[3] If the number of nominations exceeds the number of vacancies to be filled a ballot shall be held.

[4] The ballot for the election of any officer shall be conducted at the first Board meeting after the annual general meeting in such manner as the Board may direct.

25.   Grounds for termination of office

For the purposes of these Rules a person shall cease to be a Board member [including an officer] if:

[1] The person ceases to be a delegate of a member or an appointee as the case may be; or

[2] The person resigns his office by notice in writing given to secretary; or

[3] The member appointing the person to be a delegate ceases to be a member; or

[4] The appointor withdraws the appointment of the person as its representative.

26.   Quorum and procedure at meetings

[1] The Board shall meet at least six times in each year at such times as the Board may determine.

[2] A special meeting of the Board may be convened by the Chairman or by any three members of the Board.

[3] Notice shall be given to members of the Board of any special meeting specifying the general nature of the business to be transacted at such meeting.

[4] Not less than half the members of the Board constitute a quorum.

[5] No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.

[6] At meetings of the Board the Chairman or in his absence the Deputy Chairman or in his absence some other member of the Board elected by those then present shall preside.

[7] Questions arising at a meeting of the Board shall be determined on a show of hands or, if demanded by a poll taken in such manner as the person presiding at the meeting may determine.

[8] Each Board member [including the person presiding at the meeting] is entitled to one vote and in event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

[9] Written notice of each Board meeting shall be given to each member of the Board by delivering it to him at a reasonable time before the meeting or by sending it by pre-paid post addressed to him at his usual or last known place of abode at least five business days before days before the date of the meeting.

[10] Subject to sub-rule [4] the Board may act notwithstanding any vacancy on the Board.

27.   Minutes

The secretary shall keep minutes of the resolutions and proceedings of each general meeting and each Board meeting in books provided for that purpose together with a record of the names of persons present at Board meetings.

28.   Treasurer

[1] The Treasurer of the association:

[a] Shall collect and receive all moneys due to the association and make all payments authorised by the association; and

[b] Shall keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association.

[2] The accounts and books referred to in sub-clause [1] shall be available for inspection on   behalf of members.

29.   Signing of negotiable instruments

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Board, one of whom shall be an officer of the association.

30.   Common seal

[1] The common seal of the association shall be kept in the custody of the secretary.

[2] The common seal shall not be affixed to any instrument except by the authority of the Board   and the affixing of the common seal shall be attested by the signature of not less than two   members of the Board.

31.   Alternations of statements of purposes and Rules

The Rules and the statement of purposes of the association shall not be altered except in accordance with the Act.

32.   Service of notices

[1] A notice may be served by or on behalf of the association upon any member either personally   or by sending it by post to the member at its address shown in the register of members.

[2] Where a document is properly addressed, pre-paid and posted to a person as a letter the document shall unless the contrary is proved, be deemed to have been given to the person at   the time at which the letter would have been delivered in the ordinary course of post.

33.   Winding up

In the event of the association being wound up in accordance with the provisions of the Act and there remains after satisfaction of all its debts and liabilities any property whatsoever it shall be given or transferred to such person or persons whether incorporated or not to be used solely for the promotion of tourism in the geographical area in which the association was operating prior to its winding up.

34.   Custody of books and other documents

Except as otherwise provided in these Rules, the secretary shall keep in his custody or under his control all books, documents and securities of the association.

35.   Source of funds

The funds of the association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Board determines.

36.   Non Profit Status

The assets and income of the organisation shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the organisation except as bona fide remuneration for services rendered or expenses incurred on behalf of the organisation.

Name: _____

Signed: _____   Date: _____

MINUTES - AGM

Wednesday 29th October 2008

6.30pm – 7.15pm

Apollo Hotel (Kranbruck Room)

Great Ocean Rd Apollo Bay

1. **Attendees.**

   Les Noseda, Darren Chirgwin, Andrew Noseda, , Peter Headlam, Carolyn Tatchell, Angelika Millar, Akiko Noseda, Mike Barrow, Nick Polgeest, Elaine Burridge, Chris Arnott, Jock Williamson, Lindy Fullarton, Merna Dwyer, Carol Wilmink, Bryan Noseda, Amber Noseda, Corrie Koorn, Bruce Freer, John Lewis, Corinne Mitchell.

2. **Apologies.**

   Donna Groves, Glenis Sharp, Fern Rainbow, Larelle Fitt, Ross Stephens, Brian James, Rex Brown, Bev Thomas, Tracey Slatter, Cr Fran Lehman, Cr Peter Mercer, Cr Chris Smith, Cr Warren Riches, Cr Tony Graham, Frank Buchanan, Frank Fotinas, Will Cox.

3. **Confirmation of Previous Minutes**

   Motion: That the minutes from the previous Annual General Meeting be accepted.
   Moved: Les Noseda   **Seconded:** Peter Headlam
   Motion Carried.

4. **Chairmans Report – Andrew Noseda**

The past 12 months has seen Otway Tourism grow from strength to strength through the profiling of our organization by our Executive Officer.

The decision of the Colac Otway Shire to support the tourism industry through a funding arrangement offset by increased commercial rates is proving significant in the development and profiling of our industry sector.

The tourism industry for the Colac Otway Shire now has far more effective representation with all our key stakeholders to ensure relevant input into matters which may impact our industry and to make sure we maximize opportunities for our industry.

MINUTES - AGM

Wednesday 29th October 2008

6.30pm – 7.15pm

Apollo Hotel (Kranbruck Room)
Great Ocean Rd Apollo Bay

Some key highlights of achievements for the year include the first annual conference conducted in the Colac Otway Shire in conjunction with Surf Coast Tourism. A range of high quality speakers providing very informative information about trends in the tourist industry was presented and capped off by key note speaker Stuart Anderson, founder of Contiki Tours.

The conference wound up with a networking session allowing members to interact and provide marketing opportunities for their respective businesses.

A draft strategic plan has been put in place which is to be incorporated into the annual projects plan. An industry based meeting was held in Apollo Bay, in which each sub LTA of Otway's Tourism identified three key projects it wished pursued in its area.

Administration support has now been appointed into Otway Tourism to ensure these projects as part of the strategic plan can be more effectively implemented.

The National Landscape Program was launched this year in which the Colac Otway region was significantly profiled as being of significant importance. Parks Victoria has released a draft management plan for the Otway National Park. Otway Tourism has been fundamental in lobbying for further enhancements of this plan with particular emphasis on recognition for a future Trans Otway Waterfall Walk.

The support of Geelong Otway Tourism, Tourism Victoria and the Colac Otway Shire has also been significant in supporting a proposed Trans Otway Waterfall Walk.

The Colac Otway Shire Council and its executive officers have continued to support and build a stronger working relationship through Otway Tourism and

the industry. Otway Tourism is also in active discussions with other business groups including the Apollo Bay Chamber of Commerce and Otway Business Inc to form greater efficiencies and synergies in outcomes for all organizations in the region.

Disappointedly, the performance of Great Ocean Road marketing and the introduction of its website has been a sour note for our industry and Otway Tourism has actively lobbying through Geelong Otway Tourism for more accountability of this group to improve the region's profile as our key marketing arm from Victorian Tourism.

I thank all of the Board Members over the past 12 months for their participation and contribution in moving Otway Tourism forward and thank Darren Chirgwin as Executive Officer for his ongoing commitment to industry development beyond his position description which is continually benefiting our organization.

5. **Matters arising from Previous Annual General Meeting**
   None transacted.

6. **Financial Report**

Otways Tourism continues to be in a stable financial position with good cash reserves at the end of the financial year. The 2007/2008 saw a small deficit which is attributable to the depreciation of the vehicle owned by Otways Tourism.

This cash reserve will slowly dissolve over the financial years as we continue to mature as an organisation and our finances are allocated to line items through our budgeting and against our Annual Plan and the Strategic plan.

MINUTES - AGM

Wednesday 29th October 2008

6.30pm – 7.15pm

Apollo Hotel (Kranbruck Room)

Great Ocean Rd Apollo Bay

In the current financial year we have had our budget reduced from the Colac Otway Shire so we will need to be diligent in our budgeting and it is hoped that this will be reinstated in the next years budget.

> **Motion:** That the financial report for the 2007/2008 be accepted.
> **Moved:** Les Noseda   **Seconded:** Elaine Burridge
> **Motion Carried**

7. **Election of Committee Members**

   Otway Hinterland Tourism Association
   Corrie Koorn.
   Andrew Noseda

   Otway Scenic Circle Association
   Frank Fotinas
   Elaine Burrdige

   Apollo Bay Chamber of Commerce & Tourism
   Les Noseda
   Frank Buchanan

   Otway Coast Tourism
   Peter Headlam
   Corinne Mitchell

   Colac Otway Shire (Appointed Representatives)
   Ross Stephens
   Paul Thompson
   **Colac Otway Shire has been requested to extend the appointments of the shire appointed representatives until the

changes to the Statement of Rules & Purposes relating to these positions being appointed by Otways Tourism takes affect.

Mike Barrow spoke to the request and that it fell in line with the agreement between Otways Tourism and Colac Otway Shire and that he would put the proposal to council for approval.

Colac Otway Shire – Councillor Appointed Representative

*A new councilor will be appointed once elections have taken place and they have been appointed to their respective portfolios.

8. **Appointment of Auditor for 2008 / 2009**

   Motion: It is recommended that WHK Mahoney Archer be appointed Auditors for the period 1 July 08 – 30 June 2009
   Moved: Bryan Noseda   **Seconded:** Corrie Koorn
   Motion Corried

9. **Special Business**
   A series of recommendations have been proposed for changes to the Statement of Rules & Purposes for Otways Tourism

   1. *Under Item 3 – Qualification for membership*
      That Otway Coast Tourism be included as a "member of the association"

      Motion: That the recommendation be approved by the members.
      Moved: Peter Headlam   **Seconded:** Corinne Mitchell
      Motion Carried

MINUTES - AGM

Wednesday 29th October 2008

6.30pm – 7.15pm

Apollo Hotel (Kranbruck Room)
Great Ocean Rd Apollo Bay

2. *Under Item 4.3 – Application for membership and delegates*
    That Otway Coast Tourism have 2 delegates appointed to the board

    Motion: That the recommendation be approved by the members.
    Moved: Carolyn Tatchell   **Seconded:** Elaine Burridge
    Motion Carried

3. *Under item 4.3 – Application for membership and delegates*
    That Colac Otway Shire have their number of delegates reduced from
    3 delegates to 1 being that a councilor as nominated by Colac Otway
    Shire

    MB suggested a possible amendment to the proposal to reflect that
    there is agreement from Colac Otway Shire

    Amended Proposal:
    With agreement from the Colac Otway Shire that is has their number of
    delegates reduced from three delegates to one delegate being that
    of a councilor.

    Motion: That the amended recommendation be approved by the
    members.
    Moved: Bryan Noseda   **Seconded:** Corrie Koorn
    Motion Carried

4. *Under Item 4.3 – Application for membership and delegates*
    A new criteria to be included under 4.3.vi
    That Otways Tourism is responsible for the appointment of 2 Skills based
    members to the board via application and a set of criteria as
    determined by the officer of the association. A panel to be appointed

by the board to appoint the 2 skills based members who shall come from the members of Otway Tourism and from a different local tourism association. This appointed role to be for a minimum of 2 years but not restricted to 2 years only.

Discussion was held around whether the criteria be set by the officer of the association or the Otways Tourism Board. It was felt that this would be more appropriate.

Amended Proposal:

That Otways Tourism is responsible for the appointment of 2 Skills based members to the board via application and a set of criteria as determined by Otways Tourism Inc board. A panel to be appointed by the board to appoint the 2 skills based members who shall come from the members of Otway Tourism Inc and from different local tourism associations. This appointed role to be for a minimum of 2 years but not restricted to 2 years only.

Motion: That the amended recommendation be approved by the members.
Moved: Elaine Burridge   **Seconded:** Corrie Koorn
Motion Carried

10. **General Business**

1. Mike Barrow made comment that the Colac Otway Shire was very pleased with Otways Tourism Annual Projects Plan and Otways Tourism Strategic Plan and that in regular meetings with the Executive Officer, Otways Tourism was tracking very well against its plans.

MINUTES - AGM

Wednesday 29th October 2008

6.30pm – 7.15pm

Apollo Hotel (Kranbruck Room)

Great Ocean Rd Apollo Bay

2. Andrew Noseda made short mention that the council elections were coming up and that consideration should be given to local candidates who are supportive of tourism.

   Carol Wilmink indicated that there were 21 nominations for 7 positions.

   MEETING CLOSED 7.15PM.

Colac Otway
SHIRE
Naturally Progressive

OTWAYS
TOURISM Inc.

Service Agreement between

Colac Otway Shire

and

Otways Tourism Inc.

1.   PARTIES TO THE AGREEMENT

This Service Agreement records an agreement between Otways Tourism Inc, **Address subject to confirmation**, and the Colac Otway Shire, 2-6 Rae Street, Colac 3250 for the provision of tourism industry and related services within the Colac Otway Shire tourism region.

2.   TERM

The term of this agreement is 1 December 2006 to 30 June 2010.

3.   OBJECTIVES

- The parties agree to bring together their respective networks, resources and shared understanding to deliver upon this Service Agreement.
- The parties will work collaboratively to raise the profile and performance of the Colac Otway Shire tourism industry by working together in:
    - Providing leadership in the ongoing development of local tourism;
    - Supporting the continued development of an industry based strategic direction;
    - Increasing the community awareness of the significance and value of tourism;
    - Providing clear communication to industry with respect to tourism activities.

4.   STRATEGIC CONTEXT

The parties to the agreement will seek to work collaboratively to support the Colac Otway Shire Council Economic Development and Tourism Strategy and the outcomes from the development of the Otways Tourism Inc Three Year Strategic Business Plan.

1

5. COLAC OTWAY SHIRE OBLIGATIONS

- Colac Otway Shire will continue to collect and appropriately allocate the Economic Development and Tourism Levy.
- The Colac Otway Shire will allocate funds to Otways Tourism Inc for the employment of an Executive Officer, other appropriate resources and the implementation of internal marketing and development initiatives as detailed in the Three Year Strategic Business Plan.
- To recognise and support Otways Tourism Inc. as the peak tourism industry body in the Shire
- The staffing, management and operations of the Colac and Great Ocean Road (Apollo Bay) Visitor Information Centres will be the responsibility of the Colac Otway Shire
- To continue to be a member municipality of Geelong Otway Tourism.
- To provide an update on relevant Council tourism, economic development and planning activities to Otways Tourism Inc Board meetings and forward a copy of Council's agenda for its ordinary meetings on a monthly basis to enable Otways Tourism Inc to be aware of various issues before Council.
- To ensure Council's internal communication mechanisms make Councillors and Council staff aware of tourism objectives and activities.
- To include updates of Otways Tourism Inc activities which need to be conveyed to the wider community in Council publicity (eg. website, newsletters, interviews).
- Nominate an appropriate Council representative to the Otways Tourism board, and have an officer attend regular meetings.

6. COLAC OTWAY SHIRE'S CORE AREAS OF RESPONSIBILITY

To develop a policy on tourism which includes:

- **Strategic & Business Planning**

To develop a single strategic plan in conjunction with Otways Tourism Inc and in consultation with Geelong Otway Tourism, outlining the tourism future for the Shire and ensuring a cohesive and integrated approach to regional tourism management.

- ### Destination & Infrastructure Development

To continue to provide, maintain, improve and develop new infrastructure that supports the tourism industry needs (rubbish, township presentation, Visitor Information Centres, car parking, signage).

To actively encourage appropriate tourism development in the region and ensure the Council's Planning Scheme recognises tourism related developments/activities as being integral to the municipality's development.

- ### Visitor Services

To service visitor information needs through the direct management and funding of the Colac and Great Ocean Road (Apollo Bay) Visitor Information Centres.

- ### Partnerships

To continue to support the development and implementation of regional tourism strategies through continued involvement with Geelong Otway Tourism and Tourism Victoria.

7.   OTWAYS TOURISM INC OBLIGATIONS

- To submit a Three Year Strategic Business Plan 07-10 and Annual Projects Plan and Budget (to 30 June 2007) to Council.
- Present to Council annually each February. Provide a Progress Report that details Otways Tourism Inc's performance against Key Performance Indicators established in the Strategic and Annual Projects Plans. In addition, submit an Annual Projects Plan and Budget, outlining the activities proposed to be undertaken in the next financial year.
- To submit to Council each February, any specific project/capital works funding requests to be undertaken in the next financial year for budget consideration (eg. such as infrastructure or signage).
- Develop an Annual Report for distribution to stakeholders and Council.
- Regular statistical reports relating to the tourism performance of the region.
- Instigate and maintain a program of communication with members, which the Colac Otway Shire can contribute to, that ensures members are fully informed of Board activities and achievements.
- To provide Otways Tourism Inc Board business papers and minutes to Council appointed delegates and the Economic Development Manager.

8. OTWAYS TOURISM INC'S CORE AREAS OF RESPONSIBILITY

- **Co-ordination & Representation**

To lead the development of a successful and sustainable tourism industry for the region and engage in advocacy and partnerships consistent with these purposes.

- **Marketing**

To undertake internal marketing initiatives and support external marketing programs in cooperation with Geelong Otway Tourism and Great Ocean Road Marketing with the view to encouraging increased visitor yield, numbers and length of stay.

- **Visitor Services**

To coordinate, in conjunction with the Colac Otway Shire, the regions approach to achieve high quality visitor services and experiences for visitors.

- **Tourism Business Development**

To encourage industry professionalism and engender a service culture.

- **Tourism Industry Development**

To support the development of new tourism product and experiences enhancing the local region's competitive strength.

- **Partnerships**

To effect communication and industry networks that foster the growth of tourism through a cooperative, professional regional approach.

9. ACCOUNTABILITY & COMMUNICATION

Meetings will be held between the Colac Otway Shire officers and Otways Tourism Inc Executive Officer on at least a bi-monthly basis. In addition a methodology will be developed to ensure a regular exchange of information and reporting of activities of mutual interest.

The Annual Projects Plan will identify any agreed collaborative projects and priorities for the financial year.

10. DISPUTE RESOLUTION

If a dispute should arise between the parties under this Service Agreement or regarding performance or financial issues, the parties shall agree to meet to resolve the dispute. For the purpose of the agreement, a dispute will be deemed to exist where one party informs the other in writing that a dispute exists.

Should the dispute not be resolved in the first instance then both parties shall agree to meet to resolve the dispute by mediation, with both parties agreeing on a mediator.

If both parties cannot agree upon whom shall be the independent mediator, then a mediator will be appointed by the President of the Law Institute of Victoria. The mediator appointed shall be binding on both parties. Both parties shall contribute to the cost of the mediation in equal proportion and otherwise bear their own costs.

11. FINANCIAL AGREEMENT

Colac Otway Shire will distribute financial resources to Otways Tourism Inc. to allow fulfillment of their obligations under this Service Agreement. A total sum of $130,000 (plus GST) is payable to Otways Tourism Inc in 2006/07. The annual payment for 2007/08 will be agreed based on the Annual Project Plan and the Tourism Review recommendations. The annual payment from 2008/09 onwards will be agreed based on the Annual Projects Plan presented.

Payments will be made in advance by quarterly installments.

Colac Otway Shire shall not be obliged to make payment under this agreement unless Otways Tourism Inc has fully complied with its obligations to the date of claim or final claim as the case may be.

12. TERMS OF AGREEMENT

Colac Otway Shire and Otways Tourism Inc hereby acknowledge their acceptance of the terms and conditions of this Service Agreement.

This Service Agreement lapses after 30 June 2010 and may be renewed or renegotiated by further agreement between the parties.

Should either organisation wish to terminate the relationship written notice must be given eighteen months in advance of termination. Such notice will allow appropriate modifications to the business plan and budget process.

Signed on behalf of the Colac Otway Shire:

Signed: _Tracey Slatter (signature)_

Name: TRACEY SLATTER

Position: Chief Executive Officer

Date: 15/12/06

Signed on behalf of Otways Tourism Inc:

Signed: _Andrew Noseda (signature)_

Name: ANDREW NOSEDA

Position: CHAIRMAN

Date: 21 · 1 · 2007.

Colac Otway Tourism Review

6th Feb 2006

Produced by
Wine Food Tourism Strategies Pty Ltd

WINEFOOD**TOURISM**

EXECUTIVE SUMMARY

Introduction

The following report was completed for Colac Otway Shire (COS) by Wine Food Tourism (WFT) Strategies Pty Ltd. The purpose was to complete a strategic review of the current tourism structure, function and performance and make recommendations. The focus of the review was to investigate the current financial investment by Council into tourism, determine its return on investment and investigate alternative means of funding tourism. The project was managed by a Steering Committee, independently chaired by Tourism Alliance Victoria (TAV) and comprised of representatives from the local tourism industry, COS Councillors, Shire staff and the Department of Sustainability and Environment (DSE).

Literature Review

An extensive collection of reports provided by Colac Otway Shire (COS) as well as other stakeholders and government agencies has been reviewed and contributed to this report. Please see APPENDIX ONE for the full list of reports.

Profile of the Industry

The tourism industry is structured by the Australian and State Governments in such a manner as to make Local Government directly responsible for the marketing of local regions, the delivery of visitor services and the professional development of the local operators. To ensure a successful tourism industry, it is therefore incumbent on Local Government to fund the marketing of the destination and to provide professional support to those micro-businesses to help them sell more effectively to visitors, deliver good customer service and ensure visitors are satisfied with their experience of the region.

Challenges Facing Colac Otway Shire

The Shire is confronting significant socio-demographic challenges. Data, from DSE, that was analysed, suggests that the Shire's population is growing at a slower rate and aging at a faster rate than some of its closest neighbours eg. Geelong, Surf Coast Shire and Warrnambool. Representation in the critical 40 to 60 years age bracket (the key economic productive years) will fall in Colac Otway, whilst it will remain relatively stable in Geelong and Surf Coast. This implies that the Shire's productive capacity is likely to fall into the future, whilst the productive capacity of Geelong, Surf Coast and Warrnambool will grow. Coupled with the winding down of hardwood forestry, and increasing pressures on other agricultural sectors, it is clear that the Shire will confront significant long term challenges to remain vibrant and economically robust. It is widely acknowledged that the tourism industry can provide a viable alternative to combat these changing socio-demographic pressures.

The Shire is also confronting increasing competitive pressures from the broader tourism sector. Whilst there may be some debate about the medium to long term prognosis for the international markets in the tourism industry, there is a prevailing view that the industry will continue to grow at the macro level. Domestically, it is reasonable to assume that despite fluctuating changes in economic conditions, aggregate domestic tourism will continue to grow at about 2 to 3 percent per annum. International tourism, whilst potentially more volatile, represents a considerably smaller share of the tourism market.

However, the critical issue for the Shire to note is the increasing awareness by Local Government agencies of tourism as a key generator of local employment and "new" money to the region. As such, despite overall growth in tourism numbers across Australia, increasingly intense competition is

impacting on the performance of local tourism regions, and their capacity to draw in tourism dollars. Many other Local Governments have recognised the value of tourism and have sought to increase their investment into the sector to improve their share of the tourist dollar. As a consequence of this increased competition, COS, in conjunction with the local industry will need to be focussed, strategic and aggressive in its attempt to secure higher levels of visitation and visitor expenditure. In this highly competitive environment reducing support for tourism could seriously jeopardise the long-term viability of tourism in the Colac Otway Shire.

Tourism Function of COS
In reviewing the tourism functions of COS the following points summarise the delivery of the core elements of the Tourism unit:
- Tourism is seen as a integral function of the Economic Development Department of the Shire
- The Shire employs a full-time Tourism Development Officer (TDO), with shared administrative support, and has several paid Visitor Services staff reporting to this position
- The TDO reports to the Economic Development Manager, who reports to the General Manager, Corporate and Community Services
- The Shire operates two Visitor Information Centres (VICs), one in Colac and one in Apollo Bay
- Apollo Bay VIC, operates with only paid staff and no volunteers, whilst Colac VIC operates with paid staff and approximately 30 volunteers. The VICs fund a total of 6 equivalent full time staff across both VICs.
- The Shire invests approximately $600,000 per annum into tourism to cover all of its tourism functions, including marketing
- Tourism is funded out of general revenue from Core Rates
- Two different COS Councillors play key tourism roles, both sit on the OT Board and one on the GOT Board, whilst the Shire's Tourism Development Officer attends meetings of all industry groups.

Tourism Structure and Function
The tourism industry is represented at a local level by four Sub-Local Tourism Associations distributed on a regional basis around the Shire, with three essentially located along the Great Ocean Road and one representing tourism businesses located in the Otway hinterland and around Colac. They are Otways Coast Tourism (OCT), Apollo Bay Chamber of Commerce and Tourism (ABCCT), Otway Scenic Circle Association (OSCA) and Otway Hinterland Tourism Association (OHTA). The associations vary in size and capacity and operate at varying degrees of effectiveness, given they all have very limited resources available to them. Funding for each of these associations is derived from membership by local tourism operators of their LTA, with fees paid to Geelong Otway Tourism (GOT) and based upon an agreed differential rate determined by the industry and GOT. The sub-LTA's each receive 40% of their local member fees back from GOT in order to operate, which is paid through COS on an annual basis.

Otways Tourism Inc. operates as a not-for-profit, incorporated body and essentially performs the coordination role of the Local Tourism Association (LTA). The organisation functions with a volunteer Board made up of two representatives from each of the sub-LTA's, two Councillors from COS, two shire wide "by application" tourism industry positions, plus the TDO and a representative from Parks Victoria (PV). Essentially the organisation has been operating as an industry advisory board to COS and receives limited funding from COS to perform its basic functions. Its primary role is to identify local tourism development issues and develop internal marketing initiatives for the whole of the region. In addition it provides Board representatives to GOT to represent local issues at the GOT level.

Generally OT is not seen to be delivering outcomes for the tourism industry and much of this can be linked to its fundamental lack of executive and administrative resources. Responsibility for the delivery of the basic functions of OT has not been clearly articulated between industry and Local Government with responsibility for tasks often blurred and therefore outcomes have not been achieved. Industry perceives OT as being able to provide a more vital role in the success of tourism for the region, with some reservation regarding equity of representation and influence, but recognises the organisation's ability for success has been restricted given its existing funding and resource limitations. OT is seen as being able to perform more effectively, provided greater resources were available to the organisation. There needs to be parity of responsibility for providing these resources, from both COS and the industry.

COS Shire is part of the broader Geelong Otway Product Region, with Geelong Otway Tourism (GOT) performing the function of the Regional Tourism Association (RTA). GOT is made up of membership of four Local Governments (City of Greater Geelong, Borough of Queenscliffe, Surf Coast Shire and Colac Otway Shire, all administered via a Memorandum of Understanding (MOU) or Service Agreement, various LTO's and just over 1,100 industry members, plus several corporate sponsors. GOT's Board is made up of two representatives from each of the regions, including a Council representative plus an industry association representative. Its primary functions are to stimulate and develop partnerships, lobby local and State government, stimulate development of infrastructure and services, product development, marketing and industry professionalism for the entire Great Ocean Road region.

GOT in conjunction with Great Ocean Road Marketing (GORM) and Great Southern Touring Route Inc takes on the primary function of delivering external marketing programs for the Great Ocean Road region aimed at stimulating intra-state, interstate and international visitation. GOT is therefore the primary external marketing organisation for COS.

Approximately 225 tourism operators in the Colac Otway region pay a total of $57,000 in membership fees to GOT of which $34,000 stays with GOT (60%) for regional marketing contributions and $23,000 (40%) goes back to the member groups via COS. In addition, COS pays directly to GOT an amount of $55,000 for external marketing purposes.

Performance of the Tourism Roles and Functions

With regard to COS and its tourism performance, investigations have identified a number of challenges and areas where the execution of the tourism roles and functions have been problematic and the success ingredients somewhat absent. Whilst we acknowledge the active and enthusiastic involvement of several key individuals from both within the Shire and the industry, it is evident that:

- There is a lack of a clear strategic vision for the tourism industry in the Shire
- There is confusion amongst the key parties with regard to responsibility for the aforementioned roles, especially setting policy and executing programs to fulfil the policy requirements
- There is a lack of cohesion within the industry and a sense of distrust amongst the key industry groups operating in the Shire. In particular, there is a view amongst the sub-LTA's that OT and tourism more generally is dominated by Apollo Bay interests.
- There is a lack of integration and co-ordination with key stakeholders' and their activities in the Shire
- There is a need for a change in the funding mix of the tourism function by the Shire that better reflects the benefits derived by the tourism industry from the Shire's investment in tourism
- There is a general lack of accountability in the expenditure of resources on various aspects of the tourism function
- Despite a multiplicity of representations on various industry committees and panels, there is a lack of communication throughout the industry with regard to the activities of stakeholders inside and outside the Shire.

Servicing visitor information needs are a core function of Local Government's tourism responsibility and therefore the Visitor Information Centres (VICs) and the staffing requirements should remain under the direct management and funding of COS. Maintaining the staffing levels and operation of the two VICs consumes more than half of the existing COS tourism budget (approximately $330,000) and a reduction in operating costs can be achieved by introducing volunteer staff at GOR VIC. Raising additional revenue through the sale of Regional Maps at the local VICs should also be considered. It is also recommended that GOR VIC undergoes a refurbishment to remove and/or upgrade unnecessary interpretive material and increase the available space for visitor services use.

Given the need for a cohesive and integrated approach to regional tourism management, it is recommended that the COS, in conjunction with OT and the industry, develop a single strategic plan outlining the tourism future of the Shire. It is recommended that the COS, through its Economic Development unit, places greater strategic importance on tourism development and ensures there is sufficient support for the Economic Development Manager to play a greater role in the strategic development of tourism within the Shire.

From a political perspective, Otway Tourism (OT) and the sub-LTA's (OHTA, OSCA, ABCCT and OCT) are seen to deliver a level of equity and democratic representation in the key decision making forums for the tourism industry. Representatives from the four sub-LTA's are present on the Otway Tourism Board which in turn has representation on the Geelong Otway Tourism Board. However, there is a clear lack of understanding and appreciation for the efforts of the various parties involved and no direct relationship between OT and individual tourism businesses across the region. This is attributed to poor communications between the organisations and individuals involved. In particular, it is clear that there is a lack of a shared common vision, strategic goals, programs to be undertaken and responsibilities assumed by the various parties. Most importantly, there is limited progress towards goals and effective overall performance. OT must therefore take on a greater leadership function and responsibility for the industry, as well as develop means of communicating and working

directly with individual tourism business and driving the future of the industry. It is noted that OT has expressed a willingness and desire to take on a greater role in managing and delivering tourism outcomes for the industry as part of this tourism review. Consideration should be given to bringing the sub-LTA's into a more formalised structure under the direct jurisdiction of OT. Each of the regions should be adequately represented, both on the Board of OT and in the delivery of local strategic outcomes.

The provision of high quality websites, informative maps, brochures and collateral has always been, and continues to be, a challenge in a co-operative marketing environment. The challenge of sub-LTA's and individual operators all trying to ensure they get their fair share of visitors to their broader region and precinct is well understood and appreciated. However, trying to promote directly to visitors before they arrive, and in competition with other precincts in the region, is expensive and can be counter productive. A consolidation of regional marketing material is recommended, under the direct control of OT and supported by COS's VIC printed material. Attempts to continue to "go it alone" by the sub-LTA's will see a greater dissipation of what little marketing budgets these small organisations have and achieve limited success.

There appears to be little community engagement with tourism and limited promotion of the success of tourism to the wider community. It is strongly recommended that all parties seek a more effective industry structure that ensures greater collaboration and delivery of outcomes for the industry. The development of a strategic local public relations program such as a regular feature or "tourism news" in local papers, and tourism "good news" stories on local radio should be implemented.

Stakeholder Consultation

As part of the project, face-to-face consultations were held with several internal and external stakeholders including:
- COS Councillors
- COS Shire Officers
- The four sub-Local Tourism Associations
- Otway Tourism
- CORRA and OBI
- Geelong Otway Tourism
- Other external stakeholders.

In addition, two questionnaires were distributed, one via mail to all identified tourism businesses in the region and one targeted at the community available via the COS website.

It is evident that the Shire and the tourism industry have not enjoyed a shared common vision for some time, despite ongoing discussion. This lack of shared vision has had some unfortunate consequences:
- it has prevented the various parties from working together, which in turn has led to
- an abdication of responsibility amongst the different groups
- and an absence of accountability.

In this environment it is not surprising that lots of meetings are being held, plans are made but not much is being enacted or executed. It is quite clear that the challenges confronting the tourism industry are fairly fundamental and require strong co-operative leadership by both the Shire and the industry. The industry must take responsibility for providing good leadership and offering all of the operators in the region a positive and viable solution to the current and future challenges facing the

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industry. There is also clear opportunity for the tourism industry to strengthen relationships with the broader Colac business community.

<u>Tourism Funding Models</u>
Several sources of information on tourism funding models have been reviewed. There is an emerging trend for Local Governments to "quarantine" funding for tourism via a series of levies, surcharges and differential rates. Where such models have been successfully implemented there are some clear indicators:
1. There has been open communication between the Local Government and the industry
2. Industry has been able to see the direct benefits of the funding
3. Local Government has made a long term funding commitment to the industry as part of the revised funding mix.

Various industry reports were reviewed, including the discussion paper prepared by the Tourism Development Unit of COS, dated July 2004. A report commissioned by the Sustainable Tourism Co-operative Research Centre (STCRC) for Tourism Queensland titled "Funding Options for Regional Tourism Organisations", was reviewed, including the annual reports, budgets and rating documents of a selection of Local Governments. To further contribute to this review, primary research was also gathered via interviews of a selected sample of Local Government representatives to discuss how they developed and applied their Rate model.

It is acknowledged that COS is in the process of reviewing its Rating strategy and community consultation is currently taking place. It is recommended that the Shire give serious consideration to a rating strategy that might contain the following elements:
1. A differential commercial rate for all businesses, irrespective of the nature of the business i.e. the rate applies to all businesses, as opposed to a set of separate residential, tourism, farming, retail, manufacturing or industrial rates
2. For those identified as tourism businesses (approximately 600 businesses), add an additional "levy" that will contribute towards the GOT (and OT) marketing/membership fees so that the Shire is able to make membership of GOT and OT automatic for ALL tourism businesses in the region. The additional levy effectively collects the membership subscriptions on GOT's and OT's behalf, and contributes to the tourism operating function of the Shire ie. VICs. The levy needs to reflect the current charging model in place for GOT membership plus raise additional funds to cover the remaining tourism functions within the Shire. The intent would be to increase the overall contribution by the industry, ensure all tourism businesses are contributing to tourism marketing and industry development costs for the region, as well as ensure equitable access to the services offered by the VICs
3. A differential rate based upon the geography of the Shire that reflects the significance of tourism in each precinct. That is, in those precincts where tourism is clearly the dominant economic activity (such as Apollo Bay) all businesses would pay a higher rate whilst those precincts where there is little or no tourism activity (such as in the northern areas of the shire) all businesses would pay a lower rate
4. A flat surcharge imposed on all commercially let, holiday homes (approximately 800 homes) that are not identified as commercial operations (as in point 1 above) or tourism businesses (as in point 2 above) eg. those who advertise (via the internet or paper) and manage themselves, or those who rent out through Real Estate agents or property managers
5. For those holiday home owners who do not let their property, normal CIV based rates and standard council charges will apply i.e. no additional tourism or commercial levies (such as those described in points 1 to 4 above) will apply.

The essence of this recommendation is that Tourism receives no more than $300,000 from Core Rates, being Council's stated position on the matter, plus the additional tourism levy, the Tourism precinct levy, plus the commercially let holiday home surcharge.

Whilst it is recognised that many of the structural and operational recommendations can be implemented promptly, it is appropriate to consider implementing the changes to the Rating system over a three year period.

Economic Impact of Tourism
The economic impact of tourism was assessed via three approaches:
1. a simple employment sector analysis
2. a survey of existing tourism businesses
3. the use of an input output model i.e. the Tourism Impact Model (TIM)

Based on the analysis, the tourism industry is worth approximately $200 million to the local economy and supports the employment of over 2,000 people in the Shire, or 10% of the population. It accounts for 14% of the financial budget of COS. Tourism must therefore be seen as a valuable and significant contributor to the overall economy of the Shire and also contributes significantly to the Shire's operating budget.

Benchmarking and Comparative Analysis

As part of this study, an analysis of a variety of Local Government areas was conducted to determine whether Colac-Otway Shire is performing at a comparable rate. Data was sourced from ABS Census 2001, IVS, NVS and ABS Tourist Accommodation.

Recognising that that no two Local Government areas are identical, this benchmarking exercise provides some insights into how Colac-Otway Shire is performing in comparison to:

- Its immediate neighbours (some of which are fellow members of GOT):
    o Corangamite
    o Greater Geelong (GOT member)
    o Queenscliffe (GOT member)
    o Surf Coast Shire (GOT member)
    o Warrnambool

- Other comparable Local Governments elsewhere in Victoria and Australia:
    o Armidale Dumaresq (NSW)
    o Great Lakes (NSW)
    o Shoalhaven (NSW)
    o Bass Coast (VIC)
    o Indigo (VIC)
    o South Gippsland (VIC)
    o Wangaratta (VIC)
    o Warwick (QLD)
    o Victor Harbor (SA)
    o Augusta Margaret River (WA)

- Certain significant, large scale Local Governments that have a very active and successful tourism industry:
    o Cairns (QLD)
    o Gold Coast (QLD)
    o Noosa (QLD)

Whilst Colac Otway is comparable to Corangamite in terms of its general population profile, it is evident that it is at a considerable strategic disadvantage in comparison to its larger neighbours along the GOR. In particular, whilst it has a similar population to Surf Coast, it is much more decentralised and sparsely populated with a significantly less well educated population. More the point, it is considerably smaller and less well resourced than some of its key competitors both here in Victoria and interstate.

In terms of overall tourism performance, in comparison to its immediate neighbours, Colac-Otway is doing better than the smaller and more remote Local Governments, but not as well as the major destinations within Geelong Otway region. Similarly, it is performing at a comparable level to the competitive Local Governments elsewhere in Victoria and Australia.

In terms of overall accommodation occupancy, the Colac-Otway Shire performs marginally better than some of its interstate competitors, but tends not to outperform its immediate neighbours in the Geelong Otway region. The same can be said about its annual average room rate. It is worth noting the Colac-Otway Shire is one of the most volatile Local Government areas in terms of its seasonality.

From a strategic management perspective, this suggests that some consideration needs to be given to developing a long term winter mitigation strategy to reduce this volatility and improve overall annual occupancy and rate.

Strategic Recommendations and Actions
Based upon the research, consultation and analysis of data, it is recommended that COS implements action to achieve the following major outcomes:

- Implement a restructured funding model for tourism that is based upon part funding from Core Rates and the implementation of a differential funding rate that targets tourism businesses, commercially let holiday homes and tourism precincts within the Shire
- Restructure the internal COS tourism function and the way it engages with the tourism industry, which will result in the existing TDO position and tasks no longer being a delivered as a core tourism function of COS.
- Ensure that the Economic Development Manager is adequately resourced and supported so as to play a more direct role in the strategic development of tourism for COS
- Work with the tourism industry to develop stronger industry leadership, coordinated tourism development and improved marketing functions that will unite the industry and improve its performance under a shared vision for the region
- Make the tourism industry more accountable and independent, whilst giving it the opportunity to generate greater revenue to invest in marketing, professional development and other appropriate activities that support the development of the tourism industry.
- Whilst it is recognised that these structural and operational recommendations can be implemented promptly, subject to a considered Action Plan and relevant timeline, it is appropriate to consider implementing the changes to the Rating system over a three year period.

OM082511-14 FIRE PREVENTION BRIEFING AND UPDATE

AUTHOR:	Mark Gunning	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning and Development	FILE REF:	GEN00179

Purpose

To provide Council with an update on current issues affecting Fire Prevention and Fire Management within the Shire and the level of preparedness for the approaching fire season.

Background

There are many issues associated with Fire Prevention and Fire Management that are currently being addressed by Council officers to ensure that Colac Otway Shire is prepared for the approaching fire season.

These include:

- Integrated Fire Management Planning – (IFMP);

- Fire Prevention Works Program 2008/2009;

- Seasonal Prognosis 2008/2009;

- Council participation in 2008 International Fire Conference ;

- Conclusion of Enforcement for 2007/2008 Fire Season Non Compliance;

- Fire Breaks;

- Assistant Fire Prevention Officers; and

- Council Website – Fire Information.

Council is continuing to implement and work through the Fire Management and Prevention issues required under the Municipal Fire Prevention Plan adopted in September 2007. The issues covered are currently part of annual implementation and include:

- Community awareness;

- Township fire protection planning;

- Roadside fire breaks;

- Issuing fire permits to brigades and landholders;

- Thoroughly inspecting properties for fire hazards;

- Issuing Fire Prevention Notices;

- Ensuring partnership compliance with the MFPP (Municipal Fire Prevention Plan);

- Responding to the many customer queries associated with the introduction of the Fire Danger Period; and

- Seasonal preparedness activities .

State Government is undertaking a change to the Municipal Fire Prevention arrangements with a move to integration with other existing emergency management arrangements of Council thus linking the MEMP (Municipal Emergency Management Plan) process with IFMP.

Corporate Plan/Other Strategies/Policy
Predominately this report links to Council's responsibilities under the following Legislation and Plans:

- Part III Div 3 Country Fire Authority Act 1958;
- Part IV Country Fire Authority Act 1958;
- Emergency Management Act 1986;
- Colac Otway Shire Municipal Fire Prevention Plan;
- Colac Otway Shire Municipal Emergency Management Plan; and
- 2005-2009 Council Plan –
  - Environmental Sustainability
  - Strong Leadership
    Providing strong community leadership, governance and advocacy services which will benefit the community now and into the future.

Issues/Options

IFMP (Update)
Council was briefed on this matter at the July Council workshop and it was agreed that Colac Otway Shire should participate in the trial move to Integrated Fire Management Planning (IFMP). IFMP is well underway with Council participation in Integrated Planning for the Fire management of Otway's Township Protection, Great Ocean Road Fuel Management and Hamilton Highway Fire Management Planning.

Council is an active participant in workgroups to establish Municipal Fire Management Planning Committees. The first meeting of the Regional Strategic Fire Management Planning Committee was conducted on 17 November 2008 to progress the State Government's establishment of Integrated Planning Committees to provide regionally driven strategic direction for Municipal based fire planning. Colac Otway Shire was represented at this meeting by the MFPO and Manager Environment & Community Safety.

Conclusion of Enforcement for 2007/2008 Fire Season Non Compliance
Councillors would be aware that just over 400 properties received Fire Prevention Notices in the 2007/08 fire season. Of these twenty-seven failed to comply and were issued an Infringement Notice ($220) and an account for Council undertaking the required work to remove the Fire Hazard which was subject to the notice.

The majority of infringements were paid, however six have progressed to prosecution stage, and summonses prepared to bring the people before the Magistrate's Court to recover the penalty and costs associated with administration of the matters to date.

It is likely that the offenders will be brought to Court in December 2008 in Colac which will act as a strong deterrent for non compliant properties for this coming season. Costs will be kept to a minimum with briefs and appearances being managed by existing Council staff.

This process is consistent with that identified in Council's correspondence to landholders and detailed in our Municipal Fire Prevention Plan.

Fire Prevention Works Program 2008/2009
A significant amount of work has been done over the past two years to update and document a formal fire prevention works program to ensure protection of the Council and the community.

Attached is a copy of the two page program for this season to guide Council Officers who deal with fire prevention. The program outlines the progress of matters such as:
- Council Slashing
- Mail outs (Courtesy Letters/Notices)
- Inspections
- Fire Notices
- Compliance Management

All properties in identified risk areas are inspected, including Council Properties which are scrutinised and managed in the same way as private and other government owned property. Where a Council block is non-compliant notices are sent to the relevant part of Council for rectification.

The 2008/2009 first round inspection process is almost complete. New technology is enabling a more comprehensive and efficient inspection process. This is resulting in more notices being generated because Council can better scrutinise properties during inspections and more adequately assess fire danger. Following from last year's excellent compliance rate we again expect good community co-operation and compliance.

Seasonal Prognosis 2008/2009 Fire Season
Over recent months the Bureau of Meteorology (BoM) have predicted a warmer than average Spring with below average rainfall. To date this prognosis has been accurate and we have also experienced stronger winds that have dried out fire fuels.

In early November Fire Agencies have released some mapping (in addition to that supplied by BoM) that is showing that many parts of our Shire are extremely susceptible to wildfire in the coming fire season. In addition to the vulnerability factor the 30 year figures for occurrence of fire are running well above average. These factors are a concern for the coming season.

Attached are a set of maps in respect of the weather and fire behaviour prognosis which are self explanatory.

Council Participation in International Fire Conference
In September Council's Manager of Community Safety & Environment and the MFPO attended the 2008 Conference jointly held by the Bushfire Co-operative Research Centre and Australasian Fire and Emergency Service Authorities Council in Adelaide. The theme of the conference was 'Fire and Biodiversity'.

A report was prepared for the General Manager – Sustainable Planning & Development in respect of the extensive information gathered during the conference. There were however a number of key learning's which need to be supplied to Council in this report:

- Clearly Council's integration of Fire Planning and Environmental Management are consistent with current best practice on a world stage;

- Council's approach to Fire as a tool for Environmental Land Management is of a high standard at both a National and International level;

- Council's interaction with other Fire and Land Management agencies as a cooperative approach to fire and environmental management is of an exceptionally high standard; and

- Council's move to a more strategic planning approach to fire management is positioning Council for the challenges and changes proposed for fire management landscape in Australia.

Fire Breaks

Following a series of meetings with CFA, Council has developed a map based process of identifying strategic fire breaks for the entire municipality that are contiguous with fire breaks in neighbouring shires and breaks upon land that is managed by State and Federal Government agencies.

In addition to the strategic fire break mapping for major fire breaks in the shire work between the Planning Unit, Environmental Planner and Cosworks has seen a review of Council managed roads. CFA Fire Prevention Policy identifies Roadsides as a known 'source' of fire hazard. This policy indicates that all road reserves should be isolated by cutting that part of the reserve that immediately adjoins the road surface. Although council does not cut all of our roads an assessment of Council managed roads has identified those requiring the necessary cut to ensure the road reserve is safe for motorists using the road, and also that the road is isolated as a source of fire to adjoining properties.

In addition to the fire break work of Council, again with the Environmental Planner Colac Otway Shire has included Environmental Protection Conditions on Fire Permits for Fire Brigades that undertake roadside burning off. These conditions are the first of their kind in the G21 area and have been well received by CFA and act to better protect the environmental interests of Council.

Assistant Fire Prevention Officers

Council delegate powers to the Fire Prevention Officer (MFPO) to perform fire prevention functions. The MFPO can appoint assistants (under powers in the CFA Act) to undertake a range of functions. In Colac Otway Shire Local Laws Officers are appointed to the role of Assistant MFPO's.

In September 2008 two Local Laws Officers attended a comprehensive and accredited training course for Fire Prevention Officers. The training has given the officers participating a greater understanding of fire behaviour and the role and function of Fire Prevention Officers within Local Government.

Council Website – Fire pages

Until recently Council's Website only had one page relating to fire that was accessed via the local laws section of the site. With the assistance of the Public Relations Co-ordinator the site has been significantly upgraded. Fire Safety now appears on the index and leads to an Introductory Fire Safety page which then further links to pages on:

- Fire Management in Colac Otway Shire (overview);
- Preparing your property for the Fire Season;
- Burning Off inside and outside the Fire Danger Period;
- Municipal Fire prevention Plan;

- Fireworks;
- Fire Agencies and other Government Departments responsible for fire;
- Native Vegetation removal and Fire Management;
- Fire Restrictions and Fire Danger Period; and
- Fire related Local Laws.

In addition customers now have access to forms and documents on-line, many hours in contact and administration have been reduced by the ability to apply for Fire Permits on-line and to view important documents on-line. Some of the documents include:

- Municipal Fire Prevention Plan;
- Application for Fire Permits;
- Advice to landholders – Courtesy Letter;
- Burn Off Notification Form; and
- List of Contractors to clear properties (always kept current on-line).

From our Council site access can be made (via links) to:

- CFA;
- DSE;
- Worksafe (for fireworks information);
- Parliamentary Documents Website (for Fire related legislation); and
- Bureau of Meteorology (for fire weather).

Proposal
Council consider and acknowledge contents of this report for information and preparedness purposes.

Financial Implications
Nil – all issues herein are presently within Council's budget. Should the fire season adversely affect the Shire with major fires an assessment will have to be made as to the financial impacts likely to be experienced by Council who may in turn be able to access Emergency Funding Support from Government.

Risk Management Implications
This report details many issues that are identified as treatments in current Emergency Management Plans and Fire Prevention Plans of Council that have been based on a thorough Risk Based process.

Environmental Considerations
This report details that Colac Otway Shire is very proactive and in many respects leading the way with respect to Environmental considerations and the interdependency and interaction between Environmental priorities and Fire Management within the Shire.

Communication Strategy/Consultation
This report is to communicate current issues to Council for information and awareness on the measures being undertaken to ensure that this community is prepared in the event of wildfire.

A media program has been undertaken with regard to the obligations of property owners to clear and prepare their properties to ensure community safety and preparedness.

Implementation
Implementation of issues herein are ongoing and subject to project management plans operating within the Planning and Sustainable Development Department of Council.

Conclusion
This report provides information to Council on the extensive measures that are being undertaken to ensure that Council and the Colac Otway community are well protected and prepared for the upcoming fire season and that a strategic approach is being undertaken to address these issues in the longer term.

Attachment(s)
1.   Fire Prevention Works Plan 2008/09
2.   Map – Strategic Fire Breaks
3.   Seasonal Prognosis Maps 2008/09 Season

Recommendation(s)

That Council acknowledges the work that has been undertaken by officers in this area and supports the current approach being taken to Fire Prevention and Fire Management.

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Fire Prevention Works Program 08/09

October 2008

- **Courtesy Letter to Residents/Land Holders** – Week1&2 October

- **Small Township Works Planning Inspections**
  - **3&4 October** – Northern – Cressy, Beeac, Alvie, Coragulac, Cororooke, Pirron Yallock, Swan Marsh, Colac, Elliminyt & Birregurra

  - **6&7 October** – Southern – Carlisle River, Lavers Hill, Beech Forest, Gellibrand, Forrest, Skenes Creek, Apollo Bay, Marengo, Kennet River, Wye River & Separation Creek

- **Fire Notice Inspections**
  - **Inspection Week 1** - 20, 21, 22, 23 & 24 October - Northern – Cressy, Beeac, Alvie, Coragulac, Cororooke, Pirron Yallock & Swan Marsh
  - **Inspection Week 2** - 27, 28, 29, 30 & 31 October - Northern – Colac, Elliminyt & Birregurra
  - **Notices** – Section 41 CFA Notices generated from Week 1 & 2 Inspections. 14 Days to comply (Nominal – Inspections Early December)

- **Slashing**
  - Last Week October – CosWorks begin slashing program working North to South

November 2008

- **Fire Notice Inspections**
  - **Inspection Week 3** - 3, 4, 5, 6, & 7 November - Southern – Carlisle River, Lavers Hill, Beech Forest, Gellibrand, Forrest & Skenes Creek
  - **Inspection Week 4** - 10, 11, 12, 13, & 14 November - Southern – Apollo Bay, Marengo, Kennet River, Wye River & Separation Creek
  - **Inspection Week 5** - 17 & 18 November – Gap Inspections
  - **Notices** – Section 41 CFA Notices generated from Week 3, 4 & 5 Inspections. 14 Days to comply (Nominal – Inspections Early December)

- **Slashing**

December 2008

- ➢ **Fire Notice Inspections**
  - • **Follow up Inspections Week 1** – 3, 4 & 5 December - Northern – Follow up on those properties sent notices (above) Non Compliant Properties Generate Works Orders/Infringements

  - • **Follow up Inspections Week 2** – 8, 11 & 12 December - Southern– Follow up on those properties sent notices (above) Non Compliant Properties Generate Works Orders/Infringements

- ➢ **Slashing**

December 2008/January 2009 - Follow up, secondary inspections patrols & compliance

February 2009

- ➢ **Infringements Issued on non-compliant Properties**

Fire Prevention

Prognosis Briefing for Council –

November 2008

Chance of exceeding the median Min Temp.October to December 2008
Product of the National Climate Centre

65%
65%
60%
60%

http://www.bom.gov.au

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Issued: 04/09/2008

80%
75%
70%
65%
60%
55%
50%
45%
40%
35%
30%
25%
20%

Source: BoM Oct08

Chance of exceeding the median Max Temp.October to December 2008
Product of the National Climate Centre

Source: BoM Oct08

Chance of exceeding the median Rainfall October to December 2008
Product of the National Climate Centre

http://www.bom.gov.au

Issued: 04/09/2008

Source: BoM Oct08

- *Fig 1. Outlook for fire potential in Australia during the 2008-9 fire season. This map combines results from the northern and southern workshops.*

2008 Grassland Fire Spread Potential

This map is to be used for display only.
Forest Fire Spread Potential as at October 2008

Legend
- Extreme
- Very High
- High
- Moderate
- Low

0   25   50   100
Kilometers

Source: DSE Nov08

2008 Forest Fire Spread Potential

This map is to be used for display only.
Forest Fire Spread Potential as at October 2008

Legend
- Extreme
- Very High
- High
- Moderate
- Low

0 25 50   100
Kilometers

Source: DSE Nov08

2008 Grassland & Forest Fire Spread Potential

This map is to be used for display only.
Forest Fire Spread Potential as at October 2008

Legend
- Extreme
- Very High
- High
- Moderate
- Low

0 25 50 100
Kilometers

Source: DSE Nov08

Questions?

Contact Details

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OM082511-15 DOMESTIC ANIMAL MANAGEMENT PLAN

AUTHOR:	Stewart Anderson	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning and Development	FILE REF:	GEN00667 Domestic Animal Management

Purpose

To present Councillors with the Domestic Animal Management Plan (the Plan) that has been prepared by the Colac Otway Shire Council in accordance with the requirements and responsibilities of the Domestic (Feral & Nuisance) Animals Act 1994, Impounding of Livestock Act 1994, the Colac Otway Shire Council's General Local-Laws and relevant policies.

Background

The statutory requirements of the Domestic (Feral & Nuisance) Animals Act 1994 – Part 5A – Section 68A states that every Council must, in consultation with the Secretary of the Department of Primary Industries (DPI), prepare at 3 year intervals a Domestic Animal Management Plan. The Plan needs to be submitted to the Secretary of the DPI in November 2008.

The Plan will guide domestic animal management by the Colac Otway Council for the next three years. The Plan identifies strategies and actions to implement the vision, aims and objectives for domestic animal management and contains recommendations for a wide range of actions to be undertaken by the Council in a structured manner.

The Plan was discussed with Council at the July Council workshop. There were no major issues identified by Council in the workshop. The Plan was then released for public comment in August 2008. Only one public submission was received on the Plan.

Corporate Plan/Other Strategies/Policy

The development of a the Plan is a statutory responsibility for Council. The development of the Plan also contributes to the achievement of Council Strategy 7.2.1 "Provide internal and external services to support the organisation in meeting community needs" as stated in the Council Plan.

Issues/Options

Council provides services that maximise the social, economic & environmental benefits to the people of the Colac Otway Shire Municipality. Domestic animal management has been increased in scope following the introduction of various Acts and Orders. The knowledge of both animal and human behaviours is now a requirement for those working in this field. There is growing recognition that enforcement of laws will not, on its own, result in lasting, voluntary changes in behaviours. The laws need to be supplemented by a range of non-regulatory approaches such as public education.

There is now considerable evidence to support our understanding of the benefits from owning pets. This implies a potentially new role for Council in harnessing the benefits of animal and pet ownership or at least maintaining the ability of the community to continue to own animals or pets. In this environment, it is essential that Council take a strategic approach to managing animals and pets in partnership with the community.

The Plan will provide Council with a sound basis to make strategic decisions that meet the competing needs of the community.

The Plan will also enable the Colac Otway Shire Council to move towards creating a better environment that encourages responsible pet ownership, where people and their animals integrate harmoniously and safely into the community. The Plan recognises that domestic animals are part of the community and that they enhance quality of life for many people so the needs of animals and their owners need to be accommodated. However it is important to note that the Plan also recognises the needs of all members of the community including people who do not own pets.

The key components of this plan are:
- Identification and Registration of Domestic Animals;
- Encouragement of responsible pet ownership;
- Managing wandering and aggressive dogs;
- Managing dog attacks;
- Managing barking dogs;
- Compliance and enforcement;
- Municipal Pound management;
- Declaration of Dangerous and Menacing dogs;
- Animal Management Officer – Training & Development;
- Cat Management; and
- Performance monitoring and evaluation processes.

While Council has not previously had an adopted DAMP, it is important to recognise that many of the strategies and actions identified in the Plan have been carried out by Council for a number of years. However the development of the Plan allows further consideration of the range of activities that are being undertaken. It will also provide the basis to identify how they can be done in a more strategic and effective manner in the future.

Some Municipalities have included cat curfews and other more controversial initiatives that are considered suitable in those areas. Cat curfews have not been included in the Plan because unlike some urban municipalities Colac Otway Shire does not have a very large number of cat owners and does not have the resources required to effectively enforce a curfew. Alternatively the Plan recommends that community education be undertaken to help encourage cat owners to keep their cats inside at night. However, traps will be made available on a hire system through the Municipal Pound to trap feral and un-owned cats that are causing a nuisance.

The options available to Council are:

Option 1: Reject the Domestic Animal Management Plan
Council can choose to reject the current version of the Plan and ask for changes to be made before re-submitting it to Council for approval. It is important to note that this will mean that timelines for submitting the Plan to the Secretary for the Department of Primary Industry will not be met.

Option 2: Adopt the Domestic Animal Management Plan.
Council can choose to adopt the Domestic Animal Management Plan and recommend that it be submitted to the Secretary for the Department of Primary Industry before the end of November 2008. Option 2 is the preferred option.

Proposal
The proposal is to endorse the Domestic Animal Management Plan now that the public consultation period has been addressed and acted upon.

Financial and other Resource Implications
The implementation of this plan will not be an additional cost to Council, other than the normal advertising fees associated with the processes of public consultation and adoption, which already occurs. It is anticipated through the promotion of responsible pet ownership and maximisation of the number of registered pets there will be a moderate increase in registration fees collected.

In a small number of cases Infringement Notices will be issued to those that choose not to comply with the legislative requirements. The issuance of fines is a last resort in achieving compliance as it is most important for Local Laws Officers to work with the community in promoting responsible pet ownership.

Risk Management & Compliance Issues
There is no significant risk involved because no new initiatives are being proposed that are considered to be controversial or that have major social, environmental or economic consequences.

Environmental Considerations
The Plan has no negative environmental impacts. There are many possible environmental benefits from encouraging more responsible pet ownership including:

- Reduction in the numbers of feral dogs and cats that have significant impacts on native fauna; and

- Reduced pollution as a result of owners taking more responsibility for managing animal waste.

Communication Strategy/Consultation Period
The community was asked to comment on the draft Plan prior to its adoption by Council. There was only one submission received from the Lavers Hill & District Progress Association which stated that the association was pleased to see Council taking action on these important animal welfare issues. The points raised in the submission have been considered and addressed where necessary, with a response letter sent. In summary the major points raised in the submission and the responses provided were:

- Micro-chipping days to be held at various locations - It is impracticable to conduct micro-chipping activities elsewhere than Colac due to travel times, set up and clean up times, Veterinarians being based in Colac and the availability of a suitable venue.

- Awareness Raising aimed at reducing the number of animals euthanaised – Reductions to the number of domestic animals being euthanaised will be partially addressed in the implementation of the plan and an increase in the educational processes available via media outlets. Council is currently running a monthly "Pet Tales" advertorial in the local paper to raise awareness of issues and to highlight animals currently in the pound that are suitable for re-housing.

- Incorrect figures supplied in tables - Figures in the table of section 4.2 have been adjusted to be more accurate and to reflect a 100% total in relation to the targets for dog and cat re-house and re-claim rates. The targets for euthanaising cats and dogs were not reduced as suggested in the submission. The euthanasia of unclaimed animals is a very distressing aspect of Domestic Animal Management and impacts heavily on the Council staff and Veterinarians involved in the process. In an ideal world this practice would not be necessary, the reality is however, despite all efforts made to date, in relation to this issue, it is a problem that continues to increase Australia wide. The 60% euthanasia target rate mentioned for cats is 18% less than the current rate of 78%. The goal target is not the final goal and it is hoped that this rate will continue to fall well below 60% over a period of time. Therefore, the target is now 'less than' 60% for cats and less than 10% for dogs.

Implementation

The Council endorsed Plan will be forwarded to the Secretary of the Department of Primary Industry. Council will then implement the Plan through the current structure and resources of the Local Laws Unit.

Conclusion

These processes and the implementation of the Domestic Animal Management Plan is a necessary and reasonable approach to improving domestic animal management within the Colac Otway municipality. The community response to the plan has been supportive which is critical given that successful implementation of the plan relies heavily on community participation.

Attachments

Draft Domestic Animal Management Plan

Recommendation(s)

That Council formally adopt the Domestic Animal Management Plan 2008 and that it be submitted to the Secretary for the Department of Primary Industry before the end of November 2008.

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Colac Otway
SHIRE
Naturally Progressive

Draft
DOMESTIC ANIMAL
Management Plan
2008

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1.   INTRODUCTION AND CONTEXT OF THIS PLAN

The Animal Management Plan has been prepared by the Colac Otway Shire Council in accordance with the requirements and responsibilities under the Domestic (Feral & Nuisance) Animals Act 1994, Impounding of Livestock Act 1994, the Colac Otway Shire Council's General Local-Laws and relevant policies.

1.1   PURPOSE OF THIS DOMESTIC ANIMAL MANAGEMENT PLAN

This document will guide domestic animal management by the Colac Otway Council for the years to come. The Plan identifies strategies and actions to implement the vision, aims and objectives for animal management and contains recommendations for a wide range of actions to be undertaken by the Council in a programmed approach. These actions will enable Council to maintain a balance between the competing interests of animal management and to accommodate new requirements.

Council provides services that maximise the social, economic & environmental benefits to the people of the Colac Otway Shire Municipality. Animal management has been widened into a greater context, following the introduction of various Acts and Orders and knowledge of both animal and human behaviours is now a requirement for those working in this field. There is growing recognition that enforcement of laws will not, on its own, result in lasting, voluntary changes in behaviours and needs to be supplemented by a range of non-regulatory approaches such as public education.

There is now considerable evidence to support our understanding of the benefits from owning pets. This implies a potentially new role for Council in harnessing the benefits of animal and pet ownership or at least maintaining the ability of the community to continue to own animals or pets. In this environment, it is essential that Council take a strategic approach to managing animals and pets in its community. This strategy will provide Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions to meet the needs of the community for the years to come.

1.2   PROCESS APPLIED IN DEVELOPING THIS PLAN

The community will be asked to comment on the draft Plan prior to its adoption by the Council.

The public will be asked to make submissions on the proposed Plan for a period of one month and the draft Plan will be available in hard copy from each of Council's Customer Service Centres.

Any submissions received will be compiled and considered prior to the completion of the draft Plan being adopted.

1.3   THE COLAC OTWAY SHIRE – DEMOGRAPHIC AND SHIRE PEOPLE

The Colac Otway Shire Council is a rural community of approximately 20,000 people centred on the townships of Colac, Apollo Bay, Birregurra, Cressy and other smaller townships. The Shire's economy centres on the beef, dairying, agricultural production and agro-forestry industries. During the financial year (07-08) the Council registered 4828 dogs and 1680 cats.   270 Dogs and Cats were returned to their owners, whilst 176 Cats and 46 Dogs were euthanaised. In addition the Council investigated a number of dog attacks/harassments and noise complaints and also attended over 150 roaming stock or stock fencing issues.

1.4   DOMESTIC ANIMAL STATISTICS AND DATA

BIS Shrapnel reported in September 2006 (*Contribution of the pet Care industry to the Australian Economy*) that a Council could estimate its dog and cat populations by using a simple equation, for dogs it was estimated that there was 18 dogs per 100 residents and for cats it was 12 per 100 residents, the results are an estimated 3600 dogs and 2400 cats, respectively. BIS Shrapnel came up with these equations by gauging the amount of pet food being sold in an area.

The comparisons with the Colac Otway Shire Council dog registration records indicates that   Colac Otway Shire (4828) has significantly more dogs than the estimated average (3600) for its population.

Shire/Council – Key Statistics	Colac Otway Shire	Like Councils Average	State Average
Population	20,000	16,000	25,000
No. of EFT Authorised Officers (Animal Control)	3	3	3
Hours training per officer annually	20	24	14
No. of Registered Dogs	4828 (58%)	2261	5155
Estimated Dog (not registered) Population	3600	3225	4500
No. of Registered Cats	1690 (40%)	531	1706
Estimated Cat (not registered) Population	2535	2140	3000
No. of Registered Declared Dogs	1	2	n/a
No. of Prosecutions Completed	0	1	3
No. of Successful Prosecutions	0	1	90
No. of impoundments (dogs)	291	116	n/a
No. of dogs returned to owners	219 (75%)	50	44
No. of dogs re-housed	26 (9%)	29	12.5%
No. of dogs euthanized	46 (16%)	37	33.5%
No. of impoundments (cats)	225	22	n/a
No. of cats returned to owner	26 (12%)	1	10.5%
No. of cats re-housed	23 (10%)	11	15.5%
No. of cats euthanized	176 (78%)	9	74%
No. of infringements issued	21	15	n/a
No. of infringements paid	15	14	n/a

n/a = Not available

1.5   COLAC OTWAY SHIRE'S – ANIMAL MANAGEMENT STAFFING & OPERATIONAL STRUCTURE

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┌─────────────────────────────────┐
│     CHIEF EXECUTIVE OFFICER      │
└─────────────────────────────────┘
                 │
┌─────────────────────────────────┐
│        GENERAL MANAGER           │
│ SUSTAINABLE PLANNING & DEVELOPMENT│
└─────────────────────────────────┘
                 │
┌─────────────────────────────────┐
│           MANAGER                │
│ ENVIRONMENT & COMMUNITY SAFETY   │
└─────────────────────────────────┘
                 │
        ┌──────────────────┐
        │   LOCAL LAWS      │
        │  CO-ORDINATOR     │
        └──────────────────┘
        ┌──────────────────┐
        │ LOCAL LAWS OFFICERS│
        │     (3 EFT)       │
        └──────────────────┘
        ┌──────────────────┐
        │   LOCAL LAWS      │
        │  ADMINISTRATOR    │
        └──────────────────┘
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1.6 CURRENT PROGRAMS AND SERVICES – SERVICE LEVELS

Animal Management Programs and Services (Summary)

Program/Service	Service Level
Identification and Registration	Annual and ongoing
Identification and Registration – door-knock campaigns	Regular Urban & Informal Rural
Domestic animal complaints – roaming dogs normal office hours	Response within 1 hours 95% of times
Domestic animal complaints – other	Within 2 working days
Dangerous dog complaints – dog attacks	Response within 1 hour in 95% of complaints
Routine Street patrols	Ongoing - monthly (most roads/streets)
Pound	Open 47.5 hours p/week
Micro-chipping	Legislative requirement – micro-chipping days initially conducted on an annual basis – to be done on a as required basis.
School information sessions (responsible pet owners)	B.A.W (Bureau of Animal Welfare)
After hours Attendance – dog attacks	Response within 1 hour in 95% of complaints
After hours Attendance – Stock on roads	Attend within 1 hours in 95% of complaints

*Please note that after hour's attendance is for emergency situations only

2. STATEMENT OF PURPOSE

Vision Statement

"Colac Otway Shire Council will create an environment that encourages responsible pet ownership, where people and their animals integrate harmoniously and safely into the community. To recognise that animals, both domestic and agricultural, are part of the community, contributing to its quality of life, and to ensure that the needs of animals and their owners are accommodated while recognising the differing needs of all members of the community such as non pet owners".

3. STRATEGIC DIRECTIONS FOR DOMESTIC ANIMAL MANAGEMENT

The following table shows the mandatory requirements of the Council and its Animal Management Officers (Rangers) for the period of this Domestic Animal Management Plan as required under the Domestic (Feral & Nuisance) Animals Act 1994.

Specific Act requirements		3.1	3.2	3.3	3.4	3.5	3.6	3.7	4.1
S68A(2)(a)	Method of monitoring performance and evaluating the effectiveness of services								*
S68A(2)(b)	Training of Authorised Officers						*		
S68A(2)(c)(i)	Promote and encourage responsible pet ownership		*						
S68A(2)(c)(ii)	Ensure compliance with Act and Regulations	*	*	*	*	*		*	*
S68A(2)(c)(iii)	Minimise risk of dog attacks	*	*	*	*	*			
S68A(2)(c)(iv)	Over-population and high euthanasia rates	*	*	*	*				
S68A(2)(c)(v)	Encourage registration and identification for dogs and cats	*	*	*	*			*	
S68A(2)(c)(vi)	Minimise potential for nuisance		*	*		*			
S68A(2)(c)(vii)	Dangerous, menacing and restricted breed dogs	*	*	*	*				
S68A(2)(d)	Review of Orders and Local Laws			*					
S68A(2)(e)	Any other matters	*	*	*	*	*	*	*	*
S68A(2)(f)	Periodic evaluation of programs, services and strategies	*	*	*	*	*	*	*	*
S68A(3)(a)	Review of Domestic Animal Management Plan								*

3.1 IDENTIFICATION AND REGISTRATION

Objective:
Maximize the number of registered and identified domestic animals (pets).

Current/Ongoing Activities:
The basics of successful dog and cat management within the Colac Otway Shire Council's area are in identification and that includes registration. The purpose of registration includes: -

- Encouraging responsible dog and cat management;
- Allowing lost dogs and cats to be reunited with their owners;
- Providing proof of ownership;
- Funding education programs and dog management; and
- Ensuring that dog and cat owners update their records on a yearly basis.

Council also supports a random registration door knock to ensure compliance with current legislation. Note: all dogs & cats must be registered by three months of age.

Microchip identification of pets is now mandatory when registering a new dog or cat. However a veterinary exemption may be obtained for health reasons. This was introduced on 1 May 2007 and the micro-chipping is carried out by experienced vets. If you try to register your dog at a Council Office prior to having it micro-chipped you will be refused registration and advised to have your pet micro-chipped first. It is an offence under the Domestic (Feral & Nuisance) Animals Act 1994, for a dog or cat not to be wearing a current Council issued registration tag.

Planned Programs and Initiatives:

To promote responsible dog and cat ownership Council will:-

- Enforce legal requirements such as identification and registration;
- Educate dog owners about animal welfare issues such as food and shelter, exercise, disease prevention and parasite control;
- Educate dog owners about community issues such as roaming, nuisance, noise, faeces disposal and environmental damage caused by dogs;
- Promote and facilitate socialisation and training of dogs, especially puppies; and
- Promote desexing and microchipping by offering reduced registration fees.

These programs and initiatives will be provided by sending out information with registration renewal forms together with the provision of information on Council's web page and through promotion in the local media.

3.2 ENCOURAGE RESPONSIBLE PET OWNERSHIP – COMMUNITY EDUCATION

Objective:

To encourage people to manage pets in a way that protects the health and welfare of the animal, maximises the companion benefits of their pet and minimises potential for nuisance or harm to others.

Current/Ongoing Activities:

The Colac Otway Shire Council's current education activities and programs aimed at promoting responsible pet ownership include:-
- Registration;
- Street patrols;
- Registration Door-Knocks; and
- Council's desexing scheme.

To qualify for this scheme you need to be a holder of one of the following concession cards:-
- Pensioner Concession Card;
- Health Care Card;
- Low Income Health Care Card; or
- Commonwealth Seniors Health Card.

Council will be billed by the Veterinarian for 33% of the cost of the desexing and the remainder is paid for by the owner of the dog/cat.

Planned Programs and Initiatives:

- Micro chipping days for pet owners. This will continue to be offered on an as deemed necessary basis.
- Provide staff as required to promote micro chipping and registration.
- Provision of a Dog Ownership Brochure – advertise within the community news and or on radio.
- School Education is carried out by the Bureau of Animal Welfare.
- Continued promotion of Council's desexing scheme via local Veterinarian's and Council offices.

3.2a WANDERING AND AGGRESSIVE DOGS

Objective:

Encourage owners of dogs to prevent them from roaming or wandering where the dog may cause a nuisance or harm to others within the community.

Background

A dog is deemed to be *"wandering at large"* when it is in a public place and is not under the *effective control* of a person. The owner/person who is responsible for a dog found wandering at large has committed an offence and is liable for penalties under the Domestic (Feral & Nuisance) Animals Act 1994.

A dog wandering at large can be a threat to members of the public, particularly children and the elderly and Council is aware that serious attacks can arise in these circumstances. Council will therefore implement strategies to minimize its occurrence in the community.

The strategies are in two parts; the first to encourage owners to have adequate fencing and control over their dog and the second is the actions of the Council to the dogs deemed to be "at-large".

All dog attacks/harassment must be recorded and investigated. In order to reduce the incidence of dog attacks, education strategies will be adopted to increase the community's awareness and responsibilities for dog ownership. The issue of dog attacks and harassment is of great concern to the general community, particularly in relation to the elderly and children. The number of unreported attacks can not be easily determined and therefore an assessment of these attacks is estimated. It has been stated that the majority of attacks (85%) occur on private property.

While few dogs are involved in attacks and harassment, **all dogs have the potential to bite, regardless of size, age, breed or temperament, particularly in situations where they are frightened, dominant, protective or possessive.**

How to avoid being bitten or how to read a dog's body language are important issues on which to educate the public.

Current/Ongoing Activities:

- Owner's be made aware of their responsibilities to:-
  a. Register their dog;
  b. Adequately fence their property to control their dog or provide an enclosure within property boundaries; and
  c. To keep their dog under effective control when in a public place.
- Animal Management Officers (Rangers), conduct random (day of the week, and times of day) patrols of all public areas and detain dogs wandering at large.
- Council provides an after-hours number for emergencies, predominantly for dog attacks where a person is willing to give a statement and either the dog owner or address of the alleged attacking dog is known.
- Council responds to calls from the general public of dogs wandering at large during normal business hours.
- The priority of the Council will be to return the dog to the owner.
- Un-identified dogs will be impounded in accordance with the Act.

- Unclaimed dogs that are suitable as pets will be eligible for re-housing to persons seeking a pet. Dogs being re-housed under this program will be required to be registered, vaccinated, micro-chipped and de-sexed.
- Unclaimed dogs that are unsuitable as pets will be euthanized after the designated time in accordance with the Act.
- All dog attacks should be reported to Council and will be investigated by Council in accordance with the Act.
- Education programs are included in schools curriculum and through newspaper articles.
- Infringements will be issued where considered to be appropriate.

Planned Programs and Initiatives:

In addition to maintaining and enhancing, where applicable the levels of service currently provided the following programs will also be targeted.

- Introduce focus patrols on high traffic areas (e.g. Apollo Bay)
- Determine feasibility of after hours routine patrols
- Apply for funding to increase number of Animal Management Officers throughout peak seasons.

3.2b   DOG ATTACKS

Objective:

To minimise the number of dog attacks and investigate all reported dog attacks in a timely manner.

Current/Ongoing Activities:

The Colac Otway Shire Council currently has random patrols of public areas within its townships to identify potential problems associated with dog attacks. Any reported dog attacks are:

- responded to within one hour in 95% of cases; and
- 24 hour service including emergency after hours 365 days of the year

Planned Programs and Initiatives:

Council will investigate all reported dog attacks and keep a register of them for future reference and monitoring of compliance. Consideration will be given to dangerous/menacing dog orders where the attack is deemed of a serious nature. In extreme situations Court action will be taken and the dog will be impounded under Section 77 of the Domestic (Feral & Nuisance) Animals Act 1994. Council will undertake:
- Prompt investigation of complaints related to dog attacks;
- Determination of appropriate prosecution and/or infringement penalties in accordance with the Act; and
- Consider dangerous/menacing dog orders where necessary and coordinate necessary restrictions for housing such animals.

3.2c   BARKING DOGS

Objective:

Encourage owners of barking dogs to seek assistance or advice from professionals to stop their dogs barking and take ownership of the problem.

Also encourage complainants to contact the owners of noisy dogs to advise them of their concerns as this is seen as a neighbour hood issue and the noise may be affecting other neighbours as well.

Current/Ongoing Activities:

- Diary kept by complainant for a fortnight of all barking caused by dog.
- Encourage both parties to seek mediation where possible.
- A door knock of nearby neighbours' be conducted where the barking is a persistent ongoing problem to determine whether prosecution is warranted.

Planned Programs and Initiatives:

- Ongoing encouragement to both parties to seek mediation where possible.
- Have both parties keep barking diaries for a two week period for evidence purposes.
- Research best practice procedures for better management of barking problems.

Barking dog complaints are one of the most numerous complaints received by Council and are time consuming for Council Rangers to investigate. Council Rangers will undertake the following steps when handling barking dog complaints in future.

- Complainant to contact the owner of the dog causing the barking and advice of their concerns.
- Complaint received (complainant's details taken and address of dog being complained about taken).
- Owner of dog contacted and given 7 days to correct behaviour and/or provide mechanisms to mitigate the disturbance.
- Complainant contacted and given a barking dog diary to complete over the next 2 weeks.
- Barking Stops – Resolved, no further action required.
- Barking continues – first investigate and speak to other nearby neighbours about the alleged problem, second offer mediation and third is for potential prosecution.

3.3 COMPLIANCE AND ENFORCEMENT – LOCAL LAWS AND ORDERS

Objective:

To maximise compliance with the Domestic (Feral & Nuisance) Animals Act 1994, the Local Government Act 1989 and the subordinate Regulations, Council resolutions or Court Orders.

Current/Ongoing Activities:

The Colac Otway Shire Council's current enforcement activities include:

- Conduct random patrols of all public areas and detain dogs wandering at large;
- 24 hour service including after hours emergency service 365 days a year.
- "Dog Poo" Bag dispensers located in all areas where numerous dogs are walked for faeces management.

Planned Programs and Initiatives:

- Review Dog on Leash areas and Orders within the municipal district:
- Education program on Faeces Management:
  - o Encourage dog owners to use the faeces bags/bins provided or to use their own bio-degradable plastic bags for faeces removal.
  - o Develop a faeces strategy that reflects the different uses of parks and open space within the community.
  - o Investigate further resources for after hours / public holiday / peak time's routine patrols.

Dog owners to be made aware, that under the Environment Protection Act, that it is illegal for them not to clean up after their dogs while in a public place. Education is recognised as the key in the long term. However, to be effective, an education campaign needs to be carefully designed and targeted.

In addition to education, dog owners need facilities to encourage them to retrieve their dogs' faeces. A range of options exist encompassing both Council provided and individual provided mechanisms (pooper scoopers, pooch pouch, doggy doo bags etc).

3.3a POUND MANAGEMENT

Along with the role of policing dog & cat management, comes the responsibility of the Council to care and manage facilities for impounding injured, lost or abandoned dogs & cats. An approved facility must be designed and constructed in accordance with the standards applying for dog & cat keeping facilities. Colac Otway Shire Council established a new, state of the art animal welfare facility in Rossmoyne Road, Colac West in February 2006. Council's Authorised Local Laws Officers are responsible for the appropriate care and maintenance of dogs & cats whilst under Council's care and control. Regular cleaning and maintenance is undertaken to ensure best practice standards are implemented and dogs & cats under this care are treated humanely with the health and welfare of the animal considered as the utmost importance.

The Council's Pound facility is subjected to audits by the Bureau of Animal Welfare (Department of Primary Industries).

The Colac Otway Shire Council will ensure that the facilities provided for the keeping of dogs & cats are:

- Provided with veterinary treatment where required;
- Provided with fresh clean drinking water and suitable food in accordance with relevant legislation;
- Maintained to a satisfactory standard to prevent disease transfer;
- Provide bedding and housing from the elements that is clean, dry and comfortable;
- Segregation of individual dogs & cats is undertaken for their protection, unless the specific dogs & cats are compatible (ie Litter Mates)
- Dogs & cats seized or retained by Council shall be managed in accordance with the Domestic (Feral & Nuisance) Animals Act 1994 and;
- Regular training and auditing of procedures for staff is undertaken to ensure best practice standards are maintained.

Appropriate facilities are in place for the humane impoundment and or euthanasia of stray dogs & cats found to be diseased.

Provide a reclaim procedure for owners of dogs & cats impounded by Council rangers, or delivered to the pound facility by members of the public.

3.4 DOMESTIC ANIMAL BUSINESSES

Objective:

To achieve Council's Domestic Animal Management goals we will work in partnership with the Domestic Animal Businesses.

Current/Ongoing Activities:

The Colac Otway Shire Council currently has 2 registered Domestic Animal Businesses. The Shire's programs/activities working with these businesses include:-

- Annual inspections;
- Yearly renewal of permits for the Domestic Animal Businesses; and
- Ongoing advisory service when needed.

Planned Programs and Initiatives:

- Ongoing annual inspections.
- Review the operational aspects of management of Council's pound.
- Provide for question and answer sessions when required.

3.5 DECLARED DOGS

Objective:

To minimise the risk of dangerous dogs attacking members of the community.

Background

The Colac Otway Shire Council currently has 4 declared dogs.

For a dog to be declared dangerous or menacing it would need to have been involved in an attack or harassment on a person or animal, or trained to attack a person or used on non-residential premises. Council may declare a dog dangerous or menacing. There is a specific process that a council must adhere to if declaring a dog dangerous or menacing and this is found in the Domestic (Feral & Nuisance) Animals Act 1994. There is an appeal process once a dog is declared dangerous or menacing, first through the Council and then through the Victorian Civil and Administrative Tribunal. Once a dog is declared dangerous or menacing, the owner of that animal is then required to meet certain conditions (must contain the dog/s in an enclosure of 10 square metres with a all-weather section including roof and a concrete floor, when walking the dog/s they must wear a reflective collar, a muzzle and be restrained on a leash not more than 2 metres in length) to ensure the dog is not involved in an attack/harassment again, both on and off their property.

Current/Ongoing Activities:

Programs/activities aimed at minimising the risk to the broader community from declared dangerous, restricted breed and menacing dogs include:

- Regular Street patrols;
- Evaluation of incidents and complaints with consideration to dangerous dog/menacing dog declarations;
- All Dangerous and Menacing dogs are required to be entered on a Declared Dog Data base kept by the Department of Primary Industries; and
- Ongoing yearly inspections carried out on premises of Dangerous and Menacing dogs.

Planned Programs and Initiatives:

- Actively patrol all designated areas to identify potential problem dogs.
- Ensure all declared dogs premises are audited or inspected once a year for compliance regarding security and housing.

3.6   AUTHORISED MUNICIPAL OFFICER TRAINING AND DEVELOPMENT

Objective:

To ensure that all staff involved in animal management have the knowledge and skills necessary to carry out their work.

Current/Ongoing Activities:

The Colac Otway Shire Council's current AMO Training and Development activities include:-

- Certificate IV in Local Government (Statutory Compliance);
- Certificate IV in Animal Management and Regulation ;
- Customer service training;
- Manual Handling; and
- Risk assessments.

Planned Programs and Initiatives:

- Ensure all new and current staff maintain the existing qualifications and training;
- Enhanced Animal Handling Skills Training – (Attend Certificate IV in Animal Management & Regulation training);
- Training on Court processes and procedures;
- Attend relevant designated Conference's and Seminars; and
- Attend any animal management training deemed appropriate.

3.7 CAT MANAGEMENT

Objective:

Encourage owners of cats to keep their cats on their property and take responsibility for the environmental issues associated with stray and roaming cats.

Current/Ongoing Activities:

Cat management is focused on public education combined with trapping of feral and un-owned cats within the Councils area.

Goals to be achieved in cat management should be to: -

- Protect the welfare of cats.
- Recognise the value of the cat to society.
- Reduce the predation by owned and un-owned cats on native wildlife.
- Reduce the incidence of public nuisance by uncontrolled cats.
- Reduce the transfer of disease. (Sarcosporidia and toxoplasmosis, the latter being zoonotic)

Planned Programs and Initiatives:

Council will promote responsible cat ownership in the community by -

- Conducting regular education by:
  - Provision of pamphlets and advice on cat ownership;
  - Undertaking school education programs to highlight responsible cat . management, this is carried out by the Bureau of Animal Welfare.
- Offering advice and assistance with respect to complaints or enquiries related to cat keeping;
- Micro-chipping and registration of cats within the district for identification purposes;
- Encouraging owners to ensure that their cat is de-sexed, immunized, kept free of parasites and is fed/watered and provided with adequate shelter (enclosed adventure/exercise areas) and prevented from roaming from the property resided at, at all times;
- Reducing the amount of dead matter (carrion) in paddocks.
- Talking to and educating farmers about placing dead animals into an approved pit to reduce feral animals feeding on them;
- Encourage owners to be responsible for their cats' behaviour and take positive timely action to avoid nuisance to neighbours, impacts on wildlife, and damage to property;

- Encourage night time curfews;
- Continue regular patrols;
- Coordinate door knocks and cat audits;
- Manage the Desexing scheme offered by Council; and
- Make traps available on a hire system through the Municipal Pound to the community to trap feral and un-owned cats that are causing a nuisance.

The Victorian Government will run a media campaign "Who's for cats?". A number of organisations have come together to implement this campaign, including representatives from the Animal Welfare Science Centre, Australian Veterinary Association, Cat Protection Society, Department of Primary Industries, Lort Smith Animal Hospital, Lost Dogs' Home, Monash University, Municipal Association of Victoria, RSPCA and Victorian Animal Aid.

This campaign will involve TV, radio and print advertisements, which will be aired as Community Service Announcements. The campaign is aimed at reducing the 50,000 cats that are impounded throughout Victoria and the 35,000 that are euthanased each year (at a cost of around $5 million per annum).

The campaign's aims are as follows:

- Educate the community about the consequences of feeding unowned cats, and the impact it is having on the cat overpopulation problem.
- Ask people to make a decision – to be a responsible owner and take the cat in for euthanasia.
- Short term – increase cat ownership in Victoria, and increase the number of stray cats being handed to council pounds or shelters thus removing them from the streets.
- Long term – increase cat ownership in Victoria, reduce the number of unowned cats in Victoria, and reduce the number of cats having to be euthanaised in pounds and shelter.

4.0   PERFORMANCE MONITORING AND EVALUATION

4.1   OUR PERFORMANCE MONITORING AND EVALUATION PROCESS

Council's animal management officers are appraised each year by the Coordinator of the Local Laws Department on their abilities and performance over the past year.

4.2   KEY PERFORMANCE INDICATORS

The strategic development of the Local Laws Unit is evaluated through a process of continuous improvement and benchmarking with comparisons against similar organisations. The unit is assessed by using the following criteria in the table below.

KPIs: (indicative)	Target	Current
Dog Registration rate: (% Dogs registered/estimated dog population*)	70%	58%
Cat Registration rate: (% cats registered/estimated cat population**)	55%	40%

Enforcement Success Rate: (% successful prosecutions/total prosecutions)	100%	N/A
Dog Complaints: (Number of dog complaints per 1,000 population)	< 30	34
Cat Complaints: (Number of cat complaints per 1,000 population)	< 30	34
Dog Reclaim Rate: (% total dogs reclaimed/total dogs impounded	85%	75%
Dog Re-housing Rate: (% total dogs re-housed/total dogs impounded)	15%	9%
Cat Re-housing Rate: (% total cats re-housed/total cats impounded)	20%	10%
Cat Reclaim Rate: (% total cats reclaimed/total cats impounded)	80%	12%
Cat Euthanasia Rate: (%total cats euthanized/total cats impounded)	< 60%	78%
Dog Euthanasia Rate: (%total dogs euthanized/total dogs impounded)	< 10%	16%
Declared dog Compliance Rates: (Number declared/number compliant/number of audits)	100%	100%
Domestic Animal Business Compliance Rates: (Number registered/number compliant/number of audits)	100%	100%

4.3   REVIEW

An annual internal review will be conducted into this D.A.M.P (Domestic Animal Management Plan) in September each year to ensure that the plan remains current and addresses the community requirements. This review will be conducted internally by the Local Laws Department.

The outcomes from the review process will be reported in publications such as the Council Annual Report and the Community News. The D.AM.PI will undergo a complete review including a public consultation period, after three years.

5.0   OTHER SPECIES

The keeping of other species of animals should not impair the health, amenity and living standards of the community and should be located so as to minimise any adverse impacts on the natural and existing environment.

Most Local Government Authorities located in rural areas face issues relating to the keeping of poultry and other species. Animal owners are required to keep animals in such a way as not to cause a nuisance or a hazard to other people's general peace and well being. Council supports the idea of a risk assessment for owners of such animals as pigs, goats and deer in relation to safe distances from biodiversity reserves and areas of significant vegetation, and making sure that they are kept within a secure area, considered to be of a 'safe nature'. Council's Local Laws

provide powers to issue orders on animals owners where the animals are a nuisance or safety concern for the community. Specific matters pertaining to Other Species, identifying animals, feral animals, protected animals, poultry, vermin, fish and ungulates are identified in this plan.

Identification:

Council supports the view that all animals should carry some form of identification where practical to enable their safe return to owners and provide identification in enforcement situations. Specific forms of identification seen as desirable are branding, tagging, tattooing or micro-chipping. A district register should be maintained on all species (e.g. national identification of cattle) to provide Council with a source of animal ownership.

Feral animals:

Feral animals are referred to as introduced domesticated animals that have reverted to a wild state. Council recognises that populations of introduced animals can affect natural ecosystems, endanger natural plant and animal species, jeopardise agricultural production and can harbour pests and diseases. Any measures taken to reduce populations of feral animals must require the same level of consideration for their welfare as that given to domestic and native animals.

Protected Native Animals:

It is against the law to remove Native Animals from the wild, unless the animal requires rescuing due to it being orphaned, sick or injured. Council believes that Native animals removed from the wild should not be kept as pets unless the animals are clearly identified as being suitable for this purpose.

Native Wildlife that is rescued by reason of sickness, injury or maternal/parental loss should be promptly assessed (preferably by a veterinarian) and where the animal is found to be suffering significant pain or distress consideration should be given to its future. Where rehabilitation / release is likely and the animal will remain in your possession, a rescue permit must be obtained from Department of Sustainability and Environment. If the animal will not be released the animal should be identified and de-sexed (where appropriate) and housed in a suitable environment. *The Department of Sustainability and Environment is responsible for any stray or wandering wild life, they should be the first point of call for any wild life queries.*

Poultry and other birds:

Owners are required to keep poultry and other birds in such a way as to not allow their escape or cause a nuisance or a hazard to the community. Council's Local Laws give Council the power to issue an order or orders to require animal or bird owners to rectify a nuisance or hazard caused by poultry and / or other birds.

Owners who keep poultry and other birds also have responsibilities under the Health Act and the Environment Protection Act to ensure the property is to be kept in a clean and sanitary condition.

Ungulates (hoofed animals):

Animal owners are required to keep animals in such a way as not to cause a nuisance or a hazard. Council's Local Laws provide the power to issue orders to abate a nuisance or hazard caused by animals. Animals kept in the district solely for the domestic needs, or the enjoyment of the occupants of a dwelling, for farming and commercial needs have a responsibility to the community to ensure they do not become a nuisance or danger to the public.

Owners who keep animals also have responsibilities under the Health Act and the Environment Protection Act to ensure the property is kept in a clean and sanitary condition. Council supports the idea of all ungulates having some form of identification to aid in returning to owners.

Strategy:

Council will promote responsible animal ownership in the community through:-

- Provision of pamphlets and advice on animal ownership.
- Advice and assistance with respect to complaints or enquiries related to animal keeping.
- Supporting the need for the identification of animals within the district.
- Encouraging owners to ensure that their animals are managed, immunised, kept free of parasites and are fed, watered and provided with adequate shelter.
- Encouraging owners to be responsible for their animal's behaviour and take positive timely action to avoid nuisance to neighbours, impacts on wildlife and damage to property.
- Encouraging owners to do regular checks of all fencing that contains ungulates to ensure continual successful containment.
- Enforcement, prosecution and impounding where necessary.

APPENDIX A - ACTION PLAN

Objective:

To ensure that all staff involved in animal management have the knowledge and skills necessary to carry out their duties.

(NB: This Action Plan is linked to planned actions/initiatives in section 3.1 of this Plan Template)

Initiative	Description		Officer	Due Date:	
3.6.1　Initiative 1: Staff training for AMO's	3.6.1.1	Attend Bureau of Animal Welfare Regional Training Seminars	AMO	T.B.A	
	3.6.1.2	AMO to attend training in dealing with difficult customers.	AMO	Comp.	Comp
	3.6.1.3	Identify potential training providers for manual handling of animals.	L/L Co-ord.	July 08	Comp
	3.6.1.4	All AMO's to attend manual handling of animals training.	AMO	Feb 09	
3.6.2 Initiative 2: Conduct Animal Management Officer Training/Skills audit	3.6.2.1	Discuss approach with HR		Nov 08	
	3.6.2.2	Document all training undertaken in past two years (what, where and who).	HR	Dec 08	
	3.6.2.3	Obtain details of training programs from neighbouring councils.	AMO	Dec 08	
	3.6.2.4	Contact MAV or LG Pro for information of industry standards, Training, skills, procedures, etc.	L/L Co-ord.	Dec 08	

IN COMMITTEE

Recommendation

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

SUBJECT	*REASON*	*SECTION OF ACT*
Road Management Matter	*Matter may prejudice Council or any person*	*Section 89(2)(h)*
Waste Management Issue	*Contractual Matter*	*Section 89(2)(d)*