



Colac Otway  
SHIRE

**AGENDA**

ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL

19 DECEMBER 2012

at 3:00 PM

COPACC, Gellibrand Street Colac

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

# COLAC-OTWAY SHIRE COUNCIL MEETING

19 DECEMBER 2012

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NOTICE is hereby given that the next *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC, Gellibrand Street Colac on 19 December 2012 at 3.00 pm.

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## **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 acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

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

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

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

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Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time),
2. Questions from the floor.

5. QUESTION TIME

6. DECLARATION OF INTEREST

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 28/11/12.

**Recommendation**

***That Council confirm the above minutes.***

## OFFICERS' REPORTS

### Chief Executive Officer

- OM121912-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM121912-2 COUNCILLOR SUPPORT POLICY
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- OM121912-4 COUNCILLOR AND MAYORAL ALLOWANCES

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### Sustainable Planning and Development

- OM121912-15 ACID SULFATE SOILS AND BOUNDARY CREEK
- OM121912-16 LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER

### General Business

- OM121912-17 ASSEMBLY OF COUNCILLORS
- OM121912-18 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

**Rob Small**  
**Chief Executive Officer**



**CHIEF EXECUTIVE OFFICER**

<b>ITEM</b>	
<b>OM121912-1</b>	<b>CEO'S PROGRESS REPORT TO COUNCIL</b>
<b>OM121912-2</b>	<b>COUNCILLOR SUPPORT POLICY</b>
<b>OM121912-3</b>	<b>COUNCILLOR CODE OF CONDUCT</b>
<b>OM121912-4</b>	<b>COUNCILLOR AND MAYORAL ALLOWANCES</b>





OM121912-1

**CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/3291

**EXECUTIVE****G21 Regional Alliance****G21 Board Meeting**

The Mayor and CEO hosted a meeting of the G21 Board in Colac on 30 November 2012. At the first meeting of the new Board, agenda items included:

- G21 2012 Marketing & Communications Report / Stakeholder Survey Report
- G21 2013 Marketing & Communications Plan and Engagement Strategy
- G21 Office Relocation to 131 Myers Street
- G21 2013 Canberra Delegation
- G21 2013 Stakeholder Forum
- G21 Board Directors' and Officers' Liability Insurance
- G21 Board Meeting Schedule 2013
- Barwon South West Regional Development Australia update
- Barwon South West Regional Management Forum update
- G21 Pillar updates.

At that meeting, the independent member, Mr Ed Coppe, was elected chair of G21 with the Mayor of City of Greater Geelong, Mr Keith Fagg, elected Deputy Chair.

**G21 Sport & Recreation Meeting**

The CEO chaired a meeting of the G21 Sport and Recreation Pillar on 13 December 2012 in Torquay. Discussion included:

- ClubHelp presentation
- Regional Tennis Strategy Update
- Physical Activity Strategy
- Asia Cup (Soccer) 2015.

**Great South Coast Group**

The Mayor and CEO attended a meeting of the Great South Coast Board meeting in Warrnambool on 14 December 2012.

Earlier that day, the CEO chaired a meeting of the South West Sustainability Partnership Group. This is the partnership that has negotiated a substantial subsidy for all Great south Coast Councils to install low energy street lighting over the next two to three years.

**Fonterra Forum**

Member for Corangamite, Darren Cheeseman MP, coordinated a meeting in Colac on 14 December 2012. Fonterra, the Council and State and Federal employment agencies were invited to the forum which discussed the closure of the Fonterra Cororooke plant and plans for the future employment of affected staff. Major employers will be invited to a future forum to discuss employments options within the Colac and district area.

**Electric Line Clearance Consultative Committee**

The CEO has been appointed by the Minister of Energy Resources and the Minister for the Environment to this panel for a term of three years. This will provide the CEO with the opportunity to advocate for a more sensible line clearing regime.

**CORPORATE & COMMUNITY SERVICES****Corangamite Regional Library Corporation (CRLC)**

The Board of CRLC met on 29 November 2012 in Terang:

- Cr Stephen Hart was elected Chairperson of the Board.
- Following the recent local government elections the Board has 2 new members: Cr Ralph Leutton (Moynes) and Cr Kylie Gaston (Warrnambool).
- Following a part payment of the Corporation's Defined Benefits shortfall the remaining liability is \$177,387. The original liability for the Corporation was \$377,387.
- The 2011/12 CRLC Annual Report was received and contents noted.

**HEALTH & COMMUNITY SERVICES****Maternal & Child Health**

Colac Otway Shire has experienced its second highest number of birth notifications for the Calendar year with 31 in November 2012, 6 births less than our highest in April 2012 which had 37. We have also experienced an increase of women having Caesarean Sections this month which impacts on our home visiting capacity as we offer home visits for the first month for women who have had a Caesarean birth and are unable to drive.

The beginning of the hot weather is a reminder to staff to discuss with families the importance of having a fire plan and in particular the care of young children and the aged in hot weather.

**Statistics – November 2012**

Number of infants enrolled from birth notifications 31  
First Time mothers 9

**Key Ages and Stages Consultations**

<b>Home visits</b>	26	<b>8mths</b>	11
<b>2wks</b>	21	<b>12mths</b>	27
<b>4wks</b>	12	<b>18mths</b>	19
<b>8wks</b>	7	<b>2yrs</b>	12
<b>4mths</b>	12	<b>3.5yrs</b>	23

Other services provided include:

- 103 Additional consultations
- 49 Phone consultations
- 13 Opportunistic immunisations
- 28 Referrals (Almost 90% of maternal referrals were for Maternal Emotional Health)
- 96 Counselling sessions (Over 50% of children's counselling were around altered nutrition)
- 4 sessions in Colac and 3 in Apollo Bay New Parents Groups
- 37 Families currently enrolled under Enhanced Home Visiting service (Vulnerable and at risk families)
- 11 consultations which identified particular needs.

### **Children & Family Services**

Family Day Care has two new Educators who will commence their duties in the New Year. Family Day Care has a waiting list at the moment, and the unit is hoping that the increase in the hours that the new Educators will be working will assist with providing services for those families on the list.

It is with fondness we say goodbye to two Educators. Helen Meade is retiring after 26 years of dedicated service and Kerry Reynolds is going to further her education after 17 dedicated years of service. These Educators have provided great service to the Community, looking after many families and their children over the years.

The Educators have their final training for 2012 with Carolyn Fewster this month. Carolyn is an early Childhood Education Consultant who works with many Children's Services throughout Australia.

Carolyn has trained our Educators in planning and documentation so that they are up to date with all the requirements to meet the National Quality Standards.

Over the last 12 months the Educators have completed 19 training sessions which have included:

- Introduction to the 7 Quality Areas of the program
- Planning and Designing a philosophy for our Service
- Design of Indoor and Outdoor Play spaces
- Learning Stories and Observations of Children
- Review of the New Colac Otway Shire Family Day Care Policy Manual
- CPR updates
- Behavior Management Training
- Autism Training with Gateways
- Anaphylaxis Training
- Safety Management Training.

Our Family and Children's Services unit has supported the Council's Maternal Child and Health unit with their Playgroup sessions. We have provided parents with information about services provided in the Community, which include childcare. Parents are given a pack with valuable information including our Colac Otway Early Year's Directory and fact sheets on childcare and Centrelink assistance. There has also been conversations including home safety, identifying hidden dangers and safety barriers.

The Unit is working with Glastonbury around cluster management issues and universal kindergarten access. Meetings are also being held with the South West Local Learning and Employment Network and an Aboriginal Culture Awareness Leader to develop a project to make an Aboriginal educational and resource kit for the local kindergartens and Early Years sectors to reference.

### **Environmental Health**

#### **Health Education Activities**

Of a total of 367 food premises, 64 inspections were carried out in November 2012.

- 37 inspections of selling points for tobacco were carried out to ensure legislative requirements are being met
- 14 prescribed accommodation premises were inspected
- 2 Caravan parks were inspected

- 16 septic tank inspections were carried out with 5 permits to install and 3 permits to use being issued
- 2 food recalls were received
- 1 complaint was investigated in relation to bees nesting in a house
- 4 events were inspected including the Opera in the Otways, Farmers Market in Apollo Bay, Foreshore Market in Apollo Bay, and Lion's Market in Colac
- Staff attended a Barwon South West Environmental Health Australia meeting, "Streattrader" training for the registration of temporary food premises and a meeting with the Licensing Enforcement Committee in Geelong.

### **Older Persons & Ability Support Services (OPASS)**

Our Older Persons & Ability Support Service (OPASS) has undergone concurrent assessment processes which were conducted on December 4, 2012 by officers from the Australian Government Department of Health and Ageing. They were assessing our systems around Community Aged Care Packages (CACP's) for high needs services users. On the same day staff from Australian Healthcare Associates, which has been contracted by the Victorian Government Department of Human Services, assessed our systems around Home and Community Care (HACC) services.

Our systems, services, documentation, processes, policies and security were all considered in the assessments. These were verified and validated by conversations with all levels of staff within our OPASS team as well as survey results provided by 41 service users.

The initial findings and recommendations from the assessment by both levels of government were very positive. We will be responding in writing to recommendations made by both governments once received.

An especially positive level of feedback was received from the randomly surveyed service users which were selected by the assessment teams. Our reliability is unquestionable, we are scoring well in many facets of our regular services and are moving well towards implementing new services and planning processes recently introduced by both governments.

The Unit is very pleased with the results and will build on what we are doing well and review what needs further refinement.

Congratulations are extended to all staff that have been involved in this assessment process which has taken many months to successfully complete.

### **Rural Access**

#### **International Day of People with Disability Celebrations Activities**

December 3, 2012 was the 20<sup>th</sup> anniversary of International Day of People with a Disability, a day that aims to promote an understanding of people with a disability and encourage support for their dignity, rights and well-being.

To celebrate, Colac Otway Shire along with the Colac Disability Network put together a week long schedule of activities which included an art exhibition, walk and ride by the lake, come and try sports day, a family fun day, Auslan storytime and a dance.

Colac Otway Shire Council hosted a family fun day for one and all in the Memorial Square to celebrate the diversity of our community.

The crowd were entertained by Thumbs Up, Jarvis Brown and Rat vs Rabbit and were amazed by Dazzling Dan the Magic Man.

Wheelchair Rugby Paralympic Gold Medallist Josh Hose was a guest speaker. Josh inspired the crowd with his story and answered a number of questions put forward by those who attended. Afterwards Josh chatted and posed for photos with his gold medal.

Despite the cold weather, the afternoon was a great opportunity for the community to come together and have some fun.

Colac Community Library and Learning Centre's usual story time on Friday 7 December, 2012 turned into Auslan Storytime to mark the special occasion. Auslan is Australian Sign Language and children and parents enjoyed signing to stories and songs.

The week was capped off with the annual celebration dance on Friday night at COPACC. This year the dance was organised and hosted by people with a disability. All those who attended had a great night dancing the night away.

## **RECREATION ARTS AND CULTURE**

### **EVENTS**

#### **Forrest 2 Day Mountain Bike Festival (1 and 2 December 2012)**

Two hundred and sixty riders descended on the small town of Forrest for the second 2 day Forrest Mountain Bike Festival. The event consisted of rides of different types throughout the trails. There was a 4 stage event of which Stages 1, 2 and 3 were held on Saturday, 1 December with Stage 4 on Sunday, 2 December. Riders enjoyed the camping facilities and music on the Saturday night.

#### **Xmas Toy Appeal by Ulysses Club Inc (8 December 2012)**

The annual Xmas Toy Appeal was carried out on Saturday 8 December 2012 from 10.00 am to 12 midday and then Club members converged on Memorial Square. Collection boxes had been placed in the foyer of Colac Otway Shire and other businesses in the township to collect the toys and enable the public to donate funds on the day. The toys were then distributed by the Salvation Army and St Vincent De Paul to local families in need over the Christmas period.

#### **Carols by Candlelight (14 December 2012)**

Community groups joined together for the return of Carols by Candlelight to Memorial Square. The Colac City Band celebrated their 66<sup>th</sup> year of participating in this event ably supported by Community Hub Inc. The Colac Otway Shire community enjoyed a traditional family event beginning with a market, followed by free activities for the children such as Christmas tree decorations, free face painting and air castle. Santa arrived at 6 pm with free Santa bags. Well known local, Jamie McGuane acted as MC encouraging those who attended to join in the traditional singing.

#### **Upcoming Events**

Events which will be held throughout the Colac Otway Shire in January 2013 include the Custom Car and Bike Show in Colac (19 January) and Australia Day Celebrations in Apollo Bay (26 January).

## **RECREATION**

### **Central Reserve Oval Redevelopment**

The Central Reserve Oval Redevelopment is continuing to track well according to proposed time frames. Irrigation and sub surface drainage has been successfully completed. Council's

contractor Pitchcraft has undertaken the installation of the new 250mm sand base during early December. Sprigging of Santa Ana Couch commenced mid December with the planting of additional couch to obtain a superior result.

### **Regional Development Australia Fund (RDAF) – Round 4 Expression of Interest**

Council has submitted an Expression of Interest to the RDAF for the redevelopment of Central reserve. This project, subject to a successful funding application, will include:

- Grandstand redevelopment incorporating change rooms and gymnasium
- Competition lighting for football and netball
- Extension of netball courts
- Digital scoreboard
- Entrance upgrade including “Legends Plaza”
- Landscaping and signage

This fund supports regional infrastructure projects.

### **Playground Audits**

Council’s 24 playgrounds were audited mid November 2012 by Ray Hutchinson & Associates. This assessment is carried out twice a year to ensure maintenance tasks are identified for attention and changes and upgrades to compliance and Australian Standards are highlighted.

### **Active Transport Strategy and Plan**

Council’s appointed consultant’s GHD coordinated three “Talk shops” as part of the community consultation for this project. “Talk shops” were successfully held in Colac, Birregurra and Apollo Bay throughout December 2012 encouraging community ideas on how we can create an environment that is both physically and socially supportive of walking and cycling. The Active Transport Strategy Facebook page has attracted significant positive comments and has proven to be an effective tool to gather community feedback. An Issues and Opportunities paper will be developed based on an analysis and review of existing Council documents, site visits, community consultation and other research.

### **Elliminyt Play Space**

Work on Colac’s newest playground – the Elliminyt Play Space has been delayed until January 2013. While playground construction was originally set to begin by late November, it is now planned to begin on 7 January 2013 and completed by the end of that month.

Delays came after scheduling problems arose with the preferred Council contractor on the project.

The playground design incorporates a wide range of works from excavation and drainage through to play equipment installation, concrete edging and gravel paths. Landscaping and planting are planned to be undertaken after summer to ensure optimal growth.

### **COPACC**

The Centre’s performing arts season is expected to end on a high note with sell-out shows for The Three Pairs, a contemporary pop/rock/folk/blues night on December 8 2012, and another sell-out for the Morning Music Season’s Denis Walter Christmas Concert on December 21.

Business Events for December 2012 are on par with December in 2011 with 42 events booked, which are likely to attract 1,500 people.

COPACC is busily preparing for the launch of its 2013 Education Season, Morning Music Season, and Subscription Season.

## **BLUEWATER FITNESS CENTRE**

### **Centre Visits**

There were 4,191 membership visits and 1,519 casual visits to the centre during the month of November 2012 excluding learn to swim programming and venue hirers such as the Colac Basketball Association. This is slightly down on the 4,308 visits and 1,605 casual entries during October 2012.

The average monthly membership number for Bluewater was 1,027. The membership numbers have increased to back over 1,000 due to the "Colac Goes Off" sale day during October 2012. So far 7 of the 54 new members have signed up onto an ongoing membership.

### **School Swimming Program**

Term 4 has seen many schools undertake their school swimming program at Bluewater Fitness Centre. Up until the first week of December 2012 there has been school swimming programs for ten of the regions schools which include: Sacred Heart Primary School, Alvie Consolidated State School, Hampden Specialist School, Colac Primary School, Beeac Primary School, St. Brendan's Primary School, Simpson Primary School and Colac Specialist School. Colac Secondary College has also been conducting a Bronze training program and Trinity College has been conducting its Peak Fitness triathlon training program during term 4.

Group fitness programming has been very strong of late with a total participation of 931 for the month of November 2012 and an average of just over 10 participants per class. Water Moves has been the strongest program with an average of 24 people attending Water Moves classes during November.

### **Gymnasium and Fitness**

The gymnasium staff have undertaken 171 client bookings during the month of November which consists of fitness assessments and new programs. This well exceeds our target of 120 bookings per month and is the highest number of bookings we have undertaken.

Bluewater's first boot camp which started on October 22, 2012 has now finished. Forty people completed the 6 week program which concluded on 1 December 2012 with a presentation breakfast at Cafe nu Deli. The results were fantastic and the feedback has been great with many people asking when the next boot camp will start. The facilitators did a great job delivering the program. Planning has commenced for the next round of Bluewater boot camp to start on February 11, 2013.

Bluewater's Face book page will go live during January 2013.

## **INFRASTRUCTURE & SERVICES**

### **CAPITAL WORKS UNIT**

#### **Old Beechy Rail Trail**

##### *Colac Railway Station section*

Invitations to Tender for the construction of this section of trail is planned to be advertised from mid January to early February 2013. Thereafter site works should occur late February

through to March 2013. Documentation is presently being finalised to allow this. Some additional approvals from VicTrack and V/Line are currently being sought, so as to clear the way for the contractor when selected.

#### *Dinmont to Ditchley section*

An initial inspection has been completed to assess the extent of vegetation removal that is expected for the construction of the trail through the gully section in order to complete the vegetation assessment reports required for permit approvals. Tender documentation is being finalised in order to invite tenders in January 2013.

#### *Beech Forest to Ferguson section*

A site inspection has been carried out with VicRoads officers to review the alignment in order to gain support prior to lodgement for approval. Document preparation continues, with a view to inviting tenders for construction in January 2013, with works anticipated to commence by the end of February 2013.

### **Project Development and Design**

Project detailed design and development is currently being completed for a number of projects. These include:

- the detailed design and survey for the Beeac Tennis Court Reconstruction project
- survey investigation for a number of drainage projects along the Coast including outfall drainage at Kennett River and Separation Creek
- drainage survey investigations along Weering School Road, which is aimed to assess drainage improvement requirements to be done during the reconstruction of the road.

Project scoping and investigation, including survey and draft detailed design is also commencing for Capital projects identified in the 10 year Capital Works and Major Projects program as part of the development of the three (3) year forward design program. Project investigations are being completed for road reconstruction works and drainage improvement works.

### **Road Safety Strategy**

Council's Road Safety Strategy, which was prepared in 2009 in conjunction with Corangamite Shire, is programmed for review this financial year. The initial review is underway with officers liaising with Corangamite Shire to determine if a joint strategy is to be completed. As part of the review, the community will be invited to provide feedback on the strategy.

## **SUSTAINABLE ASSETS**

### **Routine Road and Footpath Inspections**

The following is a summary of the routine road and footpath network inspections completed for the month of November 2012:

<p><i>Footpath inspection Area 1 &amp; 2 in Colac</i></p>	<p>These areas include the footpaths north of Murray Street, between Church Street and Bilson Street. Movement in sections of footpath were noted during inspections of the footpath network in these areas. This is largely due to seasonal ground movement and root intrusion from nearby trees. Any raised sections that do not meet Council's maintenance criteria will be either ground off or have a premix wedge applied to ensure that pedestrian safety is maintained, and programmed for repair by the Cosworks</p>
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	<p>maintenance crew. Other maintenance issues noted related to overhanging trees including both nature strip trees and trees located on private property. Trimming of overhanging street trees will be programmed for completion by the Cosworks maintenance crew. Notices have been issued to private property owners where vegetation is noted as overhanging the property boundary. These types of issues are reported to Council's Local Laws department for further follow up.</p>
<p><i>Footpath Renewal Programme for 2012/13</i></p>	<p>The footpath renewal program is well underway with works in Hesse Street, Fyans Street, Gellibrand Street, Gravesend Street, Queen Street, Wilson Street, Hart Street, Garrett Street, and Wheal Street all recently completed by Council's contractors.</p> <p>Further works will commence prior to the Christmas break. This will include replacement of sections of footpath along Strachan Street Birregurra, Jillian Road, Scenic Drive, Nelson Street and Great Ocean Road in Apollo Bay. Kerb and channel renewal works will also be undertaken in Hardy Street Apollo Bay.</p>

#### **Building and Community Facility Maintenance and Renewal**

<p><i>Birregurra Park Public Toilets</i></p>	<p>The structure has been completed with connection of mains power to the building the only remaining item required to finalise the project. The toilets were commissioned for use in early December 2012.</p>
<p><i>Christmas Decorations</i></p>	<p>The banners and decorations were erected by Cosworks during the week ending 23 November 2012.</p> <p>Council's contractor commenced the repair and replacement of the budlights on the trees in the central median along Murray Street during the week ending 30 November 2012. Due to ongoing damage to the bud lights and the unavailability of the 24 volt incandescent bud lighting previously used, much of the lighting has been upgraded and replaced with LED lights.</p>
<p><i>Hesse Street Comfort Station</i></p>	<p>Following community concerns in relation to poor ventilation in the Hesse Street facilities, extraction fans have been installed.</p>
<p><i>Lake Foreshore Toilets</i></p>	<p>Council's painting contractor has completed the interior and exterior painting of the toilets.</p>
<p><i>Beeac Tennis Club</i></p>	<p>The tennis club has suffered two (2) graffiti attacks recently. The first was on or around the 13 November 2012 and the second was sometime over 28/29 November 2012. Following report of these incidents to Council officers the offending graffiti was removed promptly by Colac Cleaning on both occasions.</p>
<p><i>Beeac Toilets</i></p>	<p>The toilets were also the target of a graffiti attack on or around 13 November 2012, the graffiti has been successfully removed. The graffiti attacks to both the Tennis Club and Toilets were reported to Colac Police.</p>

<i>Rae Street Office Redevelopment</i>	Works continue on the refurbishment of the Rae Street offices. The first stage of works involving renovations to the first floor are completed. The handover occurring mid December 2012.
<i>Apollo Bay Library Extension</i>	Extensions to the Apollo Bay Library and Otway Health Community House are progressing well. There have been some minor delays due to the documentation of the roof redesign. This has been resolved and it is anticipated that the roof framing will be erected prior to the end of December 2012.

### **COSWORKS**

Works undertaken by Cosworks during the past month are as follows:

#### **Minor Patching**

Minor patching works were undertaken in all sections of the Shire. An increased effort was undertaken in sealed road repairs to keep up with potholes and edge breaks.

#### **Storm Damage**

Over the past month there has been widespread strong wind damage resulting in fallen, hanging and dangerous trees throughout the Otways and coastal areas. This is consistent with damage caused in previous years at this time.

#### **Bridge Maintenance**

Herbicide spraying around approaches to bridges in Johanna, Barham River, Forrest, Barwon Downs and Murroon areas. Repairs to the retaining walls on Hugh Murray Reserve were also completed.

#### **Road Regrading**

Road regrading is ongoing, but due to dry conditions this has been reduced to prevent the unravelling of the gravel road network.

#### **Gravel Road Re-sheeting**

Gravel road re-sheeting works were undertaken on Yeo –Yeodene Road. The total length of resheeting works completed this month was approximately 3km.

#### **Routine Drainage Works**

Routine Drainage works were completed in the last month in Wye River, Kennett River, Separation Creek, Apollo Bay and Marengo townships. Also works have been undertaken in the areas of Lower Gellibrand, Devondale, Kawarren and Forrest.

#### **Sport Ovals**

Mowing of the ovals continues as per program.

#### **Tree Maintenance**

Tree maintenance works were completed at Beeac township, Colac, Irrewillipe, Yeodene, Benwerrin–Mt Sabine Road, Harrington Park and Birregurra Yeodene Road. Colac township works continue on trimming street trees including those trees located under overhead powerlines.

#### **Tree Removal**

Dangerous trees were removed in Gellibrand and Beech Forest townships, Murray Street, Central Reserve, Hugh Murray Reserve and Armstrong Street. Where appropriate tree stumps were also ground off.

**Township Mowing**

Township mowing continues in accordance with the mowing program around Apollo Bay, Marengo, Apollo Bay Airfield, Gellibrand, Lavers Hill, Kawarren, Carlisle River, Beech Forest, Forrest, Barwon Downs, Loves Creek, Colac, Beeac, Birregurra and Cressy.

**Reach Arm Mowing**

Work has been occurring on Frys Road, Railway Road, Old Beechy Rail Trail, Campiglis Road, Carlisle Gellibrand Road, Lyness Road, Moomoowrong Road, Devondale Road, Kents Road and Kawarren East Road.

**Old Beechy Rail Trail**

Sign installation works have been undertaken along the Old Beechy Rail Trail.

**Landslip Repairs**

Repairs to damaged landslip on Killala Road were required due to a large tree falling on the retaining wall structure. Repairs have also begun on the landslip on Barham River Road next to the landslip repair from last year. It is anticipated that the works will be completed by late December 2012.

**Major Drainage Works**

Works have been completed on Otway Avenue, Potters Road, Ondit – Warrion Road, Corangamite Lake Road, Carpendeit – Bungador Road, Colac Lorne Road and Lidgerwoods Road.

**Roadside Slashing**

Roadside slashing was completed in Apollo Bay, Marengo, Irrewillipe, Bungador, Larpent, Cororooke, Alvie, Beeac, Cressy, Irrewarra, Warncourt, Birregurra and Colac areas.

**Reseal Aggregate**

Reseal aggregate is being delivered to stack sites in preparation for Annual Reseal program which is now 85% complete.

**Memorial Square**

Three (3) Elm trees have been removed and stumps ground down as per the Arborists report.

**Botanic Gardens**

During the last month, annuals were planted in the Botanic Gardens.

**Capital Works**

1.7km of Warrowie Road rehabilitation / overlay works have been completed. The clean up of the verges and the final clean up is still to be completed.

1.2km of Cape Otway Road rehabilitation /overlay works have commenced and it is anticipated that the works will be completed by late December 2012.

**MAJOR CONTRACTS/WASTE UNIT****Managing the Landfill Audit Process – Training Workshop**

A two day training workshop was organised by the Environmental Protection Authority (EPA) on 29 and 30 November 2012. The topic was “Managing the Landfill Audit Process – Getting it Right”. The purpose of the workshop was to advise the stakeholders of the EPA’s legislation on:

- the management of landfill sites
- the works approval and licensing process involved

- the licensing requirements for the creation of new cells or creating new landfill sites
- the financial assurance requirements for rehabilitation for landfill sites
- the process of seeking variations to the approved licence and
- aspects such as landfill gas, groundwater and leachate monitoring.

The EPA was conducive to any suggestions in order to bring about improvements in current work practices. The representatives from Colac Otway Shire were the Manager Major Contracts and the Waste Management Officer. The following suggestions were made to the EPA by Colac Otway Shire:

- The workshop focused more on the active landfill sites. However there is a need to pay greater attention to the rehabilitation and ongoing monitoring requirements of the closed landfill sites.
- There is a need for setting rehabilitation standards for small rural landfill sites that have been closed more than 10 years. It is felt that because of decomposition of waste over the past 10 years or so there will be decreased risk of leachate and landfill gas emissions.
- It was suggested that the EPA forms a panel to oversee the recommendations of landfill auditors and provide expert advice if requested by the Council. This has been a significant failure of EPA officers in recent years.
- The EPA could do more for controlling the fee charged by the landfill auditors and explore ways for minimising the cost of landfill auditing in general. This is a significant impost on small rural Councils.
- The EPA agreed to explore the possibility of training local government staff on developing the ability to undertake their own risk assessment and monitoring thereby decreasing the associated costs.
- It was suggested the EPA responds to the audit/monitoring reports submitted by the Councils and address the issues/recommendations raised by the auditors. This is normal practice for other audit processes by State Government agencies.

### **Funding application for Colac Municipal Aerodrome Business Planning**

A funding application has been prepared for lodgement with Regional Development Victoria (RDV) under the Putting Locals First Program (FLFP) for the Colac Aerodrome Business Plan. The plan is to focus on future upgrade works with consideration being towards improved passenger and freight transport, land planning issues, connectivity of Colac with surrounding regional towns, economic opportunities and tourism and employment growth opportunities within the region. It will also focus on connectivity with Avalon Airport Geelong, the Princes Highway and the rail network. There has been a strong demand for this funding application by the Airfield Committee of Management in order to focus on the following key areas:

- Develop a best practice business model for the ongoing management of the aerodrome.
- Possible use of the aerodrome in the event of a fire or emergency scenario.
- Increase usage for agricultural related activities.
- Providing convenient schedules and services to professionals and business people who wish to visit the region.
- Preparation of a self sustainable business model for aerodrome operations.
- Improvement of access roads to the aerodrome including better directional signage and promotion for increased use.
- Addressing the demand for the runway extension and land acquisition issues for future hangar sites.

- Extension of the aircraft parking area and the visitor car parking area.
- Addressing of the storm water drainage problem.

The business planning process will be completed with the assistance of the Aerodrome Committee of Management and other user groups and stakeholders. The process will be completed in the 2013/14 financial year if funds are made available. Once completed the business plan will provide further direction with regard to the upgrade works to be undertaken in the order of priority.

The total project grant is \$40,000 of which Council is required to contribute \$5,000 from its operation budget.

### **Apollo Bay Airfield Licence Agreement**

The DSE has been sent a copy of Council's resolution from the 28 November 2012 Council meeting supporting the longer term Licence Agreement for the two (2) aviation businesses operating from the Apollo Bay Airfield in order to provide greater confidence and surety for ongoing business operations. If written approval is obtained from the DSE office, the two (2) Licence Agreement documents will be signed by Council's Chief Executive Officer and forwarded to DSE office for countersigning and finalising the agreements. DSE have asked for further information before they can enter into any agreement.

### **Tenders**

Tenders opened since the last reporting period:

- 1248 – Supply & Deliver Backhoe/Loader
- 1249 – Supply & Deliver Reach Arm Mower

Major Quotations opened since the last reporting period:

- Q2012/13-04 – Annual Weed Management Program

Tenders awarded since the last reporting period:

- 1242 – Linemarking Services – to Supalux Pty Ltd
- 1243 – Supply & Deliver 3-Tonne Tip Truck – Apollo Bay Harbour – to Winter & Taylor
- 1244 – Supply & Deliver Out-Front Mower – to GSW Grounds Care
- 1246 – Supply & Deliver 5-Metre Truck – to Winter & Taylor

Tenders advertised since the last reporting period:

- 1256 – Gellibrand Netball Court Construction which closed 16 November 2012

### **Subdivision Works**

The following table shows the current status of various subdivisional works which will be handed over to Council when completion is approved:

<b>Subdivision</b>	<b>Status</b>
Apollo Bay Industrial Estate Stage (19 Lots)	A certificate of compliance has been issued and outstanding works guaranteed with a security bond applying. Fill to some of the lots is continuing with surface drainage, landscaping and some ancillary works yet to be completed.
202A Pound Road Stage 1 (13 Lots)	A certificate of compliance is expected to be issued following approvals from the referral authorities.
202A Pound Road Stage 2 (13 Lots)	Work is expected to commence in early 2013.
Cants Road	Roadworks, footpaths and drainage are fully completed for this

Stage 4 (Imperial Drive) (8 Lots)	subdivision. A certificate of compliance is expected to be issued shortly.
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### **Bituminous Sealing Works**

Inroads Pty Ltd commenced sealing works on 28 November 2012. Although delays were experienced over the following week due to inclement weather the contract is still expected to be finished prior to Christmas 2012. This should complete our road resealing works for this financial year.

### **Bridge Design & Construction**

Council has approved the concept plans prepared by VEC Civil Engineering for four (4) bridges to be replaced in 2013. It is anticipated that prefabrication of concrete components will commence in December 2012 with site works starting by February 2013.

## **SUSTAINABLE PLANNING and DEVELOPMENT**

### **Planning & Building**

#### **Birregurra Structure Plan**

Consultant Hansen Partnership is preparing a revised draft Birregurra Structure Plan, taking into account submissions received late in 2010 and the outcomes of the Neighbourhood Character Study, the G21 Regional Growth Plan, the Open Space Strategy and other strategic plans produced in the last few years. The Community Reference Group will meet early in 2013 to provide feedback on the revised draft before it is presented to Council and placed on public exhibition.

#### **Planning Scheme Amendment C67 (Salinity Management Overlay)**

Planning Scheme Amendment C67 is currently on public exhibition. The amendment applies a Salinity Management Overlay to land mapped in the Shire as being affected by salinity. It implements mapping produced through a regional salinity mapping project coordinated by the Corangamite Catchment Management Authority (CCMA) which was updated for Council in 2012. The amendment will also update the policy references in the Municipal Strategic Statement concerning salinity. Written submissions must be received by 20 December 2012.

#### **Planning Scheme Amendment C69 (Rural Living Strategy & Forrest Structure Plan)**

Council has received the report of the independent Panel which heard submissions to this amendment at a hearing in Colac between 9 -11 October 2012. The report has been made public and submitters have been directly advised. The Panel has supported the amendment with only minor changes recommended as a result of submissions. Councillors were briefed on the report on 12 December 2012. An officer report will be presented to the January 2013 Council meeting with a recommendation for adoption of the amendment subject to changes that align with the Panel's recommendations.

#### **Development of Bushfire Local Planning Policy**

The Project Steering Committee has held its inception meeting with consultant firm Tract Consulting and its sub consultant Terramatrix. Work has begun on preparing a background report for consideration in early 2013. The project will include development of schedules to the Bushfire Management Overlay for specific towns in order to introduce standardised requirements for planning applications that will reduce the burden for permit applicants, Council and the CFA. It will include strategic assessments of the growth potential for Gellibrand, Forrest, Beech Forrest and Lavers Hill from a bushfire risk perspective (this is follow-on work from the recent Rural Living Strategy).

**Proposed Heritage Listing of the Great Ocean Road**

Heritage Victoria has formally exhibited a proposal to include the Great Ocean Road between Torquay and Allansford on the Victorian Heritage Register. This follows the inclusion of the road by the Federal Government on the National Heritage List under the *Environment Protection and Biodiversity Conservation Act* in 2011. Notice was given of the proposal on 23 November 2012, and written submissions are due to be submitted to the State Government by 22 January 2013.

The listing would apply to the land within the road reserve as well as specific sites adjoining the road at the location of a former construction camp at Big Hill, a former hotel site at Eastern View, the Memorial Arch at Eastern View, and the Mount Defiance Lookout Plaque. The draft listing would not prevent general maintenance activities, but would trigger a permit requirement from State Government for new works such as passing lanes, walls, car parks, buildings, structures, bridges, culverts and the like.

**New State Government Guidelines for Permit Applications in Open Potable Water Supply Catchment Areas**

The Minister for Water has released a revised version of the '*Guidelines for Planning Permit Applications in Open, Potable Water Supply Catchment Areas*'. The 2012 Guidelines replace the 2009 Guidelines of the same name, and apply to all open potable water supply catchments declared as special water supply catchment areas under Division 2 of the Catchment and Land Protection Act 1994. The Guidelines seek to protect the quality of potable drinking water in catchments, and are of particular relevance to Colac Otway Shire in areas through the Otways where an Environmental Significance Overlay (Schedule 3) applies under the Planning Scheme. The Guidelines relating to dwellings and subdivision have not been substantially altered and still provide that the density of dwellings should be no greater than one dwelling per 40 hectares and that each lot created in the subdivision should be at least 40 hectares in area. Some exemptions from this requirement however, have now been specified.

**Environment & Community Safety****Fire Danger Period Started on 1 November 2012**

The Fire Danger Period commenced on 1 November and accordingly Council has started inspecting people's properties to ensure they are being adequately maintained. Council has completed the first round of inspections and is very pleased with the community's commitment to helping to reduce the risk of grass fire. Out of 15,000 properties inspected only 500 required Fire Prevention Notices to be issued. Considering the prolific grass growth this year this is a very good response from the community. However, landholders need to remember that they must maintain their property to the required standard throughout the Fire Danger Period. Any landholders who are not adequately managing their property will be issued a Fire Prevention Notice. If they fail to comply with the notice Council will be forced to issue fines and organise for their property to be cleaned up. The Victorian Government has increased the fine for failing to comply with a fire prevention notice from \$244 to \$1,408. Council understands that every site presents a different set of challenges and is keen to work with our community to help people achieve compliance. We encourage anybody with questions to contact Council to discuss their fire prevention measures.

It is in the interest of our broader community's safety that these standards are upheld by Council.

**NSPs**

A Council Report was submitted to the Special Council Meeting in September 2012 recommending that the NSPs at Forrest, Carlisle River and Barwon Downs not proceed due to the costs exceeding the State Government funding available. A meeting was held with

the Fires Services Commissioner on 12 November to discuss this matter and it was agreed that because it is not feasible to establish NSPs in the highest risk towns in COS that the highest risk towns need to be re-examined to determine what other measures should be taken to try to address their fire risk. Investigations are continuing into establishing a NSP at Apollo Bay and Gellibrand. It is hoped that the NSP at Apollo Bay will be established during the current Fire Danger Period.

### **Environment Action Plan**

Council Officers have started developing the 2013-2015 Environment Action Plan. Council adopted an Environment Strategy 2010-2018 which is the guiding document to achieve positive and long term improvements in environmental management and sustainability outcomes in the Colac Otway Shire. The 2013-2015 Environment Action Plan will not only guide Council's decision making but form the basis of integrated action across all areas of the Shire's operations, its planning responsibility and the way it engages with the community and other stakeholders in a positive way. A draft of the new 2 year action plan will build on the work undertaken in accordance with the 2010-2012 Action Plan and will be presented to Council for consideration in January 2013.

### **Economic Development**

#### **Colac Marketing Strategy**

Since Council has approved the new Colac promotional brand 'Colac, Life, your way', an implementation strategy has been finalised. The design guidelines have also been completed. There will be a launch of the strategy in the new year when branded collateral will be available to showcase the brand.

#### **Colac High School Master Plan**

The consultants developing the Master Plan are currently assessing various options for recommended future use. It is expected that a draft proposal will come to Council in February 2013.

#### **Tourism**

The Interim Great Ocean Road Tourism Board has completed a draft proposal for a new Regional Tourism Board. It will be the subject of an officer's report in January 2013.

#### **Small Towns Improvement Program (STIP)**

Projects underway:

Beeac – At the request of the Beeac community the 2012 STIP funds committed to street planter boxes have been reallocated towards the purchase of a new BBQ plate, which will compliment the new rotunda which was purchased and erected with funding from last year's STIP. The barbeque plate needed replacement urgently and the community argued that it was a higher priority than the planter boxes. The BBQ has been ordered and will be installed as soon as possible.

Carlisle River Recreation Reserve - Fencing materials have been supplied for the community to commence the replacement of the recreation reserve fencing.

Beech Forest – A planning application is being considered for the removal of the native vegetation at the western entrance to the township. Once approved, trees are to be removed and new vegetation planted.

Barwon Downs Combined Community Centre – Awaiting final approval of designs from the CFA. The funding process has been commenced with the project to be ready once funding is approved.



Swan Marsh Recreation Reserve Master Plan – Initial inception meeting has been held with consultants and key stakeholders to review each user group’s needs. The consultants are preparing a preliminary report on these findings which is due in January 2013.

### **Business Development**

Colac Otway Shire partnered with Barwon Water to hold a Business Lunch on 30 November 2012 at the Lake Bowling Club. 60 people attended including Councillors and staff, Barwon Water staff and the business community. The lunch was to present Barwon Water’s six water plan options for Colac and what Council is doing to create a liveable community and promote sustainable growth.

Business visits by the Economic Development Unit have been held with a number of local business people seeking input into the 2013 Business Survey, a local Leadership Program and the Colac Marketing Strategy. Feedback from the business visits has been positive towards the initiatives discussed.

A full calendar of events has been planned over the next twelve months with events such as starting, buying and value adding your business and social media and marketing.

### **Trade Training Centre**

Further discussions have taken place with the lead principals of the Trade Training Centre in regard to providing Council support in engaging industry. The Economic Development Unit will work closely with the TTC on clarifying and refining community demand for training use at the Centre.

### **Attachments**

Nil

### **Recommendation(s)**

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

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**OM121912-2 COUNCILLOR SUPPORT POLICY**

|             |              |           |           |
|-------------|--------------|-----------|-----------|
| AUTHOR:     | Colin Hayman | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive    | FILE REF: | 11/96037  |

**Purpose**

For Council to consider adopting the revised Councillor Support Policy.

**Declaration of Interests**

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

**Background**

The policy was last reviewed in August 2010.

Under the Local Government Act 1989 (the Act), Councillors are entitled to resources and facilities, support and reimbursement of expenses related to their duties as a Councillor.

The Act requires Council to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees and sets out the minimum tool kit of resources and facilities for Councillors.

The policy has been developed with reference to the Act and:

- Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources - April 2008 (Recognition and Support); and the
- Victorian Government's Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors November 2008.

A number of changes have been made to the policy following a review of other Council policies and any updated legislation.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The policy sets out details with respect to Councillor Support.

**Issues / Options**Changes/Additions

The previous policy was adopted in February 2009 and revised in August 2010.

A recent review has been undertaken of the policy. An updated copy of the policy is attached.

A significant number of changes and additions have been made to the policy.

The main changes and additions are:

|             |                                         |
|-------------|-----------------------------------------|
| Section 1.  | Background has been added               |
| Section 2.  | Purpose has been added                  |
| Section 6.  | Application has been added              |
| Section 7.  | Guideline has been added                |
| Section 11. | Submission of a claim for reimbursement |

Other sections are similar to the previous policy but have been renumbered in line with the review.

|             |                                                        |
|-------------|--------------------------------------------------------|
| Section 8.  | Councillor Allowances/Reimbursements (prev. section 4) |
| Section 9.  | Communication and Equipment Expenses (prev. section 5) |
| Section 10. | Conferences and Seminars (prev. section 6)             |

### **Proposal**

That Council adopt the revised Councillor Support Policy.

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

The 2012/13 Budget includes an amount for Councillor allowances, superannuation and communication and equipment requirements.

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

Under the *Local Government Act 1989* (the Act), Councillors are entitled to resources and facilities, support and reimbursement of expenses related to their duties as a Councillor.

The Act requires Council to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees and sets out the minimum tool kit of resources and facilities for Councillors.

The policy has been developed with reference to the Act and:

- Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources - April 2008 (Recognition and Support); and the
- Victorian Government's Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors November 2008.

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

Not applicable.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to inform. At the Council's Induction on 31 October 2012, Councillors were provided with a copy of the draft policy and a presentation on Councillor Support.

Further discussion took place at a Councillor workshop on Wednesday 28 November 2012.

As the policy is a requirement under the *Local Government Act 1989* and developed with reference to the Act and other policy statements, no further consultation is required on the policy.

A copy of the policy will be available for inspection at the Rae Street office and on the Council's website as required by the Act.

For the review of Councillor allowances there does need to be a submission process in line with section 223 of the *Local Government Act 1989*.

#### **Implementation**

Once adopted by Council a copy of the latest policy will be available for inspection at the office and also be put on the Council's website.

#### **Conclusion**

As a result of a review of Council's current policy and the policies of other Councils the policy has been reviewed and updated.

#### **Attachments**

1. Councillor Support Policy No. 18.5 - December 2012

#### **Recommendation(s)**

***That Council adopts the revised Councillor Support Policy No 18.5.***

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## OM121912-3

## COUNCILLOR CODE OF CONDUCT

|             |              |           |           |
|-------------|--------------|-----------|-----------|
| AUTHOR:     | Colin Hayman | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive    | FILE REF: | 11/96037  |

**Purpose**

The purpose of this report is to present the draft Councillor Code of Conduct to Council for consideration.

**Declaration of Interests**

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

**Background**

As a requirement under section 76C of the *Local Government Act 1989* (Act), all Councils in Victoria must have a Code of Conduct for Councillors.

Council must review the Councillor Code of Conduct for the Council within the period of 12 months after a general election.

Colac Otway Shire adopted the current Code of Conduct on 23 September 2009.

**Council Plan / Other Strategies / Policy****Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

Council has a Pre-Election Caretaker Policy and a Councillor Support Policy.

**Issues / Options**Review of Code of Conduct

The Councillors Code of Conduct has been reviewed.

The current Code of Conduct has been revised following consideration of clauses under the *Local Government Act 1989*.

Under section 76C(3) of the *Local Government Act 1989* a Councillor Code of Conduct:

- *must include the Councillor Conduct Principles.*
- *may set out processes for the purpose of resolving an internal dispute between Councillors.*
- *must include provisions in respect of any matter prescribed for the purposes of this section.*
- *may include any other matters relating to the conduct of Councillors which the Council considers appropriate.*

The changes made to the Code of Conduct include:

- Section 2 – Councillor Conduct Principles in line with *the Local Government Act 1989*.

- Adjustment to clause 10.2 with respect to the process if a Councillor has a conflict of interest.
- Adjustment to clause 10.5.
- Other minor wording and format changes.

#### Contents of the Code of Conduct

The revised Code includes:

- Councillor Conduct Principles
- Council Decision Making
- Communication and Information Requests
- Councillor and Staff relationships
- Use of Council Resources
- Communication with the Media
- Conflict of Interest Procedures
- Dispute Resolution Procedures

#### **Proposal**

The attached revised Code of Conduct includes amendments to reflect legislative requirements and other revised clauses.

The Code of Conduct has also been reviewed to improve the readability and flow of the document. It is recommended that Council endorse the 'Councillors Code of Conduct'.

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

There are no financial implications associated with the adoption of the revised Councillors Code of Conduct.

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

Section 76C of the Act requires that all Councils in Victoria must have a Code of Conduct for Councillors.

The Councillors Code of Conduct has been reviewed and updated in line with the requirements set out in Sections 76B and 76BA of the Act.

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

Not applicable.

#### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to inform. The Councillor Code of Conduct was an agenda item at the Councillor's induction held on Tuesday 30 October 2012.

A copy of the draft Code of Conduct has previously been provided to Councillors.

Under s76C(6) of the Act a copy of the Code of Conduct must be given to each Councillor and available for inspection by the public at the Council office and any district offices.

#### **Implementation**

The document once adopted will become the Councillors Code of Conduct until a further review is undertaken.



A copy of the Code of Conduct will be given to each Councillor and available for inspection by the public at the Council office and any district offices.

### **Conclusion**

Council is required to review its Councillor Code of Conduct within 12 months after a general election.

A review of the Code will fulfil Council's statutory requirements and provide a guiding framework for the good governance of the Colac Otway Shire until a further review is undertaken.

The Councillor Code of Conduct provides for an agreed framework through which:

- Expected standards of conduct and behaviour
- Councillor responsibilities
- Accountability
- Public Confidence in Council

are articulated and maintained.

There are a number of obligations on Councillors to perform their duties and responsibilities with a high level of probity, integrity and respect. Community expectation is that Council undertakes its business with efficiency and impartiality and that ethical and professional standards are maintained and that duties are undertaken with due diligence and care.

Councillors are expected to act in accordance with the Code when:

- Conducting Council business at any formal meeting of Council;
- Representing Council at any function or event to which they have been invited as a Councillor;
- Acting as a Council representative at any committee to which they have been appointed; and
- Dealing with any member of the community in their role as a Councillor.

### **Attachments**

1. Councillor Code of Conduct

### **Recommendation(s)**

1. ***That Council adopts the Colac Otway Shire Councillor Code of Conduct.***
2. ***That all Councillors sign the Councillor Code of Conduct at the Council Meeting on 19 December 2012.***

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**OM121912-4 COUNCILLOR AND MAYORAL ALLOWANCES**

|             |              |           |           |
|-------------|--------------|-----------|-----------|
| AUTHOR:     | Colin Hayman | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive    | FILE REF: | F11/3291  |

**Purpose**

The purpose of this report is to provide information to Council on the levels for Councillor and Mayoral allowances. A Council must review and determine the level of the Councillor allowance and the Mayoral allowance within the period of 6 months after a general election or by the next 30 June, whichever is later.

**Declaration of Interests**

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

**Background**

During 2007 a review into Council remuneration was carried out by a Panel appointed by the State Government.

The Panel made a number of recommendations covering the following:

- Adequacy of the quantum of allowances
- Three category models
- Adjustment of allowances
- Expenses, guidelines and resources support for Mayors and Councillors
- Changes to the *Local Government Act 1989*.

The review also recommended that the levels of the allowances are reviewed on an annual basis.

**Local Government Act**

Following on from the review, various changes were made to the *Local Government Act 1989* with respect to Councillor allowances consistent with the above.

- The Minister must, at least once every year, review the allowance category for each Council
- The Minister must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances
- A Council must increase Councillor and Mayoral allowances in accordance with the adjustment factor specified.

The allowance is in two parts:

- i. Councillor annual allowances
- ii. Superannuation Guarantee Contribution.

**Annual Adjustments**

Each year the Minister for Local Government undertakes a review having regard to movements in the levels of remuneration of executives within the meaning of the Public Administration Act 2004. If a review finds that allowances should be adjusted, the Minister

publishes a notice in the Gazette setting out the adjustment factor and new limits and ranges of allowances including the adjustment.

Council must then increase Part (i) of their allowances in accordance with the adjustment factor. Part (ii) will then be added where applicable.

### **Current range and limits of allowances**

|            | <u>Councillor</u>   | <u>Mayor</u>   |
|------------|---------------------|----------------|
|            | Min/Max             | Min/Max        |
| Category 1 | \$7,542 - \$17,969  | Up to \$53,684 |
| Category 2 | \$9,317 - \$22,405  | Up to \$69,325 |
| Category 3 | \$11,204 - \$26,843 | Up to \$85,741 |

Colac Otway is in Category 2.

These allowances were set by the Minister for Local Government commencing 27 October 2012. The allowances were published in the Victorian Government Gazette on 26 October 2012.

### **Previous Allowances**

At the Council Meeting on 22 April 2009 it was resolved:

***In accordance with the resolution at the 25 February Council meeting, Council set the following Mayoral and Councillor allowances for the year period 1 May 2009 to 30 April 2013:***

|            |                             |                   |
|------------|-----------------------------|-------------------|
| <b>(a)</b> | <b>Mayoral Allowance</b>    | <b>- \$59,100</b> |
| <b>(b)</b> | <b>Councillor Allowance</b> | <b>- \$19,700</b> |

At the time the range for a Category 2 Council was:

|                      |                     |
|----------------------|---------------------|
| Mayoral Allowance    | up to \$62,500      |
| Councillor Allowance | \$8,400 to \$20,200 |

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

#### **Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The Councillor Support Policy sets out details with respect to Councillor Support.

### **Issues / Options**

#### **Superannuation**

In accordance with Commonwealth Taxation rulings, each Councillor of a Council may decide to have any part of their total allowance paid into a superannuation fund of their choice.

### **Current Allowances**

The new Councillors are receiving the current level of allowance from the date when they took the Oath of Office, this being 29 October 2012.

The current levels are:

- Mayor - \$65,554 plus superannuation
- Councillors - \$21,852 plus superannuation.

These are currently less than the maximum allowable.

These allowances may be further increased as a result of a review of allowance ranges and limits by the Minister as required under section 73B of the Act.

### **Payment of Allowances**

The payment of Mayoral and Councillor allowances must not exceed one month in advance. This was changed from 27 October 2012.

The Councillor Support Policy provides for the payments 4 weeks in arrears.

### **Other Councils**

From a quick survey of other councils it has been indicated that they pay their Mayor and Councillors the maximum amounts allowable.

### **Review**

Council must review and determine the level of the Councillor allowance and the Mayoral allowance within the period of 6 months after a general election or by the next 30 June, whichever is later. (Section 74(1) *Local Government Act 1989*).

### **Section 223 Process**

Prior to Council resolving the level of allowances after a review, Council is required to undertake a s223 process under the *Local Government Act 1989*.

Section 223 of the *Local Government Act 1989* provides an opportunity for a person to make a submission on various documents and processes that Council undertakes.

The Council must provide an opportunity for written submissions to be forwarded to the Shire for at least a period of 28 days. The Colac Otway Shire Council Community Engagement Policy of January 2010 allows for six weeks. Due to the period for submissions occurring during the holiday period a longer time period for submissions has been allowed.

Any person who has made a written submission to the Council and has requested to be heard in support of their written submission is entitled to appear in person or by a person acting on his or her behalf before a meeting of the Council or a committee.

### **Resources/Facilities**

The Victorian Government's Policy Statement on Allowances and Resources indicates that the following resources/facilities are required to be provided to Councillors:

- Administrative support for the Mayor
- Office for Mayor
- Vehicle for Mayor
- Computer – desktop or laptop
- Mobile phone and landline
- Stationery
- Access to a fax/copier
- Website development as part of Council website.

Other support to Councillors is at the discretion of Councils.

This support is currently set out in the Councillor Support Policy

### **Reimbursement**

Under Council's current Councillor Support Policy and the Victorian Government's policy, Councillors can be reimbursed for:

- Travel – including reimbursement of public transport costs
- Telephone – reimbursement of relevant call costs
- Internet
- Childcare/family care

The Councillor Support Policy sets out the guidelines for the various reimbursements.

### **Proposal**

It is proposed that Council review the level of allowances and then undertakes a submission process under s223 of the *Local Government Act 1989*.

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

The 2012/2013 budget for allowances and superannuation is based on the current amounts. Future budgets would take into account the level of allowances set.

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

The *Local Government Act 1989* sections 73 to 75 detail provisions relating to allowances.

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

Not applicable.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be consult.

Following a review of allowances that is required within the period of 6 months after a general election or by the next 30 June, whichever is later, a submission process in line with section 223 of the *Local Government Act 1989* needs to be undertaken prior to Council resolving the level of allowances.

Due to the submission period being over the holiday period the time for submissions will be extended. It is intended that advertisements would be placed in the local papers on Friday 21 December 2012 and again on Friday 4 January 2013.

Submissions would not close until Friday 1 March 2013. If anyone wishes to be heard on their submission they will be heard on Wednesday 13 March at COPACC at 1.00 pm.

### **Implementation**

The current level of allowances is set out in the Order in Council dated 26 October 2012.

Following the review the commencement date for any adjustments to the allowances will be 1 May 2013.

### **Conclusion**

- The Order in Council has set down the current level of Councillor allowances.
- A review of allowances must be held within the period of 6 months after a general election or by the next 30 June, whichever is later.
- Once the level of allowances has been determined by Council a public consultation process is required to be undertaken.
- Submissions and a report on the proposed allowances will be considered during March 2013.

**Attachments**

Nil

**Recommendation(s)**

***That Council:***

**1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:**

- a) Mayoral Allowance - \$-----**
- b) Councillor Allowance - \$-----**

**2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.**

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**CORPORATE AND COMMUNITY SERVICES**

| <b>ITEM</b>       |                                   |
|-------------------|-----------------------------------|
| <b>OM121912-5</b> | <b>S86 COMMITTEE MEMBERSHIP</b>   |
| <b>OM121912-6</b> | <b>COLAC LIBRARY ANNEXE</b>       |
| <b>OM121912-7</b> | <b>ANALYSIS OF EMPLOYEE COSTS</b> |
| <b>OM121912-8</b> | <b>PLANT AND FLEET ASSETS</b>     |



**OM121912-5****S86 COMMITTEE MEMBERSHIP**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/3291  |

Ordinary Council at its meeting on 28 November 2012 resolved that the matter be deferred to the meeting to be held on 19 December 2012.

**Purpose**

To consider appointment of newly elected committee members to the Swan Marsh Hall and Tennis Reserve, Cororooke Hall and Warrion Hall S86 Committees of Management.

**Declaration of Interests**

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

**Background**

Council appoints Committees of Management under section 86 of the *Local Government Act 1989* as Special Committees of 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 facilities. Council policy is that Committee of Management members are appointed for a three year term.

Meetings to appoint new Committee members were conducted on the following dates:

- Swan Marsh Hall & Tennis Reserve                      3 September 2012
- Cororooke Hall    24 September 2012
- Warrion Hall    20 November 2012

**Council Plan / Other Strategies / Policy  
Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The decision by Council to appoint local persons to the various 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**

To appoint the nominees as put forward by the three Committees of Management.

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

The current three year term for the Swan Marsh Hall and Tennis Reserve, Cororooke Hall and Warrion Hall Committees of Management has been completed and the nominations of

community persons have been put forward to be on the committee for a period of three years for Council endorsement.

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

### Proposal

It is proposed to appoint the following community persons to the committee named for a term of 3 years until 19 December 2015.

|                                  |   |
|----------------------------------|---|
| Swan Marsh Hall & Tennis Reserve | Michael Melville, Bret Ryan, Jeff Douma, John Jannsen, Kevin Boyd, Fiona Castle, Tabitha Black, Michael Everett |
| Cororooke Hall                   | Rod Stephenson, Helene Bell, Lucy Darcy, Patricia Boylan, Geoff Vagg, Cam DeLorenzo, Peter Neal                 |
| Warrion Hall                     | Colin Bayne, Tony Mahoney, Lynette Facey, Peter Facey, Cathy Mahoney, Pat Isett                                 |

### Financial and Other Resource Implications

Each Committee holds their own bank account and administers budgets set by the Committee in accordance with funds within these accounts.

Each Committee is required to provide copies of annual financial statements/treasurer's report to Council.

### Risk Management & Compliance Issues

Each committee has been provided with a Risk Management and Insurance Manual developed for Council Committees of Management.

### Environmental and Climate Change Considerations

Not applicable

### Community Engagement

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to inform and consult. Advertisements were placed in the local media seeking nominations to the committee. Consultation also took place with Committee members as to the preferred time for the meetings to be held.

### Implementation

A letter will be forwarded to the Management Committees advising them of Council's endorsement of the appointments to the committee.

### Conclusion

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

### Attachments

Nil

**Recommendation(s)**

**That Council:**

1. ***Pursuant to section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Swan Marsh Hall and Tennis Reserve, Cororooke Hall and Warrion Hall Committees of Management until 19 December 2015:***

|  |   |
|--|---|
| <b><i>Swan Marsh Hall &amp; Tennis Reserve</i></b> | <b><i>Michael Melville, Bret Ryan, Jeff Douma, John Janssen, Kevin Boyd, Fiona Castle, Tabitha Black, Michael Everett</i></b> |
| <b><i>Cororooke Hall</i></b>                       | <b><i>Rod Stephenson, Helene Bell, Lucy Darcy, Patricia Boylan, Geoff Vagg, Cam DeLorenzo, Peter Neal</i></b>                 |
| <b><i>Warrion Hall</i></b>                         | <b><i>Colin Bayne, Tony Mahoney, Lynette Facey, Peter Facey, Cathy Mahoney, Pat Isett</i></b>                                 |

2. ***In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.***
3. ***Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer’s Report be provided on an annual basis.***

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OM121912-6

**COLAC LIBRARY ANNEXE**

|             |                                |           |           |
|-------------|--------------------------------|-----------|-----------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/6096  |

**Purpose**

The purpose of this report is for Council to consider the review of the Colac Library Annexe.

**Declaration of Interests**

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

**Background**

At the Council Meeting held on 21 December 2011 Council resolved:

***“That Council:***

- 1. Maintains the Colac Library Annexe for a further 12 months from 1 July 2012.***
- 2. Requests the Corangamite Regional Library Corporation to undertake a review of the opening hours at the Annexe, but maintaining the hours at a total of 22 hours per week.***
- 3. Reviews the operation of the Library Annexe after a further 12 months of operations with a report to be presented to Council no later than the December 2012 Council meeting with Council to decide at that time whether or not the Annexe will operate beyond 30 June 2013.”***

The decision to open the Library Annexe followed consideration of a report on “Enhanced Delivery of Library Services in Colac” prepared by Mach II Consulting.

The report recommended that Council strongly supports the development of the Joint Use Library within the Beechy Precinct as the primary library service venue within Colac together with the further development of partnership arrangements and opportunities directed to enhancing library services in Colac. From an Annexe facility provision perspective the report recommended the development of a ‘reading room’ at Kanyana enabling access for some segments of the community. “

The conclusion to the 10 February 2010 Council report stated the following:

*“The Enhanced Library Services Project has identified the various library venues and services that currently operate within Colac. Many of these are important contributors to the total library service provision across the community and the further promotion and strengthening of these services in partnership with the new Joint Use Library is supported regardless of the outcome of this report.*

*The Joint Use Library is significantly supported through resource allocations and partnerships and provides a unique opportunity for the Colac Otway community to*

*have access to state of the art facilities and equipment and up-to-date information and services covering a broad range of lifelong learning options.*

*The Joint Use Library will provide opportunity to further promote and strengthen the other services provided within Colac through partnership arrangements and greater promotion resulting in a greater choice of options for all community members.”*

### Colac Library Annexe

The Colac Library Annexe was opened in December 2010 at 105 Gellibrand Street, Colac.

#### Opening Hours

|           |                    |                  |
|-----------|--------------------|------------------|
| Monday    | 10.00 am - 2.00 pm |                  |
| Tuesday   | 10.00 am - 2.00 pm |                  |
| Wednesday | 10.00 am - 2.00 pm |                  |
| Thursday  | 10.00 am - 2.00 pm |                  |
| Friday    | 10.00 am - 2.00 pm |                  |
| Saturday  | 10.00 am - 12 noon | TOTAL – 22 hours |

#### Services

- Access to online resources
- After hours return chute
- Information services
- 3 public internet PCs – bookings preferred
- PC with access to Microsoft Word
- Lending services
- Newspapers
- Self-service photocopying facilities
- Printing

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

#### **Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

#### **Community Health and Wellbeing**

Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach, Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.

### **Issues / Options**

#### Services Provided

As indicated in the background to this report the Library Annexe is providing a number of services including:

- Access to online resources
- After hours return chute
- Information services
- 3 public internet PCs – bookings preferred
- PC with access to Microsoft Word
- Lending services
- Newspapers
- Self-service photocopying facilities
- Printing



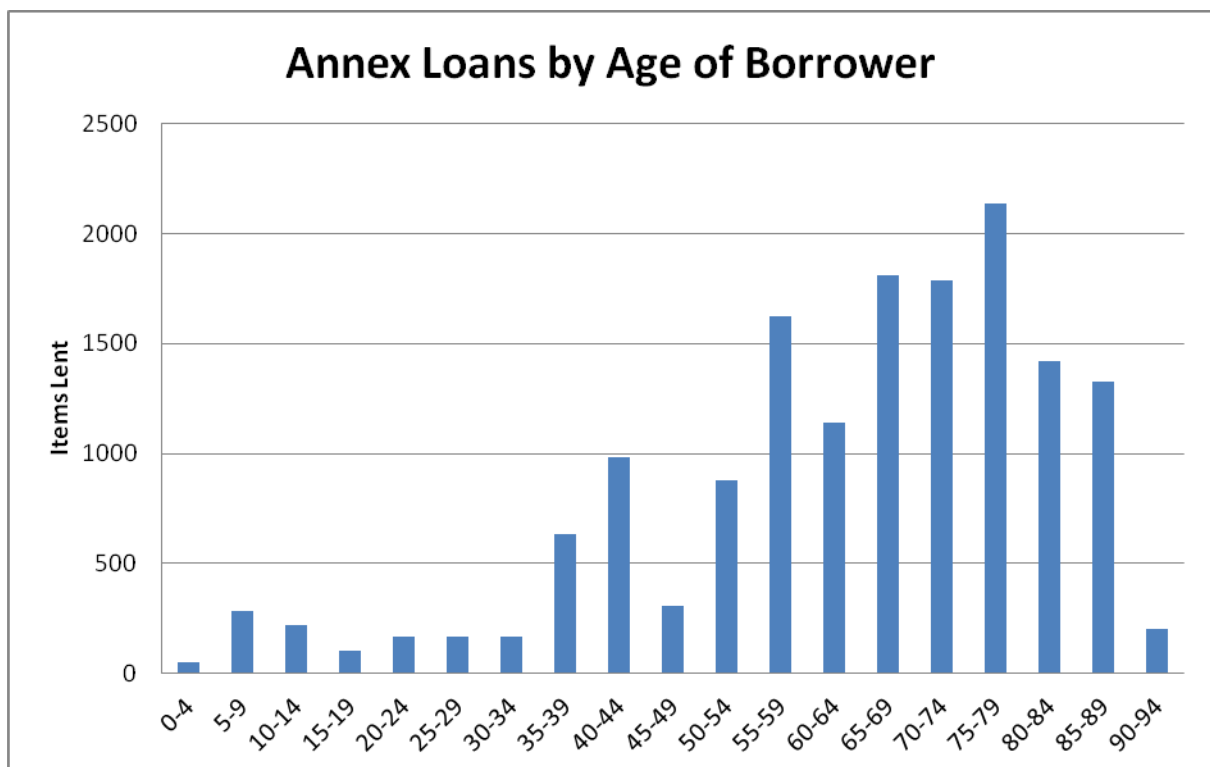
Colac Library Annexe Data

The following graphs and statistics have been provided by the Corangamite Regional Library Corporation. They provide information on the following:

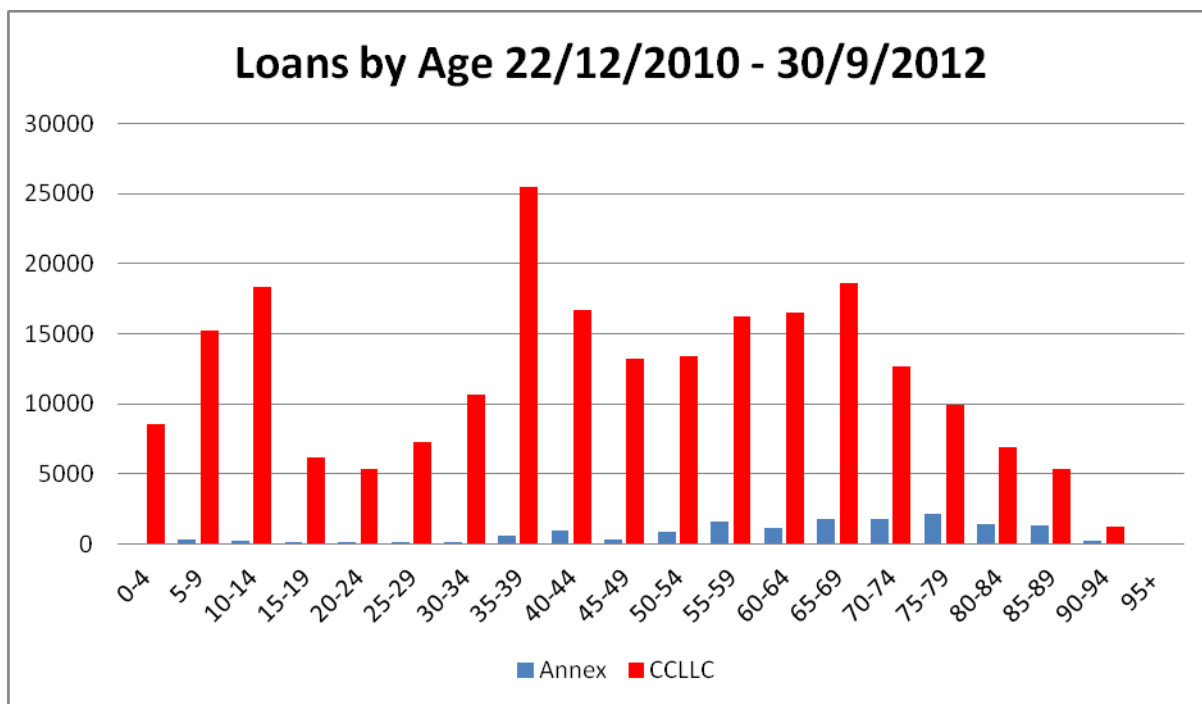
1. Age of Patrons
2. Visitor Numbers
3. Computer use
4. Mode of getting to the Library

**1. Age of Patrons**

56.3% of Annex loans are to customers over 65 years of age.

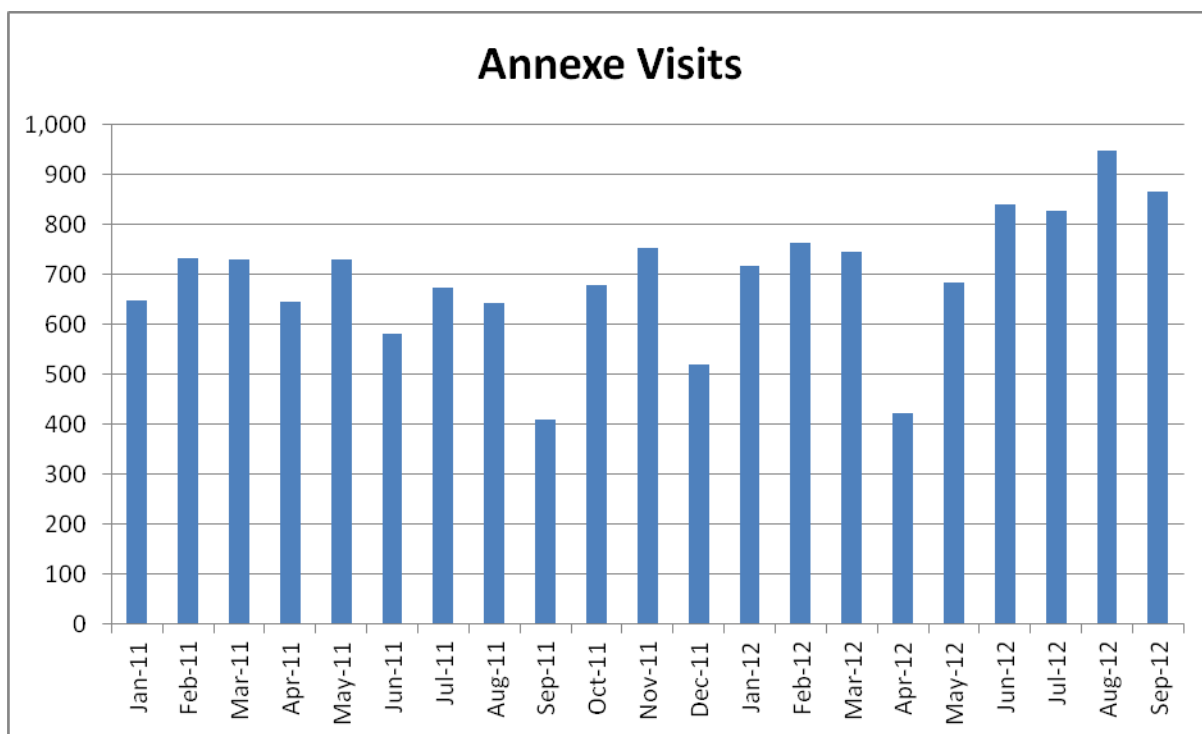


However more than six times the numbers of items have been lent to customers over 65 years of age from CCLLC in the same period. Annex 8,681 CCLLC 54,717.



**2. Visitor numbers**

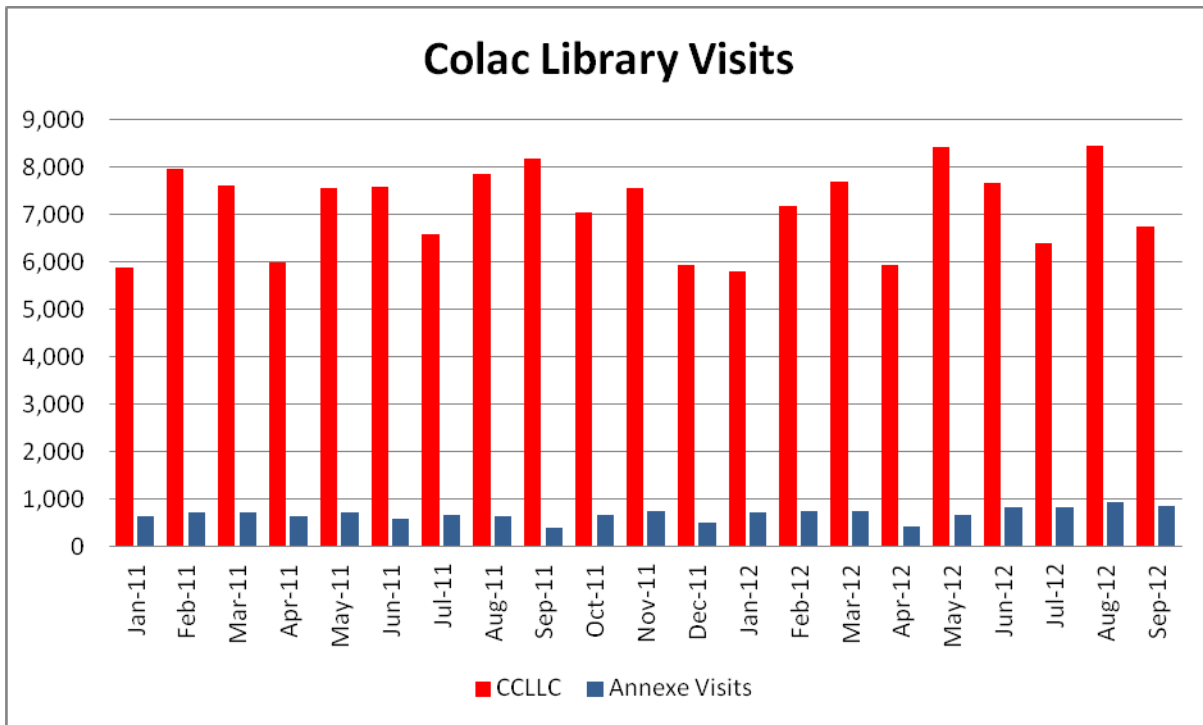
Annexe visitor numbers over the past four months are the best recorded.



The Annexe has 9.7% of visits compared with CCLLC. To take into account the shorter Annexe opening hours, the calculation of visits per hour of opening for the Annexe are 7.6 and CCLLC visits per hour are 36.3.

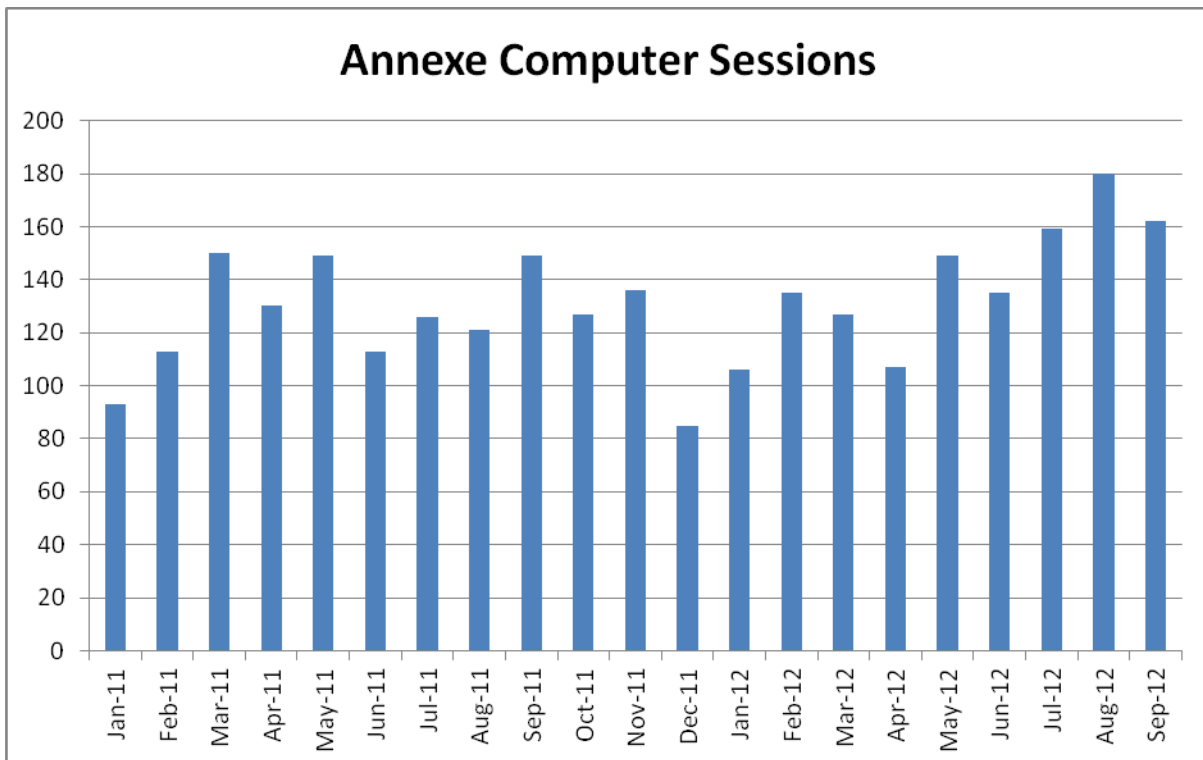
Since 1 of December 2011, 421 borrowers have borrowed items from the Annexe. Cross checking these against the borrowers who have used CCLLC in the same time frame, 318 of

these customers have also borrowed from CCLLC. This leaves 103 customers who have only accessed the Annexe in the past 12 months.

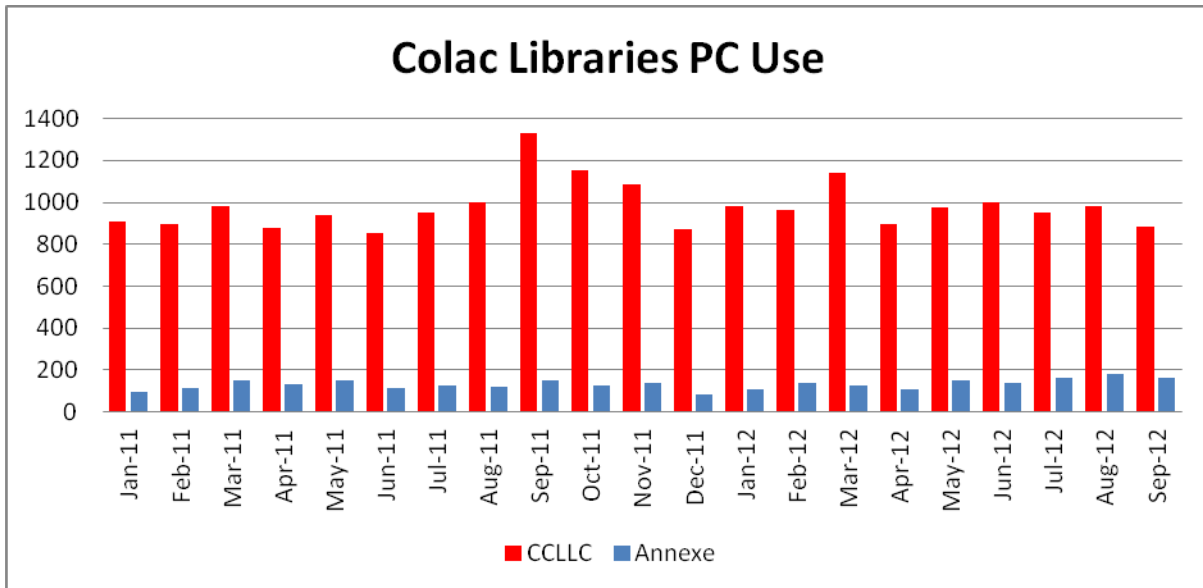


### 3. Computer use

The three public computers at the Library Annexe are well used. Maximum capacity is 264 sessions a month. In August 2012 (the best month recorded) the computers were in use 68% of the opening hours. Average capacity runs at 50% in the Annexe.



CCLLC has six public computers and wifi access for people’s own devices. To make the comparison apples to apples the chart below excludes the wifi use. CCLLC six PCs have a maximum capacity of 1,152 sessions per month. Average capacity runs at 85% at CCLLC.



**4. Mode of Getting to the Library**

The most recent data available is from the 2011 Library Use Survey which showed that aside from Port Fairy, customers of the Annexe were least likely to travel to the library by car. Only 50% of Annexe patrons travelled by car compared with 84% of CCLLC patrons.



Library Annexe Hours Survey 2012

Following analysis of the loans pattern which showed that Saturdays were the quietest day at the Annexe, a survey was developed to find if customers would prefer a change to the opening hours.

Following concerns about the original design of the survey, an amended survey was developed and distributed in hard copy to Annexe customers. 79 responses have been collated. The respondents are:

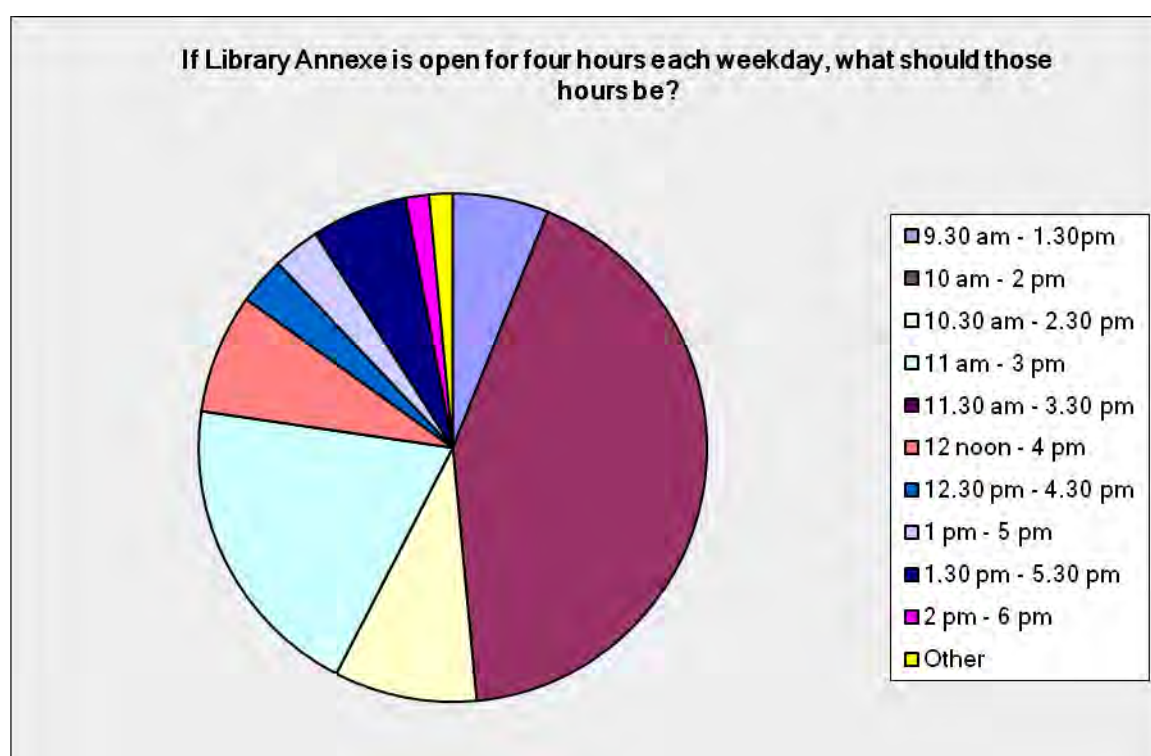
- evenly split on the question of shutting the Annexe on Saturdays to redistribute these hours during the week (37 yes – 39 no)

- mainly in favour of extending week day afternoon opening (48/55 respondents)
- mainly in favour of spreading the Saturday hours evenly across the weekdays (43/53 respondents)
- not in favour of extending Saturday opening (25/35 respondents).

Many of the questions were skipped by the respondents leaving only a small number with the following preferences:

- 6 respondents preferred the Annexe to close on Mondays to extend other days
- 7 respondents preferred extended opening hours on a Friday.

Sixty six respondents completed the question about weekday opening hours with 42% of these preferring the existing 10am – 2pm opening hours. Although if all the later time slots are collated these amass to 33 of 66 respondents preferring more hours of opening in the afternoon.



Four themes emerge from the comments section:

- a belief that the survey was a management tool to reduce the opening hours of the annexe
- customers would like more new stock (books, talking books, Mills & Boon)
- the convenience of the Annexe's location and
- acknowledgement of the good job done by library staff.

### Conclusion

There is no clear opinion from the survey regarding changing the Annexe opening hours.

### Verbatim Comments

1. Security Assessment for staff is necessary.
2. Close and remove toilet - refer customers to COPACC
3. Create an enclosed reading garden on north side of library.

- I would like the library opened longer during the week and also for Saturday to stay opened.
- Please keep this Annexe open. For people from out of town it is an invaluable place to meet. The other big library is too far out. Rarely use the car when in Colac, so closeness of the annexe to main part of town is important.
- Close later on Saturdays to enable borrowers more time to search or enjoy a quiet read.  
This form is difficult to follow!
- The opening days that are in place is quite good. You can't please everyone. It's very good for older people who don't drive.
- The library should be open on Saturday to be able to read the papers.
- Turn the stock over more often. Have more gardening books in the Annex. In all the Corangamite Region have more local history and rotate it through all branches.
- I love using the Annex. The present hours suit me, as I live at Barwon Downs and usually fit in a weekly visit to the Annex whilst my wife does the shopping. I also value the afterhours box at the annex. I also like borrowing books at the main Colac Library and returning to the Annex. I like to do this because (a) it is convenient, i.e. save going out to the main library (b) it helps the circulation of books.
- More new books. More talking books please. More computers. More Audio CDs and different ones.
- The Annexe needs a rotation of paperback novels, several other patrons have also mentioned this - especially the Mills & Boon Medical romances and the "Intrigue" lines as well. These go quite well with a lot of people.
- Regular opening & closing hours would be preferable, but adding 24 min. each weekday may be impractical. Adding 1/2 hour to 4 days only maybe better. e.g. 10 am - 2.30 pm Tuesday to Friday & leaving Monday as is. I don't really mind as long as the Annexe stays open.
- Thank you to the staff at both libraries for the help they give at all times.
- Would 2 extra hours on say Tuesday and still keep Saturday open, really break the bank when so much is spent on Sport? Thanks for the great work you do.
- This idea is the thin edge of the wedge to close the Annexe on Saturdays.
- It's great that this location is still available, especially for older folk - ease of access, quieter, not competing with everyone at Queen Street.
- The library Annexe is a very good library service. Factors include current location, convenience for elderly people and solidarity with the elderly appreciated.
- I really like the convenience of having the Library Annexe in town. It's a great service to our community and the staff are always helpful and happy. Keep up the great work.
- I would prefer longer hours on Monday, Wednesday and Friday and close on Tuesday and Thursday. So the 8 hours saved could be used thus : M/W/F 9.30 am - 4pm Saturday 10am to 12.
- Annexe is conveniently located. More likely to use it in this location.
- Please do not close this annexe, a trip to the Joint Library is most inconvenient, and I urge you to keep the Annexe open as a convenience to all library users.
- We need the Library Annex to be opened on a Saturday. We need the news. Extended hours at the Annex would be wonderful. The school library, as we all know, is too remote for many of us.
- Stop fiddling with the Annexe hours, stick with the agreement.
- If it was open later with extended hours each day Friday 10am - 7pm would be my choice. Location is perfect as a reading room waiting for people on and off the train.
- This is a rigged survey with the questions on this survey leading to the conclusion that Council and Councillors want the library closed on Saturdays. Apart from Q1, all other question can be used to justify closing the library on Saturdays. Make sure the Annexe stays open.

- Stop meddling with Annexe - deep to the agreement  
Stop surreptitiously find excuse to close Annexe

### Library Annexe Statistics

The 2011/12 Annual Report for the Corangamite Regional Library has the following statistics:

- Loans 9,031
- Visits 7,846
- Collection 3,012
- Internet Sessions 1,503
- Hours per week 22
- Space sq met. 91

### Other Library Services

The following information has been taken from the directory of Public Library Services in Victoria 2011.

#### ***Townships with 1 library (note – all are within or close to the main township centre)***

| <i>Library</i>                        | <i>Town</i>   | <i>Population (approx)</i> |
|---------------------------------------|---------------|----------------------------|
| Campaspe Regional Library             | Echuca        | 13,000                     |
| Central Highlands Regional Library    | Hamilton      | 10,000                     |
|                                       | Bacchus Marsh | 14,000                     |
| East Gippsland Shire Library          | Bairnsdale    | 12,000                     |
| Eastern Regional Library              | Lilydale      | 15,000                     |
|                                       | Mooroolbark   | 20,000                     |
| Frankston Library Service             | Carrum Downs  | 18,000                     |
| Geelong Regional Library Corporation  | Grovedale     | 14,000                     |
|                                       | Ocean Grove   | 15,000                     |
|                                       | Torquay       | 12,000                     |
| Glenelg Libraries                     | Portland      | 12,000                     |
| High Country Library Corporation      | Benalla       | 10,000                     |
| Latrobe City Libraries                | Moe           | 16,000                     |
| Swan Hill Regional Library Service    | Swan Hill     | 10,000                     |
| Wellington Shire Library              | Sale          | 14,000                     |
| West Gippsland Regional Library Group | Warragul      | 13,000                     |
| Wimmera Regional Library Corporation  | Horsham       | 14,000                     |

### Options

There are many possible options with respect to the Annexe:

1. Close the Annexe and redirect the funds (approx. \$44,000) into other Library Services at Colac and Apollo Bay. The funds would be used to:
  - add an extra day at Apollo Bay
  - increase Adult Programs at Colac. This could include Book Clubs, author visits, expert talks, lifestyle courses, digital literacy.
2. Close the Annexe and redirect the funds (approx. \$44,000) in the first year to part repayment of Colac Otway's proportion of the Defined benefits Superannuation for the CRLC, and in future years redirect the funds into other Library Services at Colac and Apollo Bay as in 1.

3. Reduce the opening hours at the Annexe from 22 to 15 hours by ceasing Saturday opening and spread the 15 hours across 3 days between Monday to Friday which would give 5 hours per day. This would result in a saving of approx \$15,700. Redirect the funds into other Library Services at Colac and Apollo Bay.

The current staff hours at the Annexe is 28 per week, made up of 22 hours opening plus 1 hour per day (x6) for preparation and administration. This would reduce to 18, made up of 15 hours opening plus 1 hour per day (x3) for preparation and administration.

4. As per 3 above but redirect the funds to part repayment of Colac Otway's proportion of the Defined benefits Superannuation for the CRLC.
5. Maintain the Annexe at the current service levels and review in a further 12 months.

### **Proposal**

That Council reduces the opening hours at the Colac Library Annex and uses the funds (approx. \$15,700) as a contribution towards Colac Otway's proportion of the Defined benefits Superannuation for the CRLC.

The current balance of Colac Otway's Shire proportion of the CRLC Defined Benefit Liability is approx. \$44,000.

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

The Library Annexe is currently costing approximately \$44,200 in Salary and Oncosts. This would be the only possible saving if the Annexe was closed.

There are other costs involved in the operations of the Annexe. These include utilities, cleaning and maintenance. The Shire currently pays for these costs and would continue to incur them if the facility was used by Council.

There are also other costs involved in the operation of the Annexe including computer costs and associated costs. These have not been included as it is the recommendation of the CRLC CEO, that should the Annexe close, all of the computers would be relocated to the Colac Community Library and Learning Centre.

There are other costs on materials that will still be charged to Colac Otway Shire Council even if the Annexe was closed as these costs are based on population.

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

There are no formal compliance requirements to implement any of the proposed options. Risk management would be further considered and managed according to the agreed endorsement.

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

There are no environmental or climate change consideration with regard to this report.

### **Community Engagement**

The community engagement strategy will follow the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The communication and consultation to date has been to consult. The Enhanced Delivery of Library Services in Colac involved consultation.

Community consultation included meetings with stakeholders and benchmarking with local and other facilities and services was undertaken as a part of the project.



Various communications were provided to the community through local media and the Beechy Precinct Newsletter introducing the project and regular updates on its progress.

During 2011 a User Survey was undertaken of all Library Services by the Corangamite Regional Library Corporation.

During 2012 a Survey was undertaken of Library Annexe Hours.

Discussions have also been held with the Corangamite Regional Library staff.

### **Implementation**

If the recommendation is adopted a letter would be written to the Corangamite Regional Library Services advising them of the resolution.

The preferred hours of opening would be developed in conjunction with the CRLC and the users of the facility.

### **Conclusion**

The Colac Library Annexe is currently servicing a small number of users, and has a high cost per head to run due to the low number of people who use the facility.

The question to be answered is "*Does the profile of the customers at the Annexe warrant the investment?*"

The option to reduce the hours at the Library Annexe still provides a service to the current users of the facility.

The funds saved as a result of the reduction in hours can be utilised initially to assist in paying part of Colac Otway's proportion of the Defined benefits Superannuation for the CRLC, and in future years redirect the funds into other Library Services at Colac and Apollo Bay.

### **Attachments**

Nil

### **Recommendation(s)**

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

- 1. Reduces the opening hours of the Colac Library Annexe from 22 to 15 hours from 1 July 2013 with the 15 hours to be spread over three days between Monday to Friday.***
- 2. Requests the Corangamite Regional Library Corporation to undertake a review of the spread of the opening hours at the Annexe to enable a reduction to 15 hours over three days.***
- 3. Allocates the funds saved from reducing the hours at the Colac Library Annexe of approx. \$15,700 as a contribution towards the Council's proportion of the balance of the Corangamite Regional Library Corporation's Defined Benefits Liability.***

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**OM121912-7 ANALYSIS OF EMPLOYEE COSTS**

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Brett Exelby                   | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | CLF11/8      |

**Purpose**

The purpose of this report is to provide information to Council:

- a) regarding why variations exist in the reporting of employee benefits (costs) between the 2010-2011 financial year and 2011-2012 financial year.
- b) regarding the variation between the budget and reported actual expense for employee benefits for the 2011-2012 financial year.
- c) comparison of staffing between 2006-2007 and 2011-2012.

**Declaration of Interests**

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

**Background**

At the Audit Committee meeting on 4 September 2012 the Audit Committee sought information on details of the increase in employee benefits between the original budget and the actual expense for the 2011-2012 financial year. Note that the comparison is based upon the Standard Income Statement presented as part of the Annual Report which is for the Colac Otway Shire only and does not include the activities of the Port of Apollo Bay.

The Analysis of Employee Costs report also provides the information concerning the change in Council's employee cost between the 2010-2011 and 2011-2012 financial years as stated in the Comprehensive Income Statement in the 2011-2012 Annual Report. The Comprehensive Income Statement details the consolidated position of Council, which includes the Port of Apollo Bay.

**Council Plan / Other Strategies / Policy Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations

**Issues / Options****a) Comparison of actual employee expense between 2010-2011 and 2011-2012**

The comparison of employee benefits (costs) between periods compares the consolidated employee benefits (costs) between 2010-2011 and 2011-2012. This consolidated position includes both the Colac Otway Shire and the Port of Apollo Bay. Similar to the comparison of budget and actual expense, there is a substantial variation of \$3.692 million dollars between 2010-2011 and 2011-2012.

This increase is due to a number of factors including the accounting treatment of employee costs and one off extraordinary items.

A summary of the factors that contributed to the difference between the years are described and then further tabulated below for information.

The more significant variations are:

- A variation of \$0.747 million accounts for a 4.2% increase in salaries and wages in accordance with Council's Enterprise bargaining agreement and adjustments as a result of level increases within bands. Variations of this nature are expected each year.
- A further net change of \$2.614 million is as a result of the Defined Benefits Superannuation call made on Council during the year. This call was brought to account in the 2011-2012 year, however it is intended that it will be paid early in the 2013-2014 financial year or earlier if funds are available. The call on Council for \$3.182 million was required to meet Council's obligations under the Defined Benefit Superannuation call. The variation is for a lesser amount as Council brought to account a smaller Defined Benefits Superannuation call paid in the prior financial year.
- In addition, \$0.143 million accounts for the difference in vacant positions between one financial year and another. This is one of the impacts of having more stable staffing and lower staff turnover.

Further detail is provided below.

| \$ '000 | \$ '000 |   |
|---------|---------|---|
| 14,880  |         | <b>Employee Benefits 2010/2011</b>  |
|         | 747     | General Enterprise Bargaining Agreement (EBA) increase of 4.2% and level increases across bands |
|         | 129     | Increased usage of Casual labour in Bluewater Fitness & COPACC                                  |
|         | 2,614   | Additional Defined Benefits Superannuation Call (\$3.182 million call)                          |
|         | 34      | Officer Professional Liability Insurance  |
|         | 143     | Filling of vacant positions   |
|         | 25      | Fringe Benefits Taxation obligations increased as a more rigorous regime was implemented.       |
| 3,692   |         | <b>Total Changes in 2011-2012</b>   |
| 18,572  |         | <b>Actual Employee Benefits 2011-2012</b>   |

The increase in total employee costs between 2010-2011 and 2011-2012 financial years can be attributed to a number of reasons which have been outlined in this report. It is not as a result of an increase in the staff establishment which varied by less than one full time position between the periods.

#### **b) Comparison between Budget and Actual Expense for 2011-2012**

The comparison between Budget and Actual expense compares the employee benefits expended in 2011-2012 with the budget for that period, as displayed in the Standard Income Statement.

It is important to note that the actual employee benefits vary between the Comprehensive Income statement and the Standard Income Statement. This variation is as a result of the Comprehensive Income Statement including the activities of the Port of Apollo Bay. The

Standard Income Statement however excludes the activities of the Port of Apollo Bay. This exclusion means that the budget versus actual comparison is for a lower value. In this case employee benefits are for \$18.147 million as opposed to \$18.572 million.

The employee benefits (costs) in the Standard Income Statement vary when comparing the budget and the actual expense by \$4.178 million. Similar to the comparison between years, the variation is due to a number of different factors including the accounting treatment of employee costs and one off extraordinary items.

A summary of the factors that contributed to the difference between the years are described and tabulated below for information.

The largest variation can be attributed to the Defined Benefits Superannuation Call made during the year. This call was not budgeted for by Council for this period. Another significant variation was the employment of staff through the Western District Employment Agency. No funds had been budgeted for this period to engage these additional staff, however the costs were partially offset by the supported employment scheme.

Other variations include:

- A number of areas of Council where labour costs were higher than budget, for example, Home Care Services, COPACC, Tourism. There were also a number of areas that had savings as compared to budget, such as Planning & Building, Sustainable Assets and BWFC (further details in the table below).
- An omission of overtime being budgeted within CosWorks and also the change in rostering for Local Laws resulted in higher levels of overtime than was originally budgeted for.
- Minor increase in the superannuation guarantee contributions required from Council than was originally anticipated.
- Employee costs that were expected to be capitalised (due to the work expected to be undertaken), were assessed as operational activities and so included in the employee benefits.
- Other leave costs such as maternity and bereavement leave that is not traditionally budgeted for.
- Fringe benefits Tax was substantially different from the original budget value which was based on the 2010 return.

| \$ '000 | \$ '000 | Variations between Budget and Actual   |
|---------|---------|--|
| 13,969  |         | <b>Employee Benefits Budget 2011-2012</b>  |
|         | 290     | Engagement of Western District Employment Agency assisted employees (partially offset by commonwealth funded supported employment scheme)  |
|         | 151     | Increased usage of labour in COPACC as compared to budget (as a result of additional programmes and activities partially supported by increased revenue)   |
|         | 3,182   | Additional Defined Benefits Superannuation Call  |
|         | 98      | No overtime was budgeted for in CosWorks and a limited amount in Local Laws. For CosWorks this was from emergency works carried out to make safe roads and public places. For Local Laws this was to manage emergency call outs and out of hours coverage. |
|         | 267     | Increased usage of HACC services, Maternal & Children's Health Services and Public Health Services than was budgeted for. (The HACC services are generally fully supported by additional revenue)  |
|         | 28      | Additional normal superannuation payments greater than was budgeted for  |
|         | 38      | Other employee and leave costs not budgeted for, such as maternity and paternity leave.  |
|         | 48      | Fringe Benefits Taxation obligations were considerably higher as the budget amount was based on the 2010 FBT value   |

|        |      |  |
|--------|------|--|
|        | 94   | Additional labour costs in both Visitor Information Centres and the Tourism Services. In part this relates to Council's obligations with the wind up of Otways Tourism. This was a reallocation of funds with no net impact to Council's budget. |
|        | 215  | Employee costs that were budgeted to be capitalised but were deemed operating costs.   |
|        | 27   | Additional labour costs in the Waste Management area than was budgeted for.  |
| 4,178  | -260 | Savings in labour costs occurred as compared to budget within several areas of Council. These areas include Planning & Building (133K), BWFC (66K), Recreation Arts & Culture (30K), and Sustainable Assets (31K).                               |
| 18,147 |      | <b>Actual Employee Benefits 2011-2012</b>  |

The variation in total employee costs between budget and actual over the financial year can be attributed to a number of reasons which have been outlined in this report. Budgets are an estimation of what is expected to occur over a given period and variations are likely. It is not in this case as a result of significant changes to the staff establishment.

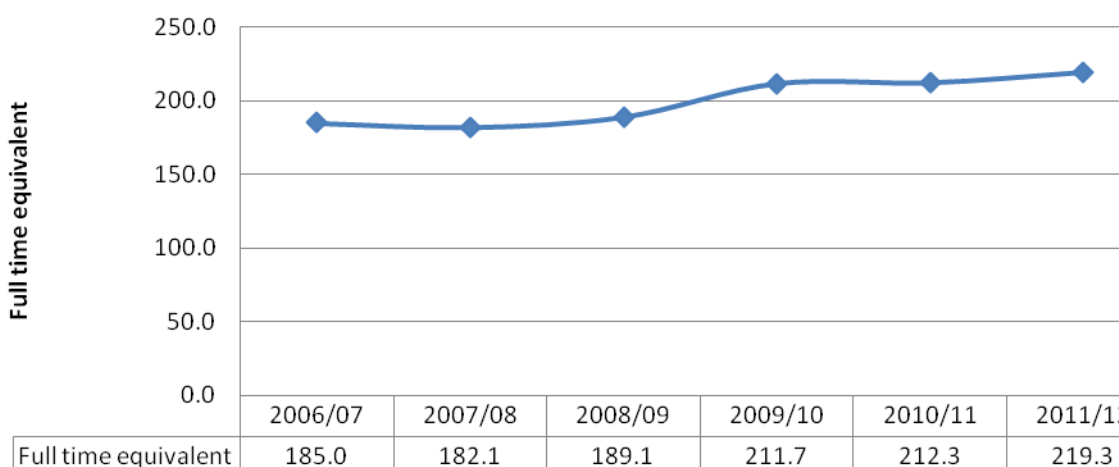
### c) Comparison of staffing between 2006-2007 and 2011-2012

The comparative information has been provided from 2006-2007 up to and including 2011-2012. The level of staffing has inevitably changed over time as demands on Council's services and activities have changed. Changes can occur for a variety of reasons, for example, funding may be provided from state or federal governments to undertake specific projects. The projects often involve the temporary appointment of staff for the duration of the project.

In addition certain areas of Council are service demand driven, for example, personal or respite care staffing requirements are driven by the demand from the community. Further there may also be regulatory changes that impose additional demands and activities on Council, such as emergency management, occupational health and safety, roadside management, environmental management and so on. In each case there may or may not be temporary or permanent funding available to support these changes.

The information provided in the graph below illustrates the changes to the full time equivalent staffing numbers engaged or utilised during each financial year.

### Staffing Levels



The following are the net adjustments that have occurred during the period of the assessment. Note that the positions are full time equivalent hours worked and not all positions are necessarily filled over the course of any given year.

| Description  | FTE Change |
|--|------------|
| Increase in Major Contracts, Sustainable Assets and Capital Works areas following the Cressy-Shelford Road incident (long term understaffing in the engineering services area)   | 4.75       |
| Long term vacant staff positions in Planning & Buildings were filled (compensatory savings made in contract employees)   | 2.14       |
| Additional CosWorks maintenance staff (offset by lower Capex)  | 1          |
| Additional temporary staff as part of the Western District Employment Agency supported work placements (recoverable)   | 1.71       |
| Additional support for Public Relations and Councillors Support  | 0.68       |
| Additional staff in Environment and Community Safety due to additional Crossing Supervisors and emergency management and fire readiness response (some of these positions are subsidised by State Government)  | 3.31       |
| Increase in Recreation, Arts and Culture to address health and safety concerns at the Bluewater Fitness Centre and additional support for events. (inadequate poolside supervision issues corrected)   | 8.27       |
| Additional staff in the Economic Development Unit due to changes in Otway Tourism arrangements and to ensure coverage in Council's Visitor Information Centres. (Cost of direct payment to Otway Tourism removed to compensate for one position)   | 2.46       |
| Port of Apollo Bay staff were not previously recognised within the Council staffing numbers.   | 2.2        |
| Additional Health and Community Services staff in fully or partially subsidised roles within Rural Access, Transport Connects or Home and Community Care   | 3.58       |
| Additional staff in Finance and Customer Service to maintain opening hours at Council's three (3) Customer Assist Centres and to address increasing asset management and reporting obligations. Additionally 2 positions were abolished when Council ceased providing Vic Roads services in Colac. | 3.65       |
| Additional staff in Organisational Support and Development to meet additional risk management obligations.   | 0.6        |
|  | 34.35      |

### Proposal

There are no proposals arising from this report as it is provided for information only.

### Financial and Other Resource Implications

There are no immediate financial or other resource implications arising from this report.

### Risk Management & Compliance Issues

There are no risk management or compliance issues arising from this report.

### Environmental and Climate Change Considerations

There are no environmental or climate change considerations arising from this report.

### Community Engagement

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is to inform Council and community of the variations in employee costs over the selected periods.

**Implementation**

There are no actions to be implemented resulting from this report.

**Conclusion**

The report provides information to Council:

- a) regarding why variations exist in employee benefits (costs) between the 2010-2011 financial year and 2011-2012 financial year.
- b) regarding the variation between the budget and actual expense for employee benefits for the 2011-2012 financial year.
- c) comparison of staffing between 2006-2007 and 2011-2012.

**Attachments**

Nil

**Recommendation(s)**

***That Council notes the information provided on the analysis of employee costs.***

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**OM121912-8 PLANT AND FLEET ASSETS**

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | CLF11/160    |

**Purpose**

The purpose of this report is to provide the Council with details of recommendations with respect to Plant and Machinery Assets and the Plant Replacement Reserve.

**Declaration of Interests**

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

**Background**

At the Council Meeting on 28 November 2012 Council resolved with respect to the Defined Benefits Superannuation Liability the following resolution:

1. ***Receives this updated report on Defined Benefits Superannuation Liability.***
2. ***Agrees to an immediate payment of \$700,000 from Council's Plant Replacement Reserve towards Council's Defined Benefit Superannuation***

The transfer from the Plant Replacement Reserve was a result of an investigation into the Plant Replacement Program and Reserve as requested by the Audit Committee in September 2012.

Details were provided to the Audit Committee on 5 December 2012 and to a previous In-Committee Council meeting.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

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

**Issues / Options**

Following the request from the Audit Committee a number of internal meetings were held to discuss the Plant Replacement Program and the Plant Replacement Reserve.

A number of meetings/discussions also took place between Finance and Cosworks to get a better understanding of the processes and systems that are currently in place.

**Plant & Machinery**

Council currently operates approximately 57 major Plant items including machinery and equipment to support road maintenance and construction, parks and gardens, street cleaning, road signs and line marking and drainage.

Approximately 70 items of classified minor plant is operated such as raised platforms, chain saws, brush cutters, pumps, leaf blowers, trailers, mowers, etc.

In addition, council operates a fleet of 53 motor vehicles including passenger and light commercial vehicles to support all Council programs.

Summary:

|                         |            |
|-------------------------|------------|
| Major Plant items       | 57         |
| Minor Plant & Machinery | 70         |
| Motor Vehicles          | 53         |
| <b>TOTAL</b>            | <b>180</b> |

### **Fleet and Plant Management goal**

The fleet and plant management goal is to provide, maintain and operate Council's fleet and plant effectively and efficiently, providing a commercially competitive option for the provision of equipment in support of Council programmes.

### **Proposal**

That Council notes the recommendations with respect to Plant and Fleet Assets.

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

#### **Asset Values**

As at 30 June 2012 the total cost of plant and fleet was \$9.4million and the current written down value (WDV) was \$4.7million.

| Year Ending      | Cost         | Acc. Dep.    | WDV Balance  |
|------------------|--------------|--------------|--------------|
|                  | \$'000       | \$'000       | \$'000       |
| 30-Jun-02        | 7,324        | 3,290        | 4,034        |
| 30-Jun-03        | 7,557        | 3,474        | 4,083        |
| 30-Jun-04        | 7,690        | 3,614        | 4,076        |
| 30-Jun-05        | 7,653        | 3,407        | 4,246        |
| 30-Jun-06        | 7,540        | 3,277        | 4,263        |
| 30-Jun-07        | 7,730        | 3,913        | 3,817        |
| 30-Jun-08        | 7,908        | 3,928        | 3,980        |
| 30-Jun-09        | 8,421        | 4,675        | 3,746        |
| 30-Jun-10        | 8,943        | 4,889        | 4,054        |
| 30-Jun-11        | 8,797        | 4,693        | 4,104        |
| <b>30-Jun-12</b> | <b>9,397</b> | <b>4,688</b> | <b>4,709</b> |

The table indicates that there has not been any significant movements in the written down value (WDV) between the financial years 2001/02 and 2011/12. The figures for 2011/12 include the Port of Apollo Bay.

### **Major Plant**

A major plant replacement programme has been initially developed by CosWorks. This programme will need to be reviewed and included in the normal asset renewal programmes that are an integral component of the annual budget process, Strategic Resource Plan and Long Term Financial Plan development.

### **Plant Replacement Reserve**

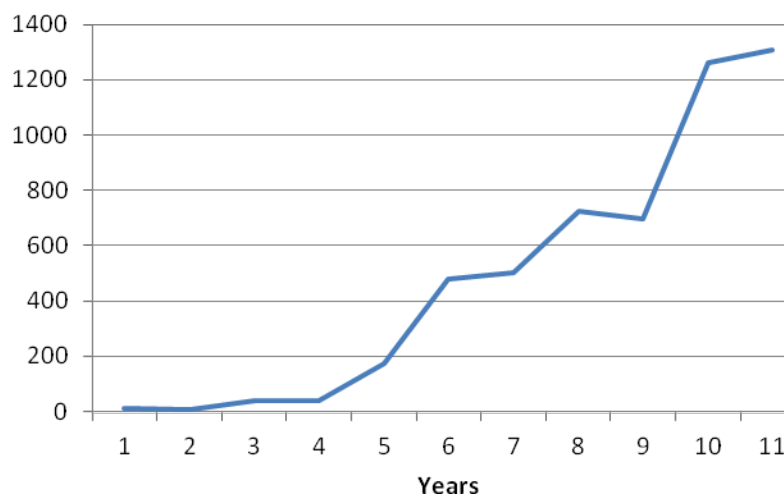
This reserve is to fund the replacement of council's fleet and plant at the end of their useful lives. Inflows to the reserve accrue out of any plant operating surplus with the funds then being used for the changeover of plant.

### Plant Replacement Reserve Balances

The following figures and chart provide the balance of the Plant Replacement Reserve for the period 2001/02 to 2011/12.

Based on the data below there has been a significant increase in the reserve particularly over the past 2 years. The reserve currently has a balance of \$1.31m.

| Year Ending | Balance |
|-------------|---------|
|             | \$'000  |
| 30-Jun-02   | 12      |
| 30-Jun-03   | 5       |
| 30-Jun-04   | 41      |
| 30-Jun-05   | 41      |
| 30-Jun-06   | 175     |
| 30-Jun-07   | 478     |
| 30-Jun-08   | 504     |
| 30-Jun-09   | 725     |
| 30-Jun-10   | 698     |
| 30-Jun-11   | 1,261   |
| 30-Jun-12   | 1,309   |



### Budget 2012-2013

The budget for 2012-2013 indicates that there will be a reduction in the Plant Replacement Reserve at the end of the financial year.

This would reduce the current balance of \$1.309 million in the Plant Replacement Reserve to \$1.167 million.

It should also be noted that as part of the 2012-2013 Budget the Council resolved the following:

***“Proposes to utilise \$200,000 from the Plant Replacement Reserve for the purpose of providing matching funding for the redevelopment of the Central Reserve.”***

***“Proposes to repay the \$200,000 to the Plant Replacement Reserve over a maximum term of three years.”***

This would reduce the balance of the Reserve to \$983,000 at the end of the 2012-2013 financial year prior to any repayments.

Since the budget process was completed it has been established that Council's contribution to the Central Reserve Project would be \$250,000.

This would further reduce the balance of the Reserve to \$933,000 at the end of the 2012-2013 financial year prior to any repayments.

Recommendation (h) refers to the Plant Replacement Reserve.

It should be noted that:

- The recommendation significantly reduces the balance in the Reserve.
- The reduction will result in reduced funds to invest which will reduce the amount of interest revenue that Council receives.

- It will be important that the balance of the Plant Replacement Reserve is closely monitored to ensure that there are adequate funds in the Reserve for Plant Replacement.
- The reduction in the Reserve will also have the effect of reducing Council's Working Capital Ratio. This will also need to be closely monitored, particularly if the level of Federal Government grants in advance is reduced as has been indicated may occur.

**Risk Management & Compliance Issues**

As noted above it is important that there are adequate funds in the Plant Replacement Reserve and that the Working Capital Ratio is closely monitored.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected has been to inform, consult and involve. Discussions were held between Finance Staff and Cosworks staff to gain a better understanding of the processes involved in setting the Plant Hire rates and the 10 year Plant Replacement Program.

Information has been provided to the Audit Committee in response to their request and also to Council – In Committee.

**Implementation**

A number of the recommendations included in the report will be implemented as part of the Budget process for 2013/14.

An amount of \$700,000 has been paid to Vision Super to reduce the Council's liability to the Defined Benefits Shortfall.

**Conclusion**

The fleet and plant management goal is to provide, maintain and operate Council's fleet and plant effectively and efficiently, providing a commercially competitive option for the provision of equipment in support of Council programmes.

A number of recommendations have been developed with respect to Plant and Fleet Assets. A number will be implemented as part of the 2013/14 Budget Process.

**Attachments**

Nil

**Recommendation(s)**

***That Council notes the recommendations with respect to Plant and Fleet Assets.***

**(a) Plant & Machinery listing**

***It is recommended that a stock take is undertaken of the items contained within the Plant Asset listing to ensure that all of the items are required.***

***Further, any items identified as surplus to requirements are to be disposed of in accordance with the Local Government Act 1989.***

**(b) Light Fleet Operations**

***It is recommended that the Light Fleet Operations budget be reviewed to ensure that all costs are included and that the hire rates allocated for light fleet are reviewed on an annual basis to ensure that the fleet operations is cost neutral and that the Plant Replacement Reserve is at the required level.***

**(c) Light Fleet Vehicles Policy**

***It is recommended that the Light Fleet Vehicles Policy is reviewed in April 2013, following the completion of the next annual data calculations.***

**(d) Major Plant Operations**

***It is recommended that the major plant operations budget be reviewed to ensure that all costs are included and that the hire rates allocated for heavy plant are reviewed on an annual basis to ensure that the level of the major plant operations is cost neutral and that the Plant Replacement Reserve is at the required level.***

**(e) Minor Plant**

***It is recommended that the minor plant be recognised as a component of Council's plant management processes and where appropriate plant hire rates are established to ensure that the level of the minor plant operations is cost neutral and that the Plant Replacement Reserve is at the required level.***

**(f) 10 year Plant replacement Program**

***It is recommended that the 10 year Plant Replacement Programme is updated on an annual basis as part of the annual budget process. The Plant Replacement Programme is to include all forms of plant.***

**(g) 10 year Financial Summary**

***It is recommended that a 10 year Financial Summary for Plant and Fleet Operational Income & Expenditure and Plant Replacement Reserve is developed as part of the annual budget process.***

**(h) Plant Replacement Reserve Funds**

***The following transactions are undertaken:***

***A. that an amount of \$250,000 is retained in the Plant Replacement***

***Reserve with respect to the Central Reserve Project and it is not repaid from the Council's operations budgets.***

***B. that an amount of \$700,000 is transferred from the Plant Replacement Reserve and paid to Vision Super to reduce the Defined Benefits Liability.***

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**INFRASTRUCTURE AND SERVICES**

| <b>ITEM</b>               |  |
|---------------------------|--|
| <b><u>OM121912-9</u></b>  | <b><u>APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT - ADOPTION</u></b>           |
| <b><u>OM121912-10</u></b> | <b><u>COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE</u></b>                |
| <b><u>OM121912-11</u></b> | <b><u>ROAD MANAGEMENT COMPLIANCE REPORT</u></b>                                |
| <b><u>OM121912-12</u></b> | <b><u>CHRISTMAS LIGHTS AND DECORATIONS</u></b>                                 |
| <b><u>OM121912-13</u></b> | <b><u>SUBMISSION ON DRAFT VICTORIAN WASTE AND RESOURCE RECOVERY POLICY</u></b> |
| <b><u>OM121912-14</u></b> | <b><u>ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL</u></b>                     |





OM121912-9

**APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT - ADOPTION**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Ronan Corcoran            | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is to seek Council's adoption of the Apollo Bay Drainage Strategy.

**Declaration of Interests**

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

**Background**

In recent years residents of Apollo Bay have consistently experienced flooding events on a regular basis.

It has become apparent that urban development has considerably outstripped investment in the major drainage network. This overburdening of the existing drainage network has led to flooding events in the township apparently increasing in frequency and severity in recent years.

These considerations led Council to allocate funds in the 2011/2012 budget to carry out a strategic report on the drainage of the Apollo Bay and Marengo townships. Marengo was eventually excluded from the study due to insufficient funds.

The Apollo Bay Drainage Strategy was required to:

- Assess the condition and effectiveness of the existing network.
- Identify, through hydraulic modelling, drainage improvement options including cost estimates. These options were required to cater for an improved standard of stormwater conveyance while also accounting for the likely effects of global warming and development.

As a result, a consultant was appointed to produce the strategy. A draft strategy was presented to Council as well as to the public during a 6 week submission period. Following the submission period, which resulted in one submission which was broadly in support of the strategy and its recommendations, the draft report was finalised and presented to Council.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

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

**Land Use and Development**

Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

**Environmental Management**

Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.

**Issues / Options**

The existing drainage network was found mostly to be of a poor standard and is, in places, performing significantly below minimum design requirements. The “spine” of the network is currently unable to convey more than the two (2) year return period event in parts of the commercial area. The desired return intervention is 20 years for commercial areas. The invert level of the Thomson Street outfall – which services the entire commercial area of Apollo Bay - is too low and suffers greatly from high tide events and experiences significant maintenance and hydraulic difficulties as it frequently becomes blocked with sand following storm events.

The study undertook detailed analysis and modelling of a suite of improvement options that were tested against the likely effects of climate change and increased development.

**Proposal**

This strategy recommends major civil infrastructure improvement options to deal with the issues outlined above. The options are also recommended to be placed within Council’s Capital Works Program as discreet packages of work. The recommendations include:

- A duplicate outfall at Thomson Street with a raised invert level combined with realignment and upsizing of the stormwater network at the Great Ocean Road / Thomson Street intersection.
- A diversion drain at McLachlan Street that takes stormwater away from the foreshore and which discharges directly to the Barham River and Milford Creek.
- Upsizing of the “spine” of the existing network servicing the commercial area and immediate surrounds.

**Financial and Other Resource Implications**

This report recommends a total of \$3.8 million dollars worth of capital works investment into the drainage network. It is proposed that a separate funding report will be prepared by Infrastructure Services by the end of this financial year for presentation to Council.

**Risk Management & Compliance Issues**

This report has identified that Council is not meeting minimum standards with regards to the drainage of the Apollo Bay Township. Council could possibly be challenged if steps are not taken to raise the standard of the Apollo Bay drainage network to industry standards.

**Environmental and Climate Change Considerations**

This report has used the latest figures in likely future climate change effects as part of the development of the drainage improvement options.

**Community Engagement**

The community engagement strategy followed the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected was consult and included a public meeting that was held in Apollo Bay where the report was presented as part of the six (6) week submission period. The submission made by the one member of public was reviewed and comments considered as part of finalisation of the report. A targeted information session has also occurred with the Otway Coastal Committee (OCC). It is proposed that consultation with OCC, Department of

Sustainability & Environment (DSE) and VicRoads will occur as part of the detailed design of improvement options.

### **Implementation**

The report will be implemented by including the major civil works improvement options in Council's Capital Works Program.

### **Conclusion**

The Apollo Bay drainage network is performing poorly in most areas. Council is not meeting minimum standards required with regards to the drainage network. Frequent flooding issues will continue to occur in Apollo Bay should no action be taken. The severity and frequency of flooding events is set to increase with the effects of climate change and increased development.

The Apollo Bay Drainage Strategy makes detailed recommendations based on hydraulic modelling of the network that are designed to bring the stormwater network up to a suitable standard.

Council endorsement of the Strategy is required to enact recommendations made in the report.

### **Attachments**

1. Apollo Bay Drainage Strategy

### **Recommendation(s)**

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

- 1. Adopts the Apollo Bay Drainage Strategy based on a total of \$3.8 million dollars worth of capital investment in drainage.***
- 2. Refers the identified improvement works to Council's 10 year capital works & major projects programme for prioritisation.***
- 3. Prepares a Funding Proposal Report for consideration by Council which assesses options on how the identified capital improvement costs could be met.***

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OM121912-10

**COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE**

|             |                           |           |           |
|-------------|---------------------------|-----------|-----------|
| AUTHOR:     | Neil Allen                | ENDORSED: | Rob Small |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/3291  |

**Purpose**

The purpose of this report is to review the membership of the Colac Livestock Selling Centre Advisory Committee and agree to a Terms of Reference.

**Declaration of Interests**

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

**Background**

The Colac Livestock Selling Centre Management Committee was appointed as a S86 Committee of Council in April 1995. An Instrument of Delegation was signed and sealed.

In July 1995 the Saleyards Committee was restructured as an Advisory Committee with 7 members.

It was agreed that the Committee's function was to:

- Address and resolve operational issues of the Colac Livestock Selling Centre and to make recommendations to Council.
- Contribute to the objective of making Colac Livestock Selling Centre the best in rural Victoria.

A report was presented to the 23 May 2007 Council meeting to reconfirm the Committee as an Advisory Committee of Council and make changes to the Purpose of the Committee.

It was resolved at this Council meeting:

- “1. That Council changes the name of the “Saleyards Advisory Sub Committee” to the “Colac Livestock Selling Centre Advisory Committee”.**
- 2. That Council reconfirms the Committee as an Advisory Committee of Council.**
- 3. That Council notes the purpose of the Committee is to:**
  - **Provide advice to Council on the operations of the Centre and to make recommendations to Council;**
  - **To make recommendations to Council on proposed capital expenditure and level of fees and charges;**
  - **To contribute to the objective of continuous improvement in service delivery through innovation, flexibility, technology and participate with other stakeholders to promote the importance of the Centre to the wider community.**
- 4. That Council approves the membership of the Colac Livestock Selling Centre Advisory Committee which will consist of individuals or representatives from the following:**
  - **Councillor – Colac Otway Shire**

- ***Cosworks Manager – Colac Otway Shire***
  - ***Saleyards Superintendent – Colac Otway Shire***
  - ***Stock Agents x 4***
  - ***Victorian Farmers Federation***
  - ***United Dairy Farmers of Victoria***
  - ***Buyers Representative***
  - ***Livestock Transport Association of Victoria***
- 5. That Council receives the minutes of the Colac Livestock Selling Centre Advisory Committee for approval.”**

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

#### **Leadership and Governance**

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

#### **Issues / Options**

During the recent Post Weighing Sale Trial, a number of submissions in relation to the conduct of the trial requested that additional representation be provided from farmers. The request generally revolved around having an additional community member to give advice from the farming sector.

This matter was discussed with the current Colac Livestock Selling Centre Advisory Committee and it was agreed that a community representative would add value to the group and as such that an additional community member should be called for.

The Colac Livestock Selling Centre Advisory Committee felt that the best way to appoint this additional community member was through a public advertisement process in the Local Paper with nominations from community members.

It is also appropriate to determine a Terms of Reference, as one could not be found.

#### **Proposal**

It is proposed to advertise for an additional community member to join the Colac Livestock Selling Centre Advisory Committee. The appointment of a community member would need to occur through an advertising process which requires applicants to make a submission on why they believe that they should be appointed to the position. A submission form has been developed and It is proposed that submissions would close on 8 February 2013, with the intention to report to the March 2013 Council Meeting.

The submissions will be judged on the following:

- Experience in the livestock Industry and in particular buying and selling of stock.
- Experience in livestock farming or stock management.
- What they believe that they could add to the current Advisory Committee.
- Vision for the future of the Colac Livestock Selling Centre.
- Ability to communicate orally and written.

The submission includes the Terms of Reference attached to every form. The Terms of Reference was discussed with the Advisory Committee and agreed. It is proposed that the Council approve the process and also endorse the Terms of Reference as an operational matter.

**Financial and Other Resource Implications**

There are no budget or resource implications with the proposal. This is not a paid position.

**Risk Management & Compliance Issues**

The risk to Council in not doing this is that it could be viewed as not listening to the farming community.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform, consult and involve through advertisements being placed in the newspaper and notices being placed in the Colac Livestock Selling Centre canteen calling for nominations for a community member.

**Implementation****a) Community Member**

It is proposed to publically call for nominations for a community member to the Colac Livestock Selling Centre Advisory Committee once approved by Council and to commence implementation as soon as practicable. The Process would be as follows:

- Call for Expressions of Interest to join the Colac Livestock Selling Centre Advisory Committee, subject to a 6 week notification period.
- Submissions assessed by the Advisory Committee and voted on.
- The person who has the most votes from the Advisory Committee will become the nominated community member.
- Recommendation forwarded to Council for formal adoption of community member to the Colac Livestock Selling Centre Advisory Committee.
- Applicant notified and requested to join Advisory Committee.

**b) Terms of Reference**

No formal Terms of Reference are believed to exist. A Terms of Reference has been drafted after discussion with the Colac Livestock Selling Centre Advisory Committee and it is recommended that Council endorses the draft Terms of Reference as attached.

Once adopted, this will become the guiding document for the Advisory Committee.

**Conclusion**

The addition of a community member to the Colac Livestock Selling Centre Advisory Committee would add value to the committee and implementation should be commenced as soon as practicable.

The adoption of the Terms of Reference will give the Colac Saleyards Advisory Committee direction and support in the decision making process.

**Attachments**

1. Terms of Reference - Draft
2. Nomination Form - Draft

**Recommendation(s)**

***That Council:***

- 1. Advertises for a community member to join the Colac Livestock Selling Centre Advisory Committee, based on a 6 week notification period.***
- 2. Receives a further report with recommendations on the preferred candidate for appointment to the Advisory Committee.***
- 3. Endorses the Terms of Reference for the Colac Livestock Selling Centre Advisory Committee.***

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**OM121912-11 ROAD MANAGEMENT COMPLIANCE REPORT**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | 11/95454   |

**Purpose**

The purpose of this report is to present to Council the Road Management Compliance Report which measures the performance of the road and footpath inspection and maintenance functions against the standards prescribed by the Road Management Plan.

**Declaration of Interests**

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

**Background**

The attached reports detail the performance of Council's road and footpath management systems and processes for the following period(s):

- April to June 2012

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

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

Council is committed to achieving this strategy through the implementation and management of Colac Otway Shire Council's Road Management Plan.

**Issues / Options**

The attached compliance reports measure compliance levels and also detail some of the key issues relating to the ongoing management of Council's road and footpath assets.

*Roads*

Approximately 577kms of Council's local road network was inspected during the period extending from April to June 2012. Roads inspected included Council's Rural Link and Collector Roads and Access roads within the small townships of Birregurra, Forrest, Beeac, Cressy, and Beech Forest. A total of 82 defects outside Council's intervention standards were identified.

All items requiring rectification have been addressed. 96% of these were responded to within the timeframes prescribed in Council's Road Management Plan. The key performance indicator for this criterion is 85%.

This period's compliance results are generally consistent with past performance reports and exceed the key performance indicators specified in Council's Road Management Plan.

| <b>Performance Measure (Roads)</b>  | <b>Target</b> | <b>Result for Period April - June 2012</b> |
|---|---------------|--|
| Routine inspections completed as per Schedule   | 100%          | 100%                                       |
| Response times for remedial works as assessed in Council's Maintenance Performance Criteria | 85%           | 96%  |

### *Footpaths*

Approximately 36kms of Council managed footpaths were inspected for the quarter April to June 2012. This represents around 26% of the total network length. Footpaths in the townships of Apollo Bay, Birregurra, Beeac, and other small townships were all inspected over this period.

Through these inspections, a total of 31 defects were identified which required some level of rectification under the standards in the Road Management Plan. All action items have been attended to at the time of preparing this report.

Overall, 96% of all defects identified as requiring rectification were responded to on time. Council's Road Management Plan provides that a target of 85% of all remedial works are to be completed within the nominated timeframes.

| <b>Performance Measure (Footpaths)</b>  | <b>Target</b> | <b>Result for Period April - June 2012</b> |
|---|---------------|--|
| Routine inspections completed as per Schedule   | 100%          | 100%                                       |
| Response times for remedial works as assessed in Council's Maintenance Performance Criteria | 85%           | 96%  |

### **Proposal**

It is intended that Council receives the Road Management Plan Compliance Report for information only.

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

No financial implications are applicable at present. The service levels within the Road Management Plan have been aligned to match existing maintenance funding allocations. Any increase in maintenance standards would require a review of current road and footpath maintenance budgets.

Any emerging deterioration trends will need to be continually monitored to determine likely impacts on both future maintenance and capital budgets.

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

Council's objective of road management is to ensure that a safe and efficient road network is provided primarily for use by members of the public and is available for other appropriate uses.

Council has an ongoing statutory obligation to ensure that it is fully compliant with the standards defined in its Road Management Plan.

Council's insurer requires that regular reports be presented and received by Council in relation to the organisations level of compliance with the Road Management Plan.

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

No environmental considerations are applicable at this time.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected is to inform the community through presentation of this report.

The Road Management Plan compliance reports are also presented to Council's Audit Committee as required.

### **Implementation**

This report is provided to Council for information.

### **Conclusion**

This report is provided for information and demonstrates Council's commitment to managing its roads and footpaths in order to fulfil its various statutory obligations. It demonstrates that Council has met its compliance obligations for the period April to June 2012.

### **Attachments**

1. Footpaths Compliance Report
2. Roads Compliance Report

### **Recommendation(s)**

***That Council receives the Road Management Plan Compliance Report for the period April to June 2012 for information.***

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**OM121912-12 CHRISTMAS LIGHTS AND DECORATIONS**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F12/438    |

**Purpose**

This report is presented to Council for it to consider including an allocation in future year's budgets for the provision of Christmas lighting and decorations for townships within the municipality.

**Declaration of Interests**

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

**Background**

At present there is no allocation of funding made within the recurrent budget of the Sustainable Assets Business Unit for the installation of Christmas lighting and decorations along Colac's central activity areas. The repair and maintenance of existing bud lighting along Murray Street and the erection of Christmas decorations and banners on light poles at strategic locations both on Murray Street and Bromfield Street is funded from maintenance works and therefore reduces the available expenditure for maintaining our assets. There is no allocation for the purchase of new decorations. The Christmas decorations presently being used by Council are nearing the end of their useful life and will soon become unusable due to their age and state of repair.

Christmas is a time for all the community to celebrate and come together with family and friends. It is considered that providing lighting and decorations in public areas adds to Christmas celebrations, engenders community spirit, builds community pride and place making.

**Council Plan / Other Strategies / Policy  
Physical Infrastructure and Assets**

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

**Issues / Options**

There are a wide range of possibilities available with regard to the provision of Christmas decorations. In the short term it is proposed to follow the present theme of decorations, banners and lighting within Colac.

**Proposal**

It is proposed that Council considers, as part of the budget process, \$10,000 per annum to provide an annual recurrent budget for the provision and installation of Christmas decorations and lighting. This would also allow for an adequate annual renewal programme as such equipment is relatively short lived.

Given the limited resources and funding and the fact that Colac is the primary centre within the municipality, it is proposed that the Christmas decorations be targeted at Colac initially with consideration to other townships at a future date when a sufficient decorations have been built up.

**Financial and Other Resource Implications**

An allocation of \$10,000 per year is required for the provision of Christmas lights and decorations in the main shopping areas. It will enable the purchase of new decorations and allow their installation.

Over the past three (3) years, Council has spent a total of \$34,444 (inc. GST) on providing Christmas decorations and lighting. This includes \$26,139 (inc. GST) for the repair and maintenance of bud lighting along the central median in Murray Street and \$8,305 (inc. GST) for the purchase and erection of decorations.

Prior to 2012/13, these have been unfunded activities and have only occurred by virtue of a reduction in expenditure in other programme areas within the Sustainable Assets Unit's operating budget.

**Risk Management & Compliance Issues**

Due to the nature of the work involved in erecting Christmas lighting and other decorations, Traffic Management Plans are required to be implemented to provide a safe working environment for Council staff and other contractors involved. Safe Work Method Statements are also required and all electrical work is completed by a licensed electrician. Banners and decorations are installed on existing light poles and require the use of an Elevated Work Platform (EWP). All personnel involved in this activity have full accreditation to operate a EWP.

As the light poles are owned by Powercor, Council must ensure that it has entered into a Facilities Access Agreement. Such an Agreement specifies the requirements that need to be met in order to gain permission install attachments on Powercor assets. Council officers liaise with Powercor representatives to make sure that all necessary Agreements are in place.

**Environmental and Climate Change Considerations**

Sustainable purchasing options will be considered if and when new lighting or other equipment is procured.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform and include: Council's programme to erect Christmas decorations and lighting will be promoted in advance in local print media. There may be future opportunities to engage with local communities to achieve better place making outcomes once an adequate level of funding is provided for.

**Implementation**

Council's programme to install Christmas themed decorations and lighting will continue to be implemented in line with the available financial resources. Dedicated funding would provide an opportunity to enhance Council's programme and would ensure that all decorations and other accessories are of a suitable condition and quality.

**Conclusion**

Christmas decorations, lighting and celebrations are important for the social development and pride building in the Community.

Christmas decorations and lighting provide an opportunity to improve the life and vibrancy of Council's many townships. They also reflect improved amenity and sense of place and tourism opportunities during the festive season.

Without the dedicated funding, this program is unsustainable and will need to cease.

The purchase and installation of Christmas decorations is a significant investment in the community wellbeing for the Colac Otway Shire community and as such should be supported.

**Attachments**

Nil

**Recommendation(s)**

***That Council considers, as part of the 2013-2014 budget process, \$10,000 per annum to provide an annual recurrent budget for the provision and installation of Christmas decorations and lighting across the Shire.***

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**OM121912-13      SUBMISSION ON DRAFT VICTORIAN WASTE AND  
RESOURCE RECOVERY POLICY**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Ranjani Jha               | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/759    |

**Purpose**

The purpose of this report is to inform Council about the submission made by the Council officers in response to the Draft Victorian Waste and Resource Recovery Policy released for comments by the State Government of Victoria.

**Declaration of Interests**

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

**Background**

The Waste Policy Review Discussion paper was released in March 2012 and underwent thorough consultation and debate including 400 people attending consultation forums across Victoria and 71 submissions received by the State Government.

Taking into account the responses of various stakeholders and comments made in the submissions and discussion forums, the latest Draft Victorian Waste Management Resource Recovery Policy has been released by the State Government. Submissions were sought by the Department of Sustainability & Victoria (DSE) from Local Government by Friday 23 November 2012, however, due to requests made by the industry for more time for the consultation process, the last date for receiving the submissions had been extended to 7 December 2012.

In the initial stage, Council had prepared and lodged a submission in response to the Waste Policy Review Discussion Paper focussing on the following key aspects:

- Rehabilitation of closed landfill sites
- Allocation of landfill levies funds for rehabilitation of closed landfills
- Complicated monitoring and auditing requirements of landfill sites
- Waste avoidance
- Focus on re-use
- Reduction of packaging material
- On-Farm composting and garden composting
- Planning for waste reduction in new industries
- Alternative Waste Technology (AWT)
- Location of future AWT sites
- Need for greater focus on research and development
- Funding framework on a strategic and equitable basis
- Policy for disadvantage groups and controlling of illegal dumping
- Building demolition, commercial and industrial waste
- Improved communication with local government and other industry stakeholders
- Road, rail and water transport
- Contingency Plan and support

From the Draft Victorian Waste and Resource Recovery Policy document, it appears that many of the comments made by the Council and the comments made by other Councils have been taken into account in the Policy document. The Draft Policy document was discussed at the Barwon Regional Waste Management Group (BRWMG) offices and there was general support for the new Policy document. Whereas the BRWMG have prepared their own submission in response to the draft Policy document, it was considered appropriate a submission was prepared by the Colac Otway Shire Waste Management department highlighting some of the key issues faced by the Council in the Waste Management area.

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

Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.

The Council Plan 2009-2013 indicates that Council has an ongoing commitment for waste minimisation and recycling via:

- Environmental Management - Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.
- Strategy 2 – Implement the waste management plan and review current contractual arrangements; and
- Strategy 3 – Implementation of the Waste Water Management Strategy.

### **Issues / Options**

The Council has a number of waste issues which this submission will address as follows:

- The need for Government to address issues about landfill rehabilitation costs for closed landfills.
- Equitably addressing landfill levy costs and returning fees collected back to councils to assist with their own waste management and landfill management.
- Potential to explore Waste to Energy Facilities as regional solutions.

Council officers have raised these issues in the submissions and Council can either choose to support the submission retrospectively or note.

### **Proposal**

Taking in account the various waste management issues current faced by the Colac Otway Shire, the following submission was prepared and lodged with the DSE.

### **Chapter 1: Introduction:**

The Colac Otway Shire supports the Draft Victorian Waste and Resource Recovery Policy its long term vision and the broad based principles contained within the document. The Council commends the State Government for the proactive approach in preparing this document in a timely manner towards a 30 year waste vision for the State of Victoria.

Some comments are made below in order to make the document even more effective: The timeframe for making submissions is limited given the extent of issues covered within the policy and its significance on how waste will be managed within the state in the next 30 years. It is recommended that the timeframe for consultation be extended and/or state-wide workshops are held at strategic locations, allowing open discussion with all stakeholders and seeking feedback at grass root levels.

It has been indicated in the document that the discussion paper released in March 2012 had generated a lot of debate leading to 71 submissions and over 400 people attending the consultative forums across Australia. It will be useful if the highlights of all the submissions and comments received from the discussion forums can be summarised in a chapter, indicating the primary concerns raised by the majority and other specific issues raised by other organisations. The provision of such information will allow better understanding of actions that are proposed within the document.

A number of positive steps have been incorporated within the document, such as focus towards integrated waste management systems, recognition that all levels of the government are responsible towards waste management, identification of infrastructure gaps, and the requirement for strategic planning and waste minimisation through use of modern technology such as energy from waste projects.

It is felt that the conventional “waste pyramid” concept, focussing on “Avoid, Reduce, Reuse, and Recycle” has been somewhat overlooked, in particular the reuse aspect of waste management has not received much attention.

The zero waste targets, were initially set for a period until 2014. The new targets need to be set in such a way that they are realistic, achievable and based on realistic calculations, projections, provision of new infrastructure and State Government funding support.

A number of positive initiatives have been indicated within the draft policy, however there is a need to back it up with a clearly measurable time bound action plan fully prioritised and adequately resourced and funded.

### **Chapter 2: A new vision for waste management in Victoria:**

It has been suggested that the structure of Government Departments responsible for waste management will be reviewed in order to be able to effectively manage the initiatives proposed within the draft policy. Therefore it would be appropriate to prepare the strategic plan first, identify the resources required and then undertake the review process of the Government Departments. In undertaking such a review consideration should be given towards adequate representation of State Government officers in the rural and regional centres.

### **Chapter 3: Strong markets for products made from waste materials:**

The draft policy mentions publishing the waste management initiatives funded each year, however it doesn't emphasise the need for developing a clear-cut funding allocation methodology. It is felt that a funding allocation criteria needs to be developed in consultation with the stakeholders, taking into account the waste industry's short, medium and long term requirements.

The policy proposes to continue scheduled landfill levy increases until 30 June 2015 and keep the landfill levy constant through “treasurer's rate” annual adjustments to maintain real landfill levy rates beyond 30 June 2015. Whilst for the bigger landfill sites the landfill levy increases maybe sustainable, for the smaller rural landfill sites it imposes a significant financial burden resulting in council rate increases. In lack of an established funding distribution guideline, the Local Government paying the landfill levy are not getting any funding back for undertaking their high priority waste management projects. Therefore, there is a need for equitable funding distributions across all Local Governments so that no organisation is financially disadvantaged.

The putrescible waste from smaller councils has to be transported to bigger regional landfill sites and in the recent past, significant “gate fee” increases have been faced. The “gate fee” payable at the bigger landfill sites varies significantly and there is a need for a control

mechanism so that the setting of “gate fee” is consistent and affordable across all landfill disposal sites. The State Government could play an important role in monitoring the “gate fee” across all landfill sites and allowing disposal of waste from various municipal areas without complications arising due to need to enter into tendering or quotation process.

Section 3.3.2 discusses working with the businesses to identify waste minimisation opportunities encouraging exchange of waste materials for reuse and mutual benefit. In the same context it is suggested that focus should be given by the government towards reviewing of packaging processes with an aim to make the packaging efficient with use of less material and exploring the possibility of offering purchase price discount to customers for buying of products without/minimal packaging. Disposal of packaging material generates an enormous amount of waste and by addressing this problem the amount of waste generated can be significantly reduced. The waste sector will need to work closely with the manufacturing sector for achieving this goal.

Currently the Municipal Waste Charge in most Local Governments is set on an annual basis and is a fixed amount for each household irrespective of the quantity of waste produced. There is currently no incentive offered for producing less waste. If waste generation is to be minimized there is need for better pricing arrangements in order to apply annual waste charge based on quantity of waste produced. Such an incentive will help change people behaviour towards waste generation. There is a need to explore feasible options in this regard.

The policy seems to have drifted away from the fundamental waste pyramid principle of avoid, reduce, reuse, recycle. In particular, the reuse initiative appears to have been ignored and needs further attention. In the earlier submission, the Colac Otway Shire had suggested construction of resale facilities at various transfer stations for sale of reusable items, utilising community organisations. However, at this point in time, such projects are not assigned high priority for funding allocation.

Endeavours should be made for providing avenues for repairing of goods which are in relatively good condition. There could be possibility of building in repair costs with the product purchase price at the time of purchase which will prevent goods in good condition ending up at the landfill site or sold at scrap value.

#### **Chapter 4: Infrastructure and planning:**

The State Government should play a leading role in the preparation of a strategic plan for long term infrastructure projects. It is proposed that state wide strategic planning should be commenced at the grass root levels by each Local Government, integrated into the Regional Waste Management Plan before being forwarded to the State Government for integration with the state wide strategic plan.

The State Government should undertake a gap analysis for identifying the infrastructure deficiencies within the state and help develop an infrastructure upgrade program supported with time bound funding commitment.

Further analysis needs to be undertaken on a state wide basis for construction of significant projects such as “Energy from Waste” projects, taking into account site selection, planning, economics, logistics, environmental, socioeconomic aspects in order to benefit the whole of the state.

The review also needs to consider if there is opportunity to develop state wide or major regional waste to energy facilities that receive waste streams from a number of Councils and Regional Waste Management Groups. A significant regional project could help resolve the

metropolitan waste issues through the development of a waste to energy facility on a rail line and minimize costs through generation of power.

**Chapter 5: Protecting our environment and public health:**

The policy recognises the need to ensure support mechanisms for closed landfills, especially for monitoring requirements and post closure management requirements. It has been indicated that all new and existing landfills will continue to be managed in accordance with EPA guidelines for Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of landfills. The management of closed landfill sites has not been discussed in detail. In this regard it is suggested that a risk management approach should be utilised for rehabilitation of closed landfill sites. Some of the closed landfill sites which have closed more than ten years ago and are unlikely to pose any risk, are required to be rehabilitated to a very high standard at significant costs, imposing financial burden on Local Governments. Whilst it is agreed that the Best Practice Environmental Guideline should be used, there is a need to review this guideline in order to make rehabilitation of closed landfill sites more affordable, cost effective and environmental benefit oriented.

The State Government should prepare a list of all closed landfill sites across the state and undertake risk assessments for identifying the risk associated with each site leading to development of a priority list. The low risk landfill sites may not require rehabilitation to the same standard as currently stipulated in the Best Practice Environmental management. The government should also assist in the reviewing of landfill rehabilitation design guidelines in order to use alternative materials which are locally available and less expensive compared to the clay cap.

Clear guidelines need to be developed for ongoing monitoring of closed landfill sites in order to prevent unnecessary ongoing expenditure. It is suggested that if no risks are revealed through the landfill monitoring program for a period of greater than two years, a decision should be made to reduce the frequency of monitoring or cease it. At present it is hard to get such a decision, leading to the monitoring continuing over a long period of time causing significant expense.

In response to section 5.3.2- Residential Education Campaigns, it is felt that there is currently a lack of resource sharing between the metro and rural councils, regional waste groups and the waste industry in general. There can be significant cost savings and greater effectiveness of the education campaigns if the waste education material can be shared and discussed on a frequent basis, possibly through a website.

**Chapter 6: Reduce illegal dumping and littering:**

The proposed waste policy does not recognise the fact that the illegal dumping could be due to a lack of waste infrastructure in certain locations, high travel distances, relatively high fee and charges and financial problems faced by the people from low socioeconomic groups. Similar to other social support systems, the government could implement a discount policy for disadvantaged groups, assisting with proper waste disposal.

**Chapter 7: Governance:**

It has been suggested that a Ministerial Advisory Committee will be appointed to review the current arrangements and exploring of future options. It is recommended that representatives of Local Government and Regional Waste Groups be included in this Committee for pursuing the high priority issues faced by Local Governments.

**Chapter 8: Monitoring progress: a new approach:**

With regards to maintaining of useful waste data it needs to be determined as to what data needs to be saved and shared. The waste data can be vast and complex and unless there is uniformity and consistency in the data saved the right results cannot be achieved and

comparative analysis could be misleading. The waste survey forms used by the Government Agencies are also in need of a review in order to make the data entry easy and user friendly. Consideration should be given towards developing standard data entry templates with explanatory notes for inputting of data in the desired format. The production of waste audit reports by Councils also needs to be reviewed in order to standardize the report structure and make it consistent.

**Are there any additional comments you would like to make?**

A research and development unit needs to be established for assessing the various contemporary Alternative Waste Technologies (AWT) and Energy from Waste Technologies. The Research and Development Unit will need to work closely with EPA ascertaining the key performance indicators and provide expert advice to the waste industry stakeholders. All research related information should be displayed in a website for easy access.

There has been talk of Local Government playing an active role in the Planning issues relating to Construction, Industrial and Building and Demolition waste. This aspect has not been discussed at length in the draft policy and needs to be further elaborated. The role of Local Government with such projects should be clarified together with any additional resources that may be required for shouldering this additional responsibility.

**Financial and Other Resource Implications**

There are no financial or other implications associated with this report as this is a submission only.

**Risk Management & Compliance Issues**

Not applicable.

**Environmental and Climate Change Considerations**

Not applicable.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform through this report.

**Implementation**

Not applicable.

**Conclusion**

It was appropriate that Council made a submission in relation to the Draft Victorian Waste and Resource Recovery Policy.

After analysing the Draft Policy in detail, Council's Waste Management Unit prepared a submission and lodged it with DSE for further consideration and action. The date of consultation had been extended to 7 December 2012 due to several requests seeking more time to analyse the document in greater detail, however, officers had already submitted their report prior to the deadline. The DSE will be happy to receive any further comments from Council once this report is discussed at the Council meeting.

**Attachments**

1. Colac Otway Shire Submission
2. BRWVG Submission
3. DSE Draft Policy

**Recommendation(s)**

***That Council:***

1. ***Notes and endorses the submission on the “State Government Draft Victorian Waste and Resource Recovery Policy”.***
2. ***Provides any further comments to the Draft Victorian Waste and Resource Recovery Policy for further forwarding to the DSE.***

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**OM121912-14 ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F11/759    |

**Purpose**

The purpose of this report is for Council to consider a land exchange to consolidate and provide access to properties which involves the closure of an existing unmade Government Road which divides the property at 505 Rifle Butts Road, Whoorel (Lot 1 LP200811, Parish of Whoorel) into two (2) separate portions.

**Declaration of Interests**

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

**Background**

Council has recently been approached by parties acting on behalf of the owner of 505 Rifle Butts Road seeking our consent to the possible discontinuance of an existing unmade government road which divides the property into two (2) separate portions. The intention is that this road be discontinued and sold to the owner of this property for consolidation with the abutting title. The proponent is seeking a clean title prior to finalising a management plan for the property. This will involve consolidating the closed road reserve and consolidating this with the abutting title. The final outcome will involve a land exchange where the new road reserve will be relocated to the boundary of the consolidated allotment.

The Government Road requested to be discontinued is presently unmade and is the only legal access to the parcel described as Lot 2 LP200811. A site inspection has verified that this road has not been used for access purposes to this point in time.

**Council Plan / Other Strategies / Policy****Physical Infrastructure and Assets**

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

This proposal has been considered against Council's *Closure of Unused Government Roads, Licencing of an Unused Road or Water Frontage Policy*.

**Issues / Options**

As a general principal, road reserves should be retained for their intended purpose, this is regardless of whether a particular road is presently used or not. The current Council policy is that road reserves should not be sold unless there is a strategic advantage to the community. In this instance, the road exchange if proceeded with will have no net disadvantage to Council.

Over time the requirements for use of a road reserve will change, some reserves remain as being unutilised, whilst others may become a very important part of Council's road network. In time, unused or unconstructed road reserves could very well be required and it is particularly important to thoroughly consider discontinuing a road. This is particularly pertinent when considering the provision of access to individual parcels of land. Matters to be taken into account by when ascertaining the usage of roads are:

- Number of properties abutting the road.
- Whether the road is required for drainage, infrastructure works or for the servicing of properties.
- Cost of maintaining the unused road under existing conditions.
- Properties obtaining access and alternative access points along the road.
- Requirements of property owner(s) abutting or using the road.

There are a number of options available to Council with respect to this matter. These are:

1. Do nothing and maintain the status quo.
2. Approve the proposal to discontinue the subject government road.
3. Exercise powers under the *Local Government Act 1989* to perform a road deviation/exchange whereby the existing Government Road is closed and a new road is created to maintain legal access to Lot 2 LP200811.

The option to perform a road exchange/deviation is favoured as closure of the existing Government Road and its subsequent consolidation with Lot 1 LP200811 would enable the creation of a contiguous parcel with better land development opportunities. Pursuing the creation of a new road in Certificate of Title Vol. 9631 Fol. 201 would also ensure that legal access is maintained to Lot 2 LP200811. The Road Deviation Diagram attached depicts the road to be opened, shown cross hatched and being approximately 0.65 ha, and the unmade Government Road to be closed, shown hatched with an approximate area of 0.82 ha.

Council has the power to undertake a road exchange/deviation by virtue of powers conferred under section 207B(2A) and clause 2(2)(b) of Schedule 10 of the *Local Government Act 1989*.

### **Proposal**

It is proposed that, subject to further consultation, Council commences the statutory procedures to close the unmade Government Road that would be exchanged for the road to be opened in Certificate of Title Vol. 9631 Fol. 201 as shown on the attached Road Deviation Diagram.

This would require Council to make application to the Department of Sustainability and Environment to obtain Ministerial consent to the proposed road exchange/deviation.

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

There are no direct costs to Council in performing its legislative functions under the *Local Government Act 1989*. Council officer time will be required for the preparation of various public notices, further reports, etc. It is considered that this will have only a minimal impact on the performance of core duties.

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

The *Local Government Act 1989* provides the statutory process for a road exchange/deviation and it is imperative that this is followed correctly to ensure that such a matter is executed correctly.

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

There are no environmental or climate change issues to consider as part of this proposal.

### **Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be inform and include: The road deviation procedure is a statutory process and is subject to section 223 of the *Local Government Act 1989* that provides the deviation to be advertised and submissions may be made for Council to consider. Councils policy is that submissions should be open for a 6 week period.

Further liaison with the Department of Sustainability and Environment would also be required to obtain Ministerial consent to the proposal.

### **Implementation**

The recommendations of this report will be implemented immediately following resolution by Council.

### **Conclusion**

The proposal to carry out a land swap will provide no net disadvantage to Council and therefore should be supported on that basis.

### **Attachments**

1. Locality Plan
2. Road Deviation Plan

### **Recommendation(s)**

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

1. ***Agrees to the road exchange/deviation, subject to no net disadvantage to Council.***
2. ***Subject to further consultation with the proponent, makes application to the Department of Sustainability and Environment (DSE) to obtain Ministerial consent to the road exchange/deviation.***
3. ***Subject to Ministerial approval being received, commences statutory procedures to exchange/deviate the unmade Government Road abutting Lot 1 LP200881, Parish of Whoorel in accordance with the road deviation diagram contained within this report, pursuant to section 207B(2A) and Schedule 10 clause 2(2)(b) of the Local Government Act 1989 (the 'Act') and in accordance with section 223 of the Act, public notice of the proposed road deviation/exchange be given in local newspapers circulating in the area, subject to a 6 week submission period.***

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**SUSTAINABLE PLANNING AND DEVELOPMENT**

| <b>ITEM</b>               |   |
|---------------------------|---|
| <b><u>OM121912-15</u></b> | <b><u>ACID SULFATE SOILS AND BOUNDARY CREEK</u></b>           |
| <b><u>OM121912-16</u></b> | <b><u>LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER</u></b> |



OM121912-15

**ACID SULFATE SOILS AND BOUNDARY CREEK**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Stewart Anderson                   | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is to provide Council with the information that has been collected in accordance with the resolutions passed at the Council meeting held on 27 June 2012 regarding acid sulphate soils and Boundary Creek.

**Declaration of Interests**

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

**Background**

The resolutions passed at the Council meeting held on 27 June 2012 regarding acid sulfate soils and Boundary Creek were:

***“Council Notes:***

1. ***The “Big Swamp” at Yeodene is now known to be an “Actual Inland Acid Sulfate Soil Site”.***
2. ***Council requests that the Environmental Protection Agency (EPA) investigate this site known as “Big Swamp” at Yeodene and determines whether it should be declared a contaminated area.***
3. ***That the complete EPA unedited investigation results are promptly forwarded to Council for consideration.***

***Council Notes:***

1. ***That it has an appointed representative on the Corangamite Acid Sulfate Soil Multi-Agency Steering Committee.***
2. ***That the Council instructs the CEO to advise its appointed representative to move a motion that this committee investigate the cost and scope of investigating the cause(s) of the acidification of the “Big Swamp” at Yeodene.***

***Council Notes:***

1. ***That Council requests Southern Rural Water to investigate and report to Council, that if Barwon Water is releasing water into Boundary Creek, why the supplementary water does not reach the stream flow gauging station Number 233228 at the Colac to Forrest Road bridge when there are no rainfall flushing events.***

**2. *That the complete Southern Rural Water unedited investigation results are promptly forwarded to Council for consideration.***

In accordance with the resolutions passed by Council the following actions were taken:

- A letter was sent to the Environmental Protection Agency (EPA) requesting them to investigate the site known as "Big Swamp" at Yeodene and to determine whether it should be declared a contaminated area.
- A letter was sent to Southern Rural Water (SRW) requesting that they investigate and report to Council on whether Barwon Water is releasing water into Boundary Creek and if so why the supplementary water does not reach the stream flow gauging station Number 233228 at the Colac to Forrest Road bridge when there are no rainfall flushing events.
- Council's CEO advised its appointed representative to the Corangamite Acid Sulfate Soil Multi-Agency Steering Committee to move a motion that the committee investigate the cost and scope of investigating the cause(s) of the acidification of the "Big Swamp" at Yeodene.

Acid sulfate soils are an emerging environmental issue that government agencies across the country are trying to deal with. Acid sulfate soils occur naturally in coastal and inland areas that are typically waterlogged and rich in iron such as the Big Swamp. Left undisturbed these soils are harmless but if drained, excavated or otherwise exposed to air, the iron sulphides react with oxygen and form sulphuric acid. This release of acid is harmful to aquatic environments and can also trigger the release of heavy metals (particularly aluminium) from the soil that can cause further damage to the environment.

Council first became aware that there were potential acid sulfate soils in the Big Swamp in 2008 due to acidic waters being detected in Boundary Creek. The Corangamite Inland Acid Sulfate Soils Steering Committee was established in 2010 to improve the understanding of current and potential future sites at risk of acidification from inland acid sulfate soils. Southern Rural Water, Colac Otway Shire Council, Corangamite CMA, Barwon Water, Department of Sustainability and Environment, Department of Primary Industries and the Environment Protection Authority are all members of the committee. By working together, these various agencies aim to help the community better manage this complex environmental problem.

The Big Swamp wetland is located on a section of private land along Boundary Creek in the Otway foothills. During the recent 10 year drought, the peat swamp dried out, resulting in a peat fire and the generation of acid run-off into Boundary Creek. Due to the complexity of managing both the fire and acid sulfate soil related issues, Colac Otway Shire Council has been working with multiple agencies and stakeholders to try to determine what actions should be taken in both the short and mid-term in order to best manage the risks at the Big Swamp.

Possible contributors to the drying out of the peat swamp are:

- Prolonged drought conditions reducing inflows to the swamp
- Prolonged drought increasing evaporative losses from the swamp
- The fire in the swamp, exacerbating its drying out
- Drainage trenches in the swamp to allow access to the fire by draining the swamp
- Pumping from the Barwon Downs borefield potentially lowering regional water tables
- Changes in the catchment land-use / water use
- Other, undetermined causes.



To assist in developing options for ongoing management, the relative contribution of these varying factors to drying out the peat swamp needs to be better understood.

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

Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.

The actions undertaken in accordance with the Notices of Motion align with requirements outlined in the following documents:

- Colac Otway Shire Council Plan 2009-2013
- Colac Otway Shire Environment Strategy 2010-2018
- Colac Otway Shire Environment Action Plan 2010-2012.

### **Issues / Options**

Copies of the full responses from the EPA and SRW are attached to this report.

In summary the EPA letter states that the contaminated sites register is not used to track the location of areas with acid sulfate soils and therefore the EPA does not believe the site should be declared as a contaminated area.

In summary the SRW letter states that Barwon Water's licence has conditions for providing flows into Boundary Creek and that they have investigated why stream flows were not reaching the gauging station in January and February this year. The investigation found that although the pipe connecting the supply and Boundary Creek was being maintained that water was being intercepted in a private dam. The water is now being allowed to pass through. The letter also states that SRW is in discussions with Barwon Water concerning the operation of the current licence and specifically whether the 2ML input is appropriate and whether the water could be provided at some other location on the creek.

At the Corangamite Inland Acid Sulfate Soils Steering Committee meeting held on 24 August 2012 Council's representative moved a motion that the committee investigate the cost and scope of investigating the cause(s) of the acidification of the "Big Swamp" at Yeodene. The motion was supported by the committee. Council's representative on the committee developed the scope for the investigation and has sought quotes from suitably qualified agencies. The scope for the investigation is attached to this report. Quotes were sought and obtained from suitably qualified agencies identified through the Corangamite Inland Acid Sulfate Soils Steering Committee. The range of the costs received in these quotes varied from \$200,000 to \$300,000. It is important to note that these costs are for an investigation that will definitively determine the cause of the acidification. A more basic investigation could be undertaken to get an estimate of the relative importance of the components (climate, pumping, surface water, etc.) that contributed to the site drying out and going acid but it would not determine the cause.

### **Proposal**

That Council acknowledge the actions taken in accordance with motions passed at the Council Meeting held on 27 June 2012 and formally receive the information gathered from the EPA, SRW and the Corangamite Inland Acid Sulfate Soils Steering Committee.

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

If Council were to consider pursuing the investigation into the cause(s) of the acidification of the "Big Swamp" at Yeodene there would be a significant financial cost of between \$200,000 and \$300,000. It is unlikely that Council would be able to get external funding for this investigation.

**Risk Management & Compliance Issues**

There are no concerns associated with the proposal in this report.

**Environmental and Climate Change Considerations**

There are no environmental concerns related to the proposal in this report.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to inform the community by way of a media release about the information gained through the actions undertaken in accordance with the Notices of Motion.

**Implementation**

The response from the EPA and SRW will be tabled at the next Corangamite Inland Acid Sulfate Soils Steering Committee along with the quotes received for the investigating the cause(s) of the acidification of the “Big Swamp” at Yeodene.

**Conclusion**

The agencies on the Corangamite Inland Acid Sulfate Soils Steering Committee have committed to work together to enhance the regional body of knowledge regarding inland acid sulfate soils within the region. The agencies have engaged La Trobe University to conduct a PhD study into the matter. The aims of the Corangamite Inland ASS Study are to:

- Improve the understanding of current and potential future sites at risk of acidification from inland acid sulfate soils within the Corangamite Catchment Management Authority region; and
- Use this information to develop a risk-based management response.

Although the study is not focused on the Big Swamp, this area is a critical part of the Latrobe University study. Through this study it was confirmed that the Big Swamp is an actual acid sulfate site. Council will continue to work with the other agencies on the committee to try to develop risk-based management responses to acid sulfate soils.

**Attachments**

1. EPA Letter - Inland Acid Sulfate Soil Site - Yeodene Peat Swamp - Request for Investigation
2. SRW Letter - Release of water into Boundary Creek
3. Yeodene Peat Swamp Investigation Contract Nov 2012

**Recommendation(s)*****That Council:***

1. ***Acknowledges the actions taken in accordance with resolutions of the Council Meeting held on 27 June 2012 regarding Acid Sulfate Soils and Boundary Creek; and***
2. ***Formally receives the information gathered from the Environmental Protection Authority, Southern Rural Water and the Corangamite Inland Acid Sulfate Soils Steering Committee.***

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**OM121912-16 LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Stewart Anderson                   | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/3291   |

**Purpose**

The purpose of this report is to provide Council with information in relation to concerns raised over landholdings that abut a 3 kilometre stretch of the East Barwon River near Barwon Downs.

**Declaration of Interests**

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

**Background**

A letter was received by Council on 16 October 2012 regarding issues raised over landholdings that abut a 3 kilometre stretch of the East Barwon River near Barwon Downs.

The letter was signed by ten individuals with interests in the landholdings that abut this section of the East Barwon River. Due to the number of people who were signatories to the letter it is considered to be a petition and as a result the letter was tabled at the Council Meeting held on 24 October 2012.

The concerns raised in the letter relate to the release of water into the East Barwon River by Barwon Water, extensive water logging and erosion, willow infestations and blocked culverts on the Forrest – Barwon Downs Road. The letter states that a number of other authorities have been approached on various occasions to assist with one or more of the issues identified in the letter and that the letter has been sent to all of these agencies in order to try to get a fresh perspective on how they can be managed.

**Council Plan / Other Strategies / Policy**

**Environmental Management**

Council will protect and enhance the environment entrusted to us, demonstrate efficient use of natural resources and minimise climate change impacts.

**Issues / Options**

The issues raised in the letter fall into two major areas:

- Water flows; and
- River health.

Barwon Water has responded to the landholders in relation to their concerns about the water flows. In summary, Barwon Water does not agree with the claim of “historical facts” regarding Barwon Water creating unnatural floods or exacerbating other floods in the East Barwon River.

The Corangamite Catchment Management Authority (CMA) met on 22 November 2012 with a number of the landholders who signed the letter to discuss the river health issues but the primary concerns expressed by the landholders were associated with the risk that flooding poses to farmland.

The landholders also raised the issues about rates on crown water frontage being combined with those for the private land, and being paid while the paddocks are unsuitable for agriculture.

At this meeting the CMA provided landholders with information on:

- The presence of protected fish species in the East Barwon River (i.e. the Yarra Pigmy Perch and Dwarf Galaxias); and
- The Presence of Reed Sweet Grass a registered weed species in the catchment that seems to be controlled by shading provided by willows making the CMA hesitant to remove willows.

At the meeting CMA staff committed to:

- Investigating the clearance of culverts including potential impacts on Yarra Pigmy Perch and Dwarf Galaxias, in consultation with VicRoads;
- Investigating potential for willow removal along the road by VicRoads;
- Mapping areas of Reed Sweet Grass and determine the extent that downstream willows prevent the weed's spread;
- Investigating the potential for removing willows along the river and the potential for funding to do the above, under 'Communities for Nature' or similar; and
- Investigating with Colac Otway Shire Council the potential for waiving rates on inundated crown frontage.

The one issue raised in the letter and again at the site meeting that relates directly to Council is about why there are rate charges on the area of land adjoining the river when it is not suitable for agriculture due to water logging and flooding. In summary:

- Land under licence from the DSE (e.g. river frontage) is rated in accordance with the requirements of section 156 (4) of the *Local Government Act 1989*;
- Whether or not the land is productive is not relevant to whether it is rateable or not. It is assumed the property owner would not occupy land that is not productive;
- The land occupied under licence is included in an abutting rates assessment the licence holder may have. This minimises the effect on rates as the land occupied under licence is usually a small proportion of the overall assessed land area and therefore has a minimal effect on the valuation of the total rates assessment;
- The land occupied under licence is allocated to a rating category in line with the use of its occupation – in this case "Farm";
- Land included in the "Farm" rating category pays rates at the lowest rate in the dollar of all of Council's rating categories;
- This rating approach has been in place since the local government restructure in 1994; and
- If the various licence holders terminated or did not renew their licences with DSE to occupy the river frontage land, then Council would exclude this land from their rates assessments and not charge rates on this area.

It is important to note that where there is demonstrable evidence that land has been significantly adversely affected by water logging, this is taken into consideration by the valuer and the valuation of the property will reflect this. As a result, the rates would be lower than they otherwise would be if the land was not adversely affected by waterlogging. The challenge for the valuer in these cases is to determine if the effect of flooding is ongoing and

therefore affecting the valuation because it renders the land unsuitable for agricultural purposes or simply intermittent with short term effects.

**Proposal**

That Council writes to the landholders and explains the rate charges for their properties and how the issues associated with the river frontage are addressed.

**Financial and Other Resource Implications**

There are no concerns associated with the proposal in this report.

**Risk Management & Compliance Issues**

There are no concerns associated with the proposal in this report.

**Environmental and Climate Change Considerations**

There are no environmental concerns related to the proposal in this report.

**Community Engagement**

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to inform the landholders of their rate charge arrangements by way of a letter.

**Implementation**

Write to the landholders and explain the rate charges for their properties and how the issues associated with the river frontage are addressed.

**Conclusion**

In summary from a river health perspective a variety of issues have combined to present a difficult catchment management situation. Further detailed planning and investigations are required to try to improve the health of the river but this will not necessarily significantly reduce the risk that flooding poses to farmland. The CMA is working with the landholders and other relevant agencies on trying to improve the health of the river and Council will write to them to explain the rate charges for their properties.

**Attachments**

Nil

**Recommendation(s)**

***That Council writes to the ten landholders along the East Barwon River explaining the rate charges for their properties and how the issues associated with the river frontage are addressed.***

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**GENERAL BUSINESS**

| <b>ITEM</b>               |  |
|---------------------------|--|
| <b><u>OM121912-17</u></b> | <b><u>ASSEMBLY OF COUNCILLORS</u></b>                        |
| <b><u>OM121912-18</u></b> | <b><u>MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE</u></b> |





**OM121912-17 ASSEMBLY OF COUNCILLORS**

|             |               |           |           |
|-------------|---------------|-----------|-----------|
| AUTHOR:     | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive     | FILE REF: | CLF11/6   |

**Assembly of Councillors**

A record must be kept of an assembly of Councillors which lists the Councillors attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

**Definition**

An “assembly of Councillors” is a defined term under section 76AA of the *Local Government Act 1989* (the Act). It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

If a meeting fits either of these types the procedures applying to an assembly of Councillors must be complied with, irrespective of any name or description given to the committee or meeting.

**Advisory Committees**

Section 3(1) of the Act defines an advisory committee to be any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**Councillor briefings**

One type of meeting that is clearly an assembly of Councillors is the type of regular meeting, commonly referred to as a “Councillor Briefing” or similar name where Councillors and staff meet to discuss issues that are likely to come before Council for decision. While these meetings have no authority to make Council decisions, they are generally assemblies of Councillors and subject to conflict of interest disclosures.

**What records are to be kept.**

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- the Councillors and members of Council staff attending;
- the matters discussed;
- disclosures of interest (if any are made); and
- whether a Councillor left the meeting after making a disclosure.

It is a requirement that the record of an assembly is to be reported to the next practicable Council meeting and be included in the minutes of that meeting, instead of being made available for public inspection.

The following Assemblies of Councillors have been held:

- |                                     |                  |
|-------------------------------------|------------------|
| • Colac Aerodrome Committee Meeting | 5 September 2012 |
| • Councillor Workshop               | 21 November 2012 |
| • Councillor Briefing Session       | 28 November 2012 |

#### **Attachments**

1. Colac Aerodrome Committee Meeting - 5 September 2012
2. Councillor Workshop - 21 November 2012
3. Councillor Briefing Session - 28 November 2012

#### **Recommendation(s)**

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

- |   |                                |
|---|--------------------------------|
| • <b><i>Colac Aerodrome Committee Meeting</i></b> | <b><i>5 September 2012</i></b> |
| • <b><i>Councillor Workshop</i></b>               | <b><i>21 November 2012</i></b> |
| • <b><i>Councillor Briefing Session</i></b>       | <b><i>28 November 2012</i></b> |

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OM121912-18

**MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE**

AUTHOR:	Jodie Fincham	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

**Purpose**

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

Attached are the Minutes and Executive Officer Report from the meeting held 1 October 2012.

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

**Attachments**

1. Minutes of the Old Beechy Rail Trail Committee meeting 1 October 2012
2. Executive Officer Report Old Beechy Rail Trail October 2012

**Recommendation(s)**

***That Council notes the Minutes and Executive Officer Report of the Old Beechy Rail Trail Committee for 1 October 2012.***

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**IN COMMITTEE**

**Recommendation**

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

| <b>SUBJECT</b>   | <b>REASON</b>  | <b>SECTION OF ACT</b>                        |
|--|--|--|
| <b><i>Otway Community College</i></b>  | <b><i>this matter deals with contractual matters; AND this matter may prejudice the Council or any person</i></b>  | <b><i>Section 89 (2) (d) (h)</i></b>         |
| <b><i>Contract 1245 - Livestock Scanning Services</i></b>                    | <b><i>this matter deals with contractual matters</i></b>   | <b><i>Section 89 (2) (d)</i></b>             |
| <b><i>Report from Delegate to Other Bodies - Audit Committee Minutes</i></b> | <b><i>this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter deals with legal advice; AND this matter may prejudice the Council or any person</i></b> | <b><i>Section 89 (2) (a) (d) (f) (h)</i></b> |





**ORDINARY COUNCIL MEETING**  
**WEDNESDAY, 19 DECEMBER 2012**

**ATTACHMENTS**

*PAGE NO.*

**CHIEF EXECUTIVE OFFICER**

**OM121912-2 Councillor Support Policy**

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**OM121912-14 Road Closure - 505 Rifle Butts Road, Whoorel**

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**SUSTAINABLE PLANNING AND DEVELOPMENT**

**OM121912-15 Acid sulfate soils and Boundary Creek**

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**GENERAL BUSINESS**

**OM121912-17 Assembly of Councillors**

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# **COUNCILLOR SUPPORT POLICY**

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**Policy No: 18.5**

**Date Adopted: 25/8/10**

**File No: GEN01688**

**Revised:**

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## **1. BACKGROUND**

Under the *Local Government Act 1989* (the Act), Councillors are entitled to resources and facilities, support and reimbursement of expenses related to their duties as a Councillor.

The Act requires Council to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees and sets out the minimum tool kit of resources and facilities for Councillors.

This policy has been developed with reference to the Act and:

- Recognition and Support, the Victorian Government's policy statement on Local Government Mayoral and Councillor Allowances and Resources - April 2008 (Recognition and Support); and the
- Victorian Government's Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors November 2008.

## **2. PURPOSE**

To outline the resources, facilities and support available to Councillors to enable them to fulfil their responsibilities as elected members of the community. These include:

- Allowances paid to the Mayor and Councillors;
- Mayoral vehicle;
- The facilities, resources and support Council considers necessary or appropriate to provide support to Councillors in the performance of their duties as a Councillor; and
- The circumstances under which Council will make payment for –
  - professional development;
  - reimbursement of travel expenses; and
  - reimbursement of other expenses.

## **3. RELATIONSHIP WITH COUNCIL PLAN**

Under the Key Result Area of Leadership and Governance the objective is:

“Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.”

## **4. POLICY**

Councillors will be provided with resources, support and access to facilities to assist them to fulfil their responsibilities as elected members of the community.

**5. SCOPE**

This policy applies to all Councillors.

**6. APPLICATION**

The provision of facilities, resources and support to Councillors and the expenses paid or reimbursed for Councillors will be made on an equitable basis.

Duties performed for the purposes of achieving the objectives of Council having regard to any relevant Act, Regulations, Ministerial Guidelines and Council policies, Councillors are entitled to access facilities, support and resources as described in this policy and the *Local Government Act 1989*. These include:

- Attending Ordinary and Special Council meetings, meetings of Committees of Council, formal briefing sessions and civic or ceremonial functions convened by the Council, the Mayor or the Chief Executive Officer.
- Attending meetings or workshops scheduled by the Council, the Mayor or the Chief Executive Officer.
- Participation in site inspections or meetings, or participating in delegations or deputations to which the Councillor has been duly appointed as a representative of Council.
- Attending a meeting or function as the nominated representative of Council or the Mayor.
- Attending meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed Council delegate or the nominated representative of Council.
- Attendance at site inspections or meetings relevant to a matter which is, or is anticipated to be the subject of a decision of Council.
- Attendance to discuss with officers or any person any matter relating to the Shire.
- Attending seminars, training or professional development courses as an attendee and/or speaker and which:
  - contribute to the development of personal and professional skills or knowledge of the Councillor which are necessary for the performance of the duties of a Councillor; and
  - Are consistent with Council's objectives; and
  - Will cover or present material with application/importance/relevant to current or future issues faced by the Council; and

- 
- Are within the Councillors annual budget allocations for the provision for seminars and training.
  - Attending conferences as an attendee and/or speaker as Council's nominated representative or delegate and which:
    - are consistent with Council's objectives; and
    - will cover or present material with application/importance/relevance to current or future issues faced by the Council; and
    - are within the Councillors annual budget allocations for the provision for conferences and seminars.

## **7. GUIDELINE**

The policy is not intended to prescribe for every possible situation that may arise. Should a situation arise that is not adequately covered by this policy, the matter will be referred to the Chief Executive Officer for determination.

The fundamental test to be applied in determining whether or not a Councillor expense is appropriately incurred is whether the expenditure is necessary because it is supplemental or incidental to, or consequent on the exercise of Council duties.

- Expenses incurred by Councillors when acting in a private capacity will not be reimbursed or paid.
- Any costs incurred by a Councillor which are not covered specifically within this policy will not be met, unless the Councillor has received prior written authorisation from the Chief Executive Officer.
- Supporting evidentiary documentation will be required for all Councillor expense reimbursement and payments.
- Reference to the Chief Executive Officer throughout this policy will extend to his or her delegate.

## **8. COUNCILLOR ALLOWANCES/REIMBURSEMENTS**

### **8.1 Mayor and Councillor Allowance**

Section 74 of the Act allows the Governor in Council to set allowances for the Mayor and Councillors.

- The most recent Order in Council sets out specific annual Mayor and Councillor allowances based on three categories of Council. Colac Otway is known as a category 2 municipality therefore the range for a Mayor and Councillor allowance is limited to the category 2 range, plus the amount equivalent to the Superannuation Guarantee (currently 9%) where applicable.
- Council will increase allowances in accordance with any adjustment factor gazetted by the Minister for Local Government each year, as required under the Act.

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- Mayor and Councillor allowances will be paid 4 weekly in arrears and the allowances will be set following each municipal general election.
  - Mayor and Councillors allowances are taxable income and Councillors should put in place their own processes for documenting claimable expenses. Any personal taxation implications from the receipt of allowances are the responsibility of individual Councillors.

Councillors will be provided with a payment summary at the end of each financial year.

## **8.2 Mayor's Vehicle**

A fully maintained vehicle will be provided to assist the Mayor to carry out his/her duties and for private use during the Mayoral term. In order to achieve an improved environmental outcome the Mayor's vehicle is to be no larger than a medium sized passenger vehicle with a fuel consumption for a petrol or diesel fuelled vehicle of not more than 8 litres/100 kilometres or an LPG vehicle. (based on the official combined fuel rating)

The vehicle is to be operated and maintained in line with the Light Fleet Policy.

The vehicle should attain a minimum of 4 stars under ANCAP safety assessment criteria.

## **8.3 Travelling Expenses**

Wherever practicable Councillors are to use a Council pool car for travel involved in performing their duties. This is to be requested through the Executive Office.

Upon the completion and forwarding of a travelling Claim Form, travelling expenses will be paid to Councillors for out of pocket expenses related to:

- Council meetings and Council business related to Council meetings.
- Council functions.
- Meetings arising as a result of a Councillor being appointed by the Council to an external body as Council's formal representative.
- Other meetings, events or occasions as agreed by the Mayor or Chief Executive Officer from time to time, or by resolution of the Council.

### **8.3.1. Travel within Victoria or interstate**

When Councillors are travelling within Victoria or interstate they should use the mode of transport that is the most cost effective.

- Travel must be undertaken by the shortest practical route.
- Any time occupied in other than authorised Council business shall not be included in the calculation of any expenses to be paid.
- Where travel is by air the standard form of travel will be economy class.
- Claims will only be paid on the actual form of transport.

The allowance payable to Councillors for use of their own private vehicle on Council business shall be in accordance with the rates prescribed in the Victorian Local Authorities Interim Award as varied from time to time.

Any expenses from breach of road, traffic parking or other regulations or laws, will not be reimbursed by Council.

#### **8.4 Remote Area Travel Allowance**

Where a Councillor (including a Mayor) normally resides more than 100 kilometres (round trip) by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council or any municipal or community functions which have been authorised by Council resolution for the Councillor to attend, he or she shall be entitled to:

- be paid an additional allowance of \$40.00 per day, up to a maximum of \$5,000 per annum.

Even though a Councillor has claimed travel allowance and meets the distances set out above, it does not mean that the remote area travel allowance is automatically payable. The allowance is for authorised meetings or functions.

The Remote Area Travel Allowance is classified as Travel Allowance in the Annual Report.

#### **8.5 Reimbursement of Child Care Expenses**

Councillors incurring bona fide child care expenses paid to:

- A recognised child care provider; or
- To a person who does not;
  - have a familial or like relationship with the Councillor;
  - reside either permanently or temporarily with the Councillor; or
  - have a relationship with the Councillor or his/her partner such that it would be inappropriate for Council to reimburse monies paid to the care provider;

will be reimbursed to a maximum of \$2,000 per year when the child care is necessary to allow the Councillor to attend:

- Council meetings and Council business related to Council meetings;
- Council functions; or
- Meetings arising as a result of a Councillor being appointed by the Council to an external body.

Child care payment or reimbursement claims should be submitted to the Chief Executive Officer and must be accompanied by a receipt from the care provider showing the date and time care was provided and other details nominating the reasons child care was necessary.

#### **8.6 Other**

##### **8.6.1 Stationery**

Councillors may access and use standard stationery held or obtained generally for the council's requirements, including:

- paper, business cards, writing implements, diaries, writing pads/books, interview pads, computer discs, envelopes and the like.

Council stationery may only be used for carrying out duties as a Councillor.

##### **8.6.2 Protective Clothing**

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Where requested, Council will lend the Councillors protective clothing required to assist in carrying out the duties of office. This clothing must be returned promptly upon the completion of the duty. Protective clothing includes:

- wet weather pants and pullover
- gumboots
- winter jacket and/or hat.

### **8.6.3 Legal**

Other than by specific Council resolution or in accordance with a Council policy, any legal expenses incurred by a Councillor shall be the responsibility of that Councillor.

### **8.6.4 Meals/Refreshments**

Where Council meetings are held at times that extend through normal meal times, Council will provide suitable meals. Councillors will be notified of meal arrangements for each meeting.

### **8.6.5 Insurance**

Councillors are covered by the following Council Insurance Policies while discharging, in good faith, the duties of civic office including attendance at meetings of external bodies as Council's representatives:

- a) Public Liability
- b) Professional Indemnity
- c) Councillors and Officer liability
- d) Personal Accident Insurance (accompanying partners also covered)

The Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

### **8.6.6 Workcover**

From 1 July 2010, section 14AA of the *Accident Compensation Act 1985* provides for the application of workers' compensation for municipal Councillors. A Councillor injured while carrying out 'duties as a Councillor', as defined in the Ministerial Guidelines 2010 (see section 6 of this Policy) may be entitled to claim workers compensation.

### **8.6.7 Mail**

Council will post mail which has been generated by Councillors in performing their duties. (Any document written by a Councillor in performing their duties is a Council document and a record must be kept by the Council.) This will be co-ordinated through the Executive Office.

### **8.6.8 Other Expenditure**

Any expenditure not specified above as expenditure for which a Councillor is entitled to be reimbursed or paid by Council shall be the responsibility of the Councillor, except where the Mayor and Chief Executive Office agree otherwise.

## **9. COMMUNICATION AND EQUIPMENT EXPENSES**

### **9.1 Communications Equipment Provided**

Councillors shall be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as a Councillor, which as a minimum will include:

- A mobile phone (iphone with email and calendar)
- Ipad with Next G internet connection
- Access to a copier/printer
- A home ADSL internet connection where next G is unavailable
- Council email account
- Other equipment as agreed

The make, model and specifications of any communications equipment, the associated contracts or plans and the replacement of any communications equipment shall be at the discretion of the Chief Executive Officer or their delegate.

The above facilities remain the property of the Council and must be returned at the end of a Councillor's term of office.

Council will meet the purchase, installation, maintenance and service, connection and disconnection, subscription, rental and usage costs for all Council provided communications equipment.

Council will only meet the incidental costs of two next G internet connections for each Councillor, except where additional, short term connections are required to facilitate travel or where the connection is necessary or appropriate for the purposes of achieving the objectives of Council.

Council may reimburse the purchase, installation, maintenance and service, connection, subscription, rental and usage expenses for equivalent equipment not provided by Council.

Councillors will only be reimbursed for such expenses where the purchase, installation, maintenance, service, connection, subscription, rental or usage has been approved in advance by the Chief Executive Officer.

Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the estimated costs of using equivalent communications equipment provided by Council.

Council provided communications equipment is to be used for Council related business activities however it is acknowledged that, on occasion, limited personal use may be made of communications equipment.

Councillors will be regularly provided with mobile phone usage accounts and are required to sign a statement on each account, confirming:

- The value or amount of business use; and
- The value or amount of reasonable personal use.



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Councillors are required to reimburse Council for the cost of their personal use of the equipment.

Council will review Councillors communication equipment and will update equipment at:

- The commencement of each electoral term;
- Any stage during the electoral term where Council believes an update is appropriate.

## **9.2 Use of Council Equipment**

Use of Council provided equipment is for Councillors use only.

The information technology platform provided for Councillors is based on Colac Otway Council licensed software and to assist the efficiency of the information technology no additional software is to be loaded onto Council provided hardware without the consent of the Chief Executive Officer.

Councillors have the responsibility to protect the equipment directly under their control.

Anti-virus protection and detection software is installed on Council communications equipment. Any suspected virus activity should be reported to the Manager Information Services.

Councillors are required to contact the Manager Information Services directly to report any damage or malfunction of any equipment.

## **9.3 Compliance with IT Policies**

Councillors are to comply with the following Council policies:

- Information System and Security Practices and Procedures (SSPP) Operational Policy
- Fixed and Mobile Telephone Policy
- Smart Phone and Tablet Usage Policy

## **10. CONFERENCES AND SEMINARS**

Councillors are encouraged to attend conferences and seminars relevant to their role, to enhance their personal skills and knowledge.

As part of the annual budget process an amount will be allocated for the attendance of Councillors at conferences and seminars and to participate in training.

All expenditure by Council on Councillor attendance at conferences, training sessions, seminars, trade delegations etc. will be assessed against the following criteria:

- a) Applicability of conference material to current or like future Shire issues.
- b) The importance of the event in terms of its provision of:
  - relevant and necessary training;
  - key information;
  - economic development opportunities;
  - networking opportunities.

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Councillors sponsored by the Council to attend conferences and seminars shall have all reasonable expenses for travelling, transport, accommodation, registration fees, meals and out of pocket expenses relating to the conference/seminar reimbursed or paid on their behalf.

Councillors must obtain approval from both the Mayor and Chief Executive Officer or alternatively the full Council:

- to attend such conference/seminar where expenses are likely to be claimed; or
- to use a Council vehicle for transport to or from such function.

Note: the MAV Conference is to be automatically approved for attendance.

Any expenditure greater than \$600 (including registration, travel and accommodation) for a Councillor to attend a conference, seminar, training session, trade delegation, friendship visit etc. must be approved by Council. Approval is dependent upon the cost being within budget and being consistent with Council's goals and strategies.

Council may agree to a set contribution towards a Councillor's cost to attend a conference or seminar rather than the full costs in certain circumstances eg. if the costs are high or the benefits not significant to Council.

When attending approved conferences/seminars Councillors must:

- keep log of all related receipts;
- arrange with the Finance Unit for conference/seminar costs to be prepaid if required;
- complete a staff/councillor travel form for any related or overseas travel.

Expenses for Councillors wishing to make their own arrangements for transport or accommodation will be reimbursed as determined by the Chief Executive Officer.

To maximise the benefit derived from attending conferences and seminars, Councillors are required to present a written report to a Council meeting on the outcomes of the conference or seminar, unless the seminar was attended by the majority of Colac Otway Shire Councillors. The report is to be provided within 2 months of attendance.

## **11. SUBMISSION OF A CLAIM FOR REIMBURSEMENT**

### **11.1 All claims:**

- are to be submitted on the prescribed form, authorised by the CEO and forwarded to the Finance Unit.
- should be accompanied by fully accredited receipts/tax invoices for any expenses claimed. If receipts cannot be produced, Councillors may be required to provide a statutory declaration.
- Claims must include sufficient detail to demonstrate in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor.

### **11.2 Timeframe for Submission of Claims**

Councillors are required to submit claims in a timely manner (within 2 months of the expense being incurred) to ensure transparency and timely accountability.

Claims for reimbursement of expenses during the month of June must be submitted within 7 working days of the end of financial year.

Claims for reimbursement which are not in accordance with this policy will not be processed.

### **11.3 Exclusions**

Any expenses arising from a breach of road, traffic, parking or other regulations or laws, including Council Local Laws will not be reimbursed or funded in any way by Council.

If a councillor chooses not to claim a particular expense, this cannot be offset against a claim for any additional amount associated with another expense.

Claims for expenses other than those included in these guidelines will not be reimbursed, except in exceptional circumstances and after Council has resolved that the claim is reasonable and should be reimbursed.

## **12. REPORTING**

The Annual Report shall include the amount paid or attributed to a Councillor and include (but are not limited to) allowances, travel allowances and use of motor vehicle.

The Annual Report shall include a table detailing what equipment is provided to each Councillor.

## **13. RELATED LEGISLATION AND DOCUMENTATION**

- Local Government Act 1989
- Information System and Security Practices and Procedures (SSPP) Operational Policy
- Fixed and Mobile Telephone Policy
- Smart Phone and Tablet Usage Policy
- Smart Phone and Tablet Usage Guidelines

## **14. IMPLEMENTATION AND REVIEW**

This policy will be implemented by Council and is subject to periodic review.



# COLAC OTWAY SHIRE COUNCILLOR CODE OF CONDUCT



*This Code of Conduct was adopted by resolution of the Colac Otway Shire on .....*



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## COUNCILLOR CODE OF CONDUCT

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### 1. INTRODUCTION

As Councillors of the Colac Otway Shire we are committed to working together in the best interests of the people within our municipality and to discharging our responsibilities to the best of our skill and judgment.

Our commitment to working together constructively will enable us to achieve Council's vision "*Council will work together with our community to create a sustainable, vibrant future*" in a manner that is consistent with our values:

- *Respect*
- *Integrity*
- *Goodwill*
- *Honesty*
- *Trust*

The primary role of the Council is to provide leadership for the good governance of the Colac Otway Shire. The role of the Council also includes:

- 1.1 Acting as a representative government by taking into account the diverse needs of the local community in decision making;
- 1.2 Providing leadership by establishing strategic objectives and monitoring their achievement;
- 1.3 Providing Maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner;
- 1.4 Advocating the interests of the local community to other communities and governments;
- 1.5 Acting as a responsible partner in government by taking into account the needs of other communities; and
- 1.6 Fostering community cohesion and encouraging active participation in civic life.

### 2 COUNCILLOR CONDUCT PRINCIPLES

#### Primary principle of Councillor conduct

It is a primary principle of Councillor conduct that, in performing the role of a Councillor, a Councillor must:

- act with integrity;
- impartially exercise their responsibilities in the interests of the local community
- not improperly seek to confer an advantage or disadvantage on any person.

#### General Councillor conduct principles

In addition to acting in accordance with the primary principle of Councillor conduct, in performing the role of a Councillor, a Councillor must:

- avoid conflicts between their public duties as Councillors and their personal interests and obligations.

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- act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person
  - treat all persons with respect and will show due regard to the opinions, beliefs, rights and responsibilities of other Councillors, council officers and other persons
  - exercise reasonable care and diligence and will submit to the lawful scrutiny that is appropriate to their office;
  - endeavour to ensure that public resources are used prudently and solely in the public interest
  - act lawfully and in accordance with the trust placed in them as an elected representative;
  - act in accordance with Local Law No 4
  - support and promote these principles by leadership and example so act in a way that secures and preserves public confidence in the office of Councillor.

### **3 ADHERENCE TO CODE OF CONDUCT**

All councillors confirm that they will adhere to these principles in their general conduct as councillors and specifically by:

- 3.1 Treating all people with **courtesy and respect**, recognising that there are legitimate differences in opinions, race, culture, religion, language, gender and abilities. This includes:
  - 3.1.1 Treating members of the community with dignity and ensuring that neither offence nor embarrassment are caused;
  - 3.1.2 Treating fellow councillors with respect, even when disagreeing with their views or decisions;
  - 3.1.3 Debating contentious issues without resorting to personal acrimony or insult;
  - 3.1.4 Ensuring their punctual attendance at Council and committee meetings; and
  - 3.1.5 Acting with courtesy towards Council staff and avoiding intimidating behaviour.
- 3.2 Councillors will always act with **integrity and honesty**:
  - 3.2.1 Being honest in all dealings with the community, with other councillors and with Council staff;
  - 3.2.2 Always acting with impartiality and in the best interests of the community as a whole;
  - 3.2.3 Not acting in ways that may damage the Council or its ability to exercise good government;
  - 3.2.4 Exercising reasonable care and diligence in performing their functions as councillors; and
  - 3.2.5 Complying with all relevant laws, be they Federal, State or Local Laws.



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- 3.3 Councillors recognise that they hold a **position of trust** and will not misuse or derive undue benefit from their positions:
- 3.3.1 Councillors will avoid conflicts of interest and comply with the relevant provisions of the Act and this Code relating to interests and conflicts of interest;
  - 3.3.2 Councillors will not exercise undue influence on other councillors, members of Council staff or members of the public to gain or attempt to gain an advantage for themselves; and
  - 3.3.3 Councillors will not accept gifts in their role as councillor, or where accepting gifts could be perceived to influence the councillor. To address this matter, Councillors will adhere to the Gifts, Benefits and Hospitality Policy.
- 3.4 Councillors will exercise appropriate prudence in the use of **Council resources**. This includes:
- 3.4.1 Maintaining appropriate separation between their personal property and Council property in the care of the Council;
  - 3.4.2 Not using Council resources, including staff, equipment and intellectual property for electoral or other personal purposes;
  - 3.4.3 Ensuring that Council resources are always used effectively and economically and for the purposes for which they are provided;
  - 3.4.4 Ensuring that Council resources are not used in a way that creates an impression of Council endorsement; and
  - 3.4.5 Ensuring that claims for out of pocket expenses are accurate and relate strictly to Council business.
- 3.5 Councillors will treat **Council information** appropriately, by:
- 3.5.1 Not using information gained by virtue of being a councillor for any purpose than to exercise their role as a Councillor;
  - 3.5.2 Respecting the Council's policies in relation to public comments and communications with the media (refer section 9);
  - 3.5.3 Not releasing information deemed 'confidential information' in accordance with section 77 of the Act (refer section 5);
  - 3.5.4 Recognising the requirements of the Information Privacy Act 2000 regarding the access, use and release of personal information; and.
  - 3.5.5 Not disclosing to a third party comments, questions or concerns raised or purportedly raised by another Councillor in a workshop, briefing or similar discussion that was not open to the general public.

#### **4 COUNCIL DECISION MAKING**

Councillors recognise that as elected representatives of the Community, they have an obligation to understand the legal framework established under the provisions of the *Local Government Act* and in doing so:

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- 4.1 Accept that decisions of Council can only be made at a formally constituted Council meeting and that individual Councillors do not have decision making power.
  - 4.2 Commit to making decisions based on adopted Council policies rather than on an ad hoc basis unless Council has resolved that the policy be reviewed.
  - 4.3 Accept and respect that the functions and role of the Chief Executive Officer are defined by the Local Government Act 1989 and that the CEO's accountability is solely to the Council as a whole.
  - 4.4 Accept the importance of a healthy working relationship between the Mayor and the Chief Executive Officer and will assist where appropriate in facilitating the relationship.
  - 4.5 Acknowledge the value of workshops and briefing sessions for Councillors to suggest ideas, raise issues and provide input to policy and other decision making.
  - 4.6 Accept that decisions of the Council are binding on the whole Council.
  - 4.7 Recognise and respect the role and precedence of the Mayor at all Council proceedings within the Shire as the representative of the Council, including Council sponsored functions, unless the Mayor has arranged for another Councillor to represent the Council or where the Council in the absence of the Mayor appoints an acting Mayor or Chairperson to preside at Council or Committee meetings and respect the position of Mayor. Where a Deputy Mayor has been appointed by Council the Deputy Mayor would preside.
  - 4.8 Accept that when a Councillor is appointed by the Council as a member of an external committee the Councillor will:
    - represent the views of the Council where they are known;
    - not forecast or pre-empt the views of Council;
    - report to Council on any major issues or decisions of the Committee; and
    - recognise that formal decisions made by the Committee are binding on the Committee as a whole.

## **5 CONFIDENTIAL INFORMATION**

Councillors acknowledge that they will comply with their obligations under s77 of the *Local Government Act* in relation to confidential briefings or information (as defined under the Act) and recognise that this obligation extends to ensuring the safekeeping of confidential information.

## **6 COMMUNICATION AND INFORMATION REQUESTS**

Councillors acknowledge that all requests made by Councillors for briefings from council officers or access to information on council files should be registered and reported. This obligation does not apply to requests for clarification/explanation of items on a forthcoming council agenda.

### **6.1 Communication between Councillors and the Organisation**

Councillors support a strong, open, professional and partnership relationship between the Council and the Council organisation to assist in achieving Council's objectives by using the following protocols for communication:

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- 6.1.1 Recording and submitting requests for service to Customer Services for entry into the Councils customer request system (MERIT);
  - 6.1.2 Providing feedback and raising any issues of concern directly with the Chief Executive Officer and not with the staff members or via the media. Issues of concern include but are not restricted to:
    - Behaviour or actions of Council staff members;
    - Reports and publications prepared by the Council organisation;
    - Service delivery standards; and
    - Strategy or direction of the Council organisation; and
  - 6.1.3 Acting with courtesy towards Council staff in all situations respecting the need for staff to have a quiet work area free of significant interruptions and/or inappropriate behaviours.

## **6.2 Councillor Requests for Information**

Councillors require information in order to undertake their role as Councillors. The organisation must take into account a range of factors in considering the information request such as the Information Privacy Act (including the responsibility of the organisation to remove identifying details), resources and workload, whether the information relates to a new issue, an issue currently before Council or a matter already dealt with by Council, and whether the information should be provided to the requesting Councillor only or to all Councillors.

In general most requests for information will be made at Councillor Workshops, briefing sessions or committees where Councillors and officers as a group can properly understand the nature of the request any implications, resource issues and timelines. In responding to information requests outside these forums the following principles will apply:

- 6.2.1 Requests for information should be made to the Chief Executive Officer or the relevant General Manager.
- 6.2.2 Requests that are able to be carried out without impacting on existing priorities, workload or resources will be undertaken promptly.
- 6.2.3 Requests for information relating to an issue currently before Council should be treated with priority so that Councillors have the information they need to make informed decisions at Council meetings.
- 6.2.4 Where the information is very specific (such as a constituent specific issue) it will be provided only to the requesting Councillor.
- 6.2.5 Where the information is more general, such as relating to an issue currently before Council, the information will be provided to all Councillors.
- 6.2.6 If the information cannot be provided without significantly impacting on existing priorities, workload or resources or if the information request relates to information about an issue which has already been dealt with by Council, the information request can be put to Council for a decision. If the requesting Councillor wishes, an officer report would be put to Council outlining the request, the impact and context of the request to enable Council to make an informed decision as to whether the information request should be implemented by the organisation.

- 6.2.7 If the information cannot be provided within a few days or cannot be provided without agreement of Council, the requesting Councillor will be contacted and advised of the likely timeline and/or process for providing the information.

## **7 COUNCILLOR AND STAFF RELATIONSHIPS**

- 7.1 Effective Councillors and staff work together as part of the Council team.
- 7.2 The teamwork of Councillors and staff is based on mutual respect and cooperation to achieve the Council's strategic and corporate goals and implement its policies.
- 7.3 To achieve the teamwork approach, Councillors and staff need to:
- 7.3.1 Develop mature and constructive working relationships based on mutual trust;
  - 7.3.2 Establish an effective means of communication and be clear about the distinction in the roles of Councillors and staff and how they work together for the benefit of the community;
  - 7.3.3 Avoid imputing improper motives to any other Councillor or staff member or making improper personal reflections upon their character or integrity;
  - 7.3.4 Not use their position to improperly influence an individual to gain an advantage for themselves or others;
  - 7.3.5 Agree to a principle of a 'no surprises' approach to Council issues and meeting agendas.
- 7.4 In addition to the above:
- 7.4.1 Councillors must not direct Council officers or employees. This is solely the responsibility of the Chief Executive Officer.
  - 7.4.2 Matters of concern that Councillors may have in relation to another Councillor should be raised with the Mayor. If the concern relates to the Mayor, it should be raised with the Chief Executive Officer.
  - 7.4.3 A Councillor's concern in relation to any officer or employee should be raised with the Chief Executive Officer who is entirely responsible for staff;
  - 7.4.4 Any matters of concern in relation to the Chief Executive Officer should be raised with the Mayor.

## **8 USE OF COUNCIL RESOURCES (INCLUDING FUNDS AND PROPERTY)**

- 8.1 Council resources are to be used effectively and economically.
- 8.1.1 We will maintain adequate security over Council property, facilities and resources provided to us to assist in performing our role;
  - 8.1.2 We will not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so; and
  - 8.1.3 We will not use public funds or resources in a manner that is improper or unauthorised.

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## **9 COMMUNICATION WITH THE MEDIA**

Councillors will endeavour to ensure that the messages communicated through the media are clear and consistent, and positively portray the Council as a decisive and responsible governing body.

- 9.1 The Mayor will provide official comment to the media on behalf of Council where the matter is of a political, controversial or sensitive nature. This includes:
  - 9.1.1 State-wide political issues affecting Local Government;
  - 9.1.2 Contentious local issues that impact the community that do not relate directly to the business of Council but to the representation of the community;
  - 9.1.3 Issues pertaining to policy and Council decisions; and
  - 9.1.4 Issues relating to the strategic direction of the Council. The Mayor may nominate another Councillor to make official comment on behalf of the Council, where appropriate.
- 9.2 The Chief Executive Officer is the official spokesperson for all operational matters pertaining to the Colac Otway Shire as an organisation including:
  - 9.2.1 Staffing and structure of the organisation: and
  - 9.2.2 Corporate issues relating to service provision or the day-to-day business of Council.
- 9.3 Councillors will work positively with the Media to enhance the reputation of the Council and the organisation by:
  - 9.3.1 Only reporting a Council position, if this position has been reached through a decision of the Council (in a Council meeting) and not pre-empt, debate or forecast the outcome of a pending Council decision with the media or other public forum;
  - 9.3.2 Where warranted give recognition to Council staff and the organisation for achievements and positive results; and
  - 9.3.3 Limiting criticism of Council staff to private meetings with the Chief Executive Officer or alternatively at a closed meeting of Council.
- 9.4 Individual Councillors are entitled to express independent views through the media, however Councillors will make it clear that any unofficial comment is a personal view, and does not represent the position of the Council as a whole. When a Councillor is expressing an independent view they are required.

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## 10 CONFLICT OF INTEREST PROCEDURES

The Council is committed to making all decisions impartially and in the best interests of the whole community. It therefore recognises the importance of fully observing the requirements of the Act in regard to the disclosure of conflicts of interest.

For the purpose of this Code, “direct interest”, “indirect interest” and “conflicts of interest”, have the meanings specified in the Act.

Councillors will comply with all the provisions of the Act in regard to Conflicts of Interest:

- 10.1 If the councillor considers that they have a **direct or indirect interest** in a matter before the Council, a special committee of council or an assembly of councillors, they have a conflict of interest.
- 10.2 If a councillor has a **conflict of interest** in a matter they will comply with the requirements of the Act and must:
  - disclose the conflict of interest immediately before the matter is considered
  - notify the mayor/chair that they are leaving the meeting
  - leave the room and any area where they can see or hear the meeting until the matter has been concluded.
- 10.3 If a councillor considers that they have a personal interest in relation to a matter that is in conflict of interest with their public duty in relation to the matter, the Councillor may immediately before the matter is considered at the relevant meeting, apply to the Council or special committee to be exempted from voting on the matter.

In addition to the requirements of the Act:

- 10.4 Councillors will give early consideration to each matter to be considered by the Council, special committee of which the councillor is a member, or assembly of councillors, to ascertain if they have a conflict of interest.
- 10.5 Councillors recognise that the legal onus to determine whether a conflict of interest exists rests entirely with the individual councillor and that Council officers cannot offer any advice in relation to potential conflicts.

Concerns about the result of a Council decision should not influence the Councillor’s decision about whether to disclose a conflict of interest. The Councillor’s responsibility to disclose a conflict of interest overrides any other obligation a Councillor as a decision maker.
- 10.6 If the councillor considers that they may be unable to vote on a matter because of a conflict of interest, they will notify, as soon as possible, the Mayor or the Committee Chair, depending on whether the matter is to be considered by the Council, a special committee, or an assembly of councillors, as well as the Chief Executive Officer.

## 11 DISPUTE RESOLUTION PROCEDURES

- 11.1 Before commencing any formal dispute resolution process, the councillors who are parties to any disagreement will endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to represent the best interests of the community. Councillors may seek assistance in resolving their differences.
- 11.2 In the event of any dispute occurring where councillors are unable to resolve interpersonal conflicts that adversely affect the operation of the Council, the parties

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to the dispute agree to work together to try to resolve the dispute and will agree to the appointment of a mediator nominated by the Chief Executive Officer and acceptable to both parties, or failing agreement, nominated by the President of the Municipal Association of Victoria and appointed by the Chief Executive Officer, if they are unable to resolve the dispute within seven (7) days.

- 11.3 If a mediator is appointed, all Councillors agree to cooperate with the dispute resolution process and use their best endeavours to assist the mediator when requested.
- 11.4 In the event that a dispute cannot be resolved through application of these processes, it may be referred to a Councillor Conduct Panel under Section 81B of the *Local Government Act* in respect of a Councillor's conduct. An application can be made by a Councillor a group of Councillors, or Council by resolution.
- 11.5 The dispute resolution procedure is not intended to resolve differences in policy or decision making, which are appropriately resolved through debate and voting in Council and Committee meetings.

## **12 STATUTORY REQUIREMENTS**

In accordance with section 76C of the *Local Government Act 1989* Council is required to review the Councillor Code of Conduct within the period of 12 months after a general election.

It is acknowledged that in accordance with the legislation, this Code addresses the statutory requirements set out in section 76C of the Act, namely it:

- Includes Councillor Conduct principles
- Sets out processes for resolving disputes between Councillors
- Includes other matters relating to the conduct of Councillors which the cCouncil considers appropriate.

**COUNCILLOR'S SIGNATURES**

**ENDORSEMENT**

This Code of Conduct was adopted by the Council on ..... and is signed by the following councillors:

**SIGNATURES**

**Cr Brian Crook**

.....

**Cr Michael Delahunty**

.....

**Cr Stephen Hart**

.....

**Cr Mick McCrickard**

.....

**Cr Lyn Russell**

.....

**Cr Chris Smith**

.....

**Cr Terry Woodcroft**

.....



Colac Otway Shire  
Engineering Drainage and  
Apportionment Analysis  
Apollo Bay

REP/221842/Final  
Final | October 2012

Arup  
Arup Pty Ltd ABN 18 000 966 165



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This report takes into account the particular  
instructions and requirements of our client.  
It is not intended for and should not be relied  
upon by any third party and no responsibility is  
undertaken to any third party.

Job number 221842

**ARUP**



## Document Verification



|                       |             |  |                                   |                             |              |
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## 1 Executive Summary

This study has been undertaken by Arup Pty Ltd (Arup) as Contract 1110-Engineering Drainage Design and Apportionment Analysis – Apollo Bay (Contract). The performance of the drainage system has been addressed. Some specific drainage problem areas identified by the Client in the inception meeting have also been analysed.

The catchment plan was prepared using the software package CatchmentSIM. The drainage modelling was carried out with the help of the standard software package 12d.

In consultation with the Client, Arup has considered possible options to improve the drainage system to handle 1:10 year flow for residential and 1:20 year flow for commercial areas, respectively. The options are:

- Option 1: Existing alignment;
- Option 2: Twin outlets;
- Option 3: McLachlan St Diversion (Diversion);
- Option 4: Twin outlets plus Diversions; and
- Option 5: Retardation through a temporary storage.

The study has resulted in following main conclusions:

- The drainage system in its current state cannot handle design flows;
- The specific drainage problems exist because of the inadequate capacity of the drainage system;
- The retardation option (Option 5) is not effective;
- A combination of twin outlets and McLachlan St Diversion (Option 4) is the most effective option for solving the drainage problems;
- The capacity of the drainage system will have to be increased further (to the recommendations for Option 4) to address impacts of the climate change;
- The drainage outlet can be raised by 0.8 m if the system is designed to cater for climate change.

## 2 Introduction

Colac Otway Shire (Client) commissioned Arup through its letter dated 23 May 2011 to undertake work on the Contract. The inception meeting with the Client took place in Apollo Bay on 2 June 2011.

Some problem drainage areas of Apollo Bay (Section 4) were discussed in the inception meeting. The accessible parts of the drainage problem areas were visually inspected by Arup staff after the inception meeting. The available survey information along with the relevant project background information and reports were collected from the Client.

The agreed scope of work of the project consists of the following tasks:

Task 1: Development of Catchment Plan including sub-catchments and translation of information to electronic format.

Task 2: Determination of Main Drainage Sizes to cater for future development and mapping onto electronic system – Existing Areas

Task 3: Determination of Main Drainage Sizes to cater for future development and mapping onto electronic system – Developing Areas

Task 3: Development of Main Drainage Costing and Apportionment model (contribution rate/ha/catchment)

Task 4: Community Consultation and Presentation at Council

Task 5: Finalisation of Drainage Plans and Presentation to Council

The catchment delineation involved in the study was carried out using the software package CatchmentSIM. The drainage modelling was undertaken using the standard software package I2d.

This study has a focus at identifying the drainage problems and suitable treatment options. In all, 5 treatment options have been identified and compared for their relative effectiveness (Section 5).

The Client was consulted as the investigation of this study progressed. It was agreed that Option 4 (Section 5.4) is the best option to treat the drainage issues in question. The investigation of the climate change impacts was also based on the selected option (Option 4). The analysis undertaken by Arup includes modelling of the drainage problem areas with the proposed solution built in the output for each treatment option.

### 3 Catchment Plan and Overland Flow (Task1)

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Arup used the survey data supplied by the Client and the software program called CatchmentSIM to accomplish this task. CatchmentSIM is a GIS based terrain analysis program designed to help hydrologic investigations and an overview of overland flow regime. The software created the sub-catchment network appropriate to the project requirements.

The survey data supplied by the Client covered an area much larger than the project area. The catchment delineation has been extended beyond the limits of the study area for the Client's record.

Two catchment plans were created. A total catchment of 3126 ha (31.26 km<sup>2</sup>) was delineated into 61 sub-catchments with areas ranging from 15.33 ha to 84.3 ha. The plan includes areas surrounding Apollo Bay and is shown on Drawing A1-221842 (Appendix A). The second catchment plan (Drawing A2-221842, Appendix A) covers only the project area.



The catchment plans provide comprehensive information for hydrologic assessment. The information includes sub-catchment areas, downstream sub-catchments, length of the main flow path and slope of the main flow path.

The catchment plans have also been presented in AutoCAD format to satisfy the requirement of Task 1. The GIS data, as required, can be extracted from the supplied electronic file. The electronic version in AutoCAD is being supplied to the Client together with this report.

#### 4 Drainage Problem Areas

The drainage problem areas were identified by the Client at the inception meeting on 2 June 2011. Drainage plans covering the drainage problem areas are presented in Drawings A3-221842 and A4-221842 in Appendix A. The problem areas identified through pit numbers with a reported history of surging (overflow) have been summarised the Table 1.

**Table 1: Drainage Problem Areas**

| <b>Problem Area</b> | <b>Location</b>                               | <b>Possible Surging Pits</b> | <b>Reference Drawing</b> |
|---------------------|---|------------------------------|--------------------------|
| Pa1                 | Intersection of Thomson St and Great Ocean Rd | Pit 25                       | A3-221842                |
| Pa2                 | Between Murray St and Thomson St              | Pits 32,33                   | A3-221842                |
| Pa3                 | Between Cawood St and Murray St               | Pits 92,93                   | A3-221842                |
| Pa4                 | Intersection of McLachlan St and Thomson St   | Pits 49-52                   | A3-221842                |

The hydraulic performance of the drainage system was modelled using the standard software package 12d with the data supplied by the Client. The supplied data included pit invert levels only for Pa1. For other problem areas Pa2 to Pa4, the pit invert levels were approximated assuming the drainage pipe slopes to be same as the road surface slope subject to a minimum slope of 1:250 and pipe cover of 600 mm.

The other modelling assumptions included:

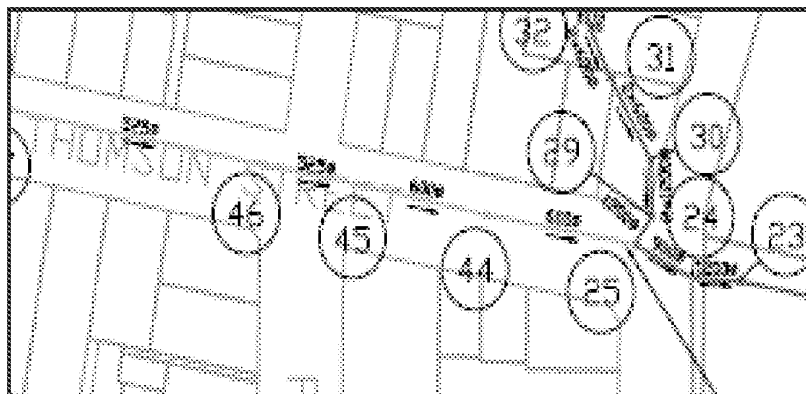
- The downstream water level is the obvert of the main outlet (1.9 m AHD). This is consistent with the information supplied by Client that ‘the sea level rises to about half way up the pipe at the outlet about every two months’. The adopted downstream water level is between the mean sea

- level (about 1.6 m AHD) and maximum sea level (about 2.8 m AHD) recorded at Lorne, the closest measuring point.
- The longitudinal grade of the drainage pipes was generally assumed to be the same as that of the ground surface with a minimum grade of 1 in 250;
  - The problem areas were checked for peak flows for the 1 in 5 year Average Recurrence Interval (ARI) events. For rest of the drainage areas, the design discharges for residential and commercial areas were assumed to be the peak flows for the 1 in 10 and 1 in 20 year ARI events, respectively
  - Fraction impervious for the urban areas: 0.55;
  - Minimum time of concentration: 6 minutes; and
  - Manning's pipe roughness parameter: 0.013.

#### 4.1 Drainage Problem Area Pa1

The intersection of Thomson St with Great Ocean Road where Pit 25 is located (Drawing A3-221842) gets frequently flooded from the overland flow combined with the pit overflow. The location plan is presented in Fig 1.

Figure 1: Location Plan for Problem Area Pa1



Hydraulic modelling of area Pa1 has shown the following:

- Pit 32 (Drainage Line 1) and Pits 44, 45 and 46 (Drainage Line 2) surge increasing overland flow to Pit 25; and
- The capacity of the system just above Pit 25 along Drainage Lines 1 & 2 is not adequate to handle the 1 in 5 year ARI event.

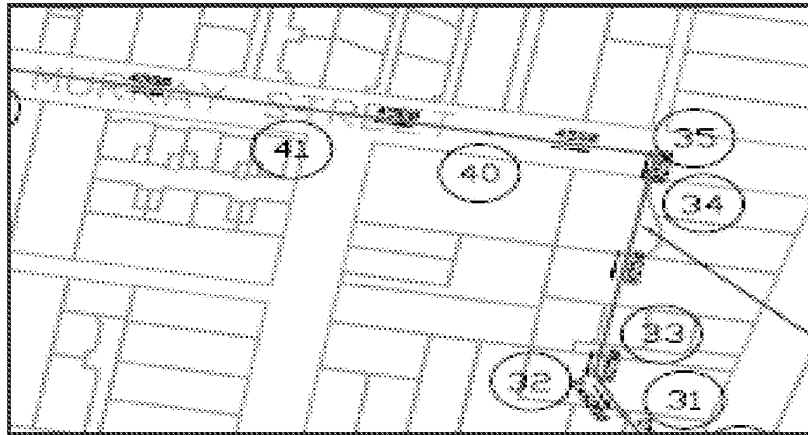
The Client informed Arup during the inception meeting that the flooding pattern in area Pa1 shows a quick accumulation of surface water around Pit 25 which gets drained by the pit in a short span of time. The above noted observations from the

hydraulic investigation explain that the overland flow to Pit 25 is increased by surge from upstream pits.

#### 4.2 Drainage Problem Area Pa2

The problem area Pa2 is located on Drainage Line 1 at the segment connecting the drainage along Murray Street and Thompson Street. Pit 33 (Fig. 2) is reported to surge.

Figure 2: Location Plan of Problem Area Pa2



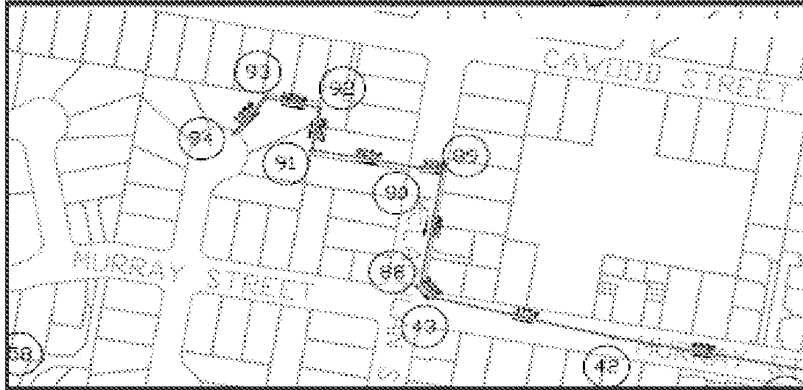
A pipe size of 825 mm from Pit 35 to Pit 32 is connected to 2 pipes 600 mm each from Pit 32 to Pit 31. The modelling has shown inadequate pipe sizes to be the reason behind the drainage problem.

#### 4.3 Drainage Problem Area Pa3

The problem area Pa3 is located on Drainage Line 1 between Cawood Street and Murray Street to the west of McLachlan Street (Fig. 3). The drainage problem is characterised by reported flooding around Pits 92 and 93.

The pipe size from Pit 94 to Pit 90 is 225 mm. The modelling has shown that the pipe size of 225 mm is inadequate and is responsible for the drainage problem.

**Figure 3: Location Plan for Problem Area Pa3**

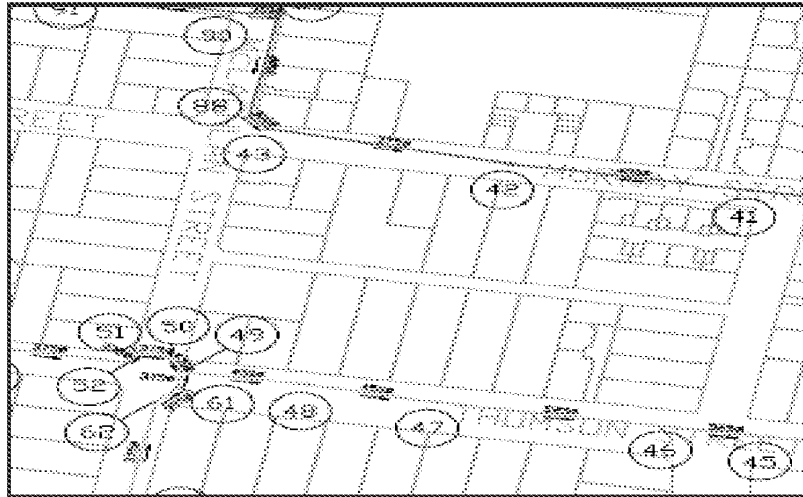


Investigations have shown the pipe has failed between Pits 90 and 93, the Council is currently repairing the problem separate from this work.

#### 4.4 Drainage Problem Area Pa4

The problem area Pa4 is located on Drainage Line 2 at intersection of McLachlan Street and Thompson Street (Fig. 4). Flooding around Pits 50 to 52 is the reported problem.

Figure 4: Location Plan of Problem Area Pa4



The pipe size from Pits 52 to 50 is 375 mm and from Pit 50 to Pit 49 is 450 mm. The model output shows these sizes to be smaller than required to convey the incoming flows.

### 5 Main Drainage Sizes for Existing Areas (Task 2)

The scope of work requires determination of the main drainage sizes. Sections 5.1 to 5.7 deal with Drainage Lines 1 to 5 where the drainage pipes have been assessed to be undersized. The remaining of drainage lines (Lines 6 and 7) have been discussed in Section 5.8.

The main drainage segments should consist of Drainage Line 5 (Drawing A4-221842) and the lower part of Drainage Line 1 (Drawing A3-221842) from Pit 24 to Outlet. For a comprehensive assessment, the modelling output reflecting the entire drainage system has been presented below.

A number of options have been considered to improve the drainage system to handle 1:10 year flow for residential and 1:20 year flow for commercial areas. The options have been described in detail in Sections 5.1 to 5.5. The options are:

- Option 1: Existing alignment;
- Option 2: Twin outlets;
- Option 3: McLachlan St Diversion (Diversion);
- Option 4: Twin outlets plus Diversions; and
- Option 5: Retardation through a temporary storage.

**5.1 Option 1: Main Drainage Sizes for Existing Areas with Existing Outlet**

Modelling carried out for drainage problem areas (Section 4) has shown the existing pipes to be undersized. Extension of the model to the rest of the drainage system confirms the existing pipes to be undersized.

Tables 2 to 6 present the pipes sizes to cater for the design discharges in existing conditions without any changes to the alignment of the drainage infrastructure.

**Table 2: Option 1 - Drainage Line 1 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 94                  | 93     | 26.64      | 225       | 300                 |
| 93                  | 92     | 29.66      | 225       | 300                 |
| 92                  | 91     | 24.54      | 225       | 300                 |
| 91                  | 90     | 58.51      | 225       | 675                 |
| 90                  | 89     | 11.34      | 300       | 675                 |
| 89                  | 88     | 66.60      | 300       | 675                 |
| 88                  | 43     | 10.50      | 300       | 675                 |
| 43                  | 42     | 97.25      | 375       | 675                 |
| 42                  | 41     | 94.38      | 450       | 750                 |
| 41                  | 40     | 57.44      | 450       | 750                 |
| 40                  | 35     | 51.28      | 450       | 825                 |
| 35                  | 34     | 9.45       | 825       | 825                 |
| 34                  | 33     | 75.29      | 825       | 975                 |
| 33                  | 32     | 8.37       | 825       | 1050                |
| 32                  | 31     | 18.96      | 2x600     | 1050                |
| 31                  | 30     | 28.49      | 2x600     | 1050                |
| 30                  | 29     | 16.47      | 2x1200    | 1050                |
| 29                  | 25     | 10.71      | 1200      | 1050                |
| 25                  | 24     | 22.93      | 900       | 2700x1200           |
| 24                  | 23     | 17.71      | 1200      | 2700x1200           |
| 23                  | Outlet | 108.21     | 1200      | 1200                |

Table 3: Option 1 - Drainage Line 2 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 60                  | 59     | 52.47      | 300       | 375                 |
| 59                  | 58     | 166.51     | 375       | 450                 |
| 58                  | 57     | 80.86      | 375       | 675                 |
| 57                  | 56     | 21.07      | 375       | 675                 |
| 56                  | 55     | 53.11      | 375       | 750                 |
| 55                  | 54     | 48.00      | 375       | 750                 |
| 54                  | 53     | 9.44       | 375       | 750                 |
| 53                  | 52     | 63.82      | 375       | 750                 |
| 52                  | 51     | 6.87       | 375       | 750                 |
| 51                  | 50     | 12.31      | 375       | 750                 |
| 50                  | 49     | 10.60      | 450       | 750                 |
| 49                  | 48     | 50.23      | 450       | 1050                |
| 48                  | 47     | 50.98      | 450       | 1050                |
| 47                  | 46     | 94.52      | 525       | 1050                |
| 46                  | 45     | 35.86      | 525       | 1050                |
| 45                  | 44     | 45.91      | 600       | 1050                |
| 44                  | 25     | 54.24      | 600       | 1050                |
| 65                  | 64     | 37.74      | 375       | 825                 |
| 64                  | 63     | 90.66      | 375       | 825                 |
| 63                  | 62     | 66.43      | 375       | 825                 |
| 62                  | 61     | 12.64      | 375       | 825                 |
| 61                  | 49     | 10.21      | 375       | 825                 |

Table 4: Option 1- Drainage Line 3 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 87                  | 86     | 83.90      | 300       | 450                 |
| 86                  | 85     | 86.50      | 300       | 450                 |
| 85                  | 84     | 8.40       | 300       | 525                 |
| 84                  | 83     | 11.47      | 300       | 600                 |
| 83                  | 82     | 13.65      | 300       | 600                 |
| 82                  | 81     | 60.10      | 300       | 600                 |
| 81                  | 80     | 103.22     | 300       | 600                 |
| 80                  | 79     | 109.58     | 375       | 750                 |
| 79                  | 78     | 6.22       | 450       | 975                 |
| 78                  | 77     | 20.00      | 450       | 975                 |
| 77                  | 76     | 60.18      | 675       | 975                 |
| 76                  | 75     | 14.49      | 600       | 975                 |
| 75                  | 74     | 35.24      | 900       | 975                 |
| 74                  | 73     | 53.64      | 900       | 975                 |
| 73                  | 72     | 6.30       | 900       | 1200                |
| 72                  | 71     | 20.05      | 900       | 1200                |

Table 5: Option 1 - Drainage Line 4 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 14                  | 13     | 109.31     | 300       | 1050                |
| 13                  | 12     | 138.26     | 300       | 1050                |
| 12                  | 11     | 72.19      | 450       | 1200                |
| 11                  | 10     | 27.52      | 525       | 1200                |
| 10                  | 9      | 25.02      | 600       | 1200                |
| 9                   | 8      | 97.66      | 600       | 1350                |
| 8                   | 7      | 10.23      | 600       | 1800x900            |
| 7                   | 5      | 23.21      | 600       | 1800x900            |



**Table 6: Option 1 - Drainage Line 5 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 6                   | 5      | 228.86     | 600       | 2x2700x900          |
| 5                   | 4      | 16.38      | 900       | 2x2700x900          |
| 4                   | 3      | 106.71     | 1200      | 2x2700x900          |
| 3                   | 2      | 106.07     | 1200      | 2x2700x900          |
| 2                   | 1      | 43.15      | 1200      | 2x2700x900          |
| 1                   | 24     | 187.53     | 1200      | 2x2700x900          |

### 5.2 Option 2: Main Drainage Sizes for Existing Areas with Twin Outlets

This option involves an additional outlet pipe running next to the existing outlet on its southern side to receive flow from drainage lines 3, 4 and 5. The existing outlet will continue to receive flow from drainage lines 1 and 2. The outcome of the hydraulic model for this option is presented in Tables 7 to 11.

Table 7: Option 2 - Drainage Line 1 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 94                  | 93     | 26.64      | 225       | 300                 |
| 93                  | 92     | 29.66      | 225       | 300                 |
| 92                  | 91     | 24.54      | 225       | 300                 |
| 91                  | 90     | 58.51      | 225       | 675                 |
| 90                  | 89     | 11.34      | 300       | 675                 |
| 89                  | 88     | 66.60      | 300       | 675                 |
| 88                  | 43     | 10.50      | 300       | 675                 |
| 43                  | 42     | 97.25      | 375       | 675                 |
| 42                  | 41     | 94.38      | 450       | 750                 |
| 41                  | 40     | 57.44      | 450       | 750                 |
| 40                  | 35     | 51.28      | 450       | 825                 |
| 35                  | 34     | 9.45       | 825       | 900                 |
| 34                  | 33     | 75.29      | 825       | 900                 |
| 33                  | 32     | 8.37       | 825       | 975                 |
| 32                  | 31     | 18.96      | 2x600     | 975                 |
| 31                  | 30     | 28.49      | 2x600     | 975                 |
| 30                  | 29     | 16.47      | 2x1200    | 975                 |
| 29                  | 25     | 10.71      | 1200      | 975                 |
| 25                  | 24     | 22.93      | 900       | 2400x1200           |
| 24                  | 23     | 17.71      | 1200      | 2400x1200           |
| 23                  | Outlet | 108.21     | 1200      | 1200                |

Table 8: Option 2 - Drainage Line 2 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 60                  | 59     | 52.47      | 300       | 375                 |
| 59                  | 58     | 166.51     | 375       | 450                 |
| 58                  | 57     | 80.86      | 375       | 675                 |
| 57                  | 56     | 21.07      | 375       | 675                 |
| 56                  | 55     | 53.11      | 375       | 750                 |
| 55                  | 54     | 48.00      | 375       | 750                 |
| 54                  | 53     | 9.44       | 375       | 750                 |
| 53                  | 52     | 63.82      | 375       | 750                 |
| 52                  | 51     | 6.87       | 375       | 750                 |
| 51                  | 50     | 12.31      | 375       | 750                 |
| 50                  | 49     | 10.60      | 450       | 750                 |
| 49                  | 48     | 50.23      | 450       | 1050                |
| 48                  | 47     | 50.98      | 450       | 1050                |
| 47                  | 46     | 94.52      | 525       | 1050                |
| 46                  | 45     | 35.86      | 525       | 1050                |
| 45                  | 44     | 45.91      | 600       | 1050                |
| 44                  | 25     | 54.24      | 600       | 1050                |
| 65                  | 64     | 37.74      | 375       | 825                 |
| 64                  | 63     | 90.66      | 375       | 825                 |
| 63                  | 62     | 66.43      | 375       | 825                 |
| 62                  | 61     | 12.64      | 375       | 825                 |
| 61                  | 49     | 10.21      | 375       | 825                 |

Table 9: Option 2 - Drainage Line 3 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 87                  | 86     | 83.90      | 300       | 450                 |
| 86                  | 85     | 86.50      | 300       | 450                 |
| 85                  | 84     | 8.40       | 300       | 525                 |
| 84                  | 83     | 11.47      | 300       | 600                 |
| 83                  | 82     | 13.65      | 300       | 600                 |
| 82                  | 81     | 60.10      | 300       | 600                 |
| 81                  | 80     | 103.22     | 300       | 600                 |
| 80                  | 79     | 109.58     | 375       | 750                 |
| 79                  | 78     | 6.22       | 450       | 975                 |
| 78                  | 77     | 20.00      | 450       | 975                 |
| 77                  | 76     | 60.18      | 675       | 975                 |
| 76                  | 75     | 14.49      | 600       | 975                 |
| 75                  | 74     | 35.24      | 900       | 975                 |
| 74                  | 73     | 53.64      | 900       | 975                 |
| 73                  | 72     | 6.30       | 900       | 1200                |
| 72                  | 71     | 20.05      | 900       | 1200                |

Table 10: Option 2 - Drainage Line 4 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 14                  | 13     | 109.31     | 300       | 1050                |
| 13                  | 12     | 138.26     | 300       | 1050                |
| 12                  | 11     | 72.19      | 450       | 1200                |
| 11                  | 10     | 27.52      | 525       | 1200                |
| 10                  | 9      | 25.02      | 600       | 1200                |
| 9                   | 8      | 97.66      | 600       | 1350                |
| 8                   | 7      | 10.23      | 600       | 1800x900            |
| 7                   | 5      | 23.21      | 600       | 1800x900            |

**Table 11: Option 2 - Drainage Line 5 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 6                   | 5      | 228.86     | 600       | 2x1500x900          |
| 5                   | 4      | 16.38      | 900       | 2x1800x900          |
| 4                   | 3      | 106.71     | 1200      | 2x1800x900          |
| 3                   | 2      | 106.07     | 1200      | 2x1800x900          |
| 2                   | 1      | 43.15      | 1200      | 2x1800x900          |
| 1                   | 24     | 187.53     | 1200      | 2x1800x900          |

Option 2 has a significant impact on the lower segment of Drainage Line 1 (Pits 34 to 23) and the entire Drainage Line 5. It has no impact on Drainage Lines 2, 3 and 4.

**5.3 Option 3: Main Drainage Sizes for Existing Areas with McLachlan Street Diversion and Existing Outlet**

This option involves a drainage line along McLachlan St which will intercept flow from the drainage system to the west of McLachlan St. The drainage line will consist of 600 mm pipe running northward from Pengilley Ave discharging into Milford Creek. The same size pipe (600 mm) will run southward from Pengilley Ave discharging into the Braham River. Tables 12 to 16 present pipe sizes for Option 3.

**Table 12: Option 3 - Drainage Line 1 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 94                  | 93     | 26.64      | 225       | 300                 |
| 93                  | 92     | 29.66      | 225       | 300                 |
| 92                  | 91     | 24.54      | 225       | 300                 |
| 91                  | 90     | 58.51      | 225       | 675                 |
| 90                  | 89     | 11.34      | 300       | 675                 |
| 89                  | 88     | 66.60      | 300       | 450                 |
| 88                  | 43     | 10.50      | 300       | 525                 |
| 43                  | 42     | 97.25      | 375       | 600                 |
| 42                  | 41     | 94.38      | 450       | 675                 |
| 41                  | 40     | 57.44      | 450       | 675                 |
| 40                  | 35     | 51.28      | 450       | 675                 |
| 35                  | 34     | 9.45       | 825       | 825                 |
| 34                  | 33     | 75.29      | 825       | 975                 |
| 33                  | 32     | 8.37       | 825       | 1050                |
| 32                  | 31     | 18.96      | 2x600     | 1050                |
| 31                  | 30     | 28.49      | 2x600     | 1050                |
| 30                  | 29     | 16.47      | 2x1200    | 1050                |
| 29                  | 25     | 10.71      | 1200      | 1050                |
| 25                  | 24     | 22.93      | 900       | 1500x1200           |
| 24                  | 23     | 17.71      | 1200      | 1800x1200           |
| 23                  | Outlet | 108.21     | 1200      | 1200                |

**Table 13: Option 3 - Drainage Line 2 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |          | Proposed Pipe Sizes |
|---------------------|--------|------------|----------|---------------------|
| From Pit            | To Pit | Length (m) | From Pit | Size (mm)           |
| 60                  | 59     | 52.47      | 300      | 375                 |
| 59                  | 58     | 166.51     | 375      | 450                 |
| 58                  | 57     | 80.86      | 375      | 675                 |
| 57                  | 56     | 21.07      | 375      | 675                 |
| 56                  | 55     | 53.11      | 375      | 750                 |
| 55                  | 54     | 48.00      | 375      | 750                 |
| 54                  | 53     | 9.44       | 375      | 750                 |
| 53                  | 52     | 63.82      | 375      | 750                 |
| 52                  | 51     | 6.87       | 375      | 750                 |
| 51                  | 50     | 12.31      | 375      | 750                 |
| 50                  | 49     | 10.60      | 450      | 750                 |
| 49                  | 48     | 50.23      | 450      | 375                 |
| 48                  | 47     | 50.98      | 450      | 375                 |
| 47                  | 46     | 94.52      | 525      | 375                 |
| 46                  | 45     | 35.86      | 525      | 375                 |
| 45                  | 44     | 45.91      | 600      | 750                 |
| 44                  | 25     | 54.24      | 600      | 750                 |
| 65                  | 64     | 37.74      | 375      | 825                 |
| 64                  | 63     | 90.66      | 375      | 825                 |
| 63                  | 62     | 66.43      | 375      | 825                 |
| 62                  | 61     | 12.64      | 375      | 825                 |
| 61                  | 49     | 10.21      | 375      | 825                 |

**Table 14: Option 3 - Drainage Line 3 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |          | Proposed Pipe Sizes |
|---------------------|--------|------------|----------|---------------------|
| From Pit            | To Pit | Length (m) | From Pit | Size (mm)           |
| 87                  | 86     | 83.90      | 300      | 450                 |
| 86                  | 85     | 86.50      | 300      | 450                 |
| 85                  | 84     | 8.40       | 300      | 525                 |
| 84                  | 83     | 11.47      | 300      | 600                 |
| 83                  | 82     | 13.65      | 300      | 600                 |
| 82                  | 81     | 60.10      | 300      | 375                 |
| 81                  | 80     | 103.22     | 300      | 375                 |
| 80                  | 79     | 109.58     | 375      | 375                 |
| 79                  | 78     | 6.22       | 450      | 525                 |
| 78                  | 77     | 20.00      | 450      | 825                 |
| 77                  | 76     | 60.18      | 675      | 825                 |
| 76                  | 75     | 14.49      | 600      | 825                 |
| 75                  | 74     | 35.24      | 900      | 825                 |
| 74                  | 73     | 53.64      | 900      | 825                 |
| 73                  | 72     | 6.30       | 900      | 1200                |
| 72                  | 71     | 20.05      | 900      | 1200                |

**Table 15: Option 3 - Drainage Line 4 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes |
|---------------------|--------|------------|-----------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           |
| 14                  | 13     | 109.31     | 300       | 375                 |
| 13                  | 12     | 138.26     | 300       | 450                 |
| 12                  | 11     | 72.19      | 450       | 1200                |
| 11                  | 10     | 27.52      | 525       | 1200                |
| 10                  | 9      | 25.02      | 600       | 1200                |
| 9                   | 8      | 97.66      | 600       | 1200                |
| 8                   | 7      | 10.23      | 600       | 1200x900            |
| 7                   | 5      | 23.21      | 600       | 1800x900            |



**Table 16: Option 3 - Drainage Line 5 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |          | Proposed Pipe Sizes |
|---------------------|--------|------------|----------|---------------------|
| From Pit            | To Pit | Length (m) | From Pit | Size (mm)           |
| 6                   | 5      | 228.86     | 600      | 2x1500x900          |
| 5                   | 4      | 16.38      | 900      | 2x1800x900          |
| 4                   | 3      | 106.71     | 1200     | 2x1800x900          |
| 3                   | 2      | 106.07     | 1200     | 2x1800x900          |
| 2                   | 1      | 43.15      | 1200     | 2x1800x900          |
| 1                   | 24     | 187.53     | 1200     | 2x2100x900          |

Option 3 has a minor impact on Drainage Lines 1 and 4. It has some impact on Drainage Lines 2 and 3 and a significant impact on Drainage Line 5.

#### 5.4 Option 4: Main Drainage Sizes for Existing Areas with McLachlan Street Diversion and Twin Outlets

This option is a combination of Option 2 and Option 3. Tables 17 to 21 present the pipe sizes for Option 4. The tables also include the cost estimate of the proposed design as Option 4 is the recommended option (see Section 9).

Table 17: Option 4 - Drainage Line 1 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 94                  | 93     | 26.64      | 225       | 300                 | 176           | 4689                |
| 93                  | 92     | 29.66      | 225       | 300                 | 176           | 5220                |
| 92                  | 91     | 24.54      | 225       | 300                 | 176           | 4318                |
| 91                  | 90     | 58.51      | 225       | 675                 | 275           | 16089               |
| 90                  | 89     | 11.34      | 300       | 675                 | 275           | 3117                |
| 89                  | 88     | 66.60      | 300       | 450                 | 205           | 13653               |
| 88                  | 43     | 10.50      | 300       | 525                 | 225           | 2363                |
| 43                  | 42     | 97.25      | 375       | 600                 | 248           | 24117               |
| 42                  | 41     | 94.38      | 450       | 675                 | 275           | 25953               |
| 41                  | 40     | 57.44      | 450       | 675                 | 275           | 15795               |
| 40                  | 35     | 51.28      | 450       | 675                 | 275           | 14102               |
| 35                  | 34     | 9.45       | 825       | 825                 | 339           | 3202                |
| 34                  | 33     | 75.29      | 825       | 975                 | 456           | 34331               |
| 33                  | 32     | 8.37       | 825       | 1050                | 500           | 4186                |
| 32                  | 31     | 18.96      | 2x600     | 1050                | 500           | 9478                |
| 31                  | 30     | 28.49      | 2x600     | 1050                | 500           | 14245               |
| 30                  | 29     | 16.47      | 2x1200    | 1050                | 500           | 8237                |
| 29                  | 25     | 10.71      | 1200      | 1050                | 500           | 5354                |
| 25                  | 24     | 22.93      | 900       | 1200x900            | 950           | 21784               |
| 24                  | 23     | 17.71      | 1200      | 1200x900            | 950           | 16822               |
| 23                  | Outlet | 108.21     | 1200      | 1200                | 1000          | 108205              |
|                     |        |            |           |                     | <b>Total</b>  | <b>355270</b>       |

Table 18: Option 4 - Drainage Line 2 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 60                  | 59     | 52.47      | 300       | 375                 | 189           | 9917                |
| 59                  | 58     | 166.51     | 375       | 450                 | 205           | 34133               |
| 58                  | 57     | 80.86      | 375       | 675                 | 275           | 22235               |
| 57                  | 56     | 21.07      | 375       | 675                 | 275           | 5793                |
| 56                  | 55     | 53.11      | 375       | 750                 | 305           | 16197               |
| 55                  | 54     | 48.00      | 375       | 750                 | 305           | 14640               |
| 54                  | 53     | 9.44       | 375       | 750                 | 305           | 2878                |
| 53                  | 52     | 63.82      | 375       | 750                 | 305           | 19464               |
| 52                  | 51     | 6.87       | 375       | 750                 | 305           | 2096                |
| 51                  | 50     | 12.31      | 375       | 750                 | 305           | 3754                |
| 50                  | 49     | 10.60      | 450       | 750                 | 305           | 3233                |
| 49                  | 48     | 50.23      | 450       | 375                 | 189           | 9493                |
| 48                  | 47     | 50.98      | 450       | 375                 | 189           | 9635                |
| 47                  | 46     | 94.52      | 525       | 375                 | 189           | 17865               |
| 46                  | 45     | 35.86      | 525       | 375                 | 189           | 6777                |
| 45                  | 44     | 45.91      | 600       | 750                 | 305           | 14003               |
| 44                  | 25     | 54.24      | 600       | 750                 | 305           | 16543               |
| 65                  | 64     | 37.74      | 375       | 825                 | 339           | 12793               |
| 64                  | 63     | 90.66      | 375       | 825                 | 339           | 30732               |
| 63                  | 62     | 66.43      | 375       | 825                 | 339           | 22519               |
| 62                  | 61     | 12.64      | 375       | 825                 | 339           | 4284                |
| 61                  | 49     | 10.21      | 375       | 825                 | 339           | 3459                |
|                     |        |            |           |                     | <b>Total</b>  | <b>282456</b>       |

**Table 19: Option 4 - Drainage Line 3 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 87                  | 86     | 83.90      | 300       | 450                 | 205           | 17199               |
| 86                  | 85     | 86.50      | 300       | 450                 | 205           | 17732               |
| 85                  | 84     | 8.40       | 300       | 525                 | 225           | 1889                |
| 84                  | 83     | 11.47      | 300       | 600                 | 248           | 2843                |
| 83                  | 82     | 13.65      | 300       | 600                 | 248           | 3384                |
| 82                  | 81     | 60.10      | 300       | 375                 | 189           | 11358               |
| 81                  | 80     | 103.22     | 300       | 375                 | 189           | 19509               |
| 80                  | 79     | 109.58     | 375       | 375                 | 189           | 20710               |
| 79                  | 78     | 6.22       | 450       | 525                 | 225           | 1400                |
| 78                  | 77     | 20.00      | 450       | 825                 | 339           | 6781                |
| 77                  | 76     | 60.18      | 675       | 825                 | 339           | 20402               |
| 76                  | 75     | 14.49      | 600       | 825                 | 339           | 4912                |
| 75                  | 74     | 35.24      | 900       | 825                 | 339           | 11944               |
| 74                  | 73     | 53.64      | 900       | 825                 | 339           | 18182               |
| 73                  | 72     | 6.30       | 900       | 1050                | 459           | 2892                |
| 72                  | 71     | 20.05      | 900       | 1200                | 556           | 11149               |
|                     |        |            |           |                     | <b>Total</b>  | <b>172295</b>       |

**Table 20: Option 4 - Drainage Line 4 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 14                  | 13     | 109.31     | 300       | 375                 | 189           | 17199               |
| 13                  | 12     | 138.26     | 300       | 450                 | 205           | 17732               |
| 12                  | 11     | 72.19      | 450       | 1200                | 556           | 1889                |
| 11                  | 10     | 27.52      | 525       | 1200                | 556           | 2843                |
| 10                  | 9      | 25.02      | 600       | 1200                | 556           | 3384                |
| 9                   | 8      | 97.66      | 600       | 1200                | 556           | 11358               |
| 8                   | 7      | 10.23      | 600       | 1800x900            | 1148          | 19509               |
| 7                   | 5      | 23.21      | 600       | 1800x900            | 1148          | 26710               |
|                     |        |            |           |                     | <b>Total</b>  | <b>211040</b>       |

**Table 21: Option 4 - Drainage Line 5 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 6                   | 5      | 228.86     | 600       | 2400x900            | 1600          | 366170              |
| 5                   | 4      | 16.38      | 900       | 2x1500x900          | 1933          | 31658               |
| 4                   | 3      | 106.71     | 1200      | 2x1500x900          | 1933          | 206261              |
| 3                   | 2      | 106.07     | 1200      | 2x1500x900          | 1933          | 205040              |
| 2                   | 1      | 43.15      | 1200      | 2x1500x900          | 1933          | 83406               |
| 1                   | 24     | 187.53     | 1200      | 2x1500x900          | 1933          | 362501              |
|                     |        |            |           |                     | <b>Total</b>  | <b>1255040</b>      |

Option 4 impacts all drainage lines to varying degrees. The impacts are most significant for Drainage Lines 1 and 5. In general, this option yields the minimum required pipe sizes.

**5.4.1 Cost Estimate of Option 4 and Clarifications**

The total estimated cost (of Option 4) including all the upgrade works on the pits is \$2,550,000. It should be noted that the above estimates are presented as an order of magnitude only ( $\pm 20\%$ ), based on experience from similar, past projects. The estimates include allowance of remoteness of Apollo Bay determined in consultation with the Client.

Ancillary works include road re-profiling, the introduction of “speed humps” and re-profiling earth bunds where required.

The following cost items are not included in the cost estimate:

1. Preliminaries, including survey fees, design fees, procurement fees, approval processes
2. Site establishment
3. Rock excavation
4. Off-site disposal of excavated material
5. Landscaping
6. Clashes with existing services
7. Staging of the works
8. Traffic management
9. Contingencies
10. Profits and overheads
11. Premiums for extended delivery distances
12. Any land costs and legal fees

13. Future cost escalation

14. GST

It should also be noted that some of the above exclusions, such as rock excavation, off-site disposal and extended delivery distances could have a substantial affect on actual construction (trade) costs.

### 5.5 Option 5: Retardation Option

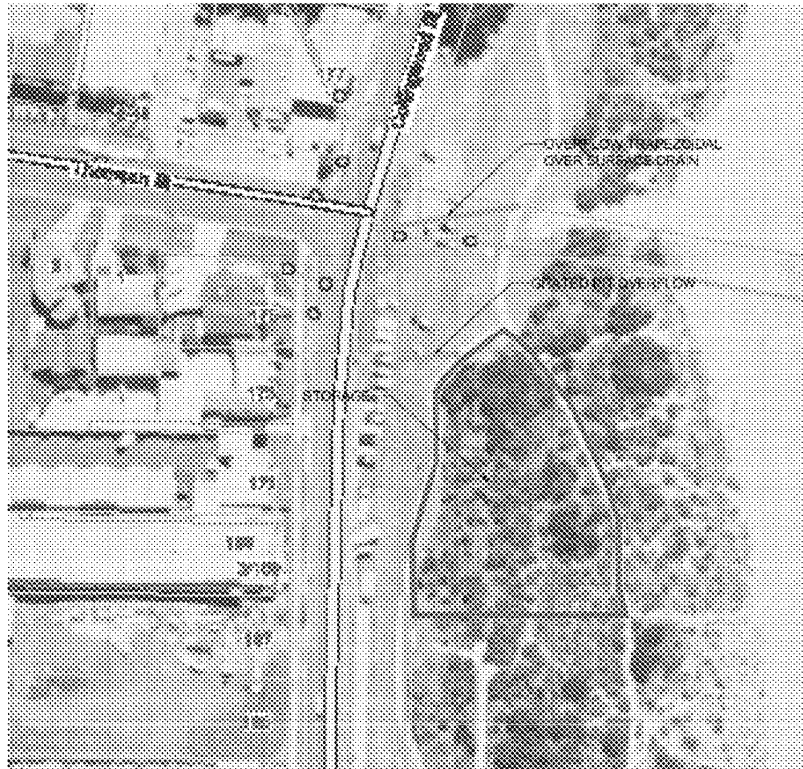
Option 6 involves a temporary storage basin placed at the location shown in Fig 5. The objective is to reduce peak flow to the outlet by diverting some flow from Drainage Line 5 to the temporary storage.

To implement this option, a surcharge pit will be needed in the vicinity of Pit 1 (Drawing A3-221842). The excess discharge will flow through gravity from the surcharge pit into the temporary storage reducing load on the outlet below Pit 23 (Drawing A3-221842).

An examination of the site topography in relation to the top levels of the relevant pits revealed serious limitations of this option. The option was considered to ineffective in view of the following:

1. A surcharge pit at a top level lower than that of Pit 1 with a deep temporary storage will surcharge at flows less than the peak of a 10-year event making outflows to the temporary storage unnecessarily frequent;
2. A surcharge pit with the same top level as that of Pit 1 (RL 3.127m AHD) barely meets the requirements of gravity flow into the temporary storage;
3. Allowing surcharge from the top level of Pit 1 cannot reduce pipe sizes in all drainage lines up to Pit 1; and
4. The concept of pumping the stored runoff back into the underground system introduces maintenance constraints that cannot be justified by the minor impact of the storage on infrastructure below the proposed surcharge pit.

Figure 5: Location of the proposed storage facility



### 5.6 Key Observations

The options discussed above contribute to drainage improvement to varying degrees. This information provided in Section 5.7 will help identify their relative merits. The following observations relate to the strategy adopted for possible solutions to the drainage problems:

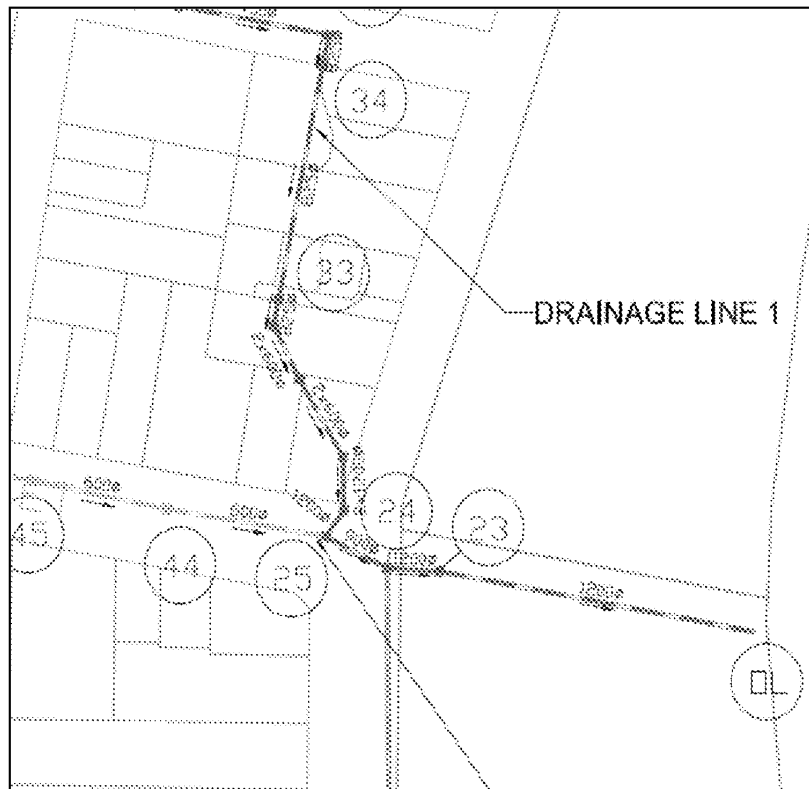
1. The existing underground drainage system (Drainage Lines 1 to 5) is grossly inadequate. The system is incapable of carrying the 1 in 5 year ARI peak flow without causing local flooding;
2. The proposed upgrade to 1 in 10 year ARI event for residential and 1 in 20 year ARI event for commercial areas requires sizeable changes in the existing pipe sizes for Drainage Lines 1 to 5;
3. The above observations suggest care in selection of design water level at the outlet for Drainage Lines 1 to 5. The selected downstream water level

of 1.9 m AHD is consistent with the available information (Section 4) and has been decided in consultation with the Client. The system with the proposed pipe sizes will perform its design function with the downstream water level up to 1.9 m AHD. A design storm occurring simultaneously with the rise of downstream water level above 1.9 m AHD will impact performance of the system for some time. A downstream water level above 1.9 m AHD is not appropriate as it results in increase of the upgrade costs.

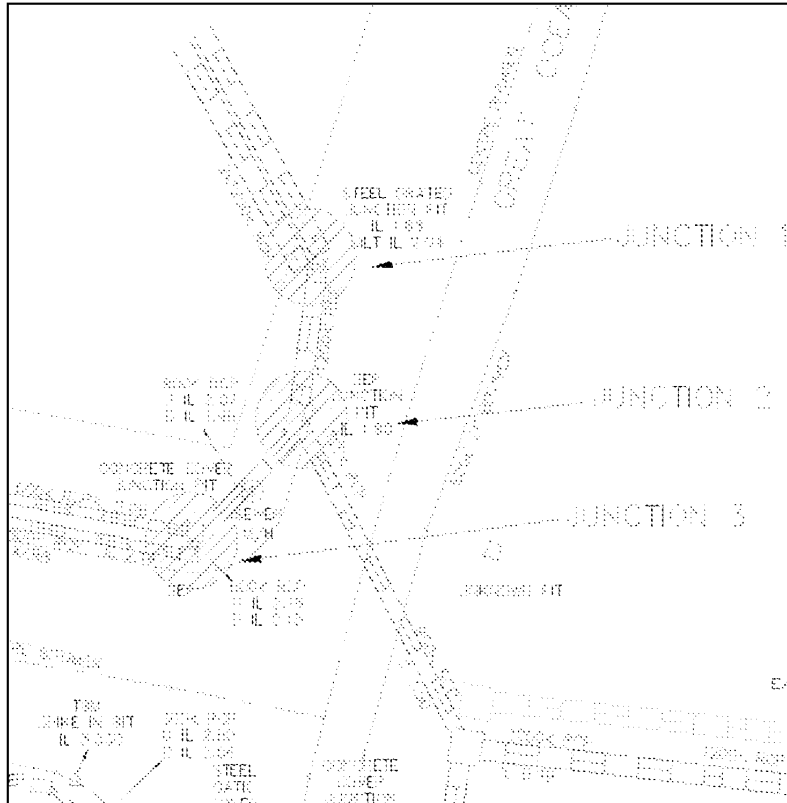
4. This observation relates to the drainage alignment at intersection of Thompson Street with Great Ocean Road. The modelled and the existing alignments are shown in Figs 6A and 6B respectively. The modelled alignment is part of GIS data supplied by the Client. For a clear reference, Junction Pit 3 of Fig. 6B is Pit no. 25 of Fig. 6A. The existing alignment (Fig. 6B) connects Junction 3 to Junction 2 with a 900 mm pipe and then connects Junction 2 with Pit no. 24 (Fig. 6A). Presence of Junction 2 (Fig. 6B) is unnecessary as well as problematic. It creates avoidable head loss which adversely affects the conveyance of the system. The modelled alignment (Fig. 6A) presents more efficient alignment at the intersection.



Figure 6A: Modelled Drainage Alignment at Intersection of Thompson Street and Great Ocean Road



**Figure 6B: Existing Drainage Alignment at Intersection of Thompson Street and Great Ocean Road [Source: Colac Otway Shire]**



### 5.7 Comparative Assessment of the Options

For a quick comparison, the options have been referred to by their names and numbers as described in Section 5. The following tables present a comparison of the different options, with a brief summary below each table.

Table 22: Drainage Line 1

| Existing Pipe Sizes |        |           | Proposed Pipe Sizes         |                   |                    |                              |
|---------------------|--------|-----------|-----------------------------|-------------------|--------------------|------------------------------|
| From Pit            | To Pit | Size (mm) | Option 1 Existing Alignment | Option 2 Twin O/L | Option 3 Diversion | Option 4 Twin O/L+ Diversion |
| 94                  | 93     | 225       | 300                         | 300               | 300                | 300                          |
| 93                  | 92     | 225       | 300                         | 300               | 300                | 300                          |
| 92                  | 91     | 225       | 300                         | 300               | 300                | 300                          |
| 91                  | 90     | 225       | 675                         | 675               | 675                | 675                          |
| 90                  | 89     | 300       | 675                         | 675               | 675                | 675                          |
| 89                  | 88     | 300       | 675                         | 675               | 450                | 450                          |
| 88                  | 43     | 300       | 675                         | 675               | 525                | 525                          |
| 43                  | 42     | 375       | 675                         | 675               | 600                | 600                          |
| 42                  | 41     | 450       | 750                         | 750               | 675                | 675                          |
| 41                  | 40     | 450       | 750                         | 750               | 675                | 675                          |
| 40                  | 35     | 450       | 825                         | 825               | 675                | 675                          |
| 35                  | 34     | 825       | 825                         | 825               | 825                | 825                          |
| 34                  | 33     | 825       | 975                         | 900               | 975                | 900                          |
| 33                  | 32     | 825       | 1050                        | 975               | 1050               | 975                          |
| 32                  | 31     | 2x600     | 1050                        | 975               | 1050               | 975                          |
| 31                  | 30     | 2x600     | 1050                        | 975               | 1050               | 975                          |
| 30                  | 29     | 2x1200    | 1050                        | 975               | 1050               | 975                          |
| 29                  | 25     | 1200      | 1050                        | 975               | 1050               | 975                          |
| 25                  | 24     | 900       | 2700x1200                   | 2400x1200         | 1500x1200          | 1200x900                     |
| 24                  | 23     | 1200      | 2700x1200                   | 2400x1200         | 1800x1200          | 1200x900                     |
| 23                  | Outlet | 1200      | 1200                        | 1200              | 1200               | 1200                         |

Summary of impacts on Drainage Line 1:

- Twin outlets reduce pipe sizes from Pit 34 to Pit 23;
- Diversion has a minor impact limited to Pits 25-23;
- The impact of Twin outlets plus diversion is practically the same as of the Twin outlet only.

Table 23: Drainage Line 2

| Existing Pipe Sizes |        |           | Proposed Pipe Sizes         |                   |                    |                              |
|---------------------|--------|-----------|-----------------------------|-------------------|--------------------|------------------------------|
| From Pit            | To Pit | Size (mm) | Option 1 Existing Alignment | Option 2 Twin O/L | Option 3 Diversion | Option 4 Twin O/L+ Diversion |
| 60                  | 59     | 300       | 375                         | 375               | 375                | 375                          |
| 59                  | 58     | 375       | 450                         | 450               | 450                | 450                          |
| 58                  | 57     | 375       | 675                         | 675               | 675                | 675                          |
| 57                  | 56     | 375       | 675                         | 675               | 675                | 675                          |
| 56                  | 55     | 375       | 750                         | 750               | 750                | 750                          |
| 55                  | 54     | 375       | 750                         | 750               | 750                | 750                          |
| 54                  | 53     | 375       | 750                         | 750               | 750                | 750                          |
| 53                  | 52     | 375       | 750                         | 750               | 750                | 750                          |
| 52                  | 51     | 375       | 750                         | 750               | 750                | 750                          |
| 51                  | 50     | 375       | 750                         | 750               | 750                | 750                          |
| 50                  | 49     | 450       | 750                         | 750               | 750                | 750                          |
| 49                  | 48     | 450       | 1050                        | 1050              | 375                | 375                          |
| 48                  | 47     | 450       | 1050                        | 1050              | 375                | 375                          |
| 47                  | 46     | 525       | 1050                        | 1050              | 375                | 375                          |
| 46                  | 45     | 525       | 1050                        | 1050              | 375                | 375                          |
| 45                  | 44     | 600       | 1050                        | 1050              | 750                | 750                          |
| 44                  | 25     | 600       | 1050                        | 1050              | 750                | 750                          |
| 65                  | 64     | 375       | 825                         | 825               | 825                | 825                          |
| 64                  | 63     | 375       | 825                         | 825               | 825                | 825                          |
| 63                  | 62     | 375       | 825                         | 825               | 825                | 825                          |
| 62                  | 61     | 375       | 825                         | 825               | 825                | 825                          |
| 61                  | 49     | 375       | 825                         | 825               | 825                | 825                          |

Summary of impacts on Drainage Line 2:

- Twin outlets have no impact;
- Diversion reduces pipe sizes from Pit 49 to Pit 44;
- The impact of Twin outlets plus diversion is the same as that of Diversion only.

Table 24: Drainage Line 3

| Existing Pipe Sizes |        |           | Proposed Pipe Sizes         |                   |                    |                              |
|---------------------|--------|-----------|-----------------------------|-------------------|--------------------|------------------------------|
| From Pit            | To Pit | Size (mm) | Option 1 Existing Alignment | Option 2 Twin O/L | Option 3 Diversion | Option 4 Twin O/L+ Diversion |
| 87                  | 86     | 300       | 450                         | 450               | 450                | 450                          |
| 86                  | 85     | 300       | 450                         | 450               | 450                | 450                          |
| 85                  | 84     | 300       | 525                         | 525               | 525                | 525                          |
| 84                  | 83     | 300       | 600                         | 600               | 600                | 600                          |
| 83                  | 82     | 300       | 600                         | 600               | 600                | 600                          |
| 82                  | 81     | 300       | 600                         | 600               | 375                | 375                          |
| 81                  | 80     | 300       | 600                         | 600               | 375                | 375                          |
| 80                  | 79     | 375       | 750                         | 750               | 375                | 375                          |
| 79                  | 78     | 450       | 975                         | 975               | 525                | 525                          |
| 78                  | 77     | 450       | 975                         | 975               | 825                | 825                          |
| 77                  | 76     | 675       | 975                         | 975               | 825                | 825                          |
| 76                  | 75     | 600       | 975                         | 975               | 825                | 825                          |
| 75                  | 74     | 300       | 975                         | 975               | 825                | 825                          |
| 74                  | 73     | 300       | 975                         | 975               | 825                | 825                          |
| 73                  | 72     | 300       | 1200                        | 1200              | 1200               | 1050                         |
| 72                  | 71     | 300       | 1200                        | 1200              | 1200               | 1200                         |

Summary of impacts on Drainage Line 3:

- Twin outlets have no impact;
- Diversion reduces pipe sizes from Pit 82 to Pit 73;
- The impact of Twin outlets plus diversion is the same as that of Diversion only.

Table 25: Drainage Line 4

| Existing Pipe Sizes |        |           | Proposed Pipe Sizes         |                   |                    |                              |
|---------------------|--------|-----------|-----------------------------|-------------------|--------------------|------------------------------|
| From Pit            | To Pit | Size (mm) | Option 1 Existing Alignment | Option 2 Twin O/L | Option 3 Diversion | Option 4 Twin O/L+ Diversion |
| 14                  | 13     | 300       | 1050                        | 1050              | 375                | 375                          |
| 13                  | 12     | 300       | 1050                        | 1050              | 450                | 450                          |
| 12                  | 11     | 450       | 1200                        | 1200              | 1200               | 1200                         |
| 11                  | 10     | 525       | 1200                        | 1200              | 1200               | 1200                         |
| 10                  | 9      | 600       | 1200                        | 1200              | 1200               | 1200                         |
| 9                   | 8      | 600       | 1350                        | 1350              | 1200               | 1200                         |
| 8                   | 7      | 600       | 1800x900                    | 1800x900          | 1800x900           | 1800x900                     |
| 7                   | 5      | 600       | 1800x900                    | 1800x900          | 1800x900           | 1800x900                     |

Summary of impacts on Drainage Line 4:

- Twin outlets have no impact;
- Diversion slightly reduces pipe sizes from Pit 14 to Pit 12 and Pit 9 to Pit 8;
- The impact of Twin outlets plus diversion is the same as that of Diversion only.

Table 26: Drainage Line 5

| Existing Pipe Sizes |        |           | Proposed Pipe Sizes         |                   |                    |                              |
|---------------------|--------|-----------|-----------------------------|-------------------|--------------------|------------------------------|
| From Pit            | To Pit | Size (mm) | Option 1 Existing Alignment | Option 2 Twin O/L | Option 3 Diversion | Option 4 Twin O/L+ Diversion |
| 6                   | 5      | 600       | 2x2700x900                  | 2x1500x900        | 2x1500x900         | 2400x900                     |
| 5                   | 4      | 900       | 2x2700x900                  | 2x1800x900        | 2x1800x900         | 2x1500x900                   |
| 4                   | 3      | 1200      | 2x2700x900                  | 2x1800x900        | 2x1800x900         | 2x1500x900                   |
| 3                   | 2      | 1200      | 2x2700x900                  | 2x1800x900        | 2x1800x900         | 2x1500x900                   |
| 2                   | 1      | 1200      | 2x2700x900                  | 2x1800x900        | 2x1800x900         | 2x1500x900                   |
| 1                   | 24     | 1200      | 2x2700x900                  | 2x1800x900        | 2x2100x900         | 2x1500x900                   |

Summary of impacts on Drainage Line 5:

- Twin outlets reduce the pipe sizes significantly;
- Diversion also reduces the pipe sizes significantly;
- Twin outlets plus diversion have a major impact.

## 5.8 Drainage Lines 6, 7 and 8

Drainage Lines 6 and 7 (Drawings A7 and A8-221842) were modelled using same approach adopted for Drainage Lines 1 to 5. The lines are situated in the residential area, therefore the system was checked for the peak flow of the 1 in 10 year ARI event.

The northern area of Apollo Bay has two separate drainage systems. The system was modelled as Drainage Line 6A and 6B. The pipe sizes range from 300 mm to 1200 mm diameter. Drainage Lines 6a drains the majority of the runoff from this area through an outlet to the ocean.

Drainage Line 6b drains a small area north of Cawood Street. This drainage system has its own outlet discharging into the nearby creek.

Drainage Line 7 is located in the southern part of the Apollo Bay Township. The pipe sizes of this system range from 300 mm to 450 mm diameter.

The underground pipe system of Drainage Lines 6 and 7 was found to be adequate for the design event.

Drainage Line 8 (Drawing A9-221842) was checked for the flow of 1 in 20 year ARI event due to its location in industrial area. The pipe sizes for Drainage Line 8A range from 225 mm to 975 mm. All pipes were found to be adequate except for 225 mm pipe from Pit no. 235 to Pit no. 236. The diameter of this pipe should be 300 mm. For Drainage Line 8B, the existing pipe sizes (ranging from 225 mm to 525 mm) were found to be adequate.

## 6 Main Drainage Sizes for Future Developments (Task 3)

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The future development areas (Drawing A5-221842) have been adopted from Apollo Bay Structure Plan Volume 1, 2007. The areas subdivided for effective drainage outfalls have been shown on Drawing A6-221842.

In view of the existing drainage problems of Apollo Bay and the requirement of rather large sizes of the main drainage to handle the existing areas, it is recommended that the future areas do not burden the existing drainage infrastructure. To achieve this objective, we propose that:

1. The onsite retardation of stormwater runoff should be made a precondition for new developments; and
2. The main drainage pipes outfall into the adjoining creeks.

The site topography governs the location of drainage outfalls of future areas as shown on Drawing A6-221842. The main drainage sizes and the concept level retardation volumes have been determined with a proposed impervious fraction of

0.55. The summary of the required drainage sizes and approximate retardation volumes have been presented in Table 27.

Table 27: Summary of Required Drainage Sizes and Retardation Volumes

| Area | Catchment Size (ha) | Q <sub>10</sub> (m <sup>3</sup> /s) | Approximate Retardation Volume (m3) | Main Drainage Pipe Size (mm) | Main Drainage Pipe Length (m) |
|------|---------------------|-------------------------------------|-------------------------------------|------------------------------|-------------------------------|
| 2    | 26.2                | 2.52                                | 6500                                | 375 to 1200                  | 500                           |
| 3A   | 31.5                | 3.02                                | 7800                                | 375 to 1350                  | 460                           |
| 3B-1 | 13.1                | 1.05                                | 2000                                | 375 to 900                   | 648                           |
| 3B-2 | 7.2                 | 0.7                                 | 970                                 | 375 to 750                   | 445                           |
| 3B-3 | 35.5                | 2.5                                 | 6010                                | 375 to 1200                  | 786                           |

### 6.1 Development Contribution Rates for Future Developments

The development contribution rates for future developments have been worked out on the basis of estimate of main drainage line sizes and length added to the estimated cost of the wetlands needed to treat the stormwater to achieve best practice targets laid out in the Land Development Manual (LDM) maintained and regularly updated by the Melbourne Water Corporation. The results are presented in Table 27a which is based on the following assumptions:

1. An estimate of the length of main drainage lines;
2. Sizes of the main drainage lines varying from 375 mm to 1200 mm;
3. 3% of the total catchment area allocated to the proposed wetlands to achieve the best practice water quality treatment targets;
4. A unit cost of \$65/m<sup>2</sup> for the construction of wetlands as specified by the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), assuming large-scale wetlands.



Table 27a: Development Contribution Rates

| Area | Catchment Size (ha) | Approximate Retardation Volume (m3) | Main Drainage Pipe Size (mm) | Main Drainage Pipe Length (m) | Pipe Cost Estimate (\$) | Wetland Cost Estimate (\$) | Rate / ha (\$) |
|------|---------------------|-------------------------------------|------------------------------|-------------------------------|-------------------------|----------------------------|----------------|
| 2    | 26.2                | 6500                                | 375 to 1200                  | 500                           | 204,490                 | 561,990                    | 29,255         |
| 3A   | 31.5                | 7800                                | 375 to 1350                  | 460                           | 233,698                 | 675,675                    | 28,869         |
| 3B-1 | 13.1                | 2000                                | 375 to 900                   | 648                           | 226,184                 | 280,995                    | 38,716         |
| 3B-2 | 7.2                 | 970                                 | 375 to 750                   | 445                           | 138,648                 | 154,440                    | 40,707         |
| 3B-3 | 35.5                | 6010                                | 375 to 1200                  | 786                           | 321,459                 | 761,475                    | 30,505         |

## 7 Overland Flow

The catchment plans show the overland flow paths (OLFP 1 to 8) determined by CatchmentSIM in line with the available topography of the study area. Flow for the 1 in 100 year ARI event for each flow path is presented in Table 28.

Table 28: 100-year Peak Flow for Identified Overland Flow Paths

| Overland Flow Path | Q <sub>100</sub> (m <sup>3</sup> /s) |
|--------------------|--------------------------------------|
| OLFP 1             | 0.364                                |
| OLFP 2             | 0.951                                |
| OLFP 2A            | 0.614                                |
| OLFP 3             | 0.439                                |
| OLFP 4             | 0.681                                |
| OLFP 5             | 1.020                                |
| OLFP 6             | 2.510                                |
| OLFP 7             | 2.164                                |
| OLFP 8             | 13.590                               |

The overland flow is conveyed over roads through the developed area except for large flow along OLFP8 which represents contribution of the study catchment to the Braham River. The information has been provided for documentation in this study dealing with the underground infrastructure.

## § Impact of Climate Change

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The impact of the climate change has been quantified with further work on the design for Option 4. The design has been upgraded in view of two factors namely, the expected sea level rise (SLR) and expected increase in the intensity of the rainfall.

In consultation with the Client, the expected SLR of 0.8 m has been adopted as recommended by “The Victorian Coastal Strategy (2008) - State Government’s policy for coastal, estuarine and marine environments in Victoria” for the year 2100. The downstream water level adopted for drainage design options (see Section 5.6) has been increased by 0.8 m to model impact of the SLR.

The impact of the climate change on increase in rainfall intensity has been quantified by various studies. In their poster for OZwater09, Dr Mohammad N Cheema and Ray Borg have observed that using results of 13 Climate models, CSIRO project an increase of 1 to 13% (average 4 %) in the annual rainfall for the greater Melbourne region by 2050. In absence of a policy guideline such as the one for SLR, we have adopted an expected increase of 15% in the rainfall intensity which is consistent for the current industry practice for the long-term effects of the climate change.

The hydraulic model was re-run for the expected SLR and increase in the rainfall intensity. The results are presented Tables 29 to 33.

Table 29: Climate Change - Drainage Line 1 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 94                  | 93     | 26.64      | 225       | 300                 | 176           | 4689                |
| 93                  | 92     | 29.66      | 225       | 300                 | 176           | 5220                |
| 92                  | 91     | 24.54      | 225       | 300                 | 176           | 4318                |
| 91                  | 90     | 58.51      | 225       | 675                 | 275           | 16089               |
| 90                  | 89     | 11.34      | 300       | 675                 | 275           | 3117                |
| 89                  | 88     | 66.60      | 300       | 450                 | 205           | 13653               |
| 88                  | 43     | 10.50      | 300       | 525                 | 225           | 2363                |
| 43                  | 42     | 97.25      | 375       | 675                 | 275           | 26742               |
| 42                  | 41     | 94.38      | 450       | 675                 | 275           | 25953               |
| 41                  | 40     | 57.44      | 450       | 675                 | 275           | 15795               |
| 40                  | 35     | 51.28      | 450       | 675                 | 275           | 14102               |
| 35                  | 34     | 9.45       | 825       | 1050                | 500           | 4723                |
| 34                  | 33     | 75.29      | 825       | 1050                | 500           | 37644               |
| 33                  | 32     | 8.37       | 825       | 1050                | 500           | 4186                |
| 32                  | 31     | 18.96      | 2x600     | 1050                | 500           | 9478                |
| 31                  | 30     | 28.49      | 2x600     | 1050                | 500           | 14245               |
| 30                  | 29     | 16.47      | 2x1200    | 1050                | 500           | 8237                |
| 29                  | 25     | 10.71      | 1200      | 1500                | 1300          | 13921               |
| 25                  | 24     | 22.93      | 900       | 2100x900            | 1600          | 36689               |
| 24                  | 23     | 17.71      | 1200      | 1800x900            | 1400          | 24790               |
| 23                  | Outlet | 108.21     | 1200      | 1200                | 1000          | 108205              |
|                     |        |            |           |                     | <b>Total</b>  | <b>394170</b>       |

Table 30: Climate Change - Drainage Line 2 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 60                  | 59     | 52.47      | 300       | 375                 | 183           | 9317                |
| 59                  | 58     | 166.51     | 375       | 450                 | 205           | 34133               |
| 58                  | 57     | 80.86      | 375       | 675                 | 275           | 22235               |
| 57                  | 56     | 21.07      | 375       | 675                 | 275           | 5793                |
| 56                  | 55     | 53.11      | 375       | 750                 | 305           | 16197               |
| 55                  | 54     | 48.00      | 375       | 750                 | 305           | 14640               |
| 54                  | 53     | 9.44       | 375       | 750                 | 305           | 2878                |
| 53                  | 52     | 63.82      | 375       | 750                 | 305           | 19464               |
| 52                  | 51     | 6.87       | 375       | 750                 | 305           | 2086                |
| 51                  | 50     | 12.31      | 375       | 750                 | 305           | 3754                |
| 50                  | 49     | 10.60      | 450       | 750                 | 305           | 3233                |
| 49                  | 48     | 50.23      | 450       | 375                 | 189           | 9493                |
| 48                  | 47     | 50.98      | 450       | 375                 | 189           | 9635                |
| 47                  | 46     | 94.52      | 525       | 375                 | 183           | 17365               |
| 46                  | 45     | 35.86      | 525       | 375                 | 183           | 6777                |
| 45                  | 44     | 45.91      | 600       | 750                 | 305           | 14003               |
| 44                  | 25     | 54.24      | 600       | 750                 | 305           | 16543               |
| 65                  | 64     | 37.74      | 375       | 825                 | 339           | 12793               |
| 64                  | 63     | 90.66      | 375       | 825                 | 339           | 30732               |
| 63                  | 62     | 66.43      | 375       | 825                 | 339           | 22519               |
| 62                  | 61     | 12.64      | 375       | 825                 | 339           | 4284                |
| 61                  | 49     | 10.21      | 375       | 825                 | 339           | 3459                |
|                     |        |            |           |                     | <b>Total</b>  | <b>282460</b>       |

**Table 31: Climate Change - Drainage Line 3 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 87                  | 86     | 83.90      | 300       | 450                 | 205           | 17189               |
| 86                  | 85     | 86.50      | 300       | 450                 | 205           | 17782               |
| 85                  | 84     | 8.40       | 300       | 525                 | 225           | 1889                |
| 84                  | 83     | 11.47      | 300       | 600                 | 248           | 2843                |
| 83                  | 82     | 13.65      | 300       | 600                 | 248           | 3384                |
| 82                  | 81     | 60.10      | 300       | 375                 | 189           | 11358               |
| 81                  | 80     | 103.22     | 300       | 375                 | 189           | 19509               |
| 80                  | 79     | 109.58     | 375       | 600                 | 248           | 27175               |
| 79                  | 78     | 6.22       | 450       | 600                 | 248           | 1543                |
| 78                  | 77     | 20.00      | 450       | 625                 | 339           | 6781                |
| 77                  | 76     | 60.18      | 675       | 900                 | 375           | 22568               |
| 76                  | 75     | 14.49      | 600       | 900                 | 375           | 5434                |
| 75                  | 74     | 35.24      | 900       | 900                 | 375           | 13213               |
| 74                  | 73     | 53.64      | 900       | 900                 | 375           | 20113               |
| 73                  | 72     | 6.30       | 900       | 1050                | 459           | 2892                |
| 72                  | 71     | 20.05      | 900       | 1200                | 556           | 11149               |
|                     |        |            |           |                     | <b>Total</b>  | <b>184790</b>       |

**Table 32: Climate Change - Drainage Line 4 Main Drainage Sizes**

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 14                  | 13     | 109.31     | 300       | 375                 | 189           | 20660               |
| 13                  | 12     | 138.26     | 300       | 450                 | 205           | 28343               |
| 12                  | 11     | 72.19      | 450       | 1200                | 556           | 40136               |
| 11                  | 10     | 27.52      | 525       | 1200                | 556           | 15300               |
| 10                  | 9      | 25.02      | 600       | 1200                | 556           | 13912               |
| 9                   | 8      | 97.66      | 600       | 1200                | 556           | 54297               |
| 8                   | 7      | 10.23      | 600       | 1800x900            | 1146          | 11745               |
| 7                   | 5      | 23.21      | 600       | 1800x900            | 1148          | 26643               |
|                     |        |            |           |                     | <b>Total</b>  | <b>211040</b>       |

Table 33: Climate Change - Drainage Line 5 Main Drainage Sizes

| Existing Pipe Sizes |        |            |           | Proposed Pipe Sizes | Cost Estimate |                     |
|---------------------|--------|------------|-----------|---------------------|---------------|---------------------|
| From Pit            | To Pit | Length (m) | Size (mm) | Size (mm)           | Rate/m (\$)   | Estimated Cost (\$) |
| 6                   | 5      | 228.86     | 600       | 2x2400x900          | 3200          | 732340              |
| 5                   | 4      | 16.38      | 900       | 3x1500x900          | 2900          | 47495               |
| 4                   | 3      | 106.71     | 1200      | 3x1500x900          | 2900          | 309445              |
| 3                   | 2      | 106.07     | 1200      | 3x1500x900          | 2900          | 307614              |
| 2                   | 1      | 43.15      | 1200      | 3x1500x900          | 2900          | 125130              |
| 1                   | 24     | 187.53     | 1200      | 3x1500x900          | 2900          | 543846              |
|                     |        |            |           |                     | Total         | 2083573             |

### 8.1 Cost Estimate of Climate Change Impact and Clarification

The total estimated cost by including all the upgrade works on the pits is \$3,800,000. It should be noted that the above estimates are presented as an order of magnitude only ( $\pm 20\%$ ), based on experience from similar, past projects. The clarifications described in Section 5.4.1 also apply this cost estimate.

## 9 Hydraulic Grade Lines

Hydraulic grade lines (HGLs) have been created from 12d model. The HGLs cover design of Option 4 (Appendix B drawings) and design of Option 4 including the impact of climate change (Appendix C drawings).

## 10 Community Feedback

The community consultation resulted in only in one feedback (dated 24 August 2012), by Geoff and Susan Kennedy who have lived in Apollo Bay for about 30 years. The feedback contains mostly agreement with Arup’s report with some suggestions which have been discussed below.

### 10.1 Points of Agreement

The feedback expresses agreement with Arup’s report on the following issues:

1. Support for “the recommendations contained in the **Apollo Bay Engineering, Drainage and Apportionment Analysis**”

2. Support for Arup's finding that "*The existing underground drainage system (Drainage Lines 1 to 5) is grossly inadequate. The system is incapable of carrying the 1 in 5 year ARI peak flow without causing local flooding*"
3. It is "pleasing to see some progress toward a solution" to the existing drainage problem
4. Support Arup's recommendation of Option 4
5. Support "for the realignment of the pipe work and pits at Pa1 (Problem area 1)
6. Support for the recommendation that "*the future development areas should not be drained through the existing drainage system*"

## 10.2 Suggestions in the Feedback

The suggestions offered in the feedback have been covered in the following discussion

**Outfall Pipe:** According to the comment "It is only since the removal of the sections of the pipe between the fore-dune and the low tide mark that the silting problem has arisen". It is therefore recommended to the Council to "include some investigation of options available to overcome this problem which may include re-instatement of the system to the original design".

**Response:** The analysis of the climate change impacts requires the outfall pipes to be raised by 0.8 m. It is likely to improve the silting problem pointed out in the comment. The Council may decide to undertake a detailed investigation of sand movement along the coast to decide on the length of outfall pipe beyond the fore-dune if the severity of the problem persists even after the outfall pipes have been raised.

**Retardation System:** The comment points out that the retardation systems do not function properly if the storage is not empty enough to receive inflow.

**Response:** It is expected that the retardation systems will be designed in line with the industry best practice to ensure their optimal performance.

**Consultation prior of Pipe Replacement:** The comment suggests that the providers of the feedback be consulted for a useful input before finalising the design of the pipe running through their property.

**Response:** We agree with this comment.

**Stormwater Infiltration of the Sewage System:** The comment relates to the stormwater entering the town sewage system and points out that "An adequate and effective stormwater system will alleviate this problem".

**Response:** The Council (Email message dated 17 September from Ronan Corcoran) has found out that "there is an overflow but it is for the sewer system to overflow into the stormwater system rather than the other way around" and that

“the pump system wet well has never been flooded out by surcharging of our [Council’s] stormwater system”. It appears that the proposed changes to the drainage system will eliminate any problem at stormwater sewerage interface.

**Residential Infill & Moratorium on Development:** The comment points to the negatives of new developments which increase impervious areas while the existing stormwater system is so inadequate.

**Response:** The comment relates to the Council’s policy. Arup’s findings on the capacity of the existing drainage system are clear.

## 11 Conclusions

---

This study has examined the drainage system of Apollo Bay and four drainage problem areas. Detailed modelling has revealed that the drainage system cannot handle the design flow.

We have identified 5 treatment options in consultation with the Client. The drainage system has been modelled for 1 in 10 and 1 in 20 year events for residential and commercial areas respectively. Once an option is selected by the Client, it will be remodelled to include impacts of climate change. Broadly, the consideration for climate change will require sizes larger by 10 to 15% than those estimated by the modelling undertaken so far.

The options considered by this study are:

- Option 1: Existing alignment;
- Option 2: Twin outlets;
- Option 3: McLachlan St Diversion (Diversion);
- Option 4: Twin outlets plus Diversions; and
- Option 5: Retardation through a temporary storage.

Our findings can be summarised as:

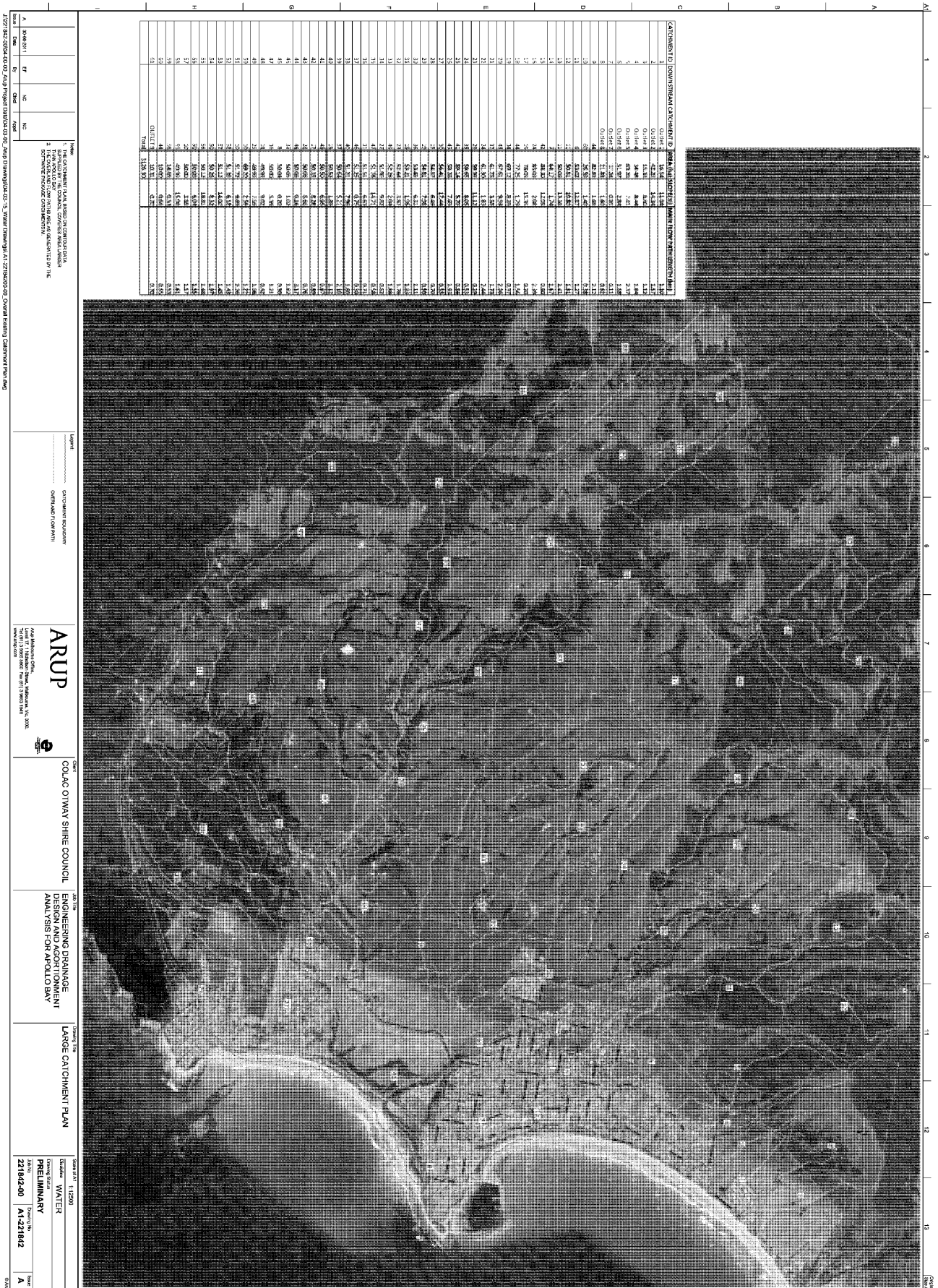
1. The existing system is inadequate even for a 1 in 5 year event;
2. The retardation option (Option 5) has severe constraints posed by the site topography and maintenance requirements. The preliminary analysis has shown that the retardation option is not effective for treating the drainage problems.
3. Option 2 reduces the required pipe sizes for the lower segment of Drainage Line 1 and Drainage Line 5. It is not effective for Drainage Lines 2, 3 and 4.
4. Option 3 has significant impact on Drainage Line 5, some impact on Drainage Lines 2 and 3 minor impact on Drainage Lines 1 and 4.
5. Option 4 is the only option that impacts all drainage lines. Its impacts are most significant on Drainage Lines 1 and 5.
6. We have recommend, in consultation with the Client, Option 4 to be adopted for effective treatment of the drainage problems

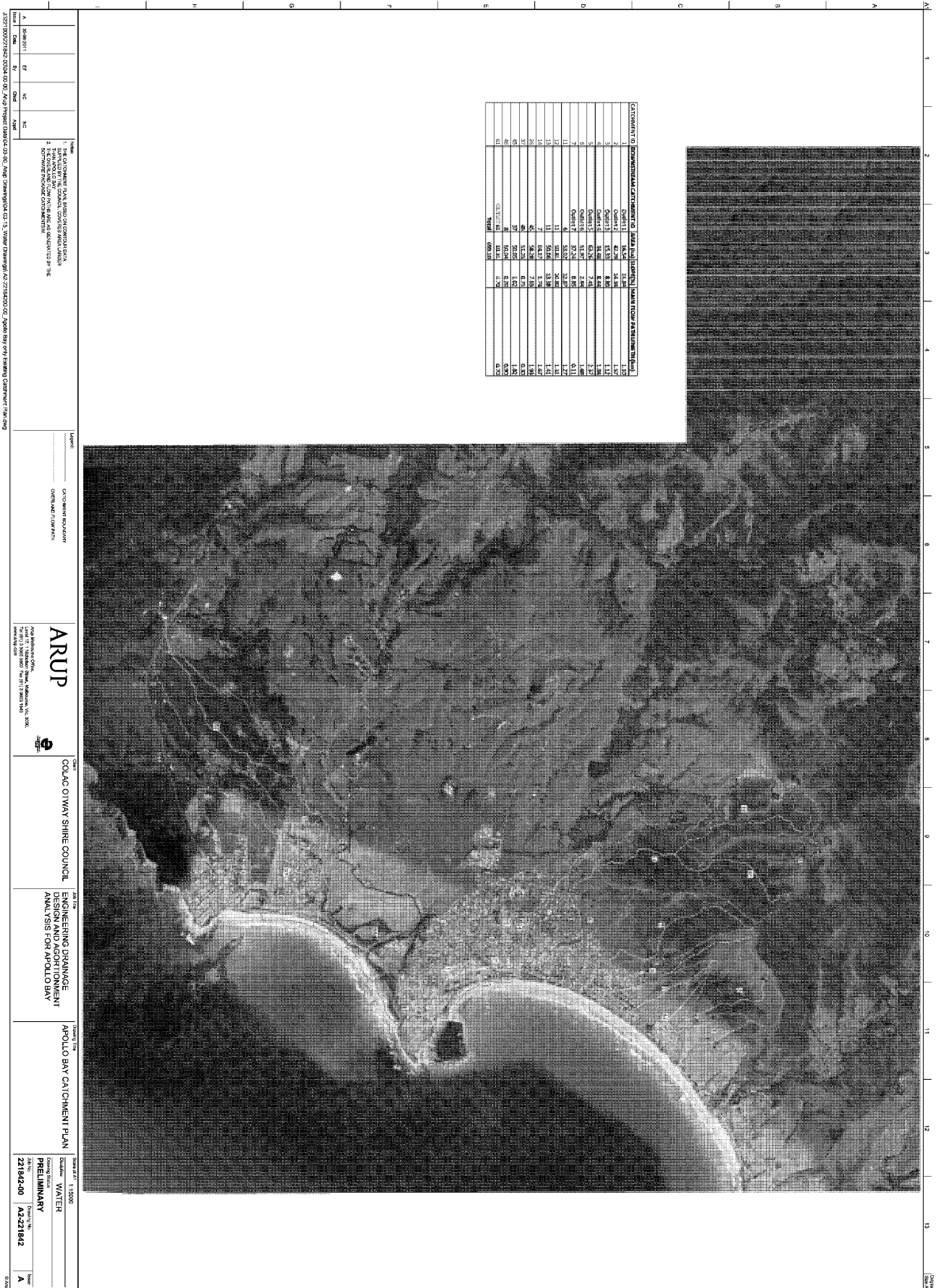


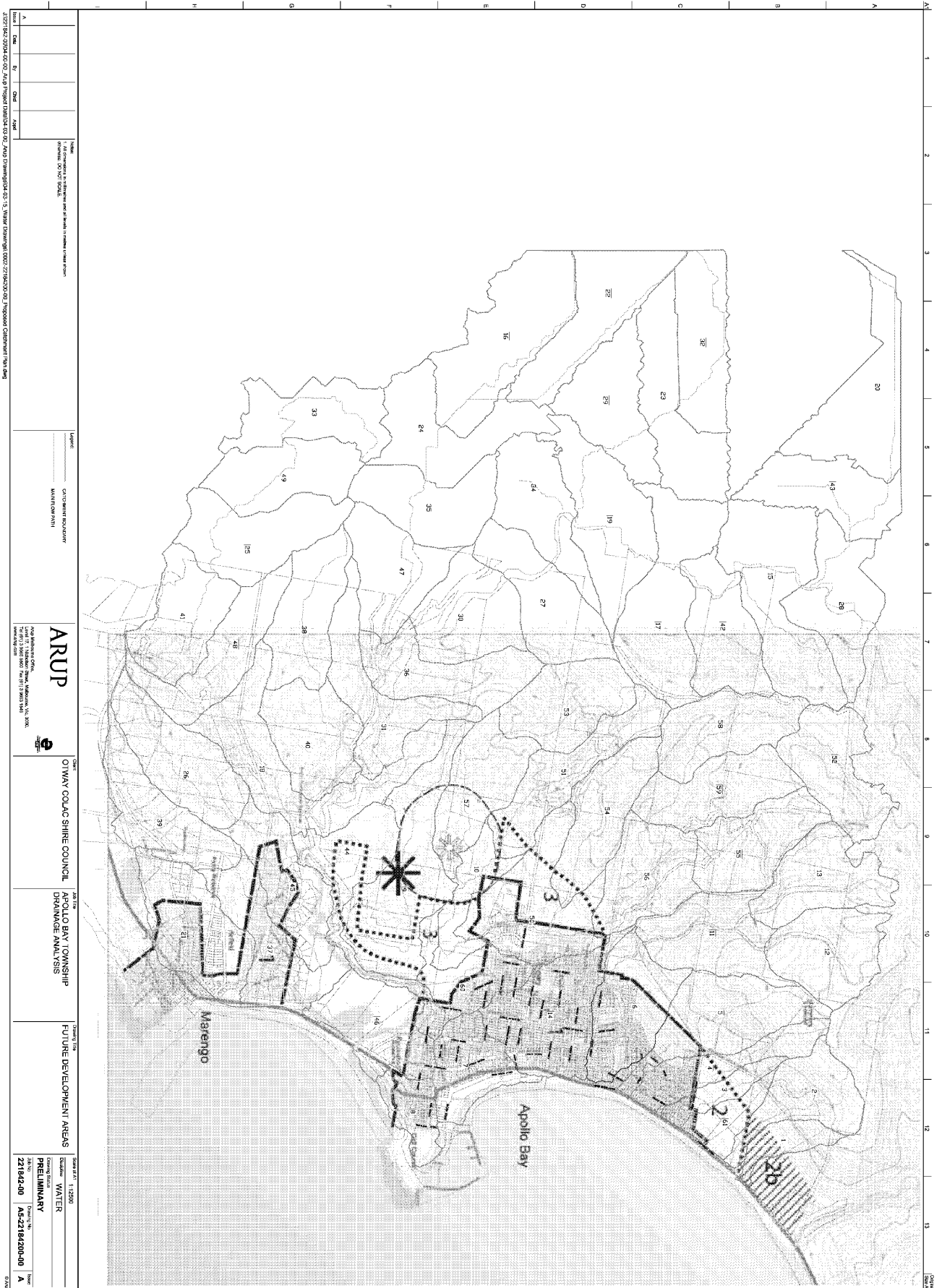
experienced in Apollo Bay. The implementation of the recommendation is subject to the establishment of no adverse impacts on the creeks which will receive the stormwater flow diverted from west of McLachlan St. This assessment is not included in the scope of the current study.

7. The recommended drainage alignment at the intersection of Thompson Street involves elimination of an unnecessary and problematic junction pit described in Section 5.6 of this report.
8. Analysis of climate change impacts permits the downstream water level to be raised by 0.8 m. Based on this, the proposed twin outlets can be raised by 0.8 m if the design is to reflect the climate change.
9. The future development areas should not be drained through the existing drainage system.
10. Future developments must have onsite retardation facilities and the stormwater outflow must be discharged into the surrounding creeks.
11. The detailed survey information was not available for most of the study area due to which assumptions were made (see Section 4) on the pipe grades. The design output of this investigation in terms of drainage pipes sizes and grades needs to be improved with the help of detailed survey information for a design suitable for construction.

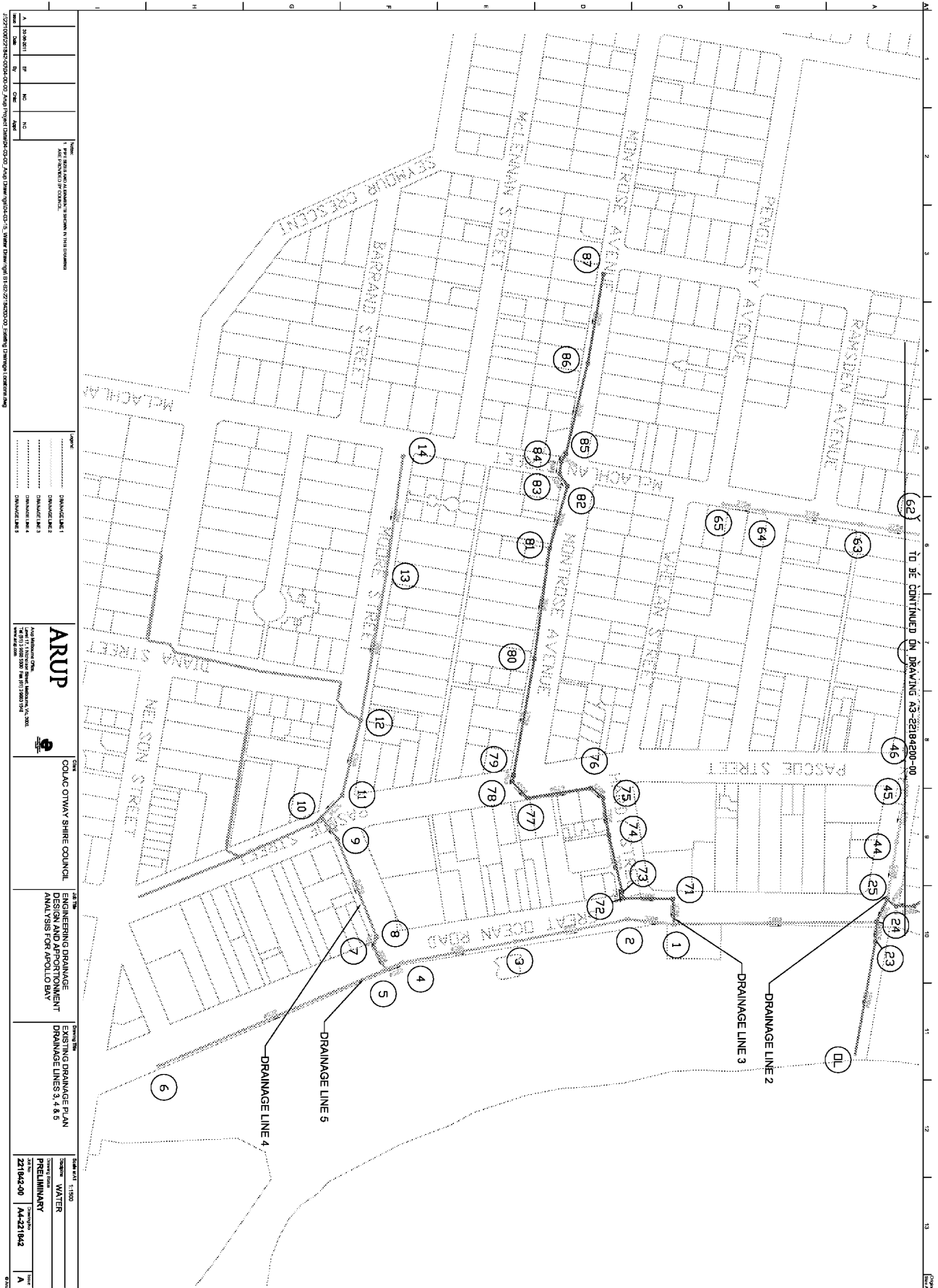


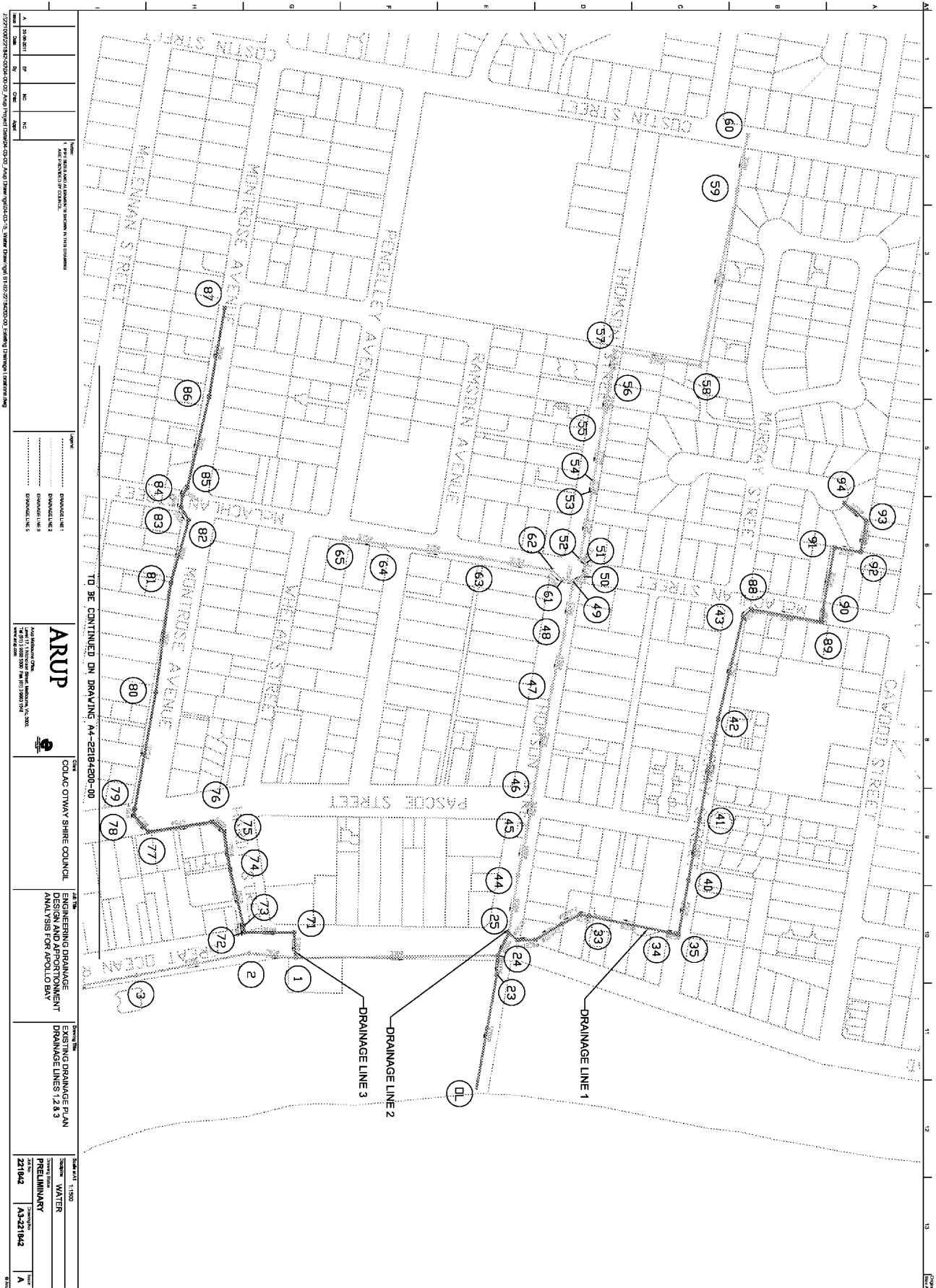






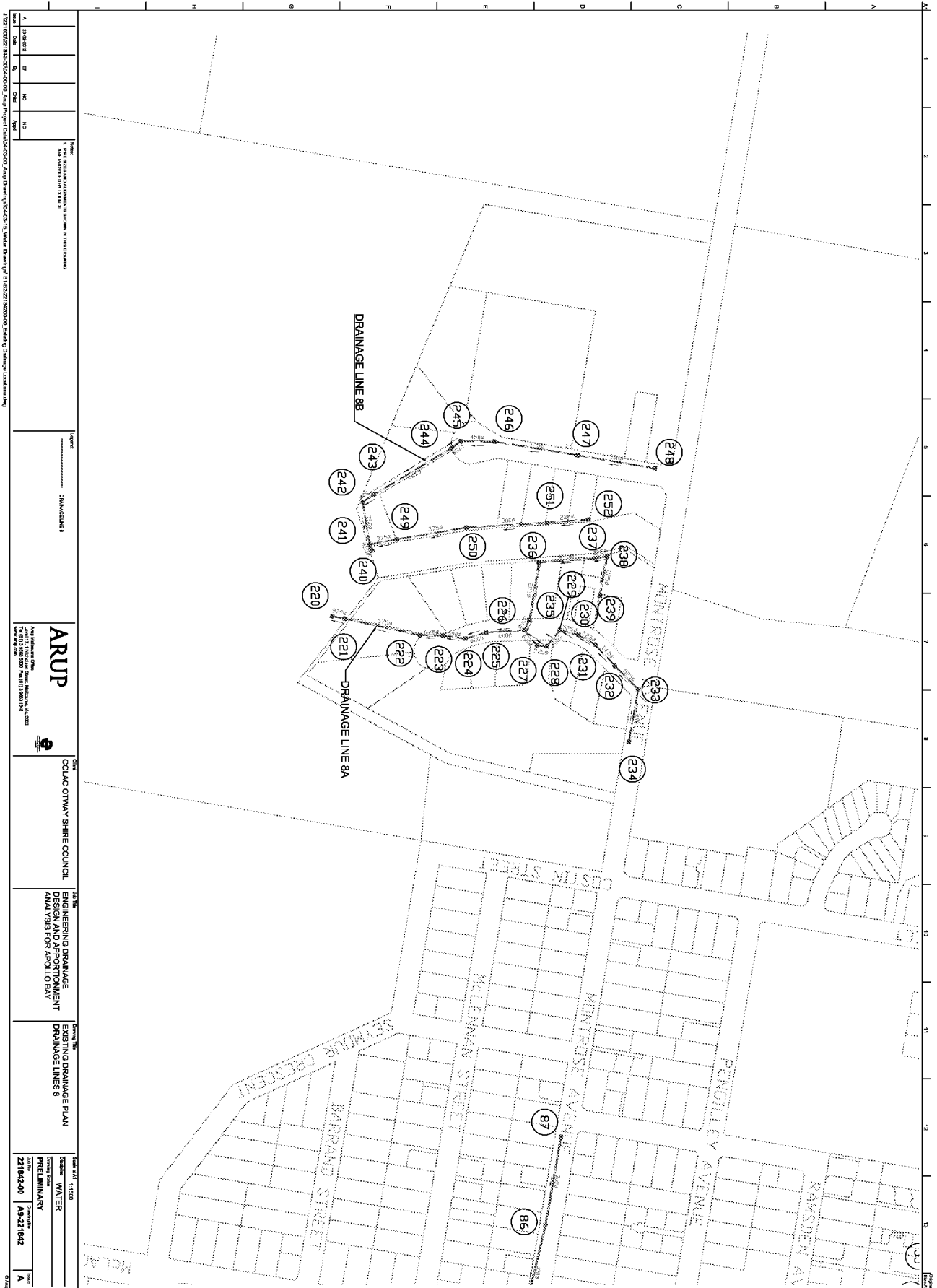
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| <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>   |  | <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>         |  | <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>   |  | <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>   |  | <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>   |  | <p>ARUP<br/>                 100 WATERLOO DRIVE, MELBOURNE VIC 3000<br/>                 TEL: 61 3 9470 6000 FAX: 61 3 9470 6001</p>   |  |
| <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  | <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  | <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  | <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  | <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  | <p>CLIENT SERVICE REQUIREMENT<br/>                 MAINTENANCE</p>   |  |
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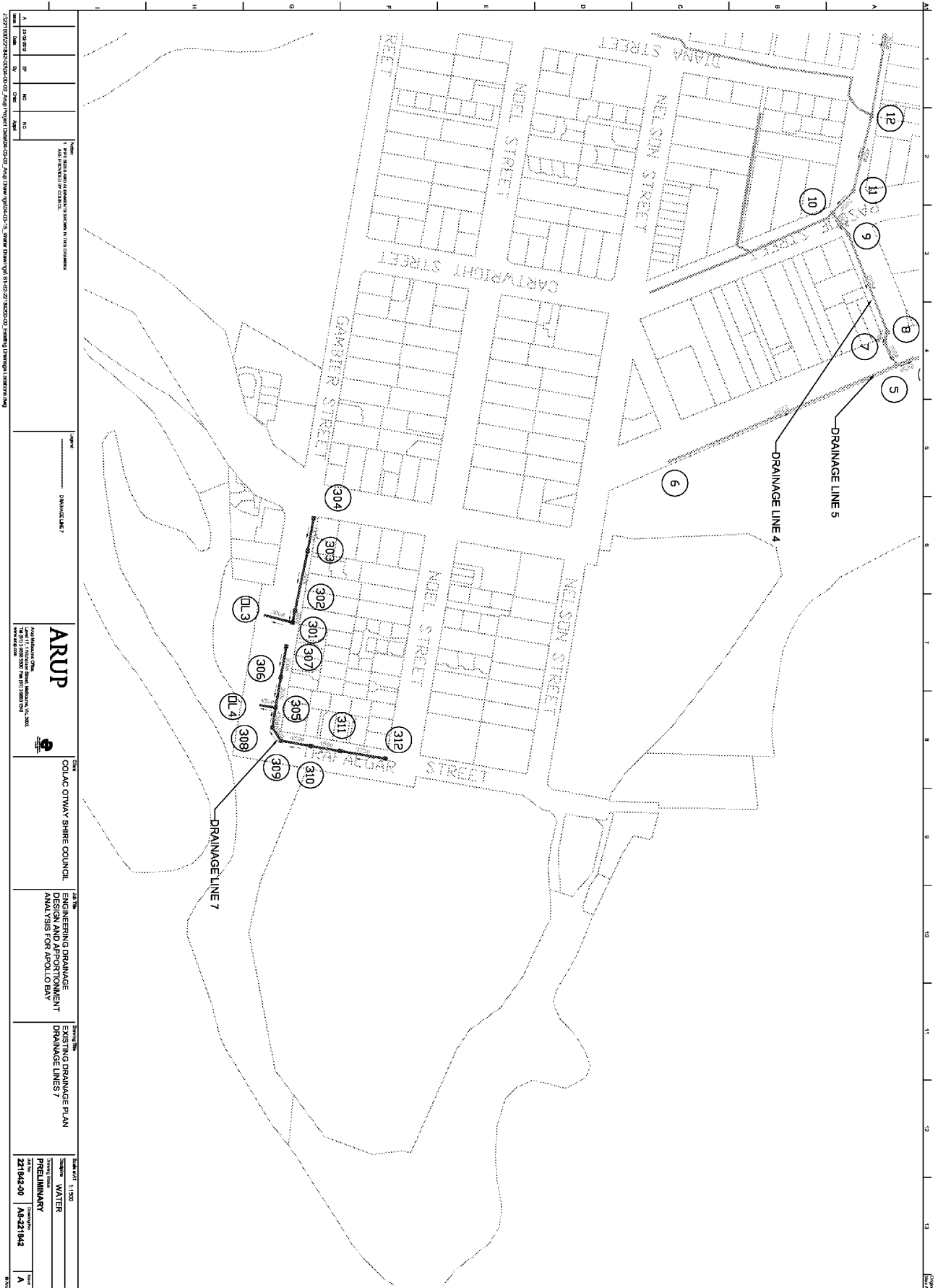


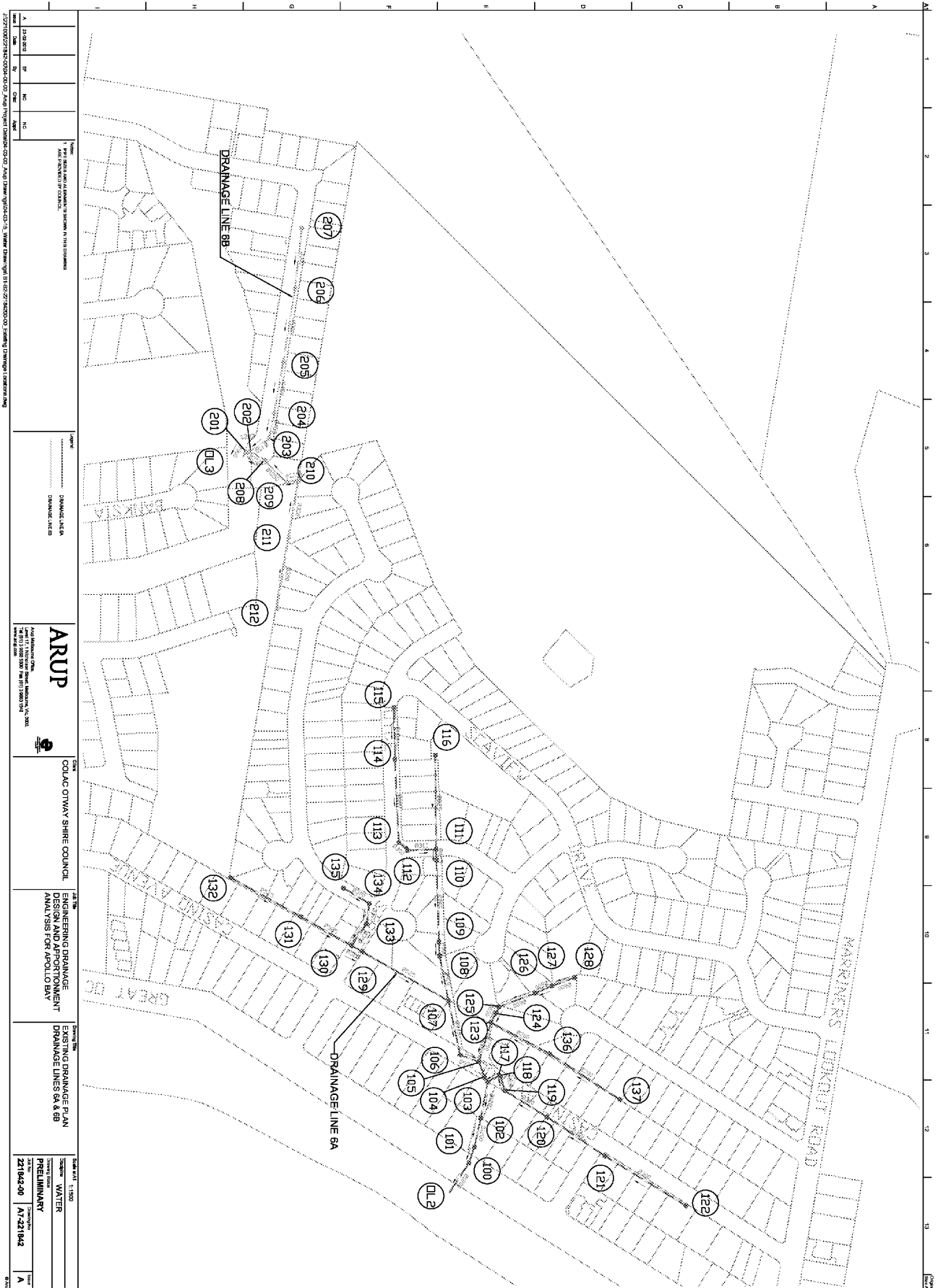






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| 23/08/2012  | ARUP                        | ARUP    | APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT - ADOPTION              |
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| CLIENT  | CITY OF OTWAY SHIRE COUNCIL | PROJECT | ENGINEERING DRAINAGE DESIGN AND APPOINTMENT ANALYSIS FOR APOLLO BAY |
| DATE  | 23/08/2012                  | PROJECT | EXISTING DRAINAGE PLAN DRAINAGE LINES 8                             |
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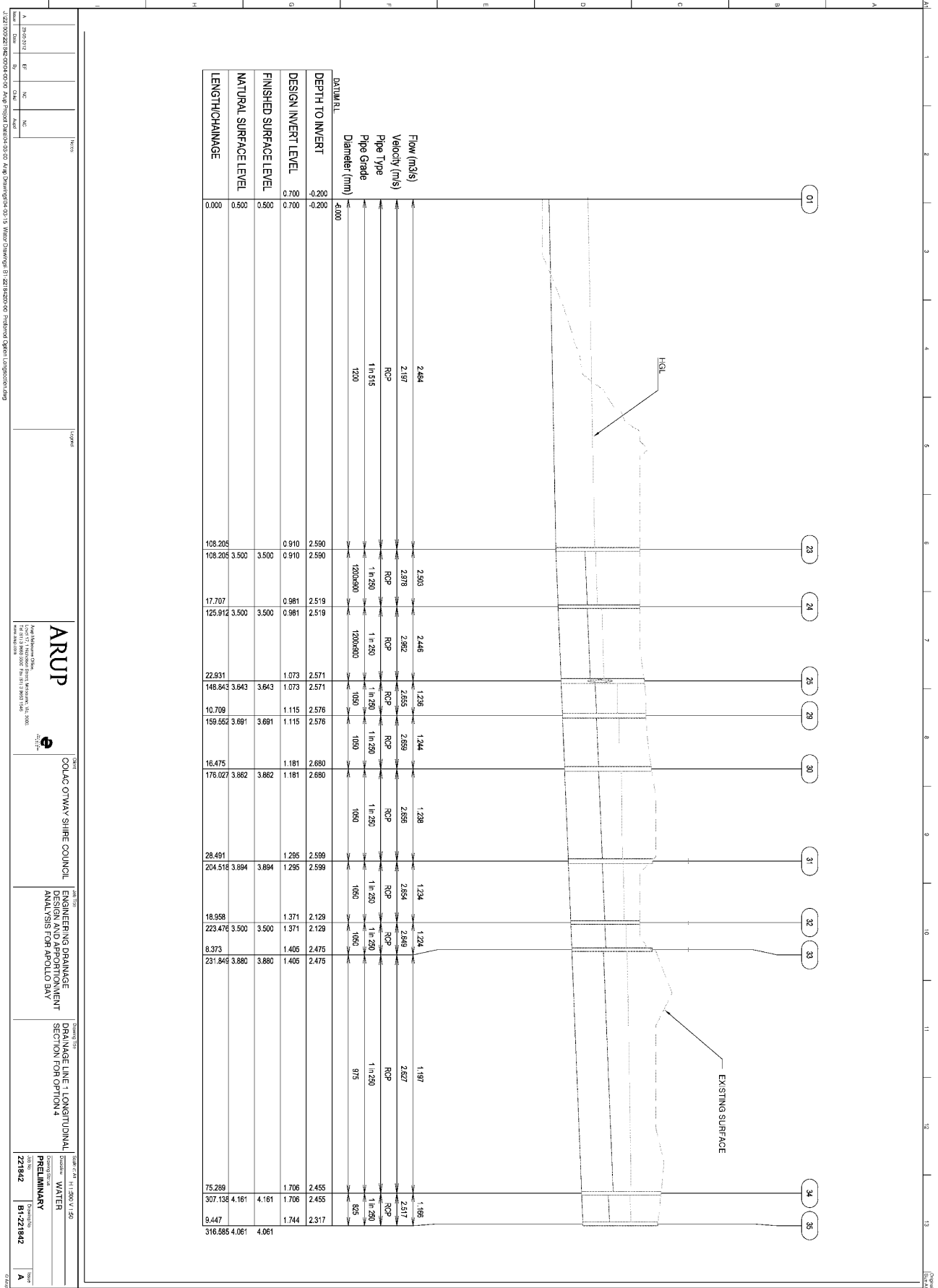
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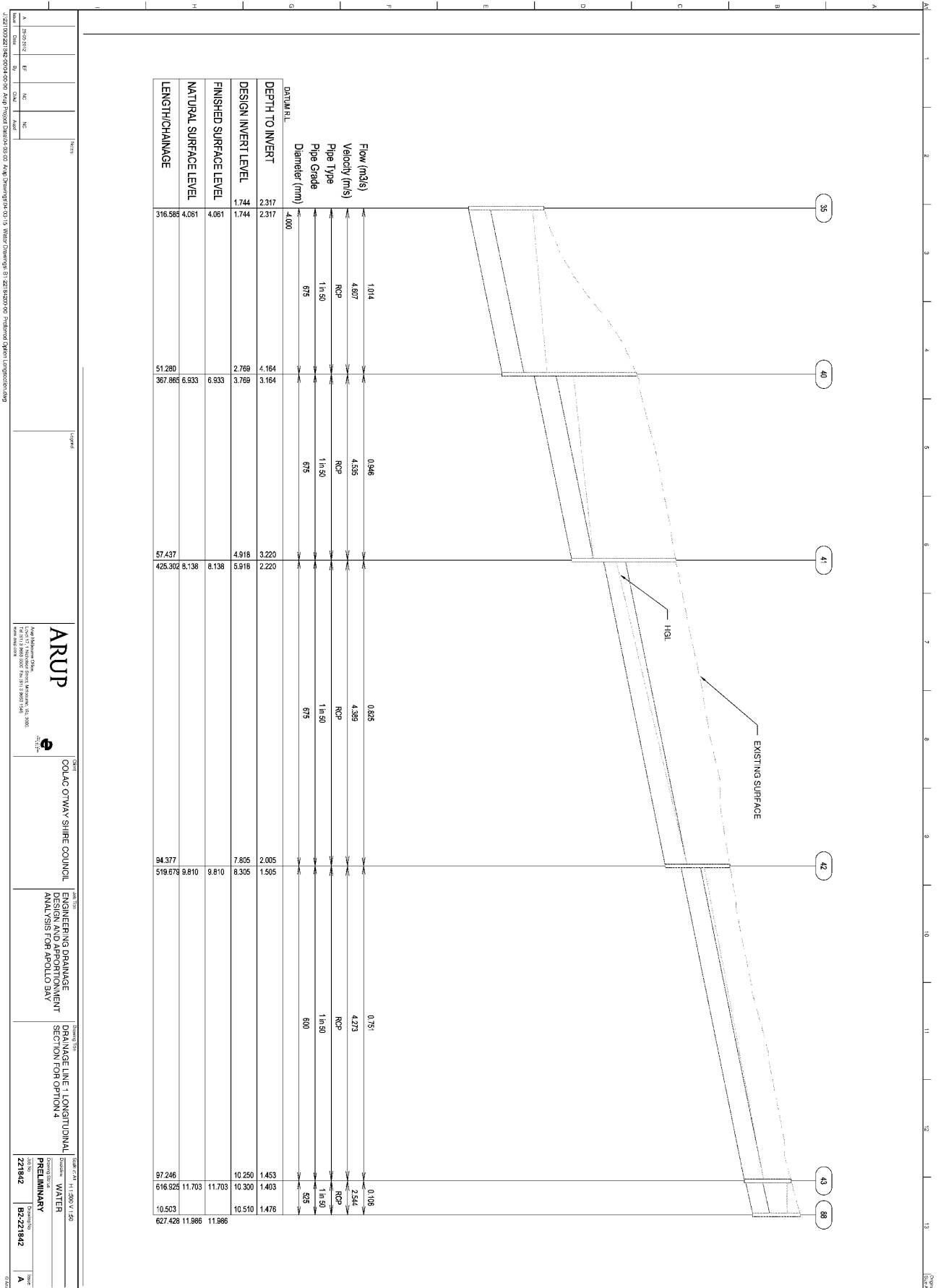
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**COLLIERI SHIPLE COUNCIL**  
 ENGINEERING DRAINAGE DESIGN AND AGGORTONMENT ANALYSIS FOR APOLLO BAY

OVERLAND FLOW PATHS

DATE: 14/11/2012  
 DRAWING NO: 221842-00  
 PROJECT NO: 0007-22184200-00  
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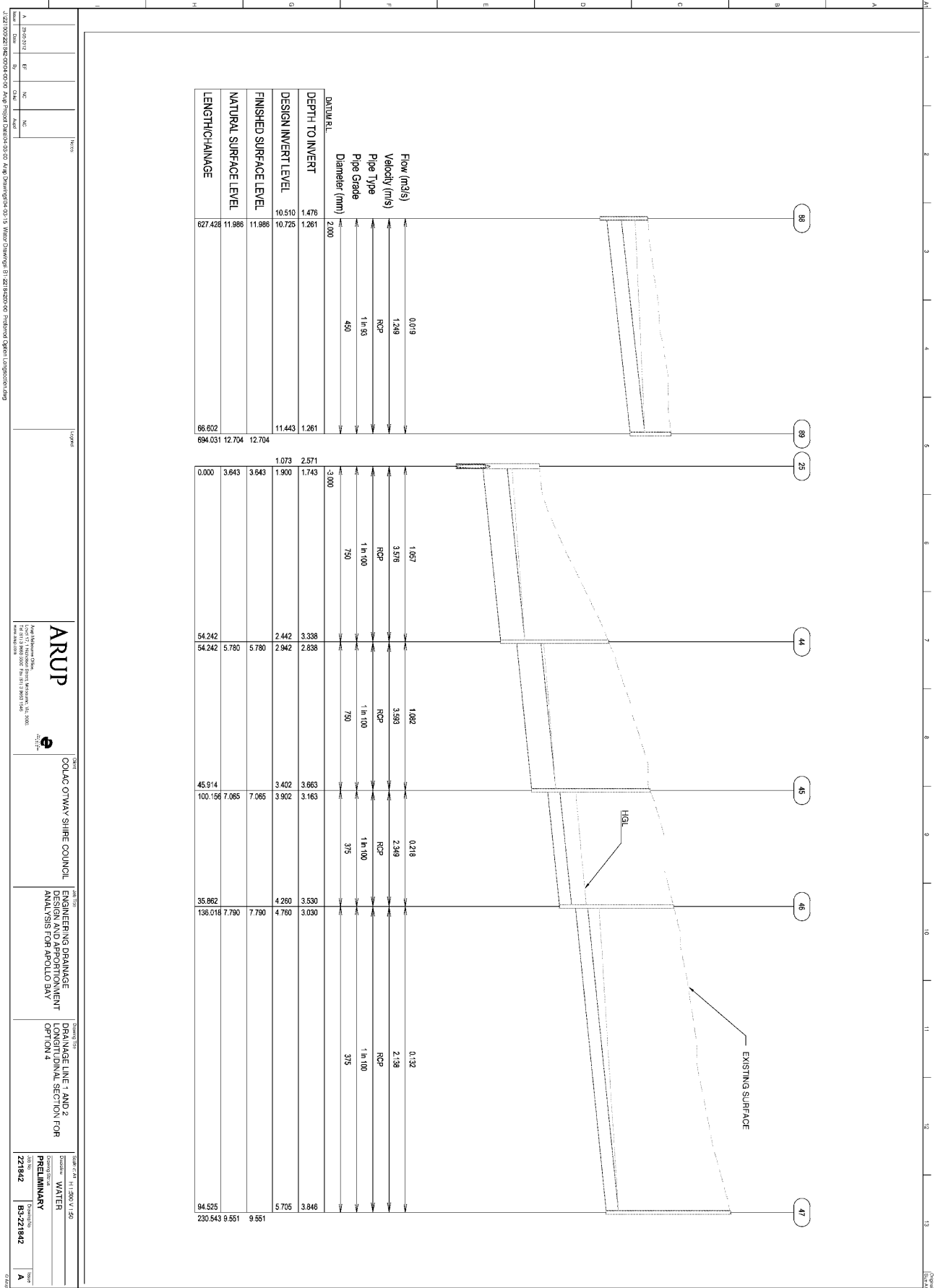
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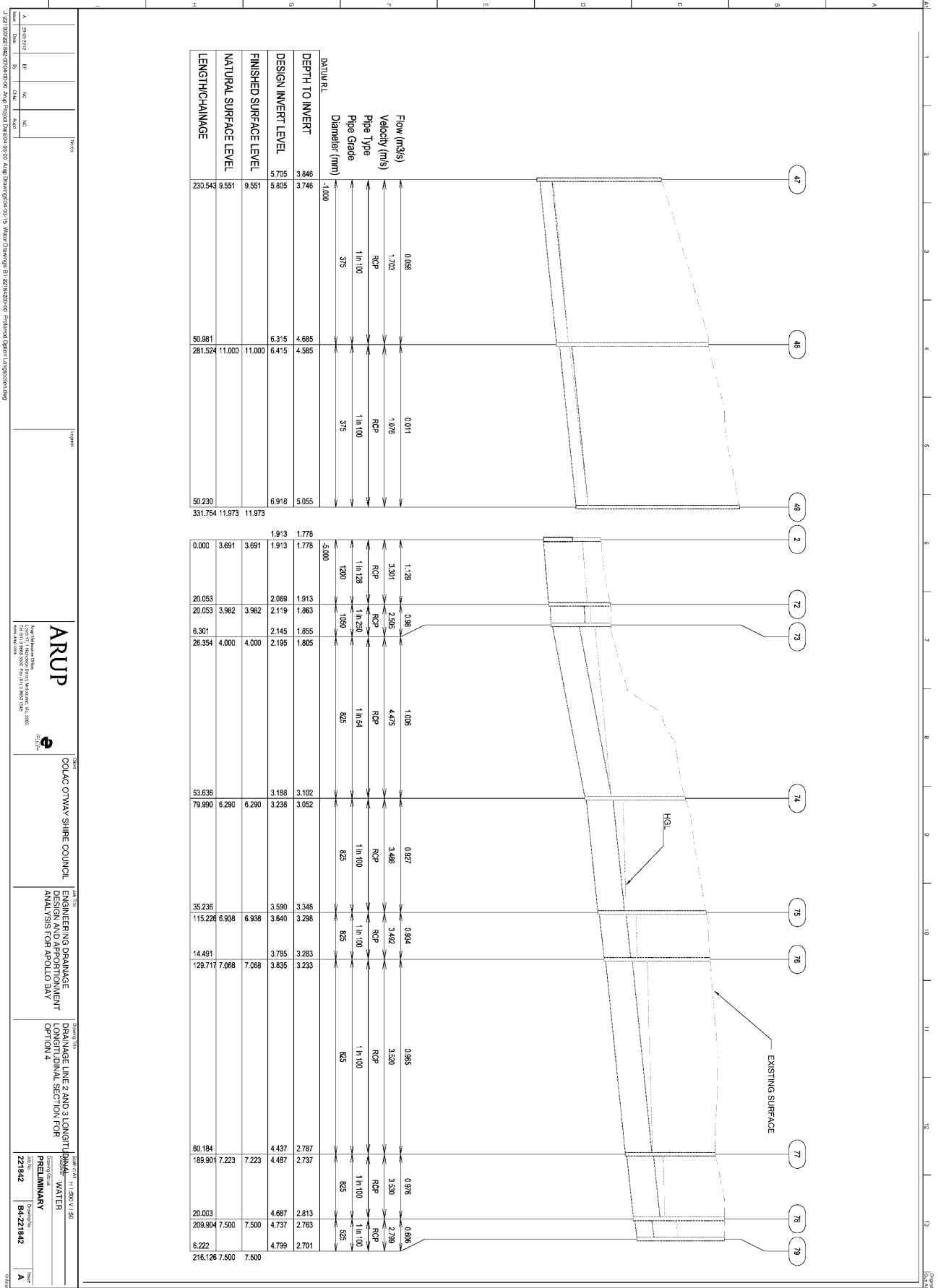
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PRELIMINARY

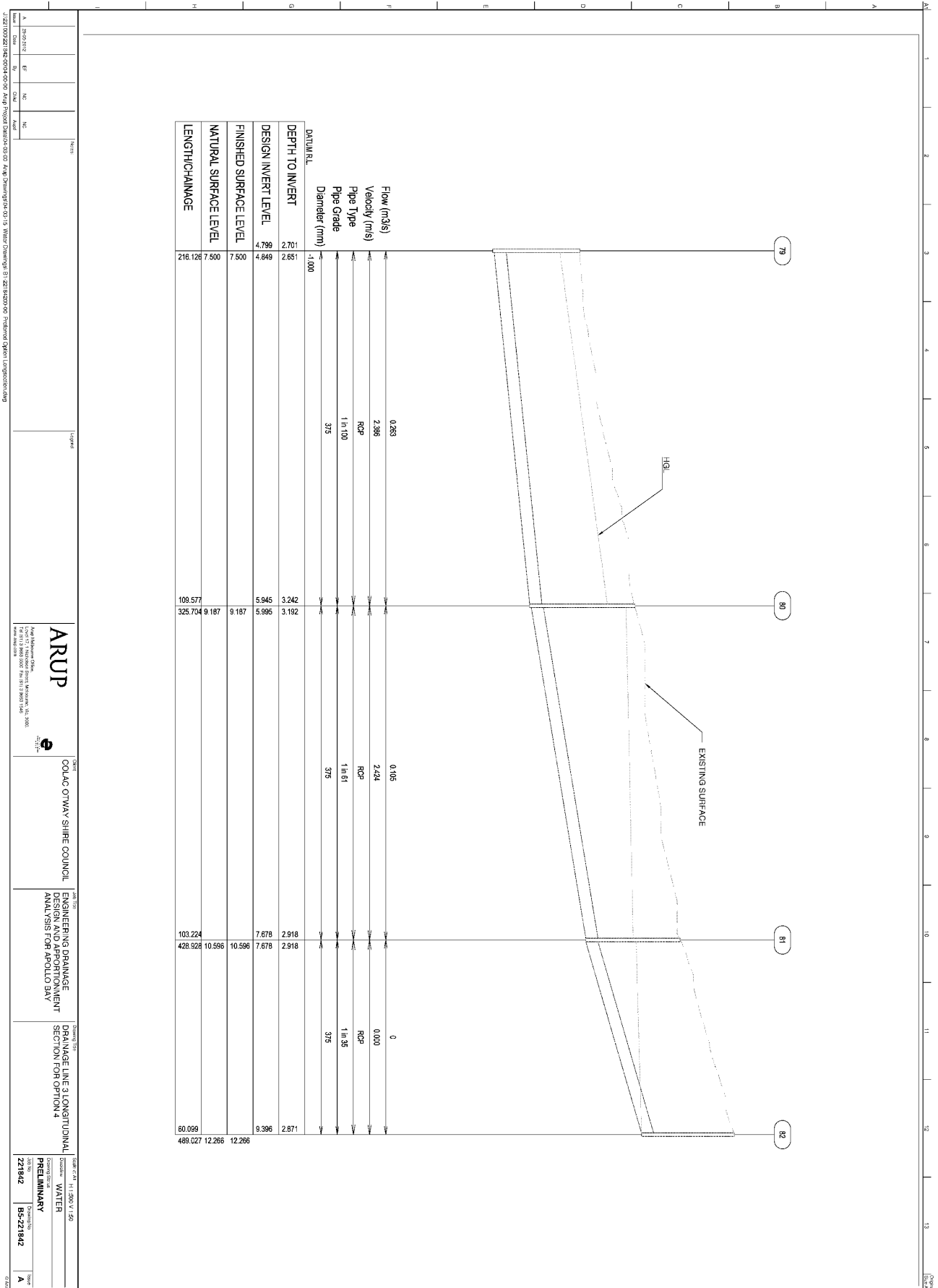
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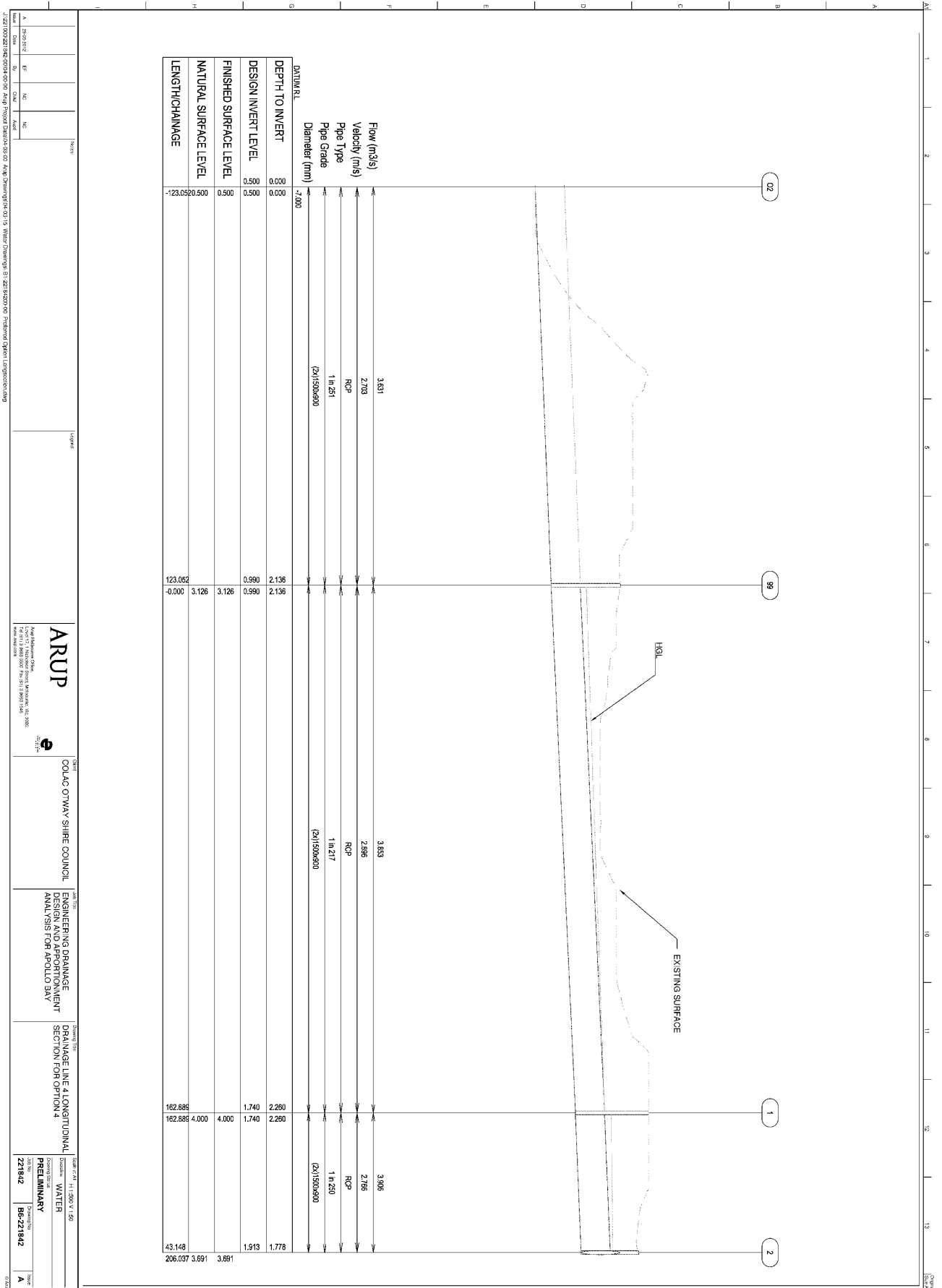
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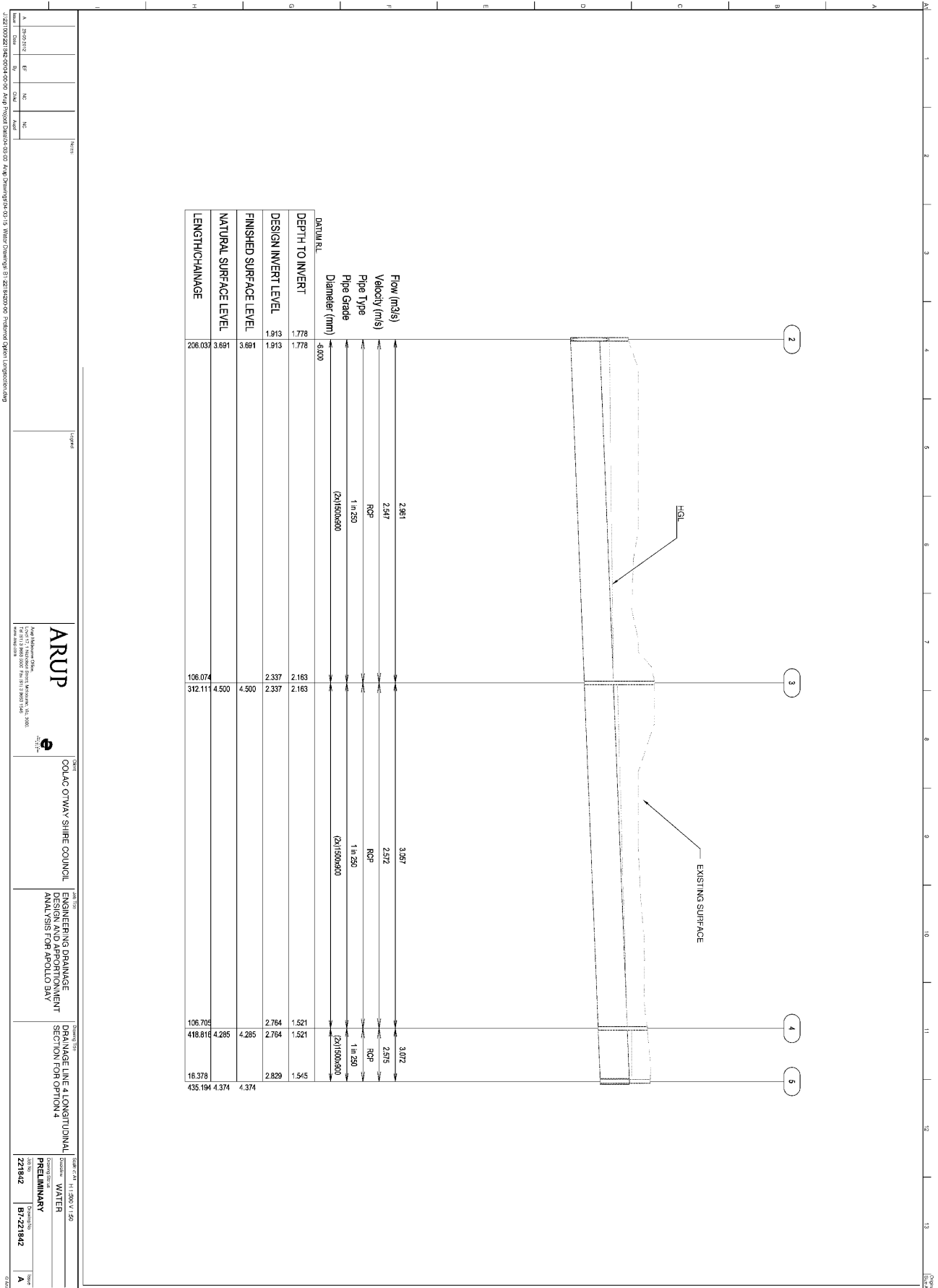












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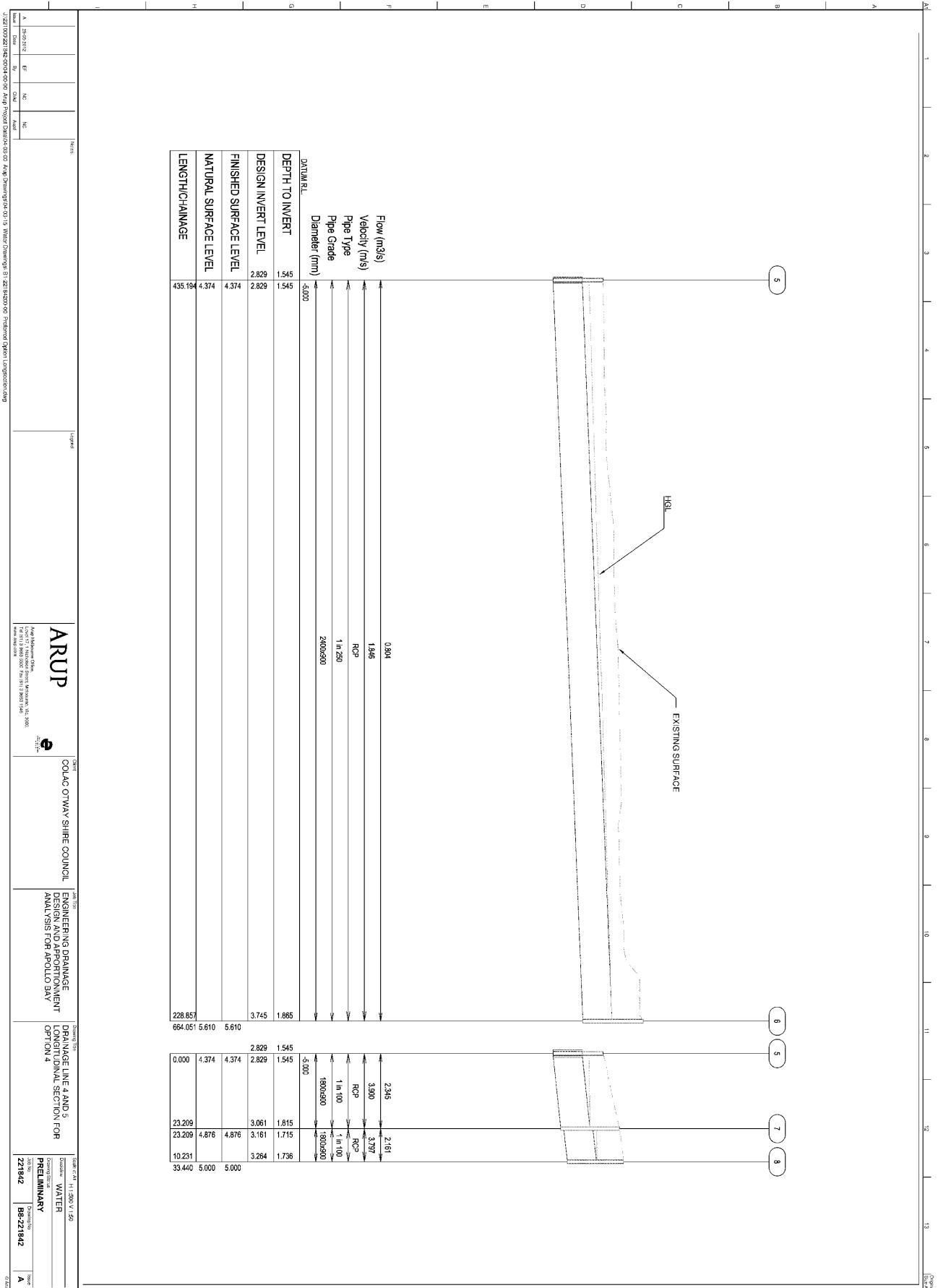
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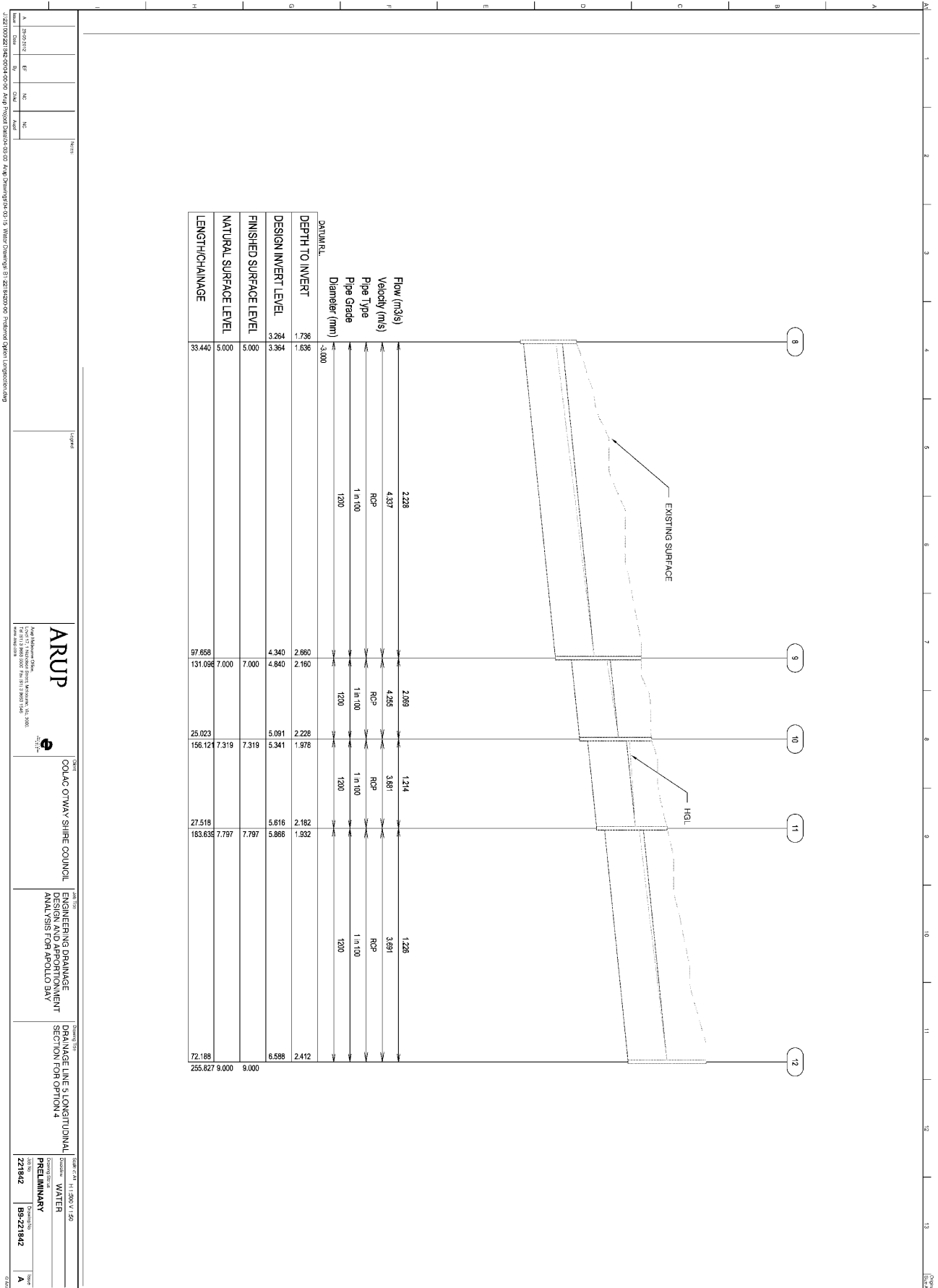
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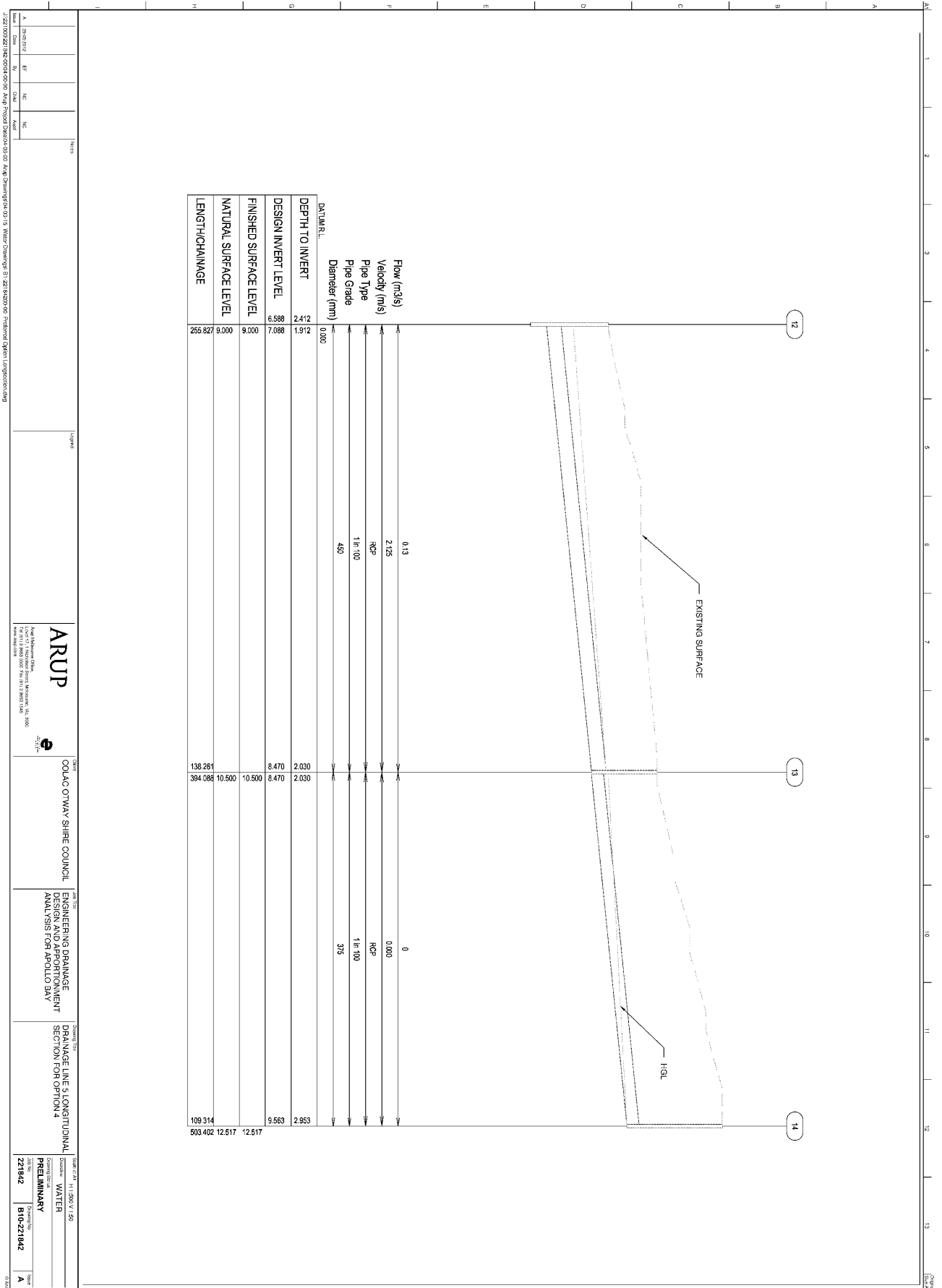
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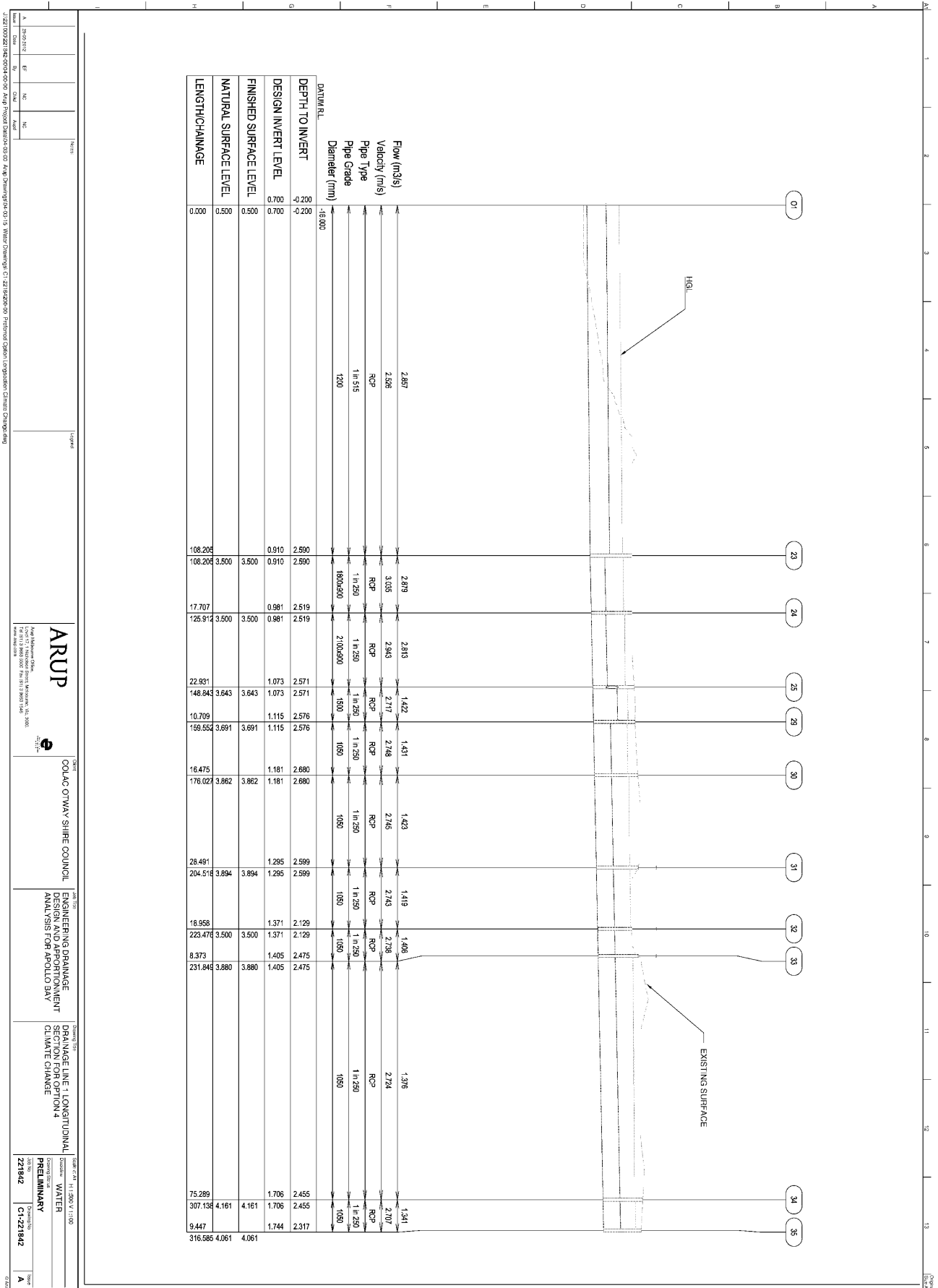






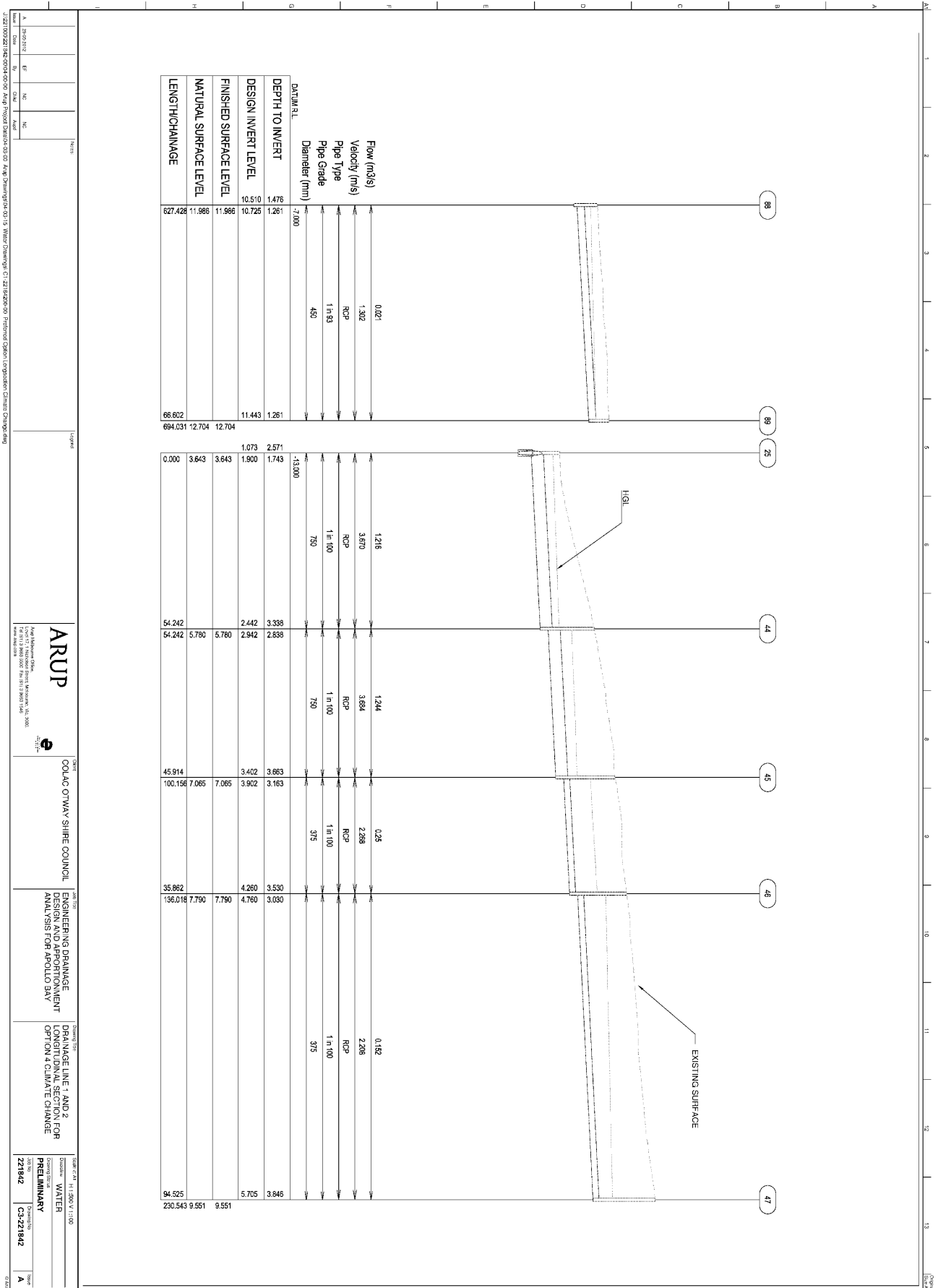
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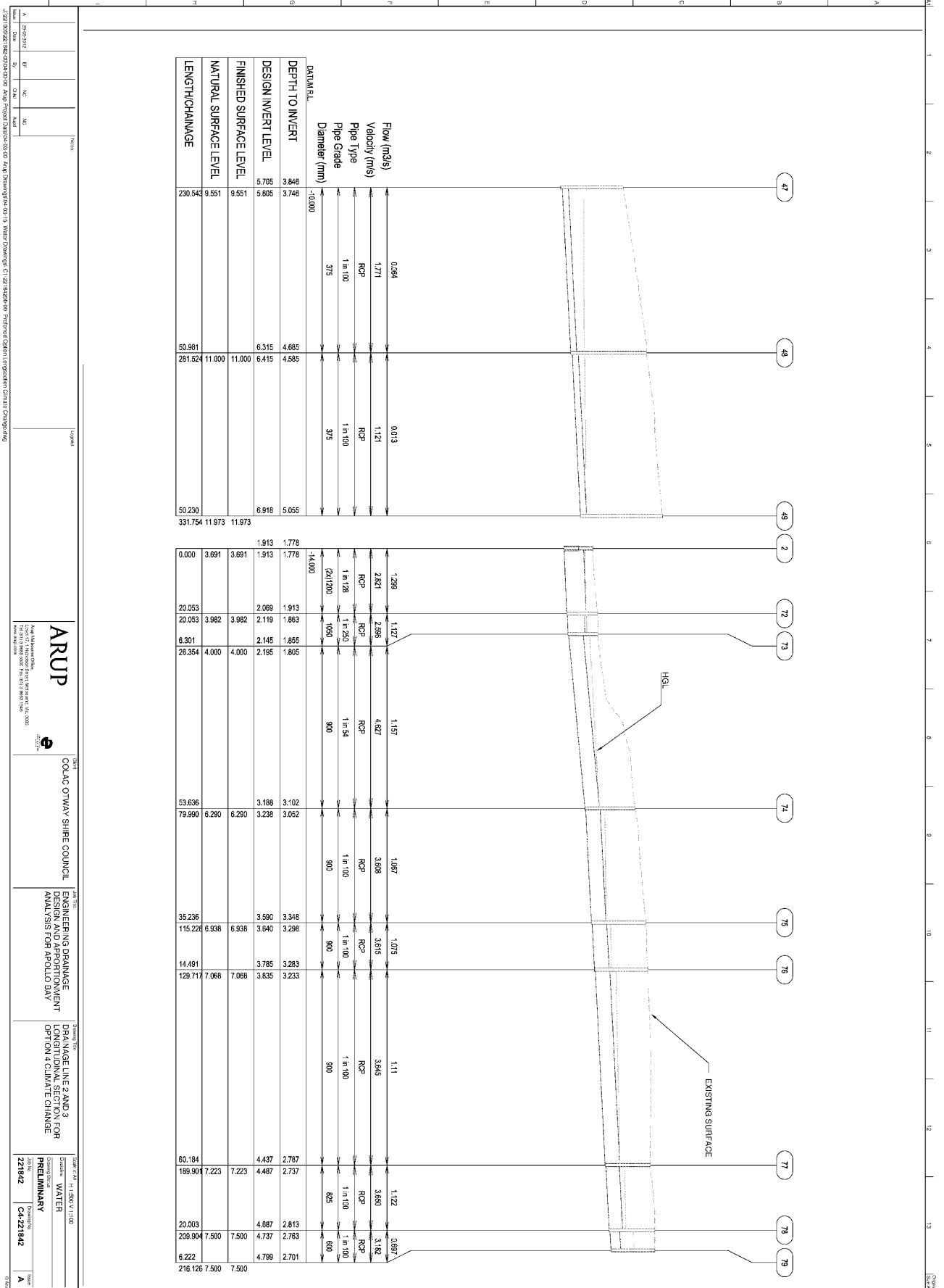
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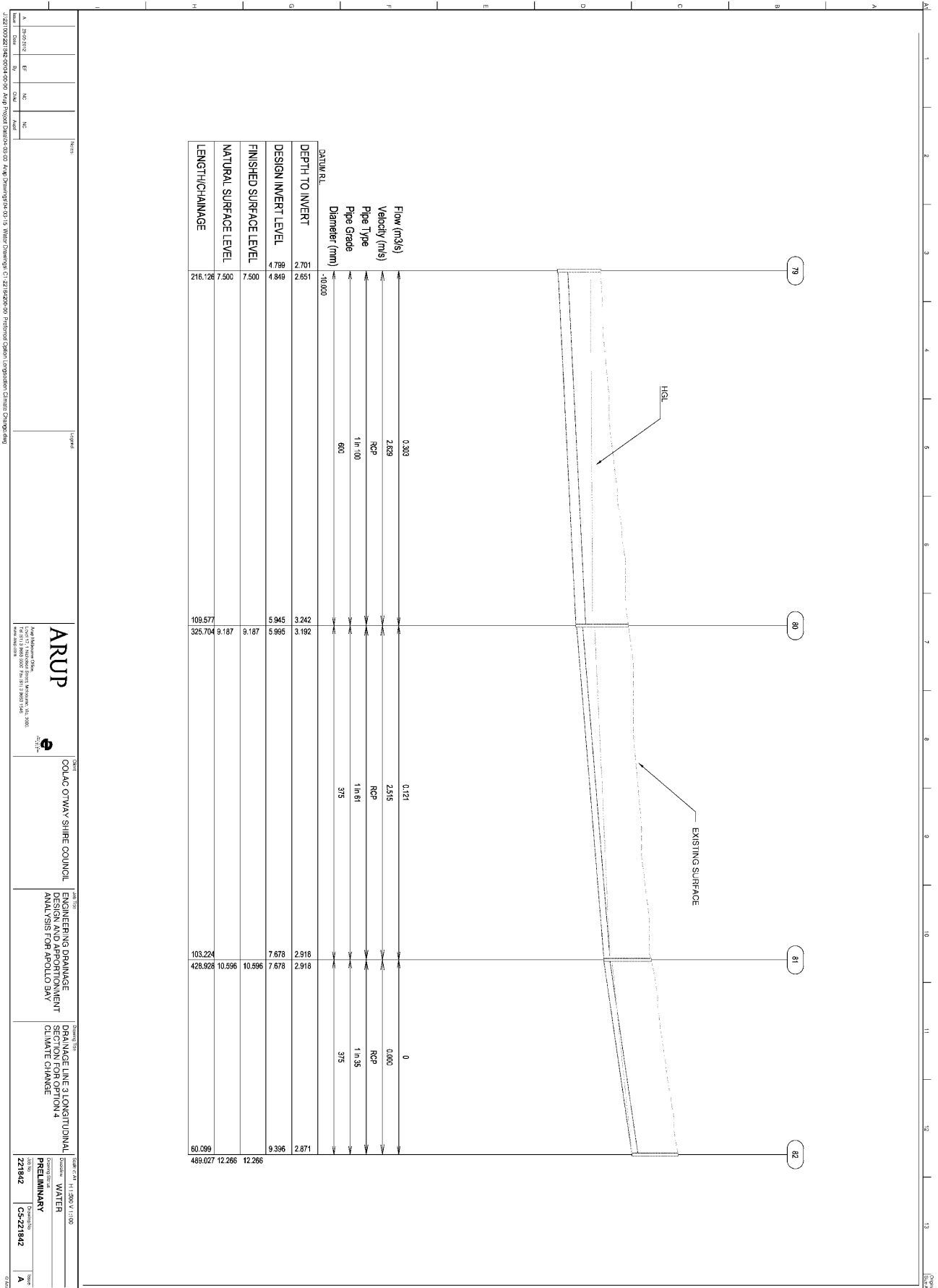


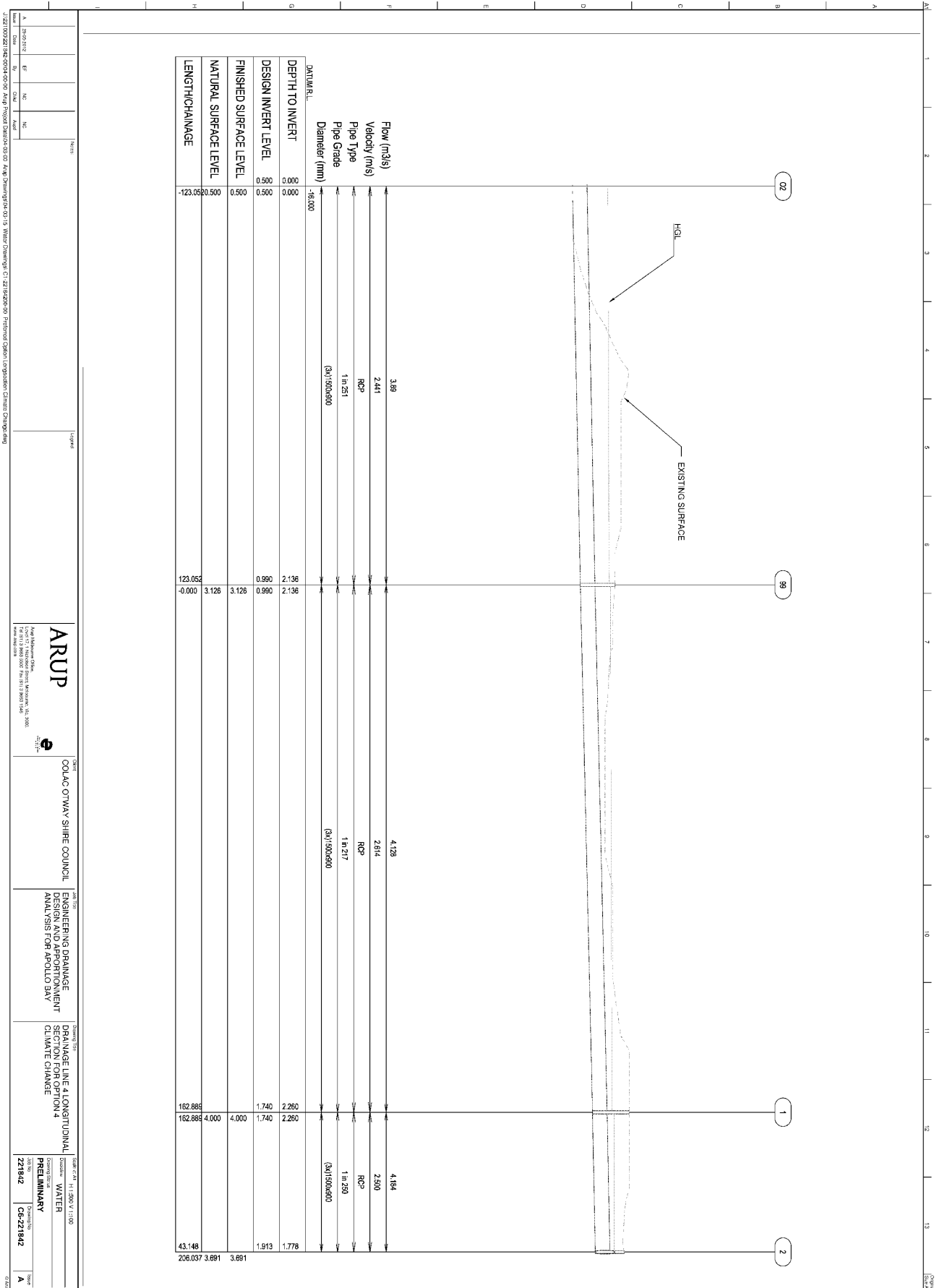










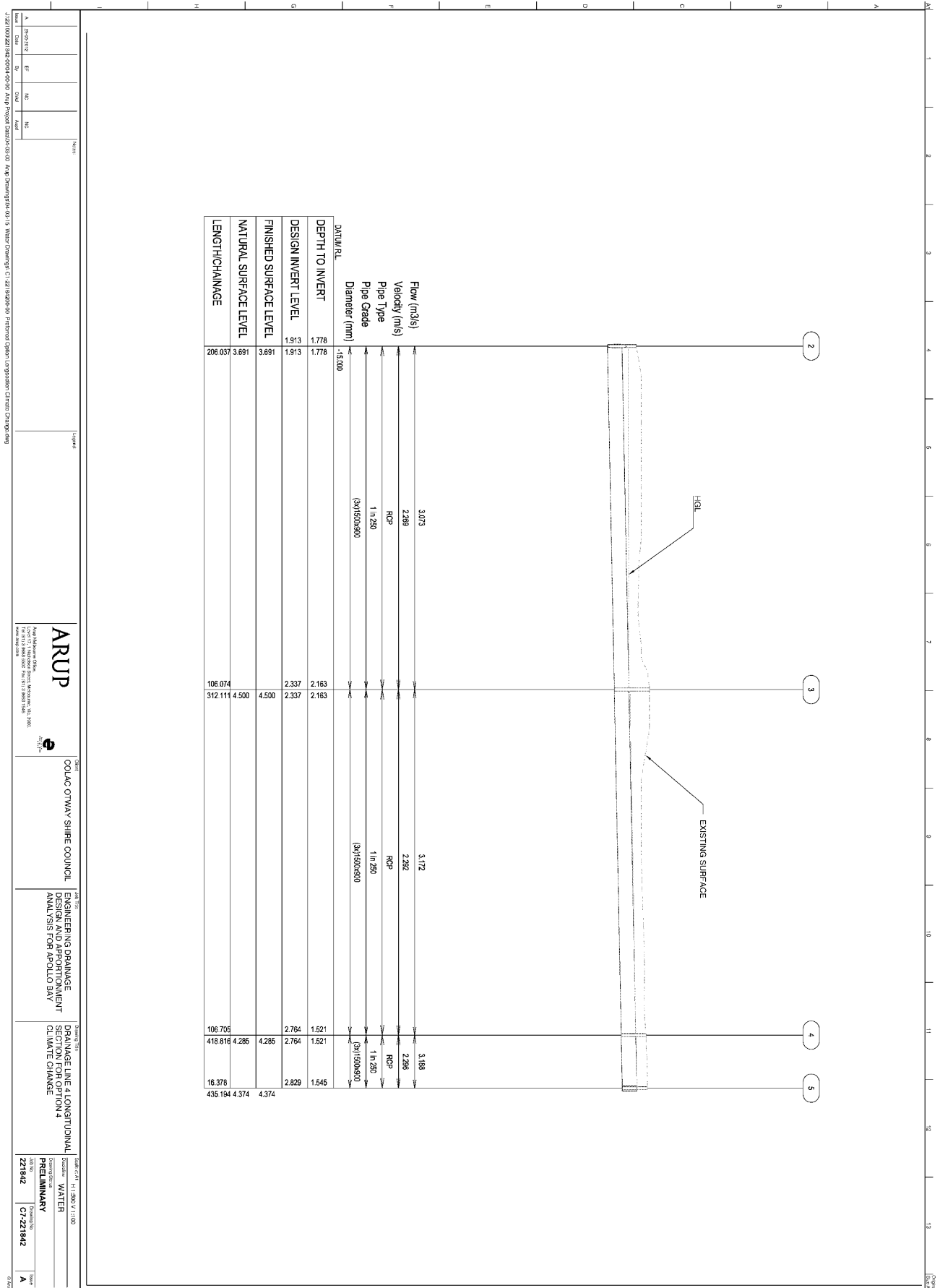


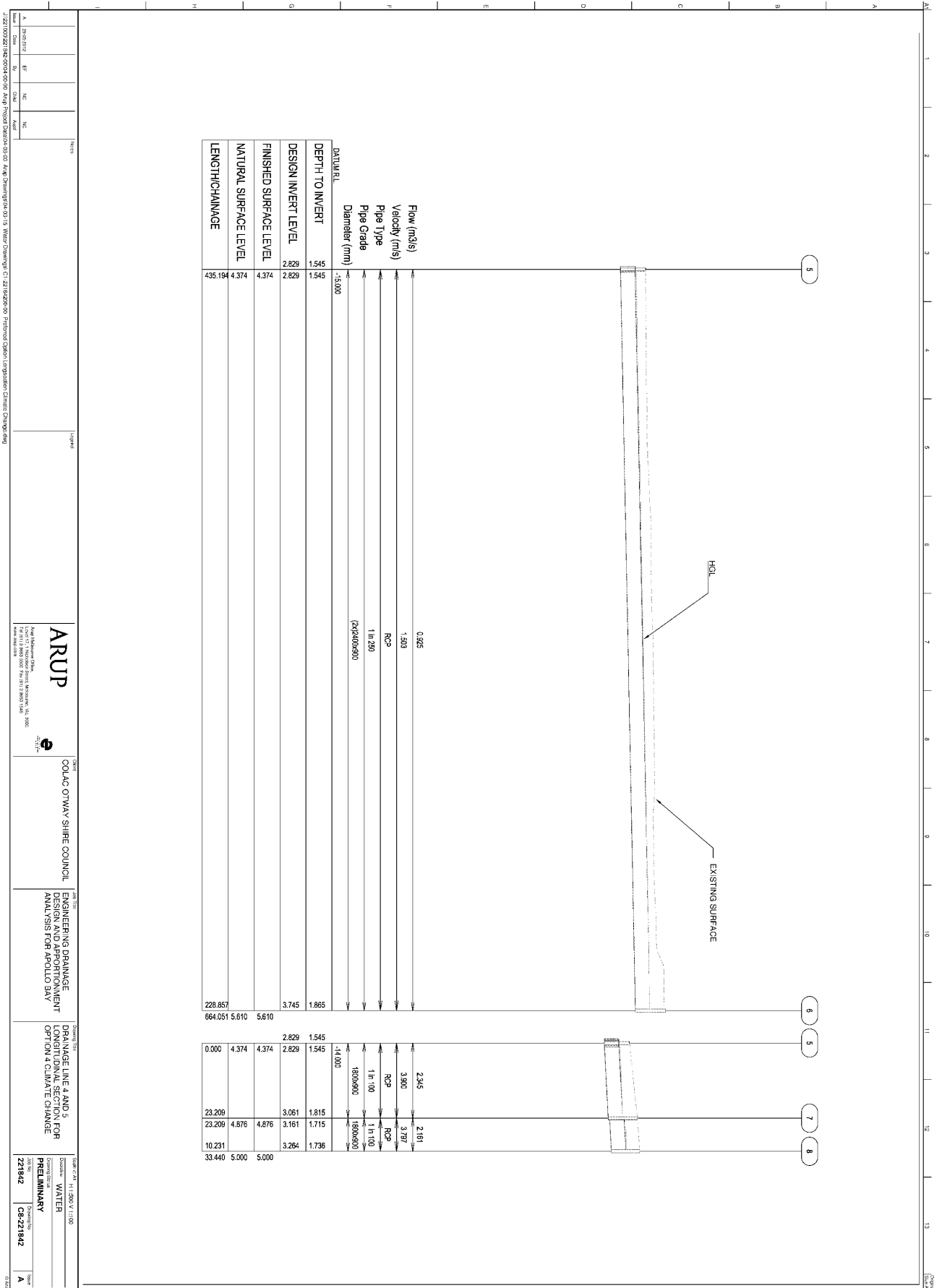
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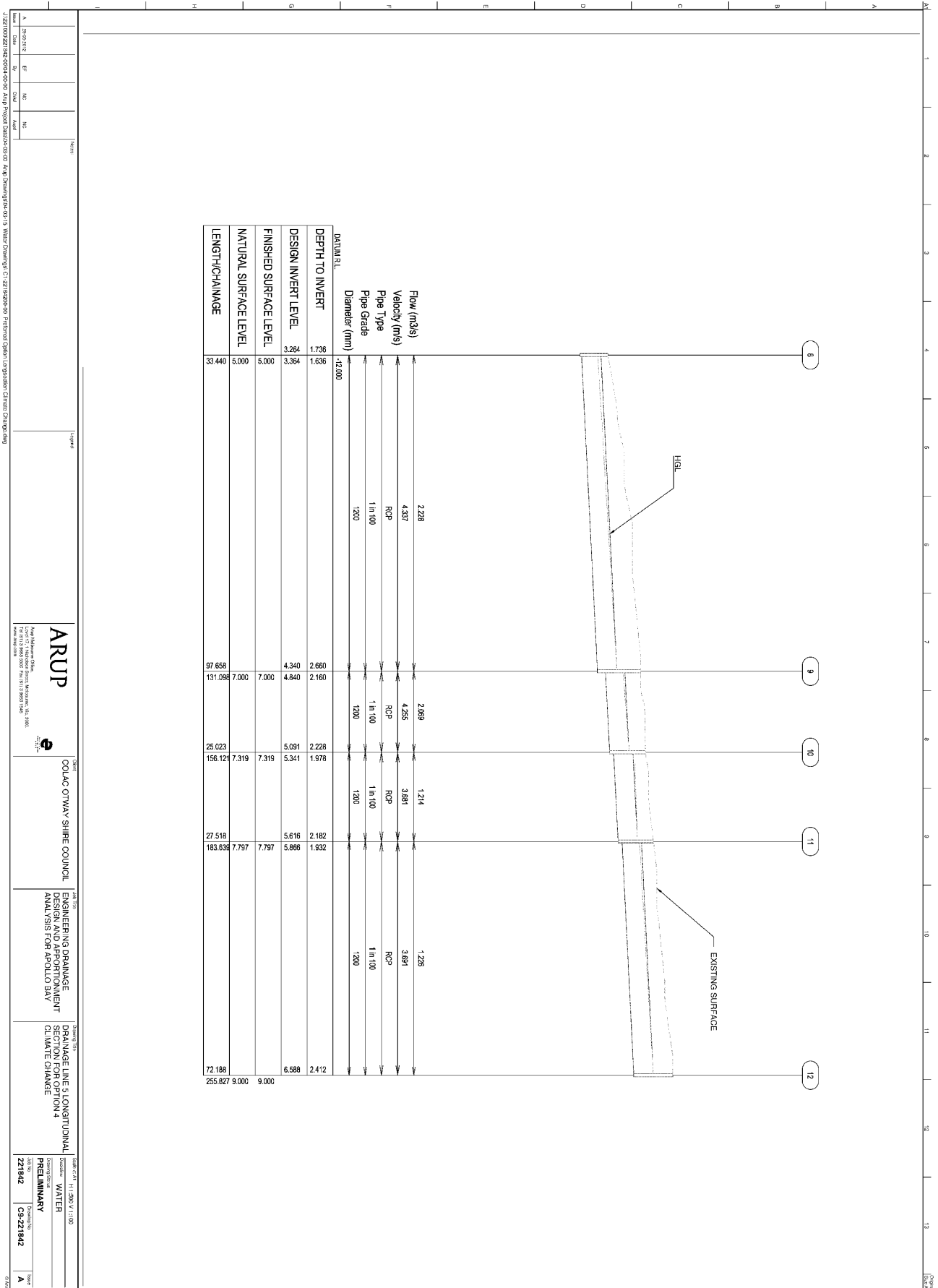
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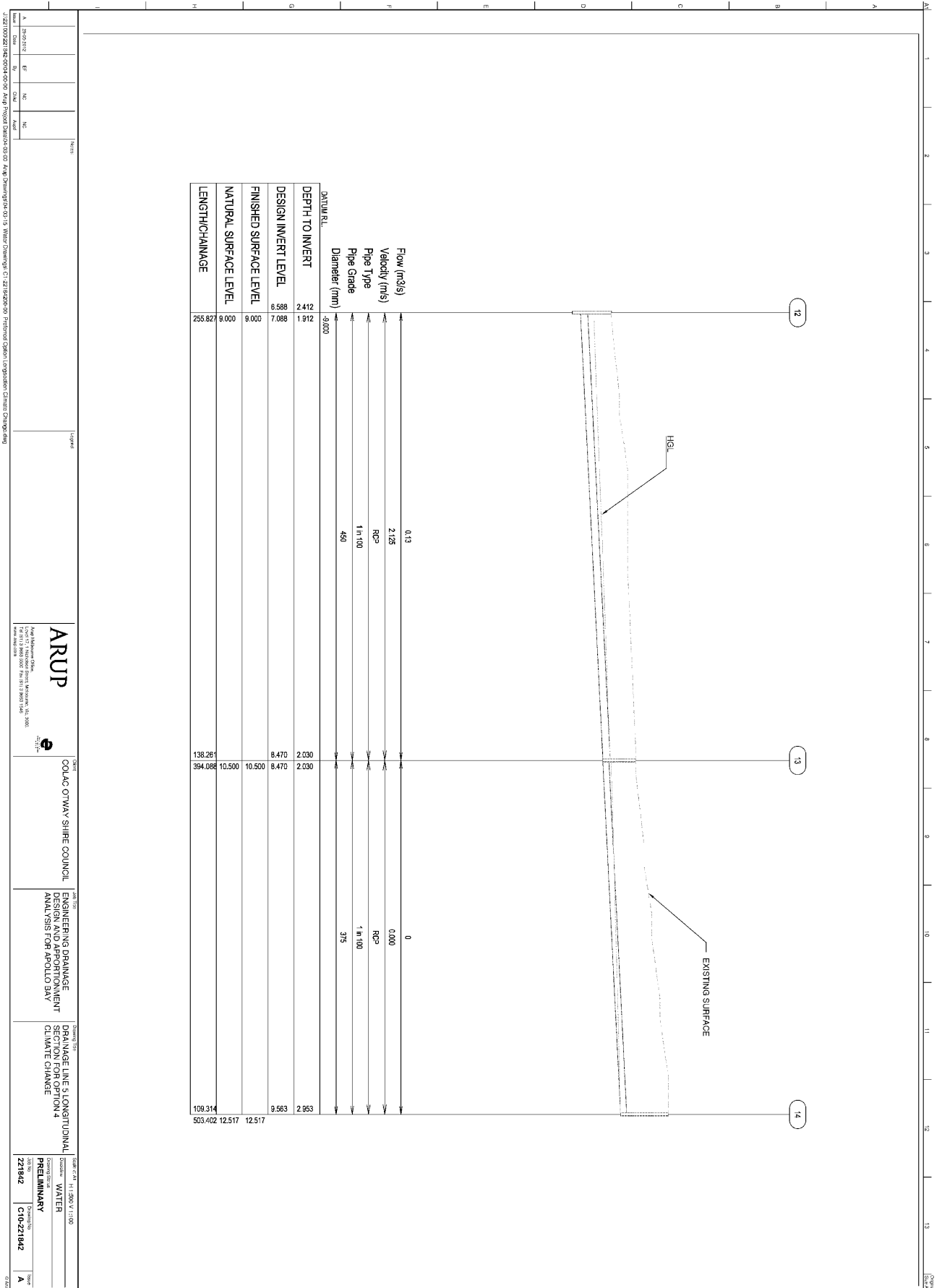
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PRELIMINARY WATER 221842 CE-221842













## COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE - TERMS OF REFERENCE

The Terms of Reference for the Colac Livestock Selling Centre Advisory Committee are as follows:

### **1. Establishment of the Colac Livestock Selling Centre Advisory Committee**

The Colac Livestock Selling Centre Advisory Committee was reconfirmed by Council on 23 May 2007 as a Regional Selling Centre.

The Advisory Committee and its Terms of Reference shall be reviewed within 6 months of the election of a new Council. The Advisory Committee shall be made up from Council appointed representatives, invited Industry Representatives and advertised Community Representatives who will be appointed by the Council at an Ordinary Meeting of the Council.

### **2. Responsibilities of the Colac Livestock Selling Centre Advisory Committee**

The Colac Livestock Selling Centre Advisory Committee will not have a decision making role.

The primary responsibility of the Colac Livestock Selling Centre Advisory Committee will be to provide comment and feedback to Council in relation to the operation and management of the Saleyards and promote the facility as a Regional Selling Centre.

The Colac Livestock Selling Centre Advisory Committee will also be responsible to assist in promoting, feeding information to and educating the wider community about the Saleyards.

The purpose of the Advisory Committee is as follows:

- a) Provide advice to Council on the operations of the Centre and to make recommendations to Council on potential improvements regarding the operation of the facility.
- b) Make recommendations to Council on how to improve sales through the centre based on sound strategic advice.
- c) Make recommendations to Council on proposed Capital Investment.
- d) Make recommendations to Council on setting of fees and charges.
- e) Contribute to continuous improvement in service delivery.
- f) Participate with other stakeholders to promote the importance of the Selling Centre to the wider community.
- g) Provide strategic advice to Council on matters effecting the operations of the Selling Centre. The Advisory Committee will have no authority to direct operational activities, Council staff, employees or customers at the centre.
- h) Promote the facility as a Regional Selling Centre with the objective of making this centre the major rural selling centre in rural Victoria.

### 3. Appointment of Members

The Colac Livestock Selling Centre Advisory Committee will comprise of members who will be selected by Council at an Ordinary Meeting and consist of individuals or representatives from the following::

- Council Officer - General Manager Infrastructure and Services (*Appointed Member and Chairperson*)
  - Councillor (*Appointed Member*)
  - Farmer Representative (*Advertised Community Member*)
  - Stock Agents Representative x 4 No. (*Invited Member*)
  - Buyers Representative (*Invited Member*)
  - Victorian Farmers Federation Representative (*Invited Member*)
  - United Dairy Farmers Representative (*Invited Member*)
  - Livestock Transport Association of Victoria (*Invited Member*)
  - Council Officer – Manager Cosworks (*Appointed Member*)
  - Council Officer – Saleyards Superintendent (*Appointed Member*)
- a) Appointed Member - Shall be appointed by Council.
  - b) Invited Member - Shall be invited as an Advisory Member.
  - c) Advertised Community Member - Appointed by Council at an Ordinary meeting after the conduct of a public advertising process calling for expressions of Interest.

### 4. Colac Livestock Selling Centre Advisory Committee Procedures

- The General Manager Infrastructure and Services shall act as Chairperson at the meetings of the Advisory Committee.
- The meetings will be held in Colac at a time and venue agreed by the Group, taking into account the availability of members and officers. Normally the meetings would occur at the Colac Saleyards office building canteen area outside normal sale times.
- Council will provide administration support for the production of meeting agendas and recording of minutes.
- The Committee will meet at least four (4) times per year. The actual meeting times will be determined by the Chairperson in consultation with the members of the committee.
- The Advisory Committee shall meet at other times as required and requested, subject to two (2) or more Advisory Committee members requesting in writing that the Chairperson arrange a meeting to discuss one (1) or more specific items of business.
- All members at the Advisory Committee Meeting shall have one (1) vote.
- Members may send delegates in their place if they are unable to attend.
- An agenda for each meeting will be prepared by a council officer and forwarded to members at least four (4) days prior to a meeting.
- Recommendations to Council need to be moved and seconded by members of the Advisory Committee.
- Recommendations to Council will be endorsed through a majority vote from the Advisory Committee. Where there is a tied vote, the Chairperson shall use their casting vote to either approve or reject the recommendation.
- Any member may at the discretion of the Advisory Committee and subject to a majority vote be removed from the Advisory Committee for undertaking any of the following:
  - a) Missing representation at three (3) consecutive meetings by either the Committee Member or their Delegate.

- b) Undermines the interests of the Colac Livestock Selling Centre as determined by the Advisory Committee in a vote at an Advisory Committee Meeting where the matter is discussed.
  - c) Undertakes activities which impact on the Colac Livestock Selling Centre and are outside the Terms of Reference for the Advisory Committee.
  - d) Commits a Criminal Offence that is unacceptable to the majority of the Advisory Committee in a vote at an Advisory Committee Meeting where the matter is discussed.
- If any member of the Advisory Committee is removed for any reason, then the member shall be replaced as soon as practical after following due process which includes advising Council.
  - The meetings of each Colac Livestock Selling Centre Advisory Committee shall be reported to Council at the next available Ordinary Council Meeting where practicable.





## **NOMINATION FORM**

### **COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE**

**Name:** \_\_\_\_\_ **Phone No:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_ **Fax No:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Reasons for applying to be a member on the Colac Livestock Selling Centre Advisory Committee:**

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**Expertise/Skills:**

(Please tick the appropriate box – you may tick more than one box)

- Located in or near Colac
- Farming Livestock Interest
- Commercial Interest
- Transport Interest
- Individual/Interest Group
- Other

**Details of Expertise and/or Skills**

(with reference to boxes ticked above)

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**Organisations/Local networks of which you are a member and positions held:**

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**Signature:** \_\_\_\_\_ **Date** \_\_\_\_\_

## **SELECTION CRITERIA**

In appointing members to the Colac Livestock Selling Centre Advisory Committee, the Shire will be seeking a diversity of representation which may include the following characteristics:

- Geographical distribution;
- Farming/Commercial interests;
- Transport interest;
- Individual/Interest group; and
- Expertise/Reasons for wishing to participate.

It will also be desirable if appointees have skills in one or more of the following areas:

- Ability to consider a wide range of strategic farming and livestock issues in an open minded and independent way.
- Verbal communication and listening skills.
- Ability to positively contribute in a group environment.
- Capacity to innovate and think imaginatively.
- Business Skills in the Livestock Industry.

The Advisory Committee will assess submissions from Community Members and vote on the recommended member to join the committee. The recommendation from the advisory committee shall then be reported to Council who will formally appoint the Community Member.

**Please return this form to Mrs Leanne Brooker, Executive Officer Infrastructure & Services, Colac Otway Shire, PO Box 283, Colac, 3250 by 8th February 2013.**

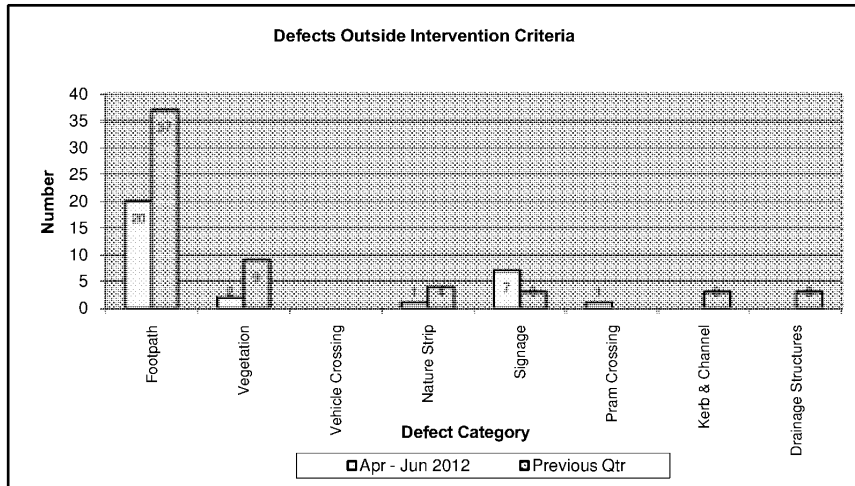
*Should you require any further information on the **Colac Livestock Selling Centre Advisory Committee** then please contact Neil Allen, General Manager Infrastructure & Services, phone 5232 9481 or [neil.allen@colacotway.vic.gov.au](mailto:neil.allen@colacotway.vic.gov.au).*

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**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

| <b>Road Management Plan Compliance Report</b> |                              |
|---|------------------------------|
| <b>Asset Category:</b>                        | Footpaths                    |
| <b>Reporting for the Period:</b>              | 4th Quarter (Apr - Jun 2012) |
| <b>Inspections Completed By:</b>              | Kevin O’Gorman               |
| <b>Report Prepared By:</b>                    | Adam Lehmann                 |

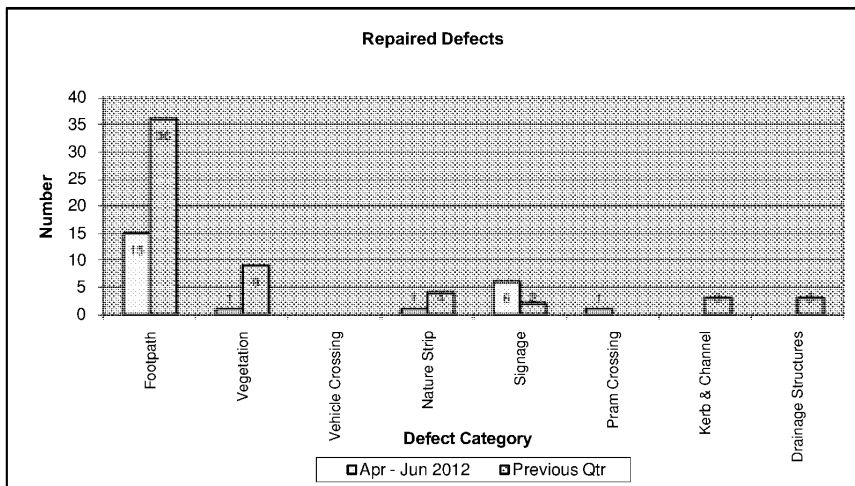
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 36km of Council managed footpaths were inspected for the quarter April to June 2012. This represents around 26% of the total network length. Footpaths in the townships of Apollo Bay, Birregurra, Beeac, and other small townships were all inspected over this period.

**No. of Defects Repaired - Outside Intervention**



**Comments**

Through inspections, a total 31 defects were identified which required some level of rectification under the standards in the Road Management Plan. All action items have been attended to at the time of preparing this report.

**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

| Hierarchy Identifier | Name               | Score |
|----------------------|--------------------|-------|
| HR                   | High Risk Area     | 100%  |
| SR                   | Standard Risk Area | 100%  |
| LR                   | Low Risk Area      | N/A   |

**Comments**

All routine inspections programmed for this quarter were completed as scheduled.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned/repaired

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 100%  |
| Vehicle Crossing    |       |
| Nature Strip        | 100%  |
| Signage             | 100%  |
| Pram Crossing       | 100%  |
| Kerb & Channel      |       |
| Drainage Structures |       |

Proportion of defects actioned within prescribed response times

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 100%  |
| Vehicle Crossing    |       |
| Nature Strip        | 100%  |
| Signage             | 83%   |
| Pram Crossing       | 100%  |
| Kerb & Channel      |       |
| Drainage Structures |       |

**Comments**

All defects that have been actioned have been completed within the timeframes detailed in Council's Road Management Plan.

**Overall Comments**

Overall, 96% of all defects identified as requiring rectification were responded to on time. Council's Road Management Plan provides that a target of 85% of all remedial works are to be completed within the nominated timeframes.



**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Footpaths**

| Asset Class | Hierarchy          | Inspection Type, Frequency & Responsibility |                     |               |                           |
|-------------|--------------------|---|---------------------|---------------|---------------------------|
|             |                    | Routine                                     | Relevant Department | Condition     | Relevant Department       |
| Footpath    | High Risk Area     | 6 months                                    | Cosworks            | 2 years       | Infrastructure & Services |
|             | Standard Risk Area | 12 months                                   | Cosworks            | 2 years       | Infrastructure & Services |
|             | Low Risk Area      | Request Inspection                          | Cosworks            | No Inspection | Not Applicable            |

**Inspection Definitions**

**Routine Inspections**

Inspections undertaken in accordance with the formal inspection schedule to determine if road asset complies with the levels of service as specified by the Maintenance Performance Criteria.

Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the tolerable defects level as defined by Council's Maintenance Performance Criteria.

In addition, a notation is recorded of any road/asset inspected where no defect was apparent under the specific rigour of the inspection.

**Condition Inspections**

Condition inspections are undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure that if untreated, are likely to adversely affect network values. The deficiencies may well impact on short-term serviceability as well as the ability of the component to continue to perform at the level of service for the duration of its intended useful life.

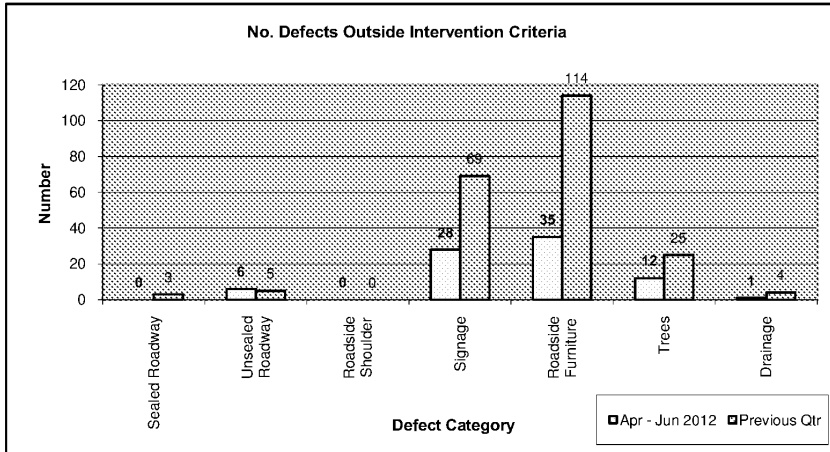
The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.

**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

| <b>Road Management Plan Compliance Report</b> |                              |
|---|------------------------------|
| <b>Asset Category:</b>                        | Roads                        |
| <b>Reporting for the Period:</b>              | 4th Quarter (Apr - Jun 2012) |
| <b>Inspections Completed By:</b>              | Kevin O'Gorman               |
| <b>Report Prepared By:</b>                    | Adam Lehmann                 |

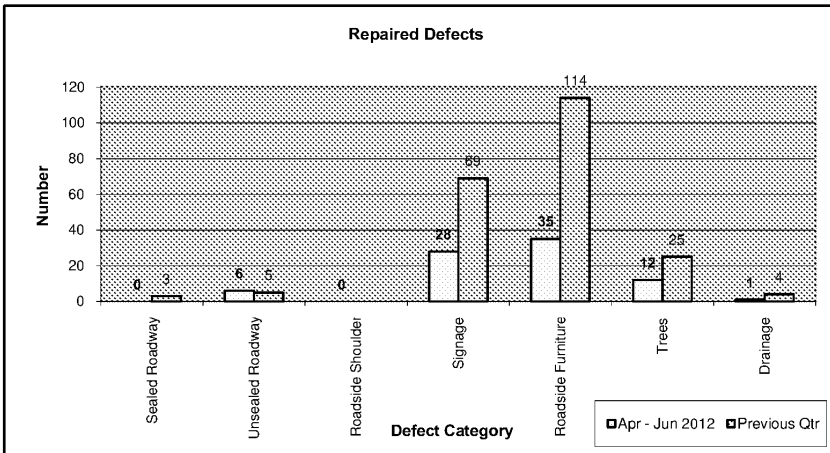
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 577km of Council's local road network was inspected during the period extending from April to June 2012. Roads inspected included Council's rural Link and Collector Roads and Access roads within the small townships of Birregurra, Forrest, Beeac, Cressy, and Beech Forest. A total of 82 defects outside Council's intervention standards were identified.

**No. of Defects Repaired - Outside Intervention**



**Comments**

All identified defects have been responded to. The vast majority of works related to the replacement of damaged or missing signs and guideposts.

**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

| Hierarchy |            | Name            | Score |
|-----------|------------|-----------------|-------|
| Network   | Identifier |                 |       |
| Rural     | RL         | Rural Link      | 100%  |
|           | RC         | Rural Collector | N/A   |
|           | RA         | Rural Access    | 100%  |
| Urban     | UL         | Urban Link      | N/A   |
|           | UC         | Urban Collector | 100%  |
|           | UA         | Urban Access    | 100%  |

**Comments**

All scheduled road inspections for the period April to June 2012 have been completed.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned

| Defect Category    | Score |
|--------------------|-------|
| Sealed Roadway     |       |
| Unsealed Roadway   | 100%  |
| Roadside Shoulder  |       |
| Signage            | 100%  |
| Roadside Furniture | 100%  |
| Trees              | 100%  |
| Drainage           | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category    | Score |
|--------------------|-------|
| Drainage           | 100%  |
| Roadside Furniture | 97%   |
| Sealed Roadway     |       |
| Signage            | 93%   |
| Trees              | 100%  |
| Unsealed Roadway   | 100%  |
| Roadside Shoulder  |       |

**Comments**

All items requiring rectification have been addressed. 96% of these were responded to within the timeframes prescribed in Council's Road Management Plan. The key performance indicator for this criterion is 85%.

**Overall Comments**

This period's compliance results are generally consistent with past performance reports and exceed the key performance indicators specified in Council's Road Management Plan.

**INFRASTRUCTURE DEPARTMENT**  
 Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Roads (Current)**

| Asset Class   | Hierarchy       | Inspection Type, Frequency & Responsibility |                     |           |                              |
|---|-----------------|---|---------------------|-----------|------------------------------|
|   |                 | Frequency                                   | Relevant Department | Frequency | 3rd Quarter (Jan - Mar 2011) |
| <b>Urban Road Network</b><br>* Includes sealed and unsealed roads | Urban Link      | Not Applicable                              | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Collector | 4 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Access    | 6 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Urban Minor     | 2 years                                     | Cosworks            | 3 years   | Infrastructure & Services    |
| <b>Rural Road Network</b><br>* Includes sealed and unsealed roads | Rural Link      | 3 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Collector | 4 months                                    | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Access    | 12 months                                   | Cosworks            | 3 years   | Infrastructure & Services    |
|   | Rural Minor     | 3 years                                     | Cosworks            | 3 years   | Infrastructure & Services    |

**Inspection Definitions**

**Routine Inspections**

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Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the tolerable defects level as defined by Council's Maintenance Performance Criteria.

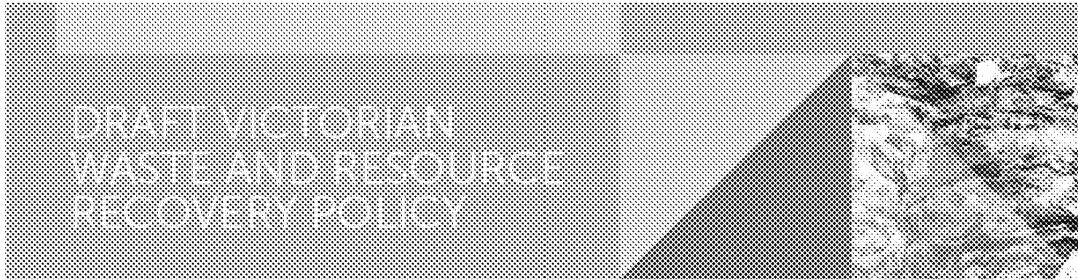
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The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.



## Submission

Thank you for your interest in providing comments on the *Draft Victorian Waste and Resource Recovery Policy*. Your comments will help us finalise the new policy. To request a hard copy please contact [wastepolicy@dse.vic.gov.au](mailto:wastepolicy@dse.vic.gov.au) or call the DSE Customer Service Centre on **136 186**.

### Submission guidelines

Written submissions should ideally be kept to no more than 10 pages using this template. Please feel free to comment on each chapter or just those you choose.

Where possible, your comments should include supporting information, evidence and/or data. This will help develop a final policy that is informed by a strong evidence base, reflecting the experience of government, industry and the Victorian community.

Your comments may be made public. If you would like your contribution to remain confidential, please mark this clearly below.

**Do you want your input to remain confidential? If so, write 'yes' here:** \_\_\_\_\_

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Please provide your submission by email to **[wastepolicy@dse.vic.gov.au](mailto:wastepolicy@dse.vic.gov.au)**

**Submissions are due by: 5pm, Friday 23 November 2012**

Submissions provided prior to this date are welcomed. Submissions provided after the due date risk not having their input considered in the development of the final policy.

### Contact details

Your contact details will be kept confidential. By providing them, we can keep you informed of the next steps and how the policy develops.

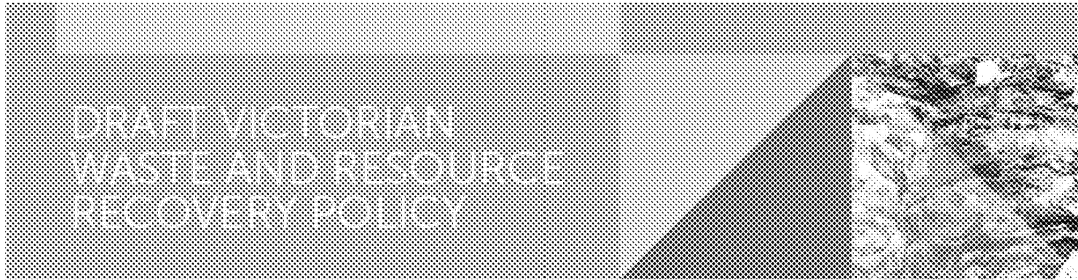
**Name** Ranjani Jha

**Company or Organisation** Colac Otway Shire

**Address** 2-6 Rae Street, Colac

**Phone** (03) 5232 9506

**Email** ranjani.jha@colacotway.vic.gov.au



**Chapter 1: Introduction. Your comments:**

The Colac Otway Shire supports the Draft Victorian Waste and Resource Recovery Policy its long term vision and the broad based principles contained within the document. The Council commends the State Government for the proactive approach in preparing this document in a timely manner towards a 30 year waste vision for the State of Victoria.

Some comments are made below in order to make the document even more effective:

The timeframe for making submissions is limited given the extent of issues covered within the policy and its significance on how waste will be managed within the state in the next 30 years. It is recommended that the timeframe for consultation be extended and/or state-wide workshops are held at strategic locations, allowing open discussion with all stakeholders and seeking feedback at grass root levels.

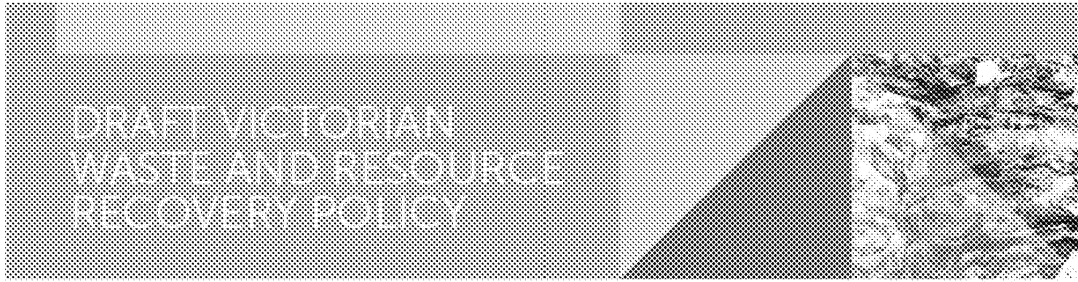
It has been indicated in the document that the discussion paper released in March 2012 had generated a lot of debate leading to 71 submissions and over 400 people attending the consultative forums across Australia. It will be useful if the highlights of all the submissions and comments received from the discussion forums can be summarised in a chapter, indicating the primary concerns raised by the majority and other specific issues raised by other organisations. The provision of such information will allow better understanding of actions that are proposed within the document.

A number of positive steps have been incorporated within the document, such as focus towards integrated waste management systems, recognition that all levels of the government are responsible towards waste management, identification of infrastructure gaps, requirement for strategic planning and waste minimisation through use of modern technology such as energy from waste projects.

It is felt that the conventional “waste pyramid” concept, focussing on “Avoid, Reduce, Reuse, and Recycle” has been somewhat overlooked, in particular the reuse aspect of waste management has not received much attention.

The zero waste targets, indicated in Table 2, Chapter 1, were initially set for a period until 2014. The new targets need to be set in such a way that they are realistic, achievable and based on realistic calculations, projections, provision of new infrastructure and State Government funding support.

A number of positive initiatives have been indicated within the draft policy, however there is a need to back it up with clearly measurable time bound action plan fully prioritised and adequately resourced and funded.



**Chapter 2: A new vision for waste management in Victoria. Your comments:**

It has been suggested that the structure of Government Departments responsible for waste management will be reviewed in order to be able to effectively manage the initiatives proposed within the draft policy. Therefore it would be appropriate to prepare the strategic plan first, identify the resources required and then undertake the review process of the Government Departments. In undertaking such a review consideration should be given towards adequate representation of State Government officers in the rural and regional centres.

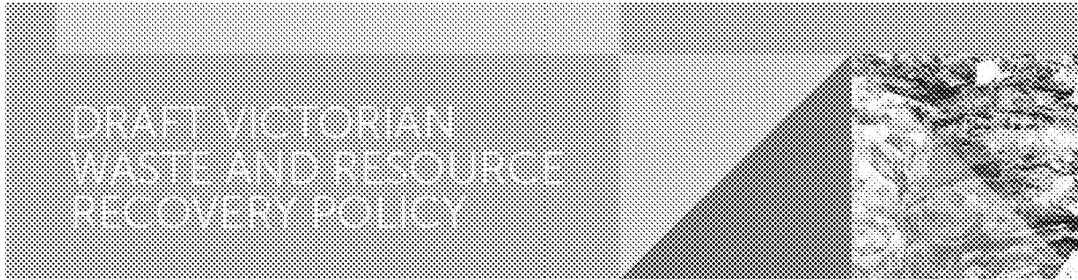
**Chapter 3: Strong markets for products made from waste materials. Your comments:**

The draft policy mentions publishing the waste management initiatives funded each year, however it doesn't emphasise the need for developing a clear-cut funding allocation methodology. It is felt that a funding allocation criteria needs to be developed in consultation with the stakeholders, taking into account the waste industry's short, medium and long term requirements.

The policy proposes to continue scheduled landfill levy increases until 30 June 2015 and keep the landfill levy constant through "treasurer's rate" annual adjustments to maintain real landfill levy rates beyond 30 June 2015. Whilst for the bigger landfill sites the landfill levy increases maybe sustainable, for the smaller rural landfill sites, it imposes a significant financial burden resulting in council rate increases. In lack of an established funding distribution guideline, the Local Government paying the landfill levy are not getting any funding back for undertaking their high priority waste management projects. Therefore, there is a need for equitable funding distributions across all Local Governments so that no organisation is financially disadvantaged.

The putrescible waste from smaller councils has to be transported to bigger regional landfill sites and in the recent past, significant "gate fee" increases have been faced. The "gate fees" payable at the bigger landfill sites varies significantly and there is a need for a control mechanism so that the setting of "gate fee" is consistent and affordable across all landfill disposal sites. The State Government could play an important role in monitoring the "gate fee" across all landfill sites and allowing disposal of waste from various municipal areas without complications arising due to need to enter into tendering or quotation process.

Section 3.3.2 discusses working with the businesses to identify waste minimisation opportunities encouraging exchange of waste materials for reuse and mutual benefit. In the same context it is suggested that focus should be given by the government towards reviewing of packaging processes with an aim to make the packaging efficient with use of less material and exploring the possibility of offering purchase price discount to customers for buying of products without/minimal packaging. Disposal of packaging material generates an enormous amount of waste and by addressing this problem the amount of waste generated can be significantly reduced. The waste sector will need to work closely with the manufacturing sector for achieving this goal.



Currently the Municipal Waste Charge in most Local Governments is set on an annual basis and is a fixed amount for each household irrespective of the quantity of waste produced. There is currently no incentive offered for producing less waste. If waste generation is to be minimized there is need for better pricing arrangements in order to apply annual waste charge based on quantity of waste produced. Such an incentive will help change people behaviour towards waste generation. There is a need to explore feasible options in this regard.

The policy seems to have drifted away from the fundamental waste pyramid principle of avoid, reduce, reuse, recycle. In particular, the reuse initiative appears to have been ignored and needs further attention. In the earlier submission, the Colac Otway Shire had suggested construction of resale facilities at various transfer stations for sale of reusable items, utilising community organisations. However, at this point in time, such projects are not assigned high priority for funding allocation.

Endeavours should be made for providing avenues for repairing of goods which are in relatively good condition. There could be possibility of building in repair costs with the product purchase price at the time of purchase which will prevent goods in good condition ending up at the landfill site or sold at scrap value.

**Chapter 4: Infrastructure and planning. Your comments:**

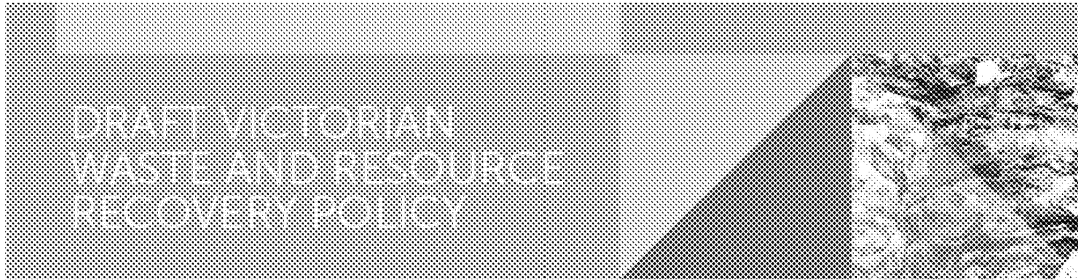
The State Government should play a leading role in the preparation of strategic plan for long term infrastructure projects. It is proposed that state wide strategic planning should be commenced at the grass root levels by each Local Government, integrated into the Regional Waste Management Plan before being forwarded to the State Government for integration with the state wide strategic plan.

The State Government should undertake a gap analysis for identifying the infrastructure deficiencies within the state and help develop an infrastructure upgrade program supported with time bound funding commitment.

Further analysis needs to be undertaken on a state wide basis for construction of significant projects such as "Energy from Waste" projects, taking into account site selection, planning, economics, logistics, environmental, socioeconomic aspects in order to benefit the whole of the state.

The review also needs to consider if there is opportunity to develop a state wide or major regional waste to energy facilities that receive waste streams from a number of Councils and Regional Waste Management Groups. A significant regional project could help resolve the metropolitan waste issues through the development of a waste to energy facility on a rail line and minimize costs through generation of power.





**Chapter 5: Protecting our environment and public health. Your comments:**

The policy recognises the need to ensure support mechanisms for closed landfills, especially for monitoring requirements and post closure management requirements. It has been indicated that all new and existing landfills will continue to be managed in accordance with EPA guidelines for Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of landfills. The management of closed landfill sites has not been discussed in detail. In this regard it is suggested that a risk management approach should be utilised for rehabilitation of closed landfill sites. Some of the closed landfill sites which have closed more than ten years ago and are unlikely to pose any risk, are required to be rehabilitated to a very high standard at significant costs, imposing financial burden on the Local Governments. Whilst it is agreed that the Best Practice Environmental Guideline should be used, there is a need to review this guideline in order to make rehabilitation of closed landfill sites more affordable, cost effective and environmental benefit oriented.

The State Government should prepare a list of all closed landfill sites across the state and undertake risk assessment for identifying the risk associated with each site leading to development of a priority list. The low risk landfill sites may not require rehabilitation to the same standard as currently stipulated in the Best Practice Environmental management. The government should also assist in the reviewing of landfill rehabilitation design guidelines in order to use alternative materials which are locally available and less expensive compared to the clay cap.

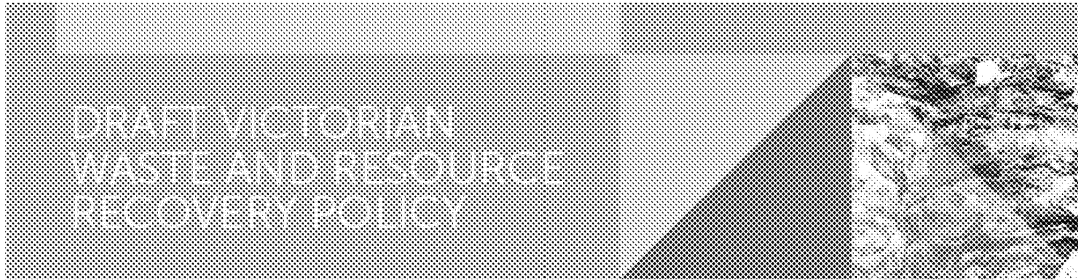
Clear guidelines need to be developed for ongoing monitoring of closed landfill sites in order to prevent unnecessary ongoing expenditure. It is suggested that if no risks are revealed through the landfill monitoring program for a period of greater than two years, a decision should be made to reduce the frequency of monitoring or cease it. At present it is hard to get such a decision, leading to the monitoring continuing over a long period of time causing significant expense.

In response to section 5.3.2- Residential Education Campaigns, it is felt that there is currently a lack of resource sharing between the metro and rural councils, regional waste groups and the waste industry in general. There can be significant cost savings and greater effectiveness of the education campaigns if the waste education material can be shared and discussed on a frequent basis, possibly through a website.

**Chapter 6: Reduce illegal dumping and littering. Your comments:**

The proposed waste policy does not recognise the fact that the illegal dumping could be due to a lack of waste infrastructure in certain locations, high travel distances, relatively high fee and charges and financial problems faced by the people from low socioeconomic group. Similar to other social support systems, the government could implement a discount policy for disadvantaged groups, assisting with proper waste disposal.

**Chapter 7: Governance. Your comments:**



It has been suggested that a Ministerial Advisory Committee will be appointed to review the current arrangements and exploring of future options. It is recommended that representatives of Local Government and Regional Waste Groups be included in this Committee for pursuing the high priority issues faced by Local Governments.

**Chapter 8: Monitoring progress: a new approach. Your comments:**

With regards to maintaining of useful waste data it needs to be determined as to what data needs to be saved and shared. The waste data can be vast and complex and unless there is uniformity and consistency in the data saved the right results cannot be achieved and comparative analysis could be misleading. The waste survey forms used by the Government Agencies are also in need of a review in order to make the data entry easy and user friendly. Consideration should be given towards developing standard data entry templates with explanatory notes for inputting of data in the desired format. The production of waste audit reports by Councils also needs to be reviewed in order to standardize the report structure and make it consistent.

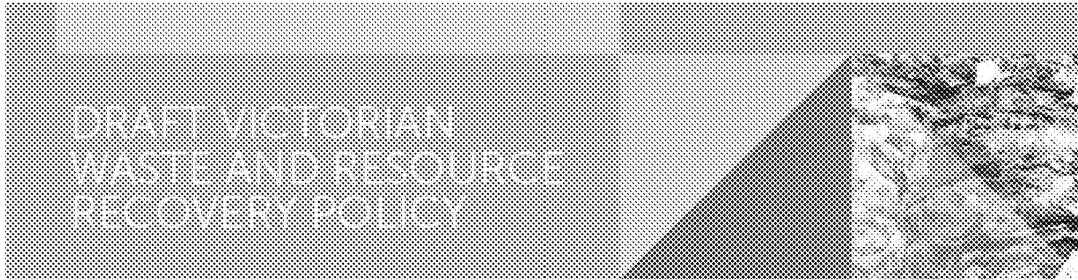
**Are there any additional comments you would like to make?**

A research and development unit needs to be established for assessing the various contemporary Alternative Waste Technologies (AWT) and Energy from Waste Technologies. The Research and Development Unit will need to work closely with EPA ascertaining the key performance indicators and provide expert advice to the waste industry stakeholders. All research related information should be displayed in a website for easy access.

There has been talk of Local Government playing an active role in the Planning issues relating to Construction and Industrial and Building and Demolition waste. This aspect has not been discussed at length in the draft policy and needs to be further elaborated. The role of the Local Government with such projects should be clarified together with any additional resources that may be required for shouldering this additional responsibility.

We appreciate your interest in helping to prepare a new *Victorian Waste and Resource Recovery Policy* and taking the time to provide your comments and evidence in the following section.

**The Waste Policy Review Team**



## Submission

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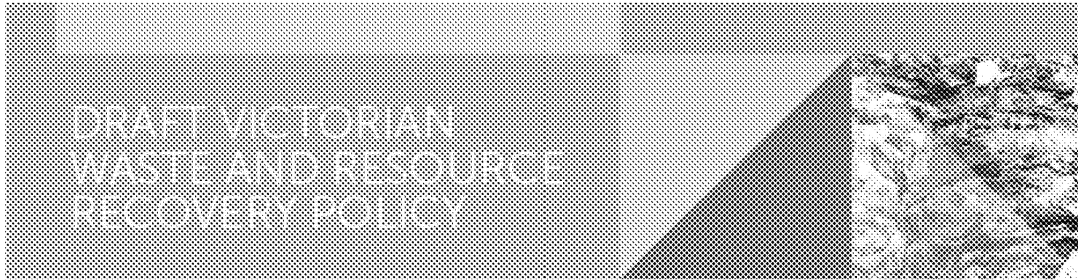
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### Contact details

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|                                |  |
|--------------------------------|--|
| <b>Name</b>                    | Enzo Bruscella   |
| <b>Company or Organisation</b> | Barwon Regional Waste Management Group   |
| <b>Address</b>                 | 103 Roseneath Street, North Geelong Vic 3215   |
| <b>Phone</b>                   | 0417 594 947   |
| <b>Email</b>                   | <a href="mailto:enzo.bruscella@brwmg.vic.gov.au">enzo.bruscella@brwmg.vic.gov.au</a> |



**Chapter 1: Introduction. Your comments:**

The Barwon Regional Waste Management Group supports the concept within the draft that focuses on market pull and the need to strengthen markets for waste materials and for a vision for providing the environment for the market to mature and strengthen.

The Barwon Regional Waste Management Group supports Infrastructure decisions being made in an integrated way and the need for strategic planning beyond regional boundaries. Planning needs to be provided for all materials stream, moving away from planning for sectors and securing critical mass for supply contracts that are essential to enable new technologies to be implemented in a cost effective way.

Encroachment and land-use planning needs to be improved though a structured state wide integrated plan and the role of government in facilitating the establishment of sites and facilities should be considered in the policy.

Strategic infrastructure associated with improved strategic planning for waste management effects transport logistics that can provide a productive Victoria and end-market stability for industry and manufacture. Stability for end-markets for the industry byproducts can underpin Victorian manufacturing risks and attract new businesses to Victoria making Victoria a destination of choice to do business.

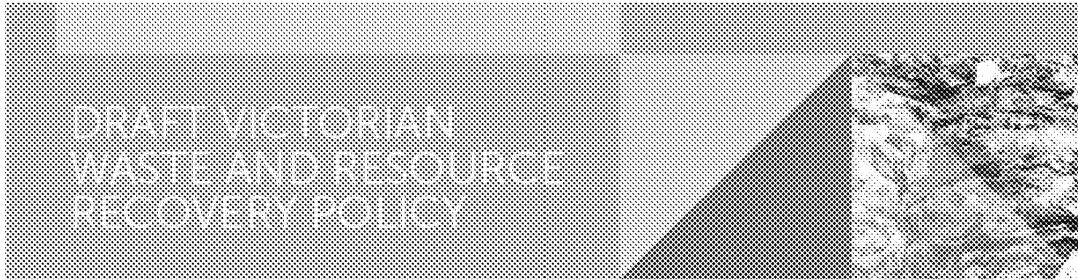
**Chapter 2: A new vision for waste management in Victoria. Your comments:**

It is submitted that the vision should inspire the principles of sustainability and the ideals of living in a non toxic world, within the means of the earth's finite resources and utilisation of resources efficiently to enable their reuse for future generations.

The Vision needs to be more prescriptive to assist in driving change at the local level towards zero waste and therefore a sustainable community.

The current vision would be possibly embraced by councils as they would interpret this vision of an integrated waste management system as their existing system and therefore not aspiring any changes to current service levels.

As a case study in 2002, many Councils had the following level of service for kerbside waste collection. ' a three plastic bag limit for garbage collected weekly and a 30 litre poly recycle bag collected fortnightly for recycling. The vision in the draft provides no incentive for change of service and councils could say they meet the vision as they have 'minimised the long term cost to industry government and households'. Councils also sought to justify no change by referring to



community satisfaction surveys that showed community acceptance of that service. The TZW vision of towards zero waste with targets was critical for driving change for local government towards increasing resource recovery and reducing landfilling therefore recovering finite resources that would have been otherwise lost to landfill.

A suggested vision 'That materials should be recovered for use for future generations. By 2020, all materials are to be treated with only the post treated residual materials going to landfill. and/or that no organics are to be landfilled by 2020.

The vision should also embrace the values and principles of Victoria being responsible for our products that are close to end of life. A vision that considers the impacts of national and international material flows. A vision to take responsibility to ensure that materials in our community is ethically and socially and environmentally responsibly managed if exported. This would avoid dumping of materials close to end of life on other countries where it may be economically advantageous with little or no controls to protect the community or the environment.

**Chapter 3: Strong markets for products made from waste materials. Your comments:**

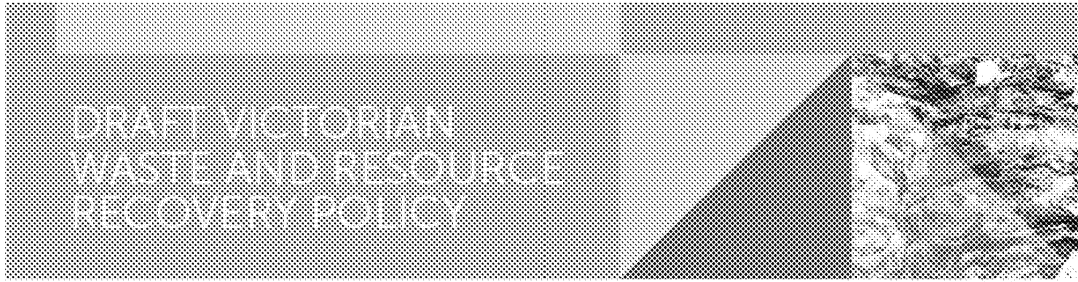
The Barwon Regional Waste Management Group supports the emphasis on market pull, to enable sustainable recovery businesses and reduce the risk for stockpiling of materials that have no markets.

There needs to be encouragement to develop market opportunities for example the Barwon Regional Waste Management Group facilitated a sustainable business model for expanded polystyrene, a product that was considered too difficult to manage. Without policy that encourages waste minimization these opportunities may be lost in the future.

Whilst it is acknowledged that extended producer responsibility is a Federal responsibility, there is an opportunity to make a statement on the State Governments role in implementing and encouraging extended producer responsibility.

The State should have a greater role in implementing national schemes for extended producer responsibility programs. ie The extended producer responsibility program from the federal scheme such as TV recovery program has not engaged with the state government and is effectively a collection scheme that is less than effective in driving brand owner responsibility and design for waste minimization and recycling.

There is a role for government policy in development of markets and these policies should assist as motivators to formulate the strategies for generating new products, businesses and facilities.



Markets need to be sustainable in the long term. The policy could refer to specific markets that require priority such as organics. The impact of organics in landfills is a lost resource and causes significant environmental harm and long-term groundwater risk.

**Chapter 4: Infrastructure and planning. Your comments:**

The Barwon Regional Waste Management Group supports the need for clarity in planning and regulation to minimize the investment risks for new technologies required to meet community needs.

The Barwon Regional Waste Management Group supports the need to improve the efficiency of forming regional supply contract for cost effective infrastructure to be implemented in Victoria.

There is a role for Government to assist in planning to identify and protect strategic sites, and the “hub and spokes” approach has merit. There does need to be levers in place to ensure that all sectors (local government and private) are active and effective participants.

The State implementation plan needs to guide technology choice and the policy document stating that it endorses energy from waste in the future is supported.

**Chapter 5: Protecting our environment and public health. Your comments:**

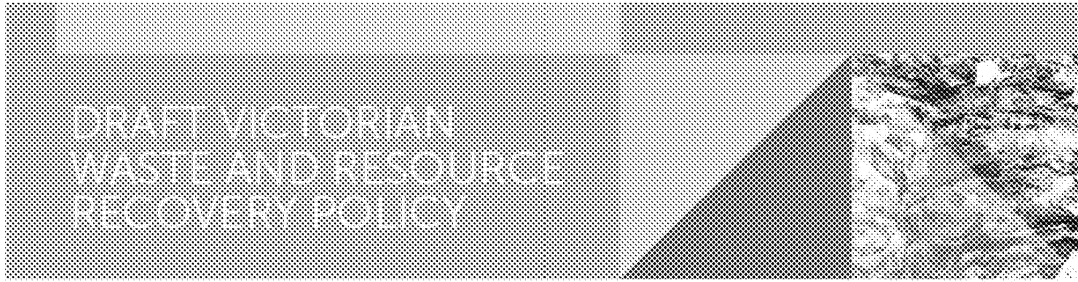
There is an opportunity to articulate the sustainability principles seeking to be achieved over time. Toxic and hazardous materials should be removed from the environment and risk management plans produced so that resources can be allocated to optimize the reduction in public risk.

Supporting programs to recover common household toxic materials needs to be identified. A statement for addressing the priority materials and strategies should be included.

**Chapter 6: Reduce illegal dumping and littering. Your comments:**

Local government is recognised as having the primary role in managing land for our communities. Other land managers such as Coast Committees, Parks Vic, VicRoads and Rail operators also need to be considered in the policy. The policy should articulate the governments role in facilitating collaboration with all land managers. As an example all land managers would benefit from regional contracts for litter bin servicing or litter reduction programs to tackle illegal dumping etc.

There should be targets for littering and illegal dumping. Victoria has the most effective litter legislation in the world and the policy should note that the community is empowered to



contribute to community pride through the provision, promotion and the effectiveness of the report litters program through the EPA pollution hotline.

The current 'consumer responsibility' for managing materials at end of useful life relies on social and economic motivation to illegal dumping that needs to be considered. Education in changing purchasing products and packaging has direct links for responsible disposal.

**Chapter 7: Governance. Your comments:**

There is a need to review the governance for Regional Waste Management Groups in Victoria to align the legislative roles and functions necessary to deliver MSW, C&I and C&D planning and market development activities.

Any redesign should compliment and facilitate the delivery of the statewide integrated waste and recovery system enabling securing of multi organizational supply agreements, single principal to regional contacts and ability to implement and manage regional contracts that provide synergies.

The redesign should suit the hub and spoke model.

The role of Regional Waste Management Group's and local government in commercial and industrial and construction and demolition waste should be included in the review.

**Chapter 8: Monitoring progress: a new approach. Your comments:**

It is acknowledged that the document states that it seeks to obtain the data and then make evidence based and informed decision and set achievable targets.

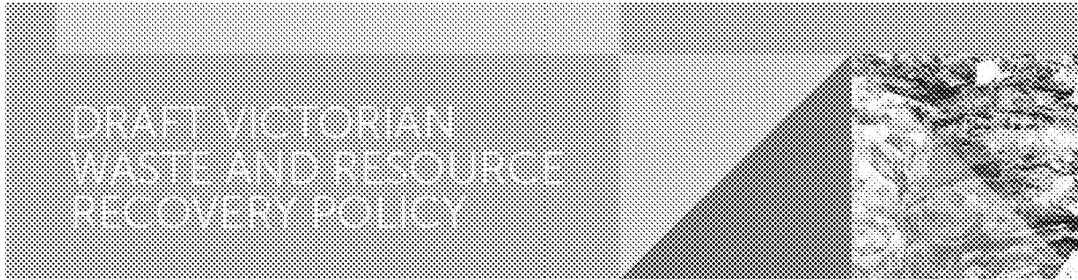
The plan indicates the need to make informed decisions based on data. The need for consistent data and reporting framework needs to be considered in the implementation plan.

The reliance on data should not prevent action and opportunity towards zero waste.

**Are there any additional comments you would like to make?**

Areas omitted that may be of value are as follows;

1. Reduction of consumption



Promoting extended producer responsibility is the federal government responsibility and the State's role in assisting the federal government should be articulated.

The role of the State in assisting manufacturers design for remanufacture and reuse, encouraging lean production etc. should be included.

Advocating for manufacturers and product producers to have a culture for increasing product quality and life could be included. i.e. guaranteeing product life from 12 months to 5 years would be helpful.

2. Priorities Targets and Timelines

The role of the implementation plan needs to be articulated as it provides a link to the policy delivery and targets with priorities.

There are no priorities and timelines for achieving any outcomes.

3. Federal, State, Regional and Local linkages

The linkages for development of the waste management plans from local to regional to state should be included in the implementation plan.

We appreciate your interest in helping to prepare a new *Victorian Waste and Resource Recovery Policy* and taking the time to provide your comments and evidence in the following section.

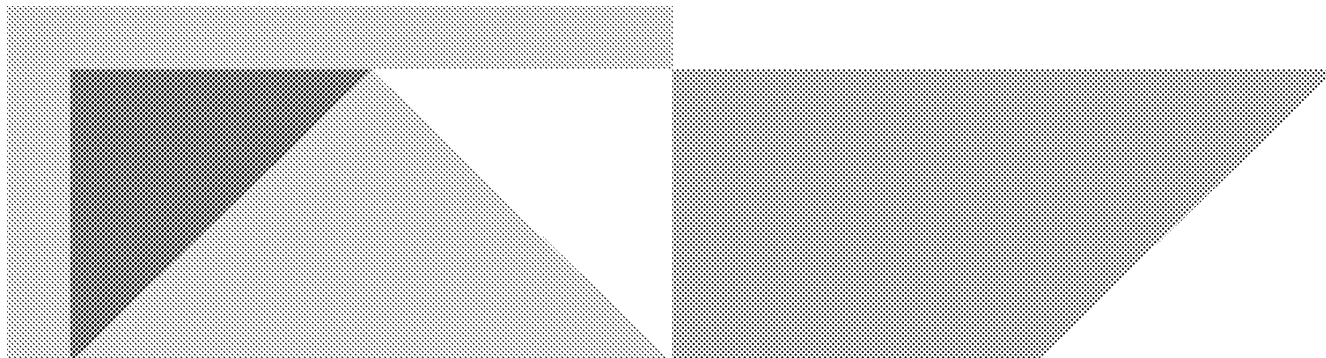
**The Waste Policy Review Team**



# DRAFT VICTORIAN WASTE AND RESOURCE RECOVERY POLICY

OCTOBER 2012





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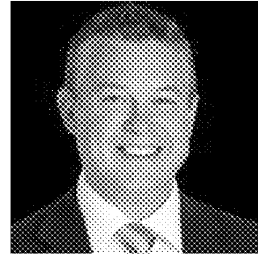
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## MINISTER'S FOREWORD



It is with great pleasure that I continue our reform path in waste management for Victoria by presenting this *Draft Victorian Waste and Resource Recovery Policy*.

The discussion paper I released in March this year has generated a lot of debate and discussion across the state. Over four hundred people attended forums across Victoria and 71 submissions were received. This response is highly appreciated and welcomed as it has helped shape the proposals featured within this draft policy document.

Effective and efficient waste management plays a critical role as an input to the functioning of a world class economy, such as Victoria's. It is an essential service, a foundation piece to a healthy environment and improved public health outcomes. It is a growing industrial sector in its own right, creating value, employment and wealth for the state.

Waste management also drives productive resource use by recovering and recycling discarded materials that still have economic value. There is a strong community and industry preference for recycling.

It is estimated that Victoria's waste and resource recovery industry has an annual turnover of \$2.2 billion, and employs approximately 8,000 people. The industry, if managed well, is an economic advantage to the state.

The review of Victoria's waste policy has brought to bear a number of suggested reforms. The major change that is proposed is to allow the strength of markets for products and commodities produced from recovered waste to be the key determinant of the infrastructure, operations and transport mix for the waste and recovery industry. The Victorian Government's role will be to provide the right conditions for strong markets, ensure markets can grow without undue burden from red tape, provide certainty in relation to regulatory settings, and where appropriate strategically reinvest back into the sector.

The government will also provide the foundations for environment and public health protection – the non-negotiables – through appropriate policy, regulatory, information provision and planning functions.

Your comments on the *Draft Victorian Waste and Resource Recovery Policy* are now sought. This draft policy presents a step change in how Victoria views and manages waste.



Ryan Smith MP  
Minister for Environment and Climate Change

# 1 INTRODUCTION

The Victorian Government is committed to delivering a new waste and resource recovery policy that will make Victoria a national leader.

Effective waste and resource recovery management is an essential service that protects environmental and public health. The waste and resource recovery industry contributes \$2 billion to the Victorian economy.

The Victorian Government's proposed new resource recovery policy will help leverage further investment and employment opportunities, driving future economic growth for the state. The proposed approach is also intended to resolve some of the challenging environmental and public health issues posed by Victoria's current waste management system.

## 1.1 Scope and process to date

The Department of Sustainability and Environment (DSE) has been given the responsibility of reviewing the strategic, legislative, institutional and investment settings that influence the nature and performance of waste management.

For the purpose of this draft policy, 'waste' refers to solid materials that have been discarded by consumers or businesses. This policy does not include hazardous industrial wastes known as prescribed industrial wastes, waste emissions to air or (liquid) trade wastes.

To ensure that the new policy delivers strong triple bottom line (environmental, social and economic) outcomes, it was important to hear from our stakeholders. In March 2012, the Victorian Government released a Discussion Paper to elicit and understand the range of views that the community, industry and local government have about the issues and opportunities in managing waste now and into the future.

DSE and its portfolio partners ran an extensive public engagement phase during March and April 2012. Over 400 people attended 17 Waste Policy Review workshops across the state and 71 written submissions were received. Feedback and advice from these workshops helped inform the development of this draft policy.

## 1.2 Purpose of the draft policy

This draft policy checks back with the community, industry and local government on what we found through that original consultation and policy analysis. The draft policy also seeks comment on a proposed vision, objectives and set of policy principles for waste management and resource recovery. It tests whether the proposed goals and strategic directions will correct the problems within the current policy framework (*Towards Zero Waste*) and can allow Victoria to lead the nation in waste management and resource recovery.

Importantly, we would like to know what the implications of the proposed policy and strategic directions will be for you.

The draft policy is open for public comment for four weeks. The Victorian Government will then consider its final position and release a final policy.

The final policy will set a long-term 30 year vision for waste management and resource recovery in Victoria. It will also set policy priorities that will guide action over the next ten years.

It is proposed that the policy's progress will be reviewed in five years time; by the end of 2018, and that the entire policy will be reviewed in ten years, by the end of 2023.

## 1.3 Waste management

Waste management refers to a comprehensive set of decisions and actions taken to manage waste. It includes all the people and organisations involved in those decisions and actions, and all the infrastructure and services used for waste collection and processing.

The Victorian waste management system covers generation, collection and transport, sorting and processing, recycling and reprocessing, export, reuse and disposal. These activities occur across all sectors of the economy (household or municipal, commercial and industrial, and construction and demolition) in both the private and public sectors.

## WHO IS INVOLVED IN WASTE?

Victoria's waste management system includes public and private organisations and the community:

|  |   |
|--|---|
| Department of Sustainability and Environment (DSE) | Responsible for policy development and oversight, and for environment portfolio coordination. DSE also works with other government departments particularly the Department of Planning and Community Development, the Department of Transport, the Department of Health, and the Department of Business and Innovation to maximise the investment and employment opportunities and address the challenging environmental and public health issues that waste poses. |
| Environment Protection Authority (EPA Victoria)    | Responsible for regulation, compliance and enforcement.   |
| Sustainability Victoria (SV)                       | Responsible for facilitating and promoting environmental sustainability in the use of resources by developing and delivering strategies and programs.   |
| Metropolitan Waste Management Group (MWMG)         | Responsible for planning, coordinating and facilitating procurement by metropolitan local governments of waste management and resource recovery services, as well as helping them to reduce waste, maximise recovery and reduce environmental harm.   |
| 12 Regional Waste Management Groups (RWMGs)        | Responsible for planning and coordinating the management of municipal solid waste for local governments within their waste management regions, as well as helping them to reduce waste, maximise recovery and reduce environmental harm.  |
| Local governments                                  | Responsible for providing (either directly or through contractors) collection, transport and reprocessing or disposal to landfill services to their communities.  |
| The waste industry                                 | Businesses that provide collection, transport, sorting and processing, trading and exporting, disposal and recovery infrastructure and services.  |
| Manufacturers                                      | That produce waste and those that use waste materials in their production processes.  |
| Businesses, industry and government                | That generate waste as a consequence of providing goods and services.   |
| Households   | Who generate waste after consuming goods and services.  |

Figure 1: Resource flows



#### 1.4 Waste generation

Waste is generated across the Victorian economy and is currently considered in three main sector groupings. These are municipal solid waste (MSW), commercial and industrial waste (C&I) and construction and demolition (C&D) waste. The main waste materials generated by these sectors are illustrated in Table 1.

#### 1.5 Current policy

The *Towards Zero Waste* strategy, (TZW) was launched in 2005 and will expire in 2014. The waste management plans of waste management groups and local government must be in line with the strategy.

Its objectives are to:

- > Generate less waste from our activities.
- > Increase the sustainable recovery of material for recycling and reprocessing.
- > Reduce damage to the environment created by waste disposal.

TZW is a 10-year strategy structured around four statewide targets which address the avoidance of waste, resource recovery and litter prevention. In addition, sector targets for resource recovery cover municipal solid waste, commercial and industrial waste and construction and demolition waste. Its intent is for Victoria to be a low waste society by 2014.

Table 2 shows selected TZW targets and Victoria's progress towards them so far.

**Table 1:** Waste sectors, waste generators and waste materials

| Waste Sector                             | Waste Generator  | Waste Materials   |
|--|--|---|
| <b>Municipal solid waste</b>             | household and local government activities and includes waste left at kerbsides, resource recovery centres, and construction waste from owner / occupier renovations        | organic materials (food and garden waste), paper and cardboard, glass, textiles, plastics, metals, electronic waste and household goods   |
| <b>Commercial &amp; industrial waste</b> | manufacturers, small and medium enterprises, retailers, property and business service enterprises, hospitality enterprises, public sector agencies, education institutions | waste paper and cardboard, metals, organic materials, textiles, plastics, timber, electrical and electronic equipment, materials from office refurbishments, small amounts of other waste |
| <b>Construction &amp; demolition</b>     | residential, civil and commercial construction and demolition enterprises  | concrete, bricks, asphalt, excavated materials, metals, wood, timber and plasterboard   |

**Table 2:** *Towards Zero Waste* targets

| Target   | 2005-06              | 2013-14                        |
|--|----------------------|--------------------------------|
| 11.60 million tonnes of solid waste generated                                    | 10.22 million tonnes | 11.34 million tonnes generated |
| 75% by weight of solid waste recovered for reuse, recycling or energy generation | 62%                  | 66% recovered                  |
| Municipal solid – 65% recovery rate  | 49%                  | 48% recovered                  |
| Commercial & industrial – 80% recovery rate                                      | 67%                  | 65% recovered                  |
| Construction & demolition – 80% recovery rate                                    | 67%                  | 80% recovered                  |
| 25% less littering   | 13.6%                | 17.2% less littering           |



The extent to which materials flow through the waste management system is dependent on a range of factors. These include the market's desire for the material, the cost of recovering, transporting and processing material, the international demand for the material, and the competitiveness of the Australian dollar. For these reasons, some materials interact with the waste system at a local level only, while other higher value materials such as paper, cardboard, plastics and metals, move across the waste system from local right through to the international level.

Changes to the structure of the Victorian economy away from a traditional manufacturing base also affects waste management. The industries that use our recovered materials are increasingly located interstate or overseas and are able to source feedstock materials from the global economy.

This growing national and international dimension to markets has seen the need for all Australian governments to work together to set Australia's direction for waste management and resource efficiency into the future. In November 2009, all Australian environment ministers agreed to the *National Waste Policy: Less Waste More Resources*. The national policy aims to:

- Avoid waste being generated;
- Reduce the amount of waste for disposal of to landfill;
- Manage waste as a resource;
- Ensure that waste treatment, disposal and reuse is undertaken in a safe, scientific and environmentally sound manner; and
- Contribute to the reduction in greenhouse gas emissions, energy conservation and production, waste efficiency and the productivity of the land.

The most significant action under the policy to date has been the *Product Stewardship Act 2011*. Televisions and computers have been the first products managed under this legislation.

## 1.6 The need for a new resource recovery policy

The Victorian Government has identified the need for a new policy to reduce Victoria's growing waste generation, to better manage the environmental and public health impacts of waste and to seize the opportunities that the sector provides the Victorian economy.

There are also significant opportunities to improve the policy leadership and implementation of waste programs. In 2011 the Victorian Auditor-General's Office (VAGO) concluded that:

"...waste generation continues to rise above expectations.. The reasons for underachievement in relation to municipal solid waste encompass a lack of effective planning, leadership, coordination and oversight. This has had consequences for the effective implementation of TZW."

These findings echo a 2000 VAGO report into municipal solid waste, and the advice of industry and local government stakeholders.

On average each one of us generates just over two tonnes of waste per year, this is equivalent to the weight of two small cars. Over the last ten years, there has been a 29 per cent increase in the amount of waste we each generate per year.

### 1.7 Increasing waste generation

At the simplest level the challenge is that the amount of waste we produce is growing.

One of the big reasons waste is on the rise is that there are many more of us – Victoria's population is 5.6 million – compared to 4.8 million in 2000 – and is projected to grow to 6.4 million by 2020.

Over the last decade Victoria has increased its annual waste generation from roughly 8 million tonnes in 2000, to 12.1 million tonnes in 2011. Between 2010 and 2011 there has been a 7 per cent increase in the total amount of waste. Victoria's waste management system needs to handle. As the TZW mid-term review shows, encouraging Victorians to create less waste in the first place remains a serious challenge.

We are also in the midst of rapid technological advances. This has led to products such as computers and mobile phones entering the waste stream quicker than ever before, and in ever increasing volumes.

Many other products, including home appliances, have a much shorter life span in comparison to those made in the past, and are not repaired. As a result they are also entering the waste stream at a greater rate than ever before.

For all these reasons, Victorian waste generation is expected to increase by around 4 per cent per year and may approach 17.4 million tonnes by 2022; a compelling reason to act and reduce our waste.

### 1.8 Managing the impacts of waste on the environment and public health

The more waste we generate, the greater the environmental and health risks. These include groundwater and land contamination, greenhouse gas emissions, odour, noise, dust and litter. In 2011, EPA Victoria received over 3000 complaints relating to odour from waste management facilities in Melbourne's south and east alone.

Public health problems are also heightened when our facilities are located near to residential areas because we haven't planned and protected the land around these facilities. We also have a legacy of old facilities, particularly landfills, which do not meet today's more stringent environmental standards.

These problems are exacerbated when we put biologically active animal or plant materials, such as garden and food waste, into landfills. In 2011, approximately 4 million tonnes of biologically active waste was generated, of which around 1.9 million tonnes was still being sent to landfill. Excluding the costs of diverting it from landfill, the potential value of this waste to the Victorian economy is estimated to be at least \$30 million. Realising the value in this waste is an opportunity for growth and development of Victoria's businesses and would also make a significant contribution to meeting the desires of the Victorian community to reduce our reliance on landfill.

## ORGANICS

More than 50 per cent of all materials in waste are biologically active, or organic wastes, which are plant or animal in origin – generally from food and kitchen waste. The problem is that these materials can produce offensive odours. The intensity of odour varies according to a number of conditions including weather and persistence can have real behavioural impacts from mild annoyance to being physically sick.

The biggest part of this organic waste is food – making up about a third of the waste in the average household landfill bin. Overall, only 4.2 per cent of food waste is recycled and only about half of all organics are recycled in Victoria. This does not include food or garden waste dumped by households at home.

Excluding biologically active materials from landfill has major benefits, such as reducing greenhouse gas emissions, and a properly managed landfill – stabilisation of organics by aerobic and anaerobic – will also reduce the odour associated with legacy landfills, such as gas management.

Organic materials deposited in low oxygen environments create methane gas. While methane is a valuable, it is highly explosive and dangerous. Methane released into an uncontrolled landfill leak, high water table, windy area and immediately close residential development caused the explosion of the Altona landfill gas system in September 2004. While markets for this gas are often very tight, there is a market for coal-seam.

Excluding organics from landfill will have policy positive outcomes. Removing this material out of landfill will make big improvements in many people's lives.



### **1.9 Land use planning for the future**

As our cities grow, securing land for our waste management facilities is a challenge. As population increases, our waste generation increases and as we strive for world's best practice environmental standards, finding and securing land for waste management facilities is likely to become even more difficult.

Planning for new waste facilities, as well as managing our existing waste management facilities is critical if we are to meet our future waste challenges. This challenge is further increased as waste is now moving across the state more than ever before, due to the changing mix and costs of waste facilities.

#### **1.10 Illegal activities**

Illegal dumping and littering are unacceptable in a modern society. Although only a small percentage of people and businesses illegally dump their waste, the environmental and public health risks from illegally dumped waste may be high as it can contain hazardous materials, such as asbestos.

Litter pollutes our oceans, waterways and streets, is unsightly and contributes to creating unsafe communities. It also imposes a significant cost burden on councils who are required to clean it up. A multi-pronged approach of education, infrastructure and enforcement is needed to prevent litter and to create cleaner environments and safer community spaces.

Littering and illegal dumping undermine the lawful business of waste management and cost the Victorian Government, local government and charities over \$80 million a year to clean up.

### **1.11 The unrealised opportunities**

We recognise that Victorians have made a commitment to recycling, both at home and in the workplace. Major gains in resource recovery have been driven by the construction and demolition sector, where the recovery rate is around 83 per cent. Recycled materials from this sector include stable and clean materials such as concrete, bricks, mortar and re-manufactured aggregate for use in construction activities. Local demand for products made from these materials is strong.

Fundamentally, this is because 'waste' resources or recovered commodities are globally priced and traded. While the bulk of construction and demolition recyclables are used within Victoria because of their low costs and strong local demand, Victoria is currently a net exporter of recyclable plastics and aluminium. These materials are sold across Australian borders and internationally. Australia as a whole is a net exporter of these materials either because demand from China and India is so strong (however in the last six months prices and demand have declined markedly) or because Australia does not have the economies of scale to establish reprocessing capacity.

Victorians achieved good recycling rates across all waste streams from the mid 2000s, however, as the TZW mid-term review identified, improvements have recently slowed. The flattening performances suggest that the more accessible and affordable options to recycle have already been acted on and that new initiatives are needed to realise further environmental, economic and social benefits of greater resource efficiency in Victoria.

### 1.12 Coordination of the waste system

The Victorian Auditor General found that a major failing of TZW in relation to the management of municipal waste, was the coordination and governance of the waste management system. The long term accountabilities were not in place to ensure sufficient delivery of the TZW's targets and actions. Reaching targets relies on all the players in the waste management system – public and private organisations as well as households – all doing their part.

But it is not just about how well these partners do their own jobs, but also how effectively they all work together. We need to put significant effort into improving co-ordination throughout the waste management system to maximise its efficiency.

### 1.13 The proposed new policy – a snapshot

The Victorian Government's proposed 30 year vision for waste management is to have an integrated statewide waste management system that provides an essential community service, protects the environment and public health, maximises the productive value of resources and minimises the long-term costs to industry, government and households.

Within this vision the policy approach is clear – the Victorian Government will perform its role and provide the foundations for environmental and public health protection through appropriate policy, regulatory, information provision and planning functions. These are the basic and clear roles of state government – the not-negotiables.

The changes needed to create an integrated statewide system that will ultimately be guided and designed by the strength of products and commodities produced from recovered waste. The strength of the market 'pull' is proposed as a key determinant of the mix of infrastructure that Victoria will invest in over the next 30 years.

The Victorian Government's role will be to ensure markets can grow without undue burden from red tape, provide certainty about regulatory settings and strategically reinvest back into the sector. The role will also include more information about, and the integration of, land use planning and infrastructure needs, and ensuring that businesses and the community have access to information on how they can contribute to resource recovery policy goals. Through this, the Victorian Government will provide the necessary certainty to encourage investment and innovation in Victoria's waste management and resource recovery system.



This draft policy details the proposed vision, objectives and principles for waste and resource recovery in the following chapters, and outlines the five major goals that will help drive the vision over the next decade. These are:

- A new vision for waste (Chapter 2).
- To facilitate strong markets from recovered waste (Chapter 3).
- To facilitate a waste management and resource recovery system that maximises the productive value of waste (Chapter 4).
- To reduce the environmental and public health risks of waste (Chapter 5).
- To reduce illegal dumping and littering (Chapter 6).
- To reform institutions and governance to effectively drive the achievement of waste and resource recovery policy objectives (Chapter 7).

Finally, Chapter 8 – Monitoring progress – sets out how the Victorian Government will measure progress towards realising these goals. The policy should have the following benefits for Victoria:

- Reduced impacts to ground and surface water from landfill leachates.
- Reduced impacts on local communities of odour, noise, dust and litter from landfills and other waste management facilities.
- Reduced greenhouse gas emissions intensity of waste to landfill, by measures that are complimentary to the carbon price.
- Reduced amount of waste entering the waste management system.
- Increased productivity of materials in the economy.

#### 1.14 Details of how to make a submission

We are seeking your comments on the draft policy, to help inform our final decisions on how we recover resources and manage waste throughout the state.

Submissions are due by Friday 23 November 2012, using the template provided at [www.dse.vic.gov.au/waste](http://www.dse.vic.gov.au/waste)

More information on the first stage of the Waste Policy Review engagement, discussion paper and public responses is also available at this address.

## 2 A NEW VISION FOR WASTE MANAGEMENT IN VICTORIA

The Victorian Government is committed to providing long-term policy direction and leadership for waste management to drive investment certainty and excellence in environmental performance.

The proposed vision and policy objectives make it clear that the Victorian Government's long-term direction for waste is to protect environmental and public health, to support Victoria's economy, and to address the ongoing coordination problems that have limited our ability to get the most value from waste. Critically, it confirms that environment and public health protection is a fundamental role for waste policy – and this makes Victoria's waste and resource recovery system an essential community service.

Over the years, waste management in Victoria has suffered from a lack of clear direction. Various reviews, including by the Victorian Auditor General's Office have identified the need for clearer policy settings for waste.

This lack of clear direction has also reduced the ability of Victorian Government agencies and local government to translate the overarching objectives into their strategic planning. As a consequence, investment has not targeted priorities, roles and responsibilities are unclear, overlap has developed, and businesses are encountering undue burden. Of greatest concern is the failure to adequately address environmental risk.

An effective and efficient waste sector supports a prosperous Victorian economy. Identifying our objectives can also improve conditions for investment.

### What you told us

- > Waste management needs to achieve three important public goals: protect the environment, protect public health and contribute to Victoria's economy.
- > Government needs to set clear, long term policy objectives for waste management – this has been missing in the past.
- > Waste management is an essential service to the community.
- > The extensive, statewide system of infrastructure, processing, logistics and material flows is vital in underpinning Victoria's economy.
- > Government needs to refocus its strategic thinking away from 'waste management' to contemporary approaches of 'resource recovery'.
- > The new vision and objectives need to signal that we must use resources efficiently and maximise opportunities for waste to be valuable as a resource.

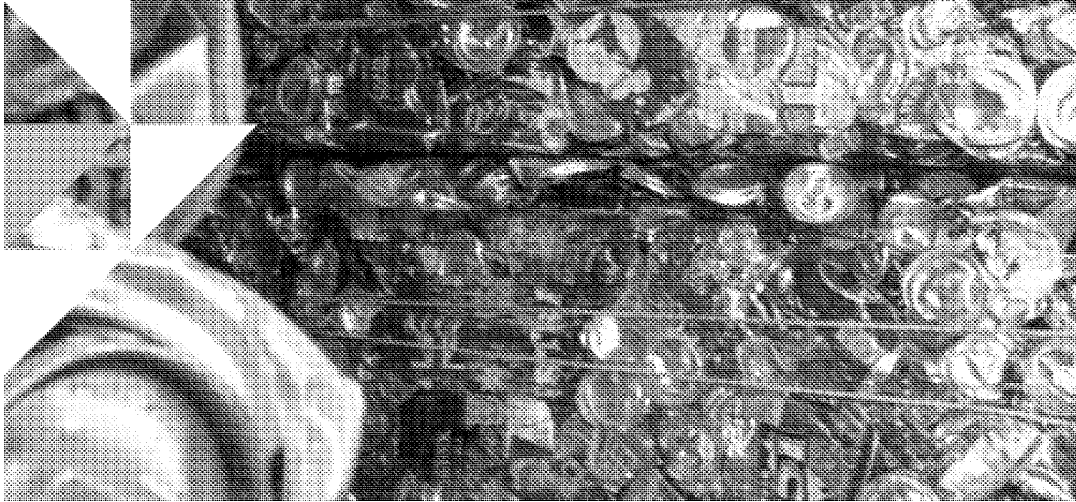
### 2.1 Proposed vision

Victoria's integrated, statewide waste management and resource recovery system provides an essential community service that protects the environment and public health, maximises the productive value of resources and minimises long-term costs to industry, government and households.

### 2.2 Proposed policy objectives

#### 2.2.1 Environmental protection

The waste management and resource recovery system minimises harm to the environment.



2.2.2 Public health and wellbeing

The waste management and resource recovery system protects public health and preserves local amenity by managing impacts on nearby land uses and users, and on environmental systems.

2.2.3 Economic prosperity

The waste management and resource recovery system supports Victoria's economy, including improving productivity, efficiency, investment and jobs growth, by fostering the efficient use of resources and providing cost effective waste management and resource recovery services.

2.2.4 Integrated and efficient system

All resource recovery and waste activities should be considered and managed as one integrated statewide waste system, which includes but is not limited to:

- > clearly defined roles, responsibilities and accountabilities for all public sector entities involved in resource recovery and waste management.
- > recognition that waste management is a shared responsibility between government, industry and the community.
- > resource recovery and waste management priorities aligned to Whole-of-Government priorities.

- > increased integration with land use planning, transport and development, to enable strategic planning in preparation for population growth.
- > improved information management and data availability to allow better decision making.

2.3 Management principles

What you told us

- > Industry, local government, businesses and households want greater transparency in the Victorian Government's decision making process.
- > There is a need for greater consistency in decision making across the environment portfolio, and between state and local government.
- > That decision making principles should encompass and include life cycle considerations, access to services and flexibility.
- > The waste hierarchy has been a useful tool that has been used to assess potential environmental benefits, but that a triple bottom line analysis (environment, social and economic considerations) is essential for informing decisions.



**2.3.1 What are the waste management principles?**

The proposed principles are designed to drive long-term, positive change in the way the environment portfolio approaches decision making. The Victorian Government will commit to decision making that has been shaped by these principles.

These principles will guide us in making better, more consistent decisions that work towards achieving the vision and objectives for Victoria's waste management and resource recovery system.

These principles have been developed to promote a transparent and evidence-based approach to the planning, building and operation of the waste management system. While these principles can be described as good practice, the Waste Policy Review has found that much historical decision making has not been shaped by these ideas.

Arguably the most critical area of decision making that needs reform is *evidence based* decision making. Both the Victorian Auditor-General's Office (VAGO) 2000 report *Reducing Landfill: Waste Management by Municipal Councils*, and the 2011 report *Municipal Solid Waste Management* found that ineffective information and data management create challenges in waste. Given the increasing complexity of waste management, this needs to be reversed.

**2.3.2 Proposed principles**

**2.3.2.1 Preamble to waste management principles**

- a. These principles provide guidance for making better, more consistent decisions that work towards achieving the common vision and policy objectives for Victoria's waste management system.
- b. The Victorian Government will consider these principles when it is undertaking planning for waste management in Victoria.
- c. These principles align with, are consistent with, and are subordinate to the principles in the *Environment Protection Act 1970*.

**2.3.2.2 The principle of transparent and informative decision making**

- a. The waste management and resource recovery decision making processes should be transparent and accessible.
- b. All levels of government, industry and the community should be given access to reliable and relevant information to facilitate a good understanding of waste issues and processes that have informed a decision.
- c. The views and interests of stakeholders should inform decision making.
- d. The decision making process needs to consider the circumstance and needs of local communities, including appropriate flexibility in statewide strategies and plans that enable practical implementation for regional and rural areas.

**2.3.2.3 Principle of evidence based decision making**

- a. When identifying and recommending waste management options the best available data, information and evidence should be used to support decision making.
- b. When assessing significant waste management options a cost-benefit analysis that considers environmental, economic and social factors should be undertaken to compare options and determine the net benefit to the state.

**2.3.2.4 Principle of integrated waste and resource recovery management**

- a. Recognising that Victoria's waste activities are best managed as one integrated statewide system, decisions need to consider system-wide impacts and dependencies.
- b. Decisions need to consider potential impacts on connecting systems, such as land use planning, transport, economic development and national material flows.
- c. Decisions need to be coordinated between all levels of government, industry and the community to allow greater certainty for investors and community.

2.3.2.5 Principle of proportionate and appropriate Victorian Government intervention

- a. Victorian Government programs, strategies, regulations, and investment in waste management should be proportionate to the significance of the environmental, public health and economic problems being addressed.
- b. Risk analysis will inform the assessment of a waste management problem to determine the proportionate response and intervention.
- c. Responses and interventions should clearly identify what will be achieved as a result of the intervention, strategy or program.

2.4 Achieving our vision for waste

The Victorian Government's vision for waste will be realised over the next 30 years.

We will facilitate the growth of an integrated statewide system that will be responsive to market demand for resources derived from waste. The strength of market demand will be a critical factor in determining the appropriate mix of waste infrastructure to be established in Victoria over the next 30 years.

This is a significant policy shift away from the previous model, which has seen the emergence of disjointed infrastructure, services and programs. In its place will evolve a statewide system of people, infrastructure, operations and transport that intelligently moves materials to where they can deliver environmental, public health and economic benefits to the state.

The Victorian Government will drive reduction in red tape to make Victoria a more attractive place to do business. We will increase information provision, and better coordinate roles and responsibilities to strengthen long term investment prospects.



### 3 STRONG MARKETS FOR PRODUCTS MADE FROM WASTE MATERIALS

**Goal: To facilitate strong markets for recovered waste**

Current planning for waste is largely driven by the 'push' to divert waste from landfills. This is not always matched by a consumer 'pull' for products made from this waste.

Strong demand for recovered materials and the products made from them is fundamental to the successful recovery of materials. It is also the most efficient way of diverting waste from landfills.

There is a strong community preference for recycling waste materials, but paradoxically, low demand for some recycled products. This is due to a range of factors including consumers not knowing what products are available and not being sure whether a recycled product is fit for purpose. Insufficient demand can result in other issues such as the stockpiling of materials, and reduced viability of some industries that then become increasingly dependent on subsidies or high landfill gate fees.

The community reasonably expects that the effort it puts into recycling waste materials is worthwhile and will have real benefits.

**Strategic directions**

1. Develop the right conditions for resource recovery industries to grow and mature in Victoria.
2. The government will continue to seed a market for products made from recycled materials, particularly with those that provides certainty to Victorian industry and businesses.
3. Support business and industry to raise awareness and lobby leading sectors proactively.

**3.1 Strategic direction**

Develop the right conditions for resource recovery industries to grow and mature in Victoria.

**What you told us**

- > Poor separation of materials at the bin results in low volumes of poor quality materials that can't achieve the economies of scale needed for robust recycled product markets to develop.
- > For some materials, transport costs make up a large portion of the total recycling cost. This reduces the price competitiveness of products made from recycled materials compared with products made from virgin materials.
- > In some cases the recycling system itself is a source of problems. For example, during collection, glass may be crushed and mixed with glass of different colours, and it is difficult to find uses for crushed mixed glass. This problem could be reduced with better collection systems and improved sorting styles.
- > There is a lack of market confidence in the products made from some recovered materials, as well as a perception that recycled materials are of lesser quality than virgin materials.
- > The lack of regulations, standards, and information on products made from recycled materials is a barrier to end users being confident that the product is fit for purpose.
- > The application of untreated organic wastes, such as animal manure, to land needs to be addressed to protect the environment and public health. All businesses involved in land application of organic waste should be required to conform to the same standards.
- > Garden organic wastes are characteristically different from food organic wastes.
- > Some food waste is ending up as stockfeed.

### 3.1.1 Proposed policy

The Victorian Government recognises that materials such as steel, aluminium, plastics and paper, are globally priced and traded commodities. Improved recovery of these materials is largely hindered by inefficiencies in separation, collection and transport through the waste system.

Particularly for these more mature markets, the Victorian Government considers that improvements to increase the quantity and quality of marketable materials recovered from waste are important. The Victorian Government encourages industry to pursue the development of recovery technology to consolidate its supply-side, which will in turn improve the viability of markets.

*Organics* is an umbrella term for a number of biologically active wastes, including garden, food, paper, timber and textiles. Decisions on the collection, recovery and processing of these different organic wastes must be driven by the end product wanted by the market.

The Victorian Government has a role to facilitate the right market conditions for industries to recover and recycle organic waste, in order to achieve our aim of reducing organic waste to landfill.

A strengthened demand for organic waste products is critical. One way is by being a reliable source of information and by helping consumers recognise those products that meet certain standards.

Another is improving the awareness of other sectors, industries and businesses of the existing and potential range of products made from organic wastes and their suitability for various applications.

The Victorian Government understands that there are currently (and will likely be in the future) other barriers to the growth of recovered material markets. The Victorian Government will work with industry to identify and develop solutions to remove these barriers.

### 3.1.2 Proposed actions

- Work with industry to improve the quantity and quality of material stocks that feed Victoria's resource recovery industry.
- Partner with industry to research and develop innovative technologies, and collection and sorting processes to improve the efficiency of recovering materials from waste.
- Where new product standards or specifications are needed, such as for the application of treated organic wastes to land, work with industry, the manufacturers of recycled products and potential users to develop standards or specifications, in cooperation with other governments. Where there are existing standards, work in co-operation with other Australian governments, to improve their consistency and recognition nationally.
- Assist early adopters to obtain the necessary information to overcome barriers to investment or product trials.
- Work with industry to identify and address other barriers that may inhibit market growth now and into the future such as to identify and address barriers to market development in recycling and energy recovery from organic wastes (including food, garden and timber).
- Develop an organics strategy that targets market solutions for green waste and food waste.

### 3.1.3 Explaining our proposed policy and actions

Victoria has an innovative and globally competitive waste industry and we are well placed to cement our position as a national leader in resource recovery.

Partnering with industry to further improve recovery systems will result in the development of solutions which can be transferred to the rest of Australia, and overseas.

The *Towards Zero Waste* mid-term review paper 2009/10 acknowledged that the more accessible and affordable recycling options are already in place. We now need to explore new ways to improve the quantity, quality and variety of material we recover.



We want reprocessors to be able to optimise their systems and maximise the profitability of their enterprises because they are supplied with sufficient volumes of uncontaminated material. This means improving the quantity and quality of recovered materials collected through kerbside recycling services.

Purchasers making uninformed decisions about recycled products can lead to market failure, so we need to inform consumers about the quality and appropriate uses of recycled products. Product standards help to give consumers confidence that items made from recycled materials will be fit for purpose.

Government intervention when markets fail is only justified when the benefits outweigh the costs. Intervention has its own costs and can introduce its own distortions, unless it is carefully designed and appropriately targeted.

#### Organics

The composition of food waste is distinctly different from that of garden waste. They require infrastructure to process and are likely to result in different end products.

Garden wastes have a relatively mature market for the compost end product. This is because local government has collected garden wastes from transfer stations and households for a number of years.

The large-scale separation of food waste from general waste is a relatively new practice. The infrastructure and technology needed to process residual food waste is still evolving in Victoria. The degradation of food waste has much higher environmental and public health risks than those for garden waste.

The development of an organics strategy will help to identify market solutions for dealing with these different types of organic wastes. This strategy will build on the Metropolitan Organics Plan where the Victorian Government, through the Metropolitan Waste Management Group, is working in partnership with local governments to increase the recovery, processing and beneficial use of organic waste by facilitating the procurement of organics processing facilities for metropolitan Melbourne.

## THE CURRENT SITUATION WITH RESPECT TO THE CARBON PRICE

Parts of the waste management system, such as decomposing organic material and waste transport, produce greenhouse gases.

### What is the carbon price?

- Australia currently has a carbon price, introduced by the Australian Government on 1 July 2012. The price is fixed at \$23 per tonne of CO<sub>2</sub>-e for the first three years.
- From July 2015 a cap-and-trade system, will operate with the price set by the market.
- Putting a price on carbon means emitters need to consider carbon impacts when making production and consumption decisions.

### What parts of the waste system will it apply to?

- Under the existing legislation, any facility that emits more than 25,000 tonnes of CO<sub>2</sub>-e will be liable to pay the carbon price. This includes larger landfills.
- The carbon liability of a facility is calculated using the National Greenhouse and Energy Reporting (NGER) framework, based on the average composition of waste going to landfills.
- Smaller landfills (those estimated to emit between 10,000 and 25,000 tonnes CO<sub>2</sub>-e) might be subject to the carbon price by 2015-16, if there is evidence waste is being diverted to smaller landfills to avoid carbon liability.
- Greenhouse emissions produced by transport fuels are not included in the carbon price.

### What does it mean for the waste management system?

- Carbon price will only apply to waste landfilled after 1 July 2012.
- Landfill owners need to account for all future carbon liabilities in each tonne of waste deposited in landfills.
- Landfill owners can either pass this liability on in full through gate fees, or mitigate some of the liability by reducing their greenhouse gas emissions by: capturing and flaring methane, capturing methane and generating electricity, and by increasing diversion of waste to recycling and recovery.
- The Australian Government has estimated that landfill owners who do not take any action to reduce emissions should need to increase gate fees by no more than \$26 per tonne.
- Emissions from existing waste in landfill are addressed through the complementary Carbon Farming Initiative (CFI) where landfill owners can earn credits for actions to reduce greenhouse gas emissions from waste received before 1 July 2012. Opportunities in Victoria may be limited due to the already high take-up of mitigation actions such as gas capture.

### COMMODITY VALUE OF MATERIAL GOING TO LANDFILL

Recyclable materials are still ending up in landfill. These materials will have value to the economy if the cost of recovering them is less than their resale value. Diverting these materials from landfill is likely to cost more than disposal, due to the additional cost to sort, collect, transport and process them. The total of these costs must be compared with the likely sale value to determine if recovery is economically viable.

**Table 3:** Commodity value of material going to landfill

| Material  | Material<br>Weight<br>(tonnes) | Additional<br>costs | Additional<br>revenue | Net<br>value | Net<br>value<br>(\$ million) |
|---|--------------------------------|---------------------|-----------------------|--------------|------------------------------|
|   |                                | Sort<br>(tonnes)    | Transport<br>(tonnes) |              |                              |
| Paper/cardboard                                 | 446,651                        | 225                 | 23                    | 35           | 74,590,717                   |
| Food waste                                      | 831,997                        | 35                  | 23                    | 70           | -48,255,826                  |
| Garden waste                                    | 242,051                        | 35                  | 23                    | 70           | -14,038,958                  |
| Wood/timber                                     | 285,404                        | 10 <sup>1</sup>     | 23                    | 62           | -21,405,300                  |
| Textiles  | 145,537                        | 10                  | 23                    | 20           | -4,802,721                   |
| Glass   | 75,591                         | 72                  | 23                    | 116          | - 5,064,597                  |
| Plastic<br>(codes 1-3)                          | 177,773                        | 250                 | 23                    | 35           | 34,132,416                   |
| Other plastic                                   | 215,558                        | 250                 | 23                    | 35           | 41,387,136                   |
| Metals  | 65,147                         | 400                 | 23                    | 35           | 22,280,274                   |
| Concrete/<br>bricks/asphalt                     | 861,430                        | 15                  | 23                    | 35           | -37,041,490                  |
| <b>All recyclable materials \$</b>              |                                |                     |                       |              | <b>41,424,661</b>            |
| <b>High commodity value only<sup>2</sup> \$</b> |                                |                     |                       |              | <b>172,390,543</b>           |

The table above shows that the additional cost of recovering some materials is higher than the materials themselves are worth. These materials may still be recovered for other reasons, such as public health and environmental considerations, but not for their financial values.

When only those materials with a high commodity value are considered, potentially \$172 million is being lost to the Victorian economy each year.

1. Figure obtained from Zero Waste SA's cost benefit analysis

2. "High commodity value" materials limited to paper/cardboard, plastics and metals



### 3.2 Strategic direction

The landfill levy will continue to send a market signal that incentivises resource recovery industries and provides certainty to Victorian industries and businesses

#### What you told us

- There is broad support for the landfill levy because it has worked to divert waste from landfill into recovery processes, and the levy itself is invested back into waste and environmental activities.
- The landfill levy is nearly at a point where investment in alternative resource recovery treatments will be as financially competitive with sending waste to landfill.
- There is a need for greater transparency in how the landfill levy is administered and reinvested.
- Landfill levy reinvestment should be targeted towards resource recovery technologies and market failures.

#### 3.2.1 Proposed policy

The landfill levy will continue to be a central policy tool for making the community's preference for alternatives to landfill more viable. The Victorian Government confirms that the on-going purpose of the landfill levy is to:

- Divert waste from landfill and promote recycling and recovery in line with community expectations about the appropriate management of waste.
- Send a clear signal to industry and local government that the Victorian Government is committed to facilitating appropriate resource recovery options by making them more cost competitive compared with landfills.
- Fund environmental protection activities in Victoria – including programs and activities involving state and local government and industry – that support the achievement of waste management objectives.
- Provide incentives to encourage the development of strategic resource recovery industries in Victoria.

Landfill levy revenues will continue to support the achievement of the Victorian Government's waste management and resource recovery policy objectives and goals by:

- Providing incentives to support the development of resource recovery industries.
- Funding the work of Victorian Government agencies charged with implementing waste management and resource recovery policy.





### 3.2.2 Proposed actions

- > Publish details of the waste management initiatives funded each year.
- > Continue scheduled landfill levy increases as set out in Schedule D of the *Environment Protection Act 1970* up until 30 June 2015.
- > Investigate how to best provide certainty to industry, with one option being to keep the landfill levy constant through 'treasurer's rate' annual adjustments to maintain real landfill levy rates beyond 30 June 2015.
- > Commit to reviewing landfill levy rates and settings on a ten year cycle to provide certainty to industry, businesses and households.
- > Limit future adjustments of the landfill levy, beyond scheduled increases to 1 July 2015 and potential 'treasurer's rate' adjustments, to strategic materials such as untreated organic materials, subject to regulatory approval processes including cost-benefit analysis.

### 3.2.3 Explaining our proposed policy and actions

The landfill levy was first introduced in 1992 to reduce metropolitan waste going to landfill and to support the functions of Victorian Government agencies charged with minimising waste and increasing recycling rates.

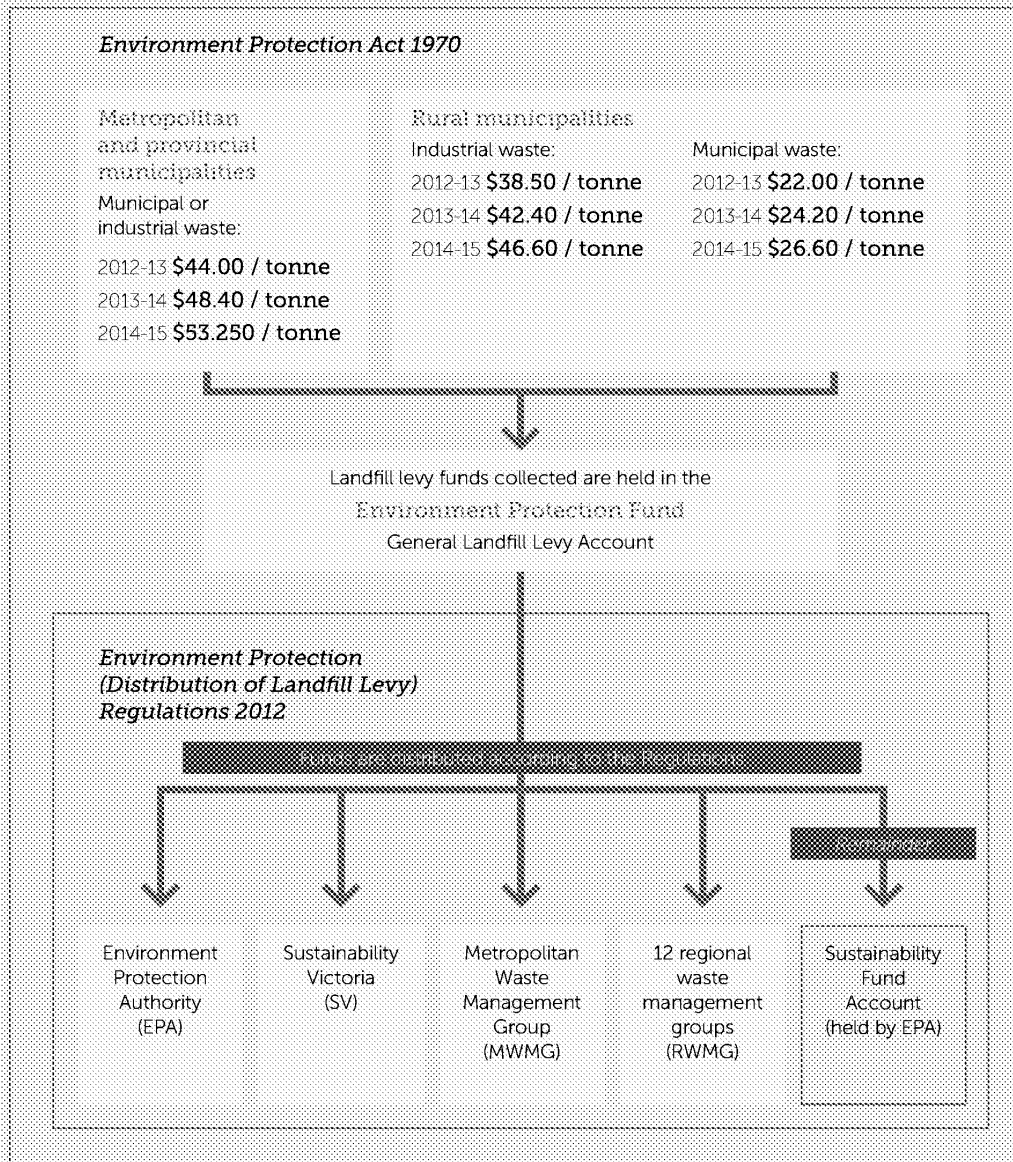
Subsequent changes have strengthened the levy's impact by rolling it out across the state. The Victorian Government will maintain this important market signal by committing to the scheduled adjustments to the rate of the landfill levy to 30 June 2015. The schedule of levy rate adjustments will provide investment certainty for industry and local government. Options for certainty in the longer-term will be investigated, with one option being to hold the levy rate constant in real terms by committing to annual adjustments for inflation.

The Victorian Government is proposing that future levy increases will only apply to strategic materials such as untreated organics (e.g garden and food waste) that create environmental and public health risks, form a high proportion of waste to landfill and can be reused. (See strategic direction 3.1)

This will send a strong signal that the Government wants to divert these materials to recovery processes, so that the significant environmental and public health risks of landfilling these materials – such as odour and leachate – are minimised.

Importantly, diverting organic materials from landfill will also reduce risk of underground methane migration. The Brookland Greens Estate incident demonstrated the significant and unacceptable public health, environmental and financial impacts of methane migration.

Figure 2: Victoria's landfill levy



## VICTORIA'S LANDFILL LEVY

Victoria charges a levy on each tonne of waste that is disposed of in Victorian landfills. Levies apply to municipal and commercial wastes deposited at licensed facilities in Victoria.

The *Environment Protection Act 1970* restricts the way in which money derived from landfill levies can be spent. The following outlines how levy money is spent to address resource efficiency and environmental challenges for Victorians.

### The Environment Protection Fund

Revenue raised from landfill levies is held in the Environment Protection (EP) Fund. This fund is established under the *Environment Protection Act 1970* (s.70) and is managed by EPA Victoria.

Money is directed from the Environment Protection Fund in accordance with the *Environment Protection (Distribution of landfill levy) Regulations 2010*, to the work of Victoria's environment portfolio agencies outlined below:

- > EPA Victoria: responsible for regulation of the state's environment, including waste and resource efficiency, air, water and noise.
- > Sustainability Victoria: responsible for implementation of waste and resource efficiency programs.
- > Metropolitan Waste Management Group: responsible for coordination of waste and resource efficiency within the Melbourne metropolitan area.
- > 12 Regional Waste Management Groups: responsible for coordination of waste and resource efficiency within 12 different regional areas of Victoria.

### The Sustainability Fund

Once funding is provided to Victoria's environment portfolio agencies, the remaining funds are held in the Sustainability Fund Account. The Sustainability Fund is established under section 70F of the *Environment Protection Act 1970*.

The Premier and the Minister for Environment and Climate Change are authorised to apply money from the Sustainability Fund in line with the *Environment Protection Act 1970*. The priorities for spending are outlined in a Priority Statement to the Sustainability Fund, which is also a requirement of the *Environment Protection Act 1970*.

A full list of the initiatives funded from the Sustainability Fund can be found in Sustainability Victoria's Annual Report each year.

### 3.3 Strategic direction

Support business and industry to realise economic benefits by boosting resource productivity.

#### What you told us

- Minimising waste generation by making our resources work harder offers competitive advantages for businesses and is a cost effective way of minimising the impacts of waste.
- The Victorian Government can help businesses minimise their waste, particularly small and medium enterprises (SMEs) that may not have the environmental and technical skills necessary to take advantage of waste minimisation opportunities.

#### 3.3.1 Proposed policy

The Victorian Government will encourage and support business and industry to minimise waste generation, while improving the efficiency of production processes. It will align with the Victorian Government's agenda for industry and SMEs that is articulated through *A more competitive manufacturing industry*.

The Victorian Government will promote resource productivity through targeted incentives that help make Victorian businesses more competitive at the national and global scale. This will be done through voluntary programs that are practical and can add value to a business' bottom line. Funding support will be targeted to where the greatest productivity gains can be achieved.

The Victorian Government will also support and encourage the waste industry and local government to maximise the opportunities for cost effective recycling collection services opportunities for SMEs.

While the *Environment and Resource Efficiency Program* (EREP) sunsets in 2014, the Government, in consultation with industry will review the lessons learnt from this program.

The Victorian Government will also seek to lead by example by minimising waste generation and maximising resource recovery in its own service delivery and operations.

#### 3.3.2 Proposed actions

- Work with businesses to identify waste minimisation opportunities across supply chains that can drive resource efficiency and financial savings.
- Support SMEs to minimise waste generation and increase resource recovery through a range of programs, including linking up businesses that may be able to exchange waste materials for reuse and mutual benefit.
- Work with industry and local government to develop cost effective recycling collection services for SMEs.
- Share what we have learnt from previous waste reduction and resource efficiency programs with all Victorian businesses.
- Investigate opportunities to reduce Victorian Government service delivery costs by maximising resource recovery and using resources more efficiently.

#### 3.3.3 Explaining our proposed policy and actions

Minimising the amount of waste generated can be a cost effective way of reducing environmental and public health risks. Resource productivity means making our resources work hard. This can also help boost overall economic productivity and competitiveness.

Some gains have been made. Within certain industry sectors and individual companies we are doing more with less, but the economy as a whole is becoming more waste intensive. The amount of waste that is being produced against Victoria's annual gross state product (GSP) has increased over the last 10 years. This means that while the economy is growing, waste production is growing at an even faster rate. This highlights the pressing need to do more to ensure that the waste minimisation activities that are occurring contribute to improved resource productivity and beneficial environmental outcomes (see figure 3).

Also, as the population continues to grow, so too will the amount of waste Victoria produces. Using waste generation trends over the past decade and current population projections, the next ten years could see an almost 45 per cent increase in waste generation (see figure 4).

This potential increase in waste generation would place enormous pressure on the waste management system, so it will be increasingly important to avoid generating waste in the first place.

Businesses need to understand how materials are used across the entire supply chain to identify where the biggest savings can be made. It is also important that SMEs, which may not have resources for in-house waste expertise, are supported so that they too can take advantage of waste minimisation opportunities.

Figure 3: Waste generation per capita and per \$million GSP

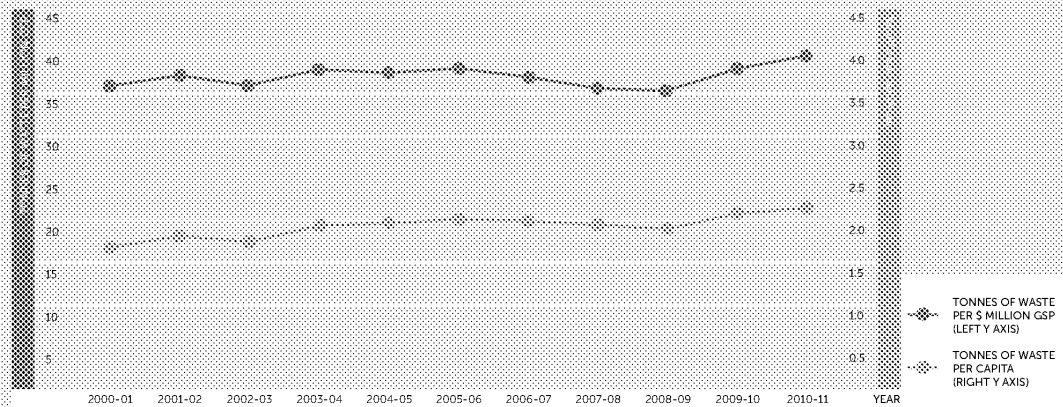
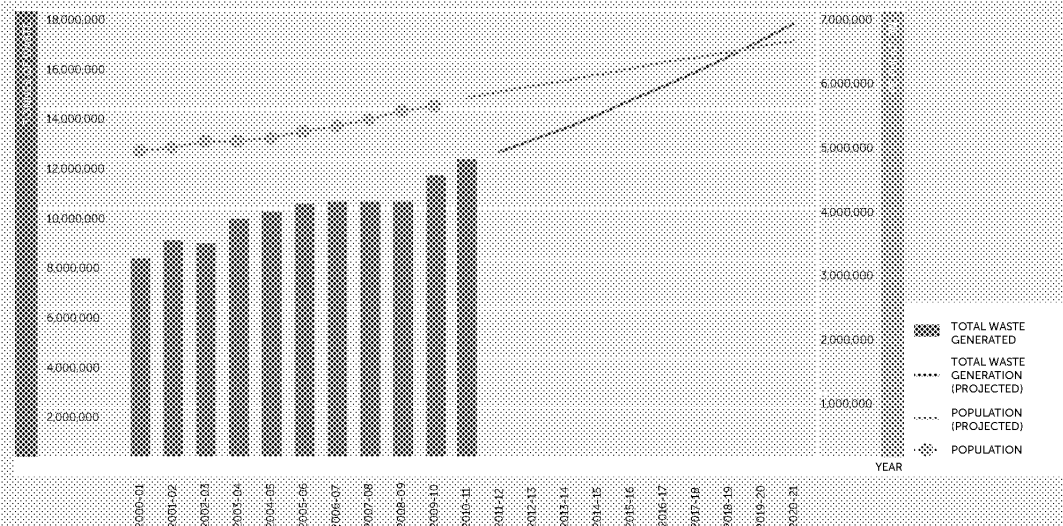


Figure 4: Projected waste generation



Transfer of by-products ('waste') from one business to another as feedstock can provide an effective way for businesses to reduce their waste and their costs. By-products may take the form of water, energy and solid waste. Direct by-product exchange between businesses helps increase productivity and reduces the amount of waste entering the formal waste management system.

Most SMEs have relatively small volumes of waste. They may not have the buying power or information needed to obtain the best price for the services they need. So they may struggle to gain access to recycling collection services. SMEs also often have limited time and capacity to assess options and make major changes to their processes and they may be missing out on opportunities for cost savings through more productive resource use.

All Victorian Government departments, EPA Victoria and Sustainability Victoria, have an environment management system or strategy that includes a commitment to reducing waste. By building on these commitments Government can lead by example, while making cost savings through efficient resource use.

Figure 5: Businesses have many opportunities for reducing and recycling waste



## 4 INFRASTRUCTURE AND PLANNING

### Goal: To facilitate a waste management and resource recovery system that maximises the productive value of waste

Victoria's waste and resource recovery infrastructure collects, processes, recovers and disposes over 12.1 million tonnes of solid waste each year. Most of the waste – about 70 per cent – is generated in metropolitan Melbourne.

Waste infrastructure includes bins, trucks, transfer stations, material recovery facilities, recycling facilities, landfills and other technologies that use waste as an input to generate a different product.

The waste management industry in Victoria is considerable: there are 82 licensed landfills, 271 resource recovery and waste transfer facilities, and 592 waste management businesses employing nearly 8,000 people.

The current approach to planning waste infrastructure is short-term, and regionally based. Organisational silos across government in the past have reduced our understanding of how all waste materials flow from generators to end products or landfills, and how these flows interact with infrastructure, transport, land use and national markets. This has made it hard for investors to secure both the land and waste materials needed to establish commercially viable recovery facilities. It has also hindered the collection, monitoring, movement and recovery of wastes across Victoria.

A holistic view of waste infrastructure and the system is needed so that Victoria can secure the right array of infrastructure for the future.



### Strategic directions

1. Develop a dedicated portfolio of infrastructure to support the state's production and recovery of waste materials.
2. Foster planning that promotes efficient material flows through a national and sub-national recovery infrastructure.
3. Attract planning and investment from private and public sources to meet the state's infrastructure needs for recovery and resource recovery, including the Victorian Energy Upgrade, Victorian Energy Upgrade and the Victorian Energy Upgrade.
4. Support industry investment in waste recovery infrastructure projects that deliver strong environmental, public health and economic outcomes for Victoria.

#### 4.1 Strategic direction

Develop a diversified portfolio of infrastructure to properly manage the projected mix and volumes of waste materials.

##### What you told us

- Municipal kerbside waste and recycling infrastructure and services are efficient, well run and convenient for households.
- There is currently inadequate infrastructure capacity for treating organic waste, and commercial and industrial waste.
- Waste infrastructure needs to be integrated and coordinated across all levels of government and industry.
- Infrastructure and services should be standardised and easy to use.
- Regional Victorians want reasonable access to waste management infrastructure, and this is a challenge because transport costs are high.
- Lack of access to safe disposal options for asbestos is a concern for both local government and the community.

##### 4.1.1 Proposed policy

The Victorian Government will adopt a holistic approach to planning infrastructure investment.

This will promote compatibility between materials, infrastructure, transport, land use planning and markets for recovered materials.

It will deliver improved value for industry and the community by targeting investment where the biggest environmental, public health and economic gains can be made.

Government will promote infrastructure investment that is driven by the commercial 'pull' from sustainable markets for recovered materials. This will promote the ongoing commercial viability of recovery facilities.

Government will work with local government and industry investors to plan for infrastructure and logistics as a connected 'hub and spoke' (distributed) network.

Major facilities that process (or hold) significant volumes of waste, or provide specialised processing capacity for target materials (such as asbestos), will be identified and planned as *hubs*.

The sequence of activities that move material from waste generators to hubs – for example collection, transport and sorting – will be described as 'spokes'.

To facilitate the efficient movement of waste across the hub and spoke network, waste flows will be managed as material types instead of by sectoral streams (municipal solid waste, commercial and industrial, and construction and demolition). This will optimise hub infrastructure across the network and allow the greater economies of scale needed for sustainable recovery infrastructure.

As well-located and connected hubs and spokes are essential to the efficient and effective operation of the Victorian waste management and resource recovery system, the Victorian Government will act to protect their long term viability. In particular, where suitable sites are likely to be limited, it will work with industry and local government to retain or secure strategic land for hubs, integrated with Victoria's freight and transport logistics corridors. (See Strategic direction 4.3 below)

The Victorian Government will promote maximum flexibility to allow the market to adapt spoke activities to address changing waste volumes, compositions and flows over time.

The Victorian Government will also work with local government to develop cost-effective approaches that will provide fair and equitable access to recovery systems and facilities.



#### 4.1.2 Proposed actions

- Promote government infrastructure decision making in line with the hub and spoke distributed network approach.
- Collect, analyse and make available the full range of information needed by the market to make investment decisions, such as origin of waste generation, material flows, infrastructure stock and transport routes.
- Develop waste and resource recovery cost benefit analysis guidelines to inform government decision making for infrastructure and investment.
- Further develop government procurement guidelines for waste management facilities to ensure appropriate liabilities and to manage commercial risks such as industry monopolies.

#### 4.1.3 Explaining our proposed policy and actions

Waste infrastructure needs to be planned as a system, so that return on investment can be maximised and costs to consumers are minimised.

A hub and spoke distributed network is the most economically feasible model, as it strategically locates facilities that scale up material collection, and can take advantage of existing freight transport corridors. Planning for:

- **Hubs** also allows Government to integrate major waste facilities into the strategic land use planning processes so that appropriate land can be secured and maintained over the life of the facility; and
- **Spokes** promotes the flexibility needed for the market to adapt collection, logistics and sorting activities to the needs of waste generators and receiving processors.

Managing waste flows as material types will help increase recovery opportunities by improving economies of scale. The reliable and consistent stream of waste generated by households can underpin the viability of recovery infrastructure. This is important because waste generated by businesses and industry is variable and fragmented, which has in the past prevented reliable access to the significant volumes of waste and recyclables needed to make recovery of commercial and industrial waste viable. Infrastructure duplication will also be minimised.

In ideal market conditions investors would have access to all the system information and resources needed to plan, establish and operate infrastructure. Potential investors do not currently have adequate access to information about the waste system (including transport and land use considerations). Lack of information is a barrier to developing innovative and commercial recovery proposals, securing necessary feedstock, and identifying and securing appropriate land. It is appropriate for Government to address this market failure.

Rigorous economic assessment of government investments in and procurement of infrastructure projects is essential, although at times has been limited by lack of information about the full range of environmental and public health costs and benefits. Developing cost benefit guidelines, consistent with Department of Treasury and Finance requirements, will strengthen government's assessment of investment proposals.

Over the past ten years we have also seen increasing consolidation of industry and infrastructure, which is allowing competitive economies of scale to be realised. In 2012, the top four Australian firms accounted for an estimated 31.6 per cent of total industry revenue, while the eight largest firms are estimated to account for 40 per cent of industry revenue (IBISWorld 2012, Industry report Q9634). This trend is likely to continue. Consolidation opens up opportunities for substantial, long-term investment in recovery infrastructure that can process the quantities of waste that in the past had to be sent to landfill.

Consolidation also poses risks that may need to be managed by Government. This includes the risk of monopolies, and a lack of processing capacity in the event of a large facility closing due to commercial reasons or an emergency.

### WHAT IS RESOURCE RECOVERY INFRASTRUCTURE?

Resource recovery infrastructure is any facility that turns waste into a useful end product, and meets the following criteria:

- > the product is of a high quality and consistently meet the needs and expectations of the end user;
- > the volume of waste going to landfill and / or stockpiles of processed waste is reduced, in net terms across the relevant waste supply chain; and
- > compared to existing and old technologies used in Victoria, the processing minimises harm to the environment and better protects public health and well-being.

End products may be solid materials (for example, compost or soil conditioner), liquids or gases (for example, fuel) or energy (for example, heat or electricity), or combinations of these.

Resource recovery can involve large scale facilities that process the volumes of waste traditionally sent to landfill. Alternatively, it can involve small-scale facilities that process industrial waste on-site or municipal solid waste locally.

While advanced resource recovery technologies have been successfully used widely in Europe and the USA, there has been limited uptake in Victoria.

#### 4.2 Strategic direction

Foster planning that promotes efficient material flows through a cost-effective statewide network of infrastructure.

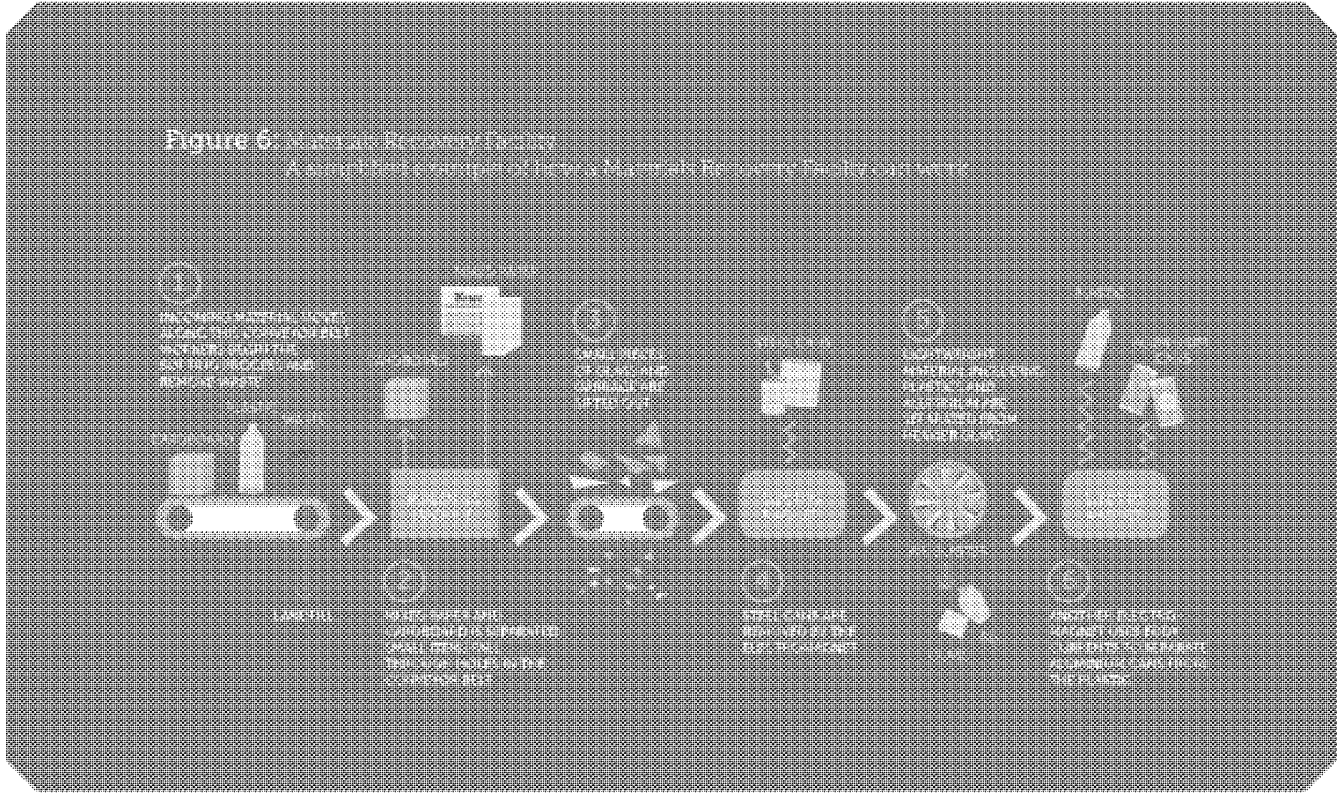
##### What you told us

- > Current statutory requirements for infrastructure planning are too short term (5 to 10 years) and they are limited by being regionally based.
- > Defining waste streams as construction and demolition, commercial and industrial and municipal solid waste does not reflect what occurs in regional areas, as these waste streams all end up at the same regional landfills.
- > Infrastructure planning should consider resource recovery infrastructure in conjunction with disposal infrastructure.

- > Infrastructure planning should be robust to ensure technology "winners" are not picked without full consideration of the costs and benefits.
- > Planning should consider how legacy issues of past and current infrastructure could be addressed.
- > Securing land in the right location is difficult, and this can be a barrier to investment in new recovery infrastructure.

##### 4.2.1 Proposed policy

The Victorian Government will develop an integrated system of waste infrastructure to cater for the range and variety of waste materials generated across the state, from both households and businesses. This will involve waste facilities, such as large transfer stations, landfills and materials recovery facilities, as *hubs* connected by transport and collection routes (*spokes*).



A statewide infrastructure plan will be developed and periodically reviewed to provide strategic, long-term direction to the market. The plan will be shaped by the holistic approach to infrastructure set out in Strategic Direction 4.1 – *Develop a diversified portfolio of infrastructure to properly manage the projected mix and volumes of waste materials.*

The plan is likely to include:

- > A comprehensive audit of existing infrastructure across the state, including current and future capacity, and current environmental performance.
- > Analysis of current and projected future waste generation across the state, including material types and volumes.
- > Location of land use areas identified for residential and industrial growth.
- > Transport considerations, such as strategic freight corridors and logistics hubs.
- > Identification and assessment of possible new sites for waste facilities.

- > Broad strategic priorities for waste, such as diverting organics towards recovery, and tackling problem materials such as asbestos.
- > Contingency planning in the event of an emergency.

Infrastructure schedules will be incorporated in the relevant levels of the statutory land-use planning system and, where possible, include the identification of suitable parcels of land for waste facilities. The identification of any parcel of land within an infrastructure schedule will be subject to an assessment of its capacity to meet environmental regulatory requirements. This assessment will be reviewed by EPA Victoria.

The main purpose of infrastructure schedules will be to identify and secure long-term land provisions for waste infrastructure, helping to overcome the market difficulties in not being able to secure land. Government will support investors securing land parcels, subject to environmental conditions being met over the full life of a facility.

#### 4.2.2 Proposed actions

- Prepare and periodically review a statewide infrastructure plan that includes metropolitan and regional infrastructure schedules.
- Establish an appropriate statutory underpinning for the statewide plan to ensure it can be implemented, focusing on linking the infrastructure schedules directly into the statutory land-use and transport planning systems.

#### 4.2.3 Explaining our proposed policy and actions

The current planning system has resulted in:

- A lack of long term, strategic state-wide planning for infrastructure.
- Waste infrastructure planning not aligning with land use planning directions or timelines.
- Uncertainty for both industry and local government, and serious problems for many local residents.

While Government expects that the market for recycled products will progressively drive infrastructure, Government needs to ensure that the conditions for this to occur are right, and that plans are in place to ensure medium to long term infrastructure capacity to handle the mix and volumes of waste.

A rigorous long-term infrastructure needs analysis will provide the basis for a whole-of-state plan. Schedules will outline the waste and resource recovery infrastructure that will be needed in each region and at what times.

Emergency events, such as floods and fires can diminish the capacity of the waste management system either through the need to rapidly process a 'spike' of waste arising from an event or from damage to waste infrastructure. Regional areas that have limited infrastructure capacity are most at risk and being well connected into a broader waste system can give them the ability to adjust and absorb, making them more resilient where there are disruptions. The statewide infrastructure plan will also plan for these risks.

#### 4.3 Strategic direction

Align planning and project delivery requirements for waste management and resource recovery infrastructure with land-use and transport planning under the *Planning and Environment Act 1989* and the *Transport Integration Act 2010*.

#### What you told us

- Strategic planning for waste management and resource recovery infrastructure needs to be integrated into urban growth planning.
- Existing waste infrastructure needs to be protected and land for future waste management infrastructure needs to be put aside and protected.
- Planning needs to consider both local and state-wide needs and be of a long term nature.
- There is a gap in the link between planning legislation and environment protection legislation.
- Inadequate separation distances for waste facilities are a concern, with many stating that conflicts between waste facilities and other uses cannot really be solved; they need to be prevented through land use planning.

#### 4.3.1 Proposed policy

The Victorian Government recognises that long term strategic planning for waste infrastructure is essential to maintaining the workability and liveability of our neighbourhoods. This is the best way of avoiding conflicting land uses, and requires direct links between long term waste management planning and statutory land-use planning at every level.



We propose that land within the waste management system will be viewed and managed as a *waste estate*, to allow for the waste management needs of each city and region, and for the state as a whole. As populations grow and cities expand, the uses of the sites in this estate may shift, but the separation distance and transport links around sites will mean that they can continue to be used for waste and resource recovery management.

The development of the estate would be informed by the statewide infrastructure plan and schedules. Reasonable provision will be made now for the future land and infrastructure needs we can anticipate, as both business and the community require a level of certainty to build and invest. Depending on land ownership and tenure, this may involve public acquisition overlays, reservation or long-term leases.

Land will only be removed from the estate if there is clear evidence that it is inappropriate for ongoing infrastructure needs – the review of waste infrastructure plans and schedules will determine this.

Advances in technology and management of waste infrastructure may allow for smaller separation distances for waste and resource recovery sites in the future.

Five-yearly review and updating of the infrastructure plan will take account of changing patterns of population, technology and waste generation; establishing future land requirements.

#### 4.3.2 Proposed actions

- > The environment portfolio will work with relevant departments to better align land use planning with waste infrastructure planning.
- > Streamline the approvals processes under the *Environment Protection Act 1970* and *Planning and Environment Act 1987* through better coordination between the approving agencies.
- > Ensure precinct plans developed by responsible authorities, including the Growth Area Authority and local government, provide for waste and resource recovery infrastructure.
- > Work to secure suitable sites and adequate buffers for future waste and resource recovery infrastructure needs through reservation, planning overlay or purchase.
- > Retain land that is currently part of the waste management estate for ongoing use within the waste and resource recovery management system.
- > Protect the separation distances of sites currently within the waste and resource recovery system from the encroachment of unsuitable uses, such as residential development.

#### 4.3.3 Explaining our proposed policy and actions

Strategic urban land-use planning typically occurs over long time frames. Victoria is currently going through a process of development planning for each region for the next 15 to 30 years. On-ground changes typically take place over 20 to 30 year periods.

In the past, as cities have expanded and population has grown, typically landfills have been progressively filled, closed and given over to other uses, while new landfills have been built at the urban edges, where land is cheapest and most easily obtained. City-fringe landfill development has often relied on relatively short term planning and opportunistic use of ex-quarries. This has not matched the time-frames of urban land-use planning and, as a consequence, conflicts between landfills and incompatible neighbouring land use, such as residential communities, are common.

Our development of other waste infrastructure such as transfer stations, materials recovery facilities and composting facilities has relied on similarly short-term planning resulting in similar impacts on nearby communities.

Landfills accepting organic wastes require large separation distances to reduce their neighbours' exposure to odour. Other waste and resource recovery facilities have similar problems. There have been notable examples of open windrow composting operations that have caused considerable local problems. Waste facilities handling only inert materials produce noise and dust that may also make them undesirable as neighbours.

As a city gets larger, transfer stations become necessary to aggregate wastes into larger vehicles to more efficiently transport them to landfills on the city fringe. Transfer stations can also have significant off-site effects. The increased distances waste is transported means that more vehicles are needed, there is greater congestion on the roads and the costs of waste management increase.



To maintain the ability of the waste and resource recovery system to cater for changing needs as cities continue to grow, we need to retain land that is part of the waste management system within a waste management estate, unless clearly inappropriate or not needed. These sites have valuable transport links and adequate separation distances, which give them ongoing value as sites for waste management infrastructure and, where suitable sites are scarce, this is a higher value to the community than the land would have for other uses. So in future, when for example a landfill closes, the land it occupies could be used for another waste management facility, such as a transfer station or a materials recovery facility.

Unless we improve the planning for and management of land within the waste management system and link future needs for waste infrastructure firmly into the larger land-use planning system, as Victoria's cities continue to grow, these problems for communities and pressures on infrastructure will continue to intensify. Coordinated planning for waste infrastructure is the best way to harmonise industrial and urban needs.

#### 4.4 Strategic direction

Support industry investment in waste to energy infrastructure proposals that deliver strong environmental, public health and economic outcomes for Victoria.

##### What you told us

- > More could be done to encourage investment in advanced technology.
- > More should be done to remove organics from landfill as this will extend the life of existing landfills, improve amenity for residents and improve the environment.
- > A lack of policy certainty has limited the uptake of major recovery facilities and new technology in Victoria.
- > Small scale energy recovery processes also have potential to achieve good environmental and economic benefits.

#### 4.4.1 Proposed policy

The Victorian Government will encourage and support industry investment in advanced technology that can convert waste into energy or fuel products. This support is contingent on proponents demonstrating that investment will deliver strong environmental, public health and economic outcomes for Victoria.

The Victorian Government will require proponents to submit a robust, evidence based application/s that:

- > Includes a comprehensive technical and economic assessment of the full range of environmental, public health and economic benefits, costs and risks.
- > Defines what energy or fuel product will be produced.
- > Demonstrates how the proposal will impact on the Victorian waste management system, with particular emphasis on how the proposal will fit within the 'hub and spoke' distributed network.
- > Demonstrates how the proposal integrates, or complements the Statewide Infrastructure Plan.
- > Demonstrates how the proposal aligns with strategic land use plans, adjacent land use and how the proposal impacts on the transport system.

The Environment Protection Authority (EPA) will assess proposals through the works approvals and licensing process set out in the *Environment Protection Act 1970*. State and local government will at the same time assess the location and land-use planning aspects of proposals under relevant planning provisions of the *Planning and Environment Act 1989*.

The Victorian Government will not support any type of waste to energy facility (e.g. incineration), that does not produce a useful end product, such as an energy or fuel product. This excludes the incineration of materials where it is required by law or recommended as the safest means for their disposal (e.g. clinical wastes).

#### 4.4.2 Proposed actions

- Prepare and publish regular reports on national and international trends in the development of recovery technology, growth in markets for end products, and the potential for uptake in Victoria. This may also include research and development.
- Provide guidance on how the environment protection principles under the *Environment Protection Act 1970* are applied to the assessment of approvals applications, such as waste to energy proposals, through EPA Victoria's review of approvals systems.
- Provide clear assessment requirements for waste to energy proposals.
- Update Clause 19 (Infrastructure) of the *State Planning Policy Framework* to ensure the Government's policy on waste to energy is embedded in the planning scheme.

#### 4.4.3 Explaining our proposed policy and actions

Clear policy direction from the Victorian Government will promote investor confidence. Both local government and industry strongly agree that a lack of clear policy direction regarding advanced recovery infrastructure has been a barrier to investment. This is particularly the case for technologies that can produce energy and fuels.

The environment protection principles of the *Environment Protection Act 1970* provide guidance for all regulatory activities, including works approvals. Of these, 'Principle of wastes hierarchy' makes explicit mention of energy recovery from waste, identifying that it is a less preferable option than recycling or reuse, but preferable to disposal. Other principles, particularly the 'Principle of integration of economic, social and environmental considerations' do guide broader decision making, but in conjunction with the wastes hierarchy, creates uncertainty as to whether energy production takes preference over recycling.

While the waste hierarchy has been successful as a guide to determine the most beneficial use of materials, it has limitations. This is particularly so for waste to energy, where it is overly simplistic to say that recycling green waste or organics into compost is always more desirable than energy recovery. A full economic assessment is needed to test any proposal's potential to deliver net environmental and economic benefits to the state.

Government's proposed approach supports energy recovery from waste, provided that proponents can demonstrate that environmental, public health and economic outcomes will be achieved. In stating this, Government acknowledges that the overall waste and resource recovery system is likely to include an array of recovery infrastructure that manufactures a range of products – the ultimate mix will be shaped by the market.

In this context it is clear that any incineration of waste, which does not provide a useful end product, would not be supported as resource recovery. This does not preclude the incineration of materials where this is required by law or recommended as the safest means for their disposal (e.g. clinical wastes), as these are not resource recovery operations.

EPA Victoria's *5 Year Plan 2011 – 16* includes a comprehensive review of approvals systems. This review process will make clear the Government's requirements for proponents putting forward waste to energy proposals.

Waste to energy infrastructure – particularly large plants – have the potential to impact on surrounding land use and transport. Equally, the viability of long-term infrastructure investment is underpinned by land security (including separation distances) and access to strategic transport corridors. Aligning the Government's policy intent with the State Planning Policy Framework will complement the land use planning processes.

Providing regulatory certainty for potential investors is also critical, and the Government's proposed approach in this area is outlined in Chapter 5.



## 5 PROTECTING OUR ENVIRONMENT AND PUBLIC HEALTH

### Goal: To reduce the environmental and public health risks of waste

Poorly performing waste management and resource recovery facilities<sup>3</sup> can cause significant and unacceptable impacts on the environment and communities. Risks to the environment include contamination of land, ground and surface water and gas emissions, including greenhouse gases. Nearby communities are often affected by odour, noise, dust, litter and vermin.

The Victorian Government is committed to minimising these impacts so that our environment and communities are protected, while maximising the productive value of resources.

#### Strategic directions

1. Minimise the environmental and public health impacts of landfill and residual waste, while facilitating their long-term purpose of receiving treated residual waste.
2. Minimise the environmental and public health impacts of the transfer and treatment of residual waste.
3. Support compliance obligations of regulated waste and transfer facilities to ensure the safe and effective management of waste.
4. Encourage the inclusion of by-products in environmental projects.

### 5.1 Strategic direction

Minimise the environmental and public health impacts of landfills and facilitate their long-term purpose of receiving treated, residual waste.

#### What you told us

- > Removing organic material from landfills will reduce environmental impacts such as methane emissions, and will improve amenity for residents due to reduced odour.
- > There are ageing landfills that do not meet current requirements of best practice environmental management.
- > We need to consider how legacy issues of past and current landfills will be addressed.
- > Some are concerned that more stringent regulatory requirements have not given the operators enough time to adjust to increased costs, particularly in rural and regional areas.

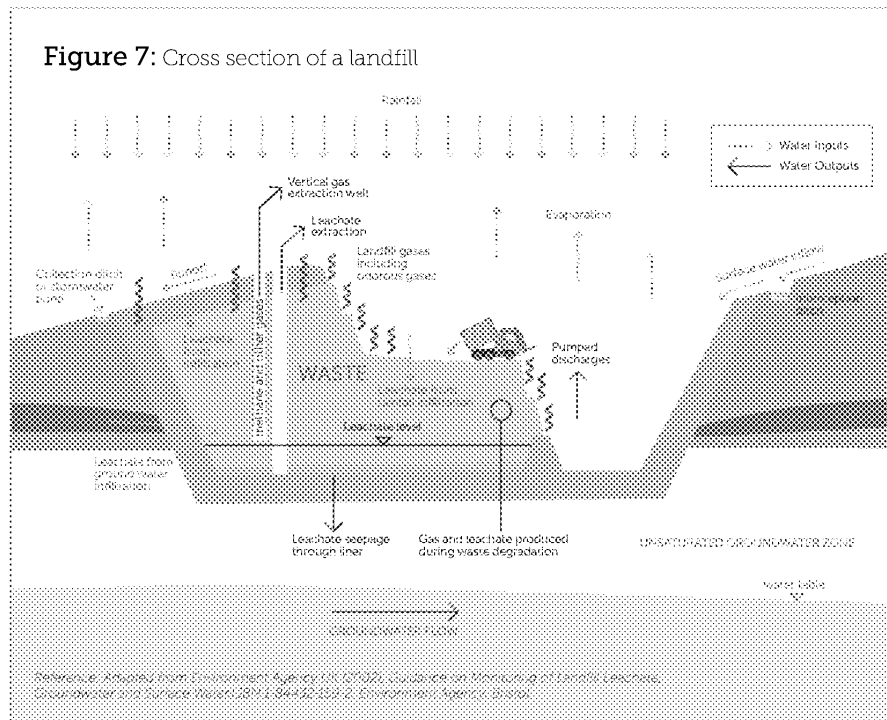
#### 5.1.1 Proposed policy

The Victorian Government recognises that appropriately sited, designed and well managed landfills play a critical role in protecting public health and the environment.

Landfills can be a risk to the environment and public health because they contain a diverse mix of materials in large volumes. These can continue to react and create harmful chemicals under the ground for many generations. As our knowledge and understanding increases and consequent management practices improve over time, the need to respond becomes increasingly clear.

The Victorian Government is committed to best practice landfill management and will act to ensure landfills are safe, strategically sited, and pose the least possible harm to current and future generations.

<sup>3</sup> Facilities include landfills, transfer stations, material recovery and recycling facilities, and other technologies that use waste as an input to generate a different product.



The Victorian Government will minimise the long-term effects of closed landfills on the environment and surrounding communities, by requiring landfill owners to incorporate the cost of post-closure management into the operational phase of the landfill, and will also require owners to pay for any post-closure impacts.

EPA Victoria, as Victoria’s independent environmental regulator, is responsible for working with landfill owners to help them understand and comply with their post-closure management requirements. There are situations where landfill owners, in many cases small rural councils, have insufficient knowledge and resources to adequately manage their closed landfills. In these circumstances, EPA Victoria is working with the operators to ensure the closed landfills are managed to the highest possible standard. EPA Victoria is also working with current landfill operators to ensure they are planning appropriately to manage their sites beyond their operational lives.

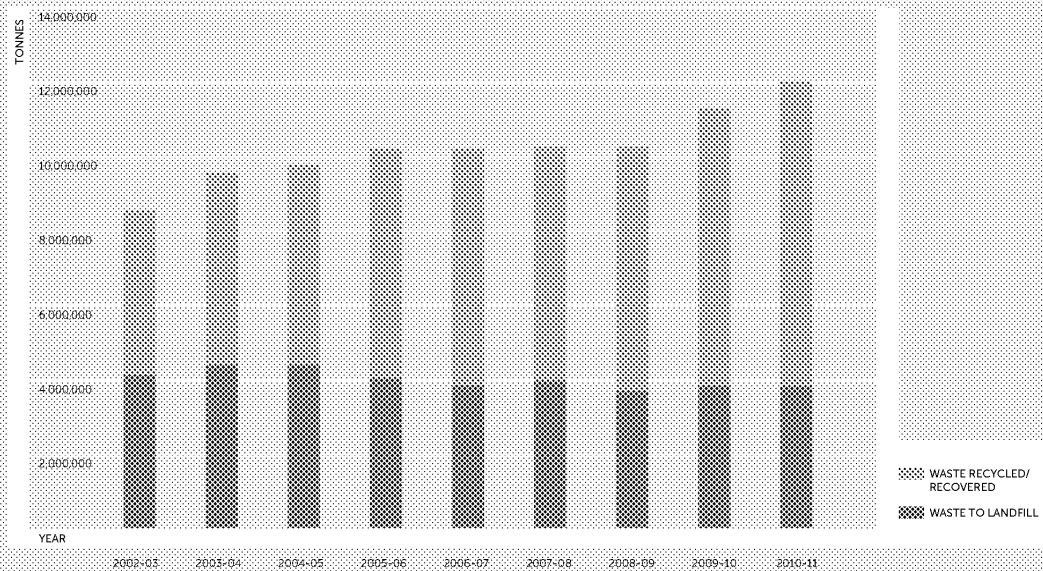
Untreated material that generates a range of environmental and public health issues is a significant long-term liability that is both complex and expensive to manage over the life of a landfill. As awareness of this risk and its costs increases, the Victorian Government anticipates that only treated, residual waste will be landfilled. While this is a long-term proposition, prudent risk management requires the Victorian Government work towards this objective. The strength of the pull of the market needs to be given adequate time to work.

5.1.2 Proposed actions

- Continue to require all new and existing landfills to be managed in accordance with EPA guidelines for *Best Practice Environmental Management: Siting, Design, Operation and Rehabilitation of Landfills*.
- Develop a consistent and simple way to apply financial assurances<sup>4</sup> to maintain appropriate environmental accountability for landfills.

4 A financial assurance ensures that money is available for clean-up at licensed premises in the event of insolvency or insufficient resources. See [www.epa.vic.gov.au](http://www.epa.vic.gov.au) for further detail.

Figure 8: Quantities of waste recovered/recycled versus to landfill



- ▷ Ensure a full range of support mechanisms for closed landfills, specifically:
  - monitoring closed landfills to assess management practices and allow post-closure management requirements to be updated, if necessary to protect the environment and human health.
  - providing technical advice and assistance to landfill operators to help them plan for, and comply with, post-closure management requirements.
  - in consultation with industry and local government, explore the financial impacts of managing closed landfills.

### 5.1.3 Explaining our proposed policy and actions

As long as landfills remain part of Victoria's waste management system, they must be managed to the highest possible standards to ensure environmental and public health risks are minimised. Adopting best practice ensures we are applying the best available knowledge to siting, design and operation landfills.

The condition of Victoria's 82 closed landfills varies, ranging from effective post-closure management, to poor management that breaches regulatory requirements. How well the environment is protected from a closed landfill is based on many different factors, including where the landfill is located, infrastructure design and management standards.

Old landfill licences were based on old standards. Old regulatory approaches are not enough to satisfy the leachate and gas control standards we expect and need today. A closed landfill will be subjected to many drought and flood cycles, which can change the impact the landfill has on the surrounding community. Recent weather conditions have been wetter than the previous ten years, and because of this we have started to see more gas and groundwater contamination problems.

EPA Victoria is now working with the owners of a number of closed landfills to ensure that there is appropriate landfill post-closure care and management. Requirements will be formalised in post-closure pollution abatement notices. This will help operators understand their obligations. It will also give communities certainty that they won't be suffering negative impacts into the future.

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DRAFT VICTORIAN WASTE AND  
RESOURCE RECOVERY POLICY



In recognition of the long-term impacts of landfill, the Victorian Government is signalling its intent that ultimately the purpose of landfills will be to contain treated, residual waste. 'Treated, residual' wastes are materials that have been through a process to extract all materials with economic value.

## 5.2 Strategic direction

Minimise the environmental and public health impacts of the broader waste management system.

### What you told us

- Poor performance of waste management facilities can cause significant environmental impacts and problems for nearby residents.
- Regulation and enforcement play an important role in ensuring facilities perform well.
- Industry and local government need clear separation distance requirements to make good siting decisions.

- Regulatory requirements for advanced resource recovery technologies and composting facilities are not clear, which can result in lengthy decision making and be a barrier to private investment.

### 5.2.1 Proposed policy

The Victorian Government recognises that poor performance of the waste management system can cause significant environmental impacts to Victoria's waterways, air, and land, and reduce the liveability of communities. Impacts can occur across all parts of the system – from waste generation, transport, services, facilities, through to end products made from waste materials.

The viability of Victoria's waste industry is closely linked with community confidence. Poor performance of the waste management system jeopardises this confidence, and increases pressure on facilities to modify their practices, or close.

The Victorian Government will ensure there are clear performance standards for waste management and resource recovery facilities. For technologies new to Victoria, this will include clear guidance on the standards expected and how compliance with them will be assessed.

The Victorian Government will also promote safe and healthy work places for people working in the Victorian waste industry by ensuring consistency between waste policy and requirements under the *Occupational Health and Safety Act 2004*.

The Victorian Government will continue to work with the community and industry to monitor and address impacts of the waste management system.

#### 5.2.2 Proposed actions

- > Explore ways to enshrine separation distances in planning decisions.
- > Monitor technology trends, and actively plan and prepare for regulating technologies that are new to Victoria in consultation with local government and industry.
- > Investigate options, including industry partnerships, co-regulation and regulation to prevent and remove stockpiles of waste that pose a significant risk to environment and public health.

#### 5.2.3 Explaining our proposed policy and actions

Many waste management decisions can create environmental and public health risks (See Chapter 4, Infrastructure and Planning). Decisions include choices about where a facility is located, the separation distances needed to put a safe distance between facilities and residents, engineering design, day-to-day operations and end of life rehabilitation.

Adopting the best management practices of the day reduces the likelihood that current and future generations will be left with a legacy of environmental harm.

The changing industry mix of waste processing has seen an increase in composting facilities, waste transfer stations and alternative technologies. This can create regulatory challenges for government and investors alike because the full range of environmental risks may not fully understood.

Actively planning for new technologies in Victoria will provide greater certainty for industry about what they will need to comply with and how, and give the community confidence that these facilities will not affect environmental and public health.

There is some evidence of waste stockpiling (in particular construction and demolition waste) occurring. Stockpiling can occur as part of a legitimate resource recovery process, usually because at a given time there is an oversupply of a particular material in the market. However, stockpiling may also be a means by which rogue operators work to avoid the costs of legitimately disposing of wastes that they have been paid to handle.

Where stockpiles pose a danger to human health or the environment, or they are simply a means of avoiding the cost of proper waste disposal, regulatory intervention to protect the environment may be needed. Consequently, EPA Victoria will consider the best means of managing the risks of stockpiling. (Stockpiling can be linked to illegal dumping, which is discussed in Chapter 6.)

### 5.3 Strategic direction

Support community aspirations to minimise waste and increase the transparency of the price of waste management.

#### What you told us

- > There is a desire for more action to reduce the amount of waste being produced in the first place.
- > Recycling and recovery of resources are crucial.
- > Government can play a role to better educate residents about what can and cannot be recycled.

#### 5.3.1 Proposed policy

The Victorian Government recognises the community's desire to move away from landfills, to protect our environment and to get the maximum value from resources. Residents can make an important contribution to protecting the environment from waste by minimising the amount of waste they produce, reusing as much material as possible and understanding what can be recycled.

### THE WYNDHAM BUFFER STUDY

Wyndham City Council did a study to help it protect the Wyndham Refuse Disposal Facility, and potential future waste management sites, from encroachment by sensitive land uses.

Council engaged an independent environmental auditor to do an audit under the Environment Protection Act 1970 that included air dispersion modelling, to determine appropriate separation distances around existing and proposed future waste management sites in Wyndham Vale.

The findings of this buffer study were used by the Council to provide input to the Melbourne West Growth Corridor Plan. This included the need to expand separation distances around existing and proposed waste management sites, and proposed a cascading organisation of heavier industries through to lighter industries between the waste management sites and future residential areas.

The buffer study continue to be used by Wyndham City Council to inform detailed precinct structure plans and master plans around the existing West's Road Wyndham Refuse Disposal Facility.

EPA Victoria is reviewing its guidance on separation distances and pursuing reform of the planning scheme to better protect industry – including waste management facilities – from encroachment by residential areas. This follows from the Ombudsman's investigation into the Cranbourne landfill, which recommended that EPA become a statutory referral authority in relation to planning permit applications relating to land within 300 metres the boundary of a landfill.

Any action to maximise the productive value of resources needs to make financial sense, and be a practical activity that can fit into the day-to-day running of households. The Victorian Government will work with local government to ensure Victorians have the information and support they need to make environmentally good practical and informed choices.

#### 5.3.2 Proposed actions

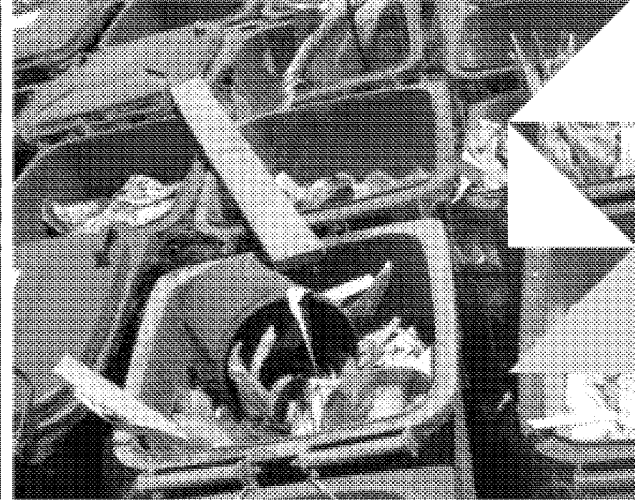
- ▷ Partner with local government to develop and deliver residential education campaigns that leverage on the success of *Get It Right On Bin Night*.
- ▷ Ensure communities have the information they need to make informed decisions that will help them save money by using household consumables more efficiently.

#### 5.3.3 Explaining our proposed policy and actions

While Victorians have made great progress in recycling and recovering waste, the total amount of waste generated has continued to increase. Over the past ten years, we have generated more waste per person than ever before.

The Victorian Government wants to break this trend.

Understanding the link between the household budget and the efficient use of household consumables is an opportunity to reduce waste and the cost of living. Government assistance in this area will support people to save what was previously 'wasted' money.



#### 5.4 Strategic direction

Promote product stewardship to minimise environmental impacts.

##### What you told us

- > The Victorian Waste Policy should be consistent with the National Waste Policy, particularly on packaging and product stewardship schemes.
- > The Victorian Government should continue working with the Australian Government to support waste avoidance activities.

##### 5.4.1 Proposed policy

The Victorian Government recognises that product stewardship can be an effective and efficient way of correcting market failure, as it requires those who benefit from production and consumption to bear the external costs of environmental management.

The Victorian Government will continue to partner with local government and industry to support national product stewardship programs that are introduced under the Commonwealth *Product Stewardship Act 2011*.

In addition, the Victorian Government will consider the need for further product stewardship arrangements and may pilot initiatives in partnership with industry bodies.

##### 5.4.2 Proposed actions

- > Participate in national product stewardship strategies to facilitate the uptake of product stewardship schemes, including supporting local government to transition to national schemes.
- > Contribute to the design and implementation of national product stewardship schemes to ensure they will be suitable and effective in Victoria.
- > Consider developing trial product stewardship programs to help inform the development of new national schemes.

##### 5.4.5 Explaining our proposed policy and actions

The Australian Government introduced the *Product Stewardship Act 2011* as part of its commitment under the National Waste Policy. The legislation provides the framework to manage national product stewardship schemes for products identified as national priorities.

Product stewardship is an approach where producers take responsibility, either voluntarily or by regulation, for the environmental impacts of their products. Product stewardship programs involve manufacturers, brand owners, retailers, consumers and governments, and can focus on one or more points in a product's life.

The impact and reach of product stewardship schemes is greatest when implemented nationally, as most companies sell products nationally. Australia has a number of active product stewardship schemes, both regulatory and voluntary, to manage wastes such as televisions and computers, packaging, oil and chemicals.

## THE NATIONAL WASTE POLICY

The National Waste Policy establishes Australia's waste management and resource recovery for the period to 2020 across six key directions:

1. Taking responsibility: shared responsibility for reducing the environmental, health and safety footprint of products and materials across the manufacture-supply-consumption chain and at end-of-life.
2. Improving the market: efficient and effective Australian markets operate for waste and recovered resources with local technology and innovation being sought after internationally.
3. Pursuing sustainability: less waste and improved use of waste to achieve broader environmental, social and economic benefits.
4. Reducing hazard and risk: reduction of potentially hazardous content of wastes with consistent, safe and accountable waste recovery, handling and disposal.
5. Tailoring solutions: increased capacity in regional, remote and Indigenous communities to manage waste and recover and re-use resources.
6. Providing the evidence: access by decision makers to meaningful, accurate and current national waste and resource recovery data and information to measure progress, educate and inform the behaviour and the choices of the community.

From the six key directions, 16 priority strategies have been developed for a national or coordinated approach, including product stewardship framework legislation and better packaging management.

The Victorian Environment Minister is a member of the Council of Australian Governments (COAG) Standing Council on Environment and Water (SCEW). A key focus of SCEW is the implementation of the National Waste Policy. In 2011, the Council reinforced its commitment to addressing community concerns about packaging waste and litter. By working to increase coordination between state and Commonwealth policies, improvements can be made to streamline legislation and, where practical, to avoid issues caused by conflicting interstate standards.

Further details on the National Waste Policy including the priority strategies can be located on the Standing Council on Environment and Water website: [www.scew.gov.au](http://www.scew.gov.au)



## 6 REDUCING ILLEGAL DUMPING AND LITTERING

### Goal: To reduce illegal dumping and littering

Most Victorians do not litter and Victoria's littering behaviour continues to improve. However some people continue to litter and illegally dump wastes.

### Strategic directions

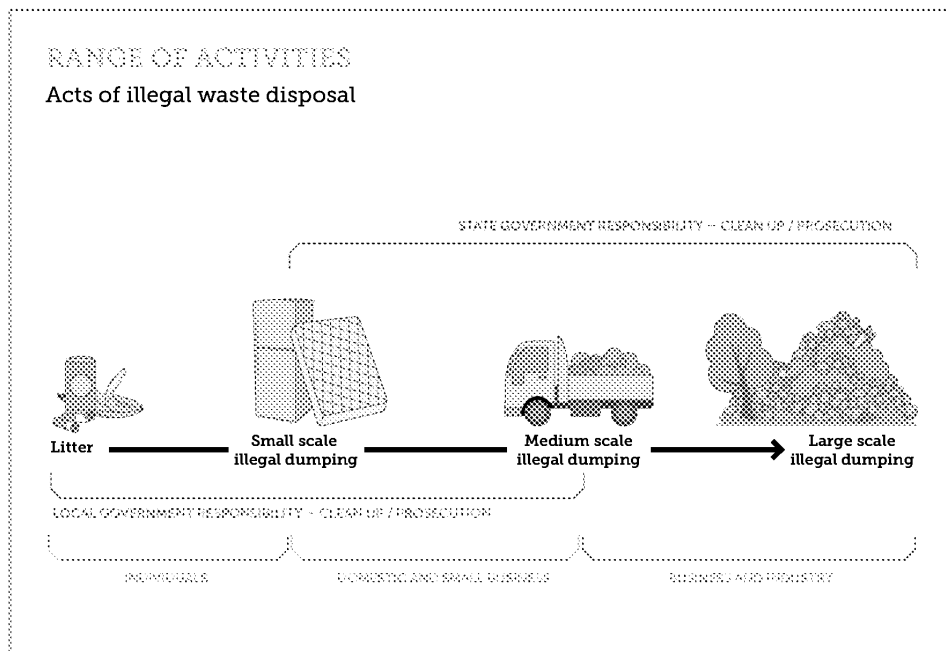
1. Stop illegal dumping to protect environmental and human health
2. Reduce litter to provide safer communities and the environment

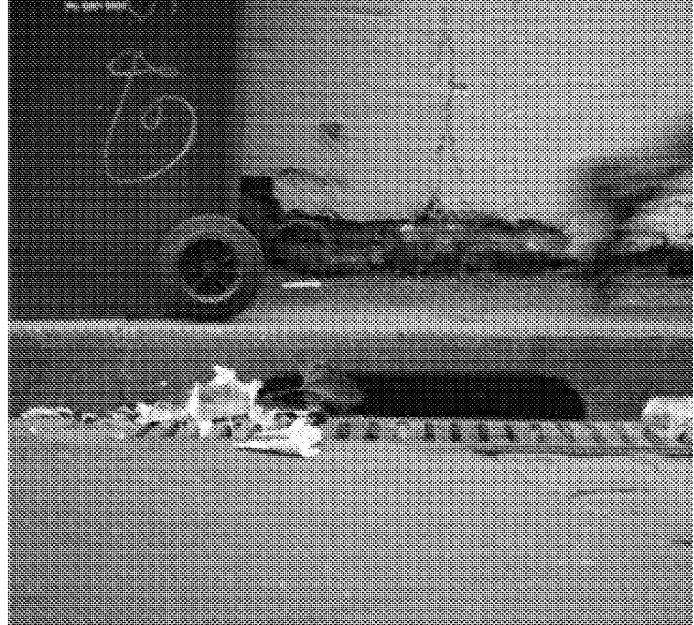
The reasons for littering behaviour vary – for individuals it may be that they cannot find appropriate ways of disposing of the waste of their activities, while others are simply thoughtless in their behaviour. Illegal dumping is generally due to entities seeking economic advantage.

The people who litter and illegally dump differ. Litterers tend to be individuals, while individuals or households and small businesses are commonly responsible for smaller scale illegal rubbish dumping. Large industrial scale illegal dumping is generally done by businesses or corporations.

Illegal dumping and littering are on a spectrum of illegal waste disposal, which is illustrated in Figure 9.

Figure 9: The litter and illegal dumping activities





Illegal dumping is a premeditated act, with nearly 39,000 cases of illegal dumping across Victoria each year, with clean up costing each local government on average \$100,000.

Littering on the other hand usually involves individuals inappropriately disposing of smaller items, from cigarette butts, to packaging, to food waste. The reasons people litter are largely infrastructure or behaviour related. For instance, if no bin or ashtray is available, or simply through laziness. Providing adequate infrastructure and education is essential if littering is to be prevented.

There are a number of Victorian Government departments and agencies involved in the fight against illegal dumping and litter, and it is critical that roles and responsibilities are clearly defined.

### 6.1 Strategic direction

Curb illegal dumping to protect environmental and human health.

#### What you told us

- > Illegal dumping is a persistent and growing problem across the state.
- > There is concern for human health when hazardous waste, such as asbestos, is dumped.
- > Increases in the landfill levy are implicated as one cause of illegal dumping. As such, the removal of landfill levies, for priority materials such as asbestos, could encourage safe disposal.
- > Education of industry, businesses and communities of the environmental and health risks of illegal dumping were suggested as a means to curb these behaviours.
- > Local government will need more resources if it is to increase enforcement and educate more widely.

### 6.1.1 Proposed policy

The Victorian Government recognises that in some locations illegal dumping is a persistent and growing problem. In order to reduce this activity, we need to better understand its causes. By working closely with local government, industry and the community, the quality and quantity of data on illegal dumping can be strengthened. This will enable the Victorian Government to develop the most appropriate responses to this problem.

We know that increasing the likelihood of being caught deters potential dumpers. Therefore, increasing enforcement will be essential to reduce illegal dumping.

Education is also central to our approach. A consistent message ensures that everyone understands the rules and regulations, and why we have them.

The dumping of asbestos is a particular concern given the threat it poses to human health. The Department of Sustainability and Environment will continue to work with other departments to develop appropriate strategies to prevent this behaviour and ensure safe disposal, which will include statewide targeted education and awareness programs.

Management of smaller scale illegal dumping needs further development. The Victorian Government will ensure that local government has the tools necessary to deter and apprehend illegal dumpers. This may require further support to local government agencies to educate the community, investigate incidents and enforce the law.

As Chapter 5 described, rogue operators stockpile material in order to avoid the costs of legal disposal. This uncontrolled stockpiling can however, in effect be a means of illegal dumping. To prevent this, stronger regulation and enforcement actions may be required from the Victorian Government.

### 6.1.2 Proposed actions

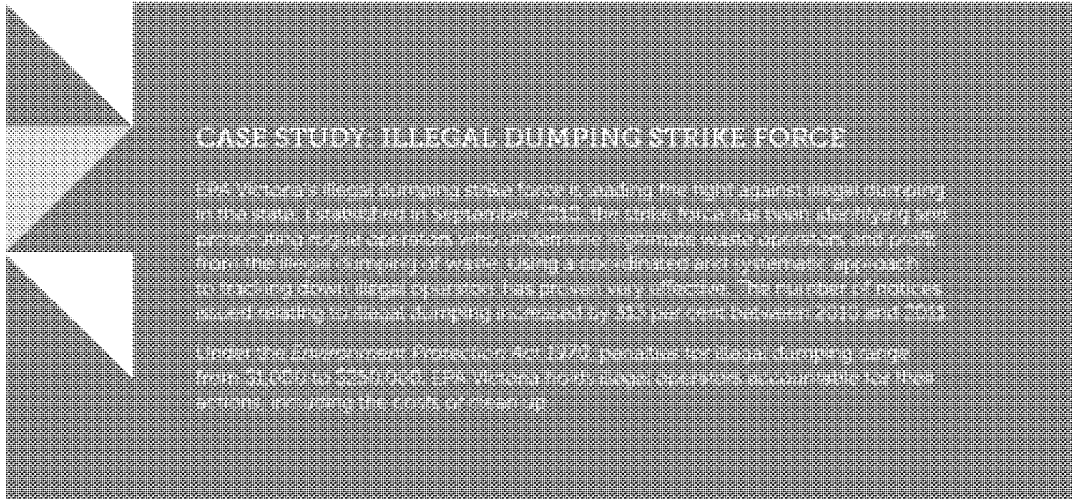
In partnership with local government and industry, the Victorian Government will:

- > Clarify roles and responsibilities of government agencies.
- > Build a greater knowledge base to accurately establish who is dumping illegally and why, where, what and what quantities.
- > Educate industry, business, and community groups about their responsibilities to appropriately dispose of material, the risks of inappropriate disposal and the penalties if they break the law.
- > Strengthen enforcement, to catch more dumpers.
- > Support local government to educate, enforce and prosecute against smaller scale illegal dumping.
- > Target the illegal dumping of asbestos and remove barriers to its safe disposal.
- > Focus compliance and enforcement on illegal waste stockpiling.

In particular, the Victorian Government will investigate the use of technology to:

- > Enhance enforcement, to make it easier to both report dumping and find illegal dumpers.
- > Make it easier for businesses and the community to find waste management facilities and dispose of their rubbish and recyclables appropriately.

The Victorian Government will also continue to partner with other government and industry stakeholders as part of the National Waste Policy, under strategic direction 4.5.



6.1.5 Explaining our proposed policy and actions

Illegal dumping occurs for a number of reasons including cost cutting, inadequate waste infrastructure, purported lack of knowledge regarding regulations, and the low likelihood of getting caught. By more accurately determining why people and organisations illegally dump, we can attempt to alleviate the causes.

Both the Victorian Government and local government have roles in the prevention and prosecution of illegal dumping. However, there is some overlap and ambiguity about who manages and prosecutes small to medium scale illegal dumping. This is problematic and leads to inefficiencies in enforcement so we need to clarify these roles.

Illegally dumped material is hard to track, and it is even harder to find those responsible, so we must be open to innovative ways to make this easier. Technology may assist in this and evidence from interstate and overseas demonstrates that using technology to increase the likelihood of catching dumpers can significantly curb illegal dumping.

6.2 Strategic direction

Reduce litter to provide safer communities and healthier environments.

What you told us

- > The cost to the community of cleaning up littered material is a significant burden.
- > More education, particularly about the environmental harms of littering, was suggested as the main way to improve behaviour.
- > There should be education campaigns encouraging public place recycling.
- > EPA Victoria's litter hotline and efforts by local government to clean up and create safer communities have been successful.
- > Inadequate infrastructure, such as bins, was implicated as a factor causing littering.

### CASE STUDY: SMILE – YOU'RE ON DUMPER CAMERA

Yarra Ranges Council is strategically placing still cameras to catch illegal dumpers in the act. The cameras are often positioned in rural areas and moved around on a rolling program of known dumping hot spots, making it harder for illegal dumpers to dump and get away with it.

The cameras are triggered when the illegal dumpers arrive. Photos are taken every second to record them in the act, giving council officers all the information they need to make a successful prosecution, including pictures of registration plates and faces.

#### 6.2.1 Proposed policy

The Victorian Government recognises that litter continues to pollute our environment and reduce the enjoyment of community spaces. Tackling this problem requires an integrated response, with local government, community organisations, industry, and individuals working together.

The Victorian Government continues to support activities to reduce litter by participation in the Victorian Litter Action Alliance (VLAA). Furthermore, we strongly support the successes of Sustainability Victoria's 2009 *Victorian Litter Strategy, Creating Cleaner, Safer Places*. It is an internationally recognised framework which is successful in preventing and managing litter.

The *Victorian Litter Strategy* emphasises a multi-pronged approach of education, enforcement and infrastructure. Education makes people aware that they need to dispose of litter appropriately, and of the environmental and health damage caused by inappropriate disposal. Adequate infrastructure gives the community the best opportunity to dispose of its litter responsibly. Enforcement is fundamental in acting as a deterrent to littering. While the most recent version of the *Litter Strategy* expires in 2014, these three fundamental aspects of litter prevention will remain core to the Victorian Government's policy on litter.

Importantly, local governments play the primary role in providing a safe and clean environment for their communities. So working with local government, to ensure that it has the tools necessary to undertake this task for many years to come, is a priority.

#### 6.2.2 Proposed actions

- > Clarify the roles and responsibilities of government agencies.
- > Support Sustainability Victoria to successfully implement the new Victorian Litter Strategy when released.
- > Collect improved data about littering and littering behaviour.
- > Educate the community about the importance of appropriate litter disposal to protect the environment and keep the community safe.
- > Provide adequate infrastructure so the community can best dispose of its waste appropriately and safely.
- > Further encourage public participation in litter enforcement.
- > Ensure that local government is adequately supported and has the resources and tools necessary to manage and prevent litter.

6.2.3 Explaining our proposed policy and actions

The cost of cleaning up litter and dumping to Victorians, in just a single year (2009), was estimated at \$78 million. In the same year, EPA Victoria issued 14,000 penalty notices for littering. Highly visible enforcement is necessary to deter those litterers who do not respond to education.

Worldwide there is recognition that highly littered areas and poorly maintained infrastructure, such as broken windows and graffiti, can be directly linked to an increase in other antisocial behaviour, including crime. Additionally, some litter such as broken glass, poses a risk to public health. Cleaning up our public spaces is necessary to create safer communities.

Local government and community groups significantly help address litter in their neighbourhoods. So supporting them to clean up our environment and create safer community spaces is vital.

**CASE STUDY: LOWER YARRA LITTER STRATEGY**

The Lower Yarra Litter Strategy (LYLS) developed in 2005, was intended to reduce the amount of litter in the lower urban catchment area of the Yarra River by focusing on litter prevention, capture at the source and capacity building activities.

The partners of LYLS are numerous, including local governments, Victorian Government agencies, local communities, trader groups and educational institutions. The approach of LYLS was unique, in that it heavily promoted the building of strong partnerships, and encouraged high levels of engagement with external stakeholders and the community. This approach, as expressed by many participants, was its greatest strength.

By 2010, the targeted 5 per cent reduction in litter and littering behaviour on 2007 levels was greatly exceeded, with improvements of 19 per cent and 18 per cent respectively.

The large majority of participants believed that these outcomes could not have been achieved without LYLS. This example demonstrates how strong local partnerships improve environmental and community outcomes.

## 7 GOVERNANCE

### **Goal: To reform institutions and governance to effectively drive the achievement of waste policy objectives.**

To improve the environmental, public health and economic performance of Victoria's waste and resource recovery management we need better ways of thinking and working together from those we use now. The current governance settings need to change.

For waste management this involves re-thinking how the work of several Victorian Government departments and agencies, local government and the waste industry should be structured to best meet the challenges of a changing Victoria and a changing world.

The development of these reforms will require careful thought, expert advice and a highly consultative approach.

- > The role of local government within the waste management system should be acknowledged and supported.
- > The role of industry in the waste management system should be acknowledged and supported.
- > The Victorian Government can support good industry and local government investment in waste by providing clear policy direction, and suitable incentives and approaches to risk management.

### 7.1 Strategic direction

Appoint an expert committee to review current arrangements and provide advice to the Minister.

The Victorian Government will work with all those involved in the waste and resource recovery management system – including local government, industry and business, the waste industry and waste management groups – to develop and implement a twenty-first century system for directing, co-ordinating and monitoring the work of all organisations involved in managing waste.

Regional communities currently find it difficult to get the full benefits of the economies of scale that a statewide approach can provide. We need the institutional and management arrangements that will help to unlock this potential.

In the first instance, the Minister for Environment and Climate Change will appoint a Ministerial Advisory Committee to review the current arrangements and future options. After consultation with stakeholders, the Minister will then recommend an institutional and governance model suitable for the next phase of Victoria's waste and resource recovery development.

The Department of Sustainability and Environment will oversee the administration of this Resource Recovery Policy and will also support the Committee in undertaking this review.

### What you told us

- > There is a gap in responsibilities for construction and demolition, and commercial and industrial wastes in regional areas, as waste management groups and local government do not deal with these waste streams.
- > There needs to be a greater link between Sustainability Victoria and waste management groups to ensure efficient and effective delivery of statewide programs and projects.
- > There is a need to coordinate regional procurement.
- > Resourcing of waste management groups has been inadequate to enable them to perform their roles well.
- > The regional focus of waste management groups has served regions well, but some of the future challenges in waste and resource recovery are beyond the scale achievable at a regional level.



### THE MINISTERIAL ADVISORY COMMITTEE WILL INVESTIGATE THE:

1. Clear delineation of roles and responsibilities for Victorian Government departments and agencies, and local government in the area of waste.
2. Co-ordination, leadership and accountability mechanisms for resource recovery policy and its implementation.
3. Means of improving collective procurement and aligning investments in the waste system with Victorian Government priorities.
4. Evaluation, adaptive management and improvement processes that should be adopted.
5. Mechanisms to increase transparency and accountability within the waste system.

The committee will also consider if legislation is needed to bring any of its recommendations into effect.

### The Ministerial Advisory Committee will take the following into account:

- > That high quality waste and resource recovery services should be available widely across the state.
- > Improving waste management services in regional communities.
- > Achieving better standards in waste management and resource recovery systems may depend on realising economies of scale.
- > Collaboration between State Government, local governments and industry to manage all waste streams in an integrated way has significant potential to increase the overall efficiency of the system.
- > Investments in waste recovery infrastructure should be driven by evidence of market demand for its products.
- > Avoiding potential conflicts of duty or interests.
- > Strategic planning for the waste management system needs to be synchronised with related strategic planning for land use, transport and development (e.g. Regional Growth Plans).
- > Strategic planning for waste and waste infrastructure needs to marry statewide directions effectively with local needs and priorities in each region.
- > Plans for waste and resource recovery infrastructure should be incorporated within statutory land-use plans, like infrastructure for other essential services.
- > How to encourage collaboration to develop a well-integrated statewide waste system.
- > Aligning financial and service responsibility for waste management with decision making and planning.
- > How to provide the necessary capacity within governance structures to cater for all waste streams.
- > The Victorian Government needs to improve and maintain access to expertise for procurement of major infrastructure and the management of major technical contracts.

The Ministerial Advisory Committee will report to the Minister for Environment and Climate Change by April 2013.



## 8 MONITORING PROGRESS: A NEW APPROACH

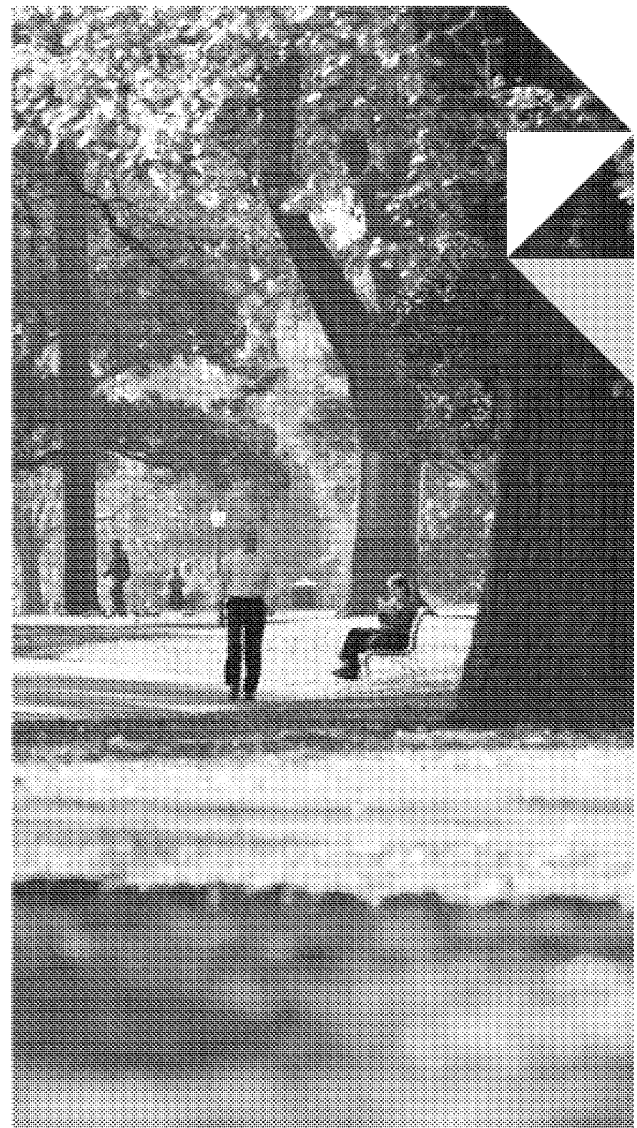
This draft policy describes how the Victorian Government will improve our waste management and resource recovery system to address problems and harness opportunities. We will build upon past successes to ensure we have an integrated waste management system that protects the environment, safeguards public health, maximises the productive value of resources and minimises long-term costs.

To ensure this is realised, we will improve our monitoring of the waste management system, carefully measure our performance and transparently report our findings.

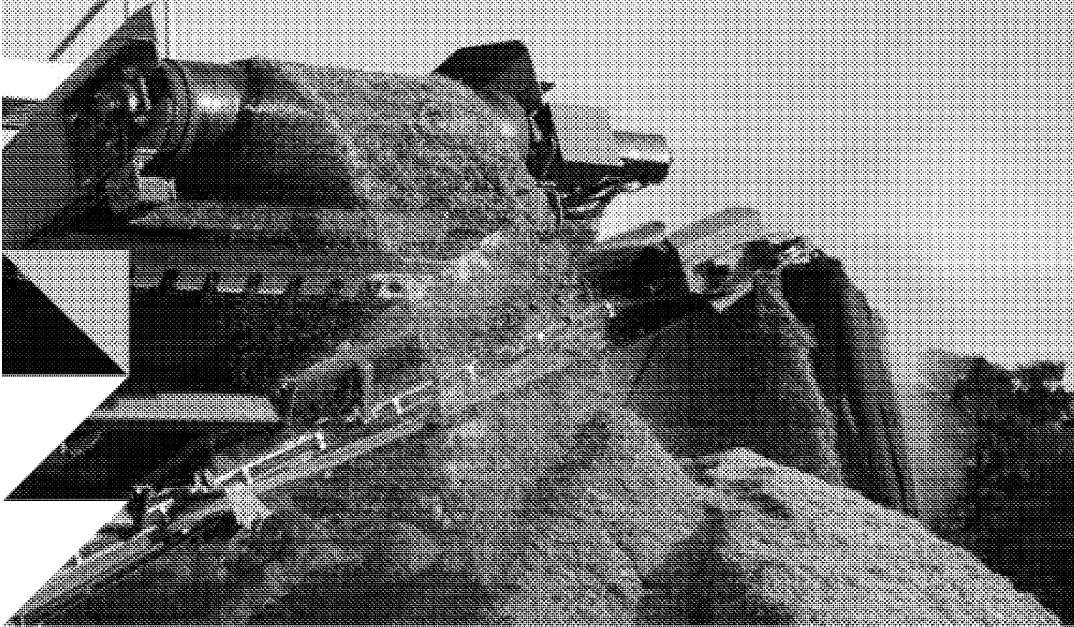
- > Seasonal changes in the amount of green organic waste being collected at the municipal level can distort diversion rates and should be factored into any reporting commitments or targets.

### What you told us

- > A total solid waste generation target, like the *Towards Zero Waste* target<sup>5</sup>, is problematic, as the principal drivers of total waste generation, such as rates of consumption and population growth are beyond government control.
- > High level targets do not account for regional differences in waste diversion costs or the externality costs of different types of waste.
- > High level targets are not sensitive to changes in market or institutional settings.
- > While they might be argued to have some aspirational virtues, targets such as zero waste to landfill lack credibility and are unachievable.
- > The Victorian Government should review what and how waste data is collected, and provide further funding and support where necessary, e.g. by running more frequent waste audits.
- > Existing performance measures should be retained and improved, and there should be further breakdowns in data from waste sectors (municipal solid, commercial and industrial, and construction and demolition) into waste material streams.



<sup>5</sup> *Towards Zero Waste* target 1 - 1.5 million tonne reduction in the projected quantity of solid waste generated by 2014 (reported as total solid waste generated).



### 8.1 Delivering results, measuring success

This draft policy describes how the use of a variety of tools, from regulation and markets, to improved land-use planning, will result in the best *outcomes* for the Victorian environment, economy and people. These are described below.

The **primary outcomes** are the specific environmental, social and economic results we want to see as a consequence of the policy as a whole.

#### Primary Outcomes

- 1 Reduced impacts to ground and surface water from landfill leachates.
- 2 Reduced impacts on local communities of odour, noise, dust and litter from landfills and other waste management facilities.
- 3 Reduced greenhouse gas emissions intensity of waste to landfill, by measures that are complementary to the carbon price.
- 4 Reduced amount of waste entering the waste management system.
- 5 Increased productivity of materials in the economy.

The **enabling outcomes** are the results we would like to see across the waste management system that will help us achieve environmental, public health and economic results for Victoria.

#### Enabling Outcomes

- 6 Reduced barriers to the market driven diversion of materials from landfill.
- 7 Victoria's waste management infrastructure system meets the needs of current and future waste management priorities.
- 8 We effectively regulate waste, with a regulatory system that meets recognised benchmarks for efficient design and implementation.
- 9 There are clearly defined roles, lines of accountability and oversight the waste management system.
- 10 The costs of the waste system are fairly and transparently paid by those who generate the waste.
- 11 Effectively monitoring, discouraging and penalising illegal dumping and littering.

## 8.2 Resource recovery policy indicators

To effectively manage the waste system, we need to monitor a number of indicators that are aligned with the primary outcomes, while ensuring that the data supporting them is reliable, practicable and cost effective to obtain. These indicators and the primary outcomes that we are attempting to monitor are described below.

| Indicator     | Primary Outcome  |
|---------------|--|
| 1, 2, 3 (5&6) | Rate (per cent) of residential <sup>6</sup> waste diverted from landfill relative to the total generated (by weight)   |
| 1, 2, 3 (5&6) | Rate (per cent) of commercial and industrial waste <sup>7</sup> diverted from landfill relative to the total generated (by weight)   |
| 5, (6)        | Rate (per cent) of construction and demolition waste <sup>8</sup> diverted from landfill relative to the total generated (by weight)   |
| 1, 2, 3       | Rate (per cent) of waste sent to landfill from recycling and recovery facilities relative to the total collected (by weight)   |
| 1, 2, 3 (5&6) | Proportion of organic material in waste to landfill<br><i>(Detail to be determined in action plan)</i>   |
| 2             | A community feedback survey that monitors reported impacts of odour, noise, dust and litter from landfills and other waste management facilities <i>(Detail to be determined in action plan)</i> |
| 1             | Rate of compliance with licensing conditions<br><i>(Detail to be determined in action plan)</i>  |
| 4             | Indicator/s measuring minimisation of material entering the waste management system as a result of specific programs<br><i>(Detail to be determined in action plan)</i>                          |

6 Residential waste will include:

- > Garbage kerbside service
- > Recyclables kerbside service
- > Green organics kerbside service (including on-call services)
- > Recyclables - drop-off (self-haul)
- > Green organics drop-off (self-haul)
- > Hard waste

The amount of green organic waste collected can fluctuate widely as a result of variable weather and rainfall. This, in turn, has an impact on the broader diversion rate performance indicators (especially the residential indicator). This dynamic will be isolated and made explicit when reporting against *performance indicator 1*.

7 Australian & New Zealand Standard Industrial Classification (ANZSIC) divisions C & F to S.

8 ANZSIC division E.

### 8.3 Resource recovery policy commitments

The waste management system is a complex interaction of people, processes and structures and this policy aims to influence these to achieve the primary outcomes.

The *Draft Resource Recovery Policy* indicators will help us monitor the effectiveness of the system in meeting the primary outcomes. However, at this stage, they are more like management tools than measures of performance. For this reason, which will be discussed in greater detail later, specific targets have not been set against these indicators. Instead, to drive action and ensure we achieve policy outcomes, we will commit to very specific actions.

Once feedback on the draft policy has been received, commitments in the final policy will be developed. The commitments will reflect the proposed actions in each chapter, and they won't be finalised until those actions are agreed.

We will consolidate the proposed actions so that we can commit to clear deliverables by a certain date in the final policy.

### 8.4 A better way to report performance

We need to measure performance with greater sophistication if it is to provide us with the feedback and evidence we need to make informed policy and investment decisions. While the proposed policy indicators are important measures, they are only partial indicators of success that need to be explained within real world contexts and their limitations made explicit.

Furthermore, the data management systems, underpinning much of the knowledge upon which the waste system relies, are lacking. These deficiencies affect our ability to both measure performance and monitor other important waste indicators.

"Recommendation: develop a knowledge management system to rationalise data, identify and rectify data quality issues and modelling accuracy"

Victorian Auditor-General, *Municipal Solid Waste Management*, June 2001.

The Victorian Government has begun and will continue to identify and address data management gaps across the waste management system, so that better, evidence based decisions can be made. We will also commit to a new level of transparency, so that everyone across the waste management system can access waste data and understand how the system is performing. Performance reports will be easy to access and understand and include the following sections:

- > what *primary outcome* the performance indicator is attempting to measure, and how;
- > factors that influence the performance indicator and *primary outcome*, including those factors beyond our control;
- > how we are performing and how other factors are affecting this performance; and
- > the methodologies used, data sets available and any limitations.

We need to ensure that the policy indicators and supporting data are of a sufficient quality to allow both confident decision-making and effective reporting. We also need to ensure that performance measurement is suitably flexible to allow for technological and other changes to the waste management system.

To ensure this occurs, comprehensive reviews of the policy indicators and knowledge management systems will be undertaken as part of the wider policy review by the end of 2018, and again by the end of 2023. We will ensure that policy indicators are still relevant and develop more reliable and valid indicators once the systems are in place to support them.

## 8.5 Explaining our proposal

The policy indicators can provide an indication of waste system dynamics at a glance. They act like high level gauges and can also provide a signal of whether the desired primary outcomes are being achieved.

The performance of a system, such as the waste management system, is not easily quantifiable. This is because waste is the consequence of other activities, further upstream, that the policy itself cannot easily influence. So, our ability to measure whether a desired result has been the consequence of our action becomes clouded by other variables that might also be acting on the system, like rates of consumption or population growth.

The proposed policy indicators are just that – an indication. They are an indication of performance against policy outcomes and an indication of other dynamics occurring across the waste system over time. They have been selected based on an assessment of their validity and reliability. Finding a balance between these broad principles almost always involves some compromise. It is important to recognise this tension and the trade-offs made in the selection of the policy indicators.

*Validity is the extent to which an indicator directly measures the desired outcome or result that we are attempting to influence*

*Reliability is the extent to which the indicator can be supported by reliable and complete data, including the viability and costs of data collection.*

### 8.5.1 Why were the policy indicators selected?

The diversion rates for municipal and commercial and industrial waste (*performance indicators 1 and 2*) are, on balance, sound proxy indicators of *primary outcomes 1 to 3*. Both streams have a high proportion of waste types that directly impact on the characteristics that *primary outcomes 1 to 3* are attempting to influence, such as emissions, odours and leachate.

While a performance indicator that directly measures each of the *primary outcomes 1 to 3* would be advantageous, a range of factors impact the viability of applying these at present. This is particularly so, when factoring in legacy waste. Direct measures of emissions or leachate, for example, would be influenced by wastes deposited long ago, which would cloud the performance of current and future actions to reduce them. Similarly, direct measures of those outcomes would be influenced by larger drivers, such as population growth and rates of consumption, again reducing their validity as a measure of achieving those outcomes. Direct measures are also technically unreliable and complicated by highly variable site conditions across the state. It would be problematic to set one direct performance indicator that could be applied to all the many different contexts and site characteristics. The diversion rates are useful proxy indicators that will allow government to monitor progress against *primary outcomes 1 to 3*, albeit imperfectly, regardless of whether total waste generation is moving up or down (as it is a relative measure) and will not be affected by legacy waste. Diversion rates provide a valid measure of both the problems associated with certain waste types, such as emissions, odour and leachates and the Victorian Government's attempts to address them.

They are also useful indicators of *outcomes 5 & 6*; 'maximised productivity of materials in the economy' and 'reduced barriers to the market driven diversion of materials from landfill'. However, as articulated throughout the policy, the government will rely on measures that stimulate market demand to drive the diversion of waste from landfill. This dependence on market demand will no doubt cause some volatility that will be reflected in the diversion rates.

The diversion rates allow for greater time series consistency as similar indicators have been reported for several years already. It is also easier to benchmark Victoria's performance as diversion rates (or recovery rates) are commonly used in Australia and internationally.

As noted earlier, the amount of green organic waste collected can fluctuate widely as a result of variable weather and rainfall. This, in turn, has an impact on the broader diversion rates, particularly the residential indicator. This dynamic will be isolated and made explicit when reporting against *performance indicator 1*.

*Performance indicator 4*, the rate of waste sent to landfill from recycling and recovery facilities is another proxy indicator of *primary outcomes 1 to 3*. It will also help measure the degree to which waste types are being separated at source (contamination rates).

A total diversion indicator has not been included as it adds little value (being the sum of performance indicators 1 to 3) and has the potential to distort action as a result of the weight based measure (i.e. prioritising heavier materials).

The decision to use weight rather than volume for diversion rates was made because that is the method in which waste is measured. Neither weight nor volume are singularly correlated with particular *primary outcomes*, so the use of either is arbitrary from a measurement validity perspective.

Additional performance indicators of *primary outcomes 1 and 2* will be developed to compliment *performance indicator 1*; however it is unlikely these will be direct measures either. It is more likely the performance indicator of *primary outcome 1* will be a form of compliance measure that can accommodate the great variety of site conditions across the state and capitalise on existing operational requirement regimes. While the performance measure for *primary outcome 2* will monitor the impacts of landfills and other waste management facilities on local communities.

#### 8.5.1.1 Organic composition performance indicators

Many of the policy actions (and the *primary outcomes* we are trying to achieve) involve the diversion of organics from landfill. The diversion rates for residential and commercial & industrial waste are reasonable measures of how much organic material we're keeping out of landfill, due to their high proportions of organic waste. However, a more direct measure of the proportion of organic material in waste going to landfill would be another useful indicator of our performance.

Measuring waste composition, including the proportion of organic material in waste going to landfill, is still problematic. It is highly dependent on expensive audits to develop waste composition profiles. The frequency of these and other methodological weaknesses limit the degree to which we can determine the proportion of organics in waste streams accurately, particularly when composition data is applied broadly across many different sites.

Similarly, the methods for monitoring emissions from waste to landfills are also being reviewed at the national level. The Australian Government intends to give further consideration to a range of issues, including waste composition audit procedures.

The Victorian Government commits to identifying a more accurate organics composition metric and methodology as part of the wider effort to improve data, data collection and knowledge management more generally. In the interests of consistency and reducing administrative burden, the Victorian Government will review and assess the national methodologies applicability to the Victorian waste context as they develop.

#### 8.5.1.2 Why the total amount of waste generated is not an indicator?

Some measures may appear to be logical indicators, when, in fact, they are not targeted enough to tell us anything useful about the outcomes we are attempting to achieve. The most obvious example is the indicator: '*total quantity of solid waste generated*', which includes all the materials that enter the waste management system, whether they are sent to landfill or diverted for other purposes, such as recycling or recovery.

This absolute measure is not targeted enough to tell us anything about individual outcomes, such as reducing specific environmental impacts, or even the performance of the policy as a whole. That's because the indicator, 'total quantity of solid waste generated' is primarily being driven by large upstream factors, like rates of consumption and population growth, that are beyond the control of policy interventions, and, on the most part, beyond the control of government.

Those large upstream factors can push the total quantity of solid waste generated up or down and quickly obscure any results from resource recovery policy intervention when it is measured in this way. For example, total waste to landfill might actually increase, even when, at the same time, the diversion rate is increasing significantly.

A diversion rate allows progress to be monitored whether total waste generation is increasing or decreasing, so it is a better indicator than an absolute measure, like total tonnes of waste generated.

#### 8.5.2 Targets

"If they are to be effective, targets need to be acknowledged as relevant and appropriate by those responsible for their implementation. They should be evidence-based and achievable within set time frames. Progress against targets also needs to be measured reliably."

Victorian Auditor-General, June 2011

As discussed, the policy indicators are more like management tools than measures of performance. For this reason, and others described below, specific targets have not been set against these indicators. Instead, we propose to commit to very specific actions in the 'Resource recovery policy commitments' section. As already stated, these commitments will reflect the proposed actions in each chapter once feedback has been received and incorporated.

Even if indicators are set that directly measure progress against an outcome, specific targets are inherently difficult to set at an optimal level. Broad targets also fail to recognise regional differences in waste management costs and are not sensitive to changes in market, technological or regulatory contexts.

While specific targets in the action plan will be useful in driving action during implementation, they add little value at the policy level and can lead to perverse outcomes.

"If a landfill diversion target has been set without rigorous analysis of the costs and benefits, its achievement is likely to impose net costs on the community"

Productivity Commission, 2006

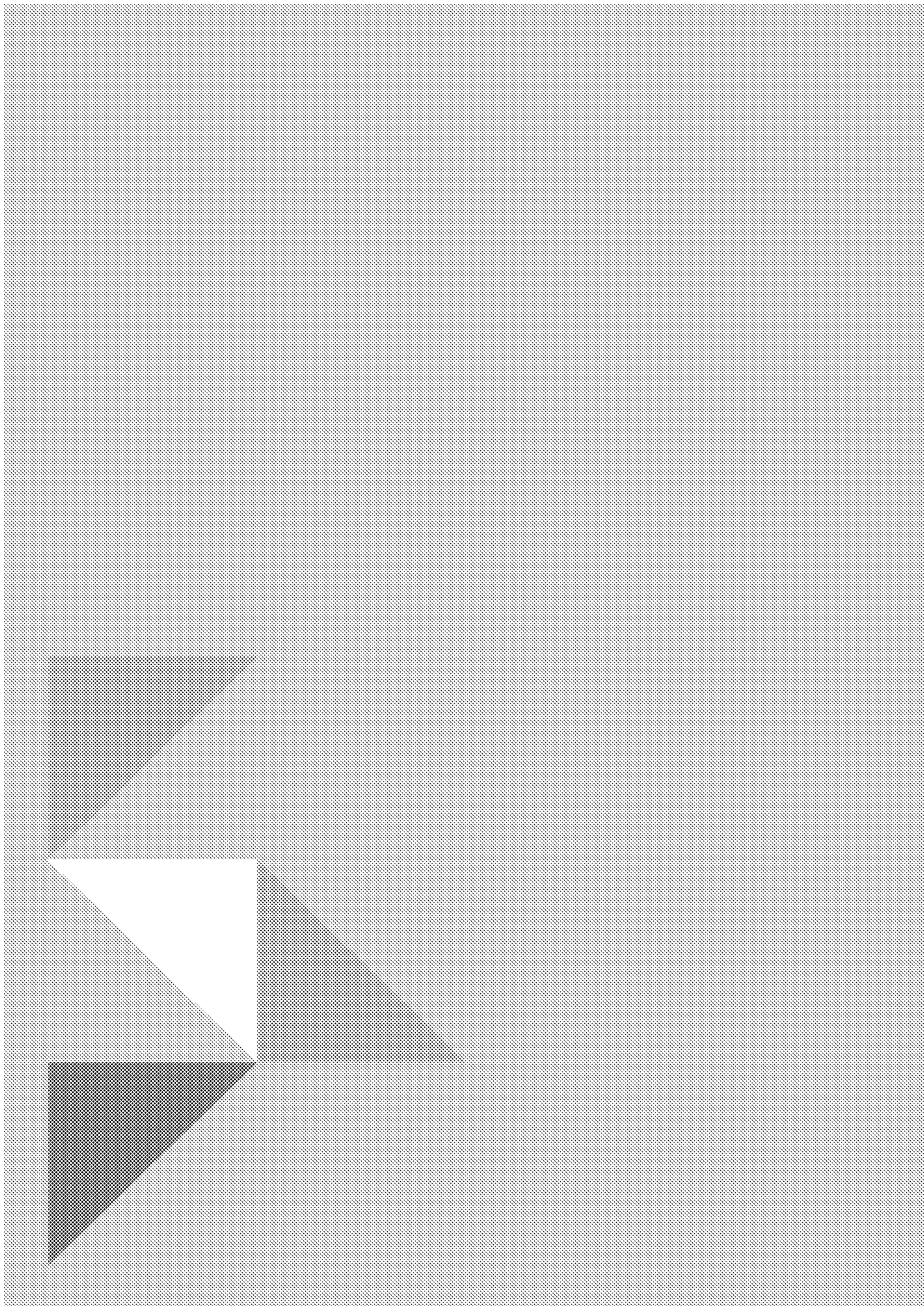
If, however, the weight of stakeholder feedback and further evidence suggests that, on balance, specific policy targets and performance indicators should be set, the Victorian Government would need to assess the various costs and benefits of different target options. This would require a comprehensive analysis of a number of factors to help us understand what is required from a risk based perspective (e.g. to what degree do we need to reduce a particular environmental impact) and what is achievable from a waste management system perspective (e.g. how much material could effectively be recovered or recycled within a given timeframe).

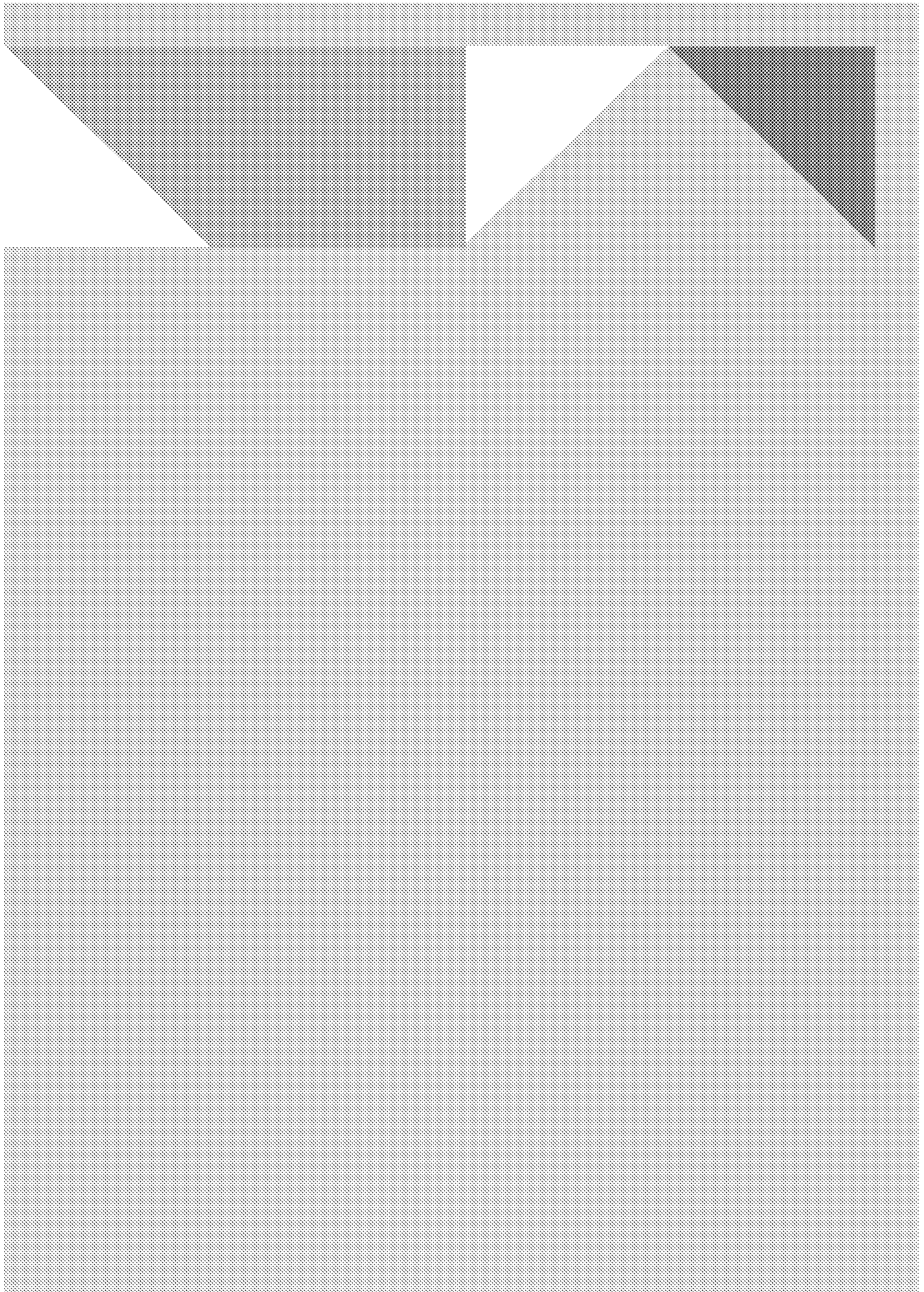
Factors that would need to be better understood and projected would include population growth, consumption patterns, economic growth, infrastructure capacity and mix, waste cost distributions, regulatory changes, supply and demand dynamics, and other contributing factors. It's likely that targets would also need to be set according to geographic area, as each region has a different capacity to recover and recycle materials or different waste compositions, for example.

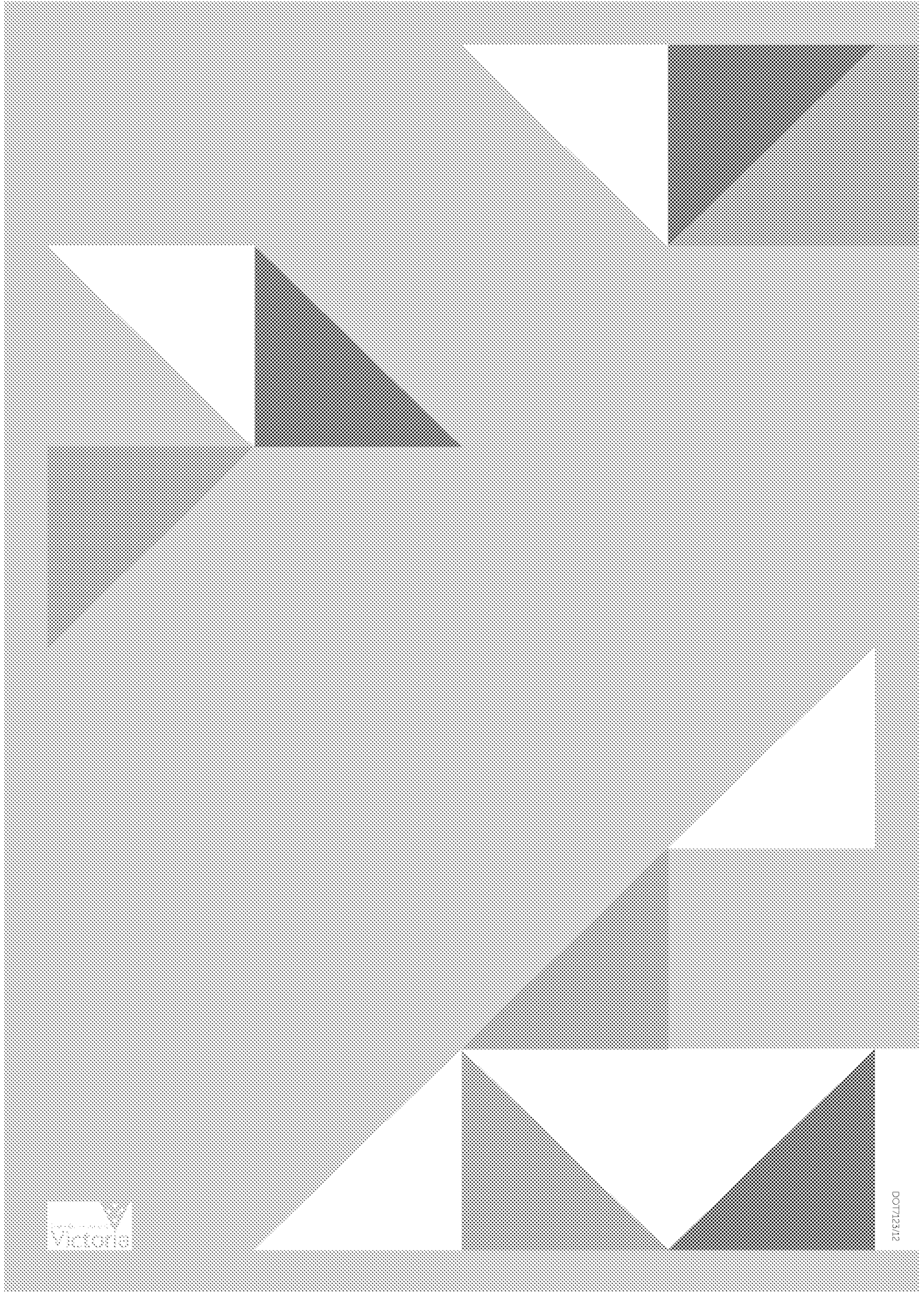
Given the time and costs involved in undertaking this assessment, the option to refrain from setting specific policy targets entirely should be seriously considered during the review period, as the benefits of setting them appear to be limited and can be achieved in other ways.



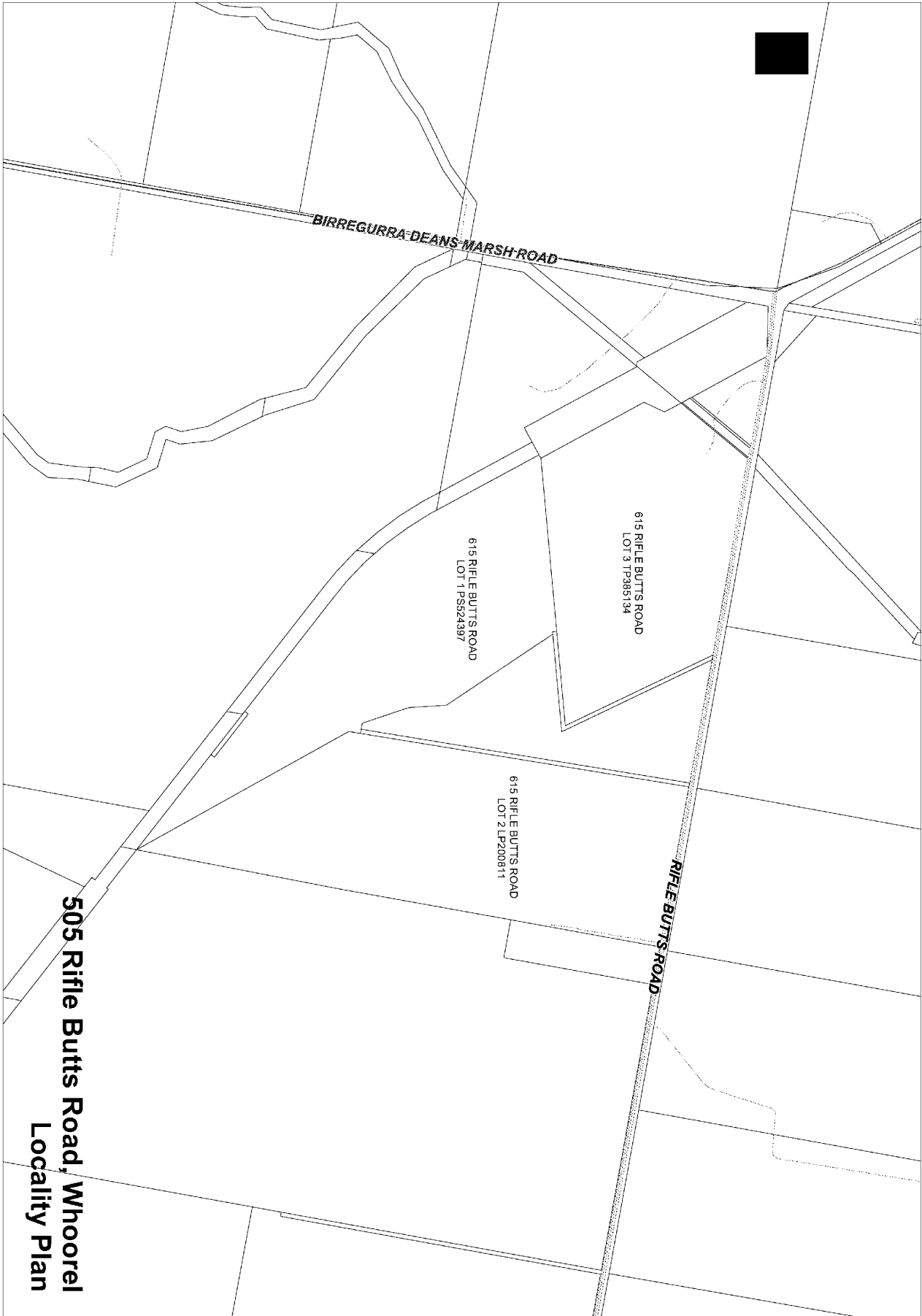


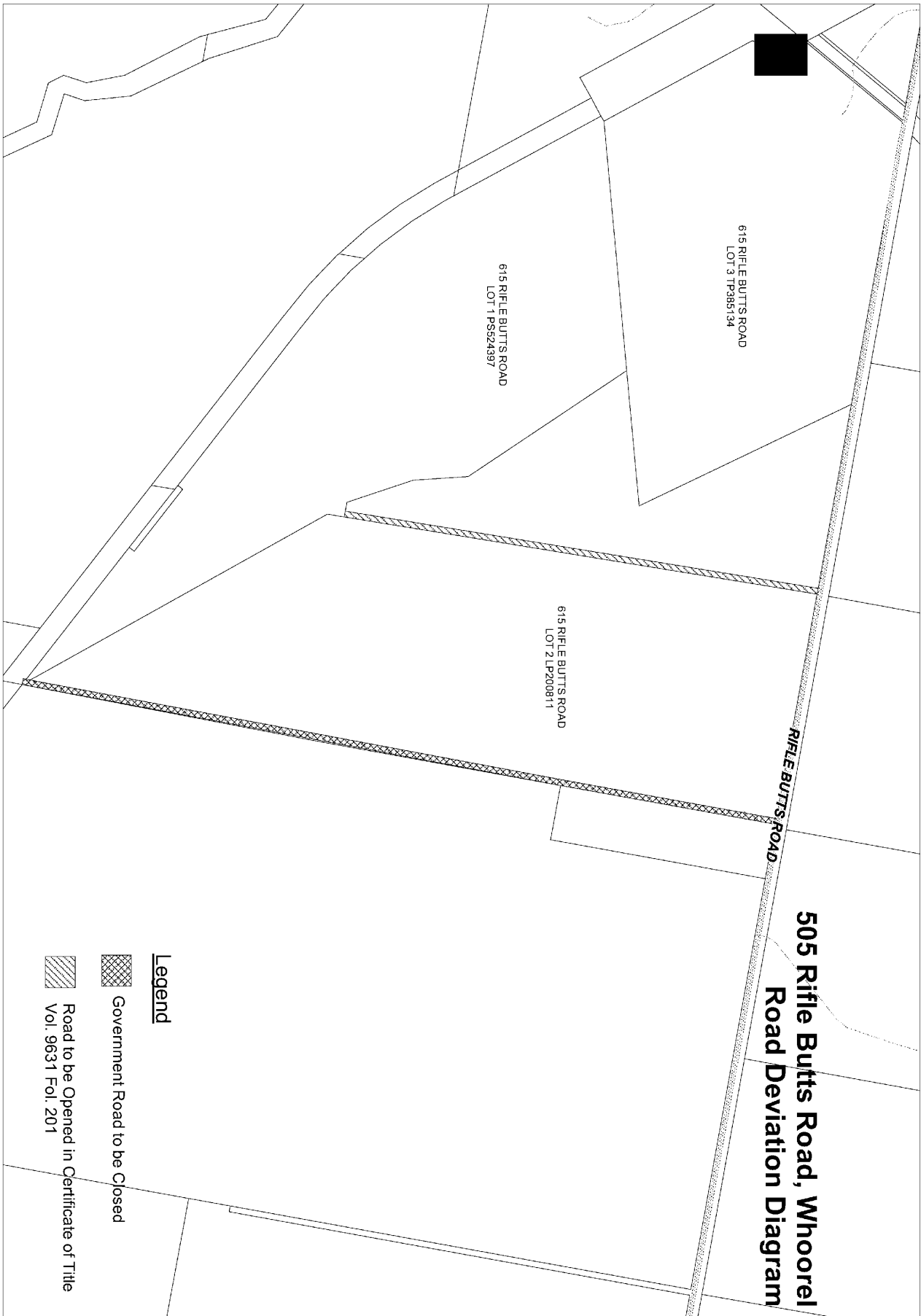






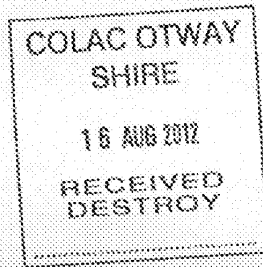
DOT12/13/12





3 August 2012

Mr Rob Small  
Chief Executive Officer  
Colac Otway Shire  
PO Box 283  
COLAC VIC 3220



Our Ref: 25617

Dear Rob

**INLAND ACID SULFATE SOIL SITE: YEEDENE PEAT SWAMP - REQUEST FOR INVESTIGATION**

Cor Little Malop & Fenwick Sts  
Geelong  
Victoria 3220  
T: 03 5226 4825  
F: 03 5226 4632  
DX 256073  
[www.epa.vic.gov.au](http://www.epa.vic.gov.au)

Thank you for the letter received 30 July 2012.

In your letter you have made a request for EPA to investigate a site with inland acid sulfate soils that is known as the Yeodene Peat Swamp site and have EPA declare the site a contaminated area.

Acid sulfate soils and rocks are predominantly naturally occurring with most acid sulfate soils and rocks deposited thousands of years ago.

There are a number of government agencies and authorities with roles and responsibilities with regard to management of acid sulfate soil and rock. The role of EPA with regard to this matter is discussed below.

The *Environment Protection Act 1970* was established to regulate pollution and provide the framework to develop State Environment Protection Policies and Industrial Waste Management Policies within specific sectors of the environment.

EPA provides policy once acid sulfate soil is disturbed on a site and becomes a waste intended for reuse on that site or reuse/disposal offsite. The Industrial Waste Management Policy (Waste Acid Sulfate Soils) (The Policy) provides the requirements for management of waste acid sulfate soil. The Policy covers best practice management of waste acid sulphate soils, disposal or reuse and the use of environmental management plans where applicable.

If Council require testing and investigation of the site then EPA has an information bulletin titled *Acid Sulfate Soil and Rock, July 2009* that provides guidance on how to complete assessments and use a risk-based approach for identification and classification. The information bulletin states that a site assessment and classification must be performed by a suitably qualified and experienced person. The EPA documents referred to above are all available on the EPA website at [www.epa.vic.gov.au](http://www.epa.vic.gov.au).

In your letter you request that EPA determine if the site should be declared a contaminated area. Sites that have been contaminated by former waste disposal, industrial and similar activities can be classified by EPA as contaminated sites which may require ongoing management through either the Environmental Audit System and the EPA priority sites register. These registers are not used to track the location of areas with acid sulfate soils.



2

Council may wish to review the *Victorian Coastal Acid Sulfate Soils Strategy*, available from the Department of Sustainability and Environment website, with regard to how coastal acid sulfate soils are managed.

If you require any further information please contact EPA on 1300 372 642.

Yours Sincerely



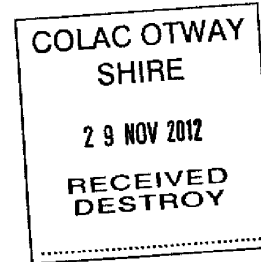
EVE GRAHAM  
MANAGER – SOUTH WEST





29 October 2012

Rob Small  
Chief Executive Officer  
Colac Otway Shire  
PO Box 283  
COLAC VIC 3250



Dear Rob

**Release of water into Boundary Creek**

Thank you for your letter of 24 July 2012 regarding the release of water into Boundary Creek.

Barwon Water holds a licence that allows for the extraction of groundwater from the Gerangamete Groundwater Management Area (GMA) for the purpose of urban supply. Groundwater is a costly supply option and is typically relied on during dry periods when surface water supplies are falling and the Greater Geelong region is on water restrictions. This principle is in Barwon Water's water resource planning model to determine the periods when the borefield should be operated.

The licence has extensive conditions balancing protection of the aquifer and the systems dependent on it against critical human needs, particularly during drought. The licence has detailed monitoring conditions. Trigger levels require increased intervention depending on the level of decline. These include an immediate reduction in the maximum pumping rates, an initiation of the review process and increased monitoring.

Clause 6 of the licence relates to Boundary Creek and is a response to groundwater-surfacewater interaction and the protection of private rights along the creek The full clause is :

**6. FLOW IN BOUNDARY CREEK**

**6.1 General**

*B. Barwon Water must provide a flow of 2 ML/d to the headwaters of Boundary Creek from any time that groundwater extraction commences under this Licence until:*

- a. the groundwater level in bore YEO 40 (Bore ID 109131) recovers above a level of 158.5m AHD following the cessation of pumping; or*

88 Johnson Street  
Maffra Victoria, 3860

Post Office Box 153  
Maffra Victoria, 3860

Phone 1300 139 510  
Fax (03) 5139 3150

srw@srw.com.au  
www.srw.com.au

DX 217245  
ABN 70 801 473 421

- b. at any time between 1 June and 30 November the natural flow at the Yeodene stream gauge exceeds 1 ML/d.

It should be noted that this clause applies whether or not Barwon Water are extracting groundwater. This means that supplementary water has been pumped into the creek although the bore field has not been used since 2010 SRW regularly monitors compliance of this licence condition, which includes investigations when a complaint is received.

We are not aware of a non-compliance with this licence condition; however SRW did investigate stream flows not reaching the gauging station in January and February this year.

We found that the pipe connecting the supply and Boundary Creek was being maintained. Barwon Water had found an alternative supply of water during the maintenance program however it was intercepted in a private dam and, due to a communication problem, was not immediately passed through.

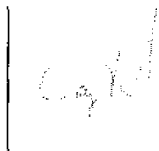
The private dam owner did not gain any advantage from this and after considering all the circumstances SRW did not pursue legal action.

More generally there is a question about the impact on Boundary Creek from the prolonged drought, groundwater extraction and the efficacy of the 2 ML input by Barwon Water. SRW is in discussions with Barwon Water concerning the ongoing operation of the current licence, and the process leading up to the renewal of the licence. Matters for further investigation will include the impact of pumping and climate variations on the creek, whether the 2ML or some other volume is appropriate and whether the water could be provided at some other location on the creek. There will also be extensive community consultation and we will be pleased to keep council informed of this.

In the meantime the monitoring will continue to inform the way the licence is managed and provide important data for making future decisions.

If you have any further enquiries regarding this matter, feel free to call me on 1300 139 510.

Yours sincerely



CRAIG PARKER  
General Manager Groundwater & Rivers



# **YEODENE PEAT SWAMP INVESTIGATION**

## **CONTRACT**

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## **SECTION D**

## **CONTRACT BRIEF**

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Colac Otway Shire Council  
2-6 Rae Street  
COLAC VIC 3250  
Tel. (03) 5232 9400

**Contents**

|   |                               |   |
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| 6 | COSTING FOR THE PROPOSAL..... | 5 |
| 7 | TERMS AND CONDITIONS.....     | 5 |

## **1 SUMMARY**

The purpose of this brief is to seek a quote from an appropriately qualified consultant on the costs associated with carrying out an investigation into the cause(s) of the acidification of the “Big Swamp” at Yeodene.

The Big Swamp wetland is located on a section of private land along Boundary Creek in the Otway foothills. During the recent 10 year drought, the peat swamp dried out, resulting in a peat fire and the generation of acid run-off into Boundary Creek. Due to the complexity of managing both the fire and acid sulfate soil related issues, Colac Otway Shire Council has been working with multiple agencies and stakeholders to try to determine what actions should be taken in both the short and mid-term in order to best manage the risks at the Big Swamp.

Possible contributors to the drying out of the peat swamp are:

- Prolonged drought conditions reducing inflows to the swamp
- Prolonged drought increasing evaporative losses from the swamp
- The fire in the swamp, exacerbating its drying out
- Drainage trenches in the swamp to allow access to the fire by draining the swamp
- Pumping from the Barwon Downs borefield potentially lowering regional watertables
- Changes in the catchment land-use / water use
- Other, undetermined causes

To assist in developing options for ongoing management, the relative contribution of these varying factors to drying out the peat swamp needs to be better understood.

## **2 INTRODUCTION**

Acid sulfate soils are an emerging environmental issue that government agencies across the country are trying to deal with. Acid sulfate soils occur naturally in coastal and inland areas that are typically waterlogged and rich in iron such as the Big Swamp. Left undisturbed these soils are harmless but if drained, excavated or otherwise exposed to air, the iron sulphides react with oxygen and form sulphuric acid. This release of acid is harmful to aquatic environments and can also trigger the release of heavy metals (particularly aluminium) from the soil that can cause further damage to the environment.

Council first became aware that there were potential acid sulfate soils in the Big Swamp in 2008 due to acidic waters being detected in Boundary Creek. The Corangamite Inland Acid Sulfate Soils Steering Committee was established in 2010 to improve the understanding of current and potential future sites at risk of acidification from inland acid sulfate soils. Southern Rural Water, Colac Otway Shire Council, Corangamite CMA, Barwon Water, Department of Sustainability and Environment, Department of Primary Industries and the Environment Protection Authority are all members of the committee. By working together, these various agencies aim to help the community better manage this complex environmental problem.

The agencies on the steering committee have committed to work together to enhance the regional body of knowledge regarding inland acid sulfate soils within the region. The agencies have engaged La Trobe University to conduct a PhD study into the matter. The aims of the Corangamite Inland ASS Study are to:

- Improve the understanding of current and potential future sites at risk of acidification from inland acid sulfate soils (ASS) within the Corangamite Catchment Management Authority (CCMA) region; and
- Use this information to develop a risk-based management response.

Although the study is not focused on the Big Swamp, this area is a critical part of the Latrobe University study. Through this study it was confirmed that the Big Swamp is an actual acid sulfate site.

The Big Swamp occurs in the outcrop area of the Lower Tertiary Aquifer (LTA). The LTA is used by Barwon Water as an emergency water supply for Geelong during drought. Barwon Water operates the Barwon Downs borefield in accordance with its license conditions issued to them by Southern Rural Water. The prolonged pumping of groundwater water from Barwon Downs during the recent drought drew down the levels in the LTA over a wide area. There is local concern that this has contributed significantly to the drying out of the Big Swamp. In addition it is not clear to what degree the prolonged drought itself and the restriction of surface flows through the construction of farm dams in the surrounding area have contributed to the swamp drying out.

## **3 PROJECT AIM**

The aim of the project is to better understand and quantify the contributions of a range of surface and groundwater catchment processes to the drying out of the Big Swamp.

## **4 PROJECT OBJECTIVES**

The project aim will be achieved by delivering the following core objectives:

- Identify and analyse current sources of relevant information;
- Develop a series of conceptual models for the swamp and based on the information available, short-list the models as more or less likely; and
- Quantify, where possible, or qualitatively evaluate the contributions of different catchment and groundwater actions on the drying out of the Big Swamp.

## 5 PROJECT METHODS

The project methods are as follows:

1. Review available literature on the Big Swamp and the surface water and groundwater systems within which it occurs;
2. Develop initial conceptual models for the water balance of the Big Swamp;
3. Undertake a site visit, engage key stakeholders/agencies;
4. Refine conceptual models. Complete an initial analysis of the potential contribution of the different components of the model, based on existing information, for the swamp water balance over a wet and dry cycle;
5. Prepare a draft report based on the initial analysis, summarising the outcomes of the initial analysis. Include an evaluation of key gaps, and the information / investigation requirements and estimated costs. A presentation is to be made to the Inland Acid Sulfate Soil Committee in support of the draft report;
6. Undertake a hydrological investigation and analysis of the different water balance components, quantifying the contribution of each to the degree of saturation in the Big Swamp under both wet and dry climate cycles;
7. Provide recommendations for how the water-balance in the Big Swamp could maintain saturation so that acid would not be generated under wet and dry climate cycles; and
8. Provide a final report, including a summary presentation to the Inland Acid Sulfate Soil Committee.

## 6 Costing for the proposal

The costs for points 1 to 5 of the methodology are to be provided as a lump sum. As part of the proposal, an indicative cost for points 7 to 9 are to be provided, comprising a lower end estimate, best estimate and upper-end estimate. The costings are to include all technical work, site visits, presentations and be inclusive of any additional expenses in support of the project delivery.

### Cost Table (Lump Sum):

| Item | Description                             | Cost (excl. GST) | GST |
|------|---|------------------|-----|
| 1    | Literature review                       |                  |     |
| 2    | Initial conceptual models               |                  |     |
| 3    | Site visit                              |                  |     |
| 4    | Initial analysis                        |                  |     |
| 5    | Draft report                            |                  |     |
| 6    | Hydrological investigation and analysis |                  |     |
| 7    | Develop Recommendations                 |                  |     |
| 8    | Final Report                            |                  |     |

## 7 Terms and Conditions

The Colac-Otway Shire standard terms and conditions will apply. Colac-Otway Shire reserves the right to terminate the contract at the end of Task 5. Depending on the

nature of the cost for the detailed investigation phase, Colac-Otway Shire may be required to re-tender the project to deliver tasks 7 to 9.





### Assembly of Councillors Record

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Document Management Co-ordinator for filing. A copy of the completed form must be provided to the Executive Officer to the CEO, Mayor & Councillors for reporting at the next Ordinary Council Meeting. (See over for Explanation/Guide Notes)

#### Assembly Details:

Date: 5 / 9 / 12  
Time: 12:00 am/pm

Assembly Location: Conference Room Rae Street  
(some e.g's. COPACC, Colac Otway Shire Offices, 2 - 6 Rae Street, Colac, Shire Offices - Nelson Street, Apollo Bay)

#### In Attendance:

Councillors: Ranjani Jha

Officer/s: Apologies - Cr Geoff Higgins  
Neil Allen

Matter/s Discussed: Colac Aerodrome Management Committee

(some e.g's. Discussion s with property owners and/or residents, Planning Permit Application No. xxxx re proposed development at No. xx Pascoe Street, Apollo Bay, Council Plan steering committee with Councillors and officers.)

#### Conflict of Interest Disclosures: (refer page 5)

Councillors: / / / / /

Officer/s: / / / / /

Left meeting at: 2:30pm

Completed by: L. Brooker

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## Colac Aerodrome Management Committee

Meeting held at Council Meeting Room 5 Sept 2012

### Attendees

Brendan Reidy, Norm Tann, John Callahan, Brian Smith, Michael Murray  
Ranjani Jha

### Apologies

Cr Geoff Higgins, Neil Allen

### Minutes previous meeting

Norm Tann read the minutes of June 2012  
Moved Norm Tann  
Seconded John Callahan

### Treasures Report

Two financial reports presented to committee  
Management Committee financials 7/1/2011 – 30/6/2012  
Statement of runway expenses up grade 1/7/2012 --- 25/8/2012  
Moved Norm Tann  
Seconded David Fenn Carried

### Correspondence

Council advised the committee our application for a Community Funded  
Grant of \$4000.00 for safety fencing was granted  
Moved John Callahan  
Seconded Brian Smith Carried

### Business Arising

|  |               |
|--|---------------|
| Signage landing fees safe ( complete)  | Ross Higgins  |
| Radio surveillance (on going )   | John Callahan |
| Regional aviation funding ( on going )   | Ranjani Jha   |
| Airfield upgrade 2012 ( complete )   | Norm Tann     |
| Hanger Rental ( Refer general business)  |               |
| The roll of subcommittee (operational )  | Norm Tann     |
| Conflict of Interest A guide for council Committees<br>was handed out to members |               |
| Moved John Callahan  |               |
| Seconded Michael Murray  |               |

### General Business

Community Funded Grant of \$4000.00 for safety fence around club rooms  
all Com members appreciated council genousity  
Committee suggested open book system regarding councils budget  
Agricultural Aircraft damage suggestion fees of \$500.00 ---- \$1500.00  
(on going subcommittee)  
Michael Murray spoke on the committee constitution regards rent rise of

**Colac Aerodrome Management Committee**

of 4.1% was a breach of the constitution after a discussion a rise was carried  
Hanger Inquires and day to day operational matters Norm and Brendan  
were appointed if required involve the other subcommittee members  
with the view if the issue is important report to a full committee

Moved John Callahan

Seconded Brian Smith                      Carried

**Other Matters**

Norm Tann requested approval to build a 15mt + 13mt aircraft hanger  
subject to planning and building permits being issued

Moved Brian Smith

Seconded John Callahan

**Meeting closed 2.30 pm**

**Next meeting Wed 5 December**



# Agenda

# Councillor Workshop

Wednesday, 21 November 2012  
COPACC Meeting Room  
9.00 am to 5.00 pm

## ATTENDEES:

Cr Lyn Russell (Mayor), Cr Stephen Hart, Cr Mick McCrickard (from 12.30pm),  
Cr Terry Woodcroft (from 12.30pm), Cr Michael Delahunty, Cr Brian Crook

Jack Green (Acting CEO)  
Colin Hayman (GM, Corporate & Community Services)  
Neil Allen (GM, Infrastructure & Services)

## Part:

Brett Exelby, Greg Fletcher, Ian Seuren, Vicki Jeffrey, Mike Barrow, Rick  
Morrow, Paula Gardiner, Michael Swanson

## Apology:

Rob Small (CEO)

## Agenda Topics

|                   |  |  |
|-------------------|--|--|
| 9.00 am           | Declaration of Interest                      |  |
| 9.00 am – 1.00pm  | Finance – including Ratings & Superannuation | Brett Exelby                                       |
| 1.00 pm – 1.30 pm | Lunch  |  |
| 1.30 pm – 2.30 pm | Health & Wellbeing Plan                      | Greg Fletcher                                      |
| 2.30 pm – 3.00 pm | Great Ocean Road Guidelines                  | Ian Seuren/Vicki Jeffrey                           |
| 3.00 pm – 3.30 pm | RDAF Presentation                            | Mike Barrow, Paula<br>Gardiner, Michael<br>Swanson |
| 3.30 pm – 5.00pm  | IT Support (i-pad) for Councillors           | Rick Morrow  |

## Council Meeting Running Order

Wednesday, 28 November 2012

|   |  |
|---|--|
| <p style="text-align: center;"><b><u>Venue – COPACC Meeting Rooms, Colac</u></b></p> <p><b>Present: Cr Russell (Mayor), Cr Hart, Cr Woodcroft, Cr McCrickard, Cr Delahunty, Cr Smith (from 12.45pm), Cr McCrickard (from 12.47pm)</b></p> <p><b>Staff: Jack Green, Colin Hayman, Neil Allen, Doug McNeill, Rhonda Deigan</b></p> <p><b>Part: Paula Gardiner, Ronan Corcoran</b></p> <p><b>Apologies: Rob Small, Cr McCrickard (until 12.47pm)</b></p> <p><b>Conflict of Interest: Nil</b></p> |  |
| <b>10.30 am –<br/>11.10 am</b>  | <b>Morning Tea with Colac Otway Shire staff</b>      |
| <b>11.10 am</b>   | <b>Apollo Bay Drainage Strategy – Ronan Corcoran</b> |
| <b>11.45 am</b>   | <b>Councillor Support Policy – Colin Hayman</b>      |
| <b>12.10 pm</b>   | <b>Lunch</b>   |
| <b>12.35 pm</b>   | <b>Councillor Briefing Session</b>                   |
| <b>3.00 pm</b>  | <b>Council Meeting</b>                               |
| <b>5.00 pm</b>  | <b>In Committee Meeting</b>                          |

## Old Beechy Rail Trail Committee Meeting

MINUTES of the Old Beechy Rail Trail Committee  
held on Monday 1 October 2012  
at 10.00 am – 12.30 pm

| ITEMS & ACTIONS  | RESPONSIBLE OFFICER | ACTION DUE DATE |
|--|---------------------|-----------------|
| <p><b>1. ATTENDEES:</b></p> <p>Tony Grogan, Jodie Fincham (COS), Cyril Marriner, Noel Barry, Christine Humphris, Tricia Jukes, Anthony Zappelli, Craig Clifford (DSE), Cr Chris Smith, John Wilson (COS)</p> <p>Minutes: Melanie Duvè</p> <p><b>2. APOLOGIES:</b></p> <p>Glenn Anderson (Midway), Bernard Jordan, Steve Trotter</p> <p><b>3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING:</b></p> <p>Amendment to previous minutes:<br/>6. Works Report - Daryl Towers should be <i>Derrill</i> Towers<br/>7. General Business - Lovatt should be <i>Lovat</i></p> <p>Minutes taken as read<br/>Second: Chris Smith</p> <p><b>4. BUSINESS ARISING:</b></p> <ul style="list-style-type: none"> <li>• Steve Trotter has tendered his resignation from the Old Beechy Rail Trail Committee (Beech Forest Progress Association representative) due to being unable to attend meetings. Steve will work on getting a replacement from the Beech Forest Progress Association.</li> </ul> <p><b>4a. Easement through Central Reserve</b></p> <ul style="list-style-type: none"> <li>• Clarification required by OBRT Committee as to use and signage for the area.</li> <li>• Email dated 11 Sept 2008 between Lisa Loughnane and Peter Dohnt – passed around room. Email states area will be fenced from playing areas. Path will go between playing areas and fence.</li> <li>• In 2011 CRAC stated they were satisfied as long as fencing is included for security and to avoid incorrect access to the ground during playing season.</li> <li>• 2.4m will be the maximum width of trail due to obligations of space either side.</li> <li>• Is this enough width legally? 2.4 is the absolute minimum, any additional signage will cause problems.</li> <li>• Request CRAC to please give consideration to the fact that the OBRT may require 4m.</li> <li>• There may be a need to discuss the possibility of future adjustments.</li> <li>• Should OBRT Committee member attend a CRAC</li> </ul> |                     |                 |

| ITEMS & ACTIONS   | RESPONSIBLE OFFICER | ACTION DUE DATE |
|---|---------------------|-----------------|
| <p>meeting to raise issue?</p> <ul style="list-style-type: none"> <li>All agree wise move to attend next meeting.</li> </ul> <p><b>Action: Committee member from OBRT to attend next CRAC meeting to raise issue of more space for path through Central Reserve.</b></p> <p><b>4b. DSE to follow up title exchange to clarify what piece of land now belongs to Council.</b><br/>Craig Clifford has spoken with the DSE Ballarat office however has not had confirmation as yet. Will follow up and forward response to Committee.</p> <p><b>6a. Approach to Towers Family</b><br/>No approach has been made as yet to discuss access through land, will do this at a better time.</p> <p><b>7a. Certificate of Recognition for Years of Service</b></p> <ul style="list-style-type: none"> <li>Minutes have been looked at – Years of Service is not entirely practical. For example, Paul Backen was on the Committee for 6 months and attended more meetings than Andrew Stoddart has in 10 years on the Committee.</li> <li>A way around this is to not include years of service but rather have it as recognition for Outstanding Service on the committee.</li> <li>It is at the Committee’s discretion on guidelines for acknowledgment. Now is the time to set these guidelines.</li> <li>Who would be eligible for recognition in Committee’s opinion based on Outstanding Service? <ul style="list-style-type: none"> <li>Bob Whitehead</li> <li>Neil Longmore</li> <li>Anthony Zappelli</li> <li>Noel Barry</li> <li>Cyril Marriner</li> <li>Christine Elliott</li> <li>Tony Grogan</li> </ul> </li> </ul> <p>Motion (Chris Smith) to include the following categories for life membership</p> <ul style="list-style-type: none"> <li>10 years Outstanding Service</li> <li>Exceptional Service to the Committee</li> </ul> <p>Second: Tricia Jukes<br/>Carried: All</p> <ul style="list-style-type: none"> <li>What should these life members receive for providing 10 years of outstanding service/exceptional service to the Committee?<br/>Framed certificate from the Chair of Committee</li> </ul> <p><b>Tiger Trail</b></p> <ul style="list-style-type: none"> <li>Chris to meet at Birregurra regarding the Tiger Trail.</li> </ul> <p><b>CORRESPONDENCE</b><br/><b>IN:</b></p> <ul style="list-style-type: none"> <li>Email from Chris Harkin, Secretary of Lavers Hill &amp; District Progress Association (LHDPA). Discussions</li> </ul> |                     |                 |

| ITEMS & ACTIONS   | RESPONSIBLE OFFICER | ACTION DUE DATE |
|---|---------------------|-----------------|
| <p>have been held at a recent Committee meeting about completing the Lavers Hill to Crowes Section of the trail.</p> <ul style="list-style-type: none"> <li>Current membership of LHDPA is more supportive of completing works from Lavers Hill k- 12 College &amp; to Crowes Buffer stop (end of the line.)</li> <li>LHDPA Committee has asked whether 2 positions could be made available on the Old Beechy Rail Trail Committee for a member from Lavers Hill District Progress Assoc. &amp; Lavers Hill College.</li> </ul> <p>Cyril Marriner added that the Tourism Association has found country towns are struggling. Lavers Hill is in need of tourist trade, trail completion would help.</p>    | Chris Harkin        |                 |
| <p>Committee discussion followed.</p> <ul style="list-style-type: none"> <li>Could support one position on Committee, but question the need for two.</li> <li>The part of the trail identified by the LHDPA is currently lower on the Committee's priority action list, however it should definitely be earmarked for consideration in the future.</li> <li>It was agreed the LHDPA &amp; Lavers Hill Secondary College would benefit from experiencing firsthand how the Committee works, i.e. priorities that have been identified and how funding has been allocated. This will assist them in understanding</li> </ul>  | Cyril Marriner      |                 |
| <p><b>ACTION: Jodie Fincham to identify where the Committee are in current Term of Office.</b></p> <ul style="list-style-type: none"> <li>Suggestion to wait until Term of Office ends to formally create new position for Lavers Hill representative. In the meantime write back advising that the Old Beechy Rail Trail Committee is delighted with their interest. Correspondence to clarify that there are Council processes to follow, funding is not currently available for Lavers Hill section but it is definitely on the agenda for investigating for the future. Invite a member to meetings as an observer, (will not have voting rights but they can be involved in discussions.)</li> </ul> | All                 |                 |
| <p>Moved: Cyril Marriner<br/>Second: Tony Grogan<br/>Carried: All</p>   |                     |                 |
| <p><b>ACTION: Tony Grogan to write and invite a member to attend meetings as a guest then follow Council process to have a Lavers Hill representative on the Committee.</b></p> <ul style="list-style-type: none"> <li>Discussion followed suggesting that Anthony Zappelli move in as the Beech Forest Progress Association representative and Chris Smith to become a landowner representative to ensure his continued involvement on the OBRT Committee.</li> <li>Chris Smith would prefer to remain as the Council representative.</li> <li>Chris suggested holding off on any further discussions</li> </ul>   | Tony Grogan         |                 |



| ITEMS & ACTIONS  | RESPONSIBLE OFFICER      | ACTION DUE DATE |
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| <p>until after the Council elections are held.</p> <ul style="list-style-type: none"> <li>• Response received from Dr Sue Beeton regarding Easter Rail Trail survey results indicating it will be another few months before the results are available.</li> <li>• Calco Timbers provided an invoice of \$48.66 to Committee for payment for rapid set concrete. This invoice had incorrectly been forwarded to Council for payment.</li> <li>• Routleys Bakery has offered to display photographs of the Trail at the bakery.</li> <li>• Noel Barry or Puffing Billy may be able to provide photos. Tony Grogan has a disk of black and white photos, Beech Forest Historical Society have Bob Whitehead's collection which could be used.</li> <li>• Frame or block mount photos for display, speak with bakery to see if they will contribute to cost.</li> </ul> <p><b>ACTION: Committee member approach Bakery to discuss sharing/covering cost to have photos framed or block mounted</b></p>   | <p>Committee member?</p> |                 |
| <p><b>6. WORKS REPORT</b></p> <p><b>Presented by John Wilson</b></p> <ul style="list-style-type: none"> <li>• Concerns discussed regarding fencing the area between train tracks and Bowling club. Potential for entrapment, deter users for fear of safety. Suggestion of either a scalable fence or landscaping either side of path rather than 1.8m fencing.</li> <li>• Agreement has been recorded between Council and Victrack as to use of the space for the OBRT, however details have not been specified in regards to fencing etc. Alternative fencing/hedging could be looked at.</li> <li>• Concerns have been raised regarding the maintenance of the OBRT. More focus needs to be on maintaining the current Trail. Patches of the Trail are in desperate need of repair, the safety of users is an issue in some parts.</li> <li>• Are landowners able to do some repairs to sections around their property? Tricia Jukes is concerned about the section of trail along her property. Along the gully earth is moving away. Drainage is the issue in this section. Tricia's husband is very capable of fixing the problem but is mindful this may breach contractual obligations with the Council/OBRT Committee.</li> <li>• There is a Council budget provided for maintenance. Focus for this summer should be on assessment, review &amp; maintenance of current trail, rather than looking at creating new sections.</li> <li>• Can landowners undertake some maintenance on sections of the trail on their land? Could Council work with the landowner to maintain these sections?</li> </ul> |                          |                 |

| ITEMS & ACTIONS   | RESPONSIBLE OFFICER | ACTION DUE DATE |
|---|---------------------|-----------------|
| <p><b>ACTION:</b> Tricia Jukes to email photos of the section in need of repair.</p>  | Tricia Jukes        |                 |
| <p><b>ACTION:</b> John Wilson to investigate the possibility of landowners working with Council on maintenance of trail on their land.</p>  | John Wilson         |                 |
| <p><b>Friends Report:</b></p> <ul style="list-style-type: none"> <li>• Friends identified tree falling on the pile bridge. The tree that fell on bridge on trail is between 55-60 years old</li> <li>• Waiting on heritage advice on how to repair the bridge, path is unclear at this stage</li> <li>• Chris Smith suggested sending COS works a letter outlining consultation should occur with the Committee before removing/repairing bridge. Prefer not to replace beams but rather restructure what can be saved.</li> <li>• Heritage consultant has inspected the trail. Noel Barry accompanied the consultant along the trail.</li> <li>• Waiting for report. Consultant did take notes on all aspects including trail formation.</li> <li>• All heritage worthy items removed from the trail would lose heritage value.</li> <br/> <li>• 4 cross arms have been installed             <ul style="list-style-type: none"> <li>- Wimba section</li> <li>- 2 at Wimba</li> <li>- Wimba and Beech Forest</li> <li>- 1 cross arm left to be installed</li> </ul> </li> <br/> <li>• Old Beechy Rail Trail sign to be erected at walkway at end of the former Civic Hardware building (footbridge).</li> <li>• Planning advice to be obtained regarding the sign installation. 3-4 metres in size, installed parallel with fence beside walkway.</li> </ul> |                     |                 |
| <p><b>Executive Officer's Report:</b></p> <ul style="list-style-type: none"> <li>• Refer to attached report</li> </ul>  |                     |                 |
| <p><b>7. GENERAL BUSINESS</b></p> <ul style="list-style-type: none"> <li>• Otway Scenic Circle Association OSCA. Annual meeting held – State of the trail between Beech Forest and Gellibrand was raised.</li> </ul>  |                     |                 |
| <p><b>8. ITEMS FOR FUTURE MEETING</b></p>   |                     |                 |

Time Meeting Concluded: **12.15pm**

**NEXT MEETING** – Monday 3 December 2012, 10.00am COPACC

### **RIDF Funding (Regional Infrastructure Development Funding)**

- Monitor progress of works and report back as required.
- Next report due May 2013.

### **Hunt for the Golden Gumboot 2012**

- Event to be held 25 September-19 October 2012.
- Incorporates part of school holidays and will have a launch event at Gellibrand and a celebration BBQ at Beech Forest.
- Two sections of the trail to be used – Watson & Faceys (same as last year) and Beech Forest (from Beech Forest information centre to Ditchley.)

### **OBRT Survey**

- Survey currently featured on the following websites: Colac Otway Shire, Otways Tourism and Rail Trails Australia.
- Results from survey conducted at Easter 2012 by La Trobe Business School have still not been completed.

### **OBRT Brochure**

- No further requests for brochures this month.
- Brochure will required significant updating once works are complete on the trail.

### **Pedestrian Counters**

- Data report presented with figures recorded from Wednesday 28 September 2012.
- Report with figures to be distributed to Committee

### **Licence Agreements**

- Follow up with Tony Grogan.

### **Other**

- Meeting with Planning Department regarding Former Colac-Beech Forest Crowes Railway Heritage Assessment