



Colac Otway  
SHIRE

**AGENDA**

ORDINARY COUNCIL MEETING

OF THE

COLAC-OTWAY SHIRE

COUNCIL

25 AUGUST 2010

at 3:00 PM

**CRESSY BOWLING CLUB, CRESSY**

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

# COLAC-OTWAY SHIRE COUNCIL MEETING

25 AUGUST 2010

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NOTICE is hereby given that the next *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held at the Cressy Bowling Club, Cressy on 25 August 2010 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 active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

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Thank you, now question time. 30 minutes is allowed for question time. I remind you that you must ask a question, if you do not have 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 28/07/10.**

**Recommendation**

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

## OFFICERS' REPORTS

### Chief Executive Officer

- OM102508-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM102508-2 CORANGAMITE REGIONAL LIBRARY CORPORATION - REQUEST FOR EXTENSION TO LEASE
- OM102508-3 CORANGAMITE REGIONAL LIBRARY CORPORATION 2010/2011 BUDGET

### Corporate and Community Services

- OM102508-4 VICTORIAN LOCAL GOVERNMENT SERVICES REPORT (ESSENTIAL SERVICES COMMISSION)
- OM102508-5 AUTHORISATION OF OFFICERS (PLANNING AND ENVIRONMENT ACT)
- OM102508-6 NAMING OF ROAD IN BEECH FOREST AS "CLIFF YOUNG DRIVE" AND PARK AS "CLIFF YOUNG PARK"
- OM102508-7 REVIEW OF COUNCIL POLICIES

### Infrastructure and Services

- OM102508-8 ROAD MANAGEMENT PLAN COMPLIANCE REPORT
- OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE
- OM102508-10 REGIONAL ASSET MANAGEMENT SERVICES PROGRAM

### Sustainable Planning and Development

- OM102508-11 AMENDMENT C58 - KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLANS
- OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT OCEAN ROAD REGION

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



**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>OM102508-1      CEO'S PROGRESS REPORT TO COUNCIL</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1.      Notes the CEO's Progress Report to Council; and</i></b></li> <li><b><i>2.      Authorises the CEO to forgive Optus the "make good" provisions of its lease for 6 Blundy Street Forrest</i></b></li> </ol>		
<p><b><u>OM102508-2      CORANGAMITE REGIONAL LIBRARY CORPORATION - REQUEST FOR EXTENSION TO LEASE</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1.      Authorises the CEO to inform the Board of the CRLC that Council will not extend the lease of the existing Colac Library building to CRLC until December 2011;</i></b></li> <li><b><i>2.      Authorises the CEO to inform CRLC that Council consider it appropriate for CRLC to relocate to an alternative site in Colac, and will work with them to achieve a suitable alternative location; and</i></b></li> <li><b><i>3.      Agrees that if the move is unable to be achieved by January 1 2011, Council will extend CRLC's lease on a month by month basis until suitable accommodation is found.</i></b></li> </ol>		





**OM102508-1****CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	GEN00460

**EXECUTIVE****6 Blundy Street, Forrest**

Council welcomed news that Optus is considering alternative sites for its proposed tower in Forrest. It has been agreed with Optus to revoke the lease, refund the rental and to forgive Optus the need to make good the site.

Optus announced on 27 July that it would not proceed with its plans to build a mobile tower at 6 Blundy Street in Forrest.

Optus had worked closely with Council to consider the community's concerns by considering alternative sites for the tower.

While Optus has indicated that they are doing everything possible, including discussions with other providers in respect of collocation options, the unfortunate end result is that it is unlikely that Optus will be able to improve communication capacity in Forrest and the Otways in time for the upcoming fire season.

**G21 Regional Alliance**

Mayor Lyn Russell and CEO Rob Small have attended G21 meetings to help sort through the regional priorities for the G21 community.

With the lead up to the federal election, G21 are looking toward political parties to improve conditions for the Geelong area.

G21 projects that require funding consist of Princes Highway West duplication, Geelong Ring Road infrastructure improvements and improved transport links to Melbourne.

Geelong Future Cities, Avalon Airport, works to Skilled Stadium and the establishment of a national research centre for emerging infection diseases are also on G21's agenda.

G21 has also been assisting the Colac Otway Shire in lobbying for increased rail services between Colac and Geelong. The three return services provided by V/Line on the Warrnambool to Geelong line is significantly less than that provided to other regional towns. An increase to at least five return services would provide greater access for our community members to health services, education and employment.

**Federal Election Lobbying**

The Mayor, CEO and others have been lobbying Federal parliamentary candidates on critical infrastructure projects and social issues facing the Shire and have been holding meetings with individuals to make Colac Otway's case. To date the following projects have been promised:

- Dual highway between Winchelsea and Colac (Labour & Liberal)
- Trade Training Centre or technical school for Colac (Labour & Liberal)
- Accommodation for medical interns (Liberals)

- Dual highway upgrade to the South Australian border (Liberal)
- Extension to Bluewater Fitness Centre basketball courts (Labour)
- Funding for Birregurra Creek upgrading and a coastal walk from Wild Dog Road to Skene's Creek (Liberal)
- Extension to the Colac Area Health operating theatre (Labour).

### **Municipal Association of Victoria - Bushfires Royal Commission Briefing**

The MAV – Bushfires Royal Commission Briefing was held at COPACC on Monday 9 August.

Councillors, Executive Officers and Staff were in attendance with members of Emergency Services and the general public.

Facilitators were gathering feedback from members of the community.

Additionally staff have been providing state government (through the MAV) with an understanding of the significant costs that the Commission's recommendations could place on Councils such as the Colac Otway Shire.

### **Great South Coast Municipalities Group Meeting**

The GSCMG met in Camperdown on Friday 20 August where members discussed a regional purchasing policy, coordination of the regional plan, the Princes Highway West election campaign, the Loch Ard Centre and Vicroads Funding.

## **CORPORATE & COMMUNITY SERVICES**

### **Public Holidays**

Council has received a letter from the Minister for Small Business, Joe Helper MP advising that a declaration has been published in the Government Gazette that provides the first Friday in November as a substitute public holiday in lieu of Melbourne Cup Day.

The declaration is for a 3 year period:

2010:	Melbourne Cup Day – 2 November 2010,	Colac Show Day – 5 November 2010
2011:	Melbourne Cup Day – 1 November 2011,	Colac Show Day – 4 November 2011
2012:	Melbourne Cup Day – 6 November 2012,	Colac Show Day – 2 November 2012

### **Rural Access**

#### **Community Building Program Framework Implementation**

The Disability Services Unit of the Department of Human Services has developed a Community Building Program, which is aimed at taking a community development approach to building inclusive communities. This will have a significant impact on Council's Rural Access program.

In response to the recent Rural Access Evaluation, the Disability Services Unit undertook research into community indicators which could be used to measure progress of the program. That research has informed the review and redevelopment of the Community Building Program guidelines and documentation which is now in its implementation stage.

In 2009 and 2010 Disability Services collaborated with stakeholders across the program to develop a new suite of documentation, aiming to:

- Support professional practice within the Community Building Program;

- Provide up-to-date guidance for auspice agencies implementing the Community Building Program; and
- Develop a framework for rigorous planning and reporting within the Community Building Program.

Once further information is available this will be assessed as to the implications for Council's Rural Access program.

### **The Meeting Place**

A redevelopment of "The Meeting Place" program proposes a community based family support model that will build a strong foundation of developing information, planning and a coordination system that supports families, parents, carers and the individual with a disability to participate in mainstream community and specialist respite options.

The core elements outlined in the Victorian Government's *Support Your Way* policy statement will guide a self directed approach to the provision of carer support for people within the Colac Otway Shire. These self directed approaches include:

- Self-directed approaches change people's role in the service system. People become participants in planning and obtaining the services that support them.
- People's relationships with professionals change. Whilst service professionals retain a critical overview of service quality and outcomes, they become more like advisers, counsellors and brokers, guiding people to make choices that meet their needs.
- Self-directed supports bring in new knowledge and information, which help shape services. The participative approach encourages a greater diversity of opinion by drawing on the detailed knowledge of people with a disability, their families, peers and friends.

### **Transport Connections**

In June 2010, the Minister for Community Development approved an allocation of \$158,090 for the Colac Otway Transport Connections Project Phase 3. This funding will provide sustainability for building on the Phase 2 transport services developed over the last 3 years.

The Department of Planning and Community Development (DPCD) Innovations Fund will also provide additional funds to trial local transport initiatives.

The Local Advisory Group of Colac Otway's Transport Connections Project are delighted with the outcome of their letter of support to the Department of Transport for a low floor bus in Colac. Member for Western Victoria, Gayle Tierney MP, launched the \$380,000 bus in May, and increased patronage indicates that the low floor bus is providing more accessible public transport for older travellers, families with small children, and shoppers with trolleys. Council supported this initiative with the roll-out of *Disability Discrimination Act 1992* compliant bus stops before the launch of the low floor bus.

### **Apollo Bay to Colac Wednesday Bus**

The bus celebrated its first year of service on 1 July 2009. The Department of Transport has agreed to continue this service for another year, as patronage numbers have demonstrated this need.

The Transport Connections Project will trial a Colac-Lavers Hill summer bus commencing 1 January 2011. Providing one return trip on Saturdays, V/Line travellers can now travel by

public transport to the Old Beechy Trail and Otway Fly, or bike ride Turton's Track to connect with Apollo Bay or Lorne summer bus services.

This will be the third summer service proposal successfully trialled during the 3 year Transport Connections Project. These bus services plus the year-round weekly services provide public transport to 14 local communities previously not connected to Colac by public transport.

## **Events**

### **2011 Australia Day Celebrations**

Council endorsed the recommendation by the Australia Day Advisory Committee to hold the 2011 Australia Day celebrations in Colac. The event will be held at Memorial Square.

A range of Service Clubs and community members will be invited to be involved in the planning and organisation of the Colac celebrations.

The 2011 Colac Otway Shire's Australia Day celebration has been registered with Department of Premier and Cabinet.

### **Colac Community Library and Learning Centre Volunteer Project**

Colac Otway Shire in partnership with Community Hub Inc are offering a volunteer program to Colac Otway residents and the opportunity to take part in the opening event preparations.

Volunteers will have the chance to participate in a range of free training that will provide fundamental volunteering and event management skills. The opening event will need the support of volunteers to welcome visitors and conduct scheduled tours as well as assist in the delivery of the various opening day activities.

The volunteer recruitment process has commenced with posters, flyers and volunteer registration forms being distributed for volunteers to register their interest.

### **2010 Spring Calendar of Events Brochure**

The Spring Calendar of Events brochure has been created in consultation with twelve event organisers who are planning to conduct events from September to November. There will be 2500 brochures and 50 posters printed and advertising and distribution of the brochures will take place across the Shire in early September.

### **FReeZA – Battle of the Bands 27 August**

The annual Battle of the Bands was supported by a large group of young people who listened to seven bands contest for a spot in the regional competition. Two local headline acts performed - 'Almackjack' and 'Japan For'.

### **Upcoming Events**

Events which will be held throughout the Colac Otway Shire in September will include another FReeZA event to be held at Straight Shooters on 17 September.

## **Recreation**

### **Healthy Sporting Environments Demonstration Project**

Leisure Networks has been successful in winning the VicHealth Healthy Sporting Environment Demonstration Project. The Colac Otway Shire will partner with Leisure Networks in the delivery of this exciting new project which will offer clubs the opportunity to build capacity and change around creating healthy sporting environments into the future.

VicHealth in the development of this project recognised the value and contributions that sporting clubs can make in providing safe, supportive, healthy and inclusive environments. This project will provide incentives for clubs to the value of \$3,500 and more significantly will have the support of project officers who will provide training, resources and on-going contact through the life of the project.

The project will include 100 clubs from the City of Greater Geelong (50 – 60 clubs), Surf Coast Shire (10 – 15 Clubs), Colac Otway Shire (10 – 15 Clubs), Borough of Queenscliffe (2-5 clubs) and Golden Plains Shire (2-5 clubs). This will be a voluntary based process which will be conducted over a period of 2 ½ years.

As this is a demonstration/pilot project it brings with it an evaluation process, the outcomes of which will potentially shape the funding and direction of sport and the health of communities into the future.

The main focus of this project is to support clubs to implement minimum standards in seven areas of club development. These seven areas include:

- Sports Injury Prevention;
- Protection from harmful effects of UV;
- Healthy food;
- Smoke-free environments;
- Responsible use of alcohol;
- Safe and Respectful Clubs (particularly for women); and
- Reducing race-based discrimination.

During the life of the project participating clubs will have the support of project officers and will be offered training as required to meet the standards.

A club briefing session will be held for all clubs on 1 September at COPACC. Expression of Interest forms can be obtained via the Recreation Unit.

### **Eastern Reserve Redevelopment Project**

The official opening of the Eastern Reserve redevelopment project will take place on Saturday 28 August 2010, attended by Gayle Tierney, MP. The official opening marks the culmination of a project that has been several years in the making and reliant upon the significant contributions from both the Colac and District Netball Association and the Colac Summer Netball Association and supported by the State Government and Council.

### **Colac Skate Park Redevelopment Project**

Following the announcement of the successful funding application under Sport and Recreation Victoria's Community Facility Funding Program – Minors category, combined with Council's funds for the Skate Park project, work has commenced on developing tender documentation. Council officers will continue to meet with Skate Park representatives to discuss and progress the plans.

### **Central Reserve**

Council Officers are currently working on an application to Sport and Recreation Victoria through the Sustaining Sports Grounds program to seek funding to redevelop the Central Reserve Oval. Funding for the Oval has been identified as a priority and would significantly improve the surface of the ground over the winter period and improve water management systems which will ensure local sporting clubs can maintain community sport and recreation facilities and develop a long term sustainable approach to water management of Colac's Premier Recreation facility. Independent expert advice is being sought on these matters.

**COPACC**

COPACC has made a good start to the financial year with business events attracting a 9% increase in revenue on last July and is on track for more than a 10% increase on August in 2009 – indicating the business continues to grow steadily.

The COPACC team is about to begin work on the scheduling of the \$650,000 refurbishment of the Civic Hall.

COPACC is hosting a week-long celebration of Book Week from August 23-27 with an exhibition of works by former Beeac Primary School student and local children's author and illustrator Teresa Culkin Lawrence. COPACC is offering primary schools the opportunity to attend a series of talks by children's authors and illustrators, storytelling sessions and other activities.

COPACC hosted the "In the Bin" short film festival on August 14, which included films produced by Colac Secondary College students for the digital arts exhibition "Past, Present and Future" commissioned to celebrate the opening of the new Colac Community Library and Learning Centre. Apart from the three works produced by the students, a dozen films by professional film makers were also screened in the Civic Hall.

COPACC has partnered with "Opera in the Otways" to offer a series of masterclasses by world-renowned conductor and music educator Richard Gill. Mr Gill, who is music director of Victorian Opera, will conduct four singers and a full orchestra at Cape Otway Lightstation on October 16. The day before he will offer vocal master-classes for regional students at COPACC. These students will have the opportunity to perform choruses with Victorian Opera at "Opera in the Otways".

**Blue Water Fitness Centre**

During the month of July, Bluewater Fitness Centre visitation trends tend to drop in the Aquatics area, due to the inclement weather Colac experiences. However, current figures have shown the opposite and in 2010 the Centre has had an increase in the following sales and attendance:

- Up 25 casual swims for July 2010 compared to July 2009.
- 21 Aquatic Multi-passes sold in July 2010 compared to 10 in July 2009.
- 41 students from Lorne P-12 College participated in the BWFC Swim & Survive Program.
- Currently we have 207 students enrolled in our learn to swim program.

These increases can be attributed to the use of radio and print media advertising of the Centre which has ensured the community is more aware of the facility operating during these colder months.

Bluewater Fitness Centre will be conducting inflatable Sundays in the coming months. It is expected that this will encourage families to the Centre during normal quieter times, bringing back the motto of Fun, Fitness and Health.

In the Dry Program area and Gym, the Centre had the highest number of casual visits since September '09 with the major increase coming from casual student gym.

There were over 380 Crank and Express Crank attendances for July which is significantly higher than the previous best by approximately 120. This suggests the combination of the new bikes, the Tour de Bluewater and the additional Friday morning class have all been a huge success.

The Term 3 program has undergone a couple of changes in response to multiple customer feedback forms.

Tour de Bluewater competition completed as of 30 July. This was a huge success with a total of 40 participants registered. Feedback has been great. A presentation breakfast was held on Thursday morning (5 August) at Cafe Nu Deli.

A New Healthy Mums program which has received great attendance started in July. It involves mums attending exercising classes with their babies. All have expressed interest in continuing after the initial 5 week program has completed.

Apollo Bay swimming pool is undergoing plant works to help improve water circulation problems experienced last season. Applications have now opened for Life Guard positions in Apollo Bay and interviews will be conducted in September.

### **Youth Council**

On Monday 26 July, Youth Councillors attended Mercy Place for the second time this year to play games with the residents. Mercy has welcomed the Youth Councillors back and would love to see them every week if possible.

Youth Councillors welcomed TRAG (Teenagers Road Accident Group) to Colac on Wednesday 28 July. Presentations were made to year's 11 and 12 students at Trinity College and Colac Secondary College. Lavers Hill P-12 College and Apollo Bay P-12 College were also in attendance. Colac Police and Colac Driving School attended the presentation at Trinity College. Positive feedback was received from students and teachers.

Youth Council are currently planning a Community Fun Day to be held Sunday 31 October at Bluewater Fitness Centre. The afternoon's activities will promote healthy lifestyles, road safe and safety in the home.

## **INFRASTRUCTURE & SERVICES**

### **CAPITAL WORKS**

The Unit has been programming capital works projects for current year's works programmes.

- **MEFVic Study Tour Scholarship**

Earlier this year, Paula Gardiner was awarded one of four (4) study scholarships from the Municipal Engineering Foundation Victoria (MEFVic). Paula left for the USA on 8 August 2010. She is expected to return to work on 6 September 2010.

- **Special Charge Scheme Update**

- **Special Charge Scheme - Sinclair Street South**

VCAT has received two (2) submissions for the proposed scheme and has informed the Council that the hearing of this scheme will be held on 2 December 2010.

- **Project Planning**

The planning for projects listed within the 2010/11 Capital Works Program is continuing.

- **Pavement Design and Investigation**

Geoworks Pty Ltd, Melbourne has been awarded the contract to carry out road pavement design and investigation work for this year's projects.

Pavement investigation will include Queen Street (Pound Road to Airey Street), Larpent Road Browns Lane to Lineens Road in Colac and Barham River Road, Ferrier Drive, Busty Road and Thomson Street in Apollo Bay. Scheduled completion date for this work is end of September 2010.

Internal and External referrals are continuing for other projects.

- **Update - Rail Crossing Safety Interface Agreement (SIA's)**

The final version of the Safety Interface Agreement (SIA) template has been agreed to and Council received a copy on 30 July 2010. Council officers are working with the rail authorities to finalise the lists of municipality specific interface points to be included in the agreement.

## **SUSTAINABLE ASSETS UNIT**

- **Routine Road and Footpath Inspections**

The following is a summary of the routine road and footpath network inspections completed for the month of July 2010:

<i>Link Roads</i>	A number of guideposts were found to be either damaged or missing. Potholes and corrugations were identified in the gravel roads incorporating this inspection area. It was recommended that isolated areas of potholes were spotted up rather than road grading. All identified maintenance works have been programmed to be completed by Cosworks' works crews.
<i>Rail Crossings</i>	All council managed rail crossings were inspected in July. Damaged and missing signage was identified for maintenance or replacement. All identified maintenance works have now been completed by Cosworks works crew.
<i>Murray Ward Area 2</i>	Areas in Birregurra, Warncoort and Yeodene were inspected. A number of guideposts were found to be either damaged or missing. Potholes and corrugations were identified in the gravel roads incorporating this inspection area. It was recommended that isolated areas of potholes were spotted up rather than road grading.
<i>Gellibrand Rural</i>	Potholes and minor corrugations were commonly identified in the gravel roads. It was recommended that isolated areas of potholes were spotted up rather than grading. A number of signs were also identified as requiring cleaning.



<i>Murray Ward Area 1</i>	Areas in Elliminyt, Kawarren, Larpent, Gerangamete, Yeo, and Yeodene were inspected. Given the time of year and ongoing wet weather, potholing in gravel roads was identified as a particular issue.
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- **Electric Line Clearance Management Plan**

The Electricity Safety (Electric Line Clearance) Regulations 2010, (the 'Regulations') came into operation on 29 June 2010.

The Code of Practice is prescribed by the Regulations and sets out the clearance distances in relation to electric lines, trees, and other vegetation throughout Victoria in order to minimise the risks of vegetation contacting electric lines for a range of weather conditions.

Clearance distance or space means a space surrounding an electric line which must be clear of vegetation. The clearance space varies with the type of electric line (e.g. aerial bundled cable, insulated cable, etc) and the risk of ignition of fire at that location.

The Code contains the clearance space dimensions in the form of charts outlining the minimum safe distances between power lines and vegetation. All dimensions have been determined through the application of engineering principles and outline the minimum distances required for safety.

Council is responsible for vegetation management of trees on streets and other public land which it manages within the boundary of the old City of Colac. Powercor Australia is responsible for all other areas within the municipality outside of this boundary.

Officers are presently reviewing Council's Electric Line Clearance Management Plan which was submitted in February 2010 in light of the recent legislative changes. If amended, the Plan is required to be submitted to Energy Safe Victoria.

- **Building Management and Works**

- **COPACC**

- The new air-conditioning unit for the COPACC main auditorium was installed and commissioned over 14-15 July 2010. Works were completed at a total cost of \$51,640.

- **Building Inspection & Condition Report**

- Council has engaged an external consultant to carry out an appraisal of the condition and standard of various Council facilities including Blue Water Fitness Centre, COPACC and Council's sixteen (16) public halls. The inspection phase of this project has now been completed and condition and remedial maintenance reports are currently being prepared. Detailed reporting is expected by late August 2010.

- **Irrewillipe Hall**

- An application for a Building Permit has been made for the construction of a disabled access ramp at the Irrewillipe Public Hall. This project is to be completed under the Federal Government's Regional and Local Community Infrastructure Program (RLCIP).

- **Rae Street Office**
  - A contractor has been engaged to undertake internal repainting of the Rae Street main entrance and the customer service area.
- **Library Annexe**
  - Input has been sought from senior Corangamite Regional Library Corporation (CRLC) staff into the design of the space for the library annexe. An indicative floor plan has been drawn up and CRLC has commenced consultation with library users to provide input into the operation of the annexe, including opening hours, facilities to be made available, annexe fitout, etc.

## **COSWORKS DEPARTMENT**

**Road Regrading:** Maintenance grading has been undertaken in Forrest, Johanna, Hordern Vale, Yulong, Apollo Bay & Coastal areas plus the northern section of the Shire.

**Road Pavement Minor Patching:** Ongoing maintenance has occurred on sealed roads in all areas due to increased rainfall.

**Gravel Road Re-sheeting:** Gravel resheeting works have been undertaken on Buruppa, Old Beech Forest, Hordern Vale, Carlisle Gellibrand, Sunnyside, Benwerrin, Mt Sabine, Old Irrewillipe, Patons Lane and Bungador School Roads.

**Major Drainage:** Works have been undertaken in Moomoowrong, Hordern Vale, Ridge, Minchintons, Kents, Turner Drive, Old Irrewillipe, Tomahawk Creek and Kervins Roads.

**Culvert works:** Escarpment works completed on Frys, Kawarren East, Devondale and Minchintons Roads.

**Routine Drainage completed:** Drainage works have been completed in Grey River, Skenes Creek, Wye River, Separation Creek, Apollo Bay, Kawarren, Denherts, Forrest, Birregurra, Beeac, Larpent & Irrewillipe areas.

**Tree Maintenance:** Tree maintenance works have been undertaken around power lines north of Colac.

**Township Mowing:** Mowing has been undertaken in Apollo Bay, Marengo, Kennett River, Carlisle, Barwon Downs, Forrest, Beeac, Cressy and Birregurra.

**Storm Damage:** After recent storms, maintenance works have been completed on Binns, Wild Dog, Sunnyside, Henrys, Lardeners, Old Beechy Rail Trail, Marriners Lookout, Killala and Robinsons Roads.

**Bridge Maintenance:** Annual Bridge inspections have commenced on all structures including weed spraying around bridge structures.

**Gardens:** General maintenance to the gardens has been undertaken over the last month.

**Playground Maintenance:** Maintenance has been completed as per audits of the playgrounds.

**MAJOR CONTRACTS/WASTE DEPARTMENT****• Dredge Replacement – Port of Apollo Bay**

A meeting was held with Department of Transport (DOT) to discuss options for dredge replacement at Port of Apollo Bay. The existing dredge "Gannett" and the work boat "Corsair" are in poor condition. Age and safety issues have been identified with the continued use of these two vessels. The "Sand Management and Dredging Options" study has recommended the replacement of "Gannett" with a new suction dredge and all associated accessories. The report was forwarded to DSE and DOT who have undertaken a peer review of the report using Oldfield Consulting.

The peer review considered a couple of alternative dredging options such as:

1. Reuse of the reusable components of the current dredging vessel in a new or second hand vessel; and
2. Use of a slurry pump mounted on a hired mobile crane operating off the East End Jetty.

Both the options proposed after the peer review were analysed in greater detail and found not to be satisfactory for the Port Apollo Bay operations.

The Council's management has strongly recommended to DOT the need for supply of a new dredge and DOT has agreed in principle to start the initial works, including development of dredging vessel's performance criteria, seeking of expressions of interest and obtaining tentative cost estimates. DOT has recommended that the savings from unused Port of Apollo Bay budget over the past several financial years be used for the investigative and project development works. No formal commitment will be given by DOT to replace the vessels until the expression of interest is completed.

Council will be working closely with the DOT on this important planned replacement project and Council will be provided with updates as further progress is achieved.

**• Bruce Street Landfill**

Council has appointed URS Consultants to undertake further landfill environmental monitoring related works as part of the formal landfill rehabilitation requirements. URS are working on actions recommended in the final audit report dated February 2010. Some of the main actions will involve extra monitoring of ground water, landfill gas emissions, leachate control, groundwater level and proposing an ongoing test program for the future.

Once all the auditor's actions are implemented a report will be tabled by URS indicating the test outcomes to be forwarded to the Environmental Protection Agency (EPA) as part of Council's reporting requirements on sanitary landfills.

**• Tenders**

Tenders opened since the last reporting period:

1009 – External Plant Hire

1011 – Annual Supply of Concrete Works

No Tenders have been awarded since the last reporting period.

Tenders advertised since the last reporting period are:

1014 – Mechanical Services Maintenance, closing 1 September 2010

1013 – Banking Services, closing 25 August 2010

• **Subdivision Works**

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

Subdivision	Status
Apollo Bay Industrial Estate Stage 1 9 lots	The developer is to complete outstanding civil works including guard rail at the culverts on Montrose Avenue, landscaping and some drainage. Service authorities need to sign off their relevant works for compliance to be issued.
Rossmoyne Road Industrial Estate Stage 1, 8 lots	A number of minor works are being completed with a “completion of works” and compliance statement expected to be issued soon. Arrangements have been made to fully complete VicRoads’ works at a later time.
Rossmoyne Road Industrial Estate Stage 2, 23 lots	A number of minor works have been completed with a “completion of works” and compliance statement expected to be issued soon.
Wyuna Estate Stage 11, 24 lots	Sewer is complete and installation of water supply is being carried out. Placement of the sub base layer and other road works will continue when drier conditions prevail.
Rankin Street Subdivision 19 lots	Subdivision works are progressing to the point where kerb and channel is nearing completion. Further road works will be finished within the next month with all works expected to be completed by September (weather permitting).



Rankin Street Construction



Rossmoyne Road Industrial Subdivision

• **Apollo Bay Transfer Station**

Works are now approximately 80% completed with a completion target date of mid October 2010. The galvanised steel frame to the transfer station building is erected with cladding attached. Roller shutters are being manufactured with installation due in September. Currently contractors are placing pavement and kerbing which will continue over the next few weeks, concurrently with other works. The administration building and the weighbridge construction are close to being finished.



- **Gellibrand Landfill Rehabilitation Works**

Works began on Gellibrand Landfill rehabilitation on 3 June. Vegetation removal is done and works are on hold until finer weather prevails to ensure erosion and site access does not become a problem with commencement of topsoil stockpiling and earthworks. The project is expected to be finalised early in 2011.

### Waste Update

- **New Three Bins System:**

The implementation of new three bin waste collection system is on schedule with the following actions having been undertaken or planned in the near future:

- Advertisements have been placed in the Colac Herald, Apollo Bay Newsheet and on local radio;
- Posters advertising the changeover have been placed throughout the Shire;
- Mastec (the bin supplier) commenced the changeover of bins on the week starting 16 August. This will take four (4) weeks;
- All non resident property owners along the coast have been advised in writing of their expected change over date; and
- Information packs will be delivered with the new bins containing;
  - Brochure;
  - Calendar;
  - A- Z Waste guide;
  - Stickers for placing on Green bins to remind residents that these are now organic; and
  - Information on reuse or recovery of old divided bins, if required by the resident.

- **Recycling**

As part of the Regional Waste Contract with SKM, the Barwon Region will receive an estimated \$70,000 for education from SKM in regard to recycling. A focus group has been formed to look at issues in this area. The two (2) key areas are:

- getting contamination out of the recycle bin; and
- getting recycling out of waste stream into recycle bin.

Audits through the region show that approx 15% of material in the waste stream is recyclable. Further audits are to be carried out to provide more information prior to a plan being developed.

There are two (2) major groups working on large campaigns which could impact in our region, they are:

- The Melbourne Metropolitan Waste Group are working on a program called 'recycle right' which is possibly 12mths away; and
- Central Highlands Waste Group has secured funding for a State wide recycling campaign - however this group has not met yet.

- **Electronic and Small Electrical Waste**

GDP Industries, operators of the Duro Street Transfer Station in Geelong have agreed to accept any e-waste from the Colac Otway Shire collection in November 2010 if Council decides to provide an E-Waste collection service. The last E-Waste collection undertaken in 2009 was successful and another collection would be advantageous for the Council area. A further report will be tabled to Council to allow an informed decision, based on cost and budget considerations.

- **Detox your Home**

Sustainability Victoria is currently running a review of the 'Detox your Home' program. 'Detox your Home' visits Councils bi-annually for a collection of hazardous waste at one site only. 'Detox your Home' collects unknown domestic chemicals, hazardous chemicals, paint, gas bottles and other hazardous waste not accepted into landfill. The review looks at the cost of the service compared to the value received from the service. It is reviewing both the mobile service and the permanent sites which take some hazardous waste but not all.

## **SUSTAINABLE PLANNING & DEVELOPMENT**

### **Rural Living Strategy**

A number of meetings have recently taken place with the Department of Planning and Community Development and relevant public authorities to seek feedback on the initial draft strategy. DPCD are seeking some further work in relation to specific aspects of the report before the final draft is released for public comment. The draft strategy is considered a working document at this stage and will be modified to incorporate feedback from Council Officers and other stakeholders as identified above. The Steering committee will be consulted on the draft strategy in September and subject to Council signing off on the draft strategy at the Council meeting in October, public consultation will commence.

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

As with the Rural Living Strategy, planning officers are reviewing draft Structure Plans for Forrest and Birregurra and seeking feedback from relevant public authorities. The draft Structure Plans are considered working documents and once finalised will be discussed by the Project Steering committee late in September. Subject to Council signing off on the draft Plans at the Council meeting in October, public consultation will commence.

### **Planning Scheme Review**

Officers have completed the review, and a report has been prepared which will be presented to Council in September. This will include further discussion on the specific findings and recommendations stemming from the review process. Subject to Council endorsement, the report detailing the findings will be submitted to the Minister for Planning in accordance with the requirements of the relevant legislation.

### **Colac and Apollo Bay Car Parking Study**

The Issues and Opportunities Papers were exhibited to the public earlier this year and a series of community workshops took place in Colac and Apollo Bay. In addition to the feedback received at these workshops, officers also received a number of written submissions highlighting issues that may warrant further investigation. Consultant AECOM has presented a draft Car Parking Strategy and Precinct Plans which are being reviewed by officers. This will be followed by a meeting of the Project Steering Committee to finalise the draft Strategy prior to presenting the documents to Council for consideration later this year, possibly October.

### **Salinity Management Overlay Review**

At its meeting in September 2009 Council resolved to proceed with a Planning Scheme Amendment to apply the Salinity Management Overlay to saline areas throughout the Shire. The mapping and accompanying overlay schedule were provided to Council by the Corangamite Catchment Management Authority (CCMA). Subsequent discussions between Council and the CCMA have identified the need for minor changes to the overlay mapping to take advantage of higher resolution topographical data. The CCMA is currently updating the mapping and Council will formally seek Authorisation from the Minister for Planning to prepare a planning scheme amendment once the revised mapping is received.

**Coastal Climate Change Advisory Committee**

Planning Panels Victoria set up a Panel in response to the submissions received on the Issues and Options Paper developed as part of the work of the Coastal Climate Change Advisory Committee. Council officers presented a submission to the Panel on 22 July to elaborate on the written submission sent to the Committee on 7 May 2010.

**Apollo Bay Future Growth Area Review**

A project brief is being finalised for the review of future growth areas in Apollo Bay, with the intention that quotations for the project will be sought in the early part of September. The project was part funded by the State Government under the Creating Better Places program and has now received Council funds in the 2010/11 budget. This follows the Planning Minister's decision in June 2009 to not support the Great Ocean Green development in the Barham River Valley. The project will re-examine the potential for urban growth of select locations at the periphery of Apollo Bay in light of that decision to provide more certainty about what capacity the town has to accommodate future development. It will also examine urban design issues in parts of the town.

**Business Events**

The Small Business Victoria (SBV) Energize Enterprise is hosting workshops in Colac. "Get Found & Get More Leads – Clients and Sales" on 9 August 2010 and "Fast Times Ahead: Invigorating Ideas to Prepare Your Business" on 17 August 2010.

**Trade Training Centre (TTC)**

The Colac Otway Shire Industry Advisory Committee was convened in July to discuss the State Government, South West Victoria Regional Workforce Development Plan. The Committee overwhelmingly supported the Trade Training Centre as Colac's number one priority.

Colac Otway Vocational Education Cluster (COVEC) is waiting on the result of its application for a TTC, submitted in June 2010.

**Visitor Centres**

Coordinators from both VICs recently attended the annual Tourism Alliance VIC Summit in Warrnambool. This year's event showcased some of the latest innovations in web technology, including social networking medium and how they are being used by visitors and could potentially be used by VICs. It was also an opportunity to network with other VIC coordinators from across the state.

**Grants**

Regional and Local Community Infrastructure Program (RLCIP) funding applications have been submitted.

**Fire Prevention and Planning**

In accordance with the processes set out in Council's Neighbourhood Safer Places (NSP) Plan five potential NSP sites have been referred to the CFA for formal assessment. The sites are located in Gellibrand, Beech Forrest and Apollo Bay. Council has not received any advice from the CFA on these potential sites at this time.

The Municipal Emergency Management Plan and the Municipal Fire Prevention Plan are currently being reviewed.

The Bush Fire Royal Commission findings have significant implications for Council. Council is currently asking questions of the State Government through the MAV to get a better

understanding of the full extent of the resource implications but it is clear that Council will require extra funding to undertake the additional actions.

### **Environment Strategy – 2 Year Action Plan**

Section 8 of the recently adopted Environment Strategy 2010-2018 outlines a process for developing environmental action plans every two years. The action plans identify priority projects and programmes that will address the targets in the strategy. The plan has been sent to key external stakeholders for comment. These comments will be examined at a Councillor Workshop in September. It is intended that the action plan will be submitted to Council for endorsement in September.

### **Revegetation along Lake Colac and Barongarook Creek**

Extensive revegetation works were carried out along the foreshore of Lake Colac and the banks of Barongarook Creek during the week of National Tree Day (1 August). Various school and community groups helped plant over 10,000 plants. These works will be followed up by a weed control program and although it will take a while for the newly-planted trees, shrubs and grasses to get established, in a few years the area will look better and the benefits will be seen through the improved health of the lake and the creek.

### **Solar Panels go in at the Apollo Bay Visitor Information Centre**

Solar panels were recently installed at the Apollo Bay Visitor Information centre as part of Council's commitment to reducing our energy consumption. The panels were funded out of Council's internal Sustainability Action Fund. Work is currently being undertaken to determine how to best use the fund this year. One of the possibilities is establishing a bike pool for Council Officers to use for short trips in order to reduce vehicle usage.

### **Animal Registrations**

Registering animals is a legal requirement that aims to protect the safety of both people and animals. In the 2007-2008 period there were 1200 outstanding animal registrations. A strategic approach has been adopted to reduce this number that initially involved visiting every address with an outstanding registration. In 2008-2009 the outstanding animal registrations were reduced to 700 and this year after sending out reminder letters and undertaking an extensive advertising campaign the number has reduced to only 450. It is important to note that the extensive advertising campaign also led to a dramatic increase in the first time registrations of mature dogs.

Local Laws Officers are now visiting non complying owners and evaluating the situation. Local Laws Officers will also be conducting random inspections to identify persons who have never, or are not, complying with the requirements. Infringement notices were issued last year to persons who would not comply or register their dogs/cats. The current fine for non compliance is \$239 per animal and about 50 fines were issued last year. A handful of people who ignored the fines were prosecuted in Court where penalties and costs associated with prosecution were imposed.

### **Attachments**

Nil



**Recommendation(s)**

***That Council:***

- 1. Notes the CEO's Progress Report to Council; and***
- 2. Authorises the CEO to forgive Optus the "make good" provisions of its lease for 6 Blundy Street Forrest***

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**OM102508-2                      CORANGAMITE REGIONAL LIBRARY CORPORATION -  
REQUEST FOR EXTENSION TO LEASE**

|             |           |           |           |
|-------------|-----------|-----------|-----------|
| AUTHOR:     | Rob Small | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | GEN00592  |

**Purpose**

To seek Council's position on the Corangamite Regional Library Corporation (CRLC) request for an extension on its lease at 101 Gellibrand Street, Colac until 31 December 2011.

**Declaration of Interests**

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

**Background**

The Board of the CRLC at its meeting of 8 July 2010 resolved that the CRLC CEO seek Colac Otway Council's view should CRLC need to extend its occupancy of the current premises at 101 Gellibrand Street until 31 December 2011. This resolution was carried four votes to three.

The current tenure of the CRLC's lease of part of the current Colac Library building expires on the 31 December 2010.

Council at its meeting on 24 February 2010 resolved that:

*"Council instructs the Chief Executive Officer to advise the Corangamite Regional Library Corporation that their request to remain in its current location at the rear of the current library (105 Gellibrand Street) until 30 September 2010 is approved and that a lease period be offered until 31 December 2010."*

and that

*"The CEO is to negotiate with the Corangamite Regional Library Corporation about their future accommodation and work with them in order to achieve secure and appropriate medium to long term accommodation."*

Council has a need to bring all of its staff onto a single site. This is for reasons of operational efficiency and as a means of embedding a uniform culture into the overall organisation.

The current Colac Library building, once it is vacated by the public library service, which is due to move to its new location in the Colac Community Library and Learning Centre in Queen Street, provides the potential opportunity to do this. Such a move is Council's most cost effective solution to the current staffing accommodation issue.

This opportunity is only going to be possible if a larger area of that building is available than will exist if both the Library annex and the CRLC offices are continued to be located at that site.

Council resolved at the Special Council Meeting held on Wednesday, 10 February 2009, that:

*“Having received the “Enhanced Library Services Report” Council resolves to:*

- 1. Establish a library annex, or sub-branch, in the existing library building in Gellibrand Street Colac in an area of approximately 100 square metres.*
- 2. Operate the annex for approximately 22 hours per week.*
- 3. Suggest the allocation of approximately 2,500 items to the annex.*
- 4. Where possible, utilise existing furniture, fittings and equipment, such as shelving for the annex.*
- 5. Review the operation of the annex after approximately 12 months of operations with a report of its operation to be presented to Council no later than the November 2011 Council meeting with Council to decide at that time whether or not the annex will operate beyond 30 June 2012.*
- 6. The precise details of the operations, size and layout is to be determined following discussion with Councillors, the CEO and the Steering Committee, if one is formed. The Chief Executive Officer is to ensure that those details are broadly consistent with the approximate figures set out in this resolution.*

It will not be possible to locate the CRLC head office, the library annex and the relocated staff group (Sustainable Planning & Development Department) in the space available.

Council has committed to the library annex for at least up to 30 June 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.

### **Physical Infrastructure and Assets**

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

### **Issues / Options**

The CRLC CEO, Roslyn Cousins and Graham Shiell, who assisted the CRLC while there was no permanent CEO, are both of the view that they do not see being co-located with existing library operations as an advantage. They have indicated in fact that this not desirable.

Both are happy to examine alternative accommodation in Colac and believe that this may well be available. They have agreed that they are happy to explore other options.

Council staff in discussing options with both of these senior CRLC officers have indicated that while it is desirable for CRLC to relocate to enable the relocation of Council staff, it is not their intention to force any termination of their lease but at the same time indicated our ambition to consolidate our staff onto a single location.

The possibility for CRLC's security of tenure is that Council extend their lease of the current library building past December 2010 on a month by month basis.

The current Council budget provides some limited funding for the relocation of the Sustainable Planning and Development staff into the current Colac Library building in this

financial year. That same budget provides for the consolidation of Corporate and Community Services staff onto the Rae Street site.

Councillors will recall that in the 2009/2010 Budget there was an allocation of \$800,000 to be used for the provision of accommodation and the refurbishment of the civic precinct buildings, subject to the sale of 6 Murray Street. This was to enable the relocation of staff to the current Rae Street premises and the relocation of some officers into the former library space.

While this has not been able to be delivered due to the sale of 6 Murray Street not proceeding at this stage, Councillors will note that the more recent proposal referred to in this report has been costed at a minimal level in an effort to reduce the imposition of providing adequate officer accommodation on the Colac Otway community. It does need to be recognised that the funds currently available will only provide an adequate level of accommodation and the provision of additional funds may need to be provided in the future budget.

It should also be noted that any additional funds that may be required to meet Council's obligations in relation to the scope and standard of office accommodation that needs to be provided through the current solution will remain the less expensive option available to Council.

The use of the current Colac Library building for staff office accommodation is the most cost efficient solution to Colac Otway Shire's accommodation needs in the short term.

The cost of providing extensions to the existing building to accommodate staff is significantly more expensive.

### **Proposal**

The most cost effective solution to Council's staffing needs is to accommodate the Sustainable Planning and Development staff in the current library building and to consolidate the Corporate and Community Services staff onto the Rae Street site.

In order to achieve this, Council needs to work with CRLC to relocate to suitable premises in Colac. Extension to their current lease beyond December 2010 should therefore be on a month by month basis.

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

The current rental paid by CRLC is \$30,000 per annum. This income will be lost pro rata depending on the timing of CRLC being able to vacate the library building. The cost of refurbishing the library building and the subsequent fit-out of Rae Street has been provided for in the budget by the amount of \$250,000 and \$75,000 for the library annex.

The alternative to providing accommodation in the library building is to fund additional office facilities as an extension to the existing Rae Street Council offices.

Preliminary estimates to provide adequate office space to meet Council's occupational, health and safety obligations and to provide reasonable accommodation for Council staff, if it is constructed as new, is between \$4m - \$6m.

This level of expenditure would be onerous on Council and the Colac Otway community and utilisation of the existing library space is the preferred option for this reason.

The efficiencies of having staff on the same campus are difficult to quantify but there is a definite advantage in terms of efficiency, consistent culture and more direct supervision.

**Risk Management & Compliance Issues**

The accommodation conditions of Council staff in the 6 Murray Street building and some of the staff in Rae Street would not satisfy standards conducive to Council's occupational, health and safety responsibilities.

The Ombudsman in his 2009 report on Moorabool Shire indicated the undesirability of having staff located in different buildings and indicated that it contributed to an inconsistent culture and poor communication.

**Environmental and Climate Change Considerations**

Not applicable

**Community Engagement**

Not applicable.

**Implementation**

Council staff should be reaccommodated onto the cultural and civic precinct as soon as practical. This move needs to be preceded by an amicable and appropriate relocation of the CRLC administration.

**Conclusion**

Council should not accede to CRLC's request for their lease to be extended until December 2011. Council should assist CRLC to relocate to an alternative site in Colac and if this is not achieved by December 2010, should offer to extend CRLC's tenancy into 2011 on a month by month basis.

**Attachments**

Nil

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

- 1. Authorises the CEO to inform the Board of the CRLC that Council will not extend the lease of the existing Colac Library building to CRLC until December 2011;***
- 2. Authorises the CEO to inform CRLC that Council consider it appropriate for CRLC to relocate to an alternative site in Colac, and will work with them to achieve a suitable alternative location; and***
- 3. Agrees that if the move is unable to be achieved by January 1 2011, Council will extend CRLC's lease on a month by month basis until suitable accommodation is found.***

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OM102508-3

**CORANGAMITE REGIONAL LIBRARY CORPORATION  
2010/2011 BUDGET**

|             |           |           |           |
|-------------|-----------|-----------|-----------|
| AUTHOR:     | Rob Small | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | GEN00460  |

**Purpose**

The purpose of this report is to keep Councillors informed about the Corangamite Regional Library Corporation (CRLC) budget issues, in the light of recent publicity over Warrnambool City Council's recent motion with respect to budget increases by the CRLC

**Declaration of Interests**

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

**Background**

The CRLC Board was forced to significantly increase its annual budget for the year 2010/2011 due to the decision to employ a CEO full time on the resignation of the previous incumbent who worked part time, reduced government grants and other employee cost adjustments. There was also a need to catch up on book purchases which has been made necessary because the existing book stock has deteriorated over time.

The four Councils served by the CRLC were required to increase their contributions as a result. Subsequently, three of the Councils, including Colac Otway Shire, increased their budget allocations. This still left the CRLC approximately \$50,000 short of the required funding. Warrnambool budgeted on the same level as in previous years plus an allowance for inflation. At their Council meeting on 2 August 2010 they resolved as follows:

*"That the request from Corangamite Regional Library for additional funds not be approved until the CEO of that organisation provides a presentation to Council that includes satisfactory resolution of the following governance issues:*

1. *That the Corangamite Regional Library, in its review of the deed includes opportunity for independent withdrawal of a council from the corporation.*
2. *That the Corangamite Regional Library budget process is timed so that its owners can include any financial implications within their own municipal budget process.*
3. *That a policy be agreed between the owning councils on what constitutes a reasonable budget variation, and budget variation process, for the Corangamite Regional Library.*
4. *That the governance role of Council members on the Corangamite Regional Library Board be clarified as to whether they are 'representative directors' or 'independent directors' and that decision processes be adjusted to reflect these arrangements."*

All Councils must agree to their budget allocations in order that the CRLC can have a budget according to the MOU which governs the operation of the partnership between CRLC and its member Councils.

At the present time the CRLC could operate with the full levy from the three Councils who have agreed and the Warrnambool amount, if it remains at the current level, if the Board so decides. It would mean that Warrnambool library services would be operated on a lower

level of service reflective of their contribution while the other three Council library services would operate at the higher level as reflected by their higher relative contribution.

I understand that by the time that this report is received that the Warrnambool Council will have met with the CEO of the CRLC to receive a full explanation of the increased costs and a meeting of the Warrnambool City Council have been held to approve their Library budget contribution in some form.

### **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**

The repercussions of Warrnambool's decision does not have an impact on this Council in this instance. There are no options that Council needs to consider. We have made our decision regarding the allocation of our library budgetary contribution and we will get the level of library service that we have paid for.

#### **Proposal**

The only proposal is that this information be received.

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

Council's contribution to library operations is fixed at \$528,879 for the 2010/2011 financial year through our recently adopted budget.

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

No risk issues have been identified.

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

No environmental issues arise from 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 method selected would be consultation through the budget process.

#### **Implementation**

No action is needed on Colac Otway Shire's part

#### **Conclusion**

That the delivery of library services to Colac Otway community will be unaffected by the decision that Warrnambool City takes with respect to its library services contribution.

#### **Attachments**

Nil

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

***That Council receive the report on the Corangamite Regional Library Corporation 2010/2011 Budget.***

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**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | D | W |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM102508-4 VICTORIAN LOCAL GOVERNMENT SERVICES REPORT (ESSENTIAL SERVICES COMMISSION)</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council receive the report on the Essential Services Commission's review of Local Government Performance Reporting.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |   |
| <p><b><u>OM102508-5 AUTHORISATION OF OFFICERS (PLANNING AND ENVIRONMENT ACT)</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>1. That Council appoints</i></p> <ul style="list-style-type: none"> <li>- <i>Anne Sorensen</i></li> <li>- <i>Don Lewis</i></li> <li>- <i>Helen Evans</i></li> <li>- <i>Grant Jansen</i></li> <li>- <i>Paul Marsden</i></li> <li>- <i>Carl Menze</i></li> <li>- <i>Ros Snaauw</i></li> <li>- <i>Ian Williams</i></li> <li>- <i>Celestina Giuliano</i></li> <li>- <i>Heidi Robinson</i></li> <li>- <i>Kevin Young</i></li> <li>- <i>Simon Howland</i></li> <li>- <i>Wendie Fox</i></li> <li>- <i>Jack Green</i></li> <li>- <i>Doug McNeill</i></li> <li>- <i>Graeme Murphy</i></li> <li>- <i>John Postma</i></li> <li>- <i>Stewart Anderson</i></li> </ul> <p><i>as authorised officers pursuant to the Planning and Environment Act 1987;</i></p> |   |   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p>2. <i>The Instruments of Appointment and Authorisation come into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and</i></p> <p>3. <i>The Instruments of Appointment and Authorisation be sealed.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |
| <p><b><u>OM102508-6 NAMING OF ROAD IN BEECH FOREST AS "CLIFF YOUNG DRIVE" AND PARK AS "CLIFF YOUNG PARK"</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council approves:</i></b></p> <ol style="list-style-type: none"> <li>1. <i>The service road at the front of the Beech Forest Public Hall be named 'Cliff Young Drive' in accordance with the provisions of clause 5, schedule 10 of the Local Government Act 1989;</i></li> <li>2. <i>The vacant Council owned land located immediately to the west of the Beech Forest Public Hall, being 2-4 Main Rd, Beech Forest, be named "Cliff Young Park";</i></li> <li>3. <i>Council's resolution be published in the Government Gazette; and</i></li> <li>4. <i>Street name signs and appropriate park signage be arranged and erected.</i></li> </ol> |  |  |
| <p><b><u>OM102508-7 REVIEW OF COUNCIL POLICIES</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council adopt the following revised policies:</i></b></p> <ol style="list-style-type: none"> <li>6.1 <i>Landscaping Sponsorship Policy</i></li> <li>9.1 <i>Off Loading of Livestock at the Colac Livestock Selling Centre Policy</i></li> <li>12.2 <i>Skate Park Events and Hire Policy</i></li> <li>12.3 <i>Playground and Skate Park Maintenance and Improvement Policy</i></li> <li>12.4 <i>Plaques and Memorials in Colac Botanic Gardens Policy</i></li> <li>18.5 <i>Councillor Support Policy</i></li> </ol>                                                                                                                                                                                         |  |  |

**Recommendation**

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

**MOVED** .....

**SECONDED** .....



OM102508-4

## VICTORIAN LOCAL GOVERNMENT SERVICES REPORT (ESSENTIAL SERVICES COMMISSION)

|             |                                |           |              |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR:     | Margaret Giudice               | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN 00477    |

### Purpose

To inform Council of the outcomes of the Essential Services Commission's review of Local Government Performance Reporting.

### Declaration of Interests

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

### Background

On 18 October 2009, the Minister for Finance, in consultation with the Minister for Local Government, directed the Essential Services Commission to develop a performance monitoring regime for local government. The intent of the framework is to:

- provide benefits of transparency and benchmarking to assist residents to be informed about local government service delivery performance
- provide councils with timely and independent information to monitor their progress against objectives, and
- facilitate improvement in the efficiency and effectiveness of local government service provision

The Commission was directed to submit a final report on the appropriate reporting framework to the Minister for Finance and the Minister for Local Government before the end of June 2010.

### 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

In October 2009 the Essential Services Commission was directed by the Ministers for Finance and Local Government to develop and implement a state-wide performance monitoring framework for local government service delivery.

The impetus for the development of a performance framework arose from a report by the Victorian Auditor-General (2008), *Performance Reporting in Local Government*, in which it was identified that the linkages between each council's Council Plan, Annual Budget and Annual Report was generally poor.

In addition, while there are numerous state-wide reporting arrangements, such as the *Local Government in Victoria Report* and the *Community Satisfaction Survey*, the Commission noted that that these reports typically provide information on councils as entities in their own right and that they are not about the services that councils deliver to their communities. The

Commission noted that while important, these reports do not supply information that enables readers to compare and contrast the different mix of services provided by councils across Victoria. The Commission believes that the framework they have been tasked to develop will address the above shortcomings by collecting comparative data on a range of commonly provided services on a consistent and robust basis. This data will be reported on annually in the new *Victorian Local Government Services Report*.

After several months of extensive consultation that included local and state government representation and representation from residents, businesses and/or clients of local government services, the performance monitoring framework was completed. On 24 July 2010, the Minister for Local Government publicly released the Final Report.

The report presented key recommendations for the Ministers to consider, which in turn addressed features of the services report, the need to integrate the report with existing council planning, an implementation timeline, legislative considerations and other recommendations that should be considered by the State Government:

- *“that a state-wide Victorian Local Government Services Report (Services Report) be published each February by the Commission and cover the previous financial year. Prior to publication of the Services Report each year, councils will have the opportunity to provide the Commission with commentary on their individual service delivery outcomes.*
- *that the Services Report will cover eight service areas using 17 or 18 service indicators and between 17 and 20 supporting indicators, subject to applicability. Contextual information will also be collected about each council. The Commission will collect information directly from Government departments wherever possible and will conduct random audit or rotational audit of un-audited data provided directly by councils.*
- *that councils be required to include in their Council Plans their individual objectives and desired outcomes for the services reported in the Services Report.*
- *that a three year staged implementation program be adopted commencing with a pilot of the Services Report to be submitted to the Minister for Finance and Minister for Local Government in January 2011. Full implementation of the framework will be by February 2013.*
- *that the Services Report be given effect through amendments to the Local Government Act 1989 (Vic) and the Essential Services Commission Act 2001 (Vic) as soon as possible.*
- *that the Government consider initiating as soon as possible a streamlining review of current reporting requirements imposed on councils by State Government agencies.”*

The following 3 tables present the Service and Supporting Indicators and Contextual Data that Council will be expected to collect and report on with the implementation of the framework:

### **Service Indicators**

| <b>Service Category</b>        | <b>Identifier</b> | <b>Service Indicator</b>                                                                                                                                                                                                                      | <b>Source</b> |
|--------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Infrastructure and assets (IA) | IA-01             | Condition-based renewal gap – \$ spent on renewal divided by what \$ were required to be spent for period (MAV STEP program): <ul style="list-style-type: none"> <li>• composite (roads, bridges and pathways + buildings +drains)</li> </ul> | MAV           |
|                                | IA-02             | Percentage of council assets at intervention level (MAV STEP Program): <ul style="list-style-type: none"> <li>• composite (roads, bridges and pathways + buildings +drains)</li> </ul>                                                        | MAV           |
|                                | IA-03             | Civic Mutual Plus (overall score): compliance with Road Management Plan                                                                                                                                                                       | CMP           |

|                                                                 |          |                                                                                                                                                                                                              |          |
|-----------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Development and planning (DP)                                   | DP-01    | Decision time of planning applications decided: <ul style="list-style-type: none"> <li>• median processing days (gross days)</li> <li>• percentage completed within statutory timeframe (60 days)</li> </ul> | PPARS    |
|                                                                 | DP-02    | Percentage of appeals determined by VCAT in favour of the Council                                                                                                                                            | VCAT     |
| Community services (CS)                                         | CS-01    | Number of 'Key Ages and Stages' visits attended divided by the number of active infant records (ages 0-4)                                                                                                    | DEECD    |
|                                                                 | CS-02    | Average waiting time for assessments for HACC programs                                                                                                                                                       | Internal |
| Environmental sustainability (ES)                               | ES-01    | Proportions of annual residential waste: <ul style="list-style-type: none"> <li>• recycling</li> <li>• landfill</li> <li>• green waste**</li> </ul>                                                          | SV       |
|                                                                 | ES-02    | CO2-equivalent emissions from the council's operations: <ul style="list-style-type: none"> <li>• gross amount</li> <li>• offsets</li> </ul>                                                                  | Internal |
| Recreation services and amenity (RSA)                           | RSA-01   | Activity rate of active registered library borrowers                                                                                                                                                         | DPCD     |
|                                                                 | RSA-02   | Civic Mutual Plus overall score for management of sporting reserves                                                                                                                                          | CMP      |
| Regulation and public safety (RPS)                              | RPS-01   | Percentage of court decisions in favour of council on infringements                                                                                                                                          | DOJ      |
|                                                                 | RPS-02   | Civic Mutual Plus (overall score): food safety                                                                                                                                                               | CMP      |
|                                                                 | RPS-03   | Status of Municipal Emergency Management Plan as assessed by audit                                                                                                                                           | SES      |
|                                                                 | RPS-04** | Line clearance plan submitted within the timeframe required under ' <i>Electricity Safety (Electric Line Clearance) Regulations</i> '                                                                        | ESV      |
| Communication call Internal and information accessibility (CIA) | CIA-01   | Average time taken (in seconds) to answer telephone call enquiries                                                                                                                                           | Internal |
|                                                                 | CIA-02   | Customer service responsiveness as assessed through independent mystery user survey                                                                                                                          | ESC      |
|                                                                 | CIA-03   | Website quality and accessibility as assessed through independent mystery user survey                                                                                                                        | ESC      |
| Economic development (ED)                                       |          | No service indicator identified at this stage                                                                                                                                                                |          |

\*\* where applicable.

### Supporting Indicators

| Service Category               | Identifier | Service Indicator                                                                                                                                                                                                                                                       | Source   |
|--------------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Infrastructure and assets (IA) | IA-S-01    | Condition-based renewal gap (MAV STEP program): <ul style="list-style-type: none"> <li>• roads, bridges and pathways</li> <li>• buildings</li> </ul>                                                                                                                    | MAV      |
|                                | IA-S-02    | Percentage of council assets at intervention level (MAV STEP Program): <ul style="list-style-type: none"> <li>• roads, bridges and pathways</li> <li>• buildings</li> </ul>                                                                                             | MAV      |
|                                | IA-S-03    | Community satisfaction (index score) with condition and maintenance of municipal roads, streets, footpaths (CSS)                                                                                                                                                        | DPCD     |
|                                | IA-S-04    | Percentage of annual capital budget (\$) spent within the year                                                                                                                                                                                                          | Internal |
|                                | IA-S-05**  | Local roads renewed <ul style="list-style-type: none"> <li>• resurfaced as a percentage of total sealed road network</li> <li>• reconstructed as a percentage of total sealed road network</li> <li>• resheeted as a percentage of total gravel road network</li> </ul> | Internal |
| Development and planning (DP)  | DP-S-01    | Planning applications: <ul style="list-style-type: none"> <li>• number received</li> <li>• number decided</li> </ul>                                                                                                                                                    | PPARS    |
|                                | DP-S-02    | Number of decisions appealed to VCAT                                                                                                                                                                                                                                    | VCAT     |
|                                | DP-S-03    | Percentage of planning applications decided during the year: <ul style="list-style-type: none"> <li>• under delegation by officers</li> <li>• by council</li> </ul>                                                                                                     | PPARS    |
| Community services (CS)        | CS-S-01    | 'Key Ages and Stages': <ul style="list-style-type: none"> <li>• number of visits attended</li> <li>• number of active infant records</li> </ul>                                                                                                                         | DEECD    |

|                                                                 |            |                                                                                                                                                                                                                                                                                   |              |
|-----------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
|                                                                 | CS-S-02    | HACC program: <ul style="list-style-type: none"> <li>• number on waiting list</li> <li>• number receiving service</li> <li>• number of hours of home and community care delivered per eligible client</li> </ul>                                                                  | DOH          |
| Environmental sustainability (ES)                               | ES-S-01    | Annual residential waste generation (kilograms): <ul style="list-style-type: none"> <li>• per capita</li> <li>• per residential assessment</li> </ul>                                                                                                                             | SV           |
|                                                                 | ES-S-02    | Community satisfaction (index score) with waste management                                                                                                                                                                                                                        | DPCD         |
| Recreation services and amenity (RSA)                           | RSA-S-01   | Libraries: <ul style="list-style-type: none"> <li>• number of (physical) visits per capita</li> <li>• number of website hits (every unique visit) per capita</li> </ul>                                                                                                           | DPCD         |
|                                                                 | RSA-S-02   | Community satisfaction (index score) with: <ul style="list-style-type: none"> <li>• recreational facilities</li> <li>• appearance of public areas</li> </ul>                                                                                                                      | DPCD         |
| Regulation and public safety (RPS)                              | RPS-S-01   | Infringements issued: <ul style="list-style-type: none"> <li>• fire prevention notices per capita</li> <li>• animal infringements per capita</li> <li>• other infringements per capita</li> <li>• parking infringements per capita**</li> </ul>                                   | DOJ          |
|                                                                 | RPS-S-02   | Food safety: <ul style="list-style-type: none"> <li>• number of inspections</li> <li>• number of premises</li> </ul>                                                                                                                                                              | DOH          |
|                                                                 | RPS-S-03** | Inspection of septic tanks: <ul style="list-style-type: none"> <li>• percentage inspected</li> <li>• number of recovered septic tank systems that were identified to be in breach of current regulatory guidelines (percentage restored systems)</li> <li>• registered</li> </ul> | Internal     |
| Communication call Internal and information accessibility (CIA) | CIA-S-01** | Percent of customer service enquiries resolved on first call                                                                                                                                                                                                                      | Internal     |
|                                                                 | CIA-S-02   | Community satisfaction (index score) for the council's interaction and responsiveness in dealing with the public (CSS)                                                                                                                                                            | ESC          |
| Economic development (ED)                                       | ED-S-01    | Satisfaction rates of businesses with the support and advice provided by council                                                                                                                                                                                                  | Modified CSS |

\*\* where applicable.

Note: Community Satisfaction Survey measures have been included and will be refined as part of the scheduled review of the CSS.

### Contextual Data

|            | #  | Contextual Information                                                                                                                       |
|------------|----|----------------------------------------------------------------------------------------------------------------------------------------------|
| Population | C1 | Total estimated population (including number and growth rate)                                                                                |
|            | C2 | Age structure – percentage via years: 0-4, 5-14, 15-24, 25-54, 55-64, 65-74 and 75+ years                                                    |
|            | C3 | Percentage of low-English proficiency (from Census)                                                                                          |
|            | C4 | Resident per residential assessment                                                                                                          |
| Financial  | C5 | Operating expenditure per residential assessment and per capita                                                                              |
|            | C6 | Capital expenditure per residential assessment and per capita                                                                                |
|            | C7 | Capital expenditure <ul style="list-style-type: none"> <li>• new capital works</li> <li>• renewal works</li> </ul>                           |
|            | C8 | Total revenue per residential assessment and per capita                                                                                      |
|            | C9 | Grants income: <ul style="list-style-type: none"> <li>• general purpose</li> <li>• local roads</li> <li>• other government grants</li> </ul> |



|                          |     |                                                                                                                                                                                                                                                                                                    |
|--------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land Use                 | C10 | Total area of land and by proportion (based on planning data): <ul style="list-style-type: none"> <li>• residential</li> <li>• business</li> <li>• industrial</li> <li>• mixed use</li> <li>• farm/rural</li> <li>• open space managed by council</li> <li>• other open space</li> </ul>           |
| Road and pathways        | C11 | Local sealed roads: <ul style="list-style-type: none"> <li>• state roads</li> <li>• local roads</li> </ul>                                                                                                                                                                                         |
|                          | C12 | Local unsealed roads (managed by council)                                                                                                                                                                                                                                                          |
|                          | C13 | Bridges and major culverts maintained                                                                                                                                                                                                                                                              |
|                          | C14 | Length of footpaths                                                                                                                                                                                                                                                                                |
|                          | C15 | Length of bike paths (includes shared paths): <ul style="list-style-type: none"> <li>• off-road</li> <li>• on-road paths</li> </ul>                                                                                                                                                                |
| Drains                   | C16 | Kilometres of drains managed by council (only includes pipes, channels and table drains)                                                                                                                                                                                                           |
|                          | C17 | Number of drainage pits managed by council                                                                                                                                                                                                                                                         |
| Property                 | C18 | Rateable properties                                                                                                                                                                                                                                                                                |
|                          | C19 | Numbers of assessments: <ul style="list-style-type: none"> <li>• residential</li> <li>• commercial</li> <li>• industrial</li> <li>• farming</li> <li>• conservation</li> <li>• other</li> </ul>                                                                                                    |
|                          | C20 | Number of council owned buildings on asset register                                                                                                                                                                                                                                                |
| Community Infrastructure | C21 | Number of childcare places and number per child aged 0-4 years old                                                                                                                                                                                                                                 |
|                          | C22 | Proportion of buildings assessed to comply with <i>Disability Discrimination Act 1992</i> standards of access                                                                                                                                                                                      |
| Environment              | C23 | Environmental risk indicator (VGC and Macquarie University)                                                                                                                                                                                                                                        |
| Economic Statistics      | C24 | Rate of unemployment                                                                                                                                                                                                                                                                               |
|                          | C25 | Household income (including percentage population breakdown by income brackets instead of average)                                                                                                                                                                                                 |
|                          | C26 | SEIFA index – socio-economic indexes: <ul style="list-style-type: none"> <li>• Index of Relative Socio-economic Disadvantage</li> <li>• Index of Relative Socio-economic Advantage and Disadvantage</li> <li>• Index of Economic Resources</li> <li>• Index of Education and Occupation</li> </ul> |
|                          | C27 | Number of registered businesses                                                                                                                                                                                                                                                                    |
|                          | C28 | Number of jobs                                                                                                                                                                                                                                                                                     |
|                          | C29 | Number of municipal residents working within the municipality                                                                                                                                                                                                                                      |

The commission noted that the contextual information will be finalised after confirmation of the availability of data and associated collection costs through the pilot report stage.

Development of the Pilot Report, due to be presented to the Ministers in January 2011, will occur in close consultation with 20 to 25 representative councils and will also involve the input of Government departments and agencies. Colac Otway Shire has advised the Commission that it would like to be considered for inclusion in the pilot process. The release of the inaugural *Victorian Local Government Services Report* is expected to be in February 2012.

The Commission expects that most councils should be able to report on most indicators for 2010-11 (for publication in February 2012). In the following year they expect that most, if not all, councils will report on all indicators.

During the development of the framework, the Commission identified that the opportunity exists to reduce the overall reporting burden placed on councils by the State Government and recommended in the Final Report that the Government consider undertaking a streamlining review of current reporting requirements.

At the release of the Final Report on 24 July 2010, the Minister for Local Government announced that the Government had accepted the Commission's recommendation and will also look at the efficiency of the processes and frameworks by which data is provided. The review will seek to achieve a target reduction in the overall reporting requirements of local government of 25 percent. The Final Report on the streamlining review is to be delivered by 31 March 2011.

### **Proposal**

To update Council on the Essential Services Commission's performance reporting requirements for Local Government.

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

Council will need to review its capability and determine the actions required to give effect to the *Victorian Local Government Services Report*. These include consideration of:

#### ***Data collection and verification***

The majority of the indicators supporting the framework are already reported to State and Federal Government departments. The Commission will source data from councils only where it is not available from State or Federal Government agencies. Council will be required to validate data provided by government agencies and asked to provide assurance of its accuracy. The Commission has noted that there will be a requirement to invest in the development of processes and systems that will provide assurance of this data.

#### ***Audit requirements***

During the staged implementation the Commission is proposing that random audits be conducted for year two (2011-12) and year three (2012-13). This will require that Council be prepared for the auditing process. However, the cost of the audit will be confined to those councils selected and the cost will be further contained as only a subset of indicators will be included at this stage.

After the *Victorian Local Government Services Report* is fully implemented in 2012-13 a more permanent set of audit arrangements will be put in place. Options may include a stand-alone audit framework as applied in the utility sectors or extending the Auditor-General's role to audit.

#### ***Cost Implications***

In order to quantify the cost impacts, the Commission has undertaken a cost study using a cross-section of 13 councils. Initial estimates of the annual ongoing cost (including audit costs) range from \$7,000 to \$15,000, with an initial establishment cost in the range of \$5,000 to \$10,000. These estimates are dependent on a number of factors, primarily the current state of council data collection and reporting systems.

The Commission has noted that while the annual and initial establishment costs appear manageable, a number of small shire councils and rural councils have indicated that they face financial constraints. Based on their findings, the Commission has recommended that the State Government consider providing financial assistance to these councils via a pool of funds administered by the DPCD (Department of Planning and Community Development).

**Risk Management & Compliance Issues**

- Not being prepared to meet the new reporting framework
- With indication from the Commission that the reporting framework will be legislated, Council may not be in a position to meet its statutory obligations
- Until reporting requirements are further clarified through the Pilot Report process it is difficult to quantify if Council has the capacity to collate and discharge its reporting requirements under the framework

**Environmental and Climate Change Considerations**

Nil

**Community Engagement**

The reporting framework is between Council and the Essential Services Commission.

**Implementation**

Council will implement this process by firstly participating in the Pilot project, which will commence in August 2010.

- Participation in the Pilot Report process. Part of this process will involve determining:
  - What statistics are already being collected by the organisation and what will be new;
  - What new systems or processes may be required to collect additional data; and
  - Format of reporting required.
- Reporting on most of the indicators and contextual information for 2010-11.

Council will then formally be required to report, in full, on the indicators and contextual information from 2011-12 onwards.

**Conclusion**

Council will be required to adopt the new performance reporting framework in part over the next 12 months and then fully in the 12 months thereafter.

**Attachments**

Nil

**Recommendation(s)**

***That Council receive the report on the Essential Services Commission's review of Local Government Performance Reporting.***

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OM102508-5

**AUTHORISATION OF OFFICERS (PLANNING AND ENVIRONMENT ACT)**

|             |                                |           |                     |
|-------------|--------------------------------|-----------|---------------------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small           |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN0460 Delegations |

**Purpose**

To provide Council with information and advice regarding the authorisation under the *Planning and Environment Act 1987* and to appoint authorised officers.

**Declaration of Interests**

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

**Background**

- (a) The *Planning and Environment Act 1987* regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority.
- (b) Currently Council's authorised officers are acting under a broader Appointment and Authorisation by the Chief Executive Officer pursuant to Section 224 of the *Local Government Act 1989*.
- (c) Council has recently received legal advice recommending that authorised officers be appointed by Council using a new instrument to address specific authorisation provisions of Section 147(4) of the *Planning and Environment Act 1987* versus the broader authorisations of Section 224 of the *Local Government Act 1989*.
- (d) The broader Instrument of Appointment and Authorisation by the Chief Executive Officer pursuant to Section 224 of the *Local Government Act 1989* must also be retained as it appoints the officers as authorised officers for the administration and enforcement of other acts.

**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**

This Instrument of Authorisation relates only to the powers arising from the *Planning and Environment Act 1989*. Currently, the power to commence proceedings in Council's name is also delegated under the Instrument of Delegation from CEO to Council Staff. Staff members authorised under other legislation, such as the *Local Government Act 1989*, are appointed under delegation by the CEO.

The new Instrument of Authorisation would apply to the following officers who have responsibilities under the *Planning and Environment Act 1987* and the regulations made under that Act.

There are two types of instruments attached:

The first type relates to officers who undertake responsibilities under the Act and the regulations.

The second type includes those officers who are also authorised to lodge enforcement orders and serve infringement notices.

- Anne Sorensen
- Don Lewis
- Helen Evans
- Grant Jansen
- Paul Marsden
- Carl Menze
- Ros Snaauw
- Ian Williams
- Celestina Giuliano
- Heidi Robinson
- Kevin Young
- Simon Howland
- Wendie Fox
- Jack Green
- Doug McNeill
- Graeme Murphy
- John Postma
- Stewart Anderson

Remaining delegations remain unaltered by this change.

### **Proposal**

The proposal is to appoint a number of officers as authorised officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and the regulations made under that Act.

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

Nil

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

The *Planning and Environment Act 1987* regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority. The authorisation of officers under this Instrument is consistent with legal advice provided by Maddocks Lawyers.

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

Nil

### **Community Engagement**

Advice was provided by Maddocks Lawyers as part of the Delegations and Authorisations Service. Information was sought from management in the areas concerned.

### **Implementation**

The attached Instruments of Appointment and Authorisations (*Planning and Environment Act 1987*) for each of the officers listed, come into force immediately upon their executing.

**Conclusion**

Council has received legal advice recommending that Council appoint authorised officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* for matters relating to planning compliance and enforcement.

**Attachments**

1. Instruments of Appointment and Authorisation

**Recommendation(s)**

1. ***That Council appoints***
  - ***Anne Sorensen***
  - ***Don Lewis***
  - ***Helen Evans***
  - ***Grant Jansen***
  - ***Paul Marsden***
  - ***Carl Menze***
  - ***Ros Snaauw***
  - ***Ian Williams***
  - ***Celestina Giuliano***
  - ***Heidi Robinson***
  - ***Kevin Young***
  - ***Simon Howland***
  - ***Wendie Fox***
  - ***Jack Green***
  - ***Doug McNeill***
  - ***Graeme Murphy***
  - ***John Postma***
  - ***Stewart Anderson***

***as authorised officers pursuant to the Planning and Environment Act 1987;***

2. ***The Instruments of Appointment and Authorisation come into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it; and***
3. ***The Instruments of Appointment and Authorisation be sealed.***

~~~~~\ ~~~~~







INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**ANNE SORENSEN**

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

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

It is declared that this Instrument –

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

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

*(Planning and Environment Act 1987)*

In this Instrument "officer" means –

**DON LEWIS**

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

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

It is declared that this Instrument –

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

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**HELEN EVANS**

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

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

It is declared that this Instrument –

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

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**GRANT JANSEN**

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

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

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Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

*(Planning and Environment Act 1987)*

In this Instrument "officer" means –

**PAUL MARSDEN**

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

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

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Council was hereunto affixed in accordance  
with Local Law No 4

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Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**CARL MENZE**

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

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Council was hereunto affixed in accordance  
with Local Law No 4

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Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**ROS SNAAUW**

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

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

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Council was hereunto affixed in accordance  
with Local Law No 4

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Chief Executive Officer

Dated .....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**IAN WILLIAMS**

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

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

It is declared that this Instrument –

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Council was hereunto affixed in accordance  
with Local Law No 4

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Chief Executive Officer

Dated.....





INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**CELESTINA GIULIANO**

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

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

It is declared that this Instrument –

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This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

*(Planning and Environment Act 1987)*

In this instrument "officer" means –

**HEIDI ROBINSON**

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

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

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

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**KEVIN YOUNG**

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

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

It is declared that this Instrument –

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This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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Council was hereunto affixed in accordance  
with Local Law No 4

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**SIMON HOWLAND**

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

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

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Council was hereunto affixed in accordance  
with Local Law No 4

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**WENDIE FOX**

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

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

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This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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Council was hereunto affixed in accordance  
with Local Law No 4

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**JACK GREEN**

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

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and Regulations prescribed in this Instrument.

It is declared that this Instrument –

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

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**DOUG MCNEILL**

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

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and Regulations prescribed in this Instrument.

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Council was hereunto affixed in accordance  
with Local Law No 4

.....  
Chief Executive Officer

Dated.....



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**GRAEME MURPHY**

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

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
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This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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Council was hereunto affixed in accordance  
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.....  
Chief Executive Officer

Dated.....





INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**JOHN POSTMA**

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

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and Regulations prescribed in this Instrument.

It is declared that this Instrument –

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This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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

.....  
Chief Executive Officer



INSTRUMENT OF APPOINTMENT AND AUTHORISATION

(Planning and Environment Act 1987)

In this Instrument "officer" means –

**STEWART ANDERSON**

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

1. Under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and Regulations prescribed in this Instrument.

It is declared that this Instrument –

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

This Instrument is authorised by a resolution of the Colac Otway Shire Council on 25 August 2010.

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with Local Law No 4

.....  
Chief Executive Officer

Dated.....

OM102508-6

**NAMING OF ROAD IN BEECH FOREST AS "CLIFF YOUNG DRIVE" AND PARK AS "CLIFF YOUNG PARK"**

|             |                                |           |                              |
|-------------|--------------------------------|-----------|------------------------------|
| AUTHOR:     | Paul Carmichael                | ENDORSED: | Colin Hayman                 |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GENN00617<br>Property/Naming |

**Purpose**

The purpose of the report is to adopt the naming of a road and park in Beech Forest after Cliff Young.

**Declaration of Interests**

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

**Background**

Council on 28 April 2010 resolved to commence statutory procedures to name a road and a nearby parcel of Council owned land after the late Cliff Young, who originated from Beech Forest. Mr Young was an iconic sporting figure remembered for winning the inaugural Sydney to Melbourne ultra marathon in 1983.

The request to name a street and park after Mr Young was initiated by the Beech Forest Progress Association (BFPA), who hope in time to develop a display/monument to commemorate Mr Young and his achievements.

The proposal was advertised in June 2010 and only one submission was received. This submission supported the proposal.

**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 proposal facilitates one of the key recommendations of the Beech Forest Township Master Plan 2004.

**Issues / Options**

Council can adopt the proposed name changes or not.

**Proposal**

It is proposed for Council to resolve to name the service road located at the front of the Beech Forest Public Hall as "Cliff Young Drive". It is also proposed to name the Council owned parcel of vacant land immediately to the west of the Beech Forest Public Hall site, being addressed as 2-4 Main Rd, Beech Forest as "Cliff Young Park".

**Financial and Other Resource Implications**

The cost of advertising this proposal are estimated to be \$400. There will also be the cost of preparing and erecting street signs at either end of the service road and preparing and erecting a name sign for the park site, estimated to be approximately \$1,200.

**Risk Management & Compliance Issues**

Not applicable.

**Environmental and Climate Change Considerations**

Not applicable.

**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.

This proposal was a result of collaboration with the BFPA.

The proposal was subsequently advertised for a six week period with the period for lodging submissions closing on 16 July 2010. One supporting submission was received. The submitter did not request to be heard in support of their submission.

**Implementation**

Council's resolution to name the services road as "Cliff Young Drive" will be published in the Government Gazette to give effect to the resolution. The Office of Geographic Place Names will also be notified and this will result in the State map base being updated to show the road in question as "Cliff Young Drive".

**Conclusion**

As there was no opposition to the proposal and it commemorates the achievements of a renowned Beech Forest and district identity, Council should resolve to name the service road and the vacant Council owned land to the west of the Beech Forest Public Hall after Cliff Young.

The proposal has the support of the Beech Forest community.

**Attachments**

Nil

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

- 1. The service road at the front of the Beech Forest Public Hall be named 'Cliff Young Drive' in accordance with the provisions of clause 5, schedule 10 of the Local Government Act 1989;***
- 2. The vacant Council owned land located immediately to the west of the Beech Forest Public Hall, being 2-4 Main Rd, Beech Forest, be named "Cliff Young Park";***
- 3. Council's resolution be published in the Government Gazette; and***
- 4. Street name signs and appropriate park signage be arranged and erected.***

~~~~~\ ~~~~~

**OM102508-7          REVIEW OF COUNCIL POLICIES**

|             |                                |           |                   |
|-------------|--------------------------------|-----------|-------------------|
| AUTHOR:     | Colin Hayman                   | ENDORSED: | Rob Small         |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | GEN01688 Policies |

**Purpose**

The purpose of this report is to present for Council's consideration the next batch of Council policies that have been revised and/or reviewed.

**Declaration of Interests**

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

**Background**

A Council Policy Manual has been in place for a number of years. A review of a number of policies has been undertaken.

The first stage of the process to review the policies was to forward to staff and managers copies of policies for them to make comment and/or changes where appropriate.

The current review has meant changes to all policies except the Cattle Grids policy which has recently been adopted by Council.

In a number of policies this relates to the change of wording with respect to the Council Plan 2009/2013.

Previous policies have been adopted by Council at meetings held between October 2009 and April 2010. This is the next batch of policies to be reviewed consisting of 6 policies.

**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 Council Plan under Leadership and Governance has a key action "Review of Council Policies".

**Issues / Options**Policy Manual

The Policy Manual currently contains 45 policies which are broken up into 16 categories.

For example:

- Communication/Information
- Rating
- Recreation and Culture
- Traffic/Road Management
- Governance

### Current Review

All of the policies subject to this current review have been provided to Councillors and reviewed in a workshop.

### Changes to Policies

The policies are being reviewed in batches. The following provides further information on the next group of policies.

#### Policy No 6.1 - Landscaping Sponsorship Policy

Summary of changes:

- Council Plan reference
- Other minor change re. preference
- Addition of privacy clause on application form

#### Policy No 9.1 – Off-Loading of Livestock at the Colac Livestock Selling Centre Policy

Summary of changes:

- Council Plan reference
- Other minor wording changes

#### Policy No 12.2 – Skate Park Events and Hire Policy

Summary of changes:

- Council Plan reference
- Other changes
- Addition of privacy clause on application form

#### Policy No 12.3 – Playground and Skatepark Maintenance and Improvement Policy

Summary of changes:

- Inclusion of skateparks in policy
- Council Plan reference

#### Policy No 12.4 – Plaques and Memorials in Colac Botanic Gardens Policy

Summary of changes:

- Council Plan reference
- Other minor additions

#### Policy No 18.5 – Councillor Support Policy

Summary of changes:

- Council Plan reference
- Other minor wording change
- Other minor additions

### **Proposal**

It is proposed that Council adopts the following revised policies:

| <b>Policy No</b> | <b>Policy Name</b>  |
|------------------|---|
| 6.1              | Landscaping Sponsorship Policy  |
| 9.1              | Off Loading of Livestock at the Colac Livestock Selling Centre Policy |
| 12.2             | Skate Park Events and Hire Policy                                     |
| 12.3             | Playground and Skate Park Maintenance and Improvement Policy          |
| 12.4             | Plaques and Memorials in Colac Botanic Gardens Policy                 |
| 18.5             | Councillor Support Policy   |

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

There are no direct financial implications in relation to the adoption of the review of the Council policies.

**Risk Management & Compliance Issues**

The policies have been reviewed based on appropriate legislation.

**Environmental and Climate Change Considerations**

No environmental considerations are applicable.

**Community Engagement**

All of the policies have been through a comprehensive consultation process in their development.

All of the policies have been reviewed internally by Councillors and Executive. All policies have been provided to Councillors and reviewed at a workshop.

As the policies are revised policies, they are not required to go out for public consultation.

**Implementation**

Once the policies are endorsed the policy manual will be revised. The various policies will also be available to the public via Council's website.

**Conclusion**

A comprehensive review of Council policies is continuing. This is the next batch of policies to be reviewed.

Six policies are recommended for adoption.

**Attachments**

1. 6.1 Landscaping Sponsorship Policy
2. 9.1 Off Loading of Livestock at the Colac Livestock Selling Centre Policy
3. 12.2 Skate Park Events and Hire Policy
4. 12.3 Playground and Skate Park Maintenance and Improvement Policy
5. 12.4 Plaques and Memorials in Colac Botanic Gardens Policy
6. 18.5 Councillor Support Policy

**Recommendation(s)**

***That Council adopt the following revised policies:***

- 6.1 Landscaping Sponsorship Policy***
- 9.1 Off Loading of Livestock at the Colac Livestock Selling Centre Policy***
- 12.2 Skate Park Events and Hire Policy***
- 12.3 Playground and Skate Park Maintenance and Improvement Policy***
- 12.4 Plaques and Memorials in Colac Botanic Gardens Policy***
- 18.5 Councillor Support Policy***

~~~~~\ ~~~~~







# LANDSCAPING SPONSORSHIP POLICY

Policy No: 6.1

Date Adopted: 24/05/2006

File No: GEN01688

Revised:

Deleted: 15/11/1995

Deleted: 24/05/06

1. INTRODUCTION

This policy relates to opportunities which arise when businesses or organisations offer to sponsor landscaping material such as; plants, soils, timber etc. and/or labour aimed at beautifying Council property.

2. RELATIONSHIP WITH COUNCIL PLAN

~~Council's vision is to work together with our community to create a sustainable vibrant future.~~

Through the opportunities that arise in this policy, ~~businesses and other organisations (or similar) can work with Council to contribute to this vision.~~

Deleted: A component of Colac Otway Shire Council's mission is to manage Council's infrastructure for the purpose of providing services and activities to enhance the quality of life of our residents and visitors.}]

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3. OBJECTIVES

The objectives of this policy are to;

- ~~Provide a framework around business enquiries relating to private sponsorships of Council landscaping projects; and~~
- ~~Have an alternative means in which to beautify Council property and give the sponsoring businesses or organisations the opportunity to promote growth and /or awareness of their business.~~

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4. CRITERIA AND GUIDELINES

This policy applies to any business or organisation wanting to sponsor landscaping material and/or to beautify Council property.

- ~~Preference will be given to Colac Otway Shire businesses before businesses outside the Shire.~~
- Under this policy Council can accept an advertising display to be erected (for sponsorship), but will specify the size (not to exceed 1 m<sup>2</sup>) and location following a recommendation put forward by the applicant.
- The applicant is required to submit a drawing of the sponsor signage display for Council review and approval.
- Council will determine the length of time that sponsor signage is to be displayed.
- The time of display of the sponsor signage will not exceed two years.
- During the time of signage display the sponsor will be required to replace any dead or damaged material in accordance with a sponsorship agreement.

Deleted: The sponsor should be one that assists and promotes local businesses in the Colac Otway Shire.

5. IMPLEMENTATION AND REVIEW

This policy is adopted by Council and will be implemented by all Shire Staff, and is subject to a periodic review.

Deleted: by Council

Deleted: 15 November 1995

Deleted: 24/5/06

Policy No. 6.1  
Landscaping Sponsorship Policy



**Application Form  
Landscaping Sponsorship of Council Property**

Business or organisation name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Project title: \_\_\_\_\_

Project location: \_\_\_\_\_

Brief project summary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attach a plan layout, project details and advertising sponsor display (if required). The applicant should provide as much detail as possible, and should state the type of landscaping that will take place including, but not limited to, vegetation and structure to be introduced and/or removed and detailed in a quantifiable manner.

**Office Use only**

Date Requested

Request Approved

Request not Approved

Council specifications

**DECLARATION:**  
*The Colac Otway Shire Council collects personal information to levy rates, issue permits and licences and provide a variety of community services. The information collected in this form is used only for the purposes contemplated by the form (primary purpose) and is not passed onto third parties. In some instances however, disclosure is required by law or is necessary for the protection of persons or property. Where this occurs, Council will take every reasonable step to ensure your privacy is protected in accordance with the Information Privacy Act 2000 (Vic). Should you need to change or access your personal details or require further information about Council's Privacy Policy contact our Privacy Officer on 5232 9400.*

Date Adopted: 24/5/06  
File No. GEN01688

Page 3 of 3  
Revised:

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Deleted: 15 November 1995

Deleted: 24/5/06





# OFF LOADING OF LIVESTOCK AT THE COLAC LIVESTOCK SELLING CENTRE POLICY

Policy No: 9.1

Date Adopted: 24/5/2006

File No: GEN01688

~~Revised:~~

Deleted: 11/12/96

Deleted: 24/05/06

**1. INTRODUCTION**

This Policy proposes that charges be levied for those using the Colac Livestock Selling Centre facilities on a cost recovery basis. It also provides conditions related to areas livestock should be placed, a time frame for their removal, the responsibilities of the users and Superintendent and the conditions of use.

Fees are charged for the use of the yards outside of normal sale days and conditions are applicable for the use of the Centre's yards and pens. This policy has regard for the content of Local Law No. 5 - Colac Livestock Selling Centre.

Deleted: ¶  
Currently, the Centre is available 24 hours/7 days a week for off loading of livestock. It is also available as an emergency off-loading facility for transport operators using the Princes Highway. ¶

**2. RELATIONSHIP TO COUNCIL PLAN**

The Key Result Area of Physical Infrastructure and Assets has the objective "Council will provide and maintain Infrastructure and Assets that meet community needs now and into the future".

The Colac Otway Shire is committed to ensuring that the Colac Livestock Selling Centre continues as an important facility in the Shire. It is important that the Centre is managed responsibly and appropriate fees and procedures are in place.

**3. POLICY**

It is Council policy that a charge for the usage of the Colac Livestock Selling Centre, outside of normal selling day arrangements be levied for the following services:

- (i) off-loading of livestock
- (ii) loading of livestock
- (iii) housing of livestock

**3.1 Fee for Use of Yards Outside of Normal Sale Days**

There are a number of instances when livestock are off loaded at the Colac Livestock Selling Centre outside of normal sale days ie Thursday (cattle, calves, sheep and lambs). Eg. livestock are unloaded at the Selling Centre to be picked up by another form of transport, often because the Selling Centre facilities are more accessible to larger transports or the Selling Centre is used for the collection of livestock to be loaded onto larger transport. A fee is levied for this use of the selling centre facilities and service to accommodate costs involved in cleaning and maintaining the yards.

Deleted: Monday (sheep and calves) and

The fees for these services differ depending on the type of livestock being off-loaded at the selling centre and the type and number of yards being used.

Fees for services are set as part of the annual budget process.

The charges levied shall cover all cleaning and maintenance costs related to the usage of the yards and can be charged from time to time as required to cover costs incurred. These charges will be at the discretion of the Superintendent.

Deleted: The following tables indicate the fees for the use of yards at the Colac Livestock Selling Centre.¶  
Type of Livestock ... [1]  
Deleted: ¶

Conditions of use of the yards have been established by Council and must be complied with by all users.

Deleted: where inhumane treatment of livestock is an issue.¶

The fees may be altered as part of Council's annual budget process.

Deleted: 11/12/96  
Deleted: 24/5/06

**3.2 Conditions for Use of the Colac Livestock Selling Centre Yards/Pens**

**Off-Loader's Responsibility**

The person off-loading the livestock must inform the Superintendent prior to leaving the livestock at the Colac Livestock Selling Centre.

If this is not possible the transport operator off-loading livestock MUST leave a note in the information box outlining his name and address, which pen and number of livestock in the pen and the name of the transport operator picking livestock up and approximate time of pick up.

**Superintendent Responsibility**

Livestock off loaded at the Selling Centre will be delegated pens or yards by the Superintendent. If the Superintendent is not available at the time of off loading, instructions as to where to leave the livestock will be displayed on a notice board at the offices and on the unloading ramp.

**Timeframe**

The transport operator off loading the livestock is responsible for making arrangements for feeding the livestock if stock remain at the Centre more than 24 hours before pick up. If this is not arranged the Superintendent will arrange for feeding of livestock at transporter's costs.

If animals are left longer than 24 hours without notifying Superintendent or without feed the animals will be impounded.

**Liability**

The Superintendent is at no time responsible for the well being of the livestock. The transporter must be aware that livestock is left at the Selling Centre at their own risk.

**Invoicing Fees**

Users of the Colac Livestock Selling Centre will be charged weekly or by arrangement with the Superintendent.

**Penalties**

Additional fees will be incurred if conditions are not followed. These fees will be consistent with Colac Otway Shire Colac Livestock Selling Centre Local Law No 5: clause 48.

**4. IMPLEMENTATION AND REVIEW**

This policy will be implemented by all Colac Livestock Selling Centre staff and will be subject to periodic review.

Date Adopted: 24/5/06  
File No. GEN01688

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Revised:

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Deleted: 24/5/06







## SKATE PARK EVENTS AND HIRE POLICY

Policy No: 12.2

Date Adopted: 24/5/2006

File No: GEN01688

Revised:

Deleted: 24 April 2002

Deleted: 24/5/06[]

Date Adopted: 24/5/06  
File No: GEN01688

Page 1 of 10  
Revised:

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**1. INTRODUCTION**

The Colac Otway Shire receives requests for the use of the Skate Park facilities within the Shire for competitions and events.

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The Colac Otway Shire has developed this policy in recognition of the need to ensure a balance between community access to a public recreation facility and the demands for skate competitions and events.

Deleted: Traditionally, these requests have been treated on an ad-hoc basis with no formal procedure by which to process these approaches.

This policy aims to ensure an appropriate balance is maintained between community access to a public recreation facility and the demands for skate competitions and events.

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**2. RELATIONSHIP TO COUNCIL PLAN**

Under the Key Result Area of Community, Health and Wellbeing is the following objective:

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.

**3. SCOPE OF POLICY**

This policy specifically relates to the Skate Park, facilities within the Shire namely:

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- Colac
- Birregurra
- Apollo Bay
- Forrest

Deleted: however it also applies to other skate facilities that are owned and/or managed by the Colac Otway Shire

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The Apollo Bay Old Jetty Skatepark to be managed in partnership between the Otway Coast Committee and the Colac Otway Shire.

Approval for such events/activities will need to be gained from both organisations.

**4. USE OF SKATE PARKS FOR EVENTS / COMPETITIONS**

A maximum of 6 days per calendar year, per site will be taken up by events/competitions. The Colac Otway Shire reserves the right to approve additional events/competitions should outstanding applications be received. A balance between public use and events/competitions will be considered in such deliberations.

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Requests for the staging of an event/competition at a skate park will only be considered if submitted on the official application form.

All events/competitions must comply with the "conditions of use" attached.

All competitors or people conducting demonstrations should be strongly encouraged to wear appropriate protective gear, including helmets, knee and elbow pads.

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5. HIRING FEES

| Category                                                                | Hiring Fee |
|-------------------------------------------------------------------------|------------|
| Non-commercial/community organiser charging a competition admission fee | \$0        |
| Commercial organiser charging a competition admission fee               | \$0        |
| Non-commercial organiser charging participant and spectator entry fee   | \$50       |
| Commercial organiser charging participant and spectator entry fee       | \$100      |

A bond of \$200 is to be lodged with the Colac Otway Shire 14 days prior to any event, to pay for any damage or clean up required as a result of the event/competition.

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The Colac Otway Shire reserves the right to support certain events by waiving the facility hire fee.

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6. ASSESSMENT CRITERIA

The following criteria will be used to assess the appropriateness of proposed events/competitions to be conducted at a Colac Otway Shire skate park:

- The degrees of community access to the event/competition.
- The degrees of community benefit from the event/competition.
- The demonstrated ability of the applicant to conduct successful, well organised events/competitions.
- Demonstrated community support for the event/competition.
- Level of proposed organisation and detail of event logistics ie: traffic control, crowd control and rubbish.
- Quality of the competition, or level of skills of the skaters conducting the demonstrations.
- The appropriateness of sponsors for the target group and for a Council facility.
- Quality of the application including the provision of all the information requested.

Applications will not be considered unless the applicant possesses public liability insurance to the value of \$10 million and comply with the attached conditions.

The decision of the relevant Colac Otway Shire staff will be final.

7. METHOD OF APPLICATION

Applications will be accepted on a year round basis.

Applicants are encouraged to lodge their application at least 2 months in advance of the event, to facilitate better decision making processes.

Applicants will be advised in writing as to the Shire's decision in relation to their application.

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Policy No. 12.2  
Skate Park Events and Hire Policy

**SKATE PARK EVENT APPLICATION FORM**

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1. NAME OF ORGANISATION

\_\_\_\_\_

2. CONTACT PERSON

\_\_\_\_\_

3. ADDRESS

\_\_\_\_\_ Postcode \_\_\_\_\_

4. CONTACT NUMBERS

(Daytime) \_\_\_\_\_

(After Hours) \_\_\_\_\_

(Mobile) \_\_\_\_\_

(Facsimile) \_\_\_\_\_

5. EVENT DETAILS:

5.1 NAME OF EVENT

\_\_\_\_\_

5.2 TYPE OF EVENT

*(please give a description)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5.3 PROPOSED EVENT DATE

\_\_\_\_\_

Alternative Date(s)

\_\_\_\_\_

5.4 EVENT TIMES

*Total Site Occupation (including setup & packup)*

Day \_\_\_\_\_

Start \_\_\_\_\_

Finish \_\_\_\_\_

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**Event Time**

Day \_\_\_\_\_  
Start \_\_\_\_\_  
Finish \_\_\_\_\_

**5.5 VENUE** eg. Colac Skate Park,

**5.6 ADMISSION FEES**

Will admission fees be charged to:

Competitors  Yes  No

Fee: \$ \_\_\_\_\_

Spectators  Yes  No

Fee: \$ \_\_\_\_\_

**6. TRAFFIC & PARKING MANAGEMENT PLAN**

Please attach a detailed traffic and parking management plan including equipment to be used.

**7. SITE DETAILS**

Marquees  Yes  No  
Size \_\_\_\_\_ Quantity \_\_\_\_\_

Stages  Yes  No  
Size \_\_\_\_\_ Quantity \_\_\_\_\_

Portable toilets  Yes  No No. of units \_\_\_\_\_

Musical Entertainment  Yes  No

Details: \_\_\_\_\_

Amusements rides  Yes  No  
Number of Rides \_\_\_\_\_ Size of Rides \_\_\_\_\_

Details: \_\_\_\_\_

Amplification equipment  Yes  No  
Lighting equipment  Yes  No  
Caterers  Yes  No  
Generators  Yes  No

Details: \_\_\_\_\_

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Emergency Vehicles  Yes  No  
Any other structures  Yes  No

Details \_\_\_\_\_

Has security been arranged?  Yes  No

Details: \_\_\_\_\_

Please provide a detailed site plan.

8. OTHER INFORMATION

8.1 Proposed Signage  Yes  No

Type (banners, A.Frames etc) \_\_\_\_\_

Size (if applicable) \_\_\_\_\_

Quantity \_\_\_\_\_

Location \_\_\_\_\_

8.2 Other relevant activities? (i.e. fireworks, acrobatics, balloons etc)

Details \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8.3 Declaration of Sponsorship Arrangements

Please list all sponsors for the proposed event/competition

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. APPROXIMATELY HOW MANY PEOPLE WILL BE AT THE EVENT?

Competitors \_\_\_\_\_

Spectators \_\_\_\_\_

Event Organisers \_\_\_\_\_

Other \_\_\_\_\_

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Skate Park Events and Hire Policy

**10. WASTE MINIMISATION/REMOVAL & RECYCLING DETAILS**

All waste removal is the responsibility of the event organiser. Also outline any recycling details re: cans, glass, bottles etc. Please provide details of arrangements for cleaning the site after the event.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**11. ACCESS FOR CLUBS**

Please provide details as to how local clubs will be able to gain access to the facilities during the conduct of your event

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12. HOW WILL YOU PROVIDE FOR PUBLIC ACCESS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13. NOISE LEVELS**

Please outline how you plan to minimise noise levels so as not to adversely effect surrounding residences

\_\_\_\_\_  
\_\_\_\_\_

**14. PUBLIC LIABILITY INSURANCE? YES  NO**

Please provide a copy of certificate of currency.

**15. WHAT EXPERIENCE DO YOU HAVE IN STAGING SIMILAR EVENTS?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Skate Park Events and Hire Policy

**16. REFEREES**

Please provide the names & telephone numbers of two referees who can vouch for the standard and overall quality of the events which you have conducted.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

**17. EVENT RECOMMENDATION STATEMENT**

Please provide a statement as to why Council should allow your organisation to conduct an event at the skatepark.

\_\_\_\_\_  
\_\_\_\_\_

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**18. PUBLICITY APPROVAL**

Are you willing for your telephone number to be published alongside your event listing in council's community newspaper or similar publication?

YES  NO

**19. MOBILE PHONE EVENT DAY CONTACT**

Please provide a mobile phone number(s) that will be in use on the day of your event.

\_\_\_\_\_

Please note that following assessment of this application, applicants will be advised in writing of the outcome.

**DECLARATION:**

*The Calac Otway Shire Council collects personal information to levy rates, issue permits and licences and provide a variety of community services. The information collected in this form is used only for the purposes contemplated by the form (primary purpose) and is not passed onto third parties. In some instances however, disclosure is required by law or is necessary for the protection of persons or property. Where this occurs, Council will take every reasonable step to ensure your privacy is protected in accordance with the Information Privacy Act 2000 (Vic). Should you need to change or access your personal details or require further information about Council's Privacy Policy contact our Privacy Officer on 5252 9460.*

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**CONDITIONS OF HIRE OF COUNCIL CONTROLLED SKATE FACILITIES**

| DEFINITIONS      |                                                                                                                                                                                                                              |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "Council"        | - means the Colac Otway Shire                                                                                                                                                                                                |
| "Skate Facility" | - means any Council owned, controlled or operated skate facility or skate park.                                                                                                                                              |
| "Fee"            | - means the fee or charge made by Council from time to time for the granting of a permit to use a skate facility.                                                                                                            |
| "Hirer"          | - for the purposes of this permit, shall mean the club, school, institution, society, organisation or other body or individual to whom permission to use the facility set out in the permit has been granted by the Council. |

**CONDITIONS**

1. The Hirer agrees to hire from the Council the premises on the date and times specified and on the conditions set out in this document.
2. **The Hirer:**
  - a) must book the skate facility by completing the relevant application form and returning with a copy of the certificate of currency for public liability insurance at least 14 days prior to the nominated event and pay to the Council all fees or bonds on or before the dates set out;
  - b) must comply with all Local Laws, the Liquor Control Act, the Health Act, Public Buildings Regulations or any regulations for the care, protection and management of the facility hired;
  - c) must not attach anything to the premises which will mark or damage the premises, and not cause or permit any damage or excessive wear and tear to the premises. Any such damage or excessive wear and tear which has occurred during the period of the hire which has not been repaired to the Council's satisfaction by the hirer will be repaired by the Council and the full costs incurred charged to the Hirer;
  - d) must advise Council of the type of activity to be conducted, expected crowd numbers and any other special conditions applying;
  - e) is responsible for cleaning the grounds, spectator areas, car parks and all other areas occupied by the Hirer and spectators immediately following use of the facility. Should these facilities not be cleaned to Council's satisfaction, the hirer shall be charged the full costs of any cleaning required;
  - f) in the case of damage or loss, the bookings officer must be informed as soon as possible but not later than midday on the next normal working day following the event;
  - g) must abide by the lawful directions of the officer in charge of the reserve who has been appointed with power and authority to administer the local laws and regulations pertaining to such facility;
  - h) must ensure that the event/competition is drug and alcohol free and that the event reflects positively on the Colac Otway Shire;

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Policy No. 12.2  
Skate Park Events and Hire Policy

- i) must ensure that offensive language or music containing coarse language is not broadcast during the hire period.
- j) must be at the premises at all times during the hire period;
- k) must ensure that all people coming within the premises during the term of the hire conduct themselves in an orderly manner and comply with the conditions of hire;
- l) must provide a proper number of competent attendants and supervisors to ensure the efficient supervision and safety of people within the reserve and associated facilities, as well as the preservation of order during the hire period;
- m) is responsible to inspect the facilities for safety prior to use and not proceed if deemed unsafe for use.

3. The Council may:

- a) decide whether the competition or demonstration shall take place in the event of unfavourable weather;
- b) upon revocation of this permit, retain all fees paid;
- c) enter the facility at any time during the hire period for any purposes;
- d) terminate the licence at any time by notice in writing to the Hirer;
- e) impose any additional conditions for the use of the premises or conduct;

4. **INSURANCE**

Hirers must have their own public liability insurance policy for a sum insured of not less than \$10 million in joint names of the user/hire/lessee and Council. The policy is to be maintained as current during the period of hire. The policy must indemnify the hirer and the Council from liability arising out of the hirer's use of the reserve. A certificate of currency of the policy stating the level of cover, period of cover and any exclusion clauses must be provided to Council as a part of the application to hire the skate facility.

5. **INDEMNITY**

The Hirer agrees to indemnify and keep indemnified and to hold harmless the Council, its servants and agents and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against it by any of them arising out of or in any way related to the granting of this licence and/or the use of the skate facility.

Council is not responsible for any theft, loss, damage or injury suffered by the hirer or any guest or invitee of the hirer, or any person coming on the premises during the period of hire, and the hirer indemnifies the Council in respect of all claims for loss, damage or injury caused to any person or property during the period of hire, or as a result of the use by the hirer of the premises.

6. **GENERAL**

- a) Applications for hiring of Council properties will not be considered where any rental or charge remains unpaid from a previous hiring or the conditions of occupancy have not been adhered to.
- b) Other than for inclement weather, seven days notice shall be given to the bookings officer in the case of cancellation. Cancellations may be negotiated with the Council.

Date Adopted: 24/5/06  
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# PLAYGROUND AND SKATE PARK MAINTENANCE AND IMPROVEMENT POLICY

Policy No: 12.3

Date Adopted: 28/3/2007

File No: GEN01688

Revised: ✓

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**1. PURPOSE**

The purpose of this Policy is to provide clear direction and process to address the maintenance and improvement works to Council's playgrounds and skate parks.

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**2. INTRODUCTION**

The objectives of this Policy are to:

- To develop a consistent approach to the maintenance of Council's playgrounds and skate parks to ensure Australian standard compliance and consistency with Playground Recreation Association of Victoria (PRAV) guidelines.
- To develop a maintenance plan in response to the independent bi-annual audits undertaken for all of Council's playgrounds.
- To develop a plan that is achievable within Council's allocated annual playground and skate park maintenance budget.

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**3. RELATIONSHIP WITH COUNCIL PLAN**

The Key Result Area of Physical Infrastructure and Assets in the Council Plan has the following objective:

"Council will provide and maintain Council infrastructure and assets to meet community needs now and into the future".

**4. SCOPE OF THE POLICY**

- This Policy applies to Council's playgrounds as defined in Attachment 1 and skate parks at Apollo Bay, Colac, Birregurra and Forrest.
- This policy is to be implemented specifically by Council's Manager Recreation, Arts and Culture and the Team Leader for Parks and Gardens.

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**5. DEFINITIONS**

Playgrounds: Refers to the playgrounds and skateparks currently owned, maintained and managed by Council and playgrounds managed through formal agreements (such as coastal committee of management).

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|                                                       |                                            |
|-------------------------------------------------------|--------------------------------------------|
| Asset Owner                                           | Council                                    |
| Strategic Manager                                     | Council in consultation with the community |
| Maintenance/Service Provider                          | Private providers and Cosworks.            |
| PRAV (Playgrounds Recreation Association of Victoria) | Coastal communities and management         |

**6. TRAINING REQUIRMENTS**

Policy and Procedure to be posted on Council's Intranet, Internet and Library.

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Council management to take appropriate measures to ensure procedures and practices are consistent with current guidelines and compliance specifications as advised by PRAV and through the independent audits. In the current organisation structure (2010) the responsible officers are the Manager Recreation, Arts and Culture and the Team Leader for Parks and Gardens.

Deleted: Council's Manager Recreation, Arts and Culture and Team Leader for Parks and Gardens

**7. POLICY**

(a) The Colac Otway Shire is committed to the playground upgrade and maintenance program as this is consistent with Council's objective to provide and maintain infrastructure and assets that meet community needs now and into the future.

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Deleted: 28/3/07

Policy No.12.3

Playground and Skatepark Maintenance and Improvement Policy

The intent of this policy is to ensure that there is a strategic approach to the upgrade and maintenance of Council's playgrounds which results from the independent audits and subsequent works schedules as developed by Council's Manager Recreation, Arts and Culture and Parks and Gardens Team Leader. The inclusion of community input towards the upgrading of playgrounds is preferred to ensure local preferences, needs and issues are considered.

(b) Monthly inspections of all Council's Playgrounds will be undertaken by the Parks and Gardens Team to identify any damage, necessary repairs, timelines and actions. Twice a year an independent audit Standards Assessment is to be undertaken on all Council Playgrounds.

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The audit is to include as a minimum:

- Up to date Playground Inventory including all equipment and associated infrastructure.
- Standards Assessment including reference to playground surfacing, specifications, requirements and test method. Equipment design and construction safety aspects and minimal functional design and safety aspects.

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(c) Areas specifically relating to non compliance and safety will be seen as high priority and will be implemented immediately, as indicated through the maintenance audit.

(d) Planning for playground maintenance and redevelopment will also include:

- An annual budget allocation will be made specifically for Playground Maintenance and Redevelopment.
- Any proposed new playground developments would be funded through the Playground Improvements capital works budget or external funding.

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(e) The level of service delivered to community residents will be based on; strategic planning, access, improvements, maintenance, input and availability of funds.

(f) Council engages as deemed appropriate independent audit opinions to regularly audit the playground facilities for maintenance purposes. This information is provided to coastal communities and it is these communities responsibility to maintain these playgrounds.

**8. RELATED LEGISLATION**

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- Occupational Health and Safety Act 2004
- AS/NZS 4422 : 1996
- AS/NZS 4486 : 1997

Deleted: OH&S Act 2004

**9. RELATED POLICIES/PROCEDURES/GUIDELINES**

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- Playground Recreation Association Victoria Guidelines.
- Risk Management Policy
- Risk Management Procedure
- Risk Register
- Council Recreation Strategy

**10. POLICY IMPLEMENTATION**

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9. QUALITY RECORDS¶  
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All managers and supervisory staff will be responsible and will be held accountable for ensuring this Policy is effectively implemented within their respective work areas.

**11. ATTACHMENTS**

Playground Maintenance and Improvement Procedure

Deleted: Refer to copy of the Playground Maintenance Report  
Deleted: Please note: This policy is current as at date of adoption. Refer to Council's Intranet or Teamware Library to ensure policy is the latest vers... [2]  
Deleted: 23/8/06  
Deleted: 28/3/07

Date Adopted: 28/3/07,  
File No. GEN01688

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**COLAC OTWAY SHIRE  
PROCEDURE**

|                                                                   |
|-------------------------------------------------------------------|
| Procedure Title: Playground Maintenance and Improvement Procedure |
| Related Policy Title: Playground Maintenance Improvement Policy   |
| Related Policy No: 12.3                                           |
| Date Procedure Approved by Executive                              |
| Responsible Officer: Recreation and Events Co-ordinator           |

**PROCEDURE OBJECTIVES**

The purpose of the Playground Operational Procedure is to provide clear procedure to ensure Council's Playgrounds are audited, maintained and improved in accordance with Australian Standards and Council's Playground Maintenance and Improvement Policy.

For the purposes of this procedure and Council's Playground Maintenance and Improvement Policy the term playground refers to those areas owned by Council that specifically include purpose constructed play equipment and associated infrastructure seating, pathways, shelter etc. However this Procedure and Policy do not relate to Open Space that does not include playground equipment.

**DEFINITIONS**

- Playgrounds - Refers to the playgrounds currently owned, maintained and managed by Council.
- Asset owner - Council
- Strategic Manager - Council in consultation with the community
- Maintenance/Service Provider - Private providers and Cosworks

**PROCEDURE**

**Monthly**

On a monthly basis Cosworks Parks and Gardens Team will conduct audits on the Playground Equipment and associated Infrastructure and complete the Inspection Checklist (Refer Attachment 1).

The monthly Inspection Checklists are to be authorised by the Parks and Gardens Team Leader and action any necessary maintenance works. Council's Recreation and Events Coordinator with the Team Leaders for Parks and Gardens meet regularly to check on the progress of the parks and playgrounds bi-annual work plan.

Deleted: monthly or bi-monthly

These actions and works (completed) are to be documented on the Inspection Checklist – then entered into the CORS system.

These checklists are to be renewed regularly to reflect changes in standards, equipment or playground infrastructure.

**Bi- Annually**

Twice a year an independent audit Standards Assessment is to be undertaken on all Council Playgrounds. The Audit is to include as a minimum:

- Up to date Playground Inventory including all equipment and associated infrastructure.
- Standards Assessment including reference to playground surfacing, specifications, requirements and test method. Equipment design and construction safety aspects and minimal functional design and safety aspects.
- Documentation of this report to be in both hard and electronic versions.

- Audit information to be provided to coastal committees of management and the four Council owned kindergartens for their action. Council does not contribute financially to these works or proposed improvements through the Playground Maintenance and Improvement Program budget.

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**Annual Works Schedule**

Council's Recreation and Events Co-ordinator together with the Team Leaders for Parks and Gardens are to develop the Annual Playground Works Schedule to prioritise playgrounds maintenance, equipment, and non compliance and safety issues as per independent audit recommendations in consultation with other relevant stakeholders. This will be achieved with a yearly meeting, setting the budget and direction of works for the coming year.

However playground improvements will be considered and where appropriate community consultation will be incorporated to ensure community needs and aspirations are considered.

Council's Playground Maintenance and Improvement budget allocation will fund these works and where possible external funding will be sourced to further implement the works schedule.

**ATTACHMENTS**

Playground Maintenance Inspection Report

**TABLE OF CONTENTS**

|     |                                             |                                          |                       |
|-----|---------------------------------------------|------------------------------------------|-----------------------|
| 1   | <u>Cressy Picnic Area</u>                   | <u>Old Station Street</u>                | <u>Cressy</u>         |
| 2   | <u>Beeac Park Playground</u>                | <u>Cnr Main &amp; Wallace Streets</u>    | <u>Beeac</u>          |
| 3   | <u>Red Rock Reserve Playground</u>          | <u>Bavens Road</u>                       | <u>Alvie</u>          |
| 4   | <u>Stodart Street Playground</u>            | <u>Stodart Street</u>                    | <u>Colac</u>          |
| 5   | <u>Donaldson Street Playground</u>          | <u>Donaldson Street</u>                  | <u>Colac</u>          |
| 6   | <u>Western Bay Playground</u>               | <u>Cnr Moore &amp; Hamilton Streets</u>  | <u>Colac</u>          |
| 7   | <u>Botanic Gardens</u>                      | <u>Botanic Gardens, Evans Street</u>     | <u>Colac</u>          |
| 8   | <u>Selwyn Brown Park</u>                    | <u>Cnr Chapel &amp; Church Streets</u>   | <u>Colac</u>          |
| 9   | <u>Memorial Square Playground</u>           | <u>Murray Street</u>                     | <u>Colac</u>          |
| 10  | <u>Lawrence Court Playground</u>            | <u>Lawrence Court</u>                    | <u>Colac</u>          |
| 11  | <u>Central Reserve - Skate Facility</u>     | <u>Gravesend Street</u>                  | <u>Colac</u>          |
| 12  | <u>Inglis Court Playground</u>              | <u>Inglis Court</u>                      | <u>Colac</u>          |
| 13  | <u>Robertson Street Playground</u>          | <u>Robertson Street</u>                  | <u>Colac</u>          |
| 14  | <u>Albert Newcombe Playground</u>           | <u>Cnr Begley &amp; Sydenham Streets</u> | <u>Colac</u>          |
| 15  | <u>Rex Norman Park Playground</u>           | <u>Lavers Hill Road</u>                  | <u>Colac</u>          |
| 16  | <u>John W. Gardner Reserve</u>              | <u>Beech Forest Road</u>                 | <u>Gellibrand</u>     |
| 16A | <u>Carlisle River Recreation Reserve</u>    | <u>Carlisle - Colac Road</u>             | <u>Beech Forest</u>   |
| 17  | <u>Wye River Recreation Reserve</u>         | <u>Great Ocean Road</u>                  | <u>Carlisle River</u> |
| 18  | <u>The Old Jetty - Skatepark</u>            | <u>Great Ocean Road</u>                  | <u>Wye River</u>      |
| 19  | <u>Apollo Bay Foreshore Reserve - North</u> | <u>Great Ocean Road</u>                  | <u>Apollo Bay</u>     |
| 20  | <u>Apollo Bay Foreshore Reserve - South</u> | <u>Great Ocean Road</u>                  | <u>Apollo Bay</u>     |
| 21  | <u>Forrest Playground</u>                   | <u>Station Street</u>                    | <u>Apollo Bay</u>     |
| 22  | <u>Barwon Downs Playground</u>              | <u>Forrest Road</u>                      | <u>Forrest</u>        |
| 23  | <u>Birrequira Park Playground</u>           | <u>Warncoot-Birrequira Road</u>          | <u>Barwon Downs</u>   |
|     |                                             |                                          | <u>Birrequira</u>     |



**INTRODUCTION**

This report has been compiled with reference to the following documents:

- AS/NZS 4422 : 1996 Playground Surfacing - Specification's requirements & test method
- AS/NZS 4486 : 1997 Playground Equipment - Development, installation inspection maintenance & operation
- AS 1924 Part 2 : 1981 Design & Construction - Safety Aspects
- AS 4685-1 - 2004 General Safety Requirements & test methods
- AS 4685-2 - 2004 Particular safety requirements & test methods for swings
- AS 4685-3 - 2004 Particular safety requirements & test methods for slides
- AS 4685-4 - 2004 Particular safety requirements & test methods for runways
- AS 4685-5 - 2004 Particular safety requirements & test methods for carousels
- AS 4685-6 - 2004 Particular safety requirements & test methods for rocking equipment

**Special Note:** Colac Otway Shire Council has deemed that entrapment issues arising from changes to the entrapment probes in AS 4685 : 2004 do not constitute excessive risk and will be dealt with over time via their capital works program rather than by modification (refer email 02/12/08).

**CRITERIA FOR CATEGORY / PRIORITY**

|    |                                                                            |
|----|----------------------------------------------------------------------------|
| M1 | MAINTENANCE - URGENT SAFETY ISSUE                                          |
| M2 | MAINTENANCE - HIGH PRIORITY                                                |
| M3 | MAINTENANCE - GENERAL                                                      |
| U  | UNDERSURFACING - UPGRADE REQUIRED                                          |
| G  | GRAFFITI                                                                   |
| S  | STANDARDS - NON COMPLIANCE ISSUE                                           |
| R  | RECOMMENDATION - OUR SOLUTION TO A POTENTIAL HAZARD NOT COVERED BY AS 4685 |
| NC | NON COMPLIANT WITH AS 4685 (PREVIOUSLY COMPLIANT TO AS 1924)               |

**GENERAL NOTES**

The following notes are derived from the reference documents and relate to points listed throughout the assessment.

- : **UNDERSURFACING :** Loose fill material of 200 mm minimum depth or rubber compound to manufacturers specification is required in the safe fall zone of all equipment greater than 500 mm in height.
- \* : The depth is taken as an average. Any uncertainty regarding the depth or subsurface condition of the soffit area requires our assessors to dig through the mulch to the subbase and measure accurately.

: **SAFE FALL ZONES :** Minimum requirements of AS 4685 as below:

| <b><u>Public Park Fall Zones</u></b> |                              | <b><u>Pre School Fall Zones</u></b> |                              |
|--------------------------------------|------------------------------|-------------------------------------|------------------------------|
| <b><u>Fall Height (mm)</u></b>       | <b><u>Fall Zone (mm)</u></b> | <b><u>Fall Height (mm)</u></b>      | <b><u>Fall Zone (mm)</u></b> |
| <u>500</u>                           | <u>1500</u>                  | <u>500</u>                          | <u>1500</u>                  |
| <u>600</u>                           | <u>1550</u>                  | <u>600</u>                          | <u>1540</u>                  |
| <u>700</u>                           | <u>1600</u>                  | <u>700</u>                          | <u>1580</u>                  |
| <u>800</u>                           | <u>1650</u>                  | <u>800</u>                          | <u>1620</u>                  |
| <u>900</u>                           | <u>1700</u>                  | <u>900</u>                          | <u>1660</u>                  |
| <u>1000</u>                          | <u>1750</u>                  | <u>1000</u>                         | <u>1700</u>                  |
| <u>1100</u>                          | <u>1800</u>                  | <u>1100</u>                         | <u>1740</u>                  |
| <u>1200</u>                          | <u>1850</u>                  | <u>1200</u>                         | <u>1780</u>                  |
| <u>1300</u>                          | <u>1900</u>                  | <u>1300</u>                         | <u>1820</u>                  |
| <u>1400</u>                          | <u>1950</u>                  | <u>1400</u>                         | <u>1860</u>                  |
| <u>1500</u>                          | <u>2000</u>                  | <u>1500</u>                         | <u>1900</u>                  |
| <u>1600</u>                          | <u>2050</u>                  |                                     |                              |
| <u>1700</u>                          | <u>2100</u>                  |                                     |                              |
| <u>1800</u>                          | <u>2150</u>                  |                                     |                              |

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**SPECIFIC REQUIREMENTS OF AS 4685 AS BELOW:**

- Swings: 875 mm radius from centre of seat along path of swing projected to 2.25 metres beyond position of seat extended to 60 degrees from horizontal. NB: Must not overlap other fall zones.
  - Slides: 2000 mm minimum clearance from run out section. NB: Fall zone from sides and sit down sections are determined by fall height from top of slide.  
2000 mm minimum clearance at sides.
  - Carousels: NB: Must not overlap other fall zones.  
1500 mm minimum clearance to edging or other equipment.  
2000 mm minimum clearance to other spring riders.
  - Spring Riders:
- ENTRAPMENT OPENINGS:**
- Head Entrapment: Gaps, slots and holes within structures which have the potential to trap parts of the users body whilst using the equipment. The gaps to be avoided are as follows:  
Between 89 mm & 230 mm - fully bound openings more than 600 mm above ground.  
NB: Under AS 1924, the smaller dimension was 125 mm. This applies to equipment manufactured prior to 2006.  
Between 45 mm and 155 mm - partially bound openings more than 600 mm above ground.
  - Neck Entrapment: NB: Accessibility determined by test template.  
Between 8 mm and 25 mm
  - Finger Entrapment: Between 30 mm and 90 mm
  - Hand/Foot Entrapment: Between 3.6 mm and 25 mm or any Vee Shaped openings within 600 mm of a firemans pole or sliding surface.
  - Clothing Entrapment:

These notes are intended only as a rough guide. Determination of entrapment must be carried out with the appropriate probes, templates and devices as specified by AS 4685.







## PLAQUES AND MEMORIALS IN COLAC BOTANIC GARDENS POLICY

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Policy No: 12.4  
Date Adopted: 23/5/07  
File No: GEN01688  
Revised:

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1. INTRODUCTION

The Colac Botanic Gardens were developed in the second half of the nineteenth century over a site covering 12 hectares. The site is managed by Colac Otway Shire on behalf of the Department of Sustainability and Environment. The Friends of the Colac Botanic Gardens acts as an advisory group to Council on activities associated with the Botanic Gardens.

This Policy provides a framework for the Friends of the Colac Botanic Gardens when considering requests relating to plaques and memorials in the Colac Botanic Gardens.

2. RELATIONSHIP TO COUNCIL PLAN

~~Under the Key Result Area of Physical Infrastructure and Assets, the objective is that Council will provide and maintain Council infrastructure and assets that meet community needs now and into the future.~~

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Colac Otway Shire has a responsibility to manage assets for the whole of the community.

Parks and Gardens are a key infrastructure group, and the development of the policy assists with management of this infrastructure group.

3. OBJECTIVES / PURPOSE

The purpose of this policy is to provide a framework for the Friends of the Colac Botanic Gardens when considering requests from private individuals and organisations relating to plaques and memorials in the Colac Botanic Gardens.

4. DEFINITIONS

Plaque – a small brass naming plate of dimensions up to 15cm x 15cm.

Ashes – the physical remains following cremation of a person. Note this policy also applies to the distribution of animal ashes.

5. POLICY

5.1 Sponsored Trees

Donors may donate funds for the purchase of trees for the Gardens. No plaques or similar references to the donor should be on the trees purchased. Choice, purchase and placement of trees are the responsibility of the Colac Botanic Gardens Staff or their advisors. Consideration should be given to the establishment of a "Donors Board" to which plaques may be attached to record significant donations to the Gardens. Scattering or burying of ashes is not permitted.

5.2 Sponsored Furniture

Donors may sponsor a garden seat. The style should be in accord with the current Colac Botanic Gardens Style Guide.

All requests for sponsored furniture should in the first instance be made to the Friends of the Colac Botanic Gardens.

A small brass plaque, 15cm high and 15cm wide may be attached. Seats will be retained for up to 10 years. At the expiry of that time they will be removed and the donor may retrieve the plaque.



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**5.3 Acknowledgement of Important Events**

Events or occasions that are of special significance to the community or to the Gardens may be marked with the planting of a tree and a plaque. An example of such an event is the Centennial of Federation. All requests for such acknowledgement should in the first instance be made to the Friends of the Colac Botanic Gardens.

All planting is to be consistent with the Botanic Gardens Master Plans and Landscape Plans.

**5.4 Memorial to a Significant Individual**

An individual who contributed significantly to the Gardens over the years may be recognised with the planting of a tree and a plaque. An example of such a person is Archibald Campbell who was curator of the Gardens for forty years.

All requests for such acknowledgement should in the first instance be made in writing to the Friends of the Colac Botanic Gardens. Their recommendations should be consistent with the Botanic Gardens Master Plans and Landscape Plans and subject to the approval of the Chief Executive Officer.

**5.5 Plaques**

All plaques are to be the same size and use the same lettering. A suggested style depicted is attached.

**6. IMPLEMENTATION AND REVIEW**

This policy shall be implemented upon adoption by a resolution of Council, and shall be renewed on a biennial basis.

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7. RELATED LEGISLATION (where appropriate)¶  
Not applicable.¶  
¶  
¶  
8. RELATED POLICIES / PROCEDURES / GUIDELINES (where appropriate)¶  
Not applicable.¶





## COUNCILLOR SUPPORT POLICY

Policy No: 18.5

Date Adopted: 25/2/09

File No: GEN01688

Revised: ,

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1. INTRODUCTION

- 1.1 Council elections are held every four years. Significant demands and expectations are placed on Councillors in fulfilling their civic and statutory duties. These demands include attendance at numerous Council and Committee meetings, representing the Council on many other organisations and communicating with residents, business, community groups and others on a whole range of issues.
- 1.2 Given the costs associated with the demands and expectations placed on Councillors, the Council has developed a Councillor Support Policy.
- 1.3 This policy provides a broad overview of how the Council provides assistance and support to the Mayor and Councillors in carrying out their role and official duties as Councillors. This assistance and support is additional to the Mayoral and Councillor annual allowances.

Under Section 75B of the Local Government Act 1989:

*"75B Councillor Reimbursement Policy*

- (1) A Council must adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees.
- (2) A policy adopted by Council under this section must be consistent with –
  - (a) The prescribed types of Councillor out-of-pocket expenses that must be reimbursed if the expenses are reasonable and bona fide; and
  - (b) the prescribed procedures to be followed by Councils in relation to the reimbursement of out-of-pocket expenses.
- (3) A Council must keep a copy of the policy adopted and maintained under this section available for inspection at the office of the Council."

- 1.4 Support is provided in the form of Mayoral vehicle, registration fees for conferences and functions, communications equipment, meeting room/office, travel and child care expense reimbursement, meeting facilities and training.

2. 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."

**Deleted:** A community priority is strong leadership "We are committed to providing strong community leadership, governance and advocacy services which will benefit the community now and into the future." The development of a Councillor Support Policy is part of that process.

3. POLICY

3.1 Objectives

To detail the circumstances whereby the payment of expenses incurred by or to be incurred by and the provision of facilities to, will be made to the Mayor and Councillors, in discharging the functions of their civic office.

The policy supports requirements of the Local Government Act 1989, with specific references to sections 74 and 75 that relate to the payment of allowances and out-of-pocket expenses to the Mayor and to Councillors.

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**3.2 Scope**

To assist Councillors in the discharge of their civic, statutory and policy making functions, Council will be responsible for the provision of a range of necessary facilities and the reimbursement of expenses specified within the policy.

Recognising the special role of the Office of Mayor, the policy also provides for expenses and facilities specific to that office.

The basic test that will be applied to determine whether or not an expense is lawfully incurred is whether the expenditure is necessary because it directly relates to the exercise of Council functions.

Where this criteria is satisfied and a Councillor has incurred an out of pocket expense they may be reimbursed by Council on submission of appropriate claim documentation.

Section 75(1) of the *Local Government Act* provides:

*"(1) A Council must reimburse a Councillor for expenses if the Councillor –  
(a) applies in writing to the Council for reimbursement of expenses; and  
(b) establishes in the application to Council that the expenses were reasonable bona fide Councillor out-of-pocket expenses incurred while performing duties as a Councillor."*

**3.3 Claims**

- a) All claims for out-of-pocket expenses shall be made on the official Colac Otway Shire Council expenses claim forms.
- b) Claims are to be submitted at a frequency convenient to the councillor, preferably monthly, but not less than once per year on or before the last scheduled ordinary Council meeting in June each year.
- c) Receipt of payments and tax invoices shall be provided to substantiate claims for expenses incurred.
- d) Expenses shall be paid in arrears, unless otherwise authorised by the Chief Executive Officer.

**4. COUNCILLOR'S ALLOWANCES/REIMBURSEMENTS**

**4.1 Allowances**

Section 74 of the *Local Government Act* requires each Council to review and set their allowance levels within the seven months after a general election. The Act provides for Councillors allowances to be fixed by Order in Council within upper and lower limits specified in the order. This flexibility enables Council to set a fee appropriate to the municipality.

Allowances are based on certain levels taking into account total revenue and population. There are 3 levels..

Colac Otway Shire has been categorised as a Level 2 Council

Mayoral and Councillor allowances are paid quarterly in advance unless otherwise determined by Council resolution.

Section 74A(3) of the *Local Government Act* 1989 states that a Council does not have to pay an allowance under section 74 to a Councillor who does not wish to receive it.

Any personal taxation implications from the receipt of allowances are the responsibility of individual Councillors.

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**Section 74(1) Review**

Within 7 months after a general election, Council is required to perform a review involving public consultation under section 223 of the Act to determine the allowances that will be payable from the range available to each Council in its category from that time and for the next four years

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**Annual Adjustments**

Under section 73B of the Act, each year the Minister for Local Government will undertake 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 will publish a notice in the Gazette setting out the adjustment factor and new limits and ranges of allowances including the adjustment.

Council must increase the allowances in accordance with the adjustment factor.

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**4.2 Superannuation**

An amount of 9% (currently) equivalent to the superannuation guarantee contribution is payable on the Councillor's allowance. This applies to those Councils not Eligible Local Governing Bodies (ELGBs).

Councillors can sacrifice all or some of their allowance to a complying superannuation fund.

ATO Determination 2007/08 determines that *"... the amounts paid by a Council in the form of contributions to a complying superannuation fund do not represent assessable income of the Councillor."*

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**4.3 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. The vehicle is to be operated and maintained in line with the Light Fleet Policy.

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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 9 litres/100 kilometres or an LPG vehicle.

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**4.4 Travelling Expenses**

If possible and convenient 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.

When Councillors are travelling within Victoria or interstate they shall use the mode of transport that is most cost effective form of transport.

- Travel must be undertaken as quickly as possible and by the shortest route possible.

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Policy No: 18.5  
Councillor Support Policy

- 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.

**4.5 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 and shall be paid an additional allowance of \$40.00 in respect of each day on which one or more meetings or authorised functions actually attended by the Councillor up to a maximum of \$5,000 per annum.

The Remote Area Travel Allowance is classified as Travel Allowance in the Annual Report.

**4.6 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 such child care expenses to a maximum of \$2,000 per year when the child care is necessary in order to allow the Councillor to attend:

- 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.

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.

**4.7 Other**

For all Councils, a minimum tool kit of support is to be provided or made available for Mayors and Councillors.

The following resources/facilities are mandatory:

- Administrative support for the Mayor
- Office for Mayor
- Vehicle for Mayor,
- Computer -- desktop or laptop
- Mobile phone and landline

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Date Adopted: 25/2/09  
File No. GEN01688

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Revised:

- Stationery
- Access to fax/copier
- Website development as part of Council website

A Councillor may choose not to have a computer and/or a mobile phone and landline.

**Stationery**

The Council shall, upon request, provide Councillors with standard stationery held or obtained generally for the organisation's requirements.

The stationery may include, but not necessarily be limited to 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.

**Apparel**

The Council shall upon request lend the Councillors protective clothing required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of activity duty for when the articles were required.

This clothing shall be limited to wet weather pants and pullover, gumboots, winter jacket and/or hat, as may be held in store to meet the organisation's requirements, unless otherwise resolved by Council for a specific item.

**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.

**Meals/Refreshments**

Where Council meetings are held at times that extend through normal meal times, Council will provide suitable meals. Dependent on the likely length of meetings, appropriate meals will be arranged. Councillors will be notified of meal arrangements for each meeting.

**Insurance**

Councillors are covered by the following Council Insurance Policies on a 24 hour basis while discharging the duties of civic office including attendance at meetings of external bodies as Council's representative.

- a) Personal Accident Insurance (accompanying partners also covered)
- b) Public Liability /Professional Indemnity
- c) Councillors and Officers Liability

All policies have limitations which are usual for the type of policy. Some examples are requirements to act honestly, to act in good faith and to not act recklessly.

Insurance policies generally have requirements for early notification to the insurer of potential claims, the right for the insurer to take over the handling of the matter and appoint lawyers and settle the matter and a requirement for full and frank disclosure of all relevant material.

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.

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**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.

**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.

**5. COMMUNICATION AND EQUIPMENT EXPENSES**

**5.1 Councillors:**

(a) All Councillors will be provided with some or all of the following equipment:

- Mobile phone and landline
- Laptop or desktop PC including standard MS Office suite
- Multifunction device (MFD) – fax, copy and print capability
- MFD Consumables
- Broadband Internet Connection
- Council email account

(b) The Council will pay all connection fees, service charges and call charges related to Council business. Any private use of the facilities must be recorded and the direct costs of private use shall be reimbursed to Council.

(c) Councillors may seek reimbursement for Council related calls made on their private mobile phone where an account is provided and Council related calls identified..

(d) Councillors may purchase the equipment at the end of their term at a price which reflects the current wholesale market value for second hand items of that nature, or ascertained by the Information Services Department in conjunction with the Chief Executive Officer.

(e) Councillors are required to comply with the Council's "Information System and Security Practices and Procedures (SSPP) Operational Policy".

**6. CONFERENCES AND SEMINARS**

Councillors are encouraged to attend conferences and seminars relevant to their work as Councillors in order to enhance their personal skills and knowledge to better perform their role.

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 is to 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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Policy No: 18.5  
Councillor Support Policy

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 reimbursement or paid on their behalf.

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Councillors must obtain either both Mayoral and Chief Executive Officer or full Council approval:

- to attend such conference/seminar where expenses are likely to be claimed;
- to use a Council vehicle for transport to or from such function.

The MAV Conference is to be automatically approved for attendance.

Any expenditure of 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 Department for conferences/seminar cost to be prepaid if required;
- complete a staff/councillor travel form for any related or overseas travel.

Councillors wishing to make their own arrangements for transport or accommodation shall have reasonable expenses reimbursed as determined by the Chief Executive Officer.

To maximise the benefit derived from attending conferences and seminars, Councillors are 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.

**7. REPORTING**

The Annual Report shall include the amount paid or attributed to a Councillor such as allowances, travel allowances and use of motor vehicle.

The Annual Report shall include a table detailing what equipment is provided to each Councillor.

**8. RELATED LEGISLATION AND DOCUMENTATION**

*Local Government Act* 1989  
Information System and Security Practices and Procedures (SSPP) Operational Policy

**9. IMPLEMENTATION AND REVIEW**

This policy will be implemented by Council and is subject to periodic review.

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Date Adopted: 25/2/09  
File No. GEN01688

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Revised:

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | D | W |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>INFRASTRUCTURE AND SERVICES</u></b></p> <p><b><u>OM102508-8 ROAD MANAGEMENT PLAN COMPLIANCE REPORT</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Note and receive the Road Management Plan Compliance Report; and</i></b></li> <li><b><i>2. Endorse the attached Road and Footpath Compliance Reports for the period January to June 2010 as achieving compliance with the Road Management Plan.</i></b></li> </ol>                                                                                                                          |   |   |
| <p><b><u>OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Note the contents of the Report;</i></b></li> <li><b><i>2. Endorse the actions of the CEO in signing the Grant Agreement with the Regional Infrastructure Development Fund (RIDF) for an amount of \$540,000 (excluding GST) for the Port of Apollo Bay Main Breakwater Upgrade Works; and</i></b></li> <li><b><i>3. Commence tendering for the project.</i></b></li> </ol> |   |   |

|                                                                                                                                                                                                                                                                        |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b><u>OM102508-10 REGIONAL ASSET MANAGEMENT SERVICES PROGRAM</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council receives the Regional Asset Management Services Program Report for information.</i></b></p> |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

**Recommendation**

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

**MOVED** .....

**SECONDED** .....

**OM102508-8 ROAD MANAGEMENT PLAN COMPLIANCE REPORT**

|             |                           |           |                         |
|-------------|---------------------------|-----------|-------------------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen              |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN01710 - RMP Act Plan |

**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 periods:

- January to March 2010; and
- April to June 2010.

**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.

Performance and compliance is measured against the service levels as defined by the current version of Council's Road Management Plan.

Council's insurer has advised that regular monitoring reports be provided in relation to the level of compliance achieved with the Road Management Plan.

**Issues / Options**

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

*Roads*

A large number of defects were identified during both reporting periods which related to the condition of roadside assets such as signs and guideposts. Given the time of year and the ongoing pattern of wet weather, potholes and other similar issues were noted on Council's unsealed road network.

| <b>Performance Measure</b>                                                                  | <b>Target</b> | <b>Result for Period Jan – March 2010</b> | <b>Result for Period April to June 2010</b> |
|---------------------------------------------------------------------------------------------|---------------|-------------------------------------------|---------------------------------------------|
| Routine inspections completed as per Schedule                                               | 100%          | 100%                                      | 100%                                        |
| Response times for remedial works as assessed in Council's Maintenance Performance Criteria | 85%           | 98%                                       | 94%                                         |

### *Footpaths*

A large proportion of the issues noted during proactive inspections of Council's footpaths were in relation to overhanging street trees. Other footpath condition based hazards such as slippery surfaces, cracked or broken sections and damaged or defective segments, were also identified.

The majority of the items requiring rectification have been completed with the majority of these within the target response times.

| <b>Performance Measure</b>                                                                       | <b>Target</b> | <b>Result for Period Jan – March 2010</b> | <b>Result for Period April to June 2010</b> |
|--------------------------------------------------------------------------------------------------|---------------|-------------------------------------------|---------------------------------------------|
| Routine inspections completed as per Schedule                                                    | 100%          | 100%                                      | 100%                                        |
| Response times for remedial works as assessed against Council's Maintenance Performance Criteria | 85%           | 89%                                       | 89%                                         |

### **Proposal**

It is intended that Council receive this report for information.

### **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. Emerging deterioration trends will need to be continually monitored to determine likely impacts on both future maintenance and capital budgets.

As part of the ongoing monitoring of the performance against the Road Management Plan, Council must be mindful of any funding gaps between what is necessary to retain its road network at the current level of service and what is actually being funded. If increased funding is not practicable given the wide number of other budgetary pressures that Council faces, both the community and Council need to examine the current service level expectations to achieve a more affordable level, or alternatively explore funding opportunities to meet community expectations or increased levels of service.

### **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.

**Environmental and Climate Change Considerations**

No environmental considerations are applicable at this time.

**Community Engagement**

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

**Implementation**

The attached reports are presented to Council for information.

**Conclusion**

Performance of the overall road management function is generally consistent with previous reporting period results and meets with the key targets set within Council's Road Management Plan.

Council has met its obligation to comply with the Road Management Plan for roads and footpaths.

**Attachments**

1. RMP Compliance (Roads) - Jan to March 2010
2. RMP Compliance (Roads) - Apr to June 2010
3. RMP Compliance (Footpaths) - Jan to March 2010
4. RMP Compliance (Footpaths) - Apr to June 2010

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

1. ***Note and receive the Road Management Plan Compliance Report; and***
2. ***Endorse the attached Road and Footpath Compliance Reports for the period January to June 2010 as achieving compliance with the Road Management Plan.***

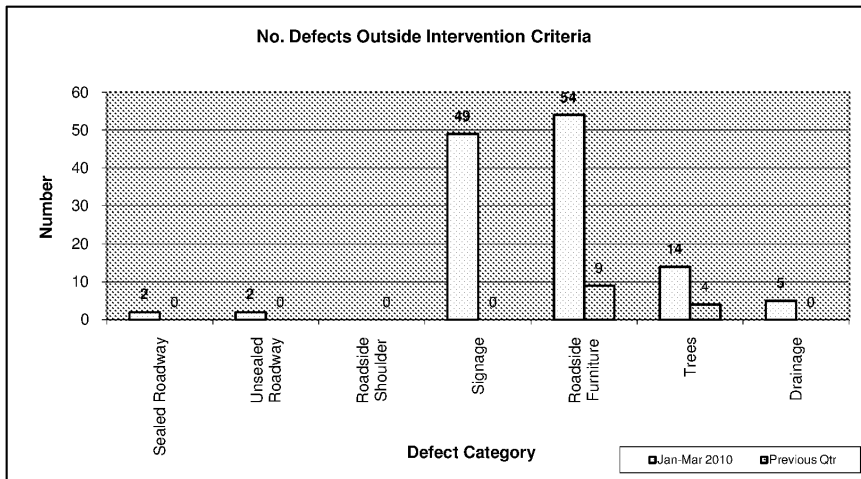




**INFRASTRUCTURE DEPARTMENT**  
Mission: To effectively manage infrastructure and  
provide Best Value community services.

| <b>Road Management Plan Compliance Report</b> |                                    |
|-----------------------------------------------|------------------------------------|
| <b>Asset Category:</b>                        | Roads                              |
| <b>Reporting for the Period:</b>              | 3rd Quarter (January - March 2010) |
| <b>Inspections Completed By:</b>              | Kevin O'Gorman                     |
| <b>Report Prepared By:</b>                    | Adam Lehmann                       |

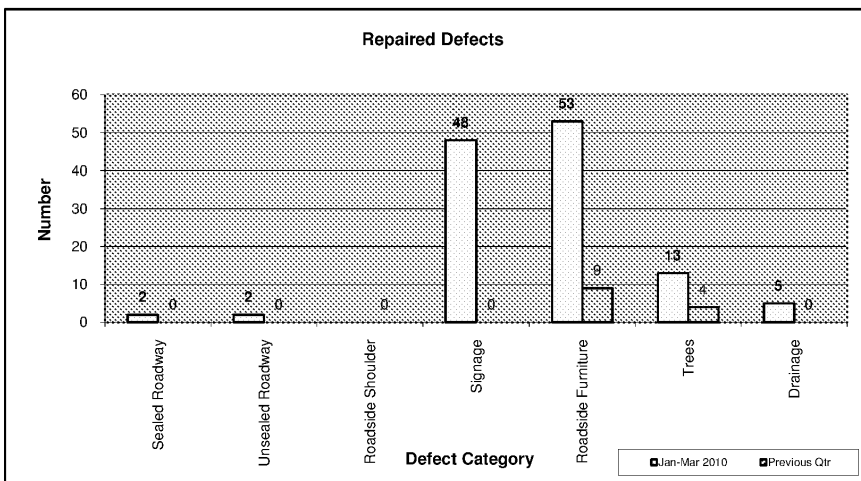
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 513-km of Council's municipal public roads were inspected during this reporting period. A total of 127 maintenance items requiring rectification were identified. 81% of these issues related to signage and roadside furniture (e.g. guideposts, etc).

**No. of Defects Repaired - Outside Intervention**



**Comments**

124 of the 127 defects identified have been completed leaving three (3) outstanding defects which are to be responded to.

**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 | 100%  |
|           | RA         | Rural Access    | 100%  |
| Urban     | UL         | Urban Link      | N/A   |
|           | UC         | Urban Collector | 100%  |
|           | UA         | Urban Access    | 100%  |

**Comments**

All routine road maintenance inspections nominated for the reporting period have been completed in accordance with the Road Management Plan.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned

| Defect Category    | Score |
|--------------------|-------|
| Sealed Roadway     | 100%  |
| Unsealed Roadway   | 100%  |
| Roadside Shoulder  |       |
| Signage            | 98%   |
| Roadside Furniture | 98%   |
| Trees              | 93%   |
| Drainage           | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category    | Score |
|--------------------|-------|
| Drainage           | 100%  |
| Roadside Furniture | 100%  |
| Sealed Roadway     | 100%  |
| Signage            | 96%   |
| Trees              | 100%  |
| Unsealed Roadway   | 100%  |
| Roadside Shoulder  |       |

**Comments**

Of the 124 maintenance items which have been actioned, 122 were completed on time representing a compliance rate of 98%. Target performance measure for responsiveness is 85%. This includes provision of appropriate warning of an identified hazard.

**Overall Comments**

An good level of compliance has been acheived in the delivery of road inspection and maintenance services for this reporting period. A number of issues remain outstanding which require rectification.

**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 (January - March 2010) |
| <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**

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.

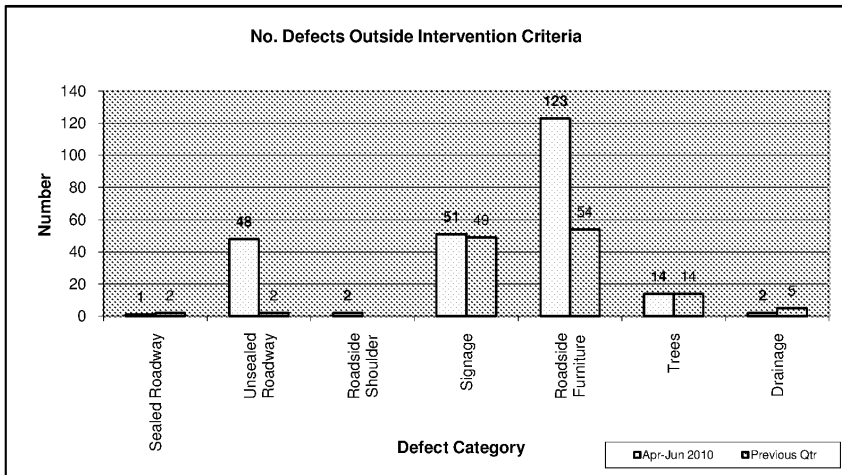
The condition inspection process must also meet the requirements for accounting regulations and asset management.

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 (April - June 2010) |
| <b>Inspections Completed By:</b>              | Kevin O’Gorman                  |
| <b>Report Prepared By:</b>                    | Adam Lehmann                    |

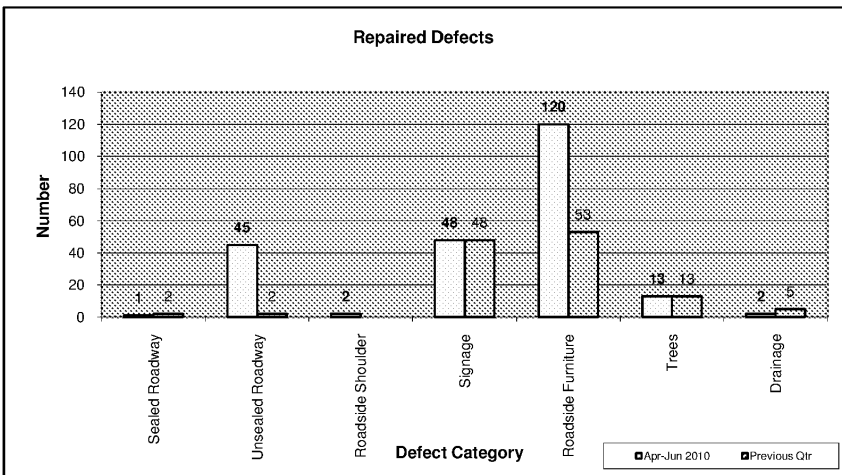
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 698-km of Council's municipal public roads were inspected during this reporting period. This represents 43% of the total length of the network. Roads inspected included Rural Link and Collector roads, urban streets in the townships of Birregurra, Forrest, Cressy, and Beech Forrest and other designated rural roads.

**No. of Defects Repaired - Outside Intervention**



**Comments**

A total of 241 defects identified during inspections for this quarter. The majority of these related to signs and missing or damaged guideposts. It should be noted that 48 or 20% of the total defects related to the condition of unsealed roads. This is attributable to the time of year and ongoing wet weather.

**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 | 100%  |
|           | RA         | Rural Access    | 100%  |
| Urban     | UL         | Urban Link      | N/A   |
|           | UC         | Urban Collector | 100%  |
|           | UA         | Urban Access    | 100%  |

**Comments**

All routine maintenance inspections have been completed in accordance with the Road Management Plan.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned

| Defect Category    | Score |
|--------------------|-------|
| Sealed Roadway     | 100%  |
| Unsealed Roadway   | 94%   |
| Roadside Shoulder  | 100%  |
| Signage            | 94%   |
| Roadside Furniture | 98%   |
| Trees              | 93%   |
| Drainage           | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category    | Score |
|--------------------|-------|
| Drainage           | 100%  |
| Roadside Furniture | 98%   |
| Sealed Roadway     | 100%  |
| Signage            | 94%   |
| Trees              | 100%  |
| Unsealed Roadway   | 82%   |
| Roadside Shoulder  | 100%  |

**Comments**

96% of the maintenance items recorded during routine inspections for this period have been completed leaving ten (10) items to be addressed. Six (6) of the outstanding defects relate to unsealed roads and signage and have been programmed for completion.

**Overall Comments**

A satisfactory level of compliance has been achieved for this reporting period.

**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 (January - March 2009) |
| <b>Urban Road Network</b><br><small>* Includes sealed and unsealed roads</small> | 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><small>* Includes sealed and unsealed roads</small> | 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**

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.

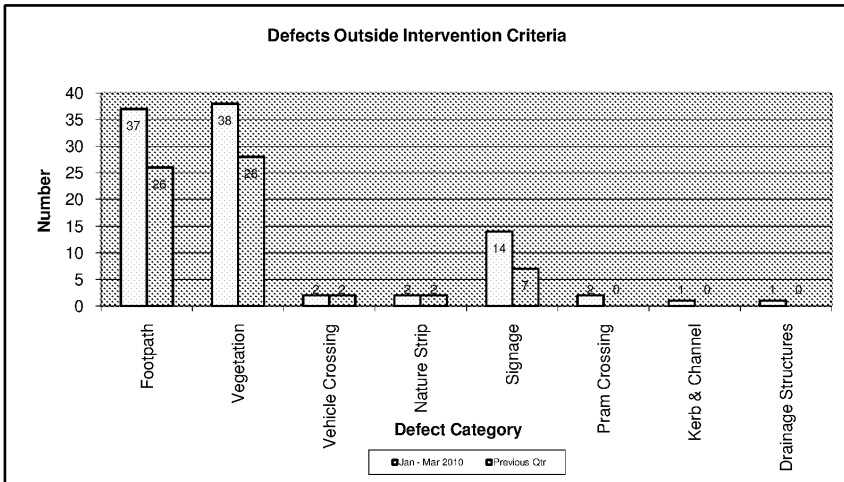
The condition inspection process must also meet the requirements for accounting regulations and asset management.

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>                        | Footpaths                          |
| <b>Reporting for the Period:</b>              | 3rd Quarter (January - March 2010) |
| <b>Inspections Completed By:</b>              | Kevin O'Gorman                     |
| <b>Report Prepared By:</b>                    | Adam Lehmann                       |

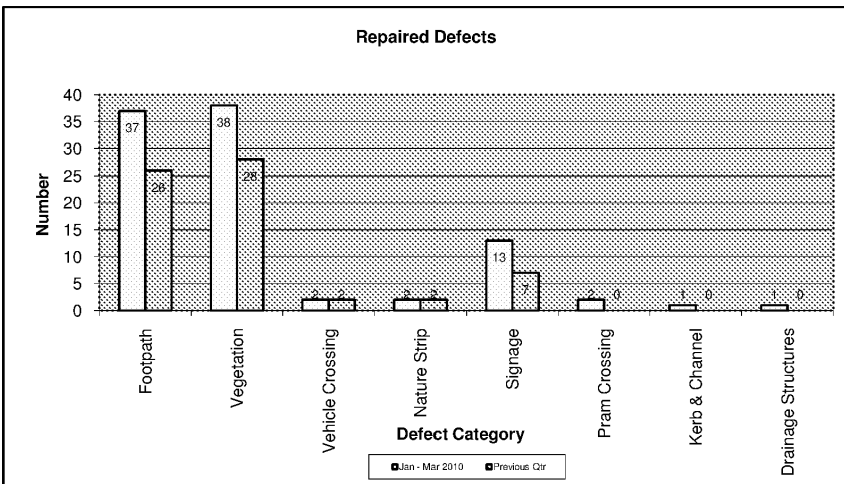
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 52km of Council's footpath network was inspected during the the reporting period. This included inspections of footpaths in the Colac CBD area, around schools, and other activity areas.

**No. of Defects Repaired - Outside Intervention**



**Comments**

The majority of defects assessed as requiring intervention related to either footpath condition (e.g. raised or cracked areas) or overhanging street trees.

**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 for this period have been completed in accordance with the adopted schedules.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned/repared

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 100%  |
| Vehicle Crossing    | 100%  |
| Nature Strip        | 100%  |
| Signage             | 93%   |
| Pram Crossing       | 100%  |
| Kerb & Channel      | 100%  |
| Drainage Structures | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 76%   |
| Vehicle Crossing    | 100%  |
| Nature Strip        | 100%  |
| Signage             | 85%   |
| Pram Crossing       | 100%  |
| Kerb & Channel      | 100%  |
| Drainage Structures | 100%  |

**Comments**

99% of all defects identified have been completed. One (1) signage related issue remains outstanding and has been programmed for completion.

89% of all defects identified have been responded to within the nominated timeframes. Council's target as documented in the Road Management Plan is 85%.

**Overall Comments**

A satisfactory level of compliance for footpath management has been achieved when assessed against the key performance targets defined by the Road Management Plan.



**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.

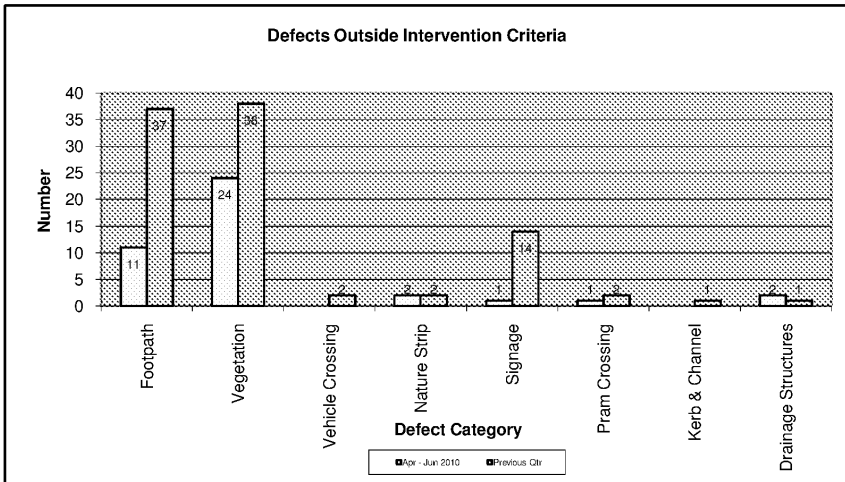
The condition inspection process must also meet the requirements for accounting regulations and asset management.

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>                        | Footpaths                       |
| <b>Reporting for the Period:</b>              | 4th Quarter (April - June 2010) |
| <b>Inspections Completed By:</b>              | Kevin O'Gorman                  |
| <b>Report Prepared By:</b>                    | Adam Lehmann                    |

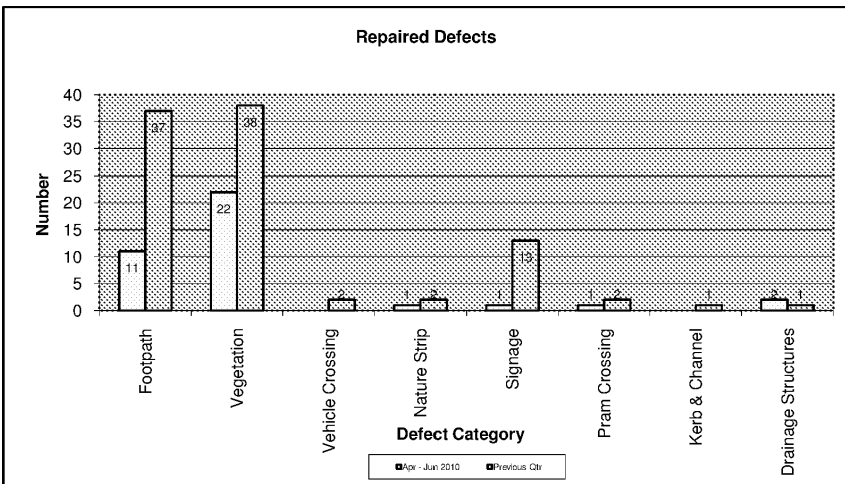
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 15km of Council footpaths were inspected during the April - June 2010 quarter. This included footpaths located in each of the municipalities small townships (e.g. Birregurra, Lavers Hill, Gellibrand, etc) and all areas in Apollo Bay. A total of 41 defects were identified the majority of which related to overhanging street trees.

**No. of Defects Repaired - Outside Intervention**



**Comments**

Of the 41 maintenance issues recorded 38 have been responded to. Two (2) of the outstanding items relate to overhanging vegetation and require further follow up.

**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 inspections programmed for this quarter have been completed.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned/repaired

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 92%   |
| Vehicle Crossing    |       |
| Nature Strip        | 50%   |
| Signage             | 100%  |
| Pram Crossing       | 100%  |
| Kerb & Channel      |       |
| Drainage Structures | 100%  |

Proportion of defects actioned within prescribed response times

| Defect Category     | Score |
|---------------------|-------|
| Footpath            | 100%  |
| Vegetation          | 82%   |
| Vehicle Crossing    |       |
| Nature Strip        | 100%  |
| Signage             | 100%  |
| Pram Crossing       | 100%  |
| Kerb & Channel      |       |
| Drainage Structures | 100%  |

**Comments**

89% of all defects identified have been responded to within the nominated timeframes. This compares with the adopted key performance target of 85%.

**Overall Comments**

A number of items remain outstanding and require further follow up to ensure that they are completed. Overall performance in maintaining compliance with the standards of Council's Road Management Plan remains good.

**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.

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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.

**OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE**

|             |                           |           |            |
|-------------|---------------------------|-----------|------------|
| AUTHOR:     | Ranjani Jha               | ENDORSED: | Neil Allen |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN00233   |

**Purpose**

The purpose of this report is to advise Council about the Regional Infrastructure Development Fund (RIDF) for the Port of Apollo Bay Main Breakwater Upgrade works.

**Declaration of Interests**

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

**Background**

It was reported in the Council meeting held on 26 May 2009 that an allocation of \$50,000 (excluding GST) was made by the Department of Sustainability & Environment (DSE) under the Ports Risk Mitigation Grants for rearmouring of approximately 30 metres of main breakwater. The project was at no cost to Council because DSE funds accounted for 80% of the project cost with the remaining 20% coming from the Apollo Bay Harbour Asset Maintenance Funds 2008/09. Necessary investigation works were undertaken in 2008/2009 and 2009/2010 in consultation with DSE and Marine Design Engineers for assessing the condition of the main breakwater. Upon detailed investigation and analysis by the Marine Engineers it was found that the initial allocation of \$50,000 by DSE under the Risk Mitigation Program was not enough for undertaking all the necessary works required for upgrading the breakwater.

An inspection of the southern section of the main breakwater carried out by engineers on 28 May 2009 indicated that the southern 90-100 metre section of the breakwater was in need of repair works compared to 30m initially thought. This section is showing signs of subsidence and a lowering of the breakwater crest has resulted from sand being transported from within the breakwater structure into the main harbour together with sand movement above the breakwater under the action of wind and waves.

A report was submitted by GHD Marine Engineers in June 2009 proposing the required upgrade works with concept design and necessary cost estimation. This report was provided to DSE for their information advising that further allocation of funds would be necessary for undertaking the full extent of upgrade works. Taking into account the current condition of main breakwater, associated public safety risks and increased dredging costs due to import of sand into the harbour, the upgrade works were supported in principle by DSE and Council was asked to lodge a funding application for allocation of further funds through the Regional Infrastructure Development Fund (RIDF).

A funding application was lodged with RIDF in February 2010 asking for funding of \$538,946 (ex GST).

A letter was received on 24 June 2010 from Hon. Jacinta Allan MP, Minister for Regional and Rural Development advising that the Minister has approved the RIDF assistance

towards essential infrastructure works for the upgrade of the Apollo Bay Main Breakwater. The RIDF is prepared to offer a grant of up to \$540,000 (excluding GST) for this project subject to signing of a legal agreement.

Further consultation took place with Regional Development Victoria, resulting in a Funding Agreement being forwarded to Council on 28 July 2010. The Funding Agreement was perused and the timeframes discussed with the Manager, Regional Development Victoria and found to be satisfactory. Accordingly the Funding Agreement was signed by the CEO. This project is fully funded by the Government.

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

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

### **Physical Infrastructure and Assets**

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

The Council Plan 2009/2013 indicates that Council has an ongoing commitment for the management and operations of the Apollo Bay Harbour via:

- Objective 5 Economic Development – Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy and partnership;
- Strategy – Facilitate the development of infrastructure for business investment, growth and liveability;
- Action - Support the Apollo Bay Harbour Precinct Development;

### **Issues / Options**

Council has the following options with the upgrade of the breakwater:

1. Upgrade of 90-100m of the southern section of the main breakwater in the 2010/2011 and 2011/2012 financial years utilising the funding allocation committed by RIDF;
2. Do not accept the RIDF funding offer and not approve the proposed upgrade works;
3. Defer the upgrade works for the future;
4. Undertake only 30 metres of upgrade works as initially proposed in the 2008 Risk Mitigation Funding Application.

As indicated above in the background information, the detailed structural analysis of the 100m of southern section of main breakwater by expert marine engineers has revealed that the structure is in poor condition due to slipping of the external rock surface, cracking of the main structure, importation of sand into the harbour water requiring additional dredging costs and relatively lower height of the crest allowing for over toppling and importation of sand due to wind action.

The project has been considered as a high priority from a risk management point of view and accordingly funding support has been offered under the Port Risk Mitigation Program as well as the Regional Infrastructure Development Funds. By undertaking the proposed 100m upgrade works, the long term safety and integrity of the harbour will be ensured and the ongoing dredging costs will be reduced because unwanted importation of sand into the harbour through the cavities will be minimised.

If the project is deferred there will not be any guarantee that similar funds will be offered again and the harbour will be exposed to safety risks. If Council decided to upgrade only a 30m section, then the upgrade will be unsatisfactory. Limited funds will not allow any increase in the height of crest as well as some of the associated works such as rearmouring

to acceptable design standards, the upgrade of the pavement on top of the breakwater and access through the boat ramp car park cannot be completed satisfactorily.

Failure to undertake work is a major risk management issue.

After consideration, the best option is to move forward with the 100 metre upgrade utilising the funding allocation through RIDF and the State Government.

### **Proposal**

The funding agreement has already been signed by the CEO and design development and tender documentation works have already commenced. The draft tender document has already been developed and is being provided by the Major Contracts Unit with an aim to undertake the tendering and to select the successful contractor prior to December 2010. This will allow the likely commencement by March 2011, taking into account that January/February will be a high peak tourist season and any construction works during Christmas and New Year time would adversely affect the tourist activities.

In consultation with RIDF it has been agreed that the construction activities for the project would commence no later than April 2011 and all aspects of the construction works would be completed by 30 September 2011. Some extra time has been built into the construction timeframes taking into account the limited availability of big sized rocks for rearmouring and the difficulties associated with the transport of these rocks to the harbour.

In order to allow a thorough market testing, the tender documentation will be developed as three separable portions as outlined below:

1. Price for supply of rocks only;
2. Price for construction only taking into account that the rocks will be supplied separately at a more competitive rate; and
3. Price for supply of rocks as well as construction of the main breakwater.

At the time of lodgement of RIDF funding application a Project Manager was included to supervise this project. Accordingly an amount of approximately \$20,000 has been allowed for the project management role and \$32,500 for the design and tendering works. The Contracts Unit will be seeking quotations from potential project managers for supervising and managing this project in consultation with the Harbour Manager and General Manager Infrastructure & Services.

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

This project is fully funded by the Government, at no cost to Council.

In the funding application it was estimated that the project cost for upgrading of 100 metres of main breakwater would be approximately \$598,829 (ex GST) out of which \$540,000 (ex GST) will be coming from RIDF. The balance amount of \$58,829 will be funded from the Port of Apollo Bay Harbour budget as a DSE contribution. The DSE contribution will be in the form of the unutilised Risk Mitigation Funds that were allocated in 2008/2009 and carried over to the current financial year.

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

The upgrade of the southern sections of main breakwater has been considered important from a risk management point of view and accordingly this project was included in the Major Capital Works Program for the harbour. The southern section of the breakwater is in a relatively poor condition compared to the remaining breakwater that was upgraded in 2003/04. The deterioration of the southern section of breakwater has resulted in slipping of the armoured rocks, cracking of the pavement on top of the breakwater, importation of sand

through the cavities of the breakwater and over toppling by waves and sand over the breakwater. Staff working at the harbour have reiterated the need for carrying out the upgrade works on a priority basis for ensuring the long term structural integrity of the harbour breakwater.

The contract will incorporate risk management practices and this will be a significant factor in assessment and selection of the contractor. It is expected that once the upgrade works are undertaken the safety factor at the harbour will be significantly improved with less sand transported to the internal harbour water, safe access to the main breakwater and better view for the users and tourists.

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

The Marine Engineers will finalize the design for the upgrade works advising all the steps involved with the construction activity taking into account the environmental issues. It is expected that the existing rocks will be safely removed and stacked to an adjoining area for future use, thereby minimising the quantity of new rock to be imported from outside. The new construction will allow for the toe rock to be firmly embedded in the seabed which will prevent any future slipping of the rock surface due to wave action. The size of rock will be decided in such a way that there will be interlocking providing a better bond. Prior to any construction works the Project Manager will consult with the harbour users regarding the construction timeframe, related activities and also liaise with the DSE for seeking Coastal Management Act consent. It is anticipated that no Planning Permit will be necessary because the upgrade is of an existing structure and no new structure is going to be created, however, this will be confirmed.

### **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 engagement strategy used in this case will be to inform the community.

The proposed breakwater upgrade project has been discussed thoroughly with DSE and RIDF as a result of which the funds have been made available for this important project. Council has been kept advised on the requirements of this project through Council Reports in May 2009, the CEO Update Reports and the current detailed report. Soon after Council's endorsement, the public tendering process will be undertaken and once the successful contractor/s have been selected and the commencement date decided upon, the harbour users and general public will be advised of the construction timeframe through advertisements in the local newspaper. The project will be undertaken in such a way that it would not adversely affect the tourist peak season and the main harbour activities. Council will be provided with regular updates through the Council Reports and RIDF and DSE will be provided with project updates in accordance to the requirements of the funding agreement. Any necessary consultation will also take place with DSE for seeking Coastal Management Act consent.

### **Implementation**

In consultation with RIDF it has been decided that the best time for commencement of this project would be after the peak tourist season, that is commencement by no later than April 2011 and completion by 30 September 2011. The suggested timeframe will allow construction to be undertaken in two (2) financial years taking into account the difficulties in procuring the big sized rocks from distant quarry locations. It has been suggested that some rocks could be as big as three tonnes in weight and only a couple of them can be transported in one trip. The project timeframe has been spaced in order to not breach the



dates mentioned in the Funding Agreement and taking into account any contingencies that could result in delay in project completion.

### **Conclusion**

A Funding Application was lodged with RIDF and advice received recently through the Minister for Regional and Rural Development that an amount of \$540,000 (excluding GST) has been offered for this project. Subsequently a Funding Agreement was forwarded by the Manager Infrastructure & Projects of the Regional Development Victoria indicating the terms and conditions and timeframe associated with the project. Considering the urgency with the signing of the Funding Agreement for ensuring that the funding offer did not lapse, the Agreement was signed by the CEO and signed copies forwarded to RIDF for counter signing.

The Major Contracts Unit is already working on the tender and design development for the project with an aim to undertake the tendering process, select the successful contractor prior to 31 December 2010 and commence the project by March 2011, taking into account the least tourist disruption and peak tourist season. It is being recommended that Council endorse the signing of the Funding Agreement by the CEO.

This is a major opportunity to provide an essential upgrade to this major facility in the Colac Otway Shire at no additional financial cost to Council or our community.

### **Attachments**

Nil

### **Recommendation(s)**

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

- 1. Note the contents of the Report;***
- 2. Endorse the actions of the CEO in signing the Grant Agreement with the Regional Infrastructure Development Fund (RIDF) for an amount of \$540,000 (excluding GST) for the Port of Apollo Bay Main Breakwater Upgrade Works; and***
- 3. Commence tendering for the project.***

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**OM102508-10 REGIONAL ASSET MANAGEMENT SERVICES PROGRAM**

|             |                           |           |                    |
|-------------|---------------------------|-----------|--------------------|
| AUTHOR:     | Adam Lehmann              | ENDORSED: | Neil Allen         |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | GEN00007 - General |

**Purpose**

The purpose of this report is to provide Council with background information in relation to changes in the delivery of the Municipal Association of Victoria's (MAV) STEP Asset Management Program.

**Declaration of Interests**

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

**Background**

At the inaugural meeting of the Australian Council of Local Government in May 2007, the Prime Minister of the day, the Hon Kevin Rudd MP, gave particular emphasis to the need for councils to develop nationally consistent asset management and financial management plans.

The Local Government and Planning Ministers' Council (LGPMC) recently agreed to accelerate the implementation of enhanced frameworks for asset management and financial planning. State and Territory governments have committed to implementing these new frameworks in consultation with local government with a target date of 31 December 2010. These frameworks relate to:

- Criteria for assessing financial sustainability;
- Asset Planning and Management; and
- Financial Planning and Reporting.

The ultimate aim of these Frameworks is to improve the financial sustainability of the Local Government sector nationally. This has been the overall approach of the Municipal Association of Victoria (MAV) since the inception of the STEP Asset Management Program in 2002.

With the establishment of these National Frameworks the delivery of the MAV STEP Program in 2010/11 will see some significant changes, particularly for rural Councils. The MAV has been successful in obtaining funds through the Federal Government's Local Government Reform Fund (LGRF) to assist rural Councils improve their asset management capacity and performance.

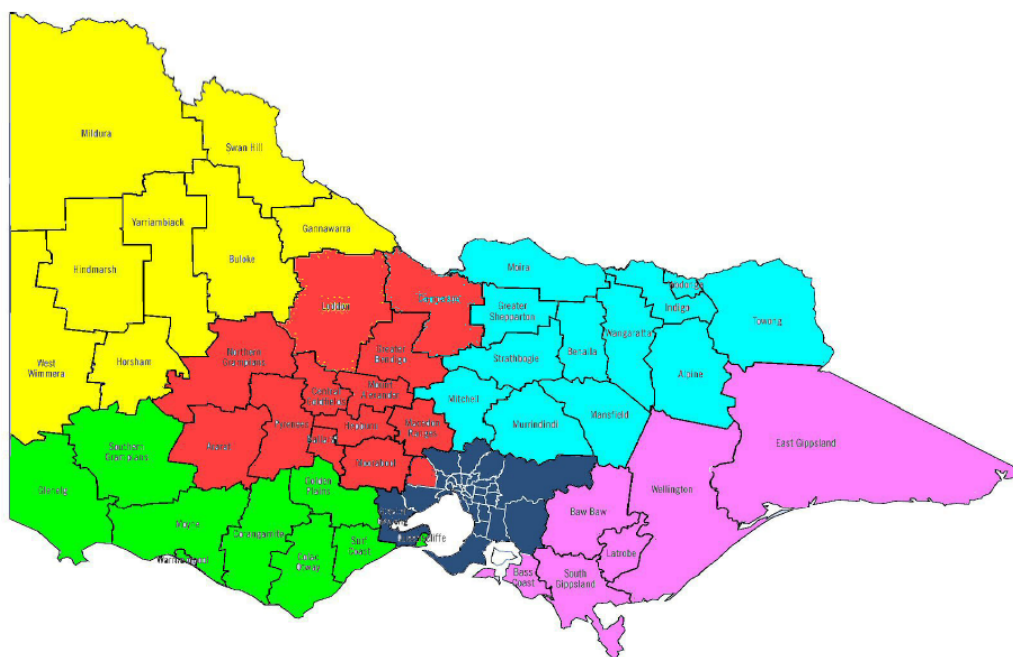
Through funding received from the Commonwealth LGRF, the MAV has established a Regional Asset Management Services Program as a means of assisting rural Councils:

1. To raise the standard of Asset Management practices within each region through a process of mentoring, coordination, support and collaboration;
2. To improve the sustainability of Councils through the adoption of sound Asset Management practices; and

3. To create a more efficient Asset Management model by avoiding unnecessary duplication of work and sharing of knowledge.

Five (5) Regional Groups have been established across Victoria. The Regional Groups are shown in Figure 1.0.

## Asset Management Program Regions



**Figure 1.0** - Regional AM Service Program Regions

Councils have been invited to a regional group of their choosing. The South West Region comprises the following member Councils:

- Corangamite Shire;
- Moyne Shire;
- Golden Plains Shire;
- Warrnambool City;
- Surf Coast Shire;
- Borough of Queenscliffe;
- Southern Grampians Shire; and
- Colac Otway Shire.

Based on our alignment with other regional groups such as the Great South Coast, it was considered that it was in Council's best interest to participate in the South West Regional Grouping.

Each Region is to be facilitated by a dedicated Project Manager. The role of the Project Manager is to oversee and monitor outcomes and to ensure that participating Councils are achieving progress towards meeting a core level of asset management capability in order to satisfy the requirements of the National Agenda. Councils that choose not to be involved in the Regional Asset Management Services Program will continue with the standard STEP program agenda. A key assumption of the Regional approach is that each region will identify

their own priorities for action and will receive specialist assistance, through the assigned Project Manager, to implement these priorities.

It is also essential that Councils within each Region agree to work co-operatively and share information to advance asset management between participants within the Region. To assist with this, a Governance structure and charter has been established and endorsed by all Councils within the South West Regional Group, including the Colac Otway Shire Council.

Table 1.0 details the initial key targets of the Regional Program. The short term goals are to confirm the Region's Governance Charter and for each participating Council to complete an initial self assessment to measure their existing asset management capabilities against the expectations of the National Frameworks. The MAV have developed an assessment tool to assist with this.

## Milestones

| No. | Milestone   | Date          |
|-----|---|---------------|
| 1   | Regional governance structures established                          | June 2010     |
| 2   | Audit current position of each participating Council in each region | July 2010     |
| 3   | Draft Regional Action Plans established                             | July 2010     |
| 4   | Regional Action Plans finalised                                     | August 2010   |
| 5   | Stage 1 implementation achieved                                     | December 2011 |
| 6   | Stage 2 implementation achieved                                     | June 2011     |

**Table 1.0** – Project Milestones

Council officers have recently completed an initial survey of our current position, the results of which have been collated with other member Councils, in order to determine a priority action plan for the region. Some of the high priority improvement opportunities which have been identified for Council include:

- Review the existing Asset Management (AM) Policy to identify the need to improve corporate understanding of asset management and financial planning;
- Reconstitute the AM Steering Group to oversee the implementation of the Asset Improvement Plan;
- Identify and document AM and service roles within Council;
- Education/Awareness Plan to be developed as part of implementation of the AM Strategy;
- Asset data collection methodologies to be documented; and
- AM processes and procedures to be documented.

Some of these items will be documented in the Action Plan for the region. The Regional Action Plan identifies critical knowledge and process gaps across participating Councils and prioritises improvement actions in order to advance Councils to a core level of asset

management maturity. Key themes arising from the South West Region's Action Plan include:

- Development of Asset Management Plans, particularly levels of service;
- Asset renewal forecasts, review of results, documentation of assumptions made;
- Asset Valuation processes;
- Asset Management Systems;
- Interrogation of finance and asset data integrity/confidence levels;
- Roles and responsibilities for assets and delivery of services; and
- Definition of data frameworks, asset classifications, asset hierarchies, etc.

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

The Council Plan 2009-13 identifies a key action to:

*'Continue active participation and involvement in the STEP Asset Management Program with the Municipal Association of Victoria'.*

Membership to the Regional Asset Management Services Program demonstrates Council's commitment to improving its overall asset management position.

### **Issues / Options**

Council has a number of options available with respect to the Regional Asset Management Services Program. These are:

- Continue to participate in the Regional Program;
- Suspend participation in the regional Program and participate in the standard MAV STEP Program; or
- Cease participation in externally driven programs altogether.

The preferred option is to continue to participate in the Regional Program.

### **Proposal**

Given the level of benefit to be obtained in working towards improving Council's competencies in asset management through a regional partnership approach, it is recommended that Council continue its involvement in the Regional Asset Management Services Program.

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

Council at present pays a fee of \$7,000 per annum to participate in the MAV's STEP Asset management Program. All fees are paid through existing operational budgets and it is foreseen that there will be no increased financial burden as initial feedback indicates that there will be a slight reduction in the fees payable through Council's participation in the Regional Program.

Each Council is able to nominate a staff representative to the Regional Asset Management Group.

As the Regional Action Plan is implemented and work has started to address key competency gaps there will be an opportunity for other Council officers to be invited to attend the Regional Group meetings to provide direct input to where topics for discussion relate to a particular area or service function (e.g. Finance input into long term financial planning).

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

No risk management or compliance issues are relevant at this time.

**Environmental and Climate Change Considerations**

No environmental considerations are applicable at this time.

**Community Engagement**

It is proposed that reporting will be provided to the Executive following each meeting to ensure that progress and other information from Group meetings is disseminated. Quarterly reports will also be provided to the Chief Executive Officers of each Council within the Regional Group in relation to the implementation of the Regional Action Plan.

**Implementation**

A number of key milestones have been reached to date by the South West Region Asset Management Group, these achievements include:

- Confirmation of a governance structure including a charter;
- Initial measurement of present performance;
- Development of a Regional Action Plan; and
- Review of existing Asset Management Policies and Strategies.

The Regional Action Plan will be subject to constant review and will be implemented on a priority basis.

**Conclusion**

The national push for consistent asset management and financial management plans will dictate that Council needs to make further improvements to its present asset management structures. The Regional Asset Management Services Project provides Council with an excellent opportunity to address these necessary changes and improvements through knowledge sharing and collaboration with our neighbouring Council's.

**Attachments**

Nil

**Recommendation(s)**

***That Council receives the Regional Asset Management Services Program Report for information.***

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**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

| ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | D | W |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p><b><u>OM102508-11 AMENDMENT C58 - KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLANS</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council request the Minister for Planning to appoint an independent panel to consider all submissions to Amendment C58 to the Colac Otway Planning Scheme.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |   |   |
| <p><b><u>OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT OCEAN ROAD REGION</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council:</i></p> <p><i>1. Submit a response to the Lightfoot Report and the Regional Tourism Action Plan that:</i></p> <ul style="list-style-type: none"> <li><i>• Recognises the contribution and advice of OT but differs in its recommendations.</i></li> <li><i>• Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).</i></li> <li><i>• Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.</i></li> <li><i>• Stipulates the importance of both Colac Otway Shire and local industry representation on the</i></li> </ul> |   |   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <p><b><i>Implementation Committee and the new RTB, and nominates, Mike Barrow, Manager Economic Development as the Shire's representative.</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.</i></b></li> <li>• <b><i>Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.</i></b></li> </ul> <p><b>2. <i>Places on the Agenda of the Implementation Committee the following points:</i></b></p> <ul style="list-style-type: none"> <li>○ <b><i>A clear Memorandum of Understanding be developed with all stakeholders that outlines accountability requirements of the RTB.</i></b></li> <li>○ <b><i>Regional industry and local government representation along with skills based appointed board members on the RTB.</i></b></li> <li>○ <b><i>An independent process to appoint skills based board members to provide fair and open access to all interested parties.</i></b></li> <li>○ <b><i>Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.</i></b></li> <li>○ <b><i>Clear, consistent and regular reporting to industry and local government stakeholders.</i></b></li> <li>○ <b><i>An appropriate operational structure below the RTB that is relevant and action orientated.</i></b></li> <li>○ <b><i>A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.</i></b></li> <li>○ <b><i>Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.</i></b></li> </ul> <p><b>3. <i>Advise Otway Tourism of the above resolution.</i></b></p> |  |  |
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**Recommendation**

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

**MOVED** .....

**SECONDED** .....



**OM102508-11            AMENDMENT C58 - KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLANS**

|             |                                    |           |                        |
|-------------|------------------------------------|-----------|------------------------|
| AUTHOR:     | Paul Marsden                       | ENDORSED: | Jack Green             |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00451/Amendment C58 |

**Purpose**

To present Council with the submissions received during exhibition of Amendment C58 and to seek a resolution to request that the Minister for Planning appoint an independent Planning Panel to consider the submissions received.

**Declaration of Interests**

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

**Background**

Following extensive community consultation, the Kennett River, Wye River and Separation Creek Structure Plans (KWSSP) were formally presented to Council for adoption at its meeting on 26 February 2008. At this meeting Council resolved to adopt the completed Structure Plans and implement their recommendations through an amendment to the Colac Otway Shire Planning Scheme. A further report to Council in February 2009 recommended that Council rezone land north of Separation Creek from Low Density Residential Zone (LDRZ) to Rural Conservation Zone (RCZ) to better reflect the outcomes of the Structure Plan.

On the 21 May 2009 Council officers sought authorisation from the Minister for Planning to prepare and exhibit an Amendment to the Colac Otway Planning Scheme to:

- Introduce new strategic direction statements into the Municipal Strategic Statement (MSS) to reflect the directions of the Kennett River, Wye River and Separation Creek Structure Plan, 2008. The updated MSS acknowledges the low growth capacity of the townships, seeks to protect the environmental values of the settlements and contain urban development within confined settlement boundaries.
- Rezone land in Harrington Street and Dollar Drive, north of Separation Creek from LDRZ to RCZ to restrict subdivision and development of this land to accord generally with previously approved planning permits and agreements on the land.
- Include the Kennett River, Wye River and Separation Creek Structure Plans, 2008 as a reference document in Clause 21.07 of the LPPF.

Following receipt of Authorisation from the Minister, Amendment C58 was subsequently exhibited for a period of six weeks from 7 May 2010 to 21 June 2010 and a total of 9 submissions were received. These submissions are considered in more detail under the Issues section of this report and in **Attachment 1 – Consideration of Submissions Table**.

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

### **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”.

### **Issues / Options**

In accordance with Section 22 of the *Planning and Environment Act 1987*, Council is now required to consider all submissions made during the exhibition period. Under Section 23 of the Act, “Decisions about submissions”, the following is required:

#### 23. *Decisions about submissions*

- (1) *After considering a submission which requests a change to the amendment, the planning authority must –*
  - (a) *change the amendment in the manner requested; or*
  - (b) *refer the submission to a panel appointed under Part 8; or*
  - (c) *abandon the amendment or part of the amendment.*

A total of 9 submissions were received during the exhibition period. The Amendment was also referred to a range of public authorities, agencies and stakeholders. A response was received from the Department of Sustainability and Environment, the Corangamite Catchment Management Authority and VicRoads. None of these authorities indicated any objection to the proposed amendment.

A number of common themes emerged from the submissions and are summarised below. Full consideration of each submission can also be viewed in the table at **Attachment 1 – Consideration of Submissions Report**.

- ***Support for the broader strategic principles of the amendment and the proposed rezoning of land north of Separation Creek.***

Of the 9 submissions received, 4 indicated support for the broader strategic principles of Amendment C58 and/or the proposed rezoning of land north of Separation Creek to RCZ. It is acknowledged that some of these submissions also objected to certain elements of the amendment relevant to their particular land and development interests.

- ***The exclusion of the ‘Investigation Area’ west of Wye River from the proposed MSS and Framework Plan.***

A development proposal was tabled with Council towards the end of the Structure Plan process and initially comprised approximately 30 hectares of land west of Wye River, forming part of an estate. The proposal included options for an expansion of the settlement west along the Wye River Valley, the construction of 25 residential dwellings, tourist cabins, a recreation reserve adjacent to the caravan park on the flatter part of the land, and an Eco Farm.

The proposal was considered inappropriate by officers as a result of environmental constraints, significant wildfire threat and a lack of compliance with State Government policies. However, at that time Council agreed that further consideration could be given to the development potential of the small, flat cleared area adjoining the rear of the caravan park.

This smaller area of approximately 12 hectares did not on the surface appear to have the same environmental constraints as the steeper and more vegetated land further west and was viewed as a possible means of resolving broader issues such as providing an alternative vehicular access to the caravan park. It had not been investigated in any detail however and was therefore notated in the adopted Structure Plan as an “*Investigation Area*” that would require a further separate and more comprehensive assessment before its appropriateness could be determined. It was subsequently included as an “*Investigation Area*” in the amendment documentation submitted to DPCD as part of Council’s request for Authorisation.

Council subsequently received conditional authorisation from DPCD to prepare and exhibit Amendment C58. This included a direction that Council delete all reference to the ‘*Investigation Area*’ in the Framework Plan and MSS. Council is now bound by the Minister’s decision and the Amendment documentation has been drafted to remove all reference to this aspect of the Structure Plan.

Feedback received from the regional office of DPCD prior to authorisation indicated that DPCD officers were concerned that although the Structure Plan had this proposal as an adopted position, the issue was only included after the submission period and had not been subjected to public consultation or review by stakeholders. Issues relating to a lack of compliance with the Victorian Coastal Strategy and Coastal Spaces report, limited strategic justification and inadequate consideration of environmental constraints including wildfire, landslip, significant vegetation and wastewater management were also raised.

Further to this, the proposal was tabled prior to the events of Black Saturday and the recent release of the Royal Commission’s findings. The Victorian Fire Risk Register (VFRR) for wildfire identifies the settlements of Kennett River, Wye River and Separation Creek as having an extreme fire risk. The register suggests that the occurrence of a wildfire event in these settlements in the future is almost certain and that the consequence of such an event could be catastrophic. Given the scope of the Commission’s recommendations discouraging further development in areas of extreme fire risk it is considered that any future expansion of these settlements cannot be supported.

- ***Objection to the proposed rezoning of land North of Separation Creek from LDRZ to RCZ.***

The land north of Separation Creek is currently zoned LDRZ with a Section 173 Agreement registered on title restricting any further subdivision. Prior to the introduction of the agreement, Council had granted permits to allow a four lot subdivision of the eastern portion of this land and a three lot subdivision of the western portion. The Section 173 Agreement effectively prohibits any further subdivision beyond that already approved.

The initial recommendation of the draft KWSSP was for the land to be rezoned from LDRZ to RCZ to reflect the environmental value of the land, its location outside of the existing township boundary and as a means of preserving the dense, high quality vegetation. A number of submissions were received which objected to the rezoning of the land and the fact that this would introduce a 40ha minimum lot size.

Following consideration of submissions the final Structure Plan was altered to recommend retention of the LDRZ and the introduction of a Development Plan Overlay (DPO) to restrict any further subdivision.

In preparing the Amendment documentation officers noted that the full subdivision potential of the land has now been realised due to the restrictions imposed by the Section 173 Agreement. Upon further consideration of this matter and, in light of the landscape and environmental sensitivities of the land, it was considered that the most appropriate zone was RCZ as this is more consistent with the characteristics of the land and future use and development opportunities. The use of the RCZ will also eliminate the need to impose an additional layer of control via a DPO.

As noted earlier in the report, at its meeting in February 2009, Council resolved to amend the recommendations in the final KWSSP to rezone the LDRZ land north of Separation Creek to RCZ and remove the DPO. A copy of this report and accompanying resolution can be viewed at **Attachment 2 – Council Report (OMO92502-15)**. Officers support this approach and it has been incorporated into the Planning Scheme maps that form part Amendment C58.

The rezoning of the land to RCZ will not impede the development opportunities provided by existing planning permits and agreements on the land. The subdivision has been enacted and Council is about to issue a Statement of Compliance. Approval of the subdivision did not give conditional consent for the construction of *any* dwellings on the lots. This will be subject to a separate planning application at such time as the development or use is proposed, and will be considered under whatever controls are applicable at the time of lodgement.

The original subdivision application was lodged with Council approximately 6 years ago and it is considered reasonable for the applicant to expect that planning controls will change over time and to adapt accordingly. The strategic direction for coastal areas has evolved considerably since 2004 with the release of the 2008 Victorian Coastal Strategy (VCS), 2006 Coastal Spaces Report (CS), Great Ocean Road Region Landscape Assessment Study (GORRLAS) and the current Bushfires Royal Commission (BRC) report.

The VCS and CS reports both identify Separation Creek as having extremely constrained growth potential with only limited infill development within existing settlement boundaries to occur in future. The recommendations of the BRC further reinforce this position, particularly in light of the town's extreme bushfire risk rating. Given the scope of the commission's recommendations discouraging further development in areas of extreme fire risk it is considered that any future intensification of development within this area cannot be supported.

- ***Requests for expansion of the proposed settlement boundary to include 27 Stanway Drive, Separation Creek and part of 25 Great Ocean Road, Wye River.***

Two submitters sought extensions to the proposed settlement boundary to include additional lots to be used for further residential development. These requests are discussed in turn below:

*27 Stanway Drive, Separation Creek (Lots 1 and 2 of PS 527447S):*

Lots 1 and 2 of PS 527447S form part of 27 Stanway Drive and each cover an area of approximately 0.4ha. They are both heavily vegetated, undeveloped lots outside of the existing Township Zone. Officers do not support an expansion to the settlement boundary to include these lots given the environmental and topographical constraints, high wildfire risk, difficulties associated with the treatment and disposal of onsite wastewater, and the weight of strategic direction from State and Council polices seeking to contain the settlements within existing boundaries.



As exhibited, Amendment C58 proposes to rezone these lots from LDRZ to RCZ. Under the new control the landowner would still be entitled to lodge a planning permit application for construction of a single dwelling on each lot which would then be subject to a proper assessment process. This is considered an appropriate outcome as the development and subdivision potential of these lots is severely constrained and there is inadequate justification for their inclusion within the settlement boundary.

25 Great Ocean Road, Wye River (Lot 1 TP170187):

The Big4 Wye River Tourist Park has indicated they wish to sell a 480sqm piece of their land at 25 Great Ocean Road to the owners of 33 McRae Rd on the grounds that the site is steep, partially vegetated and inaccessible from the caravan park itself. It is not currently utilised in the existing park operations and effectively forms an extension to the rear private open space of 33 McRae Rd. The Tourist Park owners would like to dispose of the land so that they would no longer be required to maintain it.

The rezoning of the land to Township Zone would result in the creation of an additional lot of approximately 480sqm immediately to the rear of 33 McRae Rd. The land owner at 33 McRae Rd has indicated they wish to consolidate the titles to create a single lot of approximately 960sqm.

It is recommended that the land be rezoned to TZ and included within the settlement boundary. It is further recommended that the DDO4, SLO2 and NCO1 applicable to the existing lot at 33 McRae Rd are extended to include the proposed new lot. This would effectively prevent the construction of a second dwelling on the site, irrespective of whether or not the two titles are ever consolidated, and ensure that any future redevelopment of the site accords with neighbourhood character and design guidelines applicable to the surrounding residential area.

It is considered that the rezoning of the land to TZ is a desirable outcome in that it will allow for more effective treatment and dispersal of onsite wastewater for the existing dwelling, rectify what appears to be a historical zoning anomaly, facilitate the creation of a uniform and consistent settlement boundary and increase the likelihood of the site's ongoing maintenance in line with fire safety and weed control regulations.

- ***The restrictive nature of existing Overlay controls within the townships and the limitations that this places on future development of tourist accommodation.***

A submission was received on behalf of the Wye River Hotel seeking a reduction in the scope of overlay controls to facilitate development of tourist accommodation at the rear of the existing buildings.

The submission proposes changes to existing overlay controls to facilitate a subdivision with lots smaller than 800sqm at 19-21 Great Ocean Road - *The Wye River Hotel*. It is implied that the smaller lots would then be used to develop tourist accommodation. Whilst the Structure Plan encourages a diversity of holiday accommodation within the townships, including modest scale holiday unit development on the flatter land close to the river, it does not support any further subdivision of existing lots below the minimum lot size identified in the DDO4. It is also unclear why further subdivision is a requirement of such a proposal if the development is to be used solely as tourist accommodation.

Council officers do not support a review of the existing planning controls in relation to site coverage, building height and building setbacks on the subject site. Amendment C22 to the Colac Otway Planning Scheme implemented the findings of the Kennett River, Wye River and Separation Creek Neighbourhood Character Study through the introduction of

an NCO, SLO and DDO. The Structure Plan is supportive of the controls introduced as a result of this Amendment and any future tourist development will need to work within the existing zone and overlay controls.

- ***The KWSSP has not been updated to reflect the removal of the 'Investigation Area' and the rezoning of land north of Separation Creek to RCZ.***

Given the potential for the Panel to recommend further changes to the exhibited Amendment, officers believe it would be premature to make any revisions to the KWSSP until after the Panel's Report has been received and considered by Council. It is therefore recommended that any decision on whether changes are required to be made to the Structure Plan be deferred until after the Hearing has taken place.

### **Proposal**

The submissions to the proposed amendment have been discussed in detail in this report. Having reviewed the content and intent of each submission, it is considered that not all the suggested changes can be implemented. It is therefore recommended that all submissions be referred to a Panel in accordance with Section 23 of the Act. This will give all submitters the opportunity to raise their concerns before an independent Panel hearing.

It is therefore proposed that all submissions received to Amendment C58 to the Colac Otway Planning Scheme are referred to a Panel.

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

Costs associated with the amendment are accommodated in the Sustainable Planning and Development Department budget.

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

Section 21(2) of the Planning and Environment Act 1987 states:

*'The planning authority must make a copy of every submission available at its office for any person to inspect during office hours free of charge until the end of two months after the amendment comes into operation or lapses.'*

All submissions to the amendment are therefore publicly available documents and are on display at the Council Offices. Council's consideration of this report satisfies Council's obligations under Sections 22 and 23 of the Planning and Environment Act of 1987 to consider and make a decision about submissions.

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

The amendment updates the MSS to incorporate the findings of the Structure Plan. In particular it seeks to protect the environmental values of the settlements and contain urban development within confined settlement boundaries.

The amendment clarifies the restricted nature of any future development of the settlements due to their environmental limitations.

The application of the RCZ to land north of Separation Creek will ensure that the environmental limitations of the land are respected and delineated for future residents and landowners.

### **Community Engagement**

A 6 week public exhibition period took place in May/June 2010 and a community engagement strategy is not required at this stage in the amendment process. However, all submitters will be notified in writing of any future opportunity to participate in a Panel Hearing

or Council meeting. They will also be kept updated as to the future progress of the amendment until such a time as it is either adopted by the Minister or abandoned.

### **Implementation**

If adopted, the resolution will be implemented by referring all submissions to a panel. The Minister for Planning will be requested to appoint a panel under Part 8 of the *Planning and Environment Act 1987*.

### **Conclusion**

Based on an analysis of the submissions received by Council and discussions with DPCD and affected landowners, it is considered that the amendment should not be changed in a manner that accommodates all matters raised within the submissions.

Therefore, to enable the amendment to proceed, it is recommended that Council request that the Minister for Planning appoint an independent panel to consider each of the submissions. This will provide submitters with an opportunity to raise their concerns before an independent panel.

Once the Panel Hearing and associated Panel Report have been completed, a further report will be prepared for Council. At this point Council would be required to resolve whether to adopt, abandon or make changes to the amendment as proposed.

### **Attachments**

1. Council Report OMO92502-15
2. Consideration of Submissions Table

### **Recommendation(s)**

***That Council request the Minister for Planning to appoint an independent panel to consider all submissions to Amendment C58 to the Colac Otway Planning Scheme.***

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ORDINARY COUNCIL MEETING SUSTAINABLE PLANNING AND DEVELOPMENT

OM092502-15 KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLAN

|             |                                      |           |                           |
|-------------|--------------------------------------|-----------|---------------------------|
| AUTHOR:     | Anne Sorensen                        | ENDORSED: | Doug McNeill              |
| DEPARTMENT: | Sustainable Planning and Development | FILE REF: | GEN00451<br>Amendment C58 |

**Purpose**

To seek Council's endorsement of a proposed change to the recommendations of the adopted Kennett River, Wye River and Separation Creek Structure Plan (KWSSP) to allow a change to the zoning of land at the rear of Separation Creek at Dollar Drive from Low Density Residential Zone to Rural Conservation Zone.

**Background**

After extensive community consultation the Kennett River, Wye River and Separation Creek Structure Plan was adopted by Council at the Council meeting of 26 February 2008. Council resolved to:

1. Adopt the final Kennett River, Wye River and Separation Creek Structure Plan.
2. Implement the recommendations of the Kennett River, Wye River and Separation Creek Structure Plan through an amendment to the Colac Otway Planning Scheme.

In relation to the land zoned Low Density Residential located north of Separation Creek (**Attachment 1**), the final Structure Plan noted:

*'The Low Density Residential Zoned (LDRZ) land north of Separation Creek is not covered by the SLO, NCO or DDO. Council has granted planning permits to allow a four lot subdivision of the eastern portion of this land and a three lot subdivision of the western portion of this land. While these subdivisions have not occurred to date, they provide an indication of the limited development potential of this Low Density Residential zoned land. Council's decisions on these subdivision proposals set a 'planning context' that indicates that while some subdivision may be possible, the environmental and topographical constraints of this land can only support a limited degree of development.*

*Given that these subdivisions have not occurred, it is possible that a land owner may seek a permit for a greater number of lots in the future. This would not meet the future direction outlined in the Structure Plan.*

*This limited degree of subdivision would support the landscape character objectives of the Structure Plan and allow the landscaped setting of Separation Creek to be retained.*

*In this light a strengthening of the planning controls to restrict development of this area has been recommended. It is recommended that a Development Plan Overlay requiring subdivision in accordance with the permitted subdivision plans be introduced to ensure a restricted extent of subdivision of land in this zone.'*

Council Officers have given further consideration to this matter during the process of developing a planning scheme amendment and concluded that the best planning tools to

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ensure that the landscape and environmental values of this land are protected is to include the land in the Rural Conservation Zone.

History of Low Density Residential zoning

In 1993, the Minister for Planning approved Amendment L21 to the Otway Planning Scheme. The amendment altered the then existing Landscape Interest Zone to include provisions for a Rural Residential Zone, and part Public Land Recreation reservation to enable the subdivision of the land to the north of Separation Creek township into six rural residential lots and areas of public open space. This rezoning also included a clause that prohibited further subdivision, other than in accordance with an approved plan. As part of the Planning Scheme Amendment, the owners of the land and the Shire of Otway entered into a Section 173 Agreement which covenanted the land to prevent further subdivision.

The Agreement was made in December 1995 and was registered on title. That Agreement included Clause 21 which stated: *"In the event that the proposed development of the subject land is not commenced within 2 years of the date of issue of a Planning Permit and completed within 4 years or unless the parties agree otherwise in writing, the Responsible Authority shall, at the written request of the owners, execute a release of the agreement in favour of the owners."*

The development was never completed and, in accordance with the above clause, the owners requested release of the agreement from Council, which was supported at that time.

However, the land remained in the Low Density Residential Zone, allowing the landowners an opportunity of applying for planning approval to subdivide the land without having to comply with the obligations of the S173 Agreement, which precipitated the rezoning.

Planning approval was given in 2004 for this land to be further subdivided into four rural residential lots ranging in area between 2.9 ha and 1.3ha. A condition on the planning permit required a S173 Agreement to be entered into by the landowner for the purpose of restricting the further subdivision of any of the lots permitted. This agreement has been executed and is registered on the title to all lots created.

Adopted Structure Plan

The initial recommendation of the KWSSP was for this land to be rezoned Rural Conservation Zone (RCZ), to reflect its limited development potential beyond what has been approved by the existing planning permits. The structure plan noted:

*'The land is of environmental value with dense high quality native vegetation and there is likely difficulty in achieving the objectives of the Native Vegetation Framework. In this light a strengthening of the planning controls to restrict development of this area is recommended. The recommended approach is to rezone the area to Rural Conservation Zone.'*

However, subsequent to public consultation on the Draft Structure Plan submissions were received from the owners indicating their objection to the back zoning of the land. In consideration of submissions, the position on the matter was changed in the final structure plan, recommending that further development be controlled on this land by retaining the LDRZ and implementing a Development Plan Overlay to restrict further development.

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**Corporate Plan/Other Strategies/Policy**

The Colac Otway Shire Council Plan 2005-2009 includes a strategy to: *“Complete a Neighbourhood Character Study and Structure Plan which will provide guidelines and a policy basis for determining development applications in the towns of Skenes Creek, Separation Creek and Wye River.”*

There is a specific action to:

*‘Develop the Wye River, Kennett River and Separation Creek Draft Structure Plan ensuring the integration of directions to deal with issues of concern to the community including water, waste water, parking and public safety in accessing beach, and sustainable town development.’*

The adoption of the structure plan and implementation of the future planning scheme amendment support the above objectives.

**Issues/Options**

- History behind the zoning changes;
- Adopted structure plan;
- Current status of the land;
- Most suitable zone for the land.

Most suitable zone for the land

The full subdivision potential of the land has been realised given the restrictions imposed by the S173 Agreement, however, the environmental values of the land are largely still intact. Building envelopes on the plan of subdivision will control the location of any future dwelling on each lot and potential for removal of vegetation is limited.

Upon further consideration of this matter, in light of the landscape and environmental sensitivities of the land, it is considered that the most appropriate zone would be the Rural Conservation Zone as the purpose of this zone is more consistent with the characteristics of the land and the future use and development opportunities. For example, the Rural Conservation Zone seeks:

- To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.

The Low Density Residential Zone seeks to provide opportunities for residential development in the absence of reticulated sewage. This zone allows land to be subdivided down to 0.4 ha in area. The Low Density Residential Zone only gives limited consideration to environmental issues as part of development and subdivision proposals.

Given the above it is considered that the more appropriate outcome is to adopt the original position of the draft Structure Plan and include this land in the Rural Conservation Zone for the following reasons:

- The land has reached its subdivision potential in accordance with the S173 Agreement;

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- The land is located outside the township boundary of Separation Creek and it is considered inappropriate for a zone with a residential purpose to apply to land outside the settlement boundary. By rezoning this land to Rural Conservation Zone, Council is providing a clear and strategic direction for the future use and development of the land;
- The primary purpose of the Rural Conservation Zone is to protect and enhance features of identified cultural, environmental, landscape, and biodiversity significance, consistent with the environmental features and values of this land;
- The Low Density Residential Zone is primarily a residential zone that does not reflect the sensitivity of the site to environmental constraints;
- If the land is included in the Rural Conservation Zone, the Development Plan Overlay is considered to be an unnecessary and additional layer of control on the site with no benefit;
- The Low Density Residential Zone, on face value, suggests that there may be opportunities in the future for further subdivision of the land. This would be misleading and inconsistent with restrictions already in place.

For the above reasons, Council Officers are seeking Council endorsement of the proposed change to the adopted position of the structure plan and include the land north of Separation Creek into the Rural Conservation Zone instead of the Low Density Residential Zone.

**Proposal**

To seek Council's endorsement of a proposed change to the recommendations of the adopted Kennett River, Wye River and Separation Creek Structure Plan (KWSSP) to allow a change to the zoning of land at the rear of Separation Creek at Dollar Drive from Low Density Residential Zone to Rural Conservation Zone.

**Financial and other Resource Implications**

A budget allocation has been provided for the implementation of the KWSSP and its recommendations into the Colac Otway Planning Scheme via a planning scheme amendment. Costs associated with a panel hearing for the Planning Scheme Amendment will be sought as part of the budgetary process for the 2009/10 financial year.

**Risk Management & Compliance Issues**

None identified.

**Environmental Considerations**

A range of environmental issues are considered and addressed in detail within the Structure Plan. Support of this proposal will enhance the potential to ensure future protection of the environmental qualities of this land.

**Communication Strategy/Consultation**

The proposed amendment to implement the Structure Plans into the planning scheme will be required to be placed on public exhibition for a minimum of one month providing an opportunity for affected parties to make submissions to Council. If there are submissions received that cannot be accommodated through changes to the amendment, a Panel Hearing would be required to enable the amendment to proceed.



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The land owners affected by this proposed change have been notified prior to the Council meeting and will be informed of the Council resolution and if the recommendation is supported, of the opportunity to make submissions through the amendment process.

**Implementation**

Implementation of the KWSSP and the proposed changes will be via a planning scheme amendment, where the relevant recommendations of the KWSSP will be introduced into the Colac Otway Planning Scheme. Ministerial authorisation for exhibition of the amendment will be sought following consideration of this report by Council.

**Conclusion**

It is appropriate that Council consider this matter prior to placing the planning scheme amendment on public exhibition. Council has already resolved to forward the amendment to the Minister for authorisation and to place the amendment on public exhibition. Once the exhibition process is complete, any submissions would be given consideration and the matter would be reported to Council with recommendations on the matters raised in any submissions received and the next steps in the process.

From a strategic planning perspective, it is considered the most appropriate zone for the land identified is the Rural Conservation Zone and a change to the Structure Plan is warranted.

It is recommended that Council endorse the change as sought to allow the land to be included in the Rural Conservation Zone prior to obtaining Ministerial approval and exhibition of the planning scheme amendment.

**Attachments**

- 1. Location and Zone Map

**Recommendation(s)**

***That Council:***

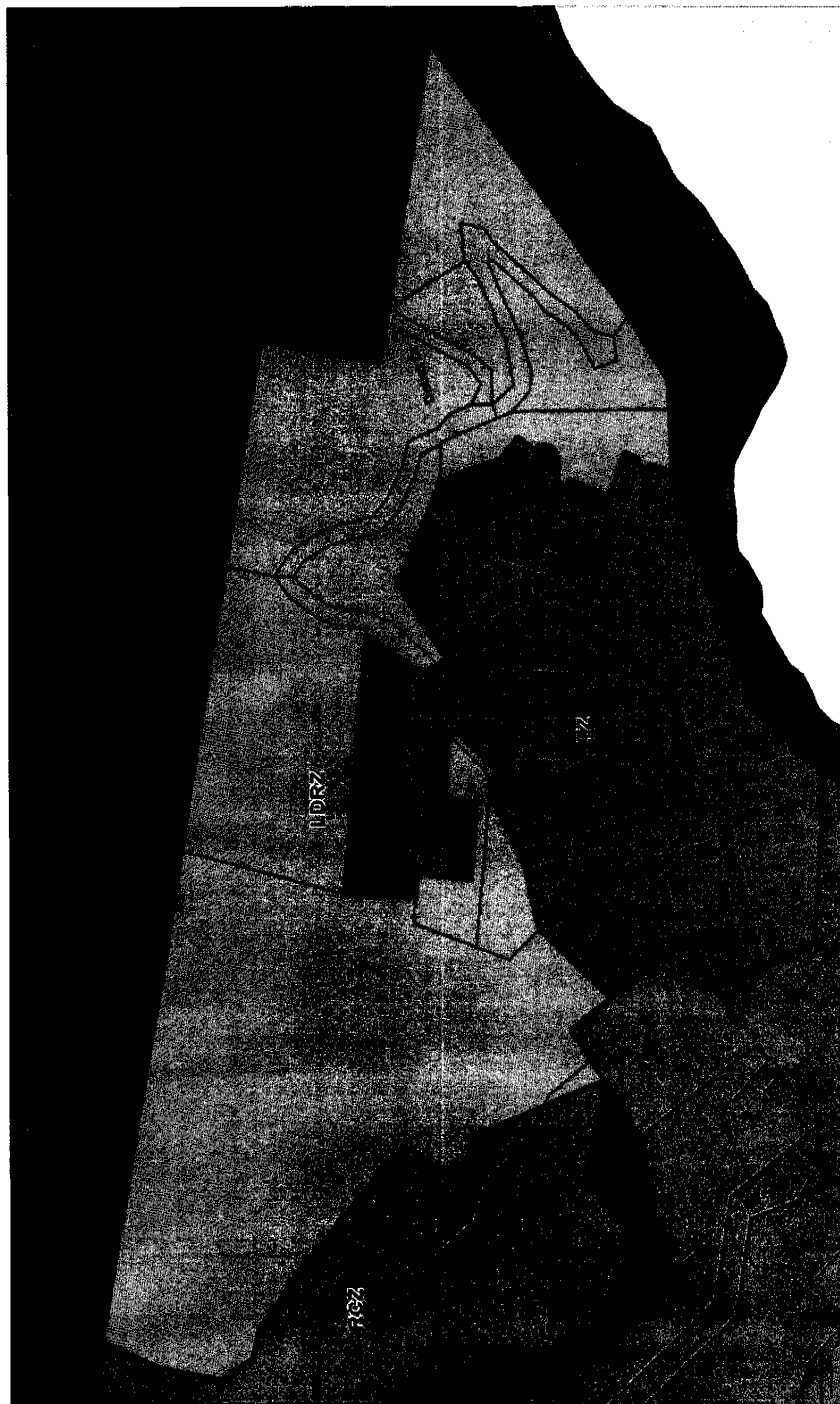
- 1. ***Support a change to the Kennett River, Wye River and Separation Creek Structure Plan to remove all the land to the north of Separation Creek Township near Dollar Drive from the Low Density Residential Zone and include the land into the Rural Conservation Zone.***
- 2. ***Support a change to the Kennett River, Wye River and Separation Creek Structure Plan to remove the land described in Item 1 from being included in a Development Plan Overlay.***

***MOVED Cr Stephen Hart seconded Cr Russell that recommendations to items listed in the Consent Calendar, with the exception of items OM092502-16, be adopted.***

**CARRIED 7 : 0**



**Kennett River, Wye River & Separation Creek Structure Plan**  
**Attachment 1:** Map showing the proposed Low Density Residential Zone north of the existing Township Zone



| Submitter                              | Key Issues  | Officer Comments  | Officer Recommendation    |
|--|---|---|---------------------------|
| 1. Hermina Burns                       | <ul style="list-style-type: none"> <li>Indicates support for Amendment C58 and the proposed rezoning of the land in Harrington Street and Dollar Drive, north of Separation Creek from LDRZ to RCZ.</li> </ul>  | The submitters support for Amendment C58 is acknowledged.   | Refer submission to Panel |
| 2. Fadygas Planning Associates Pty Ltd | <ul style="list-style-type: none"> <li>Objects to the rezoning of land at 27 Stanway Drive, Separation Creek from LDRZ to RLZ.</li> <li>Objects to the exclusion of land at 27 Stanway Drive from within the proposed settlement boundary.</li> <li>Objects to the inclusion of the Wye River/Separation Creek Framework Plan in the MSS on the basis that its meaning is unclear.</li> <li>Objects to the inclusion of the Kennett River, Wye River &amp; Separation Creek Structure Plan (KWSSP) into the Planning Scheme as a reference document on the basis that the document contains incorrect information.</li> </ul> | <p>-The land north of Separation Creek is currently zoned LDRZ with a S173 Agreement registered on title restricting any further subdivision of the lots. The initial recommendation of the KWSSP was for the land to be rezoned from LDRZ to RCZ to reflect the environmental value of the land and preserve the dense, high quality vegetation. A number of submissions were received which objected to the back zoning of the land and the fact that this would introduce a 40ha minimum lot size, effectively prohibiting any further subdivision.</p> <p>Following consideration of submissions the recommendation was changed in the final structure plan to recommend retention of the LDRZ and introduction of a DPO to restrict any further subdivision.</p> <p>In preparing the Amendment documentation officers noted that the full subdivision potential of the land has now been realised due to the restrictions imposed by the S173 Agreement, largely eliminating the need for a DPO. Upon further consideration of this matter, and in light of the landscape and environmental sensitivities of the land, it was considered that the most appropriate zone was RCZ as this is more consistent with the characteristics of the land and future use and development opportunities.</p> <p>At its meeting in February 2009 Council resolved to amend the recommendations in the final KWSSP to rezone the LDRZ land north of Separation Creek to RCZ and remove the DPO. Officers support this approach and it has been incorporated into Amendment C58.</p> <p>-Lots 1 and 2 of PS 527447S are heavily vegetated, undeveloped lots outside of the existing Township Zone. Officers do not support an expansion to the settlement boundary to include these lots given the environmental and topographical constraints, high wildfire risk and weight of strategic direction from State and local polices seeking to contain the settlements within existing boundaries. As exhibited, Amendment C58 proposes to rezone these lots to RCZ. Under the new control the landowner would still be entitled to lodge a planning permit application for construction of a single dwelling on each lot.</p> | Refer submission to Panel |

| Submitter  | Key Issues  | Officer Comments  | Officer Recommendation           |
|--|---|---|----------------------------------|
|  |   | <p>-Officers do not agree that the meaning and content of the KWSSP and associated Framework Plans is unclear or incorrect.</p>   |                                  |
| <p>3. Macroplan Australia</p>                    | <ul style="list-style-type: none"> <li>• Generally supportive of the Structure Plan's objectives and vision for Wye River and Separation Creek.</li> <li>• Suggests that current overlay controls on the Wye River Hotel prevent any expansion of the existing tourist accommodation.</li> <li>• Requests an amendment to existing overlay controls to provide for subdivision to create lots smaller than 800sqm, allowing for development of holiday accommodation.</li> <li>• Requests a review of existing controls in relation to site coverage, building height and building setbacks.</li> </ul> | <p>-Officers acknowledge the submitters support for the Structure Plan and its objectives and vision for Wye River and Separation Creek.</p> <p>-Council officers do not support proposed changes to existing overlay controls to facilitate a subdivision with lots smaller than 800sqm at 19-21 Great Ocean Road - <i>The Wye River Hotel</i>. Whilst the Structure Plan encourages a diversity of holiday accommodation within the townships, including modest scale holiday unit development on the flatter land close to the river, it does not support any further subdivision of existing lots below 800sqm to acknowledge waste water disposal limitations, environmental constraints and the need to preserve the current neighbourhood character. Indeed, it is unclear why further subdivision is a requirement of such a proposal if the development is to be used solely as tourist accommodation.</p> <p>-Council officers do not support a review of the existing planning controls in relation to site coverage, building height and building setbacks on the subject site. Amendment C22 to the Colac Otway Planning Scheme implemented the findings of the Kennett River, Wye River and Separation Creek Neighbourhood Character Study through the introduction of an NCO, SLO and DDO. The Structure Plan is supportive of the controls introduced as a result of this Amendment and any future tourist development will need to work within the existing zone and overlay controls.</p> | <p>Refer submission to Panel</p> |
| <p>4. Neil Radcliff - GOR Management Pty Ltd</p> | <ul style="list-style-type: none"> <li>• Submission relates to 7 parcels of land surrounding Wye River and Separation Creek which form part of the estate of Donlevy Fitzpatrick.</li> <li>• Does not support the proposed rezoning of land north of Separation Creek unless special conditions are included to preserve the development opportunities provided by Planning Permit No. PP393/04 and the opportunity to apply for a second dwelling on each lot.</li> <li>• Objects to the exclusion of the '<i>Further Investigation Area</i>' from the revised MSS and Framework Plan.</li> </ul>      | <p>-Issues relating to the proposed rezoning of land north of Separation Creek have already been discussed above.</p> <p>-A Planning Permit (PP393/04) was issued in May 2007 allowing a four lot subdivision with specified building envelopes for dwellings and outbuildings. Pursuant to Clause 18 of the permit a Section 173 Agreement was entered into between Council and the landowner restricting any further subdivision of the lots.</p> <p>The rezoning of the land to RCZ will not impede the development opportunities provided by Planning Permit No. PP393/04. The subdivision has been enacted and Council is about to issue a Statement of Compliance. However, approval of the subdivision does not give conditional consent for the construction of <i>any</i> dwellings on the lots. This will be subject to a separate planning application at the time that such development or use is proposed.</p>   | <p>Refer submission to Panel</p> |

| Submitter   | Key Issues  | Officer Comments  | Officer Recommendation           |
|---|---|---|----------------------------------|
|   | <ul style="list-style-type: none"> <li>• Objects to the statements in the proposed MSS and Framework Plans constraining development to within existing settlement boundaries.</li> <li>• Objects to inconsistencies between the wording of the proposed MSS and Framework Plans.</li> <li>• Supports the Amendments approach to wastewater management, water supply and stormwater management.</li> </ul>                 | <p>Whilst it is acknowledged that the rezoning to RCZ prohibits the construction of multiple dwellings on a lot, this development opportunity was never approved at subdivision stage and must be assessed when a planning permit for development is lodged with Council.</p> <p>The original subdivision application was lodged with Council approximately 6 years ago. The strategic direction for coastal areas has evolved considerably since 2004 with the release of the Victorian Coastal Strategy, Coastal Spaces Report, Great Ocean Road Region Landscape Assessment Study and the current Bushfires Royal Commission report. It is therefore considered reasonable for the applicant to expect that planning controls will change over time and adapt accordingly.</p> <p>-Officers do not support the inclusion of reference to the '<i>Further Investigation Area</i>' in the revised MSS and Framework Plans. Council received Authorisation from DPCD to prepare and exhibit Amendment C58 in September 2009. The Authorisation included a condition that Council delete all reference to the '<i>Investigation Area</i>' in the Framework Plan and MSS.</p> <p>-Officers acknowledge that the wording of the Framework Plan and MSS differ slightly, however it is considered that this does not result in an inconsistency in meaning or intention.</p> <p>-Officers acknowledge the submitters support for the Amendment's approach to wastewater management, water supply and stormwater management.</p> |                                  |
| <p>5. Wye River and Separation Creek Progress Association</p> | <ul style="list-style-type: none"> <li>• Supports the proposed Amendment as exhibited.</li> <li>• Supports the decision to remove all reference to the '<i>Further investigation area</i>' west of Wye River.</li> <li>• Requests that the Structure Plan be updated to reflect the fact that all reference to the proposed '<i>Further investigation area</i>' has been removed from the amendment documents.</li> </ul> | <p>-Officers acknowledge the submitter's support for Amendment C58 and the removal of all reference to the '<i>Further Investigation Area</i>' west of Wye River.</p> <p>-Given the potential for the Panel to recommend revisions to the exhibited Amendment, officers believe it would be premature to make any revisions to the KWSSP until after the Panel's Report has been received and considered by Council. It is recommended that any decision on whether changes are required to be made to the Structure Plan be deferred until after the Hearing has taken place.</p>  | <p>Refer submission to Panel</p> |

| Submitter   | Key Issues   | Officer Comments   | Officer Recommendation   |
|---|--|--|--|
|   | <ul style="list-style-type: none"> <li>Suggests that if the Structure Plan is not updated then there would be a serious inconsistency between the Planning Scheme and the Structure Plan.</li> </ul>   |  |  |
| <p>6. Shelly Fanning – Great Ocean Coastal Planning</p> | <ul style="list-style-type: none"> <li>Requests the rezoning of approximately 480sqm of land at the rear of 33 McRae Road, Wye River from RCZ to TZ and its inclusion in the settlement boundary.</li> <li>Land currently forms part of the Big 4 Wye River Tourist Park but is only accessible through 33 McRae Rd.</li> <li>Submission indicates that if rezoned, the owner of 33 McRae Rd wishes to purchase the land off the Wye River Tourist Park and consolidate it with the existing title.</li> </ul> | <p>-The existing Township Zoned lot at 33 McRae Rd is approximately 480sqm whereas neighbouring lots at 31, 35, 37 and 39 McRae Road are all approximately 880sqm. Anecdotal evidence suggests that the adjoining landowners were offered the opportunity to purchase land at the rear of their blocks from the caravan park in the early 1980's. It would appear that the then owner of 33 McRae Rd declined this offer.</p> <p>The Big4 Wye River Tourist Park has indicated they wish to sell a 480sqm piece of their land at 25 Great Ocean Road to the owners of 33 McRae Rd on the grounds that the site is partially vegetated and is not accessible from the caravan park itself. It is too steep to incorporate into existing park operations and the owners would like to dispose of the land so that they would no longer be required to maintain it for little net benefit.</p> <p>The rezoning of the land to TZ would result in the creation of 2 lots of approximately 480sqm. The land owner has indicated they wish to consolidate the titles to create a single lot of approximately 960sqm.</p> <p>-It is recommended that the land be rezoned to TZ and included within the settlement boundary. It is further recommended that the DDO4, SLO2 and NCO1 applicable to the existing lot at 33 McRae Rd are extended to include the rear lot. This would effectively prevent the construction of a second dwelling on the site, irrespective of whether or not the two titles are ever consolidated, and ensure that any future redevelopment of the site accords with neighbourhood character and design guidelines applicable to the surrounding residential area.</p> <p>It is considered that the rezoning of the land to TZ is a desirable outcome in that it will allow for more effective treatment and dispersal of onsite wastewater for the existing dwelling, facilitate the creation of a uniform and consistent settlement boundary and increase the likelihood of the sites ongoing maintenance in line with fire safety and weed control regulations.</p> | <p>-Support the proposed rezoning of the land at the rear of 33 McRae Road Wye River.</p> <p>-Extend the existing DDO4, SLO2 and NC01 to include the rear lot.</p> <p>-Refer submission to Panel</p> |
| <p>7. VicRoads</p>                                      | <ul style="list-style-type: none"> <li>Indicates no objection to the proposed Amendment.</li> </ul>  | <p>The submitter's support for Amendment C58 is acknowledged.</p>  | <p>Refer submission to Panel</p>   |
| <p>8. Corangamite Catchment</p>                         | <ul style="list-style-type: none"> <li>Indicates no objection to the proposed</li> </ul>   | <p>The submitter's support for Amendment C58 is acknowledged.</p>  | <p>Refer submission to Panel</p>   |

| Submitter                                       | Key Issues  | Officer Comments   | Officer Recommendation    |
|---|---|--|---------------------------|
| Management Authority                            | Amendment.  |  |                           |
| 9. Department of Sustainability and Environment | <ul style="list-style-type: none"> <li>Indicates no objection to the proposed Amendment.</li> </ul> | The submitter's support for Amendment C58 is acknowledged. | Refer submission to Panel |





**OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT OCEAN ROAD REGION**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Mike Barrow                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | GEN00184   |

### **Purpose**

To seek Council endorsement of the draft Colac Otway Shire Submission to Tourism Victoria regarding implementation of the Regional Tourism Action Plan (RTAP) in the Great Ocean Road Region, and a Council nomination of a representative on the RTAP Implementation Committee.

### **Declaration of Interests**

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

### **Background**

During 2007/08 Tourism Victoria undertook a review of Regional Tourism that included extensive consultation with the industry and local government stakeholders. The review resulted in the release in December 2008 of the State Government Regional Tourism Action Plan (RTAP) 2009 – 2012. (Attachment 1 –Regional Tourism Action Plan 2009-2010 – Page 31)

The RTAP proposes major structural change, to deal with what it has determined are the challenges that face regional tourism:

- Many regional structures are under-resourced and lack adequate funding support;
- Regional structures rely heavily on volunteers who are struggling to cope with competing demands from their own businesses;
- The roles and responsibilities of some regional structures are unclear or duplicated;
- Many regions do not have adequate communications mechanisms in place to ensure that all stakeholders are informed and engaged in tourism development;
- Industry is unclear about how to work with and engage with Tourism Victoria on issues outside of marketing;
- Regional Campaign Committees focus on marketing and are unable to address other critical issues impacting regional tourism growth such as product development, investment attraction, skills training and sustainability management; and
- There is recognition that sustainable tourism development at the regional level requires a more strategic focus to create a strong foundation for industry growth.

There are 10 regions in Victoria

- **Great Ocean Road (Municipalities of City of Greater Geelong, Borough of Queenscliffe, Surf Coast, Colac Otway, Golden Plains, Corangamite, Moyne, Glenelg Shires and City of Warrnambool)**
- Yarra Valley and Dandenong Ranges
- Mornington Peninsula
- Daylesford and Macedon Ranges

- Phillip Island
- Goldfields
- Grampians
- High Country
- Gippsland
- The Murray

In the Great Ocean Road (GOR) region there are three Regional Tourism Associations (RTA)s:

- Geelong Otway Tourism (GOT) including City of Greater Geelong, Borough of Queenscliffe, Surf Coast, Colac Otway and Golden Plains.
- Shipwreck Coast including Corangamite and Warrnambool municipalities.
- Discovery Coast including the Shires of Moyne and Glenelg.

The RTAs including GOT, are responsible for:

- Representing local tourism associations (e.g. Otways Tourism), industry, and local government on issues affecting tourism in the region.
- Strategic business planning for tourism growth.
- Marketing the region through building a brand, increasing tourist awareness, converting visitation and dispersal of visitors across the region.
- Industry development, in partnership with local government, to improve tourism infrastructure and touring routes.
- Business Development to grow the quality of regional tourism businesses.
- Public relations and communication to the industry regarding industry issues and to the general public regarding the importance and benefits of the tourism industry.
- Research to evaluate the value of tourism, visitor satisfaction, industry needs and opportunities.
- Partnerships with industry associations, local government, State and Federal Government departments, state and national tourism organisations.

A key outcome of the RTAP will be the establishment of a Regional Tourism Board (RTB) and may or may not include the RTAs. This is a matter for the Implementation Committee to explore, however it is reasonable to presuppose that the RTB would assume their responsibilities as the municipalities and tourism industry members in the region would be unlikely to want to fund a two tiered regional structure. This is especially the case if Local Tourism Associations such as OT are to continue in their current form. This will also be a matter for discussion through the implementation process.

The key focus of the RTAP is to establish RTBs to address these following areas:

- Improve Regional Industry Structures
- Improve supply and quality of regional tourism experiences
- Increase consumer demand for regional tourism experiences
- Address skills, service standards and environmental sustainability

In the GOR region the RTAP restructure has commenced with:

- Release of the Lightfoot Report into the potential for a Tourism Geelong & Bellarine Tourism (Geelong/Bellarine) split from the GOR region that currently includes City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Colac Otway, Surf Coast, Corangamite, Moyne, Glenelg Shires and City of Warrnambool.
- Presentation by Tom Smith, Regional Tourism Advisor, Tourism Victoria on the Lightfoot Report and the RTAP implementation in the GOR Region to GOT industry and local government stakeholders.

- Call by Tourism Victoria and GOT for input in to the 'Discussion Paper' that will determine the implementation committee and the process for completion of the restructure.

Tourism Victoria has requested a response to the Lightfoot report and ideas on the implementation of the RTAP in the Great Ocean Road Region. This will assist in developing an implementation 'Discussion Paper' and the forming of an Implementation Committee to proceed to the next stage of the restructure process. Tourism Victoria has also requested a Council nominee to the RTAP Implementation Committee.

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

Council Plan 2009 – 2013 Economic Development

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

'5.7 Support the tourism industry as a key driver of the economy'.

### **Issues / Options**

The key issues for Council to consider are:

- The Lightfoot Report recommendation that a new tourism region be created by splitting Geelong/Bellarine from the GOR Region.
- The potential regional models that may deliver the best outcome for Colac Otway Shire and its tourism industry.
- Representation on the Implementation Committee and governance arrangement of the regional structure.
- The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.

### **Lightfoot Report**

The Lightfoot Report is a useful tool to understand the differences between local sub regions and proffers a number of arguments to justify its conclusions. The two key points are:

- Geelong/Bellarine has separate and different product to the Great Ocean Road and should be marketed separately and differently.
- Geelong/Bellarine is separated from the rest of the region by the Geelong Ring Road.

It is easy to agree that the Geelong/Bellarine experience is about the Geelong waterfront, events conferencing, food and wine and seaside villages and the Great Ocean Road experience is about the 12 Apostles, nature, wild life, coastline, diversity of seaside towns, surfing, festivals and events.

It is not easy to support the argument that an artificial structure such as a highway could determine boundaries for tourism marketing and development. Nor is the relevance of Avalon Airport and its proximity to Geelong (also mentioned in the Report) proven as an argument for separating Geelong/Bellarine from the rest of the Region.

While the Lightfoot Report proffers arguments that support separation of Geelong/ Bellarine from the Great Ocean Road it also begs the questions that logically flow from the argument it presents.

The Barwon South West has three areas of major tourism product differentiation:

- Geelong Bellarine
- Great Ocean Road
- Shipwreck Coast and Discovery Coast

On the basis of product differentiation if one part of Victoria can be separated from the rest, then why not others? If Geelong/Bellarine is justifiably a separate place due to the Geelong Ring Road then surely the Great Ocean Road could be separated from Shipwreck Coast and Discovery Coast as the Great Ocean Road terminates at Allansford some 10 kms west of Warrnambool. It could also be separated from Discovery Coast as the end of the Great Ocean Road is 110kms from Portland.

It is doubtful that Tourism Victoria would countenance a structure of three or four RTBs in the region. The Murray Region has 23 local governments and just one RTB. The creation of a number of RTBs and regions within the current Great Ocean Road region would run counter to the intent of the RTAP that is to consolidate and unite the industry in the region.

While it is clear that Geelong/Bellarine can be differentiated in the sense of tourism product and experience and requires a separate and distinctive marketing strategy, it is not clear that there needs to be a new and separate structure to deliver this strategy.

Currently Geelong/Bellarine is separately marketed by GOT and there is no reason to consider that this could not continue under a new GOR Regional Tourism Board (RTB) structure. There could be a number of distinct campaign strategies developed and delivered for the region by the RTB.

It is important to make it clear that whatever structure is determined, each neighbouring regional area will take advantage of its neighbour's assets in terms of promotion to segments of the market. The statistical evidence tells us that Geelong/Bellarine attracts Australian tourists especially from Melbourne and the Great Ocean Road attracts international tourists. Geelong/Bellarine will at times take advantage of the proximity to the Great Ocean Road to try to draw international tourists. Similarly, the GOR region if separate from Geelong/Bellarine would still promote the proximity of the events, shopping, and wineries of Geelong/Bellarine.

Geelong/Bellarine is not separated from the rest of the region by the Geelong Ring Road, it is simply a piece of infrastructure that enables ease and safety of commercial and recreational commuting in and around the City of Great Geelong. Given its diversion of heavy traffic away from the Princes Highway/Latrobe Terrace route through Geelong it should facilitate greater access to Geelong/Bellarine.

While the Lightfoot Report recommends two RTBs in the current GOR region, the reasons for recommending two separate structures are unconvincing. The most convincing argument is the product differentiation between Geelong/Bellarine and GOR and this can be managed by a separate marketing effort within a single structure. It does not need the RTB with all of its associated governance and operational cost to deliver that result.

### **Funding Sustainability**

The funding structure of a RTB would include municipal contributions, tourism industry funds through membership and campaign 'buy in' and marketing funds from Tourism Victoria. A key consideration for the GOR region is whether it would be able to support itself without the City of Greater Geelong.

The problem of examining the regional tourism restructure in the context of the Lightfoot Report is that the report is not a thorough examination of all of the tourism sub regions, organisations, products, experiences and issues. It is a thorough examination of Geelong/Bellarine in relation to the Great Ocean Road but pays less attention to Surf Coast Tourism and Otways Tourism. It pays even less attention to the municipal areas outside of City of Greater Geelong, Borough of Queenscliffe, Surf Coast, and Colac Otway Shires.

The dollar amounts listed in the Lightfoot Report are estimated and indicative only. It also fails to provide an accurate breakdown of expenditure that enables reasonable comparisons between regions, sub regions and municipalities, and municipal contributions to regional tourism organisations. The City of Greater Geelong currently contributes approximately \$1.4m per annum to GOT. A current estimate of industry and local government contribution to tourism outside the City of Greater Geelong is approximately \$3.8m but much of this is tied up in the delivery of visitor information services. The structure and ongoing commitment of funding across the region is not clear.

Currently Colac Otway Shire Council provides financial support to tourism organisations as follows:

- GOT receives an agreed amount annually according to a Memorandum of Understanding (MoU). In 2010/11 the amount is \$70,000 Council has also signed a new GOT MoU that terminates on 30 June 2011 to coincide with the conclusion of the Otways Tourism (OT) Service Agreement with the expectation that the regional restructure will be resolved by that time.
- OT receives an annual negotiated amount according to the Service Agreement. In 2010/11 the amount is \$160,000.

Tourism Victoria has made it clear that State Government regional marketing funds would not be increased following the finalisation of State wide regional restructures. The amount would be redistributed to RTBs on an even basis. The current allocation to Great Ocean Road Marketing (GORM) is approximately \$200,000 and this may be less under the new structure and split if there were to be a Geelong/Bellarine RTB split from the GOR Region. The key advantage for Geelong/Bellarine in the creation of a separate RTB would be the financial strength of the City of Greater Geelong to enable delivery of the full of range of RTB responsibilities.

Whatever model becomes the final GOR regional structure, a new RTB will definitely be seeking financial support from Colac Otway Shire. Given that there would be municipal contributions of varying degree from seven Councils, plus industry funds and Tourism Victoria Marketing funds, it is reasonable to assume that a region separate from the City of Greater Geelong could be financially sustainable if it were structured to a governance and operational size appropriate to the capacity of the local industry and local government to financially support. It is also reasonable to assume that despite the inclusion of a broader area it would be more sustainable with the financial contribution of the City of Greater Geelong.

It is recommended that Colac Otway Shire argue, through representation on the Implementation Committee; that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.

### **Models of Regional Structure**

It is expected that a range of options and opportunities will be discussed in the context of the implementation process. However at this point Council is expected to make an initial decision on the preference for a divided or united regional tourism model.

The Lightfoot Report recommends the separation of Geelong/Bellarine from the Great Ocean Road region and the creation of two RTBs, one for the Great Ocean Road and one for Geelong/Bellarine. The main justification for this is the difference in tourism product between the two sub regions.

An alternative proposal would be the establishment of a single Great Ocean Road RTB with recognition of the differences in product sub regions by the development of separate marketing strategies, for example Geelong/Bellarine/ Otways, Shipwreck Coast and Discovery Coast.

A third proposal would see the establishment of a single Great Ocean Road RTB with two sub regions based on the G21 and Great South Coast municipal groupings and recognition of the differences in product sub regions by the development of separate marketing strategies for example Geelong/Bellarine, Otways, Shipwreck Coast and Discovery Coast.

In a region as geographically dispersed as the Great Ocean Road the most crucial factor is the influence of the Shire and its local tourism industry on decision making process and access to resources in marketing, product and industry development.

Whatever models of regional structure are considered by the Implementation Committee, both the governance and operational structures of the new RTB should accommodate the geographic distance of isolated industry and local government stakeholders.

Possible solutions to this are that meetings should be rotated between venues and to make use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.

#### **Representation on the Implementation Committee.**

The proposed restructure is the most significant change to the tourism industry and the local governments that support it since it emerged as an industry in its own right. It is essential that key industry and local government stakeholders have representation on the Implementation Committee to ensure that the interests of the local industry and the local community are protected and enhanced through the process.

Ideal representation for Colac Otway Shire would be:

- A Councillor
- Manager Economic Development
- Chairperson OT
- Executive Officer OT

If this model of representation is repeated across the region then the Implementation Committee is likely to have over forty people attending its meetings. There will need to be some rationalisation of these numbers and so it is recommended that both Council and OT nominate one representative each.

A letter has been received from Tourism Victoria seeking a single Council nomination and a similar letter has been received by Otways Tourism. (*Attachment 2*). OT has nominated its Chairperson.

In appointing a Council representative it should be taken into consideration that the Implementation Committee will need to resolve not only high level governance issues but also to establish a broad range of operational and financial support systems to ensure the new RTB succeeds. It is recommended that Council nominates the Manager Economic Development, Mike Barrow, as its representative on the Implementation Committee.

Whatever model of regional structure is determined, Colac Otway Shire views the Lightfoot recommendation for a Skills based Board as not adequate for representation of the tourism industry that it serves nor the local governments that would in the main financially support it.

There needs to be appropriate representation from both the industry and Council on the new RTB.

**The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.**

Under the terms of the Colac Otway Shire and Otways Tourism Inc Service Agreement it is the responsibility of OT to serve as an industry advisory body to Council.

The Otways Tourism response to the Lightfoot Report supports the recommendation for a split region and identifies the compatibility of the Otways with the Great Ocean Road minus the Geelong and Bellarine.

*“We support the realignment of Geelong and Bellarine as a new RTB based on*

- There is product differentiation from the rest of the region.*
- The product appeal and market are different*
- Creates opportunity for the Great Ocean Road and the Otways to develop its brand further.*
- The M1 by pass lessens the connection with the Great Ocean Road as a region.” (Attachment 3 OT Response to Tourism Victoria)*

*“Otways Tourism believes that the marketing for the Great Ocean Road in recent years has been dissipated because of product changing and evolving in Geelong and The Bellarine ie there has been a shift to marketing Melbourne and Surrounds, Events, Wine and Food, and Conferencing which are not the product strengths of the Great Ocean Road and more particularly The Otways. We have nature-based tourism and have greater product alignment with the rest of The Great Ocean Road - Corangamite, Shipwreck and Discovery and that is where we would like our marketing targeted. We acknowledge that The Otways receives flow on from Geelong and Bellarine but we are not content to rely on the crumbs we pick up from marketing campaigns for that region.” (Attachment 3 OT Response to Tourism Victoria)*

*“We support a new Great Ocean Road Regional Tourism Board based on*

- Product similarity.*
- Geographical connection as the "Great Ocean Road." (Attachment 3 OT Response to Tourism Victoria)*

*“A new GOR RTB would give us the opportunity to rectify shortcomings we see in the current structure.*

- There is a need to remove the grey areas associated with the “Internal” versus “External” marketing. The ability to consolidate funds in one body would allow for more effective marketing.*
- A new RTB should remove some layers from the current structure, which has become convoluted, complicated and clumsy. This would create a more unified approach, and remove the dilution of resources.*
- We need a more accountable and evaluated RTB. Our belief that a new RTB offers a fresh approach. We are of the opinion that Geelong Otway Tourism has not delivered recently on marketing campaigns, and visitor growth. This has been compounded by the demise of GORM”. (Attachment 3 OT Response to Tourism Victoria)”*

This report addresses the argument of separation of the Geelong and Bellarine from the Great Ocean Road above. In regard to what OT considers to be the shortcomings of GOT, it contends that a separated region with two RTBs will bring a ‘fresh approach’. This argument seems to presuppose that if there were to be a single RTB for the current GOR Region that the current structure and staffing of GOT would form the basis of the organisation. However

this is a matter for the Implementation Committee that will include representation from all of the industry and local government bodies across the south west of Victoria and is by no means a predetermined outcome.

It is likely that the current GOT structure and operational capacity would play a major role in the new regional structure but it would not be advisable to recommend a split based on a number of perceived shortcomings of this organisation. OT is a member of GOT, has representation on its Board and has opportunity to effect change from within. Further to this “a fresh approach” can also be achieved through a single regional structure with an overhaul of governance structure and new personnel; a review of strategy across all areas of operation; and an open approach to recruiting the best possible staffing of the leadership, management and operational aspects of the new organisation.

One of the points raised in the discussion with OT on benefits of various models is the geographic separation of Colac Otway Shire industry members from Geelong. It may be perceived by some, that Geelong Otway Tourism is not considerate of the needs of local tourism operators and that a separation from Geelong would mean a new governance structure located more closely to Colac. There is some merit in the provision of governance structures that accommodate the geographic distance of isolated members from the decision making processes. This is the reason for local Tourism Associations such as OT and Surf Coast Tourism. These organisations enable local representation through a governance structure that has representation on the current Regional Tourism Association, GOT.

This argument assumes that there will be industry representation on the RTB. The Lightfoot Report recommends an appointed skills-based board. Whether or not there is industry representation there is no guarantee that a Great Ocean Road RTB excluding Geelong/Bellarine would be any more closely located to Colac Otway Shire. As the major regional centre of the South West, Warrnambool may lay claim to the best location for a RTB base.

The most crucial factor is the influence of the Shire and the industry on the decision making process of the RTB, not the location, and provided there is adequate representation then this will be achieved.

OT outlines a number of key actions it believes are essential to the success of the new structure:

- *“A clear MOU developed with all stakeholders that outlines key KPI’s for the RTB and their accountability requirements.*
  - *Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.*
  - *Clear, consistent and regular reporting to stakeholders including local government.*
  - *An appropriate structure below the RTB that is relevant and is action orientated.*
  - *Some regional representatives on the RTB who can speak on behalf of the industry but the majority of the Board could be skills based.*
  - *A centralised location and accessibility to local operators and industry.*
  - *Minimization of the layers of administration to bring greater efficiency and better communication.*
  - *Minimize the duplication of roles.*
  - *Have a spill of all positions in existing Boards to start afresh.*
  - *Be able to deliver on a number of different levels, not just marketing, but also industry development and product development.”*
- (Attachment 3 OT Response to Tourism Victoria)*



It is recommended that Council adopt the advice of OT on most of these key issues however the question of centralised location for the RTB is a matter for further consideration. The key issues are access to influence in a governance and strategic planning sense at the Board level and access to resources at the operational level. Whether or not there is split between the Geelong and Bellarine and the Great Ocean Road, Colac Otway Shire tourism operators may find themselves at a distance from the governance and/or operational centres of the new RTB. The boundaries of the OT proposed Great Ocean Road Region are for example as far apart as Torquay at the western end of the Surf Coast Shire and Nelson in the far south western corner of Victoria close to the South Australian border, a distance of 360 kms. It is highly likely that a centre of activities would be established in Warrnambool as the largest regional centre outside Geelong in the South West.

What is important is that the Colac Otway Shire and OT representatives on the Implementation Committee advocate for Board arrangements that see, for example, meetings moved around the region and use of teleconferencing and video conferencing to facilitate communication without having to travel long distances.

OT's recommendation regarding representation on the Implementation Committee is aligned with the advice provided in this report above.

*"We would insist the committee has a representative from Colac Otway Shire Council and Otways Tourism Board." (Attachment 3 OT Response to Tourism Victoria)*

Council has two options.

Option 1 is to submit a response to the Lightfoot Report and the RTAP that:

- Recognises the contribution and advice of OT but differs in its recommendations.
- Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).
- Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.
- Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and nominates Mike Barrow, Manager Economic Development, as the Shire's representative.
- Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.
- Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.
- Places on the Agenda of the Implementation Committee the following points:
  - A clear Memorandum of Understanding developed with all stakeholders that outlines accountability requirements of the RTB.
  - Regional industry and local government representation along with skills based appointed board members on the RTB.
  - An independent process to appoint skills based board members to provide fair and open access to all interested parties.
  - Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.

- Clear, consistent and regular reporting to industry and local government stakeholders.
- An appropriate operational structure below the RTB that is relevant and action orientated.
- A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.
- Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.

Option 2 is to submit a joint response with OT including all of the points made in the OT submission.

Option 1 is the preferred option as the case for separation is not proven and the benefits argued for the separation can be achieved through a newly created single regional structure.

There is a genuine concern at the financial capacity of the South West region to adequately fund its own RTB.

Tourism Victoria requires this matter to be settled prior to the establishment of the Implementation Committee as it has the potential to unnecessarily protract the implementation process. The Committee will have a number of difficult issues to deal with during the process that is anticipated to conclude by 30 June 2011 and it is crucial that this issue is settled at the commencement of the process.

### **Proposal**

That Council endorse the draft Colac Otway Shire Submission to the Tourism Victoria regarding implementation of the Regional Tourism Action Plan in the Great Ocean Road Region, and the Council nomination of the Manager Economic Development as the Council representative on the RTAP Implementation Committee.

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

Currently Council provides financial support to tourism organisations as follows:

- GOT receives an agreed amount annually according to a Memorandum of Understanding (MoU). In 2010/11 the amount is \$70,000. Council has also agreed to sign a new GOT MoU that terminates on 30 June 2011 to coincide with the conclusion of the Otways Tourism (OT) Service Agreement with the expectation that the regional restructure will be resolved by that time.
- OT receives an annual negotiated amount according to the Service Agreement. In 2010/11 the amount is \$160,000.

Tourism Victoria has made it clear that State Government regional marketing funds would not be increased following the finalisation of state wide regional restructures. The amount would be redistributed to RTBs on an even basis. The current allocation to Great Ocean Road Marketing (GORM) is approximately \$200,000 and this may be less under the new structure and split if there were to be a Geelong/Bellarine RTB split from the GOR Region.

Whatever model becomes the final GOR regional structure, a new RTB will definitely be seeking financial support from Colac Otway Shire. Given that there would be municipal contributions of varying degree from seven Councils, plus industry funds and Tourism Victoria Marketing funds, it is reasonable to assume that a region separate from the City of Greater Geelong could be financially sustainable if it were structured to a governance and operational size appropriate to the capacity of the local industry and local government to financially support. It is also reasonable to assume that despite the inclusion of a broader

area it would be more sustainable with the financial contribution of the City of Greater Geelong.

It is recommended that Colac Otway Shire argue through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.

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

There are no risk management and compliance considerations. The only apparent risk issues are considered in the Financial and Other Resource Implications section above.

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

There are no specific environmental and climate change considerations directly related to this report.

### **Community Engagement**

The draft Submission to Tourism Victoria was developed in consultation with OT, however the OT Submission differs significantly from the draft Colac Otway Shire Submission to the Tourism Victoria. The draft Submission has considered the advice of OT along with advice from Tourism Victoria and Geelong Otway Tourism as well as consultation with other local governments within the Great Ocean Road region.

Involvement of the community especially the tourism industry will be a vital part of the RTAP implementation process and whatever methods of engagement are chosen Colac Otway Shire will inform, consistently through Media Releases and OT Newsletters and consult, through surveys or requests for input as appropriate.

### **Implementation**

Implementation will occur immediately following Council endorsement of the draft Submission to Tourism Victoria.

### **Conclusion**

During 2007/08 Tourism Victoria undertook a review of Regional Tourism that included extensive consultation with the industry and local government stakeholders. The review resulted in the release in December 2008 of the State Government Regional Tourism Action Plan (RTAP) 2009 – 2012.

The key focus of the RTAP is to establish RTBs to address these following areas:

- Improve Regional Industry Structures
- Improve supply and quality of regional tourism experiences
- Increase consumer demand for regional tourism experiences
- Address skills, service standards and environmental sustainability

In the GOR region the RTAP restructure has commenced with the release of the Lightfoot Report into the potential for a Tourism Geelong & Bellarine Tourism (Geelong/Bellarine) split from the GOR region that currently includes City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Colac Otway, Surf Coast, Corangamite, Moyne, Glenelg Shires and City of Warrnambool.

Tourism Victoria has requested a response to the Lightfoot Report and ideas on the implementation of the RTAP in the Great Ocean Road Region. This will assist in developing an implementation 'Discussion Paper' and the forming of an Implementation Committee to proceed to the next stage of the restructure process. Tourism Victoria has also requested a Council nominee to the RTAP Implementation Committee.

The key issues for Council to consider are:

- The Lightfoot Report recommendation that a new tourism region be created by splitting Geelong/Bellarine from the GOR Region.
- The potential regional models that may deliver the best outcome for Colac Otway Shire and its tourism industry.
- Representation on the Implementation Committee and governance arrangement of the regional structure.
- The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.

This report has considered these issues and recommends that Council submit a response to the Lightfoot Report and the RTAP that:

- *“Recognises the contribution and advice of OT but differs in its recommendations.*
- *Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).*
- *Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.*
- *Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and nominates the Manager Economic Development as the Shire’s representative.*
- *Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Small rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.*
- *Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.*
- *Places on the Agenda of the Implementation Committee the following points:*
  - *A clear Memorandum of Understanding developed with all stakeholders that outlines accountability requirements of the RTB.*
  - *Regional industry and local government representation along with skills based appointed board members on the RTB.*
  - *An independent process to appoint skills based board members to provide fair and open access to all interested parties.*
  - *Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.*
  - *Clear, consistent and regular reporting to industry and local government stakeholders.*
  - *An appropriate operational structure below the RTB that is relevant and action orientated.*
  - *A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.*
  - *Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.” (Attachment 4)*

**Attachments**

1. GOR Regional Tourism Board - Representative Invitation - Implementation Committee
2. Regional Tourism Action Plan 2009-2010 Page 31 - Priorities for the GOR
3. Otways Tourism - Response to Lightfoot Report 2010
4. RTAP Submissions - Tourism Vic & GOT

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

1. ***Submit a response to the Lightfoot Report and the Regional Tourism Action Plan that:***
  - ***Recognises the contribution and advice of OT but differs in its recommendations.***
  - ***Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).***
  - ***Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.***
  - ***Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and nominates, Mike Barrow, Manager Economic Development as the Shire's representative.***
  - ***Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.***
  - ***Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.***
2. ***Places on the Agenda of the Implementation Committee the following points:***
  - ***A clear Memorandum of Understanding be developed with all stakeholders that outlines accountability requirements of the RTB.***
  - ***Regional industry and local government representation along with skills based appointed board members on the RTB.***
  - ***An independent process to appoint skills based board members to provide fair and open access to all interested parties.***
  - ***Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.***
  - ***Clear, consistent and regular reporting to industry and local government stakeholders.***
  - ***An appropriate operational structure below the RTB that is relevant and action orientated.***

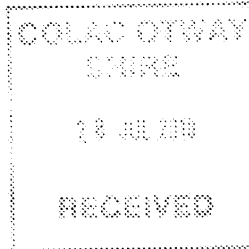
- ***A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.***
  - ***Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.***
- 3. Advise Otway Tourism of the above resolution.**

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Attach 1  
Tourism Victoria



Level 21, 121 Exhibition Street  
Melbourne VIC 3000 Australia  
GPO Box 12191  
Melbourne VIC 3001 Australia  
Tel 03 9633 9977  
Fax 03 9633 9255  
A86 1 18 301 772 130  
tourismvictoria.com.au



26 July 2010

Mr Rob Small  
Chief Executive Officer  
Colac Otway Shire Council  
PO Box 283  
COLAC Victoria 3250

Dear Rob

**GREAT OCEAN ROAD  
REGIONAL TOURISM BOARD**

As you are aware, initial discussions have commenced RE: the establishment of a Great Ocean Road Regional Tourism Board.

The concept of establishing Regional Tourism Boards in each of our regions throughout the State was identified in the Regional Tourism Action Plan released in December 2008.

The Regional Tourism Action Plan (RTAP) was developed following extensive consultation with the tourism industry and Local Governments across Victoria.

The RTAP process identified a number of issues with the current industry structures in regional Victoria including:

- Many regional structures are under resources
- Structures rely heavily on volunteers
- Roles and responsibilities of some regional structures are unclear or duplicated
- Existing regional Campaign Committees only focus on marketing and are unable to address other critical issues impacting regional tourism growth.

As a result of this feedback, the RTAP recommended that -- "evolve industry structures in regional Victoria over the next three-years. This will involve the creation of a Regional Tourism Board in each region to set the overarching strategic vision and direction for tourism. The Regional Tourism Board will play a critical role in creating a platform for future growth and will have responsibility for a range of key tourism functions".

The report went on to note "the new Regional Tourism Board's will not replicate other structures nor create additional bureaucracy in the region. The Regional Tourism Board's will be made up of approximately eight skills based members as well as relevant State and Local Government representatives. A senior manager from Tourism Victoria will also sit on the Regional Tourism Board".

Whilst the RTAP provides broad guidelines for the operation and structure of the Regional Tourism Board's, the final solution for each region will be determined by the region.



Attach 1

A Regional Tourism Board Implementation Committee will be established for the Great Ocean Road region to determine the appropriate structure, funding model and membership for the new Great Ocean Road Regional Tourism Board. Membership of this Implementation Committee will consist of Local Government representatives, Regional Tourism Association representatives, tourism industry and Parks Victoria personnel. An independent chair will be appointed to lead the Implementation Committee and Tourism Victoria will provide Project Management.

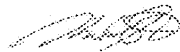
The Implementation Committee will commence work in August 2010 and aim to have a new Regional Tourism Board operational by June 30, 2011. It is likely that the Implementation Committee will meet on a monthly basis at various locations within the Great Ocean Road region.

I now invite you to nominate a representative from your Council to sit on the Implementation Committee. The representative can be a Councillor or an officer of Council.

It would be appreciated if you could forward details of your nomination along with full contact details to [kristen.penny@tourism.vic.gov.au](mailto:kristen.penny@tourism.vic.gov.au) by 16 August 2010.

If you wish to discuss this matter further please don't hesitate to contact me via email [tom.smith@tourism.vic.gov.au](mailto:tom.smith@tourism.vic.gov.au) or phone: 03 9653 9704 or Mobile: 0439 034 113.

Yours sincerely



**TOM SMITH**  
*Regional Tourism Advisor*



Attach 2

PRIORITIES FOR GREAT OCEAN ROAD

With internationally recognised landscapes, the Great Ocean Road region is of considerable environmental and cultural significance to the State. Natural diversity is a key motivator for the tourism intensive economy, which is complemented by well-established primary and agricultural industries.

Respondents in the *Regional Awareness and Perceptions Study 2007* clearly identified Great Ocean Road (including Geelong and the Bellarine Peninsula) with natural attractions followed by a family destination and boutique accommodation.

Great Ocean Road is a very important region in positioning the State across a number of priority markets. It is integral to key strategies including the realisation of increased international visitation and nature-based tourism. This is consistent with the *Great Ocean Road Nature's invigorating journey* campaign which targets key interstate markets

by encouraging visitors to leave behind the stresses of everyday life by spending time relaxing and revitalising along its natural stretch of therapy. This is complemented by the Geelong and the Bellarine Peninsula *Come back down to earth* campaign which aims to build upon awareness of key intrastate markets by highlighting its down-to-earth nature and lack of pretension.

The major opportunities for tourism development in the Great Ocean Road region are:

- Building upon the supply of high quality tourism product that enhances nature-based and touring experiences;
- Encouraging visitor dispersal and yield across the region; and
- Realising the priority actions in *Victoria's Nature-based Tourism Strategy 2008-2012*.

| Priority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Timeline |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>Industry structures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          |
| Evolve to a Regional Tourism Board in co-operation with local stakeholders that takes on a broader role than marketing, including industry and product development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2009-10  |
| Investigate the current alignment of Geelong and Bellarine Peninsula with the Great Ocean Road campaign region.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2010-11  |
| <b>Investment and infrastructure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |
| Tourism Victoria will work with State Government agencies, the Regional Tourism Board, Local Government, investors and industry to facilitate the following priority projects:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2009-12  |
| <ul style="list-style-type: none"> <li>• Nature-based tourism infrastructure and product including the development of iconic trails to support the region's natural assets such as the Great Otway National Park and Great Ocean Walk;</li> <li>• Great Ocean Road Interpretative Centre – a world-class interpretative centre which could incorporate multi-media experiences, visitor information and regional food and wine product;</li> <li>• Development of tourism product associated with surf culture;</li> <li>• Support development of Avalon as an international airport;</li> <li>• Redevelopment of the Apollo Bay Harbour – upgrading of tourist and community facilities at the harbour's edge, incorporating improved boating facilities, high quality accommodation, visitor information, retail and food and wine product;</li> <li>• Geothermal Bathhouse developments including Port Fairy;</li> <li>• High end accommodation, both large scale and boutique, at key locations along the Great Ocean Road to induce overnight visitation and capitalise on the natural assets of the region;</li> <li>• Delivery of the ex-HMAS Cribbera as a world-class dive site attraction;</li> <li>• Implementation of the Portarlington Saib Beach Harbour Master Plan to facilitate the delivery of tourist and community facilities including accommodation.</li> </ul> |          |



Attach 3

**OTWAYS TOURISM INC**

**Response to Lightfoot Report 2010**

**1. Geelong and Bellarine Realignment.**

**We support the realignment of Geelong and Bellarine as a new RTB based on**

- There is product differentiation from the rest of the GOR region.
- The product appeal and market are different.
- Creates opportunity for the Great Ocean Road and The Otways to develop its brand further.
- The M1 by pass lessens the connection with the Great Ocean Road as a region.

Otways Tourism believes that the marketing for the Great Ocean Road in recent years has been dissipated because of product changing and evolving in Geelong and The Bellarine ie there has been a shift to marketing Melbourne and Surrounds, Events, Wine and Food, and Conferencing which are not the product strengths of the Great Ocean Road and more particularly The Otways. We have nature-based tourism and have greater product alignment with the rest of The Great Ocean Road - Corangamite, Shipwreck and Discovery and that is where we would like our marketing targeted. We acknowledge that The Otways receives flow on from Geelong and Bellarine but we are not content to rely on the crumbs we pick up from marketing campaigns for that region.

**2. We support a new Great Ocean Road Regional Tourism Board based on**

- Product similarity.
- Geographical connection as the "Great Ocean Road."

A new GOR RTB would give us the opportunity to rectify shortcomings we see in the current structure.

- There is a need remove the grey areas associated with the "Internal" versus "External" marketing. The ability to consolidate funds in one body would allow for more effective marketing.
- A new RTB should remove some layers from the current structure, which has become convoluted, complicated and clumsy. This would create a more unified approach, and remove the dilution of resources.
- We need a more accountable and evaluated RTB.
- Our belief that a new RTB offers a fresh approach. We are of the opinion that Geelong Otway Tourism has not delivered recently on marketing campaigns, and visitor growth. This has been compounded by the demise of GORM and failure of the Official Web Site.

Attach 3

**3. Any new Regional Tourism Boards would therefore require**

- A clear MOU developed with all stakeholders that outlines key KPI's for the RTB and their accountability requirements.
- Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.
- Clear, consistent and regular reporting to stakeholders including local government.
- An appropriate structure below the RTB that is relevant and is action orientated.
- Some regional representatives on the RTB who can speak on behalf of the industry but the majority of the Board could be skills based.
- A centralized location and accessibility to local operators and industry.
- Minimization of the layers of administration to bring greater efficiency and better communication.
- Minimize the duplication of roles.
- Have a spill of all positions in existing Boards to start afresh.
- Be able to deliver on a number of different levels, not just marketing, but also industry development and product development.

**4. The Implementation Committee.**

We would insist the committee has a representative from

- Colac Otway Shire Council **and**
- Otways Tourism Board.

**5. Funding Impact**

We are acutely aware that there are no clear RTB resourcing models and no clear idea of funding implications of one versus two board structures. We have assumed that two boards would not be an additional cost for local government stakeholders, and have based our position on the marketing benefits of a dedicated Great Ocean Road RTB. If there were significantly extra operating costs for two boards, funding would be a serious concern for local government.

**SUMMARY:**

Two Regional Tourism Boards would provide the opportunity for the Great Ocean Road region to specifically focus on its own activities and bring the industry much closer together in that region with consolidation of resources.

Our Ref: GEN00414CS  
Contact: Mike Barrow

Attach 4

9 August 2010

Mr Tom Smith  
Regional Tourism Advisor  
Tourism Victoria  
GP Box 2219T  
MELBOURNE VIC 3001

Dear Tom

**COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING  
IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT  
OCEAN ROAD REGION**

The Regional Tourism Action Plan represents the most significant change that the State Government has made to the structure of the Tourism Industry in Victoria. Colac Otway Shire is a key stakeholder in the Victorian Tourism Industry through its regional partnership with Geelong Otway Tourism (GOT) and local support of Otways Tourism (OT) and its stewardship of some of the nation's greatest natural assets and tourism attractions in the Great Ocean Road and the Otways. The Shire committed to playing a positive and constructive role in the restructure of the Great Ocean Road (GOR) tourism region so that our local industry and the people who invest and work in it grow and prosper.

In the GOR region the RTAP restructure has commenced with:

- Release of the Lightfoot Report into the potential for a Tourism Geelong & Bellarine Tourism (Geelong/Bellarine) split from the GOR region that currently includes City of Greater Geelong, Borough of Queenscliffe, Golden Plains, Colac Otway, Surf Coast, Corangamite, Moyne, Glenelg Shires and City of Warrnambool.
- Presentation by Tom Smith, Regional Tourism Advisor, Tourism Victoria on the Lightfoot Report and the RTAP implementation in the GOR Region to GOT industry and local government stakeholders.
- Call by Tourism Victoria and GOT for input in to the 'Discussion Paper' that will determine the implementation committee and the process for completion of the restructure.

The key issues that Council has considered in making this submission are as follows:

- The Lightfoot Report recommendation that a new tourism region be created by splitting Geelong/Bellarine from the GOR Region.
- The potential regional models that may deliver the best outcome for Colac Otway Shire and its tourism industry.
- Representation on the Implementation Committee and governance arrangement of the regional structure.

## Attach 4

- The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.

### **Lightfoot Report**

The Lightfoot Report is a useful tool to understand the differences between local sub regions and proffers a number of arguments to justify its conclusions. The two key points are:

- Geelong/Bellarine has separate and different product to the Great Ocean Road and should be marketed separately and differently.
- Geelong/Bellarine is separated from the rest of the region by the Geelong Ring Road.

It is not easy to support the argument that an artificial structure such as a highway could determine boundaries for tourism marketing and development. Nor is the relevance of Avalon Airport and its proximity to Geelong (also mentioned in the Report) proven as an argument for separating Geelong/Bellarine from the rest of the Region.

Currently Geelong/Bellarine is separately marketed by GOT and there is no reason to consider that this could not continue under a new GOR Regional Tourism Board (RTB) structure. There could be a number of distinct campaign strategies developed and delivered for the region by the RTB.

### **Funding Sustainability**

The problem of examining the regional tourism restructure in the context of the Lightfoot Report is that the report is not a thorough examination of all of the tourism sub regions, organisations, products, experiences, issues. It is a thorough examination of Geelong/Bellarine in relation to the Great Ocean Road but pays less attention to Surf Coast Tourism and Otways Tourism. It pays even less attention to the municipal areas outside of City of Greater Geelong, Borough of Queenscliffe, Surf Coast, and Colac Otway Shires.

Currently Colac Otway Shire Council provides financial support to tourism organisations as follows:

- GOT receives an agreed amount annually according to a Memorandum of Understanding (MoU). In 2010/11 the amount is \$70,000. Council has also signed a new GOT MoU that terminates on 30 June 2011 to coincide with the conclusion of the Otways Tourism (OT) Service Agreement with the expectation that the regional restructure will be resolved by that time.
- OT receives an annual negotiated amount according to the Service Agreement. In 2010/11 the amount is \$160,000.

It is recommended that Colac Otway Shire argue through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Small rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.

### **Models of Regional Structure**

In a region as geographically dispersed as the Great Ocean Road the most crucial factor is the influence of the Shire and its local tourism industry on decision making process and access to resources in marketing, product and industry development.

## Attach 4

A number of models have been discussed in this early stage of the process but whatever models of regional structure are considered by the Implementation Committee, both the governance and operational structures of the new RTB should accommodate the geographic distance of isolated industry and local government stakeholders.

Possible solutions to this are that meetings should be rotated between venues and to make use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.

### **Representation on the Implementation Committee.**

Given this is the most important change to the tourism industry since it emerged as an industry in its own right, it is essential that key industry and local government stakeholders have representation on the Implementation Committee to ensure that the interests of the local industry and the local community are protected and enhanced through the process.

Colac Otway Shire supports representation from both OT and the Shire.

### **The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.**

While Council appreciates the input of OT and supports many of the points made in its response to the Lightfoot Report, it differs on a number of fundamental issues, the chief one being the realignment of the region. Council does not support the splitting of the Geelong and Bellarine from the Great Ocean Road.

The OT response identifies a number of perceived shortcomings with the current GOT structure and argues for the splitting of the Geelong and Bellarine as an opportunity for a "fresh approach". Council does not support this view and believes "a fresh approach" can also be achieved through a single regional structure with an overhaul of governance structure and new personnel; a review of strategy across all areas of operation; and an open approach to recruiting the best possible staffing of the leadership, management and operational aspects of the new organisation.

Council has considered these issues and provides the following in submission to the Lightfoot Report and the RTAP.

The Colac Otway Shire:

- Recognises the contribution and advice of OT but differs in its recommendations.
- Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).
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Attach 4

nominates the Manager Economic Development, Mike Barrow, as the Shire's representative.

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- Places on the Agenda of the Implementation Committee the following points:
  - A clear Memorandum of Understanding developed with all stakeholders that outlines accountability requirements of the RTB.
  - Regional industry and local government representation along with skills based appointed board members on the RTB.
  - An independent process to appoint skills based board members to provide fair and open access to all interested parties.
  - Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.
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  - An appropriate operational structure below the RTB that is relevant and action orientated.
  - A clearly articulated strategy to ensure equity in accessibility for local government and local operators industry representatives.
  - Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.

Colac Otway Shire looks forward to a continued collaborative relationship with GOT as we work towards a thriving regional tourism industry that promotes our world class natural assets and attractions, and generates economic activity, jobs and prosperity for our local communities.

If you have any enquiries concerning this matter please contact Mike Barrow on 5232 9450

Yours sincerely

Lyn Russell  
**Mayor, Colac Otway Shire**

Our Ref: GEN00414CS  
Contact: Mike Barrow

Attach 4

9 August 2010

Mr Roger Grant  
Executive Director  
Geelong Otway Tourism  
Level 1 – 48 Brougham St  
GEELONG VIC 3220

Dear Roger

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IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT  
OCEAN ROAD REGION**

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The key issues that Council has considered in making this submission are as follows:

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Organisation: Geelong Otway Tourism



Page 2

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### **Funding Sustainability**

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It is recommended that Colac Otway Shire argue through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Small rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.

### **Models of Regional Structure**

In a region as geographically dispersed as the Great Ocean Road the most crucial factor is the influence of the Shire and its local tourism industry on decision making process and access to resources in marketing, product and industry development.

Organisation: Geelong Otway Tourism



Page 3

A number of models have been discussed in this early stage of the process but whatever models of regional structure are considered by the Implementation Committee, both the governance and operational structures of the new RTB should accommodate the geographic distance of isolated industry and local government stakeholders.

Possible solutions to this are that meetings should be rotated between venues and to make use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.

**Representation on the Implementation Committee.**

Given this is the most important change to the tourism industry since it emerged as an industry in its own right, it is essential that key industry and local government stakeholders have representation on the Implementation Committee to ensure that the interests of the local industry and the local community are protected and enhanced through the process.

Colac Otway Shire supports representation from both OT and the Shire.

**The Otways Tourism response to the Lightfoot Report and the implementation of the RTAP.**

While Council appreciates the input of OT and supports many of the points made in its response to the Lightfoot Report, it differs on a number of fundamental issues, the chief one being the realignment of the region. Council does not support the splitting of the Geelong and Bellarine from the Great Ocean Road.

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Council has considered these issues and provides the following in submission to the Lightfoot Report and the RTAP.

The Colac Otway Shire:

- Recognises the contribution and advice of OT but differs in its recommendations.
- Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).
- Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best people arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.
- Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and

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nominates the Manager Economic Development, Mike Barrow, as the Shire's representative.

- Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Small rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.
- Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.
- Places on the Agenda of the Implementation Committee the following points:
  - A clear Memorandum of Understanding developed with all stakeholders that outlines accountability requirements of the RTB.
  - Regional industry and local government representation along with skills based appointed board members on the RTB.
  - An independent process to appoint skills based board members to provide fair and open access to all interested parties.
  - Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.
  - Clear, consistent and regular reporting to industry and local government stakeholders.
  - An appropriate operational structure below the RTB that is relevant and action orientated.
  - A clearly articulated strategy to ensure equity in accessibility for local government and local operators industry representatives.
  - Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.

Colac Otway Shire looks forward to a continued collaborative relationship with GOT as we work towards a thriving regional tourism industry that promotes our world class natural assets and attractions, and generates economic activity, jobs and prosperity for our local communities.

If you have any enquiries concerning this matter please contact Mike Barrow on 5232 9450

Yours sincerely

Lyn Russell  
**Mayor, Colac Otway Shire**

## 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>Contract Approval (Mav Tender FU1510)<br/>Contract 1016 - Bulk Fuel Purchase, Fuel Card Purchases, Supply Of Lubricants</b> | this matter deals with contractual matters | Section 89 (2) (d)    |
| <b>Contract No. 1011 – Annual Supply Of Concrete Works</b>                                                                     | this matter deals with contractual matters | Section 89 (2) (d)    |
| <b>CEO’s Remuneration Review</b>                                                                                               | this matter deals with personnel matters   | Section 89 (2) (a)    |