

Corangamite Shire

MINUTES

Ordinary Council Meeting

Held 7.00 pm • Tuesday 28 March 2017

*The Hub, Simpson Recreation Reserve
Lavers Hill-Cobden Road, Simpson*

Table of Contents

Item No.		Page No.
1.	PRESENT.....	4
2.	APOLOGIES	4
3.	DECLARATIONS OF CONFLICT OF INTEREST	4
4.	CONFIRMATION OF MINUTES	4
5.	DEPUTATIONS & PRESENTATIONS.....	5
6.	MAYOR'S REPORT	6
6.1	MAYOR'S REPORT.....	6
7.	COMMITTEE REPORTS	8
8.	INFORMATION BULLETIN	9
8.1	SIMPSON COMMUNITY PLAN UPDATE.....	9
9.	PLANNING REPORTS.....	16
10.	OFFICERS' REPORTS.....	17
10.1	DRAFT COUNCIL PLAN 2017-2021.....	17
10.2	USE OF COUNCIL LAND POLICY	20
10.3	CATTLE UNDERPASSES POLICY	30
10.4	ROAD OPENING WORKS PERMIT POLICY	34
10.5	VEHICLE CROSSINGS POLICY	39
10.6	BUSINESS CONTINUITY POLICY REVIEW	46
10.7	MUNICIPAL EMERGENCY MANAGEMENT PLAN 2017-2020	53
10.8	STRATEGIC FIRE MANAGEMENT PLAN OTWAY DISTRICT 2017-2020.....	56
10.9	SUBMISSION TO THE FLORA AND FAUNA GUARANTEE ACT 1988 CONSULTATION PAPER.....	59
10.10	RECREATION FACILITIES MANAGEMENT	69
10.11	QUICK RESPONSE GRANTS - MARCH 2017 ALLOCATION.....	74
10.12	ONSHORE GAS.....	77
10.13	COUNCILLOR ATTENDANCE AT NATIONAL GENERAL ASSEMBLY 2017	81
10.14	RECORDS OF ASSEMBLY OF COUNCILLORS	84
11.	OTHER BUSINESS.....	92

Table of Contents

12. OPEN FORUM	93
13. CONFIDENTIAL ITEMS	94
13.1 INTENTION TO CONSIDER LAND ACQUISITION	94
13.2 CEO PERFORMANCE REVIEW MARCH 2017	94

**MINUTES OF THE ORDINARY MEETING OF THE CORANGAMITE
SHIRE COUNCIL HELD AT THE HUB, SIMPSON RECREATION
RESERVE, LAVERS HILL-COBDEN ROAD, SIMPSON 7.00 PM ON
28 MARCH 2017**

1. PRESENT

Councillors J. Beard (Chairperson), L. Brown, H. Durant, R. Gstrein,
S. Illingworth, B. McArthur, N. Trotter.

Officers Andrew Mason, Chief Executive Officer
Ian Gibb, Director Sustainable Development
David Rae, Director Corporate and Community Services
Lyllall Bond, Manager Environment and Emergency
John Kelly, Manager Assets Planning
Jarrod Woff, Manager Facilities and Recreation
Garry Moorfield, Community Development Officer

2. APOLOGIES

Nil.

3. DECLARATIONS OF CONFLICT OF INTEREST

Cr Ruth Gstrein declared an indirect financial conflict of interest in Agenda item 10.10 and left the meeting prior to any discussion or vote on the matter.

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 28 February 2017 be confirmed.

COUNCIL RESOLUTION

MOVED: Cr Gstrein
SECONDED: Cr Durant

That the recommendation be adopted.

CARRIED

DISCLAIMER

The advice and information contained herein is given by the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reason or reasons for seeking the advice or information and how it is proposed to be used.

5. DEPUTATIONS & PRESENTATIONS

Nil.

6. MAYOR'S REPORT

6.1 Mayor's Report

Author: Jo Beard, Mayor

File No: D17/176

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jo Beard

In providing this advice to Council as the Mayor, I have no interests to disclose in this report.

Summary

A personal reflection regarding regional roads.

Issues

The condition of so many arterial roads in the Corangamite Shire are a disgrace and Council continues to call on the State Government to commit significant amounts of funding to VicRoads so that they can take responsibility and fix their roads.

Too often I am stopped by local residents complaining about the condition of roads in our Shire. When I ask them which road they are concerned about the usual answer that I have to give is that the road is a VicRoads responsibility and not Council's. This frustrates both the local resident who just wants to see the road fixed, and myself who while continuing to advocate strongly of their behalf, knows that too often the allocation of road funding comes down to which State electorate the road is located in and clearly not the condition of the road.

This State Government is continuing to commit millions of dollars to road, tunnel and rail projects across metro Melbourne and in marginal electorates, yet continues to ignore country Victoria through a distinct lack of funding to fix their roads.

In our most recent community satisfaction survey, Council added a question for the local roads section that asked respondents to actually name the worst local roads in the Shire while scoring the Council on their condition. Nine out of the top ten responses came back for roads that are the responsibility of the State Government. This was a very interesting result for Council to receive, considering the respondents were actually meant to be scoring the condition of local or Council maintained roads and not those maintained by the State Government.

Our Shire is home to one of Australia's most visited tourist attractions, the Twelve Apostles, which attracts over 2.6 million visitors each year. How can we expect visitors to this site to enjoy their experience when they must travel sub-standard roads that can often be quite

dangerous in their travels to visit the iconic site? This is not the lasting impression that we want visitors to take from our beautiful part of the world.

Corangamite Shire is also one of Australia's premier dairy production areas as well as being home to a strong agriculture industry. These industries rely on well maintained, safe roads to ensure they stay competitive in the ever increasing international marketplace.

Last week myself and Cr Illingworth went and visited one of the worst roads in the south of the Shire, the Cobden-Port Campbell Road. While standing on the side of the road at one of the damaged sections, we observed cars having to cross the middle white lines to avoid the large dip in the road, we saw caravans slowing to ensure they didn't get airborne and we saw trucks bouncing dangerously off the bumpy surface.

All along this road there is evidence of heavy braking and near misses with significant skid marks clearly able to be seen at many places. There have been too many close calls and near misses and it actually makes me start to think that the only thing that will see significant funding allocated is a fatality. What sort of a way is this to do business by the State Government? It is not good enough and we demand action.

In our Shire alone over \$55 million in funding is required to bring our State managed and controlled roads back to acceptable conditions. This figure will only continue to rise if the Government sits on its hands and provides temporary bandaid solutions to a problem that affects all the residents in our Shire.

I call on Premier Daniel Andrews and Roads Minister Luke Donnellan to come and visit some of our worst roads in the Corangamite Shire and see firsthand what years of neglect and a lack of funding is doing to our roads (actually YOUR roads)!

Cr Illingworth recently posted some footage on his Facebook page that demonstrates how bad the problem actually is, and I know there are so many other examples of roads in this type of condition across our Shire. While this road is now having works completed, it shouldn't take this sort of embarrassment to see action on our roads.

What Council wants to see is a commitment from both sides of Government that they will stop playing politics and actually get real about road funding to ensure the safety of all our road users.

Information only.

7. COMMITTEE REPORTS

Nil.

8. INFORMATION BULLETIN

8.1 Simpson Community Plan Update

Author: Garry Moorfield, Community Development Officer

File No: D17/185

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Garry Moorfield

In providing this advice to Council as the Community Development Officer, I have no interests to disclose in this report.

Summary

This report provides advice to Council on progress in implementing Simpson's community plan *A Plan for Simpson: Community Priorities for Township Development 2012 – 2022*. At the halfway point in Simpson's ten-year plan several of the town's high-ranking priorities have been achieved. This is a reflection on the outstanding capability of individuals and community groups, and the partnerships they have forged. Against a background of compounding challenges to the region's dairy-based economy, the community of Simpson has an even greater need to draw upon its demonstrable strength to support local people and to recover its prosperity.

Introduction

Preparation of Simpson's ten-year community plan began in July 2011, with soundings of local residents, service groups and business owners. This process determined that there was no existing community group in Simpson which was positioned to co-ordinate the participation of other groups to conduct a township survey. This local advice resulted in a paper-based survey collected through the Settlement Supermarket, but progress was slow, with this initial survey yielding only 15 responses. By November a broader Survey Group was assembled, and its advice was to simplify the survey down to one question – 'What does Simpson need?' This second survey gathered a further 36 written responses.

The results of the Town Survey (N=51) were collated and presented to a public meeting held on 7 February 2012. Twenty-seven (27) people attended the public meeting, bringing the total participation to 68 individuals. Whereas the ABS Census 2006 estimated the residential population of Simpson at 128, this does not account for the surrounding farming area the town serves, which might then produce an overall total in the order of 700 people. This would mean that the local participation rate would stand at around 10 per cent (rather than 53 per cent).

The survey and public meeting drew out 130 ideas for Simpson, including 29 relating to 'Tourism and Town Promotion'. Other themes were Businesses Shops and Economic Development, Sport and Recreation, Cleanliness and Town Amenity, Natural Environment, Walking Tracks and Street Furniture and Lighting. Adding the 'votes' at the public meeting to the survey mentions produced a list of 26 priority objectives.

As with all of Corangamite Shire towns original community plans, the Simpson Plan incorporates what might be termed some 'aspirational' priorities. These include the building of an indoor sporting complex including a gymnasium and pool (2), re-purposing and re-opening the Kraft Factory (4), connecting residences to natural gas (8), the building of accommodation facilities (15), longer trading hours for food and fuel stops (18), relocating the Community Centre more centrally within a newly-constructed tourist information centre (19), acquiring a building for housing of community organisations (21) and building a new Café/Bakery (23). Without seeking to detract from the worth of these ideas, it is evident that their implementation would involve overcoming a range of economic and other practical challenges. The tail of the priorities list for Simpson is also a long one, with only a half-a-dozen participants supporting each of those listed items from 21 to 26.

The Simpson Plan was initially scheduled to be reviewed in 2015-2016, but it was felt that the review would garner greater participation if it followed the community celebration of the opening of the new Simpson Community Hub. This \$564,000 project is a stand-out demonstration of what can be achieved through community planning, bringing together the resources and expertise of the local community in a partnership with those of Corangamite Shire and the Victorian Government. It provided substantiation of the value of the investment of time, effort and trust local people contributed to the community planning process. The official opening took place on 5 March 2016, in conjunction with the annual Heytesbury Show, with some 100 people in attendance.



Official opening of the Simpson Community Hub on 5 March 2016 by Member for Western Victoria Gayle Tierney MP (left), with Corangamite Shire Mayor Jo Beard (right) and Simpson Football Netball Club President Brad Mason.

In April 2016 news broke on the reversal of milk price payments, producing a profound shock to the local dairy farming industry, with serious impacts on farming families, agricultural enterprises and obvious flow-on effects for the whole regional economy. Farmers, peak bodies and political representatives struggled to find practical responses to what was a catastrophic development for many, producing anger, frustration and despair. This was not the best time to be asking local people to devote their energies to a review of Simpson's community plan. Work on the review is underway and it is expected to be completed by June 2017.

Issues

Six of Simpson's 26 original (2012) priority projects have been completed, with another three either commenced or evolving. The progress on each of these projects has depended on the actions of a key agency, as listed in the following notes. The list of current township priorities is provided in the table below.

Priority Development/improvements projects	
1	Better town entry signage/ Welcome at four entrances/exits of town highlighting services available/ Install large advertising sign to promote all functions and events/ Advertise local businesses on signboard into town / Better signage for tourist attractions/ Advertise 'Last food and fuel before 12 Apostles'
2	Indoor sporting complex/ including gym, pool
3	Make/ improve walking/ bike tracks around Simpson/ Build bush walking track through back of School
4	Retain, takeover/ re-purpose Kraft Factory
5	Dirt bike track/ Motorbike Club
6	Move Recreation Reserve gate to Tomahawk Creek Road
7	Promote gourmet food loop from Simpson end/ Promote and advertise local foods
8	Connect to natural gas
9	Establish fully-licensed high-quality Function Centre at Recreation Reserve to cater for up 150 people
10	Build more/ improve footpaths/ Build footpath from Bowls Corner to Kinder, also from Vogel's Motors to the road

Priority Development/improvements projects

11	Rodeo and B&S type events for Simpson
12	Connect Fisher Street to Murrock Street as per town plans
13	More/ better street lighting (at the back of town/ central park, solar back-up)
14	Advertise 'What's on at Simpson'
15	Accommodation / Motel/ B& B/ Cabins/ Camping facilities/ Create caravan sites at the Football ground
16	Organise media coverage on Heytesbury Settlement with website blog
17	Get young people involved in Simpson's future
18	Longer trading hours for food and fuel stops
19	Community Centre relocated to more central position and include tourist information/ access centre
20	Install zebra crossing from toilet block to ball and chain
21	Consolidate the housing of community organisations in combined premises/ Buy Uniting Church for community use/ More visible location
22	Establish Op Shop and recycling centre
23	Establish a sit down/ eat in Cafe/ Bakery
24	Improve access to internet services
25	Better public toilets at Recreation Reserve
26	Seal Murrock Street to Polonia Road

In common with other community plans, a key factor in the achievement of priority outcomes for Simpson has been the role played by Council in supporting the identified community aspirations, either directly, through advocacy, or through the establishment of partnerships which have contributed financial resources and expertise in project planning, design and delivery. The Simpson community has also acted independently to advance some of the township's identified priorities.

Town entry and other signage (Priority 1)

A design has been developed and quotes obtained for manufacture of CORTEN steel town entry signage for Simpson. The community has some Council-provided Community Plan Funding reserved to finance this project, but is in need of a funding stream through which it can be leveraged. The Town Entry Signage is but one part of larger exercise to ensure that Simpson is 'on the map', with directional and other signage pointing out services available in the town.

Indoor sporting complex including gym and pool (Priority 2)

The planned gymnasium in the original design for the Simpson Community Hub had to be abandoned when an extra \$31K had to be found within the budget for special footings to address the 'toothpaste' ground conditions. Once the community's outstanding debt on the Hub is paid off and sufficient funds accumulated the building a small gymnasium may be able to be revisited.

Retain, take-over, re-purpose Kraft Factory (Priority 4)

The Kraft Factory site has been sold by Warrnambool Cheese and Butter to a private developer and expressions of interest are being considered for the potential re-purposing of the 'Factory'. One proposal put forward speaks of the creation of 50 new jobs, but these are early days. What may have been seen by some as an improbable aspiration may turn out to be closer than imagined.

Move Recreation Reserve Gate to Tomahawk Creek Road (Priority 6)

Corangamite Shire contributed \$50,000 and effected the sealing of Tomahawk Creek Road in 2013. The work enabled the Recreation Reserve Committee to undertake its project to shift the main entrance to the Reserve off the Cobden-Lavers Hill Road. This project has been completed, with the new gates honouring the contribution of Reg McVilly to Simpson and the Recreation Reserve. The Simpson community is still looking to improve traffic signage to improve safety at major events.

Promote food loop (Priority 7)

Some steps have been taken to promote local food offerings through the 12 Apostles Food Artisans network, its Food Trail Map and the Corangamite Shire's 2017 Calendar.

Function Centre at Recreation Reserve (Priority 9)

Construction of the Simpson Community Hub facility was completed in late 2015. It is actively used by a number of clubs, for events, and for hire for functions. Contributions from the Simpson Rodeo have reduced the community's debt exposure to under \$60K, which is expected to be substantially reduced by returns from this year's scheduled event. The community is especially grateful to Brooke Love for her outstanding project work and assistance in helping to assemble finance for the project.

Build more footpaths and improve existing ones (Priority 10)

The footpath from the Bowls Corner to the Kindergarten/ School has been constructed. Some patching work was done on the gravel path to the Recreation Reserve by Community Corrections workers, but this rough path needs upgrading. The proposed footpath from Vogel's Motors to the road has yet to be constructed.

Rodeo event (Priority 11)

The third annual Simpson Rodeo is to be held on the weekend of 25 March 2017. The first two events attracted over 3,000 people, and raised substantial funds which have been used to pay down the Simpson community's contribution to the new Simpson Community Hub. Local community groups work together to put on the event, which is operated by Woodalls Rodeo Promotions. From 2018, it is expected that the Simpson Rodeo will return income to each of the community organisations that contribute to its operation.

Improve access to internet services (Priority 24)

Access to internet services in the Simpson area have improved substantially with the arrival of the NBN in Simpson. The local area is well-covered by fixed wireless services, with gaps (e.g. areas around Coorimungle, Lavers Hill, the Otways and patches towards the coast) covered by satellite.

Better public toilets at Recreation Reserve (Priority 25)

The new Simpson Community Hub incorporates new toilets which service functions within that venue, and there are no plans to alter the existing public toilets at the Reserve. The modern public toilets located in the centre of town were constructed fairly recently and are in fine condition.

Policy and Legislative Context

Recognising the many benefits of community planning and supporting its delivery in the Shire is consistent with the following Council Plan 2013-2017 commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

Importantly, the Simpson Community Plan process gives expression to Council's Values and Behaviour embodied in the overriding principle applying across all themes in the Council Plan, namely the Cultural Change Program within Council and Council's 'commitment to continually improving the way we listen to our communities'.

Internal / External Consultation

The Simpson Community Plan was created out of extensive local consultations involving members and representatives of local community groups, a town survey and a public meeting. This consultation is spelt out in detail in the plan documentation. A similar process is being employed in the conduct of the current review of the plan, where priorities will be reset and/or confirmed.

Financial and Resource Implications

This report is for information only and does not entail any recommendations relating to increased or reduced financial and other resources. The provision of \$60,000 in seed-funding by Council has provided the impetus and the means for the local community to identify and pursue projects to strengthen the Simpson community, to build public participation in decision-making affecting Simpson's future and to improve the liveability of the township through development projects. Council has also contributed \$50,000 towards the sealing of Tomahawk Creek road, as well as substantial in-kind resources in the form of project management services.

Conclusion

The community of Simpson has made sound progress over the first five years of its 10 year community plan, with nine of 26 priorities having been either completed or commenced, including seven of Simpson's top 12 project priorities.

Simpson has a range of very capable community organisations, characterised by self-reliance and effective leadership. While this has been a support to community planning in Simpson it has also been a challenge, in that each organisation has its own separate goals and objectives. The community planning process has been rewarding for the township in terms of progress on some major projects, yet there is potential to strengthen relationships and support between groups and to build further networks which can draw more external resources to support local initiatives. As the example of the Simpson Rodeo initiative demonstrates, there can be no questioning of local capacity to bring this about.

Much essential work on planning and financing projects remains invisible to most apart from those involved, yet is to be hoped that due recognition is given to the commitment of not only local citizens, but to Corangamite Shire, the State Government and other partners who have come together to support the priorities outlined in Simpson's Community Plan 2012-2022.

The completion of significant projects for Simpson provides unequivocal evidence of the value to communities of committing time and effort to Council's community planning initiative. This value not only relates to project outcomes for communities and for Council, but to the building of the trust which is essential to productive partnerships to enhance the liveability and prosperity of Simpson.

Information only

RECOMMENDATION

That the Information Bulletin be received.

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

9. PLANNING REPORTS

Nil.

10. OFFICERS' REPORTS

10.1 Draft Council Plan 2017-2021

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D17/189

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

Council is required by the *Local Government Act 1989* to prepare and approve a four year council plan by 30 June 2017. This report provides Council with the opportunity to consider the draft Council Plan 2017-2021 prior to its release for public consultation.

Introduction

A council plan is a strategic document that reflects where the Council and community will be in four years' time and how it will achieve its intended outcomes. Before adopting its council plan, a council must give public notice of its intention to adopt the plan and invite public submissions.

The *Local Government Act* (the Act) prescribes that a council plan must include:

1. The strategic objectives of the Council.
2. Strategies for achieving the objectives for at least the next four years.
3. Strategic indicators for monitoring the achievement of objectives.
4. A strategic resource plan outlining the resources required to achieve the strategic objectives for at least the next four financial years.
5. Any other matters which are prescribed by the regulations.

Issues

The draft Council Plan 2017-2021 is the culmination of an extensive strategic planning process which has been conducted since the election of Council in October 2016. The draft Council Plan 2017-2021 includes:

1. A vision which describes the general direction and aspiration of the organisation.
2. A mission statement which defines its overall purpose.
3. The values of Council.

-
4. Key opportunities and challenges identified by Council.
 5. A commitment to community planning within Corangamite Shire.
 6. Six major themes containing a range of objectives and strategies that describe how the objectives will be achieved. The major themes are under the headings of:
 - (a) Governance and Financial Sustainability
 - (b) Roads
 - (c) Vibrant economy, agriculture and tourism
 - (d) Built and Natural Environment
 - (e) Safe and Healthy Communities
 - (f) Organisational Performance.
 7. Performance measures which will be used to monitor the achievement of the Council Plan.
 8. A Strategic Resource Plan which outlines our resource commitments for the next four years.
 9. An Annual Action Plan for 2017-2018 which describes the proposed actions, the persons responsible for performing them and required outcomes for the first year of the Council Plan.

The Annual Action Plan 2017-2018 is provided as an addendum to the Council Plan 2017-2021. The Strategic Resource Plan will be updated once the budget process is complete.

Policy and Legislative Context

Council is required under section 125 of the *Local Government Act* to prepare and approve a four year Council Plan by 30 June 2017. Council is required to advertise the draft Council Plan and call for public submissions in accordance with section 125 and section 223 of the Act.

Internal / External Consultation

The draft Council Plan 2017-2021 has been developed in consultation with Councillors and Council officers. Community consultation regarding the Plan will be conducted as part of the public submission process.

The Plan will be made available on Council's website and at all libraries within Corangamite Shire, as well as to interested persons upon request. Public submissions will be invited by public notice, with submissions to be received by 5.00 pm on 1 May 2017. A person is entitled to request in their submission that they appear in person at a meeting to be heard in support of their submission.

Following the period for public submissions, the Council Plan 2017-2021 will be presented to Council at a future meeting for approval.

Financial and Resource Implications

The Council Plan is supported by the Strategic Resource Plan and influences Council's budget.

Options

Council is required to prepare and approve a Council Plan by 30 June 2017.

Conclusion

The draft Council Plan 2017-2021 is a strategic document that reflects where the Council and community will be in four years' time and how it will achieve its intended outcomes. A public notice will be prepared to advertise the Plan and invite public submissions, with submissions due by 5.00 pm on 1 May 2017. Council will approve the Council Plan 2017-2021 at a future meeting.

RECOMMENDATION

That Council:

- 1. Endorses the draft Council Plan 2017–2021 for public exhibition.**
- 2. Invites submissions by public notice, in accordance with sections 125 and 223 of the *Local Government Act 1989*.**

COUNCIL RESOLUTION

***MOVED:* Cr Trotter**
***SECONDED:* Cr Illingworth**

That the recommendation be adopted.

CARRIED

Attachments

- 1. Draft Council Plan 2017-2021 - Under Separate Cover**

10.2 Use of Council Land Policy

Author: Lyall Bond, Manager Environment and Emergency

File No: D17/35

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Summary

This report recommends that Council adopt the Use of Council Land Policy, which has been reviewed in accordance with Council's Policy Development Framework and relevant legislation.

Introduction

This policy informs Council's Local Laws 2015 and outlines to the community the types of issues and considerations that may be associated with the use of Council land and what factors will be considered when an application is made to obtain a permit to use Council land.

The unauthorised use of Council land can pose a significant risk to Council and the community. The use of Council land (either authorised or unauthorised) tends to occur in locations where properties in private ownership adjoin Council land, are the subject of low maintenance regimes, and/or appear to be minimally used (such as road reserves and footpaths).

Some common forms of use include:

- closing roads
- festivals, processions, community markets or trading activity
- unregistered vehicle parking and materials storage, including bulk rubbish containers and fodder
- fencing or otherwise enclosing land and road reserves as part of an adjoining property
- construction of courts, pools, sheds and extensions to dwellings or commercial properties that traverse the property boundary onto Council land
- planting of vegetation, grazing and cultivation of crops
- signs (including real estate, a-frame and tear drop), sale of goods, footpath trading, street stalls and outdoor dining.

Council may provide written consent for a person to use Council land after a permit application has been provided to Council.

Issues

Council has a range of responsibilities to manage public land in the best interests of the community. To assist in providing direction for the management of Council land, Council has developed the Use of Council Land Policy. The policy provides guidance to officers and the community relating to:

- Grazing and Fences on Council Land
- Use of footpaths and urban areas
- Street Parties/Festivals, Processions, Community Markets and Road Closures
- The process for obtaining permits and
- Requirements for consideration of leases and licences.

This policy recognises the important role the use of Council land plays for adjoining businesses and the community. These uses typically include A-frame advertising signs, outdoors dining, festivals and grazing on roadsides.

Grazing on roadsides has the ability to provide a reduction in fine fire fuels and for some landowners form an important extension to the farming enterprise. Council will promote the sustainable use of Council land and actively encourage an increase in roadside grazing to reduce fire fuels. This will be achieved through increased promotion of the roadside grazing permit system, reduced fees for permits and education about the benefits to the wider community of removing fine fire fuels from roadsides.

Through the Use of Council Land Policy, Council has developed conditions for the issuing of permits. These conditions provide clear guidance to permit holders and ensure the safety of road users, prevent damage to Council property and native vegetation and reduce the damage to other farming enterprises and businesses.

As part of the review process the following changes are proposed for the Use of Council Land Policy 2017:

- Clarification of the land that the policy applies and Council's land management responsibilities.
- Updated references to the current Local Laws 2015.
- Allows alternative locations for the placement of tables and chairs on the footpath and
- Clarifies Council's responsibilities for land management where third party agreements are not in place.

Policy and Legislative Context

The policy aligns with the objectives and strategies in the Council Plan 2013 – 2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards.

Model contemporary standards of corporate governance and professional standards.

Advocate on behalf of our communities.

Ensure appropriate land use and development outcomes which make Corangamite more liveable.

The Use of Council Land Policy is an existing policy that has been reviewed internally. This policy is consistent with the provisions of the *Local Government Act 1989*, related legislation and Council policies and procedures.

Internal / External Consultation

The Chief Executive Officer, senior officers and staff have been consulted during the review of this policy.

Financial and Resource Implications

The implementation of this policy will be through existing Local Laws and other related Council budget resources.

Options

Council may adopt the Use of Council Land Policy March 2017 as presented or with amendment.

Conclusion

The revised Use of Council Land Policy will provide a clear and consistent approach to the use of Council land and the process required for the community to apply to use Council land.

RECOMMENDATION

That Council:

- 1. Revokes the Use of Council Land Policy dated November 2013**
- 2. Adopts the Use of Council Land Policy dated March 2017.**

COUNCIL RESOLUTION

MOVED: *Cr Brown*
SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Use of Council Land Policy
2. Use of Council Land Policy with tracked changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Council Policy Use of Council Land

Corangamite Shire

March 2017

Council Policy



Use of Council Land

Introduction

Corangamite Shire Council is committed to creating a safe, liveable community that considers the socially disadvantaged. This will be achieved by implementing a fair, predictable and consistent approach to the use of Council land.

The unauthorised use of Council land can pose a significant risk to Council and the community. Unauthorised uses may:

- Compromise the integrity and appearance of the land;
- Alienate land from public access and use;
- Impede management of the land including fire management;
- Create a risk to public safety;
- Reduce vision at intersections;
- Cause social inequity; and
- Create legal liability issues.

The use of Council land (either authorised or unauthorised) tends to occur in locations where properties in private ownership adjoin Council land, are the subject of low maintenance regimes and/or appear to be minimally used such as, road reserves and footpaths.

Unauthorised use of Council land can also be a significant problem particularly where there are rear and side laneways, crossovers to private property and in localities where trading activities extend into the existing pedestrian area.

Some common forms of unauthorised uses include:

- Closing roads;
- Festivals, processions, community markets or trading activity;
- Unregistered vehicle parking and materials storage, including bulk rubbish containers and fodder;
- Fencing or otherwise enclosing land and road reserves as part of an adjoining property;
- Construction of courts, pools, sheds and extensions to dwellings or commercial properties that traverse the property boundary onto Council land;
- Planting of vegetation, grazing and cultivation of crops;
- Signs (including real-estate, a-frame and tear drop), sale of goods, footpath trading, street stalls and outdoor dining.

Unauthorised use of Council land can vary in significance from major incursions through annexation of land or erection of structures to minor cases such as the erection of a small sign on a road reserve.

While some unauthorised uses are innocent mistakes many are intentional with the purpose of gaining additional land or access rights.

Purpose

To provide a clear and transparent policy direction for the many and varied forms of use of Council land, in order to actively reduce the number of occurrences and risks associated with unauthorised uses.

Scope

This policy applies to all land and associated assets owned by or under the care and control of Council that occur on road reserves and/or in public areas. The policy establishes that Council is actively seeking to reduce the incidents of and to minimise the risk to Council arising from unauthorised uses of Council land.

This policy excludes all Council owned and occupied land and buildings and where Council acts as Committee of Management on Crown Land (refer to Council's Property Leasing Policy). Council will retain management responsibility for land owned and/or occupied by Council where third party agreements have not been established.

Council has a responsibility under the *Local Government Act 1989 (as amended)* to ensure that community land under its ownership or care, control and management is set aside and managed appropriately.

Council also has responsibility to ensure that public roads are kept clear and safe for use by the public.

Definitions

Camping: a person will be deemed to be camping if sleeping overnight within a parked vehicle or any tent, annexure, awning or other facility erected or attached to a parked vehicle on Council land.

References

Local Government Act 1989

Corangamite Shire Local Laws No 1 and No 2 2015

Policy Detail

No person may destroy, damage, or interfere with Council land and/or assets without the written consent of Council.

Council may provide written consent to:

- Alter a water course, ditch, creek, gutter, drain, tunnel, bridge, levee, culvert, plants, trees or fence.
- Remove something.
- Place something on Council land (including fences, gates, hay bales, plants, tree limbs, bulk rubbish containers etc.).
- Allow trees or plants on his or her land to cause damage to or interference with Council land.
- Use a recreation vehicle on Council land, if that land has been set aside for the purpose by Council. Consent will not be issued for this activity if the land has not been specifically set aside for that purpose.
- Camp on Council land, unless such Council land has been specifically set aside for camping purposes.
- Conduct a circus, carnival or other similar event on any Council owned or controlled land. Consent requirements do not apply where the Council's planning scheme allows a circus or other similar event to be held subject to a planning permit being obtained.

- Erect a temporary electric fence on a road / road reserve for the purposes of removing excess grass which may constitute a fire hazard.
- Erect any fence or gate on a road / road reserve.
- Use a rural roadside for a purpose other than grazing.
- Erect signage of any type.
- Provide outdoor eating.
- Display goods for sale or undertake a trading activity.
- Hold a street festival, procession, community market.
- Close any part of a road or area normally open to the public and
- Any other activity or use which is considered to be suitable for the area and in accordance with Council Policy, Local Laws and/or community wellbeing.

If unauthorised use of Council land is identified the person/s currently making use of the land will be required to immediately apply for Council consent, unless the use of Council land is on a rural roadside, requires long term tenure, for a purpose other than grazing and a lease would better suit the needs of the Council.

Permits

No person may destroy, damage or interfere with Council land and/or assets without the written consent of Council. Council consent will typically be in the form of a local law permit. If the use is determined to be unsuitable by an authorised officer a permit will not be issued or if the unsuitable use is already occurring Council will immediately provide direction for the use to stop.

Applications for permits are required to be in writing on the prescribed form contained within *Councils Local Law 2009* and a permit fee will apply.

The consent/local law permit period operates from 1 January to 31 December unless cancelled by the permit holder or revoked by Council. All permits must be renewed annually and there will be no refund of permit fees if the permit is cancelled.

The permit holder will be responsible for providing evidence that he/she is covered by adequate public liability insurance for the use and associated issues that may arise with that use.

A person may be required at any time to stop the permitted use and/or remove all associated items if requested by an authorised officer. If this request is related to road maintenance or construction works, consent may again be provided when the works are completed.

Although generally discouraged a permit may be issued to allow the use of Council land outside a premises that is not occupied by the applicant. This type of application must be accompanied by written permission from the owner of that land and the proprietor if the property is a business. In this instance the applicant's public liability insurance must be extended to include this area.

Permits are not transferred when property ownership or management changes. A new permit must be applied for by the new owner or manager.

Council may revoke a permit should the permit holder fail to comply with any or all of the conditions contained in this form.

Permit holders will be responsible for any damage caused to the area and for reimbursing Council if reinstatement works are required to Council assets as a result of the permitted use.

Conditions of use will apply as determined by an authorised officer and will then be included as part of the consent/permit that is issued. It is policy that the authorised officer will at a minimum apply the relevant Specific Conditions of Use below and ensure that safety of the community is not impacted from the use.

Road Licencing/Leasing

If a use requires long term tenure and is for a purpose other than grazing and a licence or lease would better suit the needs of the Council, the person/s currently making use of land will be required do the following:

1. Apply to take out a licence or lease which is issued by Council to permit the activity for a term of not more than 5 years.
2. Pay a licence/lease fee annually as set by Council.
3. Activities to be carried out in accordance with a Land Use Plan approved by Council.
4. Demonstrate that the following criteria are considered and will be applied to the land where appropriate:
 - amenity of the area
 - visual impact
 - road user safety
 - public liability
 - area re-establishment at licence expiration.

No new use of road reserves for purposes other than grazing will be permitted without Council consent prior to commencement.

Specific Conditions of Use

Grazing and Fences on Council Land

Issuing a grazing permit for roadsides does not relieve the occupier of their statutory obligation to maintain at all times a stock-proof fence on the correct boundary of the property and to prevent stock from wandering at large on the road outside the permit area or grazing of stock outside the permitted grazing times. The following conditional also apply:

- The permit is granted for the purpose of fire hazard reduction only.
- Permit areas are to be fenced by a temporary electric fence, with a minimum of 2 wires and must be constructed to allow easy removal from the roadside when necessary.
- The temporary electric fence shall be kept stock-proof and shall be placed no closer than 5 metres from the centre of the carriageway (or as directed by an Authorised Officer).
- The fence is to be removed following a request to remove the fence from an Authorised Officer or Works Team Leader.
- The permit holder must ensure that the roadside specified in the permit be grazed to a height of 150mm or less to reduce the fire hazard during the fire restriction period.
- The area of road fenced in, as well as the strip between the temporary electric fence and the carriageways shall be kept free of noxious weeds, and the whole area must be maintained in a clean and tidy condition. No damage to native vegetation or to the roadside itself is permitted.
- Only dairy cattle, beef cattle, horses and sheep shall be permitted in the area enclosed by the temporary electric fence and such stock shall be removed from that area between sunset and sunrise.
- No bulls or pigs shall be permitted in the enclosed area at any time.
- Fences may be electrified between sunrise and sunset only. The permit holder must ensure that the fence is electrified and stock proof whenever stock are present on the area enclosed by the temporary electric fence and not electrified when no cattle are present.

- The applicant shall be responsible for any damage caused by the use to telecommunication or power transmission cables, whether above or below ground and if in doubt about the existence and position of such cables, should consult these authorities.
- The road shall not be over-grazed nor trampled into mud. All water channels and culverts enclosed by the temporary electric fence shall be kept, by the occupier, in good working order at all times.
- No silage, hay or other similar manner of feeding or storage shall be permitted on the road frontage.
- No fertiliser applications or cultivation is permitted.
- Any electric fence or portion thereof installed along a public road or highway, shall be identified by signs which shall be in the form of metal or plastic plates measuring not less than 150mm x 80mm having a bright yellow or red background on both sides and with the inscription "Electric Fence" on both sides using a block lettering not less than 20mm high, such signs to be placed at intervals of not less than one sign per 100 metres of fence.
- Grazing will only be permitted on roadsides from 1 September to 30 April. Special circumstances will be considered and may be permitted in writing by the Manager Environment and Emergency.

Urban Areas

The permit holder must ensure a Pedestrian Area along the footpath remains unobstructed for pedestrian movement which is at least 1.8 metres wide and 2.4 metres high. The Pedestrian Area is to ensure a continuous, accessible path of travel. No items of furniture including signs, planters, umbrellas and tables and chairs are permitted in this area.

In addition to maintaining the pedestrian area:

- Tables and chairs and any items associated with footpath dining must at all times be confined to the area adjacent to the kerb line unless approved by Council.
- All chairs should be positioned in a way that will prevent them from being backed into the pedestrian area.
- Permit holders are responsible for any litter generated by patrons of their footpath dining areas.
- Portable advertising signs (A- boards) should be located adjacent to the kerbside and be no greater than 900mm high by 600mm wide.
- Signs and goods for display must only be displayed during the businesses normal hours of operation.
- Signs and goods for display must not be affixed to any footpath, building, street furniture, pole or other structure.
- Inflatable signs, portable electric signs, illuminated and flashing signs are prohibited from the footpath.
- Goods for display should be kept to a minimum and preferably displayed against the kerbside.
- When goods are displayed against the building line, they should be kept as close as possible to the building, to ensure a clear pedestrian area.

Street Party/Festival, Procession, Community Markets or Road Closure

In determining whether to grant consent for a street party/festival, procession or road closure the Council must have regard to the impact on the community, road users and the effect on the amenity of the street.

To assist with determining the impact on the community and amenity impact, applications must be on the prescribed form and at a minimum include:

- The name, address and phone number of a nominated person through whom arrangements can be made.
- The group of people or the organisation on whose behalf the application is being made.
- The name (and sections) of streets which are sought to be closed including maps.
- The date and times for the road closure.
- VicRoads consent if the road closure requires the closure of a VicRoads controlled highway.
- A copy of the current insurance policy that specifically covers the proposed activity.
- Any other matter relevant to the application.

In determining whether to grant a permit or written consent for a street party/festival, procession, community market or road closure, Council must take into account:

- Whether land or road can be closed to vehicular or pedestrian traffic, or partly closed with safe and effective separation of vehicular traffic and use, patrons and equipment;
- Whether the agreement of Victoria Police, VicRoads and as required Ambulance Victoria has been obtained and their requirements met, including an appropriate traffic management plan;
- Whether all owners or occupiers of properties with any vehicular access via the section of road to be closed have been advised by letter and given seven (7) days to comment or object; and
- Any other matter relevant to the circumstances of the application.

Exemptions

Council may maintain nature strips that are considered a fire risk within the township area to reduce fire hazards, with one treatment per fire season. No permit will be required by adjoining landowners for the management of private nature strips within townships on a more frequent basis than is provided by Council. Areas that are determined to be of community benefit may be maintained more frequently at the discretion of Council.

Council may exempt any person or class of person/s or an authority from the need for a permit or the payment of a permit fee.

Review Date

November 2021

Human Rights

The policy gives regard to relevant legislation, principles of natural justice and procedural fairness, community values and Council's resource capacity.

It is considered that this policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

10.3 Cattle Underpasses Policy

Author: John Kelly, Manager Assets Planning

File No: D17/181

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - John Kelly

In providing this advice to Council as the Manager Assets Planning, I have no interests to disclose in this report.

Summary

This report recommends Council adopt the Cattle Underpasses Policy which outlines Council's policy for cattle underpasses throughout the Shire.

Introduction

Council's Cattle Underpasses Policy confirms the process for the establishment and ongoing maintenance of cattle underpasses under Council roads. Cattle underpasses enable property owners to move their cattle across roads which split their properties without having to interact with the vehicular traffic on these roads.

Issues

The establishment of cattle underpasses has a positive impact on road users, as the grade separation provides increased road safety and removes the threat of damage to the road from the movement of cattle.

This policy was last reviewed in 2013 and adequately details the roles and responsibilities of the property owner and of Council. There are no changes to the Policy recommended.

Policy and Legislative Context

The Cattle Underpasses Policy is a Council policy that has been reviewed in accordance with Council's Policy Development Framework.

The policy aligns with Council's Plan 2013-2017 as it supports the following commitments:

We will maintain a focus on the importance of our assets and infrastructure to underpin service delivery.

We will implement processes that ensure our infrastructure continues to meet the requirements of our community.

Internal / External Consultation

The Cattle Underpasses Policy is an existing policy that has been reviewed internally.

Financial and Resource Implications

Construction and maintenance of a cattle underpass and any costs associated with this are the responsibility of the property owner served by the underpass. Once the construction of a cattle underpass has been completed to Council's satisfaction, Council will take responsibility of the ongoing maintenance of the road formation and guardrail over the underpass.

In the event a cattle underpass becomes obsolete, it will be the responsibility of the property owner to remove the underpass and reinstate the road to its original condition.

Prior to the construction, a written agreement is to be entered into between the property owner and the Council confirming the above responsibilities.

State Government funding from the Cattle Underpass Scheme, which is administered by the Victorian Farmers Federation is currently available to property owners for establishing cattle underpasses. Grants of up to 33% of the value of the underpass cost with a maximum funding contribution of \$50,000 (+GST) are available to property owners.

Options

Council can opt to adopt the Cattle Underpasses Policy as proposed or choose to make amendments to the policy.

Conclusion

The proposed policy provides confirmation of Council's process for the proposed establishment and ongoing maintenance of cattle underpasses under Council roads.

RECOMMENDATION

That Council:

- 1. Revokes the Cattle Underpasses Policy dated September 2013.**
- 2. Adopts the Cattle Underpasses Policy dated March 2017.**

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*
SECONDED: *Cr McArthur*

That the recommendation be adopted.

CARRIED

Attachments

1. Cattle Underpasses Policy March 2017
2. Cattle Underpasses Policy with Track Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Cattle Underpasses Policy

Corangamite Shire
March 2017

Council Policy



CORANGAMITE
SHIRE

Cattle Underpasses

Purpose

The aim of this policy is to confirm Council's process for the proposed establishment and ongoing maintenance of cattle underpasses to individual properties.

Scope

This applies to cattle underpasses proposed to be constructed under local roads in Corangamite Shire.

Policy Detail

Council supports the construction of cattle underpasses as a means of improving road safety and limiting the damage resulting from the movement of cattle across its local roads.

All applications for Council approval to proposed cattle underpasses are to be directed to the Manager Assets Planning. The property owner will be responsible for obtaining all other approvals and/or permits required for the works.

Prior to construction, the proposed location and design of an underpass must be approved by the Manager Assets Planning. The structural design for the underpass is to have a certification from a suitably qualified engineer that it meets the appropriate Australian design standards. All underpasses must have a concrete floor and be capable of draining.

All costs directly and indirectly associated with the design and construction of the cattle underpasses will be the responsibility of the property owner.

Ongoing maintenance and repair of the underpass will be the responsibility of the property owner served by the underpass. Once the construction of the cattle underpass has been completed to Council's satisfaction, Council will take responsibility of the ongoing maintenance of the road formation and guardrail over the underpass.

In the event a cattle underpass becomes obsolete it will be the responsibility of the property owner to remove the underpass and reinstate the road to its original condition.

Prior to the construction, a written agreement is to be entered into between the property owner and the Council confirming the above responsibilities.

Human Rights

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

Review Date

March 2020

10.4 Road Opening Works Permit Policy

Author: John Kelly, Manager Assets Planning

File No: D17/183

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - John Kelly

In providing this advice to Council as the Manager Assets Planning, I have no interests to disclose in this report.

Summary

This report recommends Council adopt the Road Opening Works Permit Policy which outlines Council's policy for issuing Road Opening Works Permits.

Introduction

Council's Road Opening Works Permit Policy sets out the requirements relating to the issue of permits for any proposed works within road reserves for which Council is the responsible authority.

Issues

This policy applies only to notifications of works in road reserves from individuals, developers and contractors. Service utilities' consent and notifications for works in the road reserves are covered under the *Road Management Act 2004* and its Code of Practice.

This policy does not apply to vehicle crossing works. Council has a separate policy to deal with the application for vehicle crossings.

The Assets Planning Department of Council is responsible for managing the permit system for the works performed, for undertaking pre-work and post-work inspections of these works and seeking for rectification works to be undertaken where required.

The individual undertaking the work on the road reserve is responsible for obtaining a permit from Council prior to works commencing, and reinstating the area within the reserve affected by the works in accordance with the conditions accompanying the permit and the relevant Council standards.

This policy was last reviewed in 2013. There are no changes to the Policy recommended.

Policy and Legislative Context

The Road Opening Works Permit Policy is a Council policy that has been reviewed in accordance with Council's Policy Development Framework.

The policy aligns with Council's Plan 2013-2017 as it supports the following commitments:

We will maintain a focus on the importance of our assets and infrastructure to underpin service delivery.

We will implement processes that ensure our infrastructure continues to meet the requirements of our community.

This policy is in line with Council's General Local Law 2015 (Local Law No.1) – Clause 29 Occupation of the Roads for Works and Clause 30 Reinstatement Works.

Internal / External Consultation

The Road Opening Works Permit Policy is an existing policy that has been reviewed internally.

Financial and Resource Implications

Any costs associated with the works within the road reserve and the reinstatement of any part of the road damaged or affected by the works is the responsibility of the permit applicant. Council's fees and charges for a road opening permit is \$101 and is reviewed annually as a part of the fees and charges schedule.

Options

Council can opt to adopt the Road Opening Works Permit Policy as proposed or choose to make amendments to the policy.

Conclusion

The proposed policy sets out the requirements for the issuing of Road Opening Works Permits for works carried out in road reserves for which Council is the responsibility authority.

RECOMMENDATION

That Council:

- 1. Revokes the Road Opening Works Permit Policy dated November 2013.**
- 2. Adopts the Road Opening Works Permit Policy dated March 2017.**

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*

SECONDED: *Cr Brown*

That the recommendation be adopted.

CARRIED

Attachments

1. Road Opening Works Permit Policy March 2017
2. Road Opening Works Permit Policy with Track Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Road Opening Works Permit Policy

Corangamite Shire

March 2017

Council Policy



CORANGAMITE
SHIRE

Road Opening Works Permit

Purpose

The purpose of this policy is to set out the conditions relating to the issue of permits for any proposed works, within the road reserves for which Council is the responsible authority.

Scope

This policy applies only to notifications from individuals, developers and contractors. It does not apply to vehicle crossing works.

Service utilities' consent and notifications for works in the road reserves are covered under the *Road Management Act 2004* and its Codes of Practice.

References

General Local Law 2015 (Local Law No.1) – Clause 29 Occupation of the Road for Works and Clause 30 Reinstatement Works.

Road Management Act 2004 and Codes of Practice

Policy Detail

The Assets Planning Department of Council is responsible for:

- Managing the permit system for works performed by others within Corangamite Shire road reserves for which it is the responsible authority.
- Performing post-work inspections of the Council's assets and recording any damage not present in the pre-work inspection.
- Notifying the applicant in writing of rectification works that may be required, requesting that such rectification works be carried out within 30 days.
- Overseeing the rectification works to ensure that they comply with Council's standards
- Where rectification is not carried out as requested arrange for the works to be done and for the cost to be charged to the applicant.

The applicant is responsible for

- Obtaining a permit from Council prior to the commencement of any works to be carried within the reserve of roads for which Council is the responsible authority.
- Notifying the Council of the proposed works within the road reserve a minimum of 3 days prior to the commencement of works.
- Informing the Council of any damage to the Council's assets prior to the works commencing.
- Notifying the Council of any changes to the proposed works or design drawings prior to commencement.
- Undertaking the works in accordance with the permit and its accompanying conditions and relevant Council standards.
- Reinstating any part of the road damaged or affected by the works in accordance with the conditions accompanying the permit.
- Notifying the Council when the work is completed for the purpose of conducting a final inspection.

-
- Undertaking any further rectification works required to the satisfaction of Council.

Applications for permits are required to be in writing on the prescribed form. A permit fee will apply.

Human Rights

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

Review Date

March 2020

10.5 Vehicle Crossings Policy

Author: John Kelly, Manager Assets Planning

File No: D17/184

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - John Kelly

In providing this advice to Council as the Manager Assets Planning, I have no interests to disclose in this report.

Summary

This report recommends Council adopt the Vehicle Crossings Policy which sets out the Council guidelines for approving the construction of vehicle crossings to properties from roads within Corangamite Shire for which Council is the responsible road authority

Introduction

This policy ensures that owners of land have a properly constructed and maintained vehicle crossing at each point of vehicular access. The policy takes into account pedestrian and road traffic safety, vegetation and open spaces for streetscape planting, the character of the local residential area, stormwater drainage network and on street parking availability.

Issues

This policy provides detailed responsibilities and guidelines for the construction of vehicle crossings both in a rural and urban setting.

No person may, without a permit from Council, construct, install, remove or alter a vehicle crossing, whether temporarily or permanently.

All urban and rural vehicle crossings must meet Council's specific design requirements outlined in the policy. These design requirements are consistent with those set out in the Infrastructure Design Manual (IDM) which is a document of standards for the design and development of municipal infrastructure. The IDM was developed and is now actively maintained by a large collective of councils throughout Victoria of which Corangamite Shire is a participant.

Rural vehicle crossings being constructed or modified for truck access are to be designed in accordance with the VicRoads publication "Guidelines for Truck Access to Rural Properties" April 2006.

Several changes to the policy are recommended to have it consistent with the design requirements of the IDM. These changes include:

- Added reference to IDM standard drawings for vehicle crossings

- An added note that at rural vehicle crossings an all weather swale crossing is permitted in lieu of culverts where the depth of the table drain is less than 350mm depth and where it can be safely and conveniently negotiated by standard cars.
- An alteration that the culvert in a rural crossing is to have an invert of 150mm in lieu of 25mm lower than the invert of the table drain.
- An added condition that the hydraulic capacity of the culvert is to be such that at the crossing no water may encroach on the edge of the shoulder on sealed roads or the edge of gravel on gravel roads.

Policy and Legislative Context

The Vehicle Crossings Policy is a Council policy that has been reviewed in accordance with Council's Policy Development Framework.

The policy aligns with Council's Plan 2013-2017 as it supports the following commitments:

We will maintain a focus on the importance of our assets and infrastructure to underpin service delivery.

We will implement processes that ensure our infrastructure continues to meet the requirements of our community.

This policy is in line with Council's General Local Law 2015 (Local Law No.1) – Clause 25 Vehicle Crossings.

Internal / External Consultation

The Vehicle Crossings Policy is an existing policy that has been reviewed internally by officers from Council's Asset Planning and Works Departments.

Financial and Resource Implications

Construction and maintenance of a vehicle crossing and any costs associated with this are the responsibility of the property owner served by the crossing.

A fee of \$101 applies to the application for a Vehicle Crossing Permit. This fee is set as a part of the fees and charges scheduled set by Council during the budget development.

Options

Council can opt to adopt the Vehicle Crossings Policy as proposed or choose to make amendments to the policy.

Conclusion

The proposed policy sets out the Council guidelines for approving the construction of vehicle crossings to properties from roads within Corangamite Shire for which Council is the responsible road authority.

RECOMMENDATION

That Council:

1. **Revokes the Vehicle Crossing Policy dated November 2013.**
2. **Adopts the Vehicle Crossings Policy dated March 2017.**

COUNCIL RESOLUTION

MOVED: *Cr Trotter*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

Attachments

1. Vehicle Crossings Policy March 2017
2. Vehicle Crossings Policy with Track Changes - Under Separate Cover



**CORANGAMITE
SHIRE**

Vehicle Crossings Policy

Corangamite Shire

March 2017

Council Policy



CORANGAMITE
SHIRE

Vehicle Crossings

Purpose

The purpose of this Policy is:

- To ensure that the owner of land has a properly constructed and maintained vehicle crossing at each point of vehicular access from a carriageway on a local Corangamite Shire road to the land, and
- To set out Council guidelines in relation to approving the construction of vehicle crossings to properties from roads within the Corangamite Shire for which Council is the responsible road authority.

Scope

This policy applies to all owners of land.

References

General Local Law 2015 (Local Law No.1) – Clause 25 Vehicle Crossings.

Infrastructure Design Manual - Section 12.9

VicRoads' "Guidelines for Truck Access to Rural Properties" April 2006

Policy Detail

This policy has been developed taking into account:

- **Pedestrian Safety:** To minimise the number of locations where a vehicle is required to cross a footpath into a street, and as such, enhance pedestrian safety.
- **Open Spaces / Vegetation:** To minimise the number of vehicle crossings so as to reduce the paved area within nature strips and private garden areas so as to provide better opportunities for streetscape planting.
- **Character of Area:** To maintain and enhance character of local residential area in terms of building setbacks, garden areas, fencing and paving materials.
- **Drainage:** To minimise the amount of stormwater run off from impervious area from within private property and to ensure unimpeded flow for existing roadside drainage.
- **On Street Parking:** To ensure that local residents, business and industry have the best possible access to limited available on street vehicle parking.
- **Traffic Safety:** To maximise traffic safety by ensuring that the new or modified crossing does not conflict with road traffic and visibility, is not a pedestrian hazard, and that the crossing is sufficient and suitable to provide safe manoeuvre of vehicles in and out of the property.

Standard Provisions Applying To Vehicle Crossings

- The owner of land must ensure that each point of vehicular access from a road to the land has a properly constructed and maintained vehicle crossing in accordance with this policy.
- No person may, without a permit from Council, construct, install, remove or alter a vehicle crossing, whether temporarily or permanently.
- Applications for permits are required to be in writing on the prescribed form. A permit fee will apply.
- All crossings must meet Council's approved designs and specifications (which are available on request) and are to be constructed by a qualified contractor.

- A 1.5m spacing is to be established between a new vehicle crossing and other road assets and furniture e.g. power poles, pits, trees etc. Approval must be obtained from the relevant Authority for the relocation, alteration or removal of any street tree, street furniture, power pole, drainage pit or other council and/or Public Authority asset, which is required as a result of a crossing approval. Any agreed relocation, alteration or removal will be at the applicants' cost.
- If a crossing impacts on traffic safety and warrants traffic management treatment, then any such works will be at the applicant's expense.
- Crossings shall be designed and located so as to minimise the loss of on-street parking and to avoid the creation of gaps between crossings of less than 9 metres.
- Prior to the commencement of vehicle access works the applicant is to advise Council of any existing damage to road assets eg footpath, kerb and channel. Any damage incurred as a result of the vehicle access works is to be rectified to Council's satisfaction by the applicant at his or her expense.
- The maintenance of a vehicle crossing including associated culverts shall be the responsibility and at the cost of the property owner/applicant.

Urban Vehicle Crossing Specifics

- The maximum number of vehicle crossings to a residential property is two (2) crossings.
- The maximum number of crossings to a residential property, where any crossing exceeds 3.5m width, shall be one (1) crossing with a maximum width of that crossing to be 6.0m.
- The desirable width of a crossing is 3.0m. The minimum acceptable width is 2.75m.
- Crossings to adjacent properties shall be either fully combined, and of maximum width of 6.0m, or else have a minimum separation of 9m.
- Vehicle crossings to residential corner allotments are to be located a minimum of 6m from the intersection of road reserves and 2m clear of pedestrian kerb crossings.
- Driveways in areas with existing footpaths and kerbed roadway shall be in accordance with Infrastructure Design Manual standard drawings for residential vehicle crossings.
- Culvert crossings in urban streets with kerb and channel, are not generally supported. Where such a crossing is considered the only option, an application will be considered on its individual merits and is to have regard to this policy.

Rural Vehicle Crossing Specifics

- All rural vehicle access crossings shall include a culvert unless either the location of the access is at an obvious high point or is where an all weather swale crossing can be accommodated as detailed below. All culverts shall have an endwall at each end of the pipe. Driveable endwalls shall be used wherever the culvert/endwall is located within the road safety hazard clear zone.
- In flat terrain the minimum size pipe is 375mm diameter in rural and rural living zones, and pipes shall be laid such that the pipe invert is 150mm lower than the invert of the table drain and is to have a minimum of 1 in 100 fall.
- In steeper terrain the minimum pipe size is 300mm diameter where steeper grades reduce the risk of silting and blockage.
- An all weather swale crossing can be used in lieu of a culvert where the depth of the table drain is less than 350mm and where it can be safely and conveniently negotiated by standard cars.
- The crossing shall not enter the carriageway above the existing level of the road shoulder.
- The hydraulic capacity of the culvert is to be such that at the crossing no water may encroach on the edge of the shoulder on sealed roads or the edge of gravel on gravel roads.

Truck Access to Properties

- Rural vehicle crossings to be constructed or modified for the access of trucks are to be designed in accordance with the VicRoads publication "Guidelines for Truck Access to Rural Properties" April 2006.
- Urban vehicle crossings established for truck access are to be constructed in accordance with the Infrastructure Design Manual standard drawing for industrial driveways.

Temporary Vehicle Crossings

- Temporary crossings associated with building or construction work are to be provided for protection to Council assets such as the road, kerb and channel, drains, footpath within the road reserve where there is a risk of damage to these assets.
- Temporary crossings shall be constructed to the satisfaction of Council.
- Such crossings shall be maintained in good order by the person responsible for the works and be removed when building or construction works have been completed.

Redundant Vehicle Crossings

- Where works on a property involve the relocation or closure of a point of vehicular access, any redundant part of a vehicle crossing must be removed and the kerb, drain, footpaths, nature strip or other part of the road be reinstated to the satisfaction of the Council, and is at the owner's responsibility and cost. Such works shall be completed within one (1) month of completion of the new crossing.
- The Council may require the owner or occupier of a property to remove any part of or all of a vehicle crossing for which there is no effective point of vehicle access and to reinstate the road.

Human Rights

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

Review Date

March 2020

10.6 Business Continuity Policy Review

Author: Michele Stephenson, Manager Human Resources/Risk

File No: D17/180

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Michele Stephenson

In providing this advice to Council as the Manager Human Resources/Risk, I have no interests to disclose in this report.

Summary

The Business Continuity Policy (the Policy) defines Council's approach to business continuity management, and the principles by which business continuity plans will be developed and maintained. The Policy informs the development of the Business Continuity Framework. The Policy has been reviewed by the Human Resources/Risk team, and endorsed by the Audit Committee, without amendment.

Introduction

Business continuity planning establishes cost-effective treatments to address disruptions to the delivery of services. It deals with undesirable events and the actions required to maintain the provision of services. To this extent Council's Business Continuity Framework complements Council's risk management practices which deals with the possibility of an occurrence of an undesirable events that may occur and the analysis and pro-active treatment of such events.

Issues

The Policy was developed on the AS/NZS Standards - 5050:2010 Business Continuity: Managing Disruption Related Risk and AS/NZS ISO 31000:2009 Risk Management: Principles and Guidelines.

The Policy:

- Details how disruption related (business continuity) risk is to be addressed
- Stipulates that the Business Continuity Framework will be reviewed and tested regularly
- Details accountabilities and responsibilities.

The Policy and BCP Framework were developed in 2014 and reviewed in December 2016, in accordance with the biennial review scheduled in the Audit Committee's Annual Work Plan. The Policy was endorsed by the Audit Committee in December without amendment.

Policy and Legislative Context

Development of the Policy is in accordance with the Council's Audit Committee's Annual Work Plan and the following commitments in the 2013-2017 Council Plan:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Model contemporary standards of corporate governance and professional standards.

The Policy informs the development of a Business Continuity Plan which is a governance performance measure of the Local Government Performance Reporting Framework. The absence of a Policy may also adversely impact future insurance premiums.

Internal / External Consultation

Development of the initial Policy commenced in July 2014, with an organisational Business Impact analysis developed in consultation with the Leadership Group. These outcomes informed the development of the draft Business Continuity Framework and Policy which were presented to Council's Leadership Group in November 2014 and subsequently presented to Council's Audit Committee in December 2014 and adopted by Council in February 2015. The Committee reviewed the Policy in December 2016 and recommends Council adoption without amendment.

Financial and Resource Implications

There are no financial or resource implications as a consequence of this report.

Options

Council may choose to adopt the Business Continuity Policy with or without amendment. Alternatively, Council may choose not to adopt the Business Continuity Policy.

Conclusion

The Business Continuity Policy addresses the response, recovery and restoration of Council operations and business activities during a business disruption event. For effective business continuity in an organisation, the support and commitment at the highest level is necessary. For this reason, adoption of the Policy by Council is recommended

RECOMMENDATION

That Council:

1. **Revokes the Business Continuity Policy dated February 2015**
2. **Adopts the Business Continuity Policy dated March 2017.**

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

Attachments

1. Policy Council Business Continuity March 2017

Mr John Kelly left the meeting at 7.38 pm.



Business Continuity Policy

Corangamite Shire Council

March 2017

Council Policy

Business Continuity



Introduction

Business Continuity Management (BCM) establishes cost-effective treatments within the Corangamite Shire Council Risk Management Framework to address disruptions to the delivery of services. As such, it deals with undesirable event(s) which have occurred and the action required to maintain the provision of services. To this extent, it complements the overall risk management process which deals with the possibility of occurrence of undesirable events (including outages) that may occur, and the analysis and pro-active treatment of such events.

Purpose

This policy defines Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained. This policy is supported by the Business Continuity Framework which provides the mechanism for the development of contingent capacity and associated plans.

Scope

This policy applies to all functions of Council. Critical functions will have a Business Continuity Disruption Response & Recovery (DRR) (BCP) Plan to enable efficient and effective resumption of services.

Definitions

- **Risk** – The chance that an event will occur that will impact upon the Council's objectives as defined in the Council Plan. It is measured in terms of consequence and likelihood.

References

- Local Government Act 1989
- AS/NZS ISO 31000:2009 Risk management – Principles and guidelines
- AS/NZS 5050 Business Continuity – Managing Disruption-Related Risk Standard
- Corangamite Shire Council Plan

Policy Detail

Business Continuity Management (BCM) is an important element in Council's overall approach to risk management and deals specifically with disruption related risks. These risks are addressed through application of the Business Continuity Framework through which:

- critical functions affecting the provision of services are identified,
- realistic and EXTREME disruption scenarios are defined,
- procedures to effectively and efficiently deal with disruptions are detailed,
- key organisational positions/personnel responsible for the implementation response and recovery plans are detailed.
- high priority services and operations, which in the event of a disruption must be re-established as quickly and efficiently as possible are detailed.
- communication procedures to ensure stakeholders (public, staff and council) receive appropriate and timely information are detailed.

Adopted at Council on:

Directorate: Corporate & Community Services

Agenda Item:

To be reviewed by: March 2019

Responsibility: Manager Human Resources/Risk

Policy Number: CORCOM15.00

File Number:

Page Number: 2

Corangamite Shire Council Policy – Business Continuity

- relevant resources & services required to effectively implement Disruption Response & Recovery (DRR) plans are detailed.

The Corangamite Shire Business Continuity Framework is to be based on the standard AS/NZS 5050:2010, Business Continuity- Managing disruption.

Monitoring and Reporting

Business Continuity Plans will be reviewed and tested regularly. Review and testing of the DRR Plan is carried out under the authority of the CEO using the Business Continuity Framework.

Policies and Procedures. This policy should be read in conjunction with the Corangamite Shire Council Risk Management Framework health, safety and risk related policies and procedures.

Statement of Consistency. It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Accountabilities and responsibilities

- **Audit Committee.** Receive status reports and provide direction on strategic risk management processes incorporating the Disruption Response & Recovery (DRR) (BC) Plan.
- **Chief Executive Officer.** Provide overall direction for business continuity management across all areas of Council's business. Act as Chairman of the Disruption Management Committee (as defined in the BC Framework).
- **Directors.** Enact the Disruption Response & Recovery (BC) Plan when required. Facilitate and provide direction during prevention, preparedness and recovery phases (as defined in the BC Framework).
- **Director Corporate & Community Services.** Coordinate business continuity planning and testing. Act as Disruption Management Team Leader (as defined in the BC Framework).
- **Manager HR/RM.** Develop and maintain Business Continuity framework including the BCP. Conduct BCP testing and maintain BCP records.
- **Risk Management Coordinator.** Maintain the Corporate Risk Register (as defined in the Risk Management Framework) inclusive of those Business Continuity related risks.
- **Managers.** Review Business Impact Analysis findings for areas of responsibility to ensure disruption prevention and preparedness. Develop and implement the DRR (BC) Plan if required to ensure critical services are resumed efficiently and effectively following a significant disruption.

Further accountabilities and responsibilities are detailed in the Business Continuity Framework as part of the overall Risk Management Framework.

Adopted at Council on:
Agenda Item:
Responsibility: Manager Human Resources/Risk
File Number:

Directorate: Corporate & Community Services
To be reviewed by: March 2019
Policy Number: CORCOM15.00
Page Number: 3

Corangamite Shire Council Policy – Business Continuity

Review Date

This policy will be reviewed in 2019, or earlier as required by changing circumstances, including changes to legislation and policies.

Adopted at Council on:

Agenda Item:

Responsibility: Manager Human Resources/Risk

File Number:

Directorate: Corporate & Community Services

To be reviewed by: March 2019

Policy Number: CORCOM15.00

Page Number: 4

10.7 Municipal Emergency Management Plan 2017-2020

Author: Lyall Bond, Manager Environment and Emergency

File No: D17/130

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to endorse the Corangamite Shire Municipal Emergency Management Plan 2017-2020 (attached under separate cover).

Introduction

In accordance with legislation Council has established a Municipal Emergency Management Planning Committee. This committee is responsible for developing and adopting a Municipal Emergency Management Plan (MEMP), ensuring implementation of the actions within the MEMP and monitoring the effectiveness of those actions.

The Corangamite MEMP is deemed to meet the *Emergency Management Act 1986* requirements for each council to have and maintain a Municipal Emergency Management Plan.

The existing Corangamite MEMP was endorsed by Council for a three year period until 2018. The MEMP has been reviewed to comply with recent legislative changes and recommendations from the external audit process. The MEMP 2017-2020 is presented as the next iteration of that plan.

Issues

The Corangamite MEMP describes how Council, emergency agencies, and relevant authorities and organisations collaborate and contribute to minimising the social, economic and environmental impact of emergencies within the Corangamite Shire.

In the 2 years since the existing MEMP was endorsed the following legislative amendments have occurred:

- Expanded Incident Controller Definition
- The addition of the Incident Emergency Resource Coordinator position
- The name change to Incident Emergency Management Team and Initial Impact Assessment.
- Update to escalation arrangements.
- The removal of the requirement to host a Municipal Emergency Coordination Centre that includes external agencies. This will still be used for managing Council's response and recovery needs.

- Insert the new SES risk assessment process and associated heat map.
- Remove the agricultural recovery environment.

Other changes to the MEMP include compliance with advice from the audit process. These are:

- A statement that Council use Crisisworks software for relief and recovery.
- A statement that no community sirens or refuges are in place within the municipality.

The MEMP is based on the results of the CERA (Community Emergency Risk Assessment) process, a detailed risk review process undertaken by the committee. The major risks identified in the Corangamite Shire MEMP include Large Bushfire, Earthquake, Major Flood, Heatwave, and Storm. These risks are supported by following sub plans

- Municipal Fire Management Plan (Strategic Fire Management Plan Otway District)
- Neighbourhood Safer Places – Bushfire Last Resort Plan
- Municipal Flood Emergency Plan
- Municipal Heatwave Plan
- Pandemic Plan
- Municipal Recovery Plan.

While the development of the MEMP is facilitated by Council, the MEMP is the responsibility of the Municipal Emergency Management Planning Committee. This committee is made up of relevant emergency management agencies, authorities and groups, including land managers and key asset managers.

In accordance with the process prescribed by Emergency Management Victoria, the MEMP has been reviewed and amended by the multi-agency Corangamite Municipal Emergency Management Planning Committee. The Municipal Emergency Management Planning Committee adopted the Municipal Emergency Management Plan 2017-2020 with a recommendation to refer the plan to Council for endorsement.

Policy and Legislative Context

The *Emergency Management Act 1986* requires municipal councils to prepare and maintain a Municipal Emergency Management Plan. The Municipal Emergency Management Plan must contain provisions:

- Identifying municipal resources (both owned by or under the direct control of the municipal council) for use in emergency prevention, response and recovery.
- Specifying how those resources are to be used for emergency prevention, response and recovery.

Ensuring that Council's MEMP is prepared in accordance with the requirements of the *Emergency Management Act 1986* is a key undertaking which is consistent with Council's objective to 'provide a leadership, planning and coordination role in Emergency Management'.

Internal / External Consultation

During the drafting of Council's Municipal Emergency Management Plan 2017-2020, input was sought from the Corangamite Shire Municipal Emergency Management Planning Committee. At the Municipal Emergency Management Planning Committee meeting held on 3 August 2016, a motion was passed recommending that the Municipal Emergency Management Plan 2017-2020 be adopted and presented to Council for endorsement.

Financial and Resource Implications

There are no additional financial implications for Council in adopting the Municipal Emergency Management Plan 2017-2020.

Options

Council may choose to endorse the Corangamite Municipal Emergency Management Plan 2017-2020 as presented. Alternatively, Council may choose to return the document to the Municipal Emergency Management Planning Committee for amendment prior to endorsement.

Conclusion

The existing Corangamite Shire Municipal Emergency Management Plan requires updating to include recent legislative amendments within the emergency management field, governmental changes and recommendations from the most recent audit process.

In accordance with the requirements prescribed by the Emergency Management Manual Victoria, the new MEMP has been developed and reviewed by the multiagency Municipal Emergency Management Planning Committee.

The Corangamite Municipal Emergency Management Plan 2017-2020 is a strategic multi-agency document which aims to improve community safety within Corangamite Shire.

Once the Municipal Emergency Management Plan has been endorsed it will replace the existing document and be available for implementation by agencies and Council until 2020.

RECOMMENDATION

That Council endorses the Corangamite Municipal Emergency Management Plan 2017-2020.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*
SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Corangamite Municipal Emergency Management Plan 2017-2020 - Under Separate Cover - Confidential

10.8 Strategic Fire Management Plan Otway District 2017-2020

Author: Lyall Bond, Manager Environment and Emergency

File No: D17/131

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to adopt the Municipal Fire Management Plan known as the Strategic Fire Management Plan Otway District 2017-2020 (attached under separate cover).

Introduction

In accordance with legislation, Council has established a Municipal Fire Management Planning Committee as a sub-committee of the Municipal Emergency Management Planning Committee. This committee is responsible for developing a municipal fire management plan. The *Country Fire Authority Act 1958 (CFA Act 1958)* requires each municipal district within a CFA area to develop a municipal fire prevention plan. The Strategic Fire Management Plan Otway District 2017-2020 is deemed to meet the requirements of a fire prevention plan in accordance with the *CFA Act 1958*.

The Strategic Fire Management Plan Otway District 2017-2020 describes how Council, fire agencies, relevant authorities and organisations collaborate and contribute to minimising the social, economic and environmental impact of significant fires within the Corangamite Shire on public and private land.

The current Corangamite Fire Management Plan was endorsed by Council for an 18 month period until June 2017.

Issues

The existing Fire Management Plan will expire and therefore Council is required to adopt a fire prevention plan to ensure Council meets its legislative responsibility.

In March 2015, the Emergency Management Commissioner directed fire committees to await the release of the State Fire Mitigation Plan prior to undertaking a comprehensive review of municipal fire management plans. The State Fire Mitigation Plan has not yet been released. Emergency Management Victoria (EMV) has requested fire committees to extend the life of existing Municipal Fire Management Plans by undertaking a minor review to remove any gross errors and ensure the plans remain current.

It has been identified that improvements can be made to the current fire management planning model used across Victoria. EMV is investigating more suitable models for future fire management plans. Corangamite Shire is part of a collaboration with Colac Otway and Surf Coast Councils, called the Otways District Bushfire Planning Collaboration and have also been investigating potential planning and reporting opportunities for the future. EMV has encouraged the Otways District Bushfire Planning Collaboration to progress development of a new fire planning model that is suitable for the three councils and will be considered by EMV as a possible model for across the state.

With the support of EMV, the new fire management plan, consists of a strategic front end across Corangamite, Surf Coast and Colac Otway Shires, coupled with a suite of operational modules which sit underneath and deal with specific risks and treatments at the community level.

This plan is a strategic level document which provides strategic directions. As part of the development of this plan, a prioritised list of actions was prepared for each strategic direction – this document is referred to as the Work Programming Guide within the body of the plan. Further development of the Work Programming Guide will be undertaken following adoption of the Plan; each MFMP will determine its own priorities and accountabilities for delivery of actions to achieve the strategic directions of the Plan. In addition, within six months of the plan adoption, each MFMP will develop its own monitoring, evaluation, reporting and improvement plan (MERI plan), which collectively will constitute the MERI plan for this Strategic Plan.

Implementation of the current Municipal Fire Management Plan is well progressed with approximately 90% of actions either completed or ongoing. Any actions which continue to be relevant will be carried forward into the action list associated with the new plan or its future subsidiary plans.

Policy and Legislative Context

Authority for the Strategic Fire Management Plan Otway District 2017-2020 is derived from the *Emergency Management Act 1986* and from the *Country Fire Authority Act 1958*. The Fire Management Plan incorporates the requirements for municipal fire management planning as prescribed in the *Emergency Management Manual Victoria (EMMV)*, as well as that for municipal fire prevention planning required by the *Country Fire Authority Act 1958*.

Ensuring that Council's Municipal Fire Management Plan is prepared and adopted in accordance with legislation is consistent with Council's objective to 'provide a leadership, planning and coordination role in Emergency Management'.

Internal / External Consultation

In accordance with the direction prescribed by the Emergency Management Commissioner Victoria, the new plan has been reviewed by the multi-agency Corangamite Municipal Fire Management Planning Committee, the Corangamite Municipal Emergency Management Planning Committee and the Barwon South West Regional Fire Management Planning Committee. All recommendations made and endorsed by those committees have been incorporated in the plan. All three committees have endorsed the updated plan to Council for adoption.

Engagement for the plan has been limited to members of the multi-agency Municipal Fire Management Planning Committee, the Municipal Emergency Management Planning Committee and the Barwon South West Fire Management Planning Committee.

Community engagement will be a significant feature of the new planning model, which will apply community led planning principles to the development of township resilience plans for high risk communities.

Financial and Resource Implications

There are no additional financial implications for Council in adopting the Strategic Fire Management Plan Otway District 2017-2020

Options

Council may choose to adopt the Strategic Fire Management Plan Otway District 2017 – 2020 as presented. Alternatively, Council may want to return the document to the Municipal Emergency Management Planning Committee and Municipal Fire Management Committee for amendment prior to endorsement.

If Council chooses not to adopt the plan prior to the expiration of the existing plan, the objective of current legislation/policy will not be met and Council will be exposed to considerable liability.

Conclusion

The existing Corangamite Shire Municipal Fire Management Plan is due to sunset in June 2017. Council need to consider adoption of the new Strategic Fire Management Plan to ensure Council meets its legal responsibility to have an endorsed fire plan.

In accordance with the process prescribed by Emergency Management Victoria, the new plan has been reviewed by the multiagency Corangamite Municipal Fire Management Planning Committee, the Corangamite Municipal Emergency Management Planning Committee and the Barwon South West Regional Fire Management Planning Committee.

RECOMMENDATION

That Council adopts the Strategic Fire Management Plan Otway District 2017-2020.

COUNCIL RESOLUTION

MOVED: *Cr Durant*
SECONDED: *Cr Trotter*

That the recommendation be adopted.

CARRIED

Attachments

1. Strategic Fire Management Plan Otway District - Under Separate Cover

10.9 Submission to the Flora and Fauna Guarantee Act 1988 Consultation Paper

Author: Lyall Bond, Manager Environment and Emergency

File No: D17/187

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to consider its submission to the *Flora and Fauna Guarantee Act 1988 Consultation Paper* which details proposed changes to the *Flora and Fauna Guarantee Act 1988*.

Introduction

The State Government has recently undertaken targeted consultation with stakeholders, with the intention of reviewing and updating the *Flora and Fauna Guarantee Act 1988* (the Act). The review and consultation process considered how the Act has been functioning since its introduction, previous reforms and future needs for vegetation and habitat protection across Victoria.

The *Flora and Fauna Guarantee Act 1988 Consultation Paper* is publically available through the *State Government Engage Victoria website*. Submissions have been extended and now close on 28 March 2017. Council has notified the State Government that its submission will be provided after this date to allow the submission to be considered by Council.

Issues

The *Flora and Fauna Guarantee Act 1988 Consultation Paper* contains a number of potential improvement areas which will impact local government and the Corangamite community. The consultation paper is part of a number of legislative reviews that have recently been undertaken for native vegetation.

A major criticism of the *Flora and Fauna Guarantee Act 1988* review process is that all of the native vegetation reviews have been developed in isolation and should have been developed as a suite of legislative reforms, which manage native vegetation. Given the nature of the reviews over time it is difficult to align all of the controls for native vegetation to see how they support each other or duplicate effort.

The *Flora and Fauna Guarantee Act 1988 Consultation Paper* proposed improvement areas include:

- Establishing statewide biodiversity targets which are monitored and reported back to government.
- Providing greater clarity and roles for public authorities and Local Government.
- Increasing the minister's powers to enable the development of guidelines and the ability to request a government department to provide evidence or protection of threatened species or issue a ministerial direction for the government department to address threats.
- Require the publication of conservation advice for each listed threatened species and priority actions which are made public.
- Facilitate implementation of the Biodiversity Plan (which is also under review).
- Establishing a Common Assessment Method for threatened species and criteria to assist with establishing threatened communities.
- Require the Secretary to establish a system for mapping proposed critical habitats on both public and private land.
- Increase permit requirements to apply to activities that may damage habitat.
- Provide the ability for illegal removal of vegetation to be enforced under the Act.
- Establish new offences for damaging habitat of threatened species.
- Separate the uses of flora into two lists to improve management.
- Review the current list of species to ensure it remains relevant.
- Proposes an earned autonomy process for some activities.
- Reviews the enforcement tools available to align with the Wildlife Act and increases penalties for a range of major offences.

Table 1 below contains a summary of responses to the proposed changes outlined in the *Flora and Fauna Guarantee Act 1988 Consultation Paper*.

The full submission is provided in **Attachment 1**.

Potential Improvements		
Coordination and integration across government		
Potential Improvement	DELWP Rationale	Council Response
Clarify and strengthen the existing duty on public authorities by setting out in the Act what the duty requires.		Supported in part. The current duty on public authorities under the Act is poorly understood. We support clarification of what the duty entails for local government. We are concerned with the strengthened component of this improvement, as local government should not have increased responsibilities under the new legislation.

Potential Improvements

Coordination and integration across government

<p>Investigate providing powers for the Minister to:</p> <p>a) Request that a government department or public authority provides information to her/him as to how a particular listed threatening process or high value asset to biodiversity is being managed.</p> <p>b) Issue a ministerial direction to take action to address a listed threatening process.</p>	<p>DELWP is able to engage early to develop preventative approaches to support biodiversity. Public authorities benefit from clarity of expectations. Provides a role for the Minister to support implementation of the duty.</p>	<p>Oppose this item due to its open nature and the potential resource implications for local government. The level of power being provided to the ministers is also not considered appropriate.</p>
<p>Consider strengthening the existing duty on public authorities, for example by requiring consistency with the objectives and principles of the Act.</p>	<p>Creates a stronger obligation on public authorities under the duty as it requires an authority to act consistently, rather than merely have regard to, the objectives and principles of the Act.</p>	<p>Oppose this action due to the financial burden that will be placed on local government.</p>

Potential Improvements

Biodiversity Planning

Potential Improvement	DELWP Rationale	Council Response
<p>Require the Biodiversity Plan to specify statewide biodiversity targets. Require a five-yearly evaluation and 10-yearly renewal or re-endorsement of the plan.</p>	<p>Provides a more effective framework to review and renew the Biodiversity Plan.</p>	<p>Supported. Clearly defined achievable targets and evaluation / review periods are essential to drive action and improve accountability for biodiversity outcomes. This must be contingent on investment being provided that matches the targets.</p>
<p>Require publication of a conservation advice for each listed threatened species, community and threatening process within a specified period following listing. A transition process will be needed for items already listed under the Act.</p>	<p>Ensures information on threatened species, communities and threats is made publicly available in a timely manner.</p>	<p>Supported in principle. The current list of species requires review as they do not reflect critical habitat requirements in our area, which creates complacency. It will also be essential that DELWP has sufficient resources to meet its obligations under the Act.</p>

Potential Improvements

Biodiversity Planning

Potential Improvement	DELWP Rationale	Council Response
Require a landscape or area-based response to the Biodiversity Plan.	Facilitates a shift to landscape or area-based planning approaches that can maximise benefits across multiple species, drive restoration of important habitats, and better address the impacts of climate change on biodiversity.	Supported. Multi-stakeholder cooperation and collaboration will be critical to achieving positive biodiversity outcomes. In preparing a landscape or area-based response, we recommend that consideration be given to species which are locally common and should not be controlled under the listing process.

Potential Improvements

Listing threatened species, communities and threatening processes

Potential Improvement	DELWP Rationale	Council Response
<p>Adopt the Common Assessment Method. This includes:</p> <ul style="list-style-type: none"> Using international standards for classifying the conservation status of species (e.g. critically endangered, endangered, etc.) The capacity to adopt assessments made by other jurisdictions that are relevant to Victoria Rationalising the listing of threatened species in Victoria by shifting to a comprehensive list under the Act and retiring the advisory lists. 	<p>Improves consistency across Australia when assessing the eligibility of species for listing as nationally threatened. Achieves efficiency gains and avoids duplication through the ability to adopt assessments undertaken by other jurisdictions. Avoids duplication in Victoria by rationalising the advisory lists with the Act's threatened list.</p>	<p>Supported. Adopting the Common Assessment Method should enable the Victorian system to measure biodiversity performance against national and international benchmarks. It's important that, where a species in an area is very common it is not included in the list unless part of a larger habitat area. This will prevent species which grow in roadside drains from the requirement to obtain FFG Act permits for removal when the works are part of ongoing maintenance.</p> <p>Multiple lists under the FFG Act is confusing. One comprehensive list would be better.</p>

Potential Improvements

Habitat protection

Potential Improvement	DELWP Rationale	Council Response
Provide criteria to define critical habitat (these would be prescribed in Regulations made under the Act). Consider broadening the concept of critical habitat to include areas important for maintaining ecological processes.	Improves the ability to identify and map critical habitat. Provides a more preventative approach to the protection of threatened species and communities and enables protection of areas that help species adapt to climate change.	<p>Supported. Need to review existing list and consider implications of listing e.g. remove a number of common plant genera from the protected species list. The protected species list includes several common, wide-ranging phylum, families, genera including Pteridophyta, Asteraceae, Epacridaceae, Acacia, Correa, and Xanthorrhoea just to name a few.</p> <p>The intent of listing common species was to regulate the commercial use of these species, however other works such as roadside maintenance works also require a permit to remove these species. This results in excessive controls with most native vegetation removal on roadsides for maintenance requiring a permit even though it is exempted under the Planning Scheme. This is administratively burdensome, inhibits Council undertaking routine maintenance on roadsides, and is not based on level of risk.</p>

Potential Improvements

Habitat protection

Potential Improvement	DELWP Rationale	Council Response
Provide the ability for the illegal removal of native vegetation to be enforced under the Act.	Improves compliance and enforcement arrangements for the illegal removal of native vegetation on public and private land.	<p>Supported. A major barrier to the effectiveness of the current native vegetation clearing regulations is that penalties are an insufficient deterrent. Allowing enforcement of native vegetation regulations under the Act by State Government (DELWP) is the appropriate mechanism for protecting Native Vegetation, not the planning scheme.</p> <p>The suggestion in the paper for illegal removal of native vegetation to be enforced under the FFG Act supports the notion that all native vegetation clearance should be dealt with by DELWP. Council strongly agree with this approach and believe that the FFG Act should be resourced and enforced in a similar way to the Wildlife Act.</p> <p>Do not support this action if the Act is to be enforced by local government through planning decisions or be contradictory to planning controls.</p> <p>Agree with proposal to not require approval for removal of native vegetation where a planning permit has been obtained or isn't required.</p>

Potential Improvements

Regulation

Potential Improvement	DELWP Rationale	Council Response
Amend the regulatory controls for protected flora so that flora subject to commercial harvesting and domestic use is regulated separately to any other categories of declared or threatened flora. Consider enabling some low risk commercial harvesting to operate under an enforceable code of practice.	Enables a risk-based approach to the regulation of flora declared protected that targets effort to where it achieves the greatest benefits for biodiversity consistent with Victorian best practice regulatory principles.	Supported. The reasons for regulating flora subject to commercial harvest are different to the reasons to regulate other listed and declared species. It follows that the controls applied to them should also be different. The intent of listing common species was to regulate the commercial use of these species, however other works such as roadside maintenance works also require a permit to remove these species. This results in excessive controls with most native vegetation removal on roadsides for maintenance requiring a permit.
Review the current protected flora list and place flora on the list in their relevant new categories.	Ensures the current list of flora declared protected is up to date and includes flora that warrant additional protection under the Act.	Supported. This should also look to remove flora that should not be listed in specific areas. This process should address the issue of common species being listed to protect them against commercial use and include specific exemptions under the Act for certain activities.
Provide clear guidance for applicants on the information that is required to support a permit application. Consider specifying application criteria in the Act or Regulations.	Ensures decisions to grant permits are based on the best available information on the impacts of proposed activities and proponents are clear on assessment requirements so these can be factored into planning and unnecessary assessment costs are avoided.	Making available information on how to prepare an application has a number of benefits. It reduces the workload of applicants and regulators, increases the likelihood of compliance and makes for a more transparent process.

Potential Improvements

Compliance and enforcement		
Potential Improvement	DELWP Rationale	Council Response
<p>Consider introducing a tiered suite of enforcement tools including:</p> <ul style="list-style-type: none"> a) Infringement notices b) Stop work notices c) Remediation notices d) Enforceable undertakings. 	<p>Allows for flexibility in the approach taken in response to non-compliance and for the response to be proportionate to the impact.</p>	<p>Supported. The establishment of an 'enforcement toolbox' would allow regulators to better respond to breaches in a commensurate and efficient manner. Enforcement responsibility must remain with DELWP.</p>
<p>Provide the ability for the illegal removal of native vegetation to be enforced under the Act</p>	<p>Improves compliance and enforcement arrangements for the illegal removal of native vegetation on public and private land.</p>	<p>Strongly support this improvement. A major barrier to the effectiveness of current regulation for the removal of native vegetation is that penalties under the Planning and Environment Act are an insufficient deterrent. We recommend that this improvement also be accompanied by empowering and resourcing DELWP staff to enforce the Act.</p> <p>The paper suggests that illegal removal of native vegetation will be enforced under the FFG Act, this supports the notion that all native vegetation (public and private land) clearance should be dealt with by DELWP.</p>

The Corangamite Shire is also concerned the *Flora and Fauna Guarantee Act 1988 Consultation Paper* fails to address the following critical elements:

1. The need to remove a number of common plant genera from the protected species list. The current list includes several common, wide-ranging phylum, families, genera including Pteridophyta, Asteraceae, Epacridaceae, Acacia, Correa, and Xanthorrhoea just to name a few.
2. The Act needs to recognise maintenance works and ongoing upgrades to road infrastructure by providing clear exemptions in relation to Council works and maintenance within road reserves.

3. Enforcement of the Act has been non-existent as the Department has been fully reliant on the Planning and Environment Act and Planning Schemes rather than the Act. The Flora and Fauna Guarantee Act should achieve what the Wildlife Act achieves for Wildlife and be enforced by State Government.
4. The Act is poorly understood with land managers unaware of their obligations. The discussion paper does not deal with how to increase awareness of the Act and its objectives.
5. Self-autonomy is flagged, however there is very little evidence of which agencies are compliant and who is operating without consideration of the Act, e.g. walking track maintenance on Parks Victoria land.
6. Financial support for the implementation of the current Act has been minimal and therefore setting targets would not be relevant.
7. The proposed wider application of the Act will be complex and impose significant burden and cost on Councils and rural landowners.
8. The need for greater flexibility for annual fire prevention works on both private and publicly managed land and for roadside slashing, as these are important community safety obligations.
9. The discussion paper does not deal with the permit process, how this could be streamlined and where applicants access support.
10. The duplication of listed species and processes between Planning and Environment Act, FFG Act and EPBC Act need to be removed and simplified.
11. Species should not be listed under multiple legislation with different expectations to avoid administrative burden, confusion and duplication.
12. The proposed changes to the Act fail to reduce “red tape” and appear to increase the controls on native vegetation above those that are already in place.
13. The potential for the revised Act to increase the cost burden from State Government to local government must be resolved. Council believe that any amendments to the Act must align and support the intent of the *Victorian State - Local Government Agreement 2014*.

Policy and Legislative Context

Making a submission on the *Flora and Fauna Guarantee Act 1988 Consultation Paper* is consistent with the following commitment in the Council Plan 2013-2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Internal / External Consultation

Internal consultation has been undertaken with appropriate Council officers. Council officers have also liaised with the MAV in relation to providing a combined submission from Local Government. Local Government has also been represented in the DELWP stakeholder consultation process with officers from a variety of Councils participating in workshops.

Financial and Resource Implications

There are no financial implications involved in making this submission.

There are changes proposed within the *Flora and Fauna Guarantee Act 1988 Consultation Paper* that will impact local government and if adopted may increase Council’s involvement in enforcement and monitoring and reporting activities. An increase in responsibilities for Council will also require the allocation of additional resources and increase costs for Council. Of particular concern in this regard are the proposed changes in relation to enforcement

capabilities of the Act and the potential for these increased enforcement responsibilities to be delegated to local government.

It is important that further consideration is given to *The Victorian State - Local Government Agreement 2014* and that the reforms are consistent with the principles contained in the agreement to ensure there is no cost shifting to local government.

Options

Council may choose to provide the submission to the *Flora and Fauna Guarantee Act 1988 Consultation Paper* in its current form or with alteration. Alternatively, Council may decide not to provide a submission to the review.

Conclusion

The *Flora and Fauna Guarantee Act 1988 Consultation Paper* provides an opportunity for Council to contribute to the future protection of habitats and native vegetation across Victoria. The submission provides a range of feedback in relation to each of the proposed changes within the *Flora and Fauna Guarantee Act 1988 Consultation Paper* and identifies additional issues which need to be addressed during the review of the *Flora and Fauna Guarantee Act 1988* to ensure it can be administered correctly and support Council to achieve its road management responsibilities without unnecessary red tape.

RECOMMENDATION

That Council:

1. Authorises the CEO to finalise a submission to the Flora and Fauna Guarantee Act 1988 Consultation Paper.
2. Provides a copy of Council's final submission to the MAV and Rural Councils Victoria.

COUNCIL RESOLUTION

MOVED: Cr Gstrein

SECONDED: Cr Trotter

That the recommendation be adopted subject to the amendment of Part 2, to read:

2. Provides a copy of Council's final submission to the MAV, Rural Councils Victoria, local Parliamentarians and the Shadow Minister for Environment.

CARRIED

Attachments

1. Submission Review of the Flora and Fauna Guarantee Act 1988 - Under Separate Cover

Cr Gstrein declared an indirect financial conflict of interest in Agenda Item 10.10 and left the meeting at 8.00 pm before any discussion or vote on the matter.

10.10 Recreation Facilities Management

Author: Jarrod Woff, Manager Facilities and Recreation

File No: D17/188

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jarrod Woff

In providing this advice to Council as the Manager Facilities and Recreation, I have no interests to disclose in this report.

Summary

This report provides a review of the current recreation facility management arrangements, an analysis of different management models and options for the future direction of recreation facilities management.

Introduction

Corangamite Shire Council's current contract for the provision of management of the six swimming pools located in Camperdown, Cobden, Lismore, Skipton, Terang and Timboon concludes on 31 March 2017.

Corangamite Shire Council's current agreement for the provision of management of the Camperdown Community Stadium and Timboon Sporting Centre concludes on 30 June 2017.

The Ballarat YMCA has held the contract for management of the facilities for the past 17 years.

Under the contract, the contractor is responsible for all staffing and operational arrangements of the services, whilst Council provides building maintenance of these facilities. Council and the contractor are supported by community based committees appointed for all facilities.

This report provides a review of management arrangements and a recommendation for the future direction of management.

Issues

Corangamite Shire Council and Moyne Shire Council have undertaken a joint project to review the financial cost and risk analysis of the different management models available for recreation facilities.

The aims of the review were to:

1. Undertake a cost option review analysis of current arrangements and model future costs based on bringing the service in-house to help inform Corangamite and Moyne Shire Council on future delivery models.
2. Provide an overall assessment on the most cost effective management arrangement for each of Moyne Shire and Corangamite Shire based on outcomes from the analysis.

The risk analysis was completed from a broad overview of management services and Council's in-house capacity.

A financial review was undertaken on the Timboon Swimming Pool and the Camperdown Stadium. The Timboon Swimming Pool was chosen for review as it is a 33m pool which is comparable to Camperdown, Cobden and Terang.

The Camperdown Stadium was reviewed to give an overview of a two stadium court that has the most potential for increased use and maximising participation. The review can also be used to make some assumptions about the single court Timboon stadium.

Moyne Shire Council reviewed the Mortlake Swimming pool, which is a 50m outdoor pool that operates on a seasonal basis. It is also managed by the Ballarat YMCA. The Mortlake pool review provides Corangamite Shire Council with an indication of the cost to deliver the service to a larger facility and provides some cost analysis for a swimming pool that is close to the Terang Swimming Pool.

Current Management Arrangements

All of the facilities are currently managed under contract by Ballarat YMCA. Council has outsourced the management of its recreation facilities since 1997, with the Ballarat YMCA managing the facilities for the past 17 years.

Management Model Review

Swimming Pools

The outcomes from the review indicate that:

- The cost to deliver the swimming pool service in-house is projected to be more expensive than an external contract.
- Salary and employment conditions that Council need to meet are higher than the current contractor need to meet.
- Increased programming (such as additional learn to swim) and events at the facility are unlikely to result in significant increased income.
- There is an increased risk to Council in delivering the service in-house, compared with an external contractor.

The contractor provides a one-stop-shop for the delivery of recreation facility management and allows Council to reduce both HR and reputational risk.

A discussion with Royal Lifesaving / Lifesaving Victoria suggests that there is no appetite at this stage to amend the Guidelines for Safe Pool Operation to include additional staffing requirements for low patronage pools. Current review has identified risk assessments be undertaken to identify the level of staffing required.

There are a number of steps that Council can consider to mitigate the risk and increase the value of the swimming pool service as part of contract negotiations.

Stadiums

The outcomes from the review indicate that:

- The cost to deliver the stadium service in-house is projected to be a saving on costs when compared to that of an external contract.
- There is opportunity to increase usage of the facility with regular competitions and training sessions.

There are some cost benefits from conducting the operations of the stadiums in-house or through alternate models to an external contractor, however there is also risk. Council would need to be willing to increase staffing human and financial resources and consider both HR and reputational risk.

Management of the stadiums in-house would require additional staff who would be required to work hours out of the current normal spread of hours. There would also be significant overheads required to administer the service and increased resources required to oversee the staff.

A community management model was also explored with existing committees. Transition to an alternative model in the future may be plausible, however in the current climate with the level of volunteer capacity it is not considered appropriate.

Further Considerations

The risk associated with removing the stadium service from the contract tender is that there are contractors not willing to tender for the contract. The stadiums provide year round work for staff and a source of ongoing employment. If the stadiums are removed from the contract and the service brought in-house or an alternative management model implemented, the risk is that there is no service provider prepared to deliver the swimming pool service.

A detailed review has considered a range of management models for both the swimming pools and the stadiums. The review has considered both financial benefits and associated risk and is provided under separate cover to this report.

Shared Services

In discussing the outcomes of the management reviews with Moyne Shire Council, there is an identified opportunity to undertake a joint tender which would package all facilities and could provide improved market attraction from industry providers. A two year agreement, with a two year option would permit adequate time for both councils to evaluate the success or otherwise of the arrangement and opt out as required. Further discussions are to be held with Southern Grampians Shire Council given the term of their current contract arrangement which aligns with Corangamite and Moyne.

Policy and Legislative Context

Corangamite Shire's Council Plan 2013-2017 emphasises the importance of our community's wellbeing, lifestyle and related infrastructure as follows:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Internal / External Consultation

Council officers have consulted with both external and internal stakeholders regarding contract options and have discussed shared services with Moyne Shire.

There has been community consultation undertaken with the user groups at the stadiums and each of the six swimming pool committees. This consultation was in the form of a survey to seek input on future management models for facilities.

Financial and Resource Implications

Fees for the swimming pools and stadiums are set on an annual basis and provide an opportunity for Council to review. The fees are benchmarked against like facilities and through this it has been identified that the fees are on par with like facilities. It should be noted that all income generated by the facilities is currently retained by the contractor.

There is no financial benefit on bringing the recreation facility management of the swimming pool service in-house. There is some financial benefit that can be derived from an alternate delivery model for the stadiums. A contractor provides a one-stop-shop for the delivery of recreation facility management, the contract management model is projected to be a lower cost and lower risk to Council than alternate models. Whilst the delivery of the stadium service is estimated to be a higher cost than an in-house or alternative delivery model, it allows Council to reduce both HR and reputational risk.

Options

Council has a range of options for the management of its recreation facilities. Any one of the management models can be implemented at the swimming pools / stadiums, with the exception of a lease agreement, and committee model which is only applicable for stadiums. A review of the models has considered both financial benefits and potential risk to Council.

Following an in depth review of the current arrangements and alternate models, it is recommended that Council undertake a competitive tender process in partnership with Moyne Shire Council for procurement of the management service for the recreation facilities.

Conclusion

The contract for the management of Council's swimming pool service expires on 31 March 2017. The contract for the management of Council's stadiums service expires 30 June 2017.

The increase in costs of an external contractor to deliver the service, coupled with increased financial pressure has prompted Council to investigate other management models and explore alternate options. An in depth review of management models has been undertaken and options for the future direction of the service provided to Council.

It is clear from the analysis that there is no financial benefit in bringing the delivery of the swimming pool service in-house, with either a third party staffing solution or direct management, in comparison to an external contract. There is an increased risk to Council in delivering the service in-house, compared with an external contractor. There are a number of steps that Council can consider to mitigate the risk and increase the value of the swimming pool service as part of the contract negotiations.

The swimming pools and stadiums are important recreation facilities and deliver a range of community and individual health and wellbeing outcomes to residents of the Shire and district. They provide a safe, friendly and relaxed meeting place and space for residents and users alike to participate in active, passive, structured or unstructured physical activity, sport and leisure pursuits.

RECOMMENDATION

That Council:

1. Undertakes a competitive tender process in partnership with Moyne Shire Council for procurement of the management service for the following recreation facilities as a two year contract with a two year option:
 - (a) Camperdown, Cobden, Lismore, Skipton, Terang and Timboon Swimming pools
 - (b) Camperdown Stadium
 - (c) Timboon Stadium
 - (d) Moyne Shire facilities (as prescribed by Moyne Shire)
2. Approves the inclusion of Southern Grampians Shire Council and any other interested council recreation facilities, as prescribed by them, as a part of the competitive tender process for management services should they opt to be party to the shared procurement.

COUNCIL RESOLUTION

MOVED: *Cr Brown*
SECONDED: *Cr McArthur*

That the recommendation be adopted.

CARRIED

Attachments

1. Recreation Facility Management Assessment and Evaluation - Under Separate Cover

Cr Gstrein returned to the meeting at 8.07 pm.

10.11 Quick Response Grants - March 2017 Allocation

Author: David Rae, Director Corporate and Community Services

File No: D17/190

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - David Rae

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

Summary

The purpose of this report is to approve the March 2017 allocation of funds under the Quick Response Grants Program.

Introduction

The Quick Response Grants Program is beneficial in supporting instances of community needs that are not readily able to be considered under the Community and Facilities Grants Program or Environmental Grants Program. Applications for Quick Response Grants are considered by Council as they are received.

Issues

The Quick Response Grants Program is a fixed budget that Council provides annually for the distribution of funds to Shire community groups. The Quick Response Grants Program has a rolling intake and this flexible approach allows Council to allocate small amounts to various community groups which results in positive outcomes.

Applications received for this allocation are attached under separate cover. Each application has been assessed against the following criteria as detailed in the Quick Response Grants Policy:

- a. Eligible recipient
- b. Council Plan alignment
- c. Community benefit
- d. Eligible expenditure.

The assessment has also been provided as a separate attachment to this report.

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy and the following 2013-2017 Council Plan commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Improve the educational outcomes of our community.

Recognise the importance of Art and Culture to the community.

Internal / External Consultation

Applications for the Quick Response Grants Program are available from Council's website or by contacting Council's Community Relations team. Applicants are encouraged to discuss their application with the respective Ward Councillor prior to submission. Applicants may also contact Council's Director Corporate and Community Services for further information. Applicants will be advised of the outcome of their application following the Council meeting. Successful applicants will also be requested to provide a grant acquittal following completion of the event or project, including return on unexpended amounts.

Financial and Resource Implications

The 2016-2017 Quick Response Grants Program budget allocation is \$14,000. Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward. Should the allocations be approved as recommended in this report, the remaining allocation is as follows:

Ward	Annual Allocation	Previous Allocations	This Allocation	Remaining Allocation
Coastal	\$2,000.00	\$71.43	\$0.00	\$1,928.57
North	\$2,000.00	\$1,021.43	\$0.00	\$978.57
South Central	\$2,000.00	\$441.43	\$500.00	\$1,058.57
South West	\$2,000.00	\$571.43	\$0.00	\$1,428.57
Central	\$6,000.00	\$3,144.28	\$0.00	\$2,855.72
	\$14,000.00	\$5,250.00	\$500.00	\$8,250.00

Options

Council can consider:

1. Allocating the funds as requested by the applicants.
2. Allocating the funds for a reduced amount.
3. Not allocating funds as requested by the applicants.

Conclusion

The Quick Response Grants Program provides financial assistance to community groups to undertake beneficial projects and activities. The applications recommended for funding in this allocation are in accordance with Quick Response Grants Policy and will result in positive outcomes for the community.

RECOMMENDATION

That Council approves the following applications for funding from the Quick Response Grants Program for March 2017:

Applicant	Purpose	Ward	Amount
Cobden Golf Club	"Mates helping Mates" Free Community Night. An event to raise awareness of anxiety and depression in the community.	South Central	\$500.00

COUNCIL RESOLUTION

MOVED: *Cr Illingworth*

SECONDED: *Cr Gstrein*

That the recommendation be adopted.

CARRIED

Attachments

1. Quick Response Grants Assessment - March 2017 Allocation - Under Separate Cover
2. Application - Cobden Golf Club Part A - Under Separate Cover
3. Application - Cobden Golf Club Part B - Under Separate Cover
4. Application - Cobden Golf Club Part C - Under Separate Cover

10.12 Onshore Gas

Author: Andrew Mason, Chief Executive Officer

File No: D17/166

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Summary

At the February Council meeting a request was made by Council for a report in relation to the issue of onshore gas. This report provides an outline of the issues pertaining to onshore gas, including an update on the recent *Resources Legislation Amendment (Fracking Ban) Bill 2016*.

Introduction

Corangamite Shire is the home to a significant gas industry which utilises gas extracted from **offshore** reserves. This industry makes a significant economic contribution to the local economy, but also the broader State economy through the provision of affordable energy.

The issue of extraction from onshore reserves has been hotly debated in recent years, with many in the community concerned about negative environmental impacts associated with hydrological fracturing techniques (fracking).

In response to these concerns, a ban on onshore gas extraction was established by the Victorian State Government which was recently extended through legislation.

The Corangamite Shire Council has previously indicated its support for a ban on fracking, but expressed concerns about the ban on extraction of onshore gas where fracking is not utilised. This report provides some background information on this subject and allows the current Council to consider this matter and resolve its position.

Issues

Conventional and Unconventional Gas

Fundamentally there are two sorts of onshore gas reserves – conventional and unconventional.

The CSIRO define conventional gas as being obtained from reservoirs that largely consist of porous sandstone formations capped by impermeable rock, with the gas trapped by buoyancy. The gas can often move to the surface through the gas wells without the need to pump. These gas reserves are similar in geology to the offshore gas reserves that currently supply processing facilities in Corangamite Shire.

Unconventional gas can be sourced from Coal Seams (CSG) or Shale Rock. The following is the definition from CSIRO:

CSG is found in coal seams attached to the coal and is trapped underground by water pressure. To extract CSG, water already in the coal seam, known as formation water, needs to be pumped out to release the gas. Shale gas occurs within rock formations under high pressure but having extremely low porosity making it difficult for gas to flow to wells. Hydraulic fracturing is always used in shale gas wells to increase the flow of gas from the reservoir.

Most community concern is directed to unconventional gas extraction because of the concerns about impacts on ground water and the use of chemicals in the fracturing process. It is also apparent, however that there is considerable confusion in the community about the difference between conventional and unconventional gas.

Importance to the Region and Local Industries

A cornerstone of the Corangamite Shire economy is the dairy industry which in turn is supported by dairying processors both within the Shire and within the broader region. Affordable natural gas is critical to dairy processing and allows these industries to compete on international markets.

There is increasing concern from a variety of sources about the increasing cost of natural gas. Access to onshore gas reserves is seen as potentially increasing the supply of natural gas.

Corangamite's Submission to the Parliamentary Inquiry

Corangamite Shire made a submission to the Parliamentary Inquiry into Unconventional Gas in June 2015. Councillor Chris O'Connor and Ian Gibb appeared before this Parliamentary Inquiry in support of the Shire's submission. The submission outlined Council's position on onshore gas. A copy of the submission is attached.

In summary the previous Council indicated that the Council:

- Supported the moratorium on fracking
- Did not support the moratorium on exploration
- Did not support the moratorium on onshore gas extraction from conventional sources.

In July 2016 Councillor Trotter and the CEO met the Minister for Resources, Wade Noonan, and discussed Council's position.

Fracking Ban Bill 2016

The Victorian Parliament recently approved the *Resources Legislation Amendment (Fracking Ban) Bill 2016*. In summary the legislation does the following:

- Creates a permanent ban on the exploration and development of all onshore unconventional gas, including hydraulic fracturing (fracking) and coal seam gas.
- Extends the current moratorium on the exploration and development of conventional onshore gas until the 30 June 2020.

Statements from the Government indicate that scientific, technical and environmental studies will be conducted into conventional onshore gas extraction to inform future decision about the moratorium on conventional gas.

It is considered that the Fracking Ban legislation is highly risk adverse and blurs the difference between conventional and unconventional gas. The moratorium on exploration for conventional gas is also problematic as further testing is required to determine the potential of onshore gas reservoirs.

Royalties and Landowner Consent

Council has previously indicated that it would support the establishment of a Royalties to the Regions scheme. Such a scheme would provide a revenue stream for Council and would recognise the impacts the gas industry has on communities and infrastructure. The establishment of a Royalties to the Regions system was recommended by the Gas Market Taskforce Report chaired by Peter Reith in 2013. (A copy of the report is attached.)

Consideration of compensation for affected landowners was considered by the Reith report. The report recommends that compensation payments for affected landowners should be increased and notes that compensation could be extended to neighbouring properties where amenity impacts were likely to be experienced.

The report also notes that under existing Victorian legislation where land is to be occupied for exploration or mining, landowner consent or compensation agreement must be in place before work can be approved.

Payment of royalties directly to landowners, as occurs in some parts of the USA, is difficult given that in Australia minerals are owned by the State and not landowners. It is recommended that Council support the findings of the Reith review which provides landowners with compensation for amenity impacts and also allows landowners to enter into commercial agreements before exploration or extraction works can commence.

Policy and Legislative Context

The Council Plan 2013-2017 contains the following objectives that are relevant to this matter:

Become a leading area for energy production

Encourage and support business investment and expansion that creates more jobs in Corangamite

The recently gazetted *Resources Legislation Amendment (Fracking Ban) Bill 2016* has significant implications for the development of onshore gas reserves in Victoria. Of concern is the extension of the moratorium for extraction and exploration of conventional gas.

Internal / External Consultation

Significant community consultation has occurred in relation to this matter.

Financial and Resource Implications

There are no direct financial implications for Council in the short term. Increasing natural gas prices could become a longer term threat to the economy of the Shire.

Options

Broadly Council has the following options:

1. Support the ban on fracking but support exploration and extraction of conventional gas subject to appropriate environmental controls, the establishment of Royalties to the Regions scheme and protection of landowner interests through progressive compensation arrangements. This is recommended.
2. Support both conventional and unconventional gas exploration and extraction.
3. Do not support any forms of onshore gas exploration or extraction.

Conclusion

Corangamite Shire is home to an important gas industry that processes gas from offshore reserves. The industrial base of the Council is also highly reliant on affordable and accessible natural gas. Onshore gas from conventional reserves could be an important alternative energy source and create additional economic activity and should be supported by Council.

RECOMMENDATION**That Council:**

1. **Supports the ban on unconventional gas.**
2. **Supports and advocates for the removal of the moratorium on exploration and extraction of conventional gas subject to creation of a Royalties to the Regional system and strong protection for landholder rights and the environment.**
3. **Writes to the Minister for Resources outlining Council's position and sends copies to the Member for Polwarth, Richard Riordan, the Municipal Association of Victoria (MAV), Rural Councils Victoria (RCV) and the Victorian Farmers Federation.**

COUNCIL RESOLUTION

MOVED: *Cr McArthur*
SECONDED: *Cr Illingworth*

That the recommendation be adopted subject to the amendment of Part 3, to also send copies to the local Upper House Members.

CARRIED

Attachments

1. Submission Parliamentary Inquiry in Unconventional Gas in Victoria 26-06-2015 - Under Separate Cover
2. Gas Market Taskforce Final Report and Recommendations 2013 - Under Separate Cover

10.13 Councillor Attendance at National General Assembly 2017

Author: Penny MacDonald, Executive Services and Governance Coordinator

File No: D17/175

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Penny MacDonald

In providing this advice to Council as the Executive Services and Governance Coordinator, I have no interests to disclose in this report.

Summary

The purpose of this report is for Council to consider representatives for attendance to the National General Assembly of Local Government in Canberra from 18-21 June 2017.

Introduction

The Australian Local Government Association (ALGA) hosts the National General Assembly of Local Government (NGA) in Canberra each year to provide key representatives from local government the opportunity to elevate local government issues to the Federal level.

In addition to debating issues of national significance, and influencing ALGA policy and the fiscal strategy for the coming year, the Prime Minister, Leader of the Opposition, Leader of the Australian Greens, Minister for Local Government and Territories and Minister for Regional Development have been invited to address the NGA. Councillors attending the conference will gain insight into issues facing the sector to bring back to Council.

Issues

The theme for the 2017 NGA is *Building Tomorrow's Communities*. The program is focussed on addressing how councils shape the future of their communities. Discussions will take place regarding innovation and technology, good governance and maximising community involvement, in addition to the factors that influence the liveability of communities.

Councillors Jo Beard and Ruth Gstrein were authorised by Council to attend in 2016.

Policy and Legislative Context

Corangamite Shire's Support for Councillor Professional Development Policy, adopted in December 2016, provides for Councillors to attend conferences, workshops and seminars which increase their knowledge of issues affecting the local government sector. The Policy requires that in the event that the proposed expenditure on a single professional development opportunity exceeds \$2000 per Councillor, the expenditure must be approved by a decision of Council.

The Policy also requires the assessment of professional development activities against certain criteria to determine the applicability of content to current or likely future Council issues.

An assessment of attendance at the National General Assembly of Local Government 2017 against these criteria is as follows:

1. *Does the event provide an opportunity to receive or upgrade relevant and necessary training directly related to the Councillors' role?*

Yes, training and development occurs throughout the conference.

2. *Does the event provide an opportunity to learn key information about an issue of public policy related to the Corangamite community?*

Yes. Councillors attending the NGA will have opportunities to discuss and consider development of policies on issues of national significance.

3. *Does the event have the potential to foster broad economic development opportunities within Corangamite Shire?*

Yes. The theme for the 2017 NGA will provide an opportunity for delegates to explore the role of local government in shaping the future of communities.

4. *Does the event provide an opportunity for Councillor(s) to build their networks both within and across sectors, in a way which will be of benefit to the Corangamite community?*

Yes. Panel sessions will allow for interaction with presenters and other keynote speakers, providing maximum opportunity for delegates to gain insights which they can bring back to Council.

Internal / External Consultation

The CEO has consulted with Councillors regarding the opportunity for them to attend the 2017 NGA.

Financial and Resource Implications

Attendance at the NGA for one or more Councillors will be at an estimated cost of \$2,700 per Councillor, including conference registration, accommodation, formal dinners, and travel and ancillary expenses. However, this amount does not include attendance at the Regional Cooperation and Development Forum held one day prior to NGA, which would be an additional cost of approximately \$225 per Councillor for registration plus additional accommodation.

The estimated cost of \$8100 for three Councillors to attend the NGA is within the 2016-2017 Budget allocation for Councillor training and development.

Options

Council may resolve to nominate one or more Councillors to attend the 2017 NGA. Alternatively, Council may resolve not to send a representative to the NGA.

Conclusion

The annual National General Assembly of Local Government provides an opportunity for Councillors to gain insight into issues of national significance affecting Local Government which can be brought back to Council. Attendees will debate issues and influence ALGA policy for the coming year, as well as hear from speakers including leaders of the major federal political parties.

RECOMMENDATION

That Council:

- 1. Nominates Councillor(s) to attend the National General Assembly of Local Government 2017.**
- 2. Approves expenditure related to attendance at the National General Assembly of Local Government 2017 consistent with the Councillor Professional Development Policy and Councillor Expenses Policy.**

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*

SECONDED: *Cr Trotter*

That Council:

- 1. Nominates Councillors Beard and McArthur to attend the National General Assembly of Local Government 2017.**
- 2. Approves expenditure related to attendance at the National General Assembly of Local Government 2017 consistent with the Councillor Professional Development Policy and Councillor Expenses Policy.**

CARRIED

10.14 Records of Assembly of Councillors

Author: Andrew Mason, Chief Executive Officer

File No: D17/174

Previous Council Reference: Nil

Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Summary

This report documents the Assembly of Councillors to be reported since the last Ordinary Meeting of Council on 28 February 2017.

Introduction

The *Local Government Act 1989* (the Act) requires that records of meetings which constitute an Assembly of Councillors be tabled at the next practicable meeting of Council and is incorporated in the minutes of the Council meeting.

Issues

An 'Assembly of Councillors' is defined in the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or subject to the exercise of a delegated authority and which is either of the following:

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

Typical meetings giving rise to an Assembly of Councillors at Corangamite Shire include Councillor briefings, advisory committees and planning site inspections. However, from time to time additional records may be reported in accordance with the Act.

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- The Councillors and members of Council staff attending.
- The matters discussed.
- Disclosures of conflict of interest (if any are made).
- Whether a Councillor left the meeting after making a disclosure.

Records of an Assembly of Councillors are documented by a Council officer present at a meeting designated as an Assembly of Councillors. Responsibility for the maintenance of records associated with Assembly of Councillors rests with the Chief Executive Officer.

Policy and Legislative Context

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2013-2017 strategy, "Council will demonstrate high levels of ethical behaviour and corporate governance standards".

Conclusion

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 28 February 2017
- CEO Performance Review Committee 7 March 2017
- Councillor Briefing 14 March 2017
- Councillor Budget Workshop 15 March 2017
- Councillor Budget Workshop 21 March 2017
- Councillor Budget Workshop 22 March 2017.

RECOMMENDATION

That Council accepts the attached Records of Assembly of Councillors.

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*
SECONDED: *Cr Illingworth*

That the recommendation be adopted.

CARRIED

Attachments

1. Record of an Assembly of Councillors 28 February 2017
2. Record of an Assembly of Councillors CEO Performance Review Committee 7 March 2017
3. Record of an Assembly of Councillors 14 March 2017
4. Record of an Assembly of Councillors Budget Workshop 1 15 March 2017
5. Record of an Assembly of Councillors Budget Workshop 2 21 March 2017
6. Record of an Assembly of Councillors Budget Workshop 3 22 March 2017

Council

Record of an Assembly of Councillors



Councillor Briefing

Date: 28 February 2017

Time: 11.30 am

Place: Killara Centre and on-site at Holden St, Camperdown

Present:

- Cr Beard Cr Brown Cr Durant Cr Gstrein
- Cr Illingworth Cr McArthur Cr Trotter

Cr Gstrein left the meeting at 2.00 pm and returned at 3.00 pm

Cr Illingworth left the meeting at 4.00 pm and returned at 5.00 pm

Officers:

- Ian Gibb Brooke Love Andrew Mason David Rae

Ian Gibb left the meeting for Item 2

Lyle Tune (Items 2, 3 and 4)

Mick Reid, Dean Abbott, Chris Hammond, Lachlan Boyle (Item 2)

John Kelly (Items 3 and 4)

Lyall Bond (Item 5)

Guests:

Issues Discussed:

Item	Discussion Topic
1	Draft Council Plan
2	Jet Patcher Demonstration
3	Road Construction and Maintenance
4	Road Management Plan and Various Road Related Policies
5	Emergency Management
6	Hot Topics: <i>Glenormiston Update, GORRT Meeting Update, Mt Elephant Hotel</i>
7	Councillor Items <i>Quick Response Grant Forms, Community Group Governance Training, Hard Rubbish, Noorat Presentation, Disabled Access to Port Campbell Toilet, 15 Hours Kindergarten Funding, Meeting in Parliament Regarding GOR & North South Access, Gas Exploration, VicRoads, Clean Up of Timboon Embankment, Ballarat Waste Conference, Little Acorn Café Opening, Street Trees.</i>

Conflicts of Interest declared: Nil.

Councillor left the meeting at: NA

Councillor returned to the meeting at: NA

Councillor Conflict of Interest Form Completed: NA

Meeting close: 6.00 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors



CEO Performance Review Committee

Date: 7 March 2017 **Time:** 2.00 – 3.30 pm
Place: CEO's Office, 181 Manifold Street, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae

Issues Discussed:

Item	Discussion Topic
1	CEO Performance Review

Conflicts of Interest declared: Nil

Councillor left the meeting at:

Councillor returned to the meeting at:

Councillor Conflict of Interest Form Completed:

Meeting close: 3.30 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors

**Councillor Briefing****Date:** 14 March 2017**Time:** 10.00 am – 2.24 pm; 2.45 pm – 5.00 pm**Place:** Commencing at Mt Leura, continuing Old Council Chambers, 181 Manifold Street, Camperdown**Present:**

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

*Cr Trotter arrived at 12.15 pm**Cr McArthur left the meeting at 12.10 pm, returned at 1.30 pm and left the meeting at 3.45 pm**Cr Gstrein left the meeting at 1.05 pm and returned at 1.45 pm***Officers:**

Ian Gibb Brooke Love Andrew Mason David Rae

James Watson and Becky McCann (Item 1)

Jarrod Woff (Items 4, 5 and 8)

Lyllal Bond (Items 1 and 6)

Matthew Dawson and Adele Kennealy (Item 7)

Guests:

Eddie Harris, Graham Arkinstall, Errol Harris, Pat Robertson, Fran Grundy (Item 1)

Michael Scholtes, CEO Corangamite Regional Library Corporation (Item 8)

Issues Discussed:

Item	Discussion Topic
1	Mt Leura Visit
2	Hot Topics: <i>Ombudsman Request, Vagg Park Cobden, Baynes St, Princes Hwy West Advocacy, Parks Vic Update, BISF, Federal Assistance Grants, NGA attendance.</i>
3	Councillor Items <i>Rainbow Run, Dine in Derri Promotion, Mt Elephant Update, Excess Township Rubbish, Dog Bite Incident, Silage Wrap, MAV Meeting, Sale of Port, Port Campbell Progress Association, Port Campbell Arts Hub, Camperdown Caravan Park, Port Campbell-Cobden Slip, Planning Scheme Amendment C45, Noorat Subdivision and Planning Scheme Amendment C47, Newfield Hill Road Repairs.</i>
4	Buildings Condition and Strategy
5	Recreation Facilities Management
6	Roadside Grazing and Use of Council Land Policy Assembly of Councillors suspended for CEO Performance Review Discussion (without Officers present)
7	Beyond the Bell Update
8	Corangamite Regional Library Corporation services and 2017-2018 Draft Budget

Conflicts of Interest declared: Cr Gstrein declared an indirect conflict by close association for Item 5

Councillor left the meeting at: 1.05 pm**Councillor returned to the meeting at:** 1.45 pm**Councillor Conflict of Interest Form Completed:** Yes**Meeting close:** 5.00 pm**Note taker:** Andrew Mason

Council

Record of an Assembly of Councillors



Councillor Budget Workshop 1

Date: 15 March 2017

Time: 11.00– 5.35 pm

Place: Old Council Chambers, 181 Manifold Street, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Cr Illingworth was an apology.

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae
Adam Taylor

Issues Discussed:

Item	Discussion Topic
1	Draft Budget Deliberations

Conflicts of Interest declared: Cr McArthur declared an indirect conflict by close association in relation to a matter discussed as part of the budget.

Councillor left the meeting at: 5.00 pm

Councillor returned to the meeting at: 5.05 pm

Councillor Conflict of Interest Form Completed: Yes

Meeting close: 5.35 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors



Councillor Budget Workshop 2

Date: 21 March 2017

Time: 10.00– 4.15 pm

Place: Old Council Chambers, 181 Manifold Street, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Cr Illingworth arrived at 10.45 am, left at 1.00 pm and returned at 1.20 pm.

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae
Adam Taylor

Issues Discussed:

Item	Discussion Topic
1	Draft Budget Deliberations

Conflicts of Interest declared: Cr Neil Trotter declared an indirect conflict by conflicting duty on two matters discussed as part of the budget.

Councillor left the meeting at: 1.12 pm

Councillor returned to the meeting at: 1.21 pm

Councillor left the meeting at: 2.02 pm

Councillor returned to the meeting at: 2.04 pm

Councillor Conflict of Interest Forms Completed: Yes

Meeting close: 4.15 pm

Note taker: Andrew Mason

Council

Record of an Assembly of Councillors



Councillor Budget Workshop 3

Date: 22 March 2017

Time: 10.00– 2.55 pm

Place: Old Council Chambers, 181 Manifold Street, Camperdown

Present:

Cr Beard Cr Brown Cr Durant Cr Gstrein
 Cr Illingworth Cr McArthur Cr Trotter

Cr McArthur arrived at 10.15 am

Cr Brown left the meeting at 2.00 pm

Cr Gstrein was an apology

Officers:

Ian Gibb Brooke Love Andrew Mason David Rae
Adam Taylor

Issues Discussed:

Item	Discussion Topic
1	Draft Budget Deliberations

Conflicts of Interest declared: Nil

Councillor left the meeting at:

Councillor returned to the meeting at:

Councillor Conflict of Interest Forms Completed:

Meeting close: 2.55 pm

Note taker: Andrew Mason

11. OTHER BUSINESS

Nil.

12. OPEN FORUM

The Mayor, Cr J. Beard, invited members of the public to ask a question or make a statement.

The following items were submitted:

- Mr Les Mulholland requested information on the status of MAV's request to the State Government, to provide additional SES funding. Cr Gstrein responded, advising that arrangements for adequate funding would likely occur during the State budget in May.
- Mr Bob Lee asked whether there were any plans in place for the old Kraft factory. Ian Gibb responded, advising that he understood there was a change in ownership with interest in establishing an alternate use for the site.

COUNCIL RESOLUTION

MOVED: *Cr McArthur*

SECONDED: *Cr Brown*

That standing orders be suspended.

CARRIED

Standing orders were suspended at 8.28 pm.

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*

SECONDED: *Cr McArthur*

That standing orders be resumed.

CARRIED

Standing orders resumed at 8.43 pm.

All Councillors were present. Mr Lyall Bond and members of the public left the meeting.

13. CONFIDENTIAL ITEMS

RECOMMENDATION

That pursuant to the provisions of Section 89(2) of the *Local Government Act* the meeting be closed to the public to enable consideration of the following reports as they relate to contractual matters and personnel matters.

COUNCIL RESOLUTION

MOVED: *Cr Trotter*

SECONDED: *Cr Durant*

That the recommendation be adopted.

CARRIED

The meeting moved into confidential items at 8.44 pm.

13.1 Intention to Consider Land Acquisition

13.2 CEO Performance Review March 2017

COUNCIL RESOLUTION

MOVED: *Cr Gstrein*

SECONDED: *Cr Trotter*

That the meeting move out of confidential items.

CARRIED

The meeting moved out of confidential items at 9.11 pm.

Meeting Closed: 9.11 pm

I hereby certify that these minutes have been confirmed and are a true and correct record.

CONFIRMED:

(Chairperson)

DATE:
