

MINUTES

ORDINARY MEETING

WARRNAMBOOL CITY COUNCIL

5.45PM - MONDAY 1 MAY 2017



WARRNAMBOOL
CITY COUNCIL

VENUE:

Reception Room
25 Liebig Street
Warrnambool

COUNCILLORS

Cr. Kylie Gaston (Mayor)
Cr. Robert Anderson
Cr. Sue Cassidy
Cr. Tony Herbert
Cr. Peter Hulin
Cr. Michael Neoh
Cr. David Owen

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can be obtained online at www.warrnambool.vic.gov.au

Bruce Anson
CHIEF EXECUTIVE

AUDIO RECORDING OF COUNCIL MEETINGS

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MINUTES OF THE ORDINARY MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD IN THE RECEPTION ROOM, WARRNAMBOOL CIVIC CENTRE, 25 LIEBIG STREET, WARRNAMBOOL ON MONDAY 1 MAY 2017 COMMENCING AT 5.45PM

PRESENT: Cr. Kylie Gaston, Mayor/Chairman
Cr. Robert Anderson
Cr. Sue Cassidy
Cr. Tony Herbert
Cr. Peter Hulin
Cr. Michael Neoh
Cr. David Owen

IN ATTENDANCE: Mr Bruce Anson, Chief Executive
Mr Peter Utri, Director Corporate Strategies (from 6.00pm)
Mr Andrew Paton, Director City Growth
Mr Scott Cavanagh, Director City Infrastructure
Ms. Vikki King, Director Community Development
Ms. Wendy Clark, Executive Assistant

1. OPENING PRAYER

Almighty God
Grant to this Council
Wisdom, understanding and Sincerity of purpose
For the Good Governance of this City
Amen.

ORIGINAL CUSTODIANS STATEMENT

I wish to acknowledge the traditional owners of the land on which we stand and pay my respects to their Elders past and present.

2. APOLOGIES

Nil.

3. CONFIRMATION OF MINUTES

MOVED: CR. ANDERSON

SECONDED: CR. CASSIDY

That the Minutes of the Ordinary Meeting of Council held on 3 April 2017, be confirmed.

CARRIED – 7:0

4. DECLARATION BY COUNCILLORS & OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended) direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), i.e.

- (a) direct financial interest
- (b) indirect interest by close association
- (c) indirect interest that is an indirect financial interest
- (d) indirect interest because of conflicting duties
- (e) indirect interest because of receipt of an applicable gift
- (f) indirect interest as a consequence of becoming an interested party
- (g) indirect interest as a result of impact on residential amenity
- (h) conflicting personal interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken. Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

Nil.

5. REPORTS

5.1 WARRNAMBOOL CITY COUNCIL PLAN 2017-2021

PURPOSE

This report considers the Draft Council Plan for the period 2017-2021.

EXECUTIVE SUMMARY

- Section 125 of the Local Government Act (LGA) requires a Council to prepare and approve a Council Plan by the June 30 following a general election.
- The Council Plan is the feature document in Council's suite of strategic planning documents, formulated to guide the work of Council over the next four years.
- Over recent months Council has prepared a draft Council Plan 2017-2021 which reflects the aspirations and direction of the new council for its full term of office.
- The draft Council Plan represents a significant shift in focus. Council's new vision is for Warrnambool to be a *Cosmopolitan City by the Sea*, which references our beautiful and unique location and proclaims that the city is striving to be more welcoming, open and inclusive.
- And for the first time Council has devised a theme for the Council Plan – *Growing Pride and Confidence in the City*, which emphasises the need to celebrate and promote our city, its attributes and its appeal to those in the region and beyond.
- The draft Council Plan outlines key activities and initiatives Council will undertake over 2017-2018 to deliver on the five objectives described in the plan. Those objectives are for Council to:
 - Sustain and enhance the natural environment
 - Foster a healthy city that is socially and culturally rich
 - Maintain and improve the physical fabric of the city
 - Develop a modern economy with diverse and sustainable employment
 - Practice good governance through openness and accountability

MOVED: CR. HULIN
SECONDED: CR. NEOH

That Council

1. That Council, pursuant to Section 125 of the Local Government Act 1989 gives public notice of the Draft Council Plan 2017-2021 for the Warrnambool City Council as set out in Appendix A of this report, inviting interested persons to make a written submission relating to such plan, with written submissions to be received at the Warrnambool Civic Centre not later than 5pm, Wednesday May 31, 2017, and with any person who requests to be heard in support of his or her written submission to be so heard at a special meeting of Council (if required) to be held at 5.45pm Monday, June 5, 2017.
2. That Council consider any:
 - a) Submissions on the proposed Council Plan and;
 - b) Recommendations to adopt the 2017-2021 Council Plan (with or without amendments), at a Special Meeting of Council to be held at 5.45pm Monday 26 June 2017 in the Council Chamber, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool.

CARRIED – 7:0

BACKGROUND

A Council Plan discussion document was prepared in March and released to the community for public comment.

The draft Council Plan draws on an extensive base of community engagement activities undertaken by Council over the past four years. This includes engagement activities around public amenities, health and wellbeing, car parking, safer boating, economic investment, community services and infrastructure and coastal and open space management.

As required by the LGA the plan includes Strategic Objectives, Strategies for achieving the Objectives and Strategic or Key Performance Indicators for monitoring the achievement of the Objectives.

The Council Plan is a statutory requirement of the Local Government Act and is used by a number of other audiences and purposes including:

- A reference for the community.
- A framework for Council staff to build the annual Activities & Initiatives adopted by Council.
- A reference for State Government departments.
- Support for grant applications.
- Support for advocacy positions taken by Council.

Council is required to produce a Council Plan, Strategic Resource Plan, Budget and Activities and Initiatives which will be subject to public notice and submission processes under Sections 129 and 223 of the Act.

Note:

The proposed Council Plan is provided as a separate attachment.

5.2 WARRNAMBOOL CITY COUNCIL – PROPOSED BUDGET 2017-2018

PURPOSE

This report presents the 2017-18 Proposed Budget for Warrnambool City Council, including initial statutory processes.

EXECUTIVE SUMMARY

- A Proposed Budget for 2017/18 financial year has been prepared in accordance with Section 127 of the Local Government Act 1989 (LGA).
- The Budget has been prepared in accordance with the budget principles set down by council and follows a number of workshops by the executive and Council.
- As required by the LGA and the Local Government (Planning & Reporting) Regulations 2014 the Draft Budget includes prescribed information, including :
 - Financial Statements
 - Statement of Capital Works
 - Services and Initiatives funded in the budget
 - Performance Statement
 - Fees and charges
 - Rating and borrowing details
 - Strategic Resource Plan
- Public notice of the prepared budget must then be given, copies of the budget be made available for at least 28 days and persons given the opportunity to make submissions in accordance with Section 223 of the Local Government Act.
- Council proposes to adopt the Budget, with or without modification, on 26 June 2017.

MOVED: CR. CASSIDY
SECONDED: CR. NEOH

1. That the Warrnambool City Council Proposed Budget 2017/18 attached to this report and initialled by the Mayor and Chief Executive for identification be the Budget prepared by Council (in respect of the 2017-2018 Financial Year) for the purpose of Section 127(1) of the Local Government Act 1989 as amended (“the Act”).
2. That Council :
 - a) Give public notice of the preparation of this Budget in accordance with Section 129 of the Act ; and
 - b) Make the Budget and the information required to be made available by Regulation 8 of the Local Government (Planning and Reporting) Regulations 2014 available for inspection at the council civic offices and on Council’s website for at least 28 days, and
 - c) Invite interested persons to make a written submission relating to the budget, with written submissions to be received at the Warrnambool Civic Centre not later than 5pm Wednesday 31 May 2017, and
 - d) Hear any person who wishes to heard in support of a submission at the Ordinary Meeting of Council on Monday 5 June 2017; and

After considering any submissions adopt the 2017-2018 Budget and the Council Plan inclusive of the updated Strategic Resource Plan (with or without amendments) and declare rates and charges at a Special Meeting of Council to be held at 5.45pm, Monday 26 June 2017 in the Council Chamber, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool.

CARRIED – 7:0

BACKGROUND

Council is required to prepare a budget for each financial year in accordance with Section 127 of the Local Government Act 1989.

The Act and Regulations prescribe the information and format of the Budget, now commonly referred to as the “Model Budget”.

The Model Budget 2017/18 includes a range of information including :

- Financial Statements
- Statement of Capital Works
- Services and Initiatives funded in the budget
- Performance Statement
- Fees and charges
- Rating and borrowing details
- Strategic Resource Plan

Once Council has prepared a Proposed Budget it is required to give public notice for at least 28 days advising that copies of the budget are available for inspection at the council offices and that it is also published on the council internet site.

Persons have the right to make a submission, in accordance with Section 223 of the LGA, in relation to any proposal contained in the budget.

ISSUE

Council has prepared a Proposed Budget for the 2017-18 financial year in accordance with Council's budget principles :

- Service levels to be maintained at prior year levels where practicable.
- Retain existing levels of subsidy for user fees where practicable.
- New revenue sources to be identified where possible (innovation).
- Maintain and renew existing assets in accordance with Council's Asset Management Policy.
- Invest in infrastructure to facilitate development in growth areas.
- Real savings and efficiencies to be identified and preserved wherever possible.
- Focus on advancing the liveability of Warrnambool.
- New Projects do not become recurrent items unless endorsed by Council.
- Recognise the needs of the disadvantaged where possible.
- Efficiencies to drive Council's response to rate capping
- Council's medium to long term strategic planning not to be constrained by rate capping

The Budget has undergone review over a series of workshops with the executive and council.

The budget has been prepared under the State Government's Fair Go Rates System. This system results in the Minister for Local Government determining the average rate cap for the next financial year.

For 2017/18 the Minister has set the average rate cap at 2.0% and the proposed budget is premised on this level of increase in rates and charges revenue.

Whilst Councils are able to apply for an increase to the average rate cap, Council has chosen to apply the average rate cap as set by the Minister and not apply for a variation.

The proposed budget balances the ongoing service and infrastructure needs of the Warrnambool community within the financial capacity of the Council.

Council delivers a diverse and wide range of services to the community and the budget process requires the review and construction of annual income and expenditure budgets to assess the ongoing levels of resources necessary to deliver these services.

Council is mindful of its requirement to be financially sustainable (low risk rating achieved for from the Victorian Auditor General) and assesses the changing environment within which it operates and the budget impacts of these changes.

The Budget comprises:

- Recurrent (operational) Budget \$63.3 m
- Capital Works \$17.7 m
- **Total Budget \$81.0 m**

The Budget also contains a range of activities and initiatives that contribute to achieving the strategic objectives contained in the Council Plan as well as providing financial resources to continue the delivery of the current wide range of services to the community.

Council is also required to adopt a Strategic Resource Plan which relates to the next 4 financial year. The Strategic Resource Plan is a component of the Council Plan and an extract is included as part of the Warrnambool City Council Budget Report 2017/18.

NOTE: Budget papers are included as a separate document.

5.3 BORROWING STRATEGY AND POLICY

EXECUTIVE SUMMARY

Council utilises various revenue streams to fund its works and services.

These include but are not limited to rates, user fees, government grants and municipal charges.

Council also has the ability to borrow money, for the right projects, and in the right circumstances. The attached strategy and policy outlines the principles that underpin Council borrowings and sets the policy framework that should exist for Council to undertake borrowings.

BACKGROUND

In developing the Strategic Resource Plan (SRP) and the Long Term Financial Plan, borrowings have been identified as an important funding source for infrastructure necessary to support the new growth areas and to deal with the flattening of major generational infrastructure costs.

Section 144(1) of the Act states: 'Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the power conferred on the Council under this Act or any other Act.'

Sections 145 to 149 of the Act further specify the circumstances in which the power to borrow may be exercised, securities to be used for local government borrowings, and how the borrowings should be disclosed.

Council is best placed to undertake any future borrowings with the guidance of a prudent and sound borrowings strategy and policy context. The document attached provides this guidance – refer **Appendix A Draft Borrowing Strategy**.

MOVED: CR. HULIN
SECONDED: CR. ANDERSON

That Council adopt the Warrnambool City Council Borrowing Strategy and Policy.

CARRIED – 7:0

ISSUE

Many projects undertaken by a Council have a multi-generational benefit. Borrowing is one way that allows Council to fund these projects and still deliver on the shorter term needs of the community. The payback for these projects is defrayed across an extended period of the life of the asset and allows multiple generations to contribute to the asset rather than resting the burden at the assets inception.

The introduction of borrowings smooths the impact of large scale asset projects.

The use of borrowings can expedite the delivery of assets and programs used to add a positive cash flow to council operations therefore reducing the rate burden.

COMMUNITY IMPACT/CONSULTATION

This policy is based upon industry best practice and has been reviewed in the context of current legislative requirements. The policy sets a model for an internal decision making framework. Future works that may appear with borrowings as a funding source will appear in the budget would be subject to community consultation.

FINANCIAL IMPACT

This strategy and policy gives Council the means to make an informed decision when it comes to utilising debt as a funding source for future projects. The use of borrowings is an important tool available to Council to provide infrastructure and projects for its community now and into the future.

ENVIRONMENTAL/RISK IMPACT

The adoption and adherence to this policy would help in establishing a control for the mitigation of a major financial risk to the Council.

Adherence to this policy overtly keeps the Council within long term financially sustainable limits in relation to borrowings.

APPENDIX A



WARRNAMBOOL
CITY COUNCIL

BORROWINGS STRATEGY

DRAFT

APPROVAL DATE:
REVIEW DATE:

BORROWINGS STRATEGY

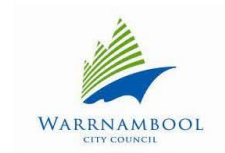


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BORROWINGS STRATEGY

Background

In developing the Strategic Resource Plan (SRP) and the Long Term Financial Plan, borrowings have been identified as an important funding source for infrastructure necessary to support the new growth areas and to deal with the flattening of major generational infrastructure costs.

Warrnambool Council has a history borrowing strongly to finance large infrastructure projects and the provision of drainage infrastructure to facilitate new development in the city was an exemplar of this direction. The updated SRP contains borrowings to fund the new infrastructure works necessary to facilitate development in the identified growth areas.

The debt reduction program likewise creates a future opportunity to revisit borrowings for projects and stay within appropriate prudential borrowing limits.

Loan borrowing is a legitimate and responsible financial management tool when used to fund major projects, as it spreads the payments for such assets across the generations who benefit.

Legislative Framework

The Local Government Act 1989 (the Act) (Section 125) provides that Councils are required to develop Council Plans generally within 6 months of each general election. The Council Plan must document Council's strategic objectives and strategies for achieving those objectives at least over the next 4 years as well as indicators for monitoring the achievement of objectives. The Act (Section 126) requires the Council Plan to incorporate a Strategic Resource Plan.

The Strategic Resource Plan identifies resources required to achieve the strategic objectives for at least the next four years and in particular the financial resources which are set out in a standard financial statement format.

While the Council Plan is set for a minimum four year period, good governance and planning processes would ensure it is based on longer term objectives in relation to Council services and infrastructure. These aspirations are then translated into the medium term goals set out in the Council Plan. Council has a number of processes through which long term service and infrastructure needs are identified. In particular, asset management and capital expenditure planning typically spans a 10 year or longer time horizon.

Changes mooted in the development of a new Local Government Act and work required to fulfil any submissions to the Essential Services Commission (ESC) must look at a longer 10 year plus horizon.

Part of any ESC review of rates is the effective utilisation of all available resources by a Council i.e. its current rating effort other recurrent revenue streams and the manner in which its borrowings regime is applied.

Under the Act (Section 127) a budget must also be prepared each financial year. The budget must be prepared in a standard format, describe the "activities and initiatives to be funded" and must also state "...how the activities and initiatives...will contribute to achieving the strategic objectives " Council.

BORROWINGS STRATEGY



The Act provides for Councils the power to borrow.

Section 144(1) of the Act states: 'Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the power conferred on the Council under this Act or any other Act.'

Sections 145 to 149 of the Act further specify the circumstances in which the power to borrow may be exercised, securities to be used for local government borrowings, and how the borrowings should be disclosed, etc.

In particular, Section 146 provides that 'A Council cannot borrow money for ordinary purposes or the purposes of municipal enterprises unless the proposed borrowings were included in a budget or revised budget.' Further 'If the proposed borrowings are to re-finance existing loans, the Council is not required to include the proposed borrowing in a budget or revised budget.'

Council Plans can be amended. The Act (Section 125(7)) requires that "...a Council must consider whether the current Council Plan requires any adjustment" and (Section 125(8)) that "...a Council may make any adjustment it considers necessary". Any such adjustments to the Council Plan must be advised to the Minister within 30 days of the making the adjustment (Section 125(10)).

Similarly, the Act (Section 128(1)) requires that a revised budget be prepared "...if circumstances arise which cause a material change in the budget and which affects the operations and position of the Council."

Therefore the Act clearly provides for amendments to be made to the Council Plan (including the Strategic Resource Plan) and the Annual Budget.

In practical terms the Council Plan and Budget are subjected to review at least on an annual basis.

Linkage to Council Plan

Council's strategic objectives are set out in the Council Plan whilst the Strategic Resource Plan contains the financial resources to achieve these objectives it outlines the funding sources proposed to deliver on its strategic objectives for its community.

In seeking to remain financially sustainable, Council utilises a range of funding sources of which borrowings is one. It is acknowledged that Councils are generally infrastructure intensive as this is required to provide the extensive range of services to their communities much of which would not be provided for in any other form.

The Council Plan outlines the strategic intent of service provision and advocacy for a local community.

BORROWINGS STRATEGY



Principles of Sound Financial Management

The Victorian Local Government Act 1989 (Section 136) sets out the following principles of sound financial management:

- (2) The principles of sound financial management are that a Council must –
 - (a) manage financial risks faced by Council prudently having regard to economic circumstances;
 - (b) pursue spending and rating policies that are consistent with a reasonable degree of stability of the rates burden;
 - (c) ensure that decisions are made and actions are taken having regard to their financial effects on future generations;
 - (d) ensure full, accurate and timely disclosure of financial information relating to the Council

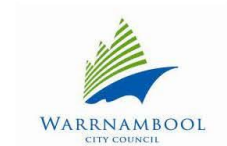
- (3) The risks referred to in subsection (2)(a) include risks relating to –
 - (a) the level of Council debt;
 - (b) the commercial or entrepreneurial activities of the Council;
 - (c) the management and maintenance of assets;
 - (d) the management of current and future liabilities;
 - (e) changes in the structure of the rates and charges base."

Strategy as Policy:

Council is of the opinion that borrowings are an acceptable source of funding. Council will plan to utilise this form of funding in future budgets and in its long term financial plan. Whilst understanding and adhering to the principles of sound financial management as set out in the local government act Council must decide how this manifests itself in practical terms for the future and how it will utilise borrowings as such.

The principles outlined below in this strategy form the policy basis for Council Borrowings. The following principles codifies what process for decision making is to be applied when considering the use of borrowings for Warrnambool City Council.

BORROWINGS STRATEGY



Borrowing Policy Principles:

- No borrowings for operational purposes.
- Borrow for major infrastructure projects which have long useful lives thereby applying equity of burden across ratepayers of different generations who would enjoy the benefits of the asset.
- Consider borrowing for unforeseen one-off major impacts (i.e defined benefits superannuation calls, natural disasters) that may have a generational impact.
- Priority for projects with above loan repayment returns - These are projects which are capable of generating net cash inflows, or reduced cash outflows, which are greater than the principal and interest cash flows associated with a loan.
- Loan repayments of principal and interest to repay debt over its loan term.
- Maintain a prudential borrowing ratio (debt/rate revenue) of no greater than 50%.
- Maintain a debt servicing ratio (loan repayments/rate revenue) of no greater than 8%.
- All Victorian Auditor General Office VAGO Sustainability indicators relating to debt within a sustainable rating.
- Council will secure its loan funds through competitive tendering, either as a standalone tender or through collaborative tendering arrangements approved by the Minister for Local Government.

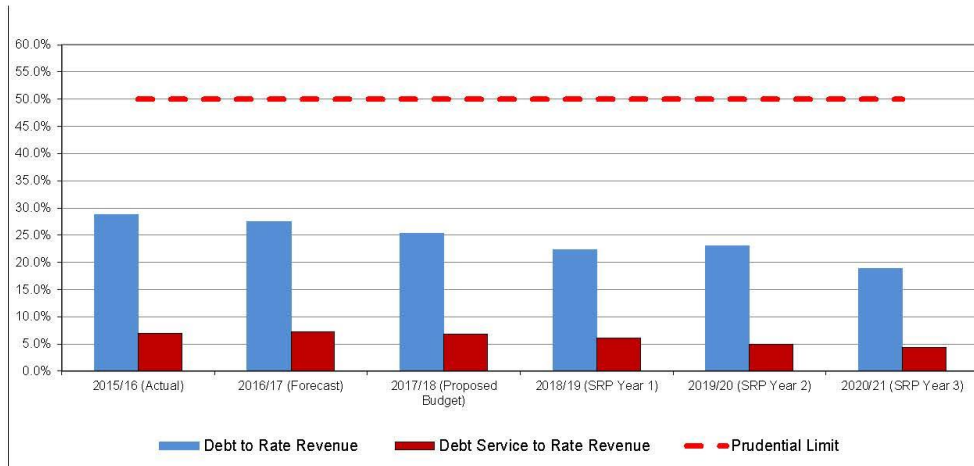
Period of policy currency and review

This policy will remain current until its review which will be scheduled for consideration in June 2021



BORROWINGS STRATEGY

The following graph demonstrates council's past and projected compliance with its borrowing principles.



Council's is expecting to reduce its debt levels over the SRP from a peak of \$9.9 million down to \$7.3 million and expects this downward trend to continue into the future. **(NB: These figures do not include a current loan guarantee of \$2.9 million to the Warrnambool RSL sub branch for extension works this Guarantee also affects our borrowing limits as a liability.)**

5.4 RATING STRATEGY 2017 - 2021

PURPOSE

To present the Rating Strategy 2017 – 2021 to Council for endorsement.

EXECUTIVE SUMMARY

- The attached Rating Strategy – **Appendix A** provides an overview and introduction to the rating framework proposed for Warrnambool City Council. Council periodically reviews its rating strategy to ensure we are both aligned to the legislative requirements under the relevant act and to ensure equity is maintained appropriately as per the Ministerial guidelines. It explains what rates are, the bi-annual revaluation process required by the Valuer General of Victoria on behalf of the State Government and the objectives of differential rating
- Council's rating structure is also outlined in the strategy, including details on how Council proposes to raise its rates and charges.

MOVED: CR. HULIN

SECONDED: CR. NEOH

1. That Council adopt the Rating Strategy 2017-2021 as attached in appendix A.
2. That Council continues to apply a differential rate for all residential properties, including flats and units (Other Land).
3. That Council continues to apply a differential rate to all rateable vacant land properties.
4. That Council continues to apply a differential rate to all rateable farm land properties.
5. That Council continues to apply a differential rate to all rateable commercial land.
6. That Council continues to apply a differential rate to all rateable industrial land
7. That Council continues to apply a general/uniform rate to all rateable industrial 2 land
8. That Council continues to allow a discount on the general/uniform rate to Cultural and Recreational properties.
9. That Council considers the adoption of higher differential rates on multi use properties.
10. That Council continue to adopt the segmented rating policy detailed in part 5 of this report
11. That Council periodically reviews differential rating system with a goal that equity, efficiency and simplicity are achieved.
12. That Council continues to apply the mandatory rate instalment payment option in future rating years
13. That Council only grants non-rateable status to properties that meet the criteria described in the Local Government Act 1989.
14. That Council ensures ongoing reviews of the current list of non-rateable properties to ensure all continue to meet the criteria described in the Local Government Act 1989.

CARRIED – 7:0

BACKGROUND

The attached Rating Strategy provides an overview and introduction to the rating framework available to Local Government. It explains what rates are, the bi-annual revaluation process, the objectives of differential rating and outlines appropriate rating under the Ministerial guidelines.

As indicated Council's rating structure is also outlined in the strategy, including details on how Council proposes to raise its rates and charges.

The legislative framework is outlined in the *Local Government Act 1989*, in particular sections 154-181 which determine a council's ability to develop a rating system. Section 3C (2) (f) of the Act provides that one of the key objectives of Council is "to ensure the equitable imposition of rates and charges".

The *Ministerial Guidelines for Differential Rating* was published in the Victoria Government Gazette in April 2013. The guidelines were prepared to guide councils in the application of differential rates as provided in section 161 of the Act.

Council is required for rating purposes to undertake a general revaluation of all properties within the municipality every two years under section 13DC of the *Valuation of Land Act 1960*. Rates in 2017-18 are again based on January 2016 figures, whilst the general revaluation for 2018 has commenced it will not take effect until the 2018-19 financial year.

ISSUES

Council rates and municipal charge in 2017-18 will be assessed against the 1 January 2016 valuation and the average rate increase percentage will be consistent with the legislated rate cap of 2 per cent across the different rating categories.

Service charges on properties in accordance with Section 158(1) of the *Local Government Act 1989* for the collection, disposal and processing of waste and recycling will be set to achieve full cost recovery. These charges are not assessed as part of the rate cap.

Council, on an ongoing basis carries out supplementary valuations of properties that change as a result of building and planning permits issued for new and changed properties, changes to the uses of properties and through changes to the planning scheme.

CONSULTATION/COMMUNICATION

It is considered best practice that the Rating Strategy be a public document and subject to consideration by Council at a formal meeting. Following its adoption the strategy will be placed on Council's website.

Council now and in future years will continue to engage with our community to determine their priorities around service provision and the development of key infrastructure provided for community benefit. Council may, as a response to this information or to ensure the ongoing financial viability of our services, seek an exemption to the annual capped rate at some higher level.

The rate that Council sets is advertised through our budget process for community comment and is accompanied by where our resources are distributed. The community has an opportunity annually to make submissions to the budget for Council's consideration.

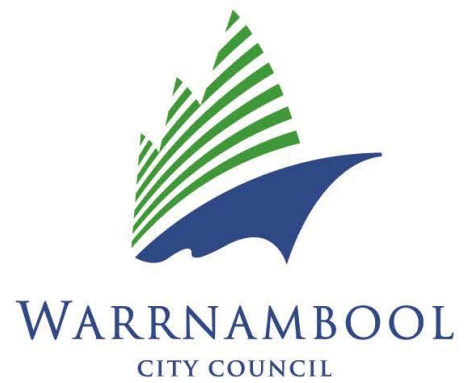
FINANCIAL IMPACT

The intention of this rate strategy is to ensure the ongoing equity of rate burden distribution and to ensure the ongoing financial viability of the Council is supported through sound strategy.

ENVIRONMENTAL/RISK IMPACT

Elements the rating strategy deals with the recovery and management of waste and play an important part in the continued improvement of our local environment and maintained amenity.

APPENDIX A



Rating Strategy

Warrnambool City Council

2017 - 2021

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1. Introduction

Under the Local Government Act (1989), a primary objective of all Victorian Local Governments is to ensure the equitable imposition of rates and charges (Section 3C (f)). The purpose of this Rating paper is therefore to consider what rating options are available to Council under the Local Government Act (1989) and how Council's choices in applying these options contribute towards meeting an equitable rating strategy. These choices will be the resulting Rating Strategy.

It is important to note at the outset that the focus of this paper is very different to that which is discussed in the Long Term Financial Strategy/Annual Budget. In these latter documents the key concern is the quantum of rates required to be raised for Council to deliver the services and capital expenditure required. In this paper, the focus instead is on how this quantum will be determined strategically and on some equitable basis be distributed amongst Council's ratepayers.

The Rating Strategy paper will canvass the limited range of rating options available to Council under the Local Government Act (1989) including the following:

- a) The choice of which valuation base to be utilised (of the three available choices under the Act);
- b) The consideration of uniform rating versus the application of differential rates for various classes of property;
- c) What is the most equitable level of differential rating across the property classes?
- d) Consideration of the application of fixed service charges for the areas of waste collection and municipal administration;
- e) A review of the rate payment dates and options available to Council
- f) A review of non-rateable properties.

2. Executive Summary and Recommendations

The selection of rating philosophies and the choice between the limited rating options available under the Local Government Act (1989) is a difficult one for all Councils and it is most likely that a perfect approach is almost impossible to achieve in any local government environment.

Equally the lay understanding of what rating achieves is often misunderstood. People often wrongly believe Council receives more money overall as property values increase rather than understanding that changes in valuation only change the distribution of a set amount that is to be raised.

Whilst current government legislation caps the amount of total rates levied each year the way their collection is distributed amongst rate payers is an important strategic lever available at Councils disposal.

There are three key platforms that have formed the basis of the current approach to rating at Warrnambool City Council that are recommended for continuation. They are:

- a) That rates will continue to be based principally on the valuation of the various properties with minimal fixed charges to be applied;
- b) That Council will continue to apply differential rating against various property classes that contribute to the equitable and efficient carrying out of Council functions.
- c) That strategically the overall take from differentially rated property types reflects a reasonable proportional representation of where Council rating resources are spent

Council currently applies differential rates (to the General Residential Rates) to three different classes of property. This Rating paper recommends a review of the types of differential rates. The key aim of this review will be to make the current rating system more equitable and transparent.

This paper recommends that Council adopt the following:

Section	Recommendations
Determining which valuation base to use	<ul style="list-style-type: none"> That Warrnambool City Council continues to apply the Capital Improved Valuation methodology to levy Council rates.
Determining the Rating System-Uniform or Differential?	<ul style="list-style-type: none"> That Warrnambool City Council continues to apply differential rating as its rating system.
What differential rates should be applied?	<ul style="list-style-type: none"> That Council continues to apply the other land rate for all residential properties, including flats and units. That Council continues to apply a differential rate to all rateable vacant land properties. That Council continues to allow a discount on the general rate to Cultural and Recreational properties. That Council continues to apply higher differential rates on commercial and industrial properties. That, Council considers the adoption of a higher differential rate on properties that are of mixed use (part Residential, part Commercial or industrial). That Council periodically reviews the differential rating system with the goal that equity, efficiency and simplicity are achieved.
Impact of Council Revaluations	<ul style="list-style-type: none"> That Council reviews the impact of Council revaluations and assesses differential rates applied to achieve an outcome that is considered equitable by Council and that achieves the strategic intent of the policy to receive a rate revenue from differentially defined category's that remains equally relative to previous years.
Municipal Charge	<ul style="list-style-type: none"> That Council continues to levy a Municipal Charge to offset the costs associated with the administration of Council.
Service Rates and Charges	<ul style="list-style-type: none"> That Council continues to apply a Waste Service charge. That Council ensures the charge is based on a full cost recovery for this service.
Rate Payment Date Options	<ul style="list-style-type: none"> That Council continues to apply the mandatory rate instalment payment option in future rating years.
Non-rateable properties	<ul style="list-style-type: none"> That Council only grants non-rateable status to properties that meet the criteria described in the <i>Local Government Act 1989</i>. That Council reviews the current list of non-rateable properties to ensure all meet the criteria described in the <i>Local Government Act 1989</i>.

3. What is a Rating Strategy and why have one?

The purpose of this paper is to assist Council to consider how the rate burden can be most equitably distributed.

What is a rating strategy?

A rating strategy is the method by which Council systematically considers factors of importance that informs its decisions about the rating system. The rating system determines how Council will raise money from properties within the municipality. It does not influence the total amount of money to be raised, only the share of revenue contributed by each property. The rating system comprises the valuation base for each property and the actual rating instruments allowed under the Local Government Act (1989) to calculate property owners' liability for rates.

The importance of a rating strategy

Warrnambool City Council currently receives in 2016/2017 52.5% of its revenue by way of property-based rates and charges. The development of strategies in respect of the rating base is therefore of critical importance to both Council and its citizens.

The principles of good governance further require Council to provide ongoing or periodic monitoring and review of the impact of major decisions. It is therefore essential for Council to evaluate on a regular basis, the legislative objectives to which it must have regard and those other objectives which Council believes are relevant.

Warrnambool City Council is seeking to fully document its objectives and approach to the raising of rate revenue in line with its goal of providing transparency in its decision-making.

4. Rating – the Legislative Framework

The purpose of this section is to outline the legislative framework in which Council has to operate in constructing its rating system and the various issues that Council must consider in making its decisions on its rating objectives.

4.1 Legislative Framework

Section 3C of the Local Government Act (1989) stipulates the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of its decision. In seeking to achieve its primary objective, a Council must have regard to facilitating the following objectives-

- a) Promote the social, economic and environmental viability and sustainability of the municipal district;
- b) Ensure resources are used efficiently and effectively;
- c) Improve the overall quality of life of the people in the local community;
- d) Promote appropriate business and employment opportunities;
- e) Ensure services and facilities provided are accessible and equitable
- f) Ensure the equitable imposition of rates and charges;
- g) Ensure transparency and accountability in Council decision making.

The issue of equity must therefore be addressed in the rating strategy, and this paper has paid careful attention to this aspect.

4.2 Equity

Having determined that Council must review its rating strategy in terms of the equitable imposition of rates and charges, it is a much more vexed question in terms of how to define and determine what is in fact equitable in the view of Council.

In considering what rating approaches are equitable, some concepts that Council may take into account are:

- **Horizontal equity** refers to justice or fairness in the treatment of like properties, in other words, that similar rates are paid by similar properties. On the proviso that Council valuations fairly reflect the true valuation of like properties, horizontal equity will be achieved.
- **Vertical equity** refers to the justice or fairness in the treatment of properties in different circumstances (eg different property types – Residential / Commercial / Industrial / Vacant / Farm).

In the case of property rates, it may be considered equitable for one type of property to have to bear more or less of the rates burden than another type of property. In achieving vertical equity in its rating strategy, Council must consider the valuation base it chooses to adopt to apply property rates and the application of the various rating tools available to it under the Local Government Act (eg differential rates).

Linkage of property wealth to capacity to pay – The valuation of property is an imperfect system in which to assess a resident's ability to pay annual rates but one which Council is restricted to under the Local Government Act (1989). A frequently raised example is in relation to pensioners who may live in their family home which carries a high value, but live on a pension. The equity question for consideration, however, is should Council support residents in this situation with lower rates that will eventually be to the financial benefit of estate beneficiaries? Or alternatively, should the ability to defer rates (in all or in a part) represent a more equitable outcome for all ratepayers?

The Benefit principle - One of the more misunderstood elements of the rating system is that residents seek to equate the level of rates paid with the amount of benefit they individually achieve. The reality is, however, that rates are a system of taxation not dissimilar to PAYE tax.

In paying a tax on salaries, it is rarely questioned what benefit is received with it being acknowledged that tax payments are required to pay for critical services (Health, Education, etc) across the nation. Local Government is not different to this outcome with Rates being required to subsidise the delivery of services and capital works that would otherwise be unaffordable if charged on a case by case basis.

It is a choice of Council to what degree it wishes to pursue a 'user pays' philosophy in relation to charging for individual services on a fee-for-service basis. Similarly Council must make a rating decision in terms of whether to use a fixed waste charge to reflect the cost of waste collection and a fixed municipal charge to defray the administrative costs of Council. Both of these choices are discussed later in this paper.

The recommended approaches in this paper in terms of equity are discussed further under each section.

4.3 What Rates and Charges may a Council declare?

Section 155 of the Local Government Act (1989) provides that a Council may declare the following rates and charges on rateable land -

- General rates under Section 158;
- Municipal Charges under Section 159;
- Service Rates and Charges under Section 162;
- Special rates and charges under Section 163.

The recommended rating options in relation to municipal charges, service rates and charges and special rates and charges are discussed later in this document.

4.4 Valuation Methodology available to Council

In raising Council rates, Council is required to primarily use the valuation of the rateable property to levy rates.

Section 157 (1) of the Local Government Act (1989) provides Council with three choices in terms of which valuation base to utilise. They are Site Valuation, Capital Improved Valuation and Net Annual Value. The advantages and disadvantages of the respective valuation basis are discussed in Section 5 of the strategy.

4.5 Declaring Rates and Charges

Section 158 of the Local Government Act (1989) provides that Council must at least once in respect of each financial year declare by 31 August the following for that year:

- The amount which Council intends to raise by way of general rates, municipal charges, service rates and service charges;
- Whether the general rates will be raised by application of –
 - A uniform rate; or
 - Differential rates (if Council is permitted to do so under Section 161 (1))
 - Urban farm rates, farm rates or residential use rates (if Council is permitted to do so under Section 161A)
 - Council recommended approach to the application of differential rates is discussed in Section 6 of this discussion paper.

5. Understanding the Current Rating Framework at Warrnambool City Council

General and Differential Rates

Under the *Local Government Act 1989*, Council can levy either a uniform rate, Section 160 (Ad Valorem) or one or more differential rates, Section 161. A uniform rate is where all rateable properties in a municipality are charged based on the same rate in the dollar. Differential rates are where councils set different rates in the dollar for different categories of rateable land.

Where a differential rate is applied, this is usually to achieve greater equity or efficiency. Subject to Ministerial Guidelines (April 2013), there is no limit on the number, or type of differential rates that can be levied, but the highest differential rate can be no more than four times the lowest differential rate.

Warrnambool City Council adopted the Capital Improved Valuation (CIV) system in 1996 for rating purposes. CIV represents the market value of a property as at a specific date, including the value of the land and any improvements on that land. Utilising CIV as the basis for levying rates allows Council to adopt Differential Rating. The vast majority of Victorian Councils use CIV as the basis for levying rates and charges.

Differential rating was introduced by Council when it moved to CIV rating and the differential rating categories have remained unchanged since. Differential Rating allows council to recover rates from each of the major property categories giving support to the equity principle in the distribution of the rate burden. Its origins and the established levels can be summaries as follows.

When shifting from Site Value (SV) rating to CIV the Council was conscious of the impact on all ratepayers and made a decision that each Major Property Category (M.P.C.) should continue to contribute a similar proportion of rate income as it previously had (a segmented rating policy). The M.P.C's are Residential, Farm, Industrial, Commercial and Vacant Land and these groups are clearly distinguishable by property type/use and by the nature and extent of council services each needs/wants, (the user benefits principle).

In adopting a segmented rating policy based on the user benefits principle, Council has been able to remove the impact of valuation swings across the M.P.C's. This has resulted in cushioning the impact of the swings so that any effects are confined within the M.P.C's during any general revaluation. For example, when the valuations within the commercial sector increase/decrease markedly to other M.P.C. there is no great shift or additional rate burden placed on either sector, Council continues to collect the same percentage of rate income and any rate burden is only redistributed within the sector. An example of this is the 2006 general revaluation when the growth in commercial property valuations from the 2004 general revaluation saw an increase of 48.25 percent over the 2-year period compared to only 15.08 percent for the residential sector. Again, comparing 2008 with 2006, Industrial properties increase 35.39 percent compared with residential 8.84 percent

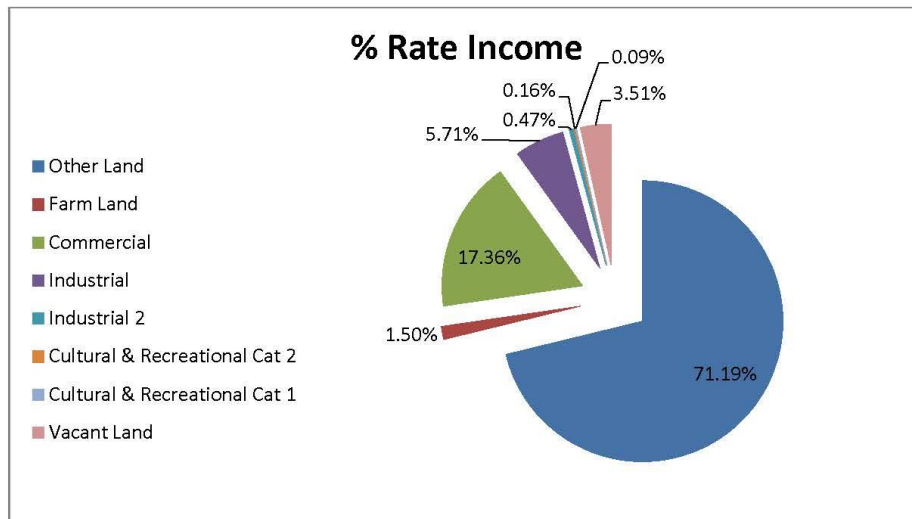
A major initiative during the 1999/2000 financial year was for senior officers to be involved in a budget analysis which considered an equitable allocation of expenditure of rates on a User Category Pays Dimension.

Simply expressed, the User Category Pays Analysis allocates rates expenditure on a user benefit basis to each M.P.C. of Residential, Farm, Commercial and Industrial. The result is the user pay liability of each M.P.C.

The analysis was applied to every operational and capital budget activity. This approach allowed a strategic comparison, at all budget levels, between the actual amount of rates paid and the user pays liability of each M.P.C. It was again reviewed by officers against the 2011/2012 budget when Council again renewed its segmented rating policy.

The table and graph below display the respective revenues from the various differential rates generated in the 2016-2017 Budget in line with the user category pays analysis previously undertaken by officers.

Rating Category	No. Assessment 16/17	Total CIV 16/17	Total Rates Raised	% of Rates Total
General (Other Land)	14,630	4,894,424,000	18,173,000	71.19%
Farm Land	162	180,174,000	384,000	1.50%
Commercial	920	695,354,000	4,432,000	17.36%
Industrial	405	220,901,000	1,457,000	5.71%
Industrial 2	1	21,282,000	121,000	0.47%
Vacant Land	581	158,175,000	897,000	3.51%
Cultural & Recreational Land Cat 1	1	2,284,000	22,000	0.09%
Cultural & Recreational Land Cat 2	15	13,180,000	42,000	0.16%
Total	16,715	6,183,490	25,528,000	100%
Municipal Charge	16,710		4,179,171	12.28%
Garbage Charge	16180		4,311,970	12.68%
Total Rates and Charges			34,019,141	



In terms of the differential rates that Council applies, the table below highlights the various differential rates that are utilised in the current rating structure.

Rating Category	No of Assessments	Rate in the \$ 2016/2017	% to General Rate
General Rates (Other Land) +	14,630	0.003713	65%
Farm Rate	162	0.002134	38%
Commercial	920	0.006374	112%
Industrial	405	0.006597	116%
Industrial 2 *	1	0.005676	100%
Vacant Land	581	0.005671	100%
Cultural & Rec Land Cat 1	1	\$21,282	N/A
Cultural & Rec Land Cat 2	15	0.003185	56%

*equivalent to the uniform/general rate that would apply for 2016/2017

+Includes Urban Farm Land & Residential Use

Like most Victorian Councils Warrnambool City Council applies a higher differential rate for commercial and industrial properties.

Council currently utilises a uniform service charge recover the cost of the waste function.

Council currently applies a municipal charge for the purpose of defraying administration costs of Council.

6. Determining which valuation base to use

As outlined, under the Local Government Act (1989), Council has three options under the Local Government Act as to the valuation base it elects to use. They are:

- **Capital Improved Valuation (CIV)** – Value of land and improvements upon the land
- **Site Valuation (SV)** – Value of land only
- **Net Annual Value (NAV)** – Rental valuation based on CIV. For residential and farm properties, NAV is calculated at 5 per cent of the Capital Improved Value. For commercial and industrial properties NAV is calculated as the greater of the estimated annual rental value or 5 per cent of the CIV.

6.1 Capital Improved Value

Capital Improved Valuation is the most commonly used valuation base by Victorian Local Government with more than 70 Councils applying this methodology. Based on the value of both land and all improvements on the land, it is relatively easy to understand by ratepayers as it equates the market value of the property.

The key driver behind the majority use is the ability to apply differential rates should this valuation base be used.

Section 161 of the Local Government Act (1989) provides that a Council may raise any general rates by the application of a differential rate if –

- a) It uses the capital improved value system of valuing land; and
- b) It considers that a differential rate will contribute to the equitable and efficient carrying out of its functions.

Where a Council does not utilise Capital Improved Valuation, it may only apply limited differential rates in relation to farm land, urban farm land or residential use land.

Advantages of using Capital Improved Valuation (CIV)

- Capital-improved value includes all improvements, and hence is often supported on the basis that it more closely reflects “capacity to pay”. The CIV rating method takes into account the full development value of the property, and hence better meets the equity criteria than Site Value and NAV.
- With the increased frequency of valuations (previously four year intervals, now two year intervals), the market values are more predictable and has reduced the level of objections resulting from valuations.
- The concept of the market value of property is far more easily understood with CIV rather than NAV or SV.
- Most Councils in Victoria have now adopted CIV which makes it easier to compare relative movements in rates and valuations across Councils.
- The use of CIV allows Council to apply differential rates which greatly adds to Council's ability to equitably distribute the rating burden based on ability to afford Council rates. CIV allows Council to apply higher rating differentials to the commercial and industrial sector that offset residential rates.

Disadvantages of using CIV

- The main disadvantage with CIV is the fact that rates are based on the total property value which may not necessarily reflect the income level of the property owner as with pensioners and low income earners.

6.2 Site Value

Although the Act provides for Councils to use Site Value as the basis of valuation, very few Councils have done so due to the very limited ability to apply differential rates.

In very many ways, it is difficult to see an equity argument being served by the implementation of Site Valuation in Warrnambool City Council, therefore this method is not recommended.

Advantages of Site Value

- There is a perception that under site valuation, a uniform rate would promote development of land. There is however little evidence to prove that this is the case.
- Scope for possible concessions for urban farm land and residential use land.

Disadvantages in using Site Value

- SV does not consider the value of improvements, which is a deviation from the “equity” principle. SV is a major burden on property owners that have large areas of land. Some of these owners may have much smaller/older dwellings compared to those who have smaller land areas with well developed dwellings but will pay more in rates. A typical example is flats, units, townhouses which will all pay low rates compared to traditional housing styles.

- The use of SV can place pressure on Council to give concessions to categories of landowners on whom the rating burden is seen to fall disproportionately (eg large land with old house). Large landowners are disadvantaged by the use of site value.
- SV will reduce Council's rating flexibility and options to deal with any rating inequities due to the removal of the ability to levy differential rates;
- The rate-paying community has greater difficulty in understanding the SV valuation on their rate notices, as indicated by many inquiries from ratepayers on this issue handled by Council's City Assist and Revenue & Property staff each year.

6.3 Net Annual Value

Net annual value, in concept, represents the annual rental value of a property. However, in practice, NAV is closely linked to the capital improved value for residential properties. Valuers derive the NAV directly as 5 per cent of CIV.

In contrast to the treatment of residential properties, Net Annual Value for commercial and industrial properties is assessed with regard to actual market rental. This differing treatment of commercial versus residential and farms has led to some suggestions that all properties should be valued on a rental basis.

Overall, the use of NAV is not supported. For residential and farm ratepayers, actual rental values pose some problems. The artificial rental estimate used may not represent actual market value, and means the base is the same as CIV but is harder to understand.

In choosing a valuation base, Councils must decide on whether they wish to adopt a differential rating system (different rates in the dollar for different property categories) or a uniform rating system (same rate in the dollar). If a Council was to choose the former, under the Act it must adopt either of the CIV or NAV methods of rating

6.4 Summary

It is recommended that Warrnambool City Council continue to apply Capital Improved Valuation as the valuation base for the following reasons:

- CIV is considered to be the closest approximation to an equitable basis for distribution of the rating burden.
- CIV provides Council with the ability to levy a full range of differential rates. Limited Differential rating only is available under the other rating bases.
- It should be noted that more than 70 Victorian Councils apply CIV as their rating base and as such, it has a wider community acceptance and understanding than the other rating bases.

Recommendation
That Warrnambool City Council continues to apply the Capital Improved Valuation methodology to levy Council rates.

7. Determining the Rating System-Uniform or Differential?

As highlighted in Section 3, Council may apply a uniform rate or differential rates to address the needs of the Council. They are quite different in application and have different administrative and appeal mechanisms that need to be taken into account.

7.1 Uniform Rate

Section 160 of the Act stipulates that if a Council declares that general rates will be raised by the application of a uniform rate, the Council must specify a percentage as the uniform rate. Rates will be determined by multiplying that percentage by the value of the land.

Warrnambool City Council does not adopt uniform rates but has instead has adopted differential rating.

7.2 Differential Rates

Warrnambool City Council has adopted differential rating as it considers that differential rating contributes to the equitable distribution of the rating burden. Differential rating allows particular classes of properties to be assessed at rates at different levels from the general rate set for the municipality. Differential rating allows Council to shift part of the rate burden from some groups of ratepayers to others, through different "rates in the dollar" for each class of property.

Under the Local Government Act (1989), Council is entitled to apply differential rates **provided it uses Capital Improved Valuations** as its base for rating.

Section 161 outlines the regulations relating to differential rates. This section is outlined below.

- (1) A Council may raise any general rates by the application of a differential rate, if Council considers that the differential rate will contribute to the equitable and efficient carrying out of its functions.
- (2) If a Council declares a differential rate for any land, the Council must-
 - a) Specify the objectives of the differential rate, which must be consistent with the equitable and efficient carrying out of the Councils functions and must include the following:
 - i. A definition of the types of classes of land which are subject to the rate and a statement of the reasons for the use and level of that rate in relation to those types or classes of land.
 - ii. An identification of the type or classes of land which are subject to the rate in respect of the uses, geographic location (other than location on the basis of whether or not the land is within a specific ward in Council's district) and planning scheme zoning of the land and the types of buildings situated on it and any other criteria relevant to the rate.
 - b) Specify the characteristics of the land, which are the criteria for declaring the differential rate

The maximum differential allowed is no more than 4 times the lowest differential. This is important in the Warrnambool City Council context as Council is not at this limit in term of the variation. Council's lowest differential is the Farm Land differential rate and the highest is the Industrial Land differential rate.

Council, in striking the rate through the Annual Budget process sets the differential rate for set classes of properties at higher or lower amounts than the general rate.

Currently there are six different levels of rates as outlined in Section 5 of this paper.

7.3 Objective of the rate and characteristics

For the declared differential rates it is considered that each differential rate will be used to contribute to the equitable and efficient carrying out of Council's functions. The following are the objectives and characteristics of the differential rates currently adopted for the different property types.

Commercial land

Commercial land is any land, which is:

- Occupied for the principal purpose of carrying out the manufacture or production of, or trade in, goods or services; or
- Unoccupied but zoned commercial under the Warrnambool City Planning Scheme.

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Economic development and planning services, having direct benefit to the use of Commercial Land.
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics described but not limited to those below.

1. Rateable property used for business and administrative purposes, including, but not limited to, properties used for:
 - (a) The sale or hire of goods by retail or trade sales, e.g. shops, auction rooms, milk bars, newsagents;
 - (b) The manufacture of goods where the goods are sold on the property;
 - (c) The provision of entertainment, e.g. theatres, cinemas, amusement parlours;
 - (d) Media establishments, e.g. radio stations, newspaper offices, television stations;
 - (e) The provision of accommodation other than residential, e.g. motels, caravan parks, camping grounds, camps, accommodation houses, hostels, boarding houses;
 - (f) The provision of hospitality, e.g. hotels, bottle shops, restaurants, cafes, takeaway food establishments, tearooms;
 - (g) Tourist and leisure industry, e.g. flora and fauna parks, gymnasiums, boatsheds, indoor sports stadiums, gaming establishments;
 - (h) The provision of education, e.g. schools, museums, art galleries;
 - (i) Showrooms, e.g. display of goods;
 - (j) Religious purposes;
 - (k) Public offices and halls.

2. Properties used for the provision of health services including, but not limited to, properties used for hospitals, nursing homes, rehabilitation, medical practices and dental practices.
3. Properties used as offices including, but not limited to, properties used for legal practices, real estate agents, veterinary surgeons, accounting firms and advertising agencies.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate, in the case of improved land, is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2014/15 financial year.

Farm land

Farm land is any land, which is:

- "farm land" as described in of Section 2 (1) of the Valuation of Land Act 1960.

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Encouragement of sustainable and productive use and management of Farm Land.
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics of "farm land" as described in of Section 2 (1) of the Valuation of Land Act 1960.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate, in the case of improved land, is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2014/15 financial year.

Industrial land

Industrial land is any land, which is:

- Occupied for the principal purpose of carrying out the manufacture or production of, or trade in, goods or services; or
- Unoccupied but zoned Industrial under the Warrnambool City Planning Scheme.

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Economic development and planning services, having direct benefit to the use of Industrial Land.
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics described but not limited to those below.

Rateable properties which are used in the process of income generation, including, but not limited to the following:

- (a) The manufacture of goods, food and beverage which are generally not sold or consumed on site (but does preclude some warehouse sales);
- (b) The storage of goods;
- (c) The provision of services for the repair of goods;
- (d) The storage of plant and machinery;
- (e) The production of raw materials in the extractive and timber industries;
- (f) The treatment and storage of industrial waste materials.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate, in the case of improved land, is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2014/15 financial year.

Vacant land

Vacant land is any land, which is:

- Vacant unoccupied land within the Warrnambool City Council
- Land on which no building designed or adapted for human occupation is erected

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Encouragement for orderly planning through development of serviced urban properties.
- Provision of municipal administrative services.
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics of vacant unoccupied land and on which no building designed or adapted for human occupation is erected within the Warrnambool City Council.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are no buildings are constructed.

Industrial 2 land

Industrial 2 land is any land, which is:

- Occupied for the principal purpose of carrying out the manufacture or production of, milk products such as powdered milk

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Encouragement for sustainable and economically beneficial milk production in the municipality.
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics described below.

- Rateable properties where each rateable property is used for the purpose of milk product production in the municipality.
- To fit within the classification the rateable property must be occupied and operating in the production of milk products.
- For the purpose of this classification the rateable properties must be within an Industrial 1 Zoning under the Warrnambool Planning Scheme.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate, in the case of improved land, is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2014/15 financial year.

Other land

Other land is any land, which is:

- occupied for the principal purpose of human habitation including dwellings, flats and units
- "residential use land" as described in of Section 2 (1) of the Valuation of Land Act 1960.
- "urban farm land" as described in of Section 2 (1) of the Valuation of Land Act 1960.

The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- Construction and maintenance of infrastructure assets
- Development and provision of health and community services
- Provision of general support services.

The types and classes of rateable land within this differential rate are those having the relevant characteristics of a property which is used for human habitation including dwellings, flats and units, or is residential use land or urban farm land as described in of Section 2 (1) of the Valuation of Land Act 1960.

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The geographic location of the land within this differential rate is wherever located within the municipal district.

The use of the land within this differential rate is any use of land permitted under the relevant Planning Scheme.

The characteristics of planning scheme zoning is the zoning applicable to each rateable land within this category as determined by consulting maps referred to in the relevant Planning Scheme.

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2014/15 financial year.

7.4 Advantages of a differential rating system

The perceived advantages of utilising a differential rating system are:

- There is greater flexibility to distribute the rate burden between all classes of property, and therefore link rates with the ability to pay and reflecting the tax deductibility of rates for commercial and industrial premises;
- Differential rating allows Council to better reflect the investment required by Council to establish infrastructure to meet the needs of the commercial and industrial sector;
- Enables Council to encourage particular developments through its rating approach eg encourage building on vacant blocks;
- Allows Council to reflect the unique circumstances of some rating categories where the application of a uniform rate may create an inequitable outcome (e.g. farming enterprises in rural Councils);
- Allows Council discretion in the imposition of rates to 'facilitate and encourage appropriate development of its municipal district in the best interest of the community'.

7.5 Disadvantages of Differential Rating

The perceived disadvantages in applying differential rating are:

- The justification of the differential rate can at times be difficult for the various rating groups to accept giving rise to queries, objections and complaints where the differentials may seem to be excessive.
- Differential rates can be confusing to ratepayers, as they may have difficulty to understand the system. Some rating categories may feel they are unfavourably treated because they are paying a higher level of rates than other ratepayer groups.
- Differential rating involves a degree of administrative complexity as properties continually shift from one type to another requiring Council to update its records. Ensuring the accuracy/integrity of Council's database is critical to ensure that properties are correctly classified into their differential rate category.
- Council may not achieve the objectives it aims for through differential rating. For example, Council may set its differential rate objectives to levy a higher rate on land not developed, however, it is uncertain as to whether the differential rate achieves those objectives.

Recommendation
That Warrnambool City Council continues to apply differential rating as its rating system.

8. What differential rates should be applied?

As previously indicated the table below highlights the differential rates currently applied by Warrnambool City Council and the number of relevant assessments in each category.

Rating Category	No of Assessments	Rate in the \$ 2016/2017	% to General Rate
General Rates (Other Land)	14,630	0.003713	65%
Farm Rate	162	0.002134	38%
Commercial	920	0.006374	112%
Industrial	405	0.006597	116%
Industrial 2	1	0.005676	100%
Vacant Land	581	0.005671	100%
Cultural & Rec Land Cat 1	1	\$21,282	N/A
Cultural & Rec Land Cat 2	15	0.003185	56%

*equivalent to the uniform/general rate that would apply for 2016/2017
+includes Urban Farm Land. & Residential Use Rates

8.1 General Rates (Residential Land)

This category which has 14,630 assessments includes all properties except for those that are subject to differential rates. This includes developed residential properties, excluding farm land, commercial land, industrial land and vacant properties which are subject to differential rates.

8.2 Commercial and Industrial (Developed)

Commercial and industrial properties are defined as those selling a product or providing a service; Industrial properties are those that are used for the purposes of manufacturing. These properties are similar in respect that they are businesses providing employment opportunities.

Like many Victorian Councils Warrnambool City Council adopt a higher differential rate for commercial and industrial properties. Typically Councils apply a higher differential rate to commercial and industrial properties to reflect the tax-deductible status of rates for these owners or tenants. Across Victoria, the average level of extra payment for commercial and industrial properties is 55% above the general rate, and in practice it ranges from 100% to more than 200% of the general rate. Warrnambool City Council's commercial differential rate is currently 47% above the residential rate (Other Land) and the industrial differential rate is 51% above.

It is therefore recommended that Council continue the adoption of higher differential rates for commercial and industrial properties.

8.3 Vacant land

Warrnambool City Council has 581 properties attracting the Vacant Land Differential Rate which is equivalent to the uniform/general rate that would apply but is 35% above the general residential (Other Land) rate.

The purpose of the Vacant Land Rate has been to ensure that properties identified as vacant land, including land with buildings that are uninhabitable, are responsibly managed and developed by property owners and not stock piled for investment purposes.

This paper recommends that Council continues the current Vacant Land Differential Rate for vacant land.

8.4 Farm Land

Warrnambool City Council has 162 properties attracting the Farm Land Differential Rate which is 62% below the uniform/general rate and 27% below the residential general rate (Other Land)

Council's differential rate for Farm Land is specifically designed to allow council to provide some rate relief for genuine farmers and is based on the definition of Farm Land within the Valuation of Land Act 1960.

The provisions of this Differential Rating Classifications and definitions specifically relate to the "physical use" of the property and the zoning under the Warrnambool City Council Planning Scheme, is not a relevant criteria in the determination process.

The criteria are set out below and **all** have to be met to satisfy council's governance requirements that a property is in fact a farm. To meet the classification:

1. The land area must be of 2 Hectares or greater and also-
2. The owner must establish that the property is primarily used for farming purposes, (grazing, etc.).
3. The Land must be used for carrying on a business of primary production, as determined by the Australian Taxation Office.
4. The owner must also provide evidence that the property is used by a business, (farming), and has:-
 - A. A significant and substantial commercial purpose or character.
 - B. That seeks to make a profit on a continuous or repetitive basis from its activities on the land.
 - C. And is making profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities.

All of the above information needs to be provided before any classification decision can be made. It is important to note that the criteria refer to the primary use of the property and are not specifically determined by the actual area used.

8.5 Cultural & Recreational Lands

The Cultural and Recreation Lands Act 1963 is relatively small and the main provisions of the Act are;

The definition of "recreational land" must be satisfied ie; such lands must be vested in or occupied by a not-for-profit body "*which exists for the purpose of providing or promoting cultural or sporting recreational or similar facilities or objectives.....*" and which uses such lands "*for out-door sporting recreational or cultural purposes or similar out-door activities*".

Other types of land (including specific sites) are included the definition of "recreational land" within the Act, however the only one which has relevance for this municipality is "*lands which are used primarily as agricultural showgrounds*".

The amount of rates payable in respect of such recreational lands shall be an amount as the "*council thinks reasonable having regard to the services provided by the municipal council in relation to such lands and having regard to the benefit derived from such recreational lands*".

In other words, Council has the discretion of granting a concession which could range from 0% to 100% of the normal rates and charges which would apply to such rateable land.

Under Sections 4.(3) and 4.(4) of the this Act, once the Council has determined the degree of concession for each item of recreational land, this concession must be operative until the commencement of each new general revaluation, except that rates payable may be adjusted in proportion to shifts in the level of general rates.

Part 5 of this Act also enables a Council to "*impose and collect a reasonable charge for any service provided or available to any recreational lands*". In the absence of any local law to this effect, the amount of such charge is "*as is agreed between the occupier of the lands and the body imposing the charge*".

Anybody which is aggrieved by the amount of rate determined may appeal to the Minister, who then has the prerogative of determining the amount of rates actually paid.

(It would appear that a right of appeal exists even in the situation where the Council chose to not utilise the provisions of the Cultural and Recreation Lands Act ie; the right of appeal would appear to exist providing any land satisfies the definition of "recreational land".)

This Act also provides for 10 years "back rates" ie; difference between normal rates and concessionary levels of rates over 10 years, when lands cease to be recreational lands, and on the basis of the valuation applicable after cessation.

There are no known guidelines relating to the application of this Act to promote a consistent approach from municipality to municipality. However, it is important for a council to approach the determination of any concession of this nature on a systematic and consistent basis, bearing in mind the normal principles of accountability and procedural fairness.

In summary, the concession under this Act is by reason of net services benefit to the general community derived from certain out-door sporting, recreational or cultural purposes or activities for a particular parcel of "recreational land".

The following categories for concessions under the Cultural and Recreation Lands Act currently apply within the Warrnambool City Council –

Category 1 minor concession.

- Notwithstanding cultural sporting/recreational activities and objectives relating to the property, properties in this category would have established gaming and commercial bar facilities. These are considered as substantial income-generating elements of a commercial nature, albeit that such element is located within a contiguous area of a property, which is not eligible to be defined as “recreational land” under this Act.
 - The turnover and scale of operations on these properties would usually be sub-regional in nature, and sometimes with off-site effects to which general ratepayers meet the cost of upgrading or ameliorative treatment.
 - For land owned or managed by Council, the degree to which these payments are below market value will also be a relevant consideration.
 - In establishing any amount payable the following assessment is to be made
1. The area of the site, which is used for gaming and associated activities must be valued and treated as commercial thus attracting an amount equivalent to the differential rate established for commercial properties within the municipality.
 2. The balance of the site that is devoted to cultural sporting/recreational activities shall be valued as such and an amount equivalent to the advalorem rate that would apply within the municipality less a 25% discount calculated.

Having determined the above 2 amounts the charge levied shall be the sum total of these 2 amounts in addition to all service charges and any municipal charge that may be levied in accordance with Councils rating policy

Category 2- moderate concession

- Properties in this category would normally have significant membership and substantial clubrooms, sometimes with liquor a license but no gaming facilities.
- Normally well-established with demonstrated ability to meet normal recurrent operating costs.
- For land owned or managed by Council, any concession from market-value lease would also be a relevant consideration.
- Scale of operation essentially district or neighbourhood in nature.

The amount payable following assessment being made shall be 75% of the advalorem rate that would apply within the municipality in addition to all service charges and any municipal charge that may be levied in accordance with Councils rating policy.

Category 3 – significant concession.

- Small to moderate membership, or with significant junior component.
- Would typically not have a full service liquor licence.
- Clubrooms would be typically small scale and modest without major social areas.
- Concession from market rent in any Council lease would also be relevant consideration.
- Relatively limited income generating capacity, apart from members’ dues and small scale fund raising efforts.

- Distinctly local/neighborhood in character.

The amount payable following assessment being made shall be 50% of the advalorem rate that would apply within the municipality in addition to all service charges and any municipal charge that may be levied in accordance with Councils rating policy.

Council currently has 1 property that is classified as cultural and recreational land category 1 and has 15 properties that are classified as cultural and recreational land category 2.

As indicated, Council is required to consider a rating discount for these properties under the Cultural and Recreational Lands Act based on considered benefits to the community and the services provided by Council. These properties are reviewed every two years in line with general revaluations.

Recommendations
<ol style="list-style-type: none">1. That Council continues to apply a differential rate for all residential properties, including flats and units (Other Land).2. That Council continues to apply a differential rate to all rateable vacant land properties.3. That Council continues to apply a differential rate to all rateable farm land properties.4. That Council continues to apply a differential rate to all rateable commercial land.5. That Council continues to apply a differential rate to all rateable industrial land6. That Council continues to apply a general/uniform rate to all rateable industrial 2 land7. That Council continues to allow a discount on the general/uniform rate to Cultural and Recreational properties.8. That Council considers the adoption of higher differential rates on multi use properties.9. That Council continue to adopt the segmented rating policy detailed in part 5 of this report10. That Council periodically reviews differential rating system with a goal that equity, efficiency and simplicity are achieved.

In implementing the above outcomes, Council needs to be mindful of the periodic impacts of Council revaluations as discussed in the following section.

The impacts of the above proposals are analysed in section 15 of this document.

9. Understanding the impacts of Council Revaluations

Under the requirements of the Local Government Act (1989) Council is required to conduct revaluations of all rateable and non rateable fire service leviable assessments every two years. A revaluation DOES NOT provide Council with any additional rate revenue but can significantly re-align how rates are distributed between ratepayers at both a rating group and individual level.

The below table highlights the impact of the 2016 Council revaluation.

Rating Type	2015/2016 CIV	2016/2017 Revaluation New CIV	% Increase in Valuations
Residential	4,714,247,000	4,894,424,000	4%
Farm	188,177,000	180,174,000	-4%
Commercial	703,322,000	695,354,000	-1%
Industrial	216,307,000	220,901,000	2%
Industrial 2	22,848,000	22,848,000	0%
Vacant Land	161,707,000	158,175,000	-2%
Cultural & Rec Land Cat 1	2,284,000	2,284,000	0%
Cultural & Rec Land Cat 2	13,062,000	13,180,000	1%
Totals	6,021,954,000	6,187,340,000	3%

The table highlights that overall Council property valuations have increased by 3 % over the two year period.

Council needs to be mindful of the impacts of revaluations on the various property types in implementing the differential rating options outlined in the previous section, to ensure that rises and falls in Council rates remain affordable and that rating 'shocks' are mitigated to some degree.

It is recommended that differential rating recommendations contained in Section 8 need to be viewed in conjunction with the impacts created by Council revaluations and where required differential rates be amended to lessen the impact of rating 'shock' on various rating types.

10. Calculation of Rates

The process for the calculation of rates is as follows:

1. Council determines how much money from rates it needs to fund its operations (\$18,173,000 in other land rates 2016/17)
2. Then it divides this amount by the Capital Improved Value (CIV) of \$4,894,424,000, to obtain the 'rate in the dollar' (0.003713)
3. The rate in the dollar is then multiplied against the CIV of each property to calculate the rates of that property (a property worth \$325,000 will pay \$1,191.45 in rates)

The added volume of properties (included in this calculation through the increased value of properties) has the effect of spreading the rates needed to fund Council's operations across more properties

In theory, if the money from rates needed to fund Council's operations was to not increase from one year to the next while the number of premises and thus the CIV of properties was to rise due to more premises (not revaluation of those premises) then the rates for each property would fall.

Thus, if all other factors are held constant, the development of additional rateable properties reduces the rates for other properties in the municipality.

Taking the example above, the point can be illustrated as follows:

1. If Council needs \$18,173,000 to fund its operations, and this is divided by a CIV of \$4,894,424,000 then the 'rate in the dollar' is 0.003713.
2. If, in the following year, the Council needs the same amount to fund its operations (\$18,173,000), but the CIV grows by 1.8% due to development of additional rateable properties (\$4,982,523,632), then the rate in the dollar drops to 0.003647.
3. The difference in rates for a \$325,000 property is \$20.98 (\$1,206.25 compared to \$1,185.27)

11. Special Rates & Charges

Special rates and charges are covered under Section 163 of the Local Government Act which enables Council to declare a special rate or charge or a combination of both for the purposes of:

- Defraying any expenses; or
- Repaying with interest any advance made or debt incurred or loan raised by Council.

In relation to the performance of a function or the exercise of a power of the Council, if Council considers that the performance of the function or the exercise of the power is or will be of special benefit to the persons required to pay the special rate or special charge. There are detailed procedural requirements that Council needs to follow to introduce a special rate or charge, including how Council can apply funds derived from this source.

Section 185 of the Local Government Act provides appeal rights to VCAT in relation to the imposition of a special rate or charge. The Tribunal has wide powers, which could affect the viability of the special rate or charge. It can set the rate or charge completely aside if it is satisfied that certain criteria are met.

Council should be particularly mindful of the issue of proving that special benefit exists to those that are being levied the rate or charge.

In summary, differential rates are much simpler to introduce and less subject to challenge. There may be instances however where a special charge is desirable if raising the levy by use of CIV is not equitable.

Warrnambool City Council was approached in 2014/2015 to introduce a special rate/charge scheme on commercial and industrial properties. The purpose of the schemes was to ensure the future prosperity and viability of commercial industrial businesses within the City of Warrnambool, and the special rates/charges were to be raised to assist Council in conjunction with business associations in large to carry out promotional, marketing and business development activities within commercial industrial arena.

In some instance schemes may apply to infrastructure projects.

12. Municipal Charge

Another principle rating option available to Councils is the application of a municipal charge. Under Section 159 of the Local Government Act, a Council may declare a municipal charge to cover some of the administrative costs of the Council. The legislation is not definitive on what comprises administrative costs and does not require Council to specify what is covered by the charge.

A Council's total revenue from a municipal charge in a financial year must not exceed 20 per cent of the combined sum total of the Council's total revenue from the municipal charge and the revenue from general rates.

The application of a municipal charge represents a choice to raise a portion of the rates by a flat fee for all properties, rather than sole use of the CIV valuation method. In applying the legislation, the maximum amount that Warrnambool City Council could levy as a municipal charge would be approximately \$359 per assessment based upon the current rates.

The arguments in favour of a municipal charge are similar to waste charges. They apply equally to all properties and are based upon the recovery of a fixed cost of providing administrative services irrespective of valuation. The same contribution amount per assessment to cover a portion of Councils administrative costs can be seen as an equitable method of recovering these costs.

The argument against a municipal charge is that this charge is regressive in nature and would result in lower valued properties paying higher overall rates and charges than they do at present. The equity objective in levying rates against property values is lost in a municipal charge as it is levied uniformly across all assessments.

This discussion paper acknowledges that Council utilises the Municipal Charge currently being \$250.10 or 12.28 percent of Rate Income.

13. Service Rates and Charges

Section 162 of the Local Government Act (1989) provides Council with the opportunity to raise service rates and charges for any of the following services:

- a) the provision of a water supply;
- b) the collection and disposal of refuse;
- c) the provision of sewerage services;
- d) any other prescribed service.

Warrnambool City Council currently applies a Service Charge for waste management within the municipality. Warrnambool City Council's current waste management charges reflect the full cost of the service and consequently Council's general rate is not used to subsidise the waste management services. Council currently has 1 types of waste management charge which makes the system easy to administer and to manage.

The charge as indicated reflects the full cost of the service to council and includes funding for the following components;

1. Weekly residential curb side waste collection.
2. Fortnightly residential curb side recycling collection
3. Emptying of all of the waste bins within parks, gardens and business areas wherever located in the municipality.
4. Daily sweeping and cleaning of the central business district footpaths and roads
5. Programmed periodical sweeping & cleaning of residential streets, roads and footpaths.
6. State Government Land Fill Levy
7. Refuse disposal cost at Narigan land fill.
8. EPA monitoring requirement costs associated with the former Braithwaite St land fill site
9. Establishment and maintenance costs associated with Litter traps within the storm water drainage system

The advantages of the waste management charge is that it is readily understood and accepted by residents as a fee for a direct service that they receive. It further provides equity in the rating system in that all residents who receive exactly the same service level all pay an equivalent amount.

The disadvantage of the waste management service charge is that it is not clearly understood by commercial property owners who do not receive a domestic waste collection service, but do receive the daily street footpath and road sweeping service. Additionally a disadvantage is that similar to the municipal charge it is regressive in nature. A fixed charge to a property with a low value comprises a far greater proportion of the overall rates than it does to a property with a higher value.

On balance, however, it is recommended that Council retain the existing waste service charge. Unlike a municipal charge where the direct benefit to the resident is invisible – the waste management charge is a tangible service that is provided directly to all in basically the same way.

14. Rate Payment Options

There are only two options available under the Local Government Act (1989) for Council to set payment dates. The first is a "mandatory" instalment approach where payments are required at the end of September, November, February and May. The second is an "option" of a lump sum payment (which by law is set on the 15 February of each year).

Warrnambool City Council has to date elected to adopt the instalments only method. The main driver behind the decision relates to the improved cash flows that are associated with the instalment payment option. Council operates under a 1 July - 30 June financial year and Victorian Local Government is probably the only Government agency/utility that issues an annual account in July and then has to wait seven months to receive the majority of its revenue if a lump sum payment option is offered. During this time Council is required to continue to provide operational services and capital works which place our cash position under severe strain. No other utility (telephone, gas, power, water) is required to operate under the business rules that Local Government is required to.

The move to introduce mandatory instalments is aimed at better matching when Council receives its rate revenue against when we need to expend these same amounts. The move also brings Council into closer alignment with virtually every other utility service provider.

It is Council's objective to have the most positive relationship possible with all of its residents and the levying of penalty interest on those that pay rates after the due date under the mandatory instalment option only see interest penalties backdated to the due date of the missed payment which is accepted generally by all.

Recommendations
That Council continues to apply the mandatory rate instalment payment option in future rating years.

15. Non-rateable Properties

Section 154 of the *Local Government Act* (1989) provides for non-rateable properties as follows:

- (1) Except as provided in this section, all land is rateable.
- (2) The following land is not rateable land -
 - (a) land which is unoccupied and is the property of the Crown or is vested in a Minister, a Council, a public statutory body or trustees appointed under an Act to hold that land in trust for public or municipal purposes;
 - (b) any part of land, if that part—
 - (i) is vested in or owned by the Crown, a Minister, a Council, a public statutory body or trustees appointed under an Act to hold that land in trust for public or municipal purposes; and
 - (ii) is used exclusively for public or municipal purposes;
 - (c) any part of land, if that part is used exclusively for charitable purposes;
 - (d) land which is vested in or held in trust for any religious body and used exclusively—
 - (i) as a residence of a practising Minister of religion; or
 - (ii) for the education and training of persons to be Ministers of religion; or
 - (iii) for both the purposes in subparagraphs (i) and (ii);
 - (e) land which is used exclusively for mining purposes;
 - (f) land held in trust and used exclusively—
 - (i) as a club for or a memorial to persons who performed *service or duty* within the meaning of section 3(1) of the *Veterans Act 2005*; or
 - (ii) as a sub-branch of the Returned Services League of Australia; or
 - (iii) by the Air Force Association (Victoria Division); or
 - (iv) by the Australian Legion of Ex-Servicemen and Women (Victorian Branch).
- (3) For the purposes of subsections (2)(a) and (2)(b) any part of the land is not used exclusively for public or municipal purposes if—
 - (a) it is used for banking or insurance; or
 - (b) a house or flat on the land—

- (i) is used as a residence; and
 - (ii) is exclusively occupied by persons including a person who must live there to carry out certain duties of employment; or
 - (c) it is used by the Metropolitan Fire Brigades Board.
- (3A) For the purposes of subsection (2)(b), any part of land does not cease to be used exclusively for public purposes only because it is leased—
- (a) to a rail freight operator within the meaning of the **Transport Act 1983**; or
 - (b) to a passenger transport company within the meaning of that Act.
- (4) For the purposes of subsections (2)(c) and (2)(d), any part of the land is not used exclusively for charitable purposes if it is in any of the following categories—
- (a) it is separately occupied and used for a purpose which is not exclusively charitable;
 - (b) a house or flat on the land—
 - (i) is used as a residence; and
 - (ii) is exclusively occupied by persons including a person who must live there to carry out certain duties of employment;
 - (c) it is used for the retail sale of goods;
 - (d) it is used to carry on a business for profit (unless that use is necessary for or incidental to a charitable purpose).

As listed above, the Act has limited provisions for properties that should be exempted from paying rates.

Currently there are 447 properties within Warrnambool City Council that are treated as non-rateable, including Warrnambool City Council owned properties. These properties are regularly reviewed, to ensure that they continue to qualify for the non-rateable criteria.

It should be noted that whilst *the Act* provides criteria for land which cannot be rated, it does not stop Council allowing additional specific exemptions to specific properties or uses. Given the importance of rates revenue to Council, it is recommended that specific additional exemptions be avoided and other means of support used to assist organisations deemed worthy of support by Council.

Recommendations

That Council only grants non-rateable status to properties that meet the criteria described in the *Local Government Act 1989*.
That Council ensures ongoing reviews of the current list of non-rateable properties to ensure all continue to meet the criteria described in the *Local Government Act 1989*.

5.5 INVESTMENT POLICY - REVIEW

PURPOSE

This report presents the Investment Policy for review prior to being adopted at a Council meeting.

EXECUTIVE SUMMARY

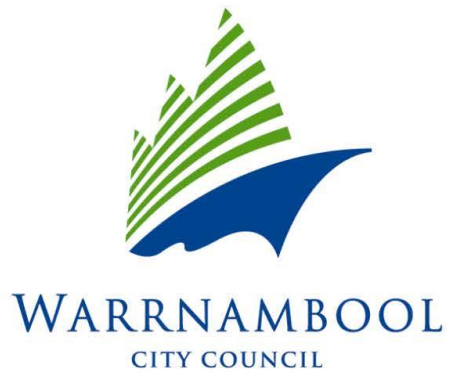
- The current investment policy expired in March 2017.
- The following changes have been made to the proposed investment policy:
 - More stringent controls around the documentation before proceeding with an investment. Including capturing 3 quotes before investing or re-investing funds.
 - A documented cash flow analysis to ensure that we are investing excess funds where it is financially sustainable to do so.
- Council shall only invest with Banks, Credit Unions and Building Societies which are Approved Deposit Taking Institutions (ADI) and shall not invest with organisations that do not meet the ADI requirements.
- Council generally has in excess of \$8.0m at any point in time and the policy requires that this is invested with at least 4 institutions with an A rating or higher (ie. The big 4, Bank of Melbourne, Bankwest, ING, etc)
- The minimum institutional rating that Council accepts is BBB and these institutions include South Credit Union and ME Bank.

MOVED: CR. HULIN
SECONDED: CR. HERBERT

That the Investment Policy be adopted.

CARRIED – 7:0

Attachment : Appendix A – Investment Policy



Investment Policy

APPROVAL DATE: April 2017

REVIEW DATE: April 2020

DOCUMENT CONTROL

Document Title:	<i>Investment Policy</i>
Policy Type:	<i>Council</i>
Responsible Branch:	<i>Financial Services</i>
Responsible Officer:	<i>Manager Financial Services</i>
Document Status:	<i>Draft</i>
Approved By:	<i>Council</i>
Adopted Date:	
Review Date:	<i>April 2020</i>

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1. INTRODUCTION

Warrnambool City Council has formed an investment policy to formalise its investments procedures following management discussions and directions by the Victorian Auditor General Office.

In developing the Investment Policy, Council has considered both ethical and environmental issues and given the scope of allowable investments contained within the policy, Council will not invest in any unethical or environmentally detrimental products.

1.1. Scope

This Policy is applicable to the investment and management of Councils funds.

1.2. Definitions

Council – Warrnambool City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.

Short term investment – For the investment market it is reasonable to consider short term to mean amounts invested less than 365 days

Long term investment – Any investment with terms greater than 365 days.

1.3. References

Nil

2. OBJECTIVES

- To maximise return on Council funds with a systematic approach while maintaining an acceptable level of risk.
- To ensure Council's investments are made in accordance with section 143 of the Local Government Act 1989.
- To establish a formal policy that provides guidelines for making decisions with respect to Council funds.
- To ensure Council has sufficient levels of funds available to service its commitments as and when they fall due.

In order to meet the above objectives the following matters need to be considered:

- i. Cash flow
- ii. Credit Rating of Institution
- iii. Existence of Guarantee and Security
- iv. Interest Rate
- iv. Period of investment

2.1. Cash Flow

Prior to seeking quotes on investment options Council must consider its working capital requirements which will entail upcoming outgoings, including creditor payments, payroll and other

liabilities against incoming monies such as rates, grants and cash contributions. If it is deemed that Council will have excess working capital for a sufficient period of time to invest then these funds may be invested to maximise return. Finance staff shall take a conservative approach in determining working capital requirements.

2.2. Credit Rating

Council shall consider the credit rating as set by Standard and Poor's (S & P) (or similar organisation) of a financial institution and/or product prior to investment. S & P have different ratings for short and long term investments and are conservative ratings (refer Appendix A).

Council shall only invest funds in short term investment products with a credit rating of **A3** or higher. For long term investments Council will only invest in products with a rating of **BBB** or higher. The ratings of A3 and BBB are given to products where the financial institution is considered to have an adequate capacity to pay and are deemed appropriate across the industry.

2.3. Existence of Guarantee and Security

Council shall consider whether the investment is guaranteed by the institution. Commercial/Bank Bills although guaranteed, rank as an unsecured creditor in the event of winding up in comparison to bank accounts and term deposits which are ranked higher. Given the nature of Commercial and Bank Bills the ratings detailed in this policy must be adhered to so ensure Council funds are not exposed to unnecessary risk.

2.4. Interest Rate

Council shall consider all relevant investment products which fall within the relevant credit rating. Council shall consider all factors when deciding on an investment which may mean the highest rate is not always selected.

2.5. Period of Investment

The period of investment shall be determined following consideration of Council's cash flow requirements.

For the purposes of the Warrnambool City Council short-term investments will be for a period of no longer than 12 months. All investments greater than 12 months will be considered long-term.

Some investments may be influenced by specific regulations or Council policy where Council is obliged to cash back a specific reserve. In this instance, Council shall consider when these specific funds are likely to be called upon and invest accordingly.

2.6. Spread of Investments

Council shall spread its investments to minimise its risk with any one bank. Council's short-term investments shall be spread the following way as a minimum:

- \$0 to \$2,000,000 All invested in products rated A or higher.

- \$2,000,001 to \$4,000,000 higher. At least 2 products with at least \$2m invested at A or higher.
- \$4,000,001 to \$8,000,000 higher. At least 3 products with at least \$3m invested at A or higher.
- \$8,000,001 to \$12,000,000 higher. At least 4 products with at least \$4m invested at A or higher.
- \$12,000,001 plus At least 5 products with at \$5m invested at A or higher.

3. TYPES OF INVESTMENTS

Council shall only invest with Banks, Credit Unions and Building Societies which are Approved Deposit Taking Institutions (ADI) and shall not invest with organisations that do not meet the ADI requirements.

Although permitted under section 143(f) of the Local Government Act 1989 Council will not invest funds with managed investment schemes. Similarly, Council shall not invest in speculative products where the principal balance is put at risk.

4. INVESTMENT REGISTER

The Senior Accountant shall be responsible for maintaining an Investment Register.

The Investment Register shall be updated following each investment and be reconciled to the ledger monthly as part of the Monthly Balance Sheet Reconciliation process.

The Investment Register shall include:

- Investment date.
- Type of investment.
- Maturity date.
- Period of investment.
- Financial institution.
- Amount invested.
- Interest rate.
- Interest received.

5. AUTHORITY TO INVEST

The Manager Financial Services shall be authorised to invest surplus funds on behalf of Council as contained within S7 Instrument of Delegation.

The Senior Accountant or Accountant shall manage Council's cashflow and identify surplus funds available for investment and recommend investments to the Finance Manager for authorisation.

A minimum of three quotes will be sought from approved financial institutions before investing or re-investing funds.

The best possible investment rate must then be used subject to limits outlined within this Policy. These limits apply at the time of investment.

All quoted interest rates and actions taken must be recorded.

An evaluation of future cashflow needs and investment strategies must be undertaken bi-monthly.

As evidence of the authorisation process the Finance Manager shall sign off the Investment Register.

6. REPORTING

The Monthly Financial Report shall include a section addressing Treasury Reporting. This shall summarise the following:

- Total Cash Holdings (including totals of restricted cash balances).
- The Average Interest Rate held, with a comparison to the 90 Day Bank Bill Rate and the RBA Cash Rate.
- Total Investment Balances held each month end.

7. GOVERNANCE

7.1. Owner

The Manager Financial Services will be responsible for this policy and for ensuring the policy is implemented, progress is monitored and the policy is regularly reviewed.

7.2. Review

This policy should be reviewed every three years or where there is a change to legislation or a significant change to investment market conditions.

7.3. Compliance Responsibility

7.3.1. Management Executive Group (Chief Executive and Directors)

7.3.2. Managers and Supervisors

7.3.3. All Employees

7.4. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.

8. APPENDIX A – STANDARD & POORS RATINGS LEVELS

The difference between short term and long term depends on the investment market. For the investment market it is reasonable to consider short term to mean anything less than 365 days.

Short Term

A1+	Extremely strong capacity to pay
A1	Strong capacity to pay
A2	Satisfactory capacity to pay
A3	Adequate capacity to pay
B	Speculative
C	Currently vulnerable to non-payment
D	Payment on an obligation due date is not made

Long Term

AAA	Extremely strong capacity to pay
AA	Very strong capacity to pay
A	Strong capacity to pay
BBB	Adequate capacity to pay
BB	Uncertainties or adverse conditions could lead to inadequate capacity to pay
B	Adverse conditions likely to impair capacity to pay
CC	Vulnerable to default
C	High risk to default
D	Default

5.6 APPOINTMENT OF COMMUNITY MEMBERS TO COUNCIL ADVISORY COMMITTEES

PURPOSE

This report recommends membership to Council's Advisory Committees

BACKGROUND

Council at its meeting held on 6 March 2017 resolved to call for nominations from community members to be appointed to Council's 7 Advisory Committees following the expiration of the previous 4 year term of appointments.

Expressions of Interest from community members for the Advisory Committees were advertised in the Warrnambool Standard on 11, 18 and 25 March 2017.

Council will need to review the Councillor appointments and the appointment of Chairpersons as part of this current process.

MOVED: CR. HULIN
SECONDED: CR. ANDERSON

That Council appoint the following community member nominees and appoint Chairpersons to the 7 Advisory Committees.

CARRIED – 7:0

Proposed Advisory Committees & Committee Members	Councillor Representative(s)
SOUTH WEST LIVE STOCK EXCHANGE ADVISORY COMMITTEE 1. Owen O'Keefe (previous Chairman) 2. Dan Carey 3. Trevor Fry 4. Cr. Jim Doukas	Cr Anderson
INTERNATIONAL RELATIONS ADVISORY COMMITTEE 1. Carolyn Moore (Community member) 2. Troy Tampion (School teacher and community member) 3. Ken Howell (SW TAFE and community member) 4. Robert Askew (Community member and previous IRAC) 5. Les Gardiner (School teacher and Community member) 6. David McKenzie (Community member) 7. Michelle Joseph (School teacher and community member) 8. Alistair McCosh (Deakin Uni and community member)	Cr Herbert
AUSTRALIA DAY ADVISORY COMMITTEE 1. Lisbeth Cheah 2. Rachel Furnell 3. Bronwen Levett 4. Andrew Suggett	Cr. Neoh

Proposed Advisory Committees & Committee Members	Councillor Representative(s)
<p>WARRNAMBOOL CITY HEALTH & WELLBEING ADVISORY COMMITTEE</p> <ol style="list-style-type: none"> 1. Glenys Phillpot (Community Member) 2. Andrew Suggett (Community Member) 3. Peter Steele (Community Member) 4. Terry Kenny (Community Member) 5. Don Haugh (Community Member) 6. Gemma Loomans (Snap fitness / Personal trainer) 7. Michael Absalom (South West TAFE) 8. Cameron Price (South West Primary Care Partnership) 	<p>Cr. Cassidy</p>
<p>ECONOMIC DEVELOPMENT ADVISORY COMMITTEE</p> <ol style="list-style-type: none"> 1. Martin Ellul (Regional Logistics Manager, Murray Goulburn) 2. Dr Helen Scarborough (Associate Professor, Dept of Economics, Deakin University) 3. Catherine Smith (Regional Executive, South West Victoria, ANZ) 4. Karen Foster (Commerce Warrnambool) 5. James Tait (Consultant: Tait's Legal) 6. Doreen Power (Chief Executive, Lyndoch Living) 7. Dean Luciani (Chief Executive, Westvic Staffing Solutions) 8. Rob Lane (Partner, SED Advisory) 	<p>Cr Herbert Cr Hulin</p>
<p>ENVIRONMENT ADVISORY COMMITTEE</p> <ol style="list-style-type: none"> 1. Tricia Blakeslee – (past member of Landscape & Development Advisory C'tee (LDAC)) 2. Leeanne Williams – (past member of LDAC) 3. Fiona Golding – (past member of LDAC) 4. Glenistair Hancock – (past member of LDAC) 5. Bruce Campbell – (Coastcare / Landcare) 6. Steve Myers – (Myers Planning Group) 7. Robert Eccles – (Gunditjmara Elder) 8. Ben Pohlner – (Wannon Water) 9. Amanda Gaffey – (Sustainability consultant) 	<p>Cr Hulin Cr Owen</p>
<p>VISITOR ECONOMY ADVISORY COMMITTEE</p> <ol style="list-style-type: none"> 1. Bob Scarborough (Warrnambool Tourism and Business Association) 2. Peter Downs (Chief Executive, Warrnambool Racing Club) 3. Christopher Grace (Proudfoots Boathouse) 4. Jon Watson (Lady Bay Hotel) 5. Lynette Skillbeck 	<p>Cr Herbert Cr Owen</p>

5.7 WARRNAMBOOL : CHINA STRATEGY

PURPOSE

This report recommends the draft Warrnambool China Strategy seek business and community input.

SUMMARY

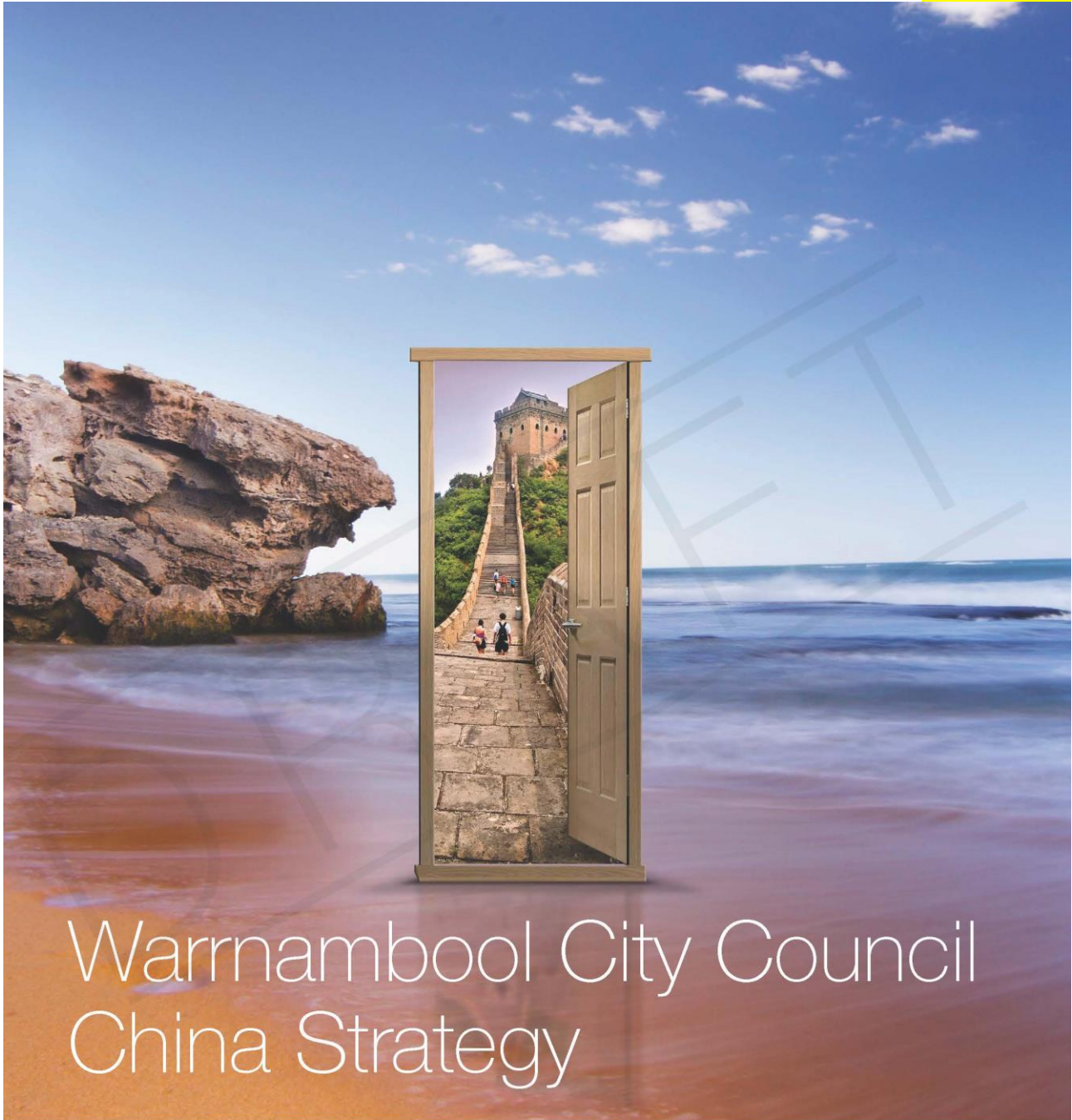
- Warrnambool's relationship with the City of Changchun has been established since 2011 and has developed into a strong one with a number of business delegation visits now having been made by both cities. The agreement relates to "mutual benefit, exchanges and co-operation", in a variety of fields but to "promote common prosperity and development".
- The relationship has been founded largely on the opportunities for trade, focussing on food, tourism and education, as well as cultural understanding and has benefitted from a \$225,000 grant from the State Government.

- Some outcomes to date include:
 - Launch of the Warrnambool China Bureau in 2017 which has been accessed by 25 businesses in the region to date;
 - a number of targeted business delegations both inbound and outbound with an initial focus on agriculture and education;
 - Investment and trade in the region in the areas of Livestock genetics and Livestock cattle;
 - MoU signed between Deakin University (Warrnambool Campus) and a Changchun University;
 - Tourism promotional activities exchange from both cities;
 - a Changchun Trade Co-ordinator living and working in Warrnambool for a period of up to 8 months during 2015;
 - MoU signed between local Primary School and Changchun Primary School (Warrnambool local school visiting Changchun in September 2016 with 12 students);
 - Support for tourism operators to access china ready materials and mandarin classes;
 - Cultural and sporting exchange initiatives;
 - Two University staff members specialising in health undertaking secondments with the Changchun Centre for Disease Control;
- The vision of the China Warrnambool Strategy is to advance Warrnambool as the leading 'China Ready' city in Australia and to consolidate and build on the various outcomes to date. A China Strategy also sends a strong signal to Government, Business and Industry that our City is proactive and organised in its international engagement activities.
- The China Strategy identifies five key directions where Council can lead, advocate, support and work with a wide range of partners to implement or influence priorities:
 - Reinforcing and furthering government-to-government relations
 - Expanding investment and trade
 - Partnerships in Aged Care and Healthcare
 - Deepening Educational, Agricultural and Tourism exchanges and cooperation
 - Enhancing the experiences and opportunities for Culture, Arts and Sporting community
- The draft China Warrnambool Strategy was developed in-house by the Economic Development Unit.
- The draft Strategy will be further informed by targeted consultation with tiers of government, local business and industry leaders, and community. This feedback will be reported back to Councillors with the view of seeking Council endorsement of the Strategy mid-year.

MOVED: CR. NEOH
SECONDED: CR. HERBERT

That the draft China Warrnambool Strategy be placed out for consultation to seek business, industry, government and community input.

CARRIED – 7:0



Warrnambool City Council China Strategy

Advancing Warrnambool as the leading 'China Ready' city in Australia

Directions:

- Reinforcing and furthering government-to-government relations
- Expanding investment and trade
- Partnerships in Aged Care and Health
- Deepening Educational, Agricultural and Tourism exchanges and cooperation
- Enhancing the experiences and opportunities for cultural, arts and sporting communities



BACKGROUND

Warrnambool City Council undertook a leadership role in developing the Warrnambool-Changchun Economic Development Demonstration Project, the first of its kind between Australian and Chinese sister cities. Supported by the Victorian Government, the investment in collaboration, shared goals, strong partnerships and leadership has created a gateway for Warrnambool and the Great South Coast allowing engagement and mutual gains, both cultural and economic, with China through the relationship with Changchun.

Understanding Chinese culture and business practice is a key to engaging with China. Through the Economic Development Demonstration Project, Warrnambool and the Great South Coast have a unique opportunity to generate economic activity through trade.

The attraction of the Chinese market has resulted in many countries and cities seeking to establish or expand economic ties with China. The strength and diversity of Great South Coast's products and services position our region well to capitalise on China's economic growth. This strategy seeks to support, consolidate and further the work the Warrnambool City Council has undertaken so far while outlining the role Council must play to leverage trade and investment opportunities, and ensure our regional economy and its businesses are prepared for China, are globally competitive and capable of providing prosperity for future generations.

Directions:

- Reinforcing and furthering government-to-government relations
- Expanding investment and trade
- Partnerships in Aged Care and Healthcare
- Deepening Educational, Agricultural and Tourism exchanges and cooperation
- Enhancing the experiences and opportunities for cultural, arts and sporting communities

DIRECTION ONE:

1) Reinforcing and furthering government-to-government relations

Overview:

Establishing intergovernmental relationships are an essential component of doing business with China. Creating and sustaining successful relationships in China requires clear goals. It is particularly important to work with Government to facilitate market access, business deal structure and government approvals. In recognition of this, Warrnambool and Changchun (Jilin Province) entered into the Sister-City agreement in 2012, with a view to provide social and economic outcomes for the two communities.

Objectives:

1. Harmonize and leverage government activity across Australia and China to build a trade and investment framework to support the economic drivers of Warrnambool city and surrounding Great South Coast.

Actions:

- a. Develop a 24-month calendar of business missions to Changchun and other relevant Chinese cities to and pursue economic, social and cultural activity.
- b. To formalise the continuation and commitment of the Warrnambool City and Changchun City's sister-city relationship.
- c. Ensure allocation and focus of government resources to support the Warrnambool City Councils China strategy.
- d. Support visits to Warrnambool by key decision makers from Changchun and other cities deemed important to Warrnambool and surrounding Great South Coast economic, social and cultural goals.
- e. Develop case studies to demonstrate and promote the opportunities for our region from the activation of the Free Trade Agreements with China.
- f. Develop and advocate to Federal and Victorian Governments for alternative funding models to finance economic development initiatives presented in the China Strategy.
- g. Engage with the Chinese government sector with the aim of entering into formal agreements to support long term cooperation in areas of mutual gains.

Add Case Study – Warrnambool – Changchun Economic Demonstration Project – Success through Mutual Gains

- \$5 million investment in the Glenelg Shire from the Happy Group
- MOUs signed in education across primary, secondary and higher education providers
- Industries diversifying and adapting to new market opportunities (Bizibuild, TLG)



DIRECTION TWO:

2) Expanding Investment and Trade

Overview:

The size and scale of China as a trade and investment partner for Warrnambool and Great South Coast offers the potential to provide a game-changing element for our region's economy. Chinese interest in Australian-based investment is strong and growing. This investment has grown 2,700 per cent between 2004 and 2014. The China-Australia Free Trade Agreement will see stronger opportunity and potential for this growth to accelerate further.

Trends currently see investors looking to partner, engage and lock in supply of agricultural products, education, health and aged care services. Fostering these market opportunities with China will require support from Warrnambool City Council to ensure our region's internationally engaged industries remain globally seeking to enter the Chinese market.

Objective:

2. Target and attract Chinese investment and trade activity aligned with our region's competitive strengths to support economic development.

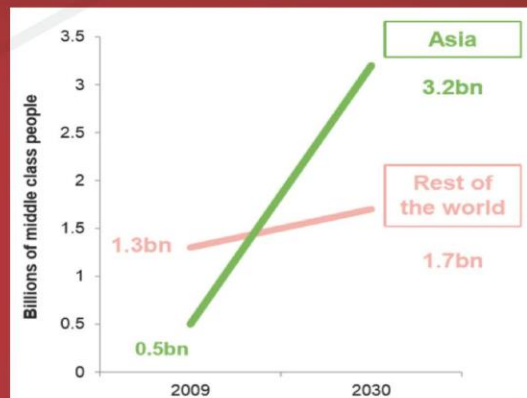
Actions:

- Engage with our local businesses community to develop an understanding of export capabilities and support requirements.
- Build cross cultural capability, networks and relationships that supports our regions economic drivers and trade opportunities with China.
- Explore and develop information resources which support attraction of potential investors and understanding our high value industries to support our economy and growth opportunities.
- Collaborate with our regional, state and federal governments to improve trade-related infrastructure that supports investment opportunities and economic development.

FAST FACTS

- Asia's growing population and rising incomes drive demand for food
- Diets changing to include dairy, meat and other high value goods (e.g. wine, processed foods)
- Warrnambool and surrounding area is a producer of premium food, fibre and tourism experiences to the growing new middle class
- Chinese Foreign Direct Investment (FDI) is increasing

THE RISE OF ASIA 2009 AND 2030



Source: OECD, The emerging middle class in developing countries, 2010





DIRECTION THREE:

3) Partnerships in Health and Aged Care

Overview:

Health and aged care exports to China are a significant source of growth for the Australian economy, arising from the expanding middle-class in China. In 2015, the Chinese middle-class comprised 109 million adults, the largest middle-class in the world and almost five times the size of Australia's total population. This middle class will continue to grow (and age) over the next decade.

Currently those aged more than 60 years in China number more than 200 million – a figure expected to increase to 440 million by 2050. An opportunity exists to support Warrnambool's alignment towards our established and emerging industries – Health, Aged Care and Education.

Objective:

3. To promote and position the Health and Aged Care services of our City to maximise research, investment and economic growth opportunities.

Actions:

- a. Support our local Health, Aged Care and Education sectors understand more about the Chinese healthcare system and economic development opportunities.
- b. Promote Warrnambool's expertise in healthcare, education and medical research across key sectors to assist in the development new commercial partnerships.
- c. Endorse and support private health service providers, universities and innovative firms explore and formalise economic growth opportunity and partnerships with China.



DIRECTION FOUR:

4) Deepening Educational, Agricultural and Tourism exchanges and cooperation

Overview:

China's growing middle class population and rising incomes are driving demand for food with diets expanding to include dairy, meat and other high value goods (e.g. wine, processed foods). This presents producers of premium food and fibre in Warrnambool and the surrounding region with a strong opportunity to Growth in Chinese Tourism and Spending per capita compared to other tourism markets - Tourism – Great Ocean Road numbers – Industry development Education – international Student numbers – Regional University - opportunity

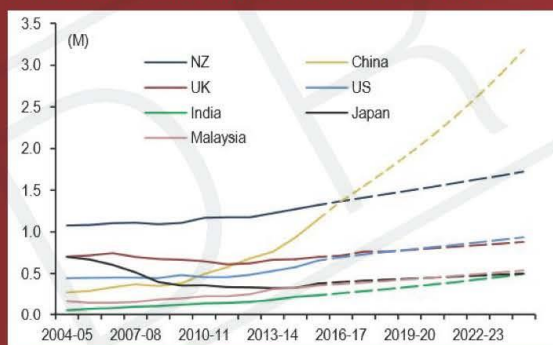
Objectives

4. To support the building of Chinese business capability and capacity in Warrnambool and surrounding region to support Chinese demand and maximise mutual gains across agricultural, tourism and educational sectors.

Actions:

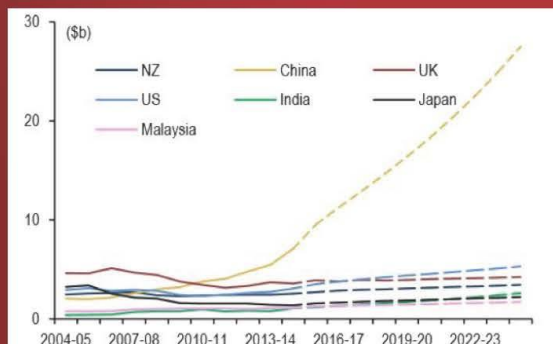
- Explore business incubation and business support models to reduce export activity risks while building knowledge, capability and stronger economic outcomes for our region.
- Create industry development initiatives (workshops\mentoring) that upskill the region to capitalise on the inbound Chinese tourists to our region.
- Provide an annual official ceremonial welcoming for international students to our region.
- Explore and develop information and research resources which support the building of knowledge and strength of our agricultural, tourism and education sectors.
- Support Deakin University with their international engagement strategy to identify, attract and increase international students to our region.
- Collaborate across all levels of government, businesses and industry bodies in the development of Chinese market opportunities ensuring alignment with Victorian government, external agencies and regional strategies and initiatives.

Arrivals from China to match arrivals from NZ in 2016-17



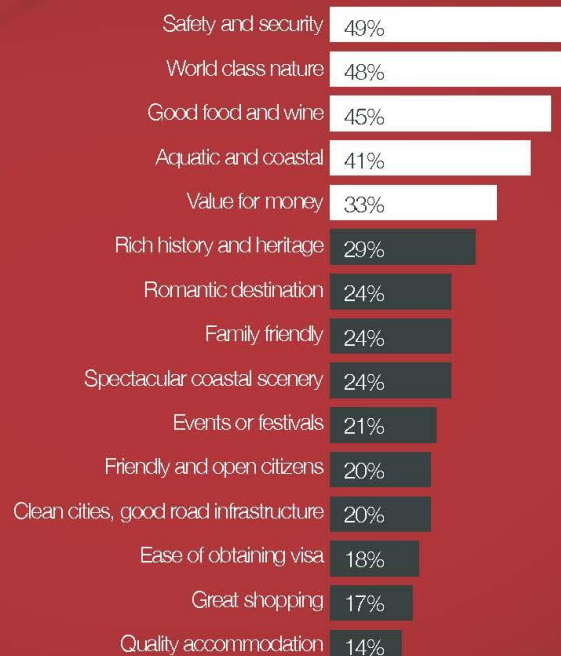
Source: BofA Merrill Lynch Global Research, TRA, ABS *Dashed lines indicate forecasts

China to dwarf all other markets



Source: BofA Merrill Lynch Global Research, TRA *Real, Q1 2016= base year. Dashed lines indicate forecasts

Most important factors when selecting a holiday destination



DIRECTION FIVE:

5) Enhancing the experiences and opportunities for Culture, Arts and Sporting community

Overview:

In the 2016 Victorian State government Chinese engagement strategy 'Partnerships for Prosperity', they identify a new vision for our state *'That Victoria becomes China's gateway to Australia based on the strength of our connections and the depth of our understanding of each other's people.'*

Objectives:

5. To promote Warrnambool as a cosmopolitan city that embraces diversity, seeks global engagement and fosters a culturally and socially connected city.

Actions

- a. Continue to support the educational, cultural, sporting initiatives and events (ie. The Changchun marathon).
- b. Support educational initiatives that foster international engagement and connections through sister-school programs and student exchange.

CASE STUDY- WOODFORD PRIMARY SCHOOL MOU with Changchun

DRRAFT

5.8 DRAFT NATURE STRIP LANDSCAPE POLICY

PURPOSE

To consider the Draft Nature Strip Landscape Policy.

EXECUTIVE SUMMARY

- Council prepared a draft Nature Strip Landscape Policy (the Policy) which was placed on public exhibition from 14 January 2017 to February 24 2017. The consultation attracted 47 submissions - **Refer to the table Appendix A.**
- Analysis of the submissions has resulted in changes to the Policy which has been revised with track changes –**Refer Appendix B.** Most of the submissions are not contentious and are able to be easily incorporated into the Policy.
- The Policy is implemented through the Nature Strip Landscape Guidelines (the Guidelines) which is attached for information –**Refer Appendix C.** The Guidelines are not intended to be adopted by Council as they are management operational document however will be publically available on Council's website. The Guidelines have been amended to reflect the resultant changes in the Policy.

MOVED: CR. OWEN
SECONDED: CR. HERBERT

That Council:

- 1. Adopts the Nature Strip Landscaping Policy.**
- 2. Endorses the draft Nature Strip Landscape Guidelines.**

CARRIED – 7:0

BACKGROUND

Traditionally nature strips are lawned verges between the property title boundary and the roadway, maintained by residents.

Increasingly, Council is receiving requests from residents and developers to have alternative landscape treatments than lawn.

The Nature Strip Landscaping Policy was developed to provide a consistent, transparent approach to landscaping of nature strips if lawn is not the preferred treatment.

Guidelines are being prepared to assist residents and developers in what are preferred and non-preferred alternative treatments.

Specifically in relation to edible plants, the Policy and Guidelines have been amended to not prohibit edible plants; rather each application will be assessed upon the safety and risk elements of the landscape treatments rather than the individual plant species. Unsuitable species with prickles or thorns or obvious hazards will not be approved.

ISSUES

A summary of comments and recommended amendments to the Policy are set out below in consultation/communication.

CONSULTATION / COMMUNICATION

The Policy was put on public notice from 14th January 2017 until 24th February 2017. Consultation was in the form of a media releases and coverage, Council's website and newspaper advertisements on Council's Notice Board.

A total of 47 submissions were received and have been summarised for the purpose of this report and for privacy purposes – **Refer Appendix A**

Financial Impact

The Policy and Guidelines have been developed “in house” within existing budgets.

To minimise the risk, Council must consider the impact on resources to enforce the Policy particularly if edible plants are permitted. There are around 15,000 residential tenements in the City and extensive areas in commercial areas which are grassed or could be vegetated.

Council could consider establishing some best practice examples with willing residents to provide examples. Costs are anticipated at around \$3,000 per nature strip.

Environmental/Risk Impact

The main risk identified through the policy and consultation process is around the acceptance of edible plants. The following advice centres around permitting edible plants to be grown in nature strips.

Advice and benchmarking investigations have been undertaken to establish the risk/liability issues that arise in relation to allowing edible plants to be grown on nature strips.

The following is a summary of the Governance & Risk branch’s research on this subject, which included consultation with MAV Insurance’s legal and policy advisors, and Ballarat and Geelong councils (both of which have considered this subject in recent times).

Risk Background

Nature strips fall within the road reserve and are categorised as ‘roadside’ under the Road Management Act (the RMA).

‘The RMA provides complete immunity from a claim in relation to roads and footpaths in the event that Council is following its Road Management Plan. No such immunity applies to allowing landscaping etc., on Council nature strips’ reference, extract from MAV Insurance Nature Strip Guidelines and LMI Insurance, May 2016

Whilst Council has a duty under section 40 of the RMA to inspect roads, this does not include roadside (section 40(4)). Further, under section 107 of the RMA, Council does not have a statutory duty or common law duty to maintain, inspect, or repair the roadside of any public highway. These sections of the RMA effectively reinstate the concept of non-feasance. That is, Council is not liable for failing to maintain a roadside. However if Council provides approval for planting or inclusion of other structures on nature strips and which results in a hazard, a claim or suit is likely to involve alleged misfeasance by Council. That is, by permitting edible plants to be grown on nature strips a positive action has been taken by Council to create the hazard.

For the above reasons, it is therefore important for Council ensure that any approval provided for the development of a nature strip does not create a hazard. In the case of edible plants the risks maybe higher than other types of development.

Some risks associated with edible plants on nature strips, include whether they may create obstacles/hazards for pedestrians using footpaths and also those alighting from cars parked on the street. Often the planting of edible plants may include the use of stakes, rocks, or fencing to prevent access by people or animals. These can result in hazards to the public.

The type of plants, including height will also be relevant in relation to visibility for cars, pedestrians and bikes (as under 12s can use footpaths). Therefore, specifications around the types of plants and plant heights and locations would need to be considered.

Whilst fruiting trees may be considered as the edible, consideration of the root structure and any potential damage to neighbouring structures, including the footpath, fencing and houses would need to be considered. They are also more likely to impact visibility for traffic. Additionally, they can create hazards on footpaths if they drop fruit which is slippery.

There is potential health risks associated with people planting edible plants on nature strips. People are freely able to walk along the footpath and can interfere with the plants. Additionally, domestic animals such as dogs and cats will have access to the plants.

Further, there is sometimes unknown contamination in nature strips which may result in the soil being unsuitable for growing edible plants.

A prescribed set back from roads, footpaths, driveway crossings and clearance from other infrastructure (road signage, power poles etc.) also requires consideration to ensure sightlines for pedestrians and traffic, clearance for persons alighting from parked vehicles and/or walking past and placement of garbage bins is not impeded.

Risk Controls

If Council does wish to allow the planting of edible plants on its nature strips, a permit system would be applied in the form of the Road Reserve works permit as explained within the Guidelines. This should include consideration of the risks associated with the activity and appropriate conditions placed on the planting / development of the nature strip. Further, Council would need to ensure it monitored compliance with permits issued and enforced non-compliance effectively.

“Allowing changes to Council nature strips, or where Council decides to allow such, or indeed, if Council already has a policy which allows such, we are of the view Council should require a permit to be applied for, before any changes are made to Council nature strips. Because of the liability risks associated with allowing changes, we also equally believe Council should have a clear and concise policy as to what is allowed and what isn’t allowed and there be specific requirements in relation to safety issues and maintenance. There are also problems associated with what happens if there is a change of ownership or change of occupancy of the adjoining property. It could be the administrative costs of allowing such and having a policy, together with the enforcement of such, as well as the potential financial costs, both in relation to under and over excess liability claims, which could mean any negatives may outweigh the benefits. This is a decision Council needs to make.” reference extract from MAV Insurance Nature Strip Guidelines and LMI Insurance, May 2016

Whilst Council’s Liability Mutual Insurance provides cover, Council is responsible for all costs associated with and up to \$20,000 for each and every liability claim brought against Council.

Other Councils

There are a number of online examples (both within Victoria and across Australia) where councils have introduced policies to allow for gardens (including edible plants) on nature strips.

When referencing other councils’ approaches, geographic context should be considered e.g.

- Was the policy introduced due to high density urban areas with limited opportunity for ‘back yard’ space?
- Are there limited opportunities for development of community gardens in proximal open spaces?
- Whether policy was in response to purpose built nature strips as part of a new residential development etc.?

Ballarat Council have introduced a policy which allows ‘boxed’ gardens on nature-strips under a permit system. Similarly to arrangements for casual hirers, Ballarat have taken out separate (blanket insurance) liability cover for permit holders (at a cost of \$2,500 for up to 250 permits) and which is re-charged back to the property owner as part of the permit fee. The duration of the permit is twelve months and if not renewed, the garden development must be removed or will be removed at the permit holder’s cost. Key considerations for Ballarat Council were the containment of garden matter and their enforcement unit’s resource capacity to monitor installations and enforce permit conditions. Since its introduction (August 2016) Ballarat have not received any applications. However, the policy has raised some issues about pre-existing (non-conforming) installations and complaints about other footpath encumbrances i.e fixed planter boxes as part of a shop fronts etc.

Geelong Council have considered but as yet not introduced such a policy, pending further advice on public health/hygiene and soil suitability/contamination risks.

Risk recommendation

Whilst the desire to encourage growing of edible plants is understood, it is not recommended that Council allow edible planting on its nature strips. Rather, other mechanisms for the promotion of home grown food may be more beneficial. These could include community gardens and programmes teaching the community about growing their own veggie garden.

However, if the council is minded to allow edible plants on nature strips, it is recommended that stringent permit conditions be developed. Further, monitoring and enforcement procedures should be put in place to reduce the risk to the community.

Conclusion

The Policy and guidelines have been amended where appropriate; refer to track changes within the Policy. Most of the submissions are not contentious and are able to be easily incorporated into the respective documents.

Specifically in relation to edible plants, the Policy and Guidelines have been amended to not prohibit edible plants, rather each application will be assessed upon the safety and risk elements of the landscape treatments rather than the individual plant species. Unsuitable species with prickles or thorns or obvious hazards will not be approved.

Council should note that increased surveillance and enforcement will be required to mitigate risks and negotiate removal of unsightly or unsafe nature strips which depending upon the scale of take up may impact upon resources.

Additionally Council cannot opt out of its risk if contaminated food is consumed or any other injury as Council is consenting to it being cultivated.

On balance it is considered the take up of growing edible plants will be small, and may be an acceptable risk.

If however the take up is significant, Council must urgently review the Policy and Guidelines as Council is in receipt of advice to not permit edible plants on nature strips.

In relation to fruit trees, the Street Tree species within the Street Tree Planting and Management Guidelines does have flexibility to allow alternative species. It is proposed to take each application on its merits based upon the width of the nature strip, type of fruit, overhang etc. Council should only permit fruit trees subject to a condition that all fruit will be cultivated and that the tree is appropriate to its environs.

APPENDIX A

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> • Policy sounds good • Questions what is the point of a nice looking nature strip when it is continually parked on by neighbours 	1	<ul style="list-style-type: none"> • Noted • Enforcement of parking on nature strips is an enforcement issue which will be handled separately through Local Laws.
<ul style="list-style-type: none"> • Believes vegetable and herb planting should be allowed on Nature Strips • Advocates for images of what acceptable/unacceptable nature strip treatments provided as a reference • Any Local Laws that are relevant should be specifically referred to in the Policy. • The application fee for approval of alternative landscapes on should be reviewed depending on Individual financial circumstances, type of alternative landscape proposed and when Council Inspection of the nature strip is not required 	2	<ul style="list-style-type: none"> • The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. • The Guidelines will provide advice on acceptable treatments. • Amend to include reference to relevant Local Laws. • Council has discretion to review/waive application fees if special circumstances require.
<ul style="list-style-type: none"> • Satisfied with the Draft Policy • Takes pride in the maintenance of own Nature Strip. • Trees along the Nature Strip need to be better maintained for visibility. 	3	<ul style="list-style-type: none"> • Noted • Nature Strip trees are pruned to meet the requirements of the Road Management Act and Councils Road Management Plan
<ul style="list-style-type: none"> • In general, agrees with the proposed Policy, however does not believe the policy is being fulfilled adequately by the Council • In the area, the occupant resides in, there is no access to a footpath or safe area for pedestrians to walk along 	4	<ul style="list-style-type: none"> • The Policy will provide Council with safe and acceptable treatments. • Refer this submission to Councils new footpath program.
<ul style="list-style-type: none"> • Would like information on how to apply for a permit. • Would like information on the impacts to property owner's/occupants who already have altered Nature Strips • Seeks clarification on how a resident can challenge the outcome of a permit application. • Seeks information on how to report concerns with nature strips. • Would like detailed information on the maintenance upkeep for DHHS Housing. 	5	<ul style="list-style-type: none"> • This will be covered in the Guidelines. Unsafe treatments are able to be enforced through Local Laws. • Permits are issued under the Road Management Act and can be appealed although this is not likely as outcomes are usually negotiated. • Council only has jurisdiction over the Road Reserve.
<ul style="list-style-type: none"> • Proposes the use of nature strips to allow parking by residents if pedestrian traffic is not affected. • Many properties do not have sufficient kerb side parking. 	6	<ul style="list-style-type: none"> • Parking on nature strips is prohibited under Local Laws and is only permitted with Councils agreement taking into consideration the prevailing circumstances and current procedures.
<ul style="list-style-type: none"> • Agrees with the proposed policy. • Advocates for the planting of more trees along nature strips to add a sense of beauty and deter parking on nature strips 	7	<ul style="list-style-type: none"> • Council has an annual tree planting program.
<ul style="list-style-type: none"> • Questions the prohibited planting of community vegetable gardens on nature strips. 	8	<ul style="list-style-type: none"> • The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> • Would like the plantation of native trees to occur. • Advocates for the plantation of other plants to be permitted on the nature strip. 	9	<ul style="list-style-type: none"> • Council has a wide mix of species in its preferred species list within the Street Tree planting and Management Guidelines including numerous native species. • The Policy is intended to address this point.
<ul style="list-style-type: none"> • Agrees for the most part with the policy. • Tree replacements be in the form of an endemic species. • Disapproves of the prohibited growing of vegetables. • Proposes herb and endemic grasses would be of lower maintenance than the mowing of grass. 	10	<ul style="list-style-type: none"> • Council has a mix of species in its preferred species list within the Street Tree planting and Management Guidelines including numerous native species. Species are selected to suit the prevailing conditions and landscape and to provide diversity. • The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> • More consideration needs to be made to the residents. • Suggests trees need to be more effectively maintained, especially Norfolk Pines as they are a cause of mess for residents and can potentially cause safety hazards. 	11	<ul style="list-style-type: none"> • Noted. • Council has over 10,000 street trees which are managed in line with regulation and risk mitigation.
<ul style="list-style-type: none"> • Praises the policy in regards to the aspect of tree planting on nature strips. • Encourages the planting of more trees on nature strips to help provide shade. 	12	<ul style="list-style-type: none"> • Noted
<ul style="list-style-type: none"> • Believes the policy is generally fair and reasonable. Disapproves of the restriction being place against the plantation on vegetable gardens • The management of vegetable gardens could be undertaken by multiple residents in the area to help with the effective management of them • Permits could be delivered with a deposit for re-seeding and that gardens witnessed not to be well maintained be returned to grass 	13	<ul style="list-style-type: none"> • Noted. • The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. • Council does consider a bond for reinstatement of nature strips in some cases for some authorities to reinstate nature strips.
<ul style="list-style-type: none"> • Advocates for the Policy to include the plantation of native grasses and small native plants to provide a habitat suitable for native species 	14	<ul style="list-style-type: none"> • Policy amended to include this suggestion. The Guidelines will also reflect this.
<ul style="list-style-type: none"> • Suggests that streetscapes in some areas appear untidy due to crossovers that have failed to be corrected. 	15	<ul style="list-style-type: none"> • Crossovers are the responsibility of the property owner. Where crossovers are unsafe they are dealt with on a case by case basis with the landowner.
<ul style="list-style-type: none"> • Proposes the upkeep and mowing of nature strips should be the responsibility of the Council and not the residents. 	16	<ul style="list-style-type: none"> • Traditional practice is that residents maintain nature strips.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Advocates for the planting of more trees on landscapes. Suggests how trees could also be monitored and maintained more effectively throughout the life of the tree. 	17	<ul style="list-style-type: none"> Noted. Will occur through Councils tree planting programs. Noted dependent upon resources. High risk trees in high risk areas are given priority.
<ul style="list-style-type: none"> Suggests how a clear policy needs to be enforced. Proposes the maintenance of Norfolk Pines to become more efficient and to allow the growth of grass near the growing trees. 	18	<ul style="list-style-type: none"> Agreed, enforcement of the Policy will be Councils responsibility. Noted although may be problematic where the canopy does not allow sufficient sunlight for grass to establish.
<ul style="list-style-type: none"> Supports the draft policy. However, advocates for the planting of trees to be consulted with residents before it takes place and for provisions to be made about how close a tree can be planted to an intersection. Approves of the idea of every resident being responsible for their own nature strip. 	19	<ul style="list-style-type: none"> Residents are consulted for large scale tree plantings and removals consistent with the Street Tree Planting and Management Policy.
<ul style="list-style-type: none"> Expresses concern for the trees being planted on nature strips. Suggests trees create a hazard for drivers as they exit their driveways as visibility is reduced. Suggests the planting of trees and other forms of flora are contributing to more difficult maintenance for residents. 	20	<ul style="list-style-type: none"> The benefits of street trees well documented and far outweigh the any perceived negatives. Council owns and maintains street trees.
<ul style="list-style-type: none"> Advocates for the planting of vegetable gardens on nature strips as it potentially encourages healthy eating and creates a sense of community. 	21	<ul style="list-style-type: none"> The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> Supports the idea of native plants or vegetable gardens as long as they are only planted directly into the soil and are not embedded in raised flower beds. 	22	<ul style="list-style-type: none"> The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> Believes the policy is fair and reasonable. Approves of the idea of native vegetation. Understands the issues of growing vegetables in nature strips although does not object to the idea. Interested in discovering the repercussions for council trees being torn out or ring barked by residents. 	23	<ul style="list-style-type: none"> Noted Incorporated into the Policy and Guidelines. Council can enforce removal or vandalism of trees through the Street Tree Planting and Management Policy and Local Laws.
<ul style="list-style-type: none"> Suggest an acknowledgement should be made regarding the importance of nature strips for habitats of birds. 	24	<ul style="list-style-type: none"> Incorporate into the Policy and Guidelines
<ul style="list-style-type: none"> Advocates for changes to be made to the nature strip landscape policy. Suggests a focus on biodiversity and small temporary habitats for wildlife. Expresses that with a varying size range of nature strip, different guidelines should be in place depending on the size of the residents nature strip. 	25	<ul style="list-style-type: none"> Incorporate biodiversity into the Policy and Guidelines. Noted. The Guidelines will provide general direction, however each application will be considered on its merits taking the prevailing circumstances into consideration.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Advocates for the planting of trees, vegetables and other flora on nature strips. 	26	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> Supports the growth of herbs, vegetables and native plants on nature strips. 	27	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> Suggests the planting of a biodiverse area in a nature strip could improve the look of the area, create a decent environment for birdlife and decrease the sometimes difficult maintenance of the nature strip for residents. 	28	<ul style="list-style-type: none"> Noted. Incorporate into the Policy and Guidelines.
<ul style="list-style-type: none"> Proposes diversity in nature strips with the choice being placed on residents instead of a standard nature strip for all Warrnambool residents. Suggests a more biodiverse approach that allows the planting a native species. 	29	<ul style="list-style-type: none"> The Guidelines will provide general direction, however each application will be considered on its merits taking the prevailing circumstances into consideration.
<ul style="list-style-type: none"> Interested in the plantation of vegetables and fruit trees in nature strips. 	30	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. Fruit trees are referred to in the Street Tree Policy and Guidelines.
<ul style="list-style-type: none"> Supports the policy Expresses concern for intersection at Flaxman Street. 	31	<ul style="list-style-type: none"> Unclear as to what the concern is. Will refer back to the resident concerned.
<ul style="list-style-type: none"> Recommends for Warrnambool to become more sustainable through the utilisation of nature strips for urban food production. 	32	<ul style="list-style-type: none"> The growing of edible plants in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines.
<ul style="list-style-type: none"> Advocates for the permission to grow fruit trees in pots and vegetables in nature strips. The growth fruit and vegetables could have many potential benefits for the community, individual's health and the environment. 	33	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. Fruit trees are referred to in the Street Tree Policy and Guidelines.
<ul style="list-style-type: none"> Suggests the plantation of native plants on nature strips 	34	<ul style="list-style-type: none"> Incorporate into the Policy and Guidelines.
<ul style="list-style-type: none"> Supports the idea of vegetable and flower gardens being planted on nature strips to build a sense of community and to assist the wildlife. Advocates for the plantation of native garden beds as they require less water and maintenance. 	35	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. Fruit trees are referred to in the Street Tree Policy and Guidelines. Incorporate into the Policy and Guidelines.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Proposes long lasting deciduous trees to be planted rather than garden beds. Advocates for the laying of rocks and other materials instead of grass. Believes residents who meet landscaping requirements should receive benefits for contributing to a tidy looking town. 	36	<ul style="list-style-type: none"> This is catered for in Councils annual street tree planting program. Fine gravels incorporated into vegetation are included in the Guidelines. This idea has merit. Council could consider an incentive scheme.
<ul style="list-style-type: none"> Supports the idea of growing fruit trees and vegetables to be shared within the community and to attract pollenating insects. 	37	<ul style="list-style-type: none"> The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. Fruit trees are referred to in the Street Tree Policy and Guidelines.
<ul style="list-style-type: none"> Believes the policy needs to incorporate a bolder vision that looks to the future to discover wider options of what is possible. Disapproves of the high maintenance involved in maintaining a grassed nature strip and the adverse effects constant mowing has on the environment. Advocates for nature strips to have a focus on improving biodiversity, habitats for insects and wildlife, liability and for the area to be used a as possible food growing area Critical of the one-size fits all approach to the landscaping of nature strips and believes there should be different options for nature strips depending the size of the nature strip. Suggests the development of biodiversity corridors that use wider nature strips as habitat stepping stones that connect to larger habitats in parkland areas. 	38	<ul style="list-style-type: none"> Refer to the submitter to explain. Noted. This is what the Policy is seeking to address. The growing of food in Nature Strips will be permitted subject application and subject to risk minimisation as outlined in the Guidelines. Fruit trees are referred to in the Street Tree Policy and Guidelines. Amend the Policy and Guidelines to reinforce that there is no one solution that guidelines allow for flexibility depending on the prevailing circumstances. Incorporate into the Policy and Guidelines.
<ul style="list-style-type: none"> Expresses safety concerns of planting trees on nature strips as drivers visibility can be impacted upon. 	39	<ul style="list-style-type: none"> Covered under prevailing Road Management legislation and the Street Tree Planting and Management Policy.
<ul style="list-style-type: none"> Advocates for native grasses to be planted. Guidelines and compliance reviews to be provided around the same time the maintenance of trees is reviewed. 	40	<ul style="list-style-type: none"> Incorporated into the Guidelines.
<ul style="list-style-type: none"> Suggests the maintenance of parklands need to be improved. 	41	<ul style="list-style-type: none"> Noted. Not relevant to the Policy.
<ul style="list-style-type: none"> Agrees almost entirely with the policy. Requests more information regarding the enforcement of the policy and the repercussions of non-compliance. 	42	<ul style="list-style-type: none"> Refer back to the submitter to explain enforcement process.
<ul style="list-style-type: none"> Suggests the vast amount of useable land in nature strips be used to implement biodiversity corridors in Warrnambool Proposes the wide nature strips in some areas would provide an opportunity to construct habitat stepping stones and pathways that connect to larger habitats or potential habitats 	43	<ul style="list-style-type: none"> Incorporated into the Guidelines.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Focus should be placed upon the prohibited parking on nature strips and the maintenance issues of some nature strips. 	44	<ul style="list-style-type: none"> Noted. This is able to be enforced through Local Laws.
<ul style="list-style-type: none"> The section relating to the impact on safety of vehicles requires more supervision as some areas in Warrnambool have overgrown plants that make it difficult for road users to see oncoming traffic. The prohibited use of synthetic turf is unreasonable as it requires low maintenance and can be driven on easily without causing destruction. Synthetic turf should allowed subject to conditions regarding the uplifting of turf for maintenance work and the relaying of turf at the expense of the resident after the maintenance work has taken place. 	45	<ul style="list-style-type: none"> Nature Strip trees are pruned to meet the requirements of the Road Management Act and Councils Road Management Plan. Artificial turf is not favoured as the intent is to use natural materials to soften the urban landscape and the impact of development. The nature strip may be required to be excavated by service authorities the turf will be destroyed and the resident will not be compensated. This would be problematic.
<ul style="list-style-type: none"> Advocates for the Council to acknowledge and support nature strips are an area to create biodiversity corridors and ‘stepping stones” for forms of wildlife. Believes a reference should be made to WCC’s Environment Sustainability Strategy in the policy. Advocates for the Guidelines to be available for public comment Due to the varying sizes of nature strips in Warrnambool, advises that a standard set of guidelines for all nature strips is unreasonable and unsupportive of biodiversity objectives Suggests even small nature strips can potentially increase biodiversity Encourages Council to provide examples of different biodiverse possibilities for varying nature strip sizes Large nature strips can offer opportunities for the creation habitat stepping stones in areas between the coast and hinterland. Condemns the preservation of Norfolk Pines due to the damage they create with infrastructure, the limited support they provide for wildlife and the extensive shade they provide not allowing any sun to reach the houses. Proposes native trees be planted instead of Norfolk Island Pines as they provide food and shelter for wildlife. Advocates for bird species to be protected by the Council in relation to tree plantation. 	46	<ul style="list-style-type: none"> Incorporated in to the Policy Guidelines. Environment Sustainability Strategy will be referenced in the Policy. The guidelines will be released for public comment as proposed once the Policy position is adopted. There is no one solution that guidelines allow for flexibility depending on the prevailing circumstances. Incorporate biodiversity into the Policy and Guidelines. Norfolk Island Pines are protected under the Heritage Provisions within the Warrnambool Planning Scheme and recognised as a signature tree for Warrnambool in the Municipal Strategic Statement. To remove the protection Council would need to undertake a planning scheme amendment authorised by the Minister. If Council resolved to remove the trees, this would be a very costly exercise that would have a significant budget impact.

Q1: Please let us know your thoughts on the draft Nature Strip Landscape Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> • Believes the nature strips in the town offer opportunities to improve visual amenity and the environment. • Encourage the document to take a more positive approach that inspires residents to plant native trees and shrubs. • Advises Council and residents to work together to create bio links and improve habitats for wildlife using nature strips. • Advocates for a reference to be made to the Environmental Sustainability Strategy in the Policy. • Proposes wide nature strips be used for connecting native plant corridors. • Encourages the increased planting of Australian native plants. • Suggests the removal of Norfolk Pines from nature strips. • Advises that selection of trees planted should be appropriate for the area including avoiding planting tall trees to close to power lines. • Recognises the need for permission and overseeing of nature strip planting, however encourages wording in the policy to change to influence more residents to seek permission to plant native trees. • Proposes more community involvement in re-shaping streetscapes. • Detailed in the previous attached letter to Council from 2015, the plantation of Native Trees is highly encouraged. The Discussion Paper advocates for reduction/removal of Norfolk Pines from Nature strips and Warrnambool as a whole. • Due to destruction the pines cause to infrastructure which costs the Council and residents excessive amounts of money each year, the huge amount of debris left on paths and blocking stormwater drains, the Paper advises for the trees to be removed. 	<p>47</p>	<ul style="list-style-type: none"> • Noted. • Incorporated in the Guidelines. • Refer to submission 46 response.



WARRNAMBOOL
CITY COUNCIL

Nature Strip Landscaping Policy

APPROVAL DATE:

REVIEW DATE:

NATURE STRIP LANDSCAPING POLICY



DOCUMENT CONTROL

Document Title:	<i>Nature Strip Landscaping Policy 2016</i>
Policy Type:	<i>Council</i>
Responsible Branch:	<i>City Infrastructure, Infrastructure Services</i>
Responsible Officer:	<i>Director of City Infrastructure</i>
Document Status:	<i>Draft</i>
Approved By:	<i>Council</i>
Adopted Date:	<i>TBC 2017</i>
Review Date:	<i>TBC 2020</i>

NATURE STRIP LANDSCAPING POLICY



1. INTRODUCTION

1.1 Purpose

This policy acknowledges that well maintained nature strips add to the appearance and presentation of streetscapes within the Municipality. They can bring economic benefits to businesses and property owners and residents. Warrnambool City Council encourages property owners to recognise the value of nature strips and to take pride in maintaining them.

Council does not carry out renovation or maintenance (including mowing and watering) of nature strips. It is common, accepted practice throughout Australia that the property owners or residents of abutting properties maintain the grass, plants (excluding trees) and any landscape features on the nature strip.

The Policy is implemented through the Nature Strip Landscaping Guidelines on Councils website. The Guidelines provide specific information to guide permit applications.

1.2 Scope

This policy applies to all nature strips within Council's road reserve within the municipality.

1.3 Definitions

Term	Definition
"Nature Strip"	A nature strip is an area of public land between the property boundary and the back of kerb or table drain, excluding any footpath or other assets such as driveways, utilities pits or fire hydrants. In most cases, a nature strip is grassed.

1.4 References

Acts	<ul style="list-style-type: none"> • Planning & Environment Act 1987 • Road Management Act 2004 • Local Government Act 1989
Regulations	<ul style="list-style-type: none"> • Warrnambool City Council Local Laws
Standards or Guidance Materials	<ul style="list-style-type: none"> • Infrastructure Design Manual (IDM) • Council Standard Drawings
Related Policies/Procedures	<ul style="list-style-type: none"> • Street Tree Planting & Management Policy • Warrnambool City Council Community Engagement Policy • Nature Strip Landscaping Guidelines • Health and Wellbeing Plan • Environmental Sustainability Plan

2. POLICY

NATURE STRIP LANDSCAPING POLICY



Council's Nature Strip Landscaping Policy provides guidance for property owners who may want to undertake landscape improvements to the nature strip area abutting their residence or place of business.

2.1 Policy Objectives

The objective of this policy is to ensure that nature strips are landscaped and maintained in a way that:

- Compliments and softens the existing streetscape and built environment;
- Provides a vegetated buffer between hard infrastructure such as roads and footpaths; and the title boundary of adjoining properties.
- Minimises risk to the community;
- Provides for the unobstructed and safe flow of pedestrian traffic;
- Provides access for postal deliveries and utility service providers;
- Does not impede access to fire hydrants;
- Does not impact the safety of vehicles using the road;
- Allows kerbside parking of vehicles;
- Provides safe and practical conditions for emptying rubbish and recycling bins;
- Is in keeping with neighbourhood character and heritage areas;
- Provides space for street tree planting.
- Provides biodiversity and habitat.

2.2 Policy Principles

Key principles for the effective management of landscape areas in road reserves are:

- Nature strips will be grassed unless otherwise approved by Council.
- Alternatives to grass nature strips will be permitted under certain circumstances subject to Council approval via a road reserve works permit. A landscape plan is required to be submitted with the road reserve works permit.
- Alternative landscape treatments will require the consent of adjoining property owners.
- In assessing alternative nature strip materials, consideration will be given to the prevailing streetscape and character, amenity and risk in the design, plantings and materials permitted.
- Soft landscaping, mulch, granitic sand and gravel may be permitted if incorporated with native plants and other vegetation and will be considered subject to application and approval.
- Edible plants may be permitted under certain circumstances and only where appropriate permits are obtained.

NATURE STRIP LANDSCAPING POLICY



- Use of synthetic turf is not permitted on nature strips within Warrnambool City Council due to the restriction placed on utilities accessing their assets and damage caused by garbage collection activities.
- Hard surfaces such as concrete, pavers, asphalt or stepping stones and sleepers or similar materials are not permitted in nature strips. If a hard surface is required for vehicle access purposes, a vehicle crossing permit should be obtained. Any feature that is deemed by Warrnambool City Council to be a risk to the public as a tripping hazard, a falling hazard, obstruction or other hazard, may be removed from the nature strip without consultation or warning.
- Nature strips are not intended as spaces for vehicle parking or storage of boats, caravans, trailers etc. Modifications to nature strips to incorporate parking are not supported in this Policy.
- Utility companies (including Council) that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to perform maintenance work. The utility companies are required to make good the nature strip following maintenance work.
- Unauthorised nature strip plantings will be subject to enforcement action under Council's Local Laws and relevant fines can be imposed, together with associated reinstatement costs charged for any breaches of this Policy or Local Law.
- Any street tree plantings must comply with Council's Street Tree Management and Planting Policy.

* Refer to the Nature strip Landscaping Guidelines for further information.

3. GOVERNANCE

3.1 Owner

The Director of City Infrastructure is responsible for monitoring the relevance and currency of this policy and for updating it when required.

3.2 Review

The Director of City Infrastructure will review the policy for any necessary amendments no later than three years after its adoption or after the last review.

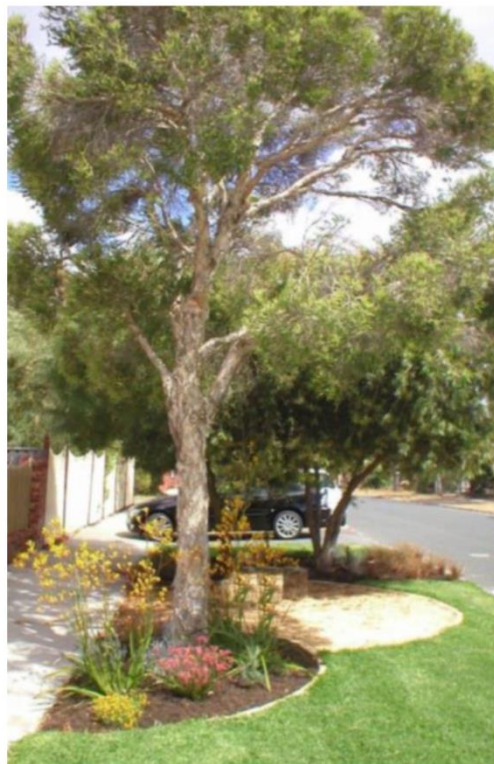
3.3 Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).



WARRNAMBOOL
CITY COUNCIL

Nature Strip Landscaping Guidelines





1 Introduction

These Guidelines have been developed to assist residents and Council develop appropriate nature strip landscaping options. The Guidelines should be read in conjunction with the Warrnambool City Council Nature Strip Landscaping Policy. The Guidelines provide information and certainty to the community over what landscape treatments are preferred.

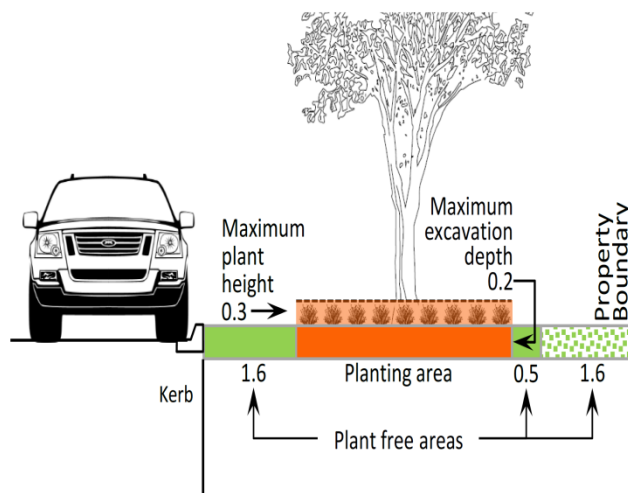
This document include images of landscaping generally in accordance with these guidelines to provide an example of the kind of landscaping that will be supported.

2 General Guidelines

Nature Strips refer to the area of public land between a private property boundary and the road kerb. The land is Council owned and controlled, and are part of the road reserve.

Warrnambool City Council relies on the support of residents to keep their nature strips neat and tidy and to maintain an attractive aesthetic

The diagram at right shows a typical acceptable layout.





3 Acceptable Alternatives

Council encourages residents to landscape their nature strips to beautify the streetscape and to show pride in our neighbourhoods. A well-designed and maintained nature strip garden is a great way for the community to become more socially active and connected, environmentally sustainable and attractive.



Any approved landscaping must be maintained by the resident and must not hinder cars parking in the street, passengers exiting cars next to kerb or pedestrians. The development of nature strips must not cause harm to the natural or built environment.

Council will not support or approve the following treatments on nature strips:

- Any plants that are declared noxious weeds from the Agriculture Victoria list.



- Additional trees (specifically trees that do not match into the existing street 'theme').
- Synthetic Turf or equivalent synthetic materials.
- Hard surfaces (concrete, pavers, asphalt, etc.).
- Irrigation Systems - above ground.
- Raised beds, rocks, star pickets, timer stakes or other trip hazards.
- Compacted crushed rock to facilitate car parking.
- Plantings that obscure pedestrian or vehicle/cyclists sight lines.





4 Realities of Nature Strip Gardens

Before deciding to landscape your nature strip residents should understand:

Soil on public land may be contaminated- Chemical residues in soils are possible. A soil test is advised if there is any doubt of the soil's composition, especially if edible plants are to be planted.

Produce might be taken- The nature strip is public land and the adjacent owner has no right to the produce. Sharing should be expected.

Neighbours may complain- Gardens may attract complaints but the health and wellbeing, place-making, social connection benefits are considered to outweigh these when nature strip landscaping complies with the policy and these guidelines.

Gardens may be vandalised- It may be uncommon, but gardeners should acknowledge this is possible in a public space such as your nature strip.

Traffic can be dangerous- When gardening on the edge of the road, caution must be taken.

Underground Services- As can happen with grassed nature strips, if access to underground services is required the nature strip landscaping/garden will be dug up and may not be replaced with like for like treatment.

Hard Work and Maintenance is needed - When planting any garden, labour and knowledge are required to develop and maintain it. Be prepared to manage the responsibility.



5 Permit Application & Pre Application Checklist

A Road Reserve Works Permit is required to be submitted and approved by Council before any works can take place (penalties apply). The details of proposed works should be included in the application. The Road Reserve Works Permit and associated fee are available on Council's website.

Applying for a permit is important because it enables a review of the proposed works to ensure they are safe for you and the rest of the community. It also confirms, in writing, that you understand your obligations outlined in these Guidelines.

Checklist before you apply:

- **Dial Before-you-Dig:** Call 1100 or visit <https://www.1100.com.au>.
- **Public Safety:**
 - plants must be within the planting zone to retain access.
 - toxic plants and substances must not be used.
 - thorny plants must not be used
 - Visibility for pedestrians, cyclists and cars should be considered in your design, and retained at all times.
- **Maintenance:** Consider who will look after the garden and how will it the watering, pruning and harvesting be managed.
- **Appearance:** a well maintained garden kept within the planting zone is required.
- Have you consulted with adjacent neighbours about the proposed nature strip alterations?
- Do the proposed alterations create any new hazards for the public?
- Do the proposed alterations complement and enhance the streetscape character?



- Do the proposed alterations restrict access to utility services, garbage collection and are there adequate plant free zones for pedestrian access?

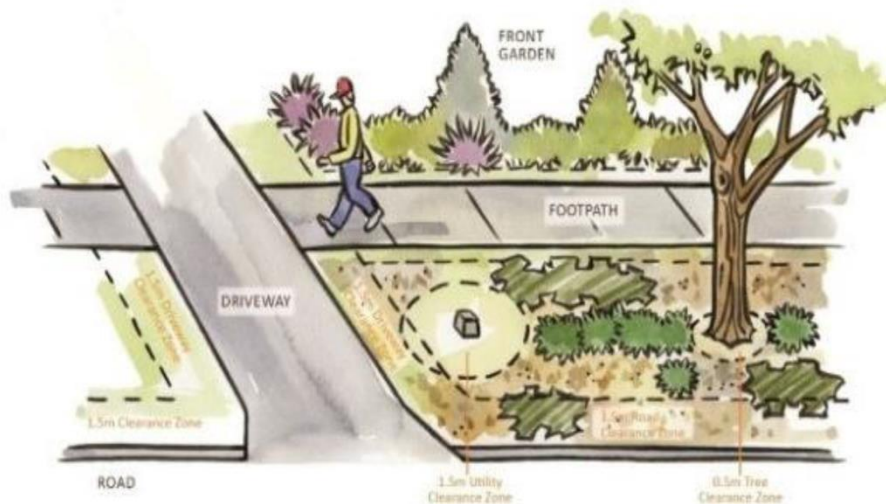


Figure 5 - A landscape development on the nature strip which combines 50% compacted gravel and 50% plants up to 500mm high. Any plants within the clearance zones must be plants that are able to be walked on.

5.9 UPDATED STREET TREE PLANTING AND MANAGEMENT POLICY

PURPOSE

Review of Street Tree Planting and Management Policy.

EXECUTIVE SUMMARY

- The first Street Tree Planting and Management Policy adopted by Council was in 2013 and is now due for review.
- The Policy has been largely effective and has served the purpose for which it was intended, to have a transparent and consistent approach to street tree planting and management within the City.
- The Policy was updated and then placed on public notice from 14th January 2017 to 24th February 2017.
- A total of 27 submissions were received - **Refer attached table Appendix A**
- This feedback has been assessed. There are no changes of significance to the Draft Policy
- Minor changes to the Policy have been shown in track changes – **Refer Appendix B**
- The finalised document is now presented to Council for adoption.
- The Policy is implemented through the Street Tree Planting and Management Guidelines –**Refer Appendix C**. The Guidelines are not expected to be adopted by Council as they are a working document but are attached for information. The Guidelines have not been required to be amended.

MOVED: CR. OWEN
SECONDED: CR. HULIN

That Council adopts the updated Street Tree Planting and Management Policy.

CARRIED – 7:0

BACKGROUND

Council Policies are reviewed regularly to ensure they remain responsive to today's needs.

The current (and first) Street Tree Planting and Management Policy was adopted by Council was in 2013 and is now due for review.

As the Policy is 3 years old, there are some learnings and refinements to the document as a result the experience of working with the document for the last 3 years.

Council sought feedback to the updated Policy via a community consultation period from 14th January to February 24th 2017.

ISSUES

The document has not changed significantly as it has served its purpose effectively.
The key changes include:

- Formatting and updating legislation and references.
- Highlighting the importance of appropriate tree selection in urban landscapes.
- Encourage tree protection measures in design of civil works, particularly around on street car parking.
- Enforcement of tree vandalism and unauthorised removal through Local Laws.
- Updated front cover photographs.

CONSULTATION / COMMUNICATION

The Policy was put on public notice from 14th January 2017 until 24th February 2017. Consultation was in the form of a media releases and coverage, Council's website and newspaper advertisements on Council's Notice Board.

A total of 27 submissions were received. An analysis of the submissions and recommended changes to the Policy are tabulated below **Refer Appendix A**

ENVIRONMENTAL/RISK IMPACT

The risks are considered to be reputational, and financial.

If Council does not have a clear and effective Policy there will be uncertainty about street tree planting management practices and governance controls.

Council faces potential claims over infrastructure damage, personal injury etc as a result of any negligence related to street trees.

APPENDIX A

Q1: Please let us know your thoughts on the Street Tree Planting and Management Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Suggests the removal of trees to be more flexible and to be individual tailored to each resident. Believes amending the policy to allow for the removal of trees in some cases would reduce costs to council and accommodate residents own opinions for what happens in their area. 	1	<ul style="list-style-type: none"> It is not recommended to remove street trees. The benefits of street trees are well documented in the Policy and other publications. The Policy allows for street trees to be removed in special circumstances.
<ul style="list-style-type: none"> Agrees with the policy Requests more information on the process of requesting trees for individual streets 	2	<ul style="list-style-type: none"> Contact the submitter to explain how to have input into the selection process.
<ul style="list-style-type: none"> Believes the policy is acceptable. Advocates for the planting of more trees in Warrnambool to potentially add character and value to the city. Expresses approval of the plantation of trees along the streets of Canterbury, Princess and Nelson Streets 	3	<ul style="list-style-type: none"> Noted
<ul style="list-style-type: none"> Advocates for the planting of native trees and shrubs in the reserve located off Aberline and Whites Road Resides in Norman Street and suggests the introduction of a concrete or gravel path to replace a grass track between Norman Street and Whites Road and between Norman Street and Marrakie Estate to benefit pedestrians 	4	<ul style="list-style-type: none"> The Policy relates to street trees, not open space or parkland trees. Contact the submitter in relation to the questions raised in the submission.
<ul style="list-style-type: none"> Advocates for the plantation of trees along Banyan Street between Timor and Merri Streets to create a more appealing and welcoming entrance to the city 	5	<ul style="list-style-type: none"> Noted. This is currently being investigated.
<ul style="list-style-type: none"> (Please refer to Submission 5 as they are both the same) 	6	<ul style="list-style-type: none"> As above
<ul style="list-style-type: none"> Requests more consideration into the plantation of fruit trees 	7	<ul style="list-style-type: none"> Suitable fruit trees will be added to the species list.
<ul style="list-style-type: none"> Is the owner of a property in Dobson Way and express concerns for the lack of Streetscape Planting in the street 	8	<ul style="list-style-type: none"> Will include in the annual street tree planting program
<ul style="list-style-type: none"> Advocates for the plantation of endemic species to improve the habitat for native species 	9	<ul style="list-style-type: none"> Noted. A mix of indigenous and deciduous trees are selected depending on the area.
<ul style="list-style-type: none"> Approves the plantation of trees; specifically native varieties, to potentially provide shelter and food for wildlife and also address the issue of greenhouse gases In relation to the Nature Strip Policy, seeks clarification on the enforcement of prohibited parking on Nature Strips 	10	<ul style="list-style-type: none"> A mix of indigenous and deciduous trees are selected depending on the area. Local laws prohibit Nature Strip parking.
<ul style="list-style-type: none"> Would like an emphasis placed on the environmental value of streets Requests for a list of preferred tree species to be more readily available Supports the maintenance of previously planted Norfolk Pines Advocates for the plantation of new trees to come from the Indigenous plantings list to potentially provide habitats for native birds Suggests the indigenous species list should be mandated when planting occurs on Council land 	11	<ul style="list-style-type: none"> Noted. Contact the submitter to provide species list on Council's website.

Q1: Please let us know your thoughts on the Street Tree Planting and Management Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> Approves of the policy and proposes the plantation of as many trees as possible to increase the visual appeal of the town Requests information about planting trees on residential nature strips and whether an application process through council needs to take place 	12	<ul style="list-style-type: none"> Contact the submitter in relation to the questions raised in the submission
<ul style="list-style-type: none"> Questions the appropriateness of the policy and the issues that could potentially arise from the policy Expresses a safety concern for the residents with trees potentially impairing their vision when exiting driveways Suggests the plantation of trees contributes to weeds requiring money and time to be spend by residents to eradicate Suggests mowing maintenance is increased by the plantation of trees Believes the plantation of trees has contributed to a bare patch in the lawn of the resident 	13	<ul style="list-style-type: none"> Tree planting is done by qualified and experienced staff observing all safety requirements.
<ul style="list-style-type: none"> Advocates for the plantation of vegetable gardens or synthetic turf 	14	<ul style="list-style-type: none"> Refer to Nature Strip Landscaping Policy.
<ul style="list-style-type: none"> Believes the policy is fair and reasonable Suggests more detail added to Nature strips 	15	<ul style="list-style-type: none"> Refer to Nature Strip Landscaping Policy.
<ul style="list-style-type: none"> Suggests the plantation of fruit trees in public places 	16	<ul style="list-style-type: none"> Refer to Nature Strip Landscaping Policy.
<ul style="list-style-type: none"> Encourages the planting of more native species of plants in reserve areas and nature strips to increase the population of native wildlife 	17	<ul style="list-style-type: none"> Noted. A mix of indigenous and deciduous trees are selected depending on the area.
<ul style="list-style-type: none"> Advocates for the plantation of trees to attract native birds 	18	<ul style="list-style-type: none"> Noted. A mix of indigenous and deciduous trees are selected depending on the area.
<ul style="list-style-type: none"> Suggests the plantation of fruit trees instead of the ornamental variety 	19	<ul style="list-style-type: none"> Refer to Nature Strip Landscaping Policy.
<ul style="list-style-type: none"> Grateful for the opportunity to provide inside into the policy Suggests more focus be placed upon managing current trees and the removal of inappropriate tree plantings Advocates for the removal of Norfolk Island Hibiscus in Timor Street and no longer thriving Olive trees across the city as they potentially create hazards for Pedestrians Expresses concern for the on-going pruning of trees potentially causing untidiness and vision impairments for drivers Suggests the policy should have a more practical application to address hazards relating to the growth of trees Advises of prior correspondence addressed to Council in 2006, 2008 and 2013 	20	<ul style="list-style-type: none"> Noted. The Norfolk Island Hibiscus trees are prolific across the City. They will be gradually replaced where necessary based upon priority. Trees are pruned where required to meet safety standards and road management obligations. The working guidelines contain additional practical information.

Q1: Please let us know your thoughts on the Street Tree Planting and Management Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none"> • Suggests more reference to the Council's Sustainability Strategy • Expresses concern for the protection of Norfolk Pines due to the potential adverse effects they have on the environment • Suggests the policy should acknowledge the essential role nature strips play in creating biodiversity corridors and 'stepping stones' for wildlife • Recommends a community consultation to improve the list of appropriate tree species 	21	<ul style="list-style-type: none"> • To be referenced in the Policy. • Noted. The Norfolk Island Pines are protected by Heritage Overlay and are recognised within the Warrnambool Planning Scheme as a "signature tree". If Council were to decide to remove them, extensive community feedback would be required. • The species list was consulted before being adopted, and is regularly updated.
<ul style="list-style-type: none"> • Suggests the plantation of Norfolk Pines to be continued to the outer areas of Warrnambool to continue the theme already in place • Advocates for the plantation of more trees including native flowering species and also for the introduction of more public parks and playgrounds 	22	<ul style="list-style-type: none"> • Noted for ongoing discussions on species selection. • Noted.
<ul style="list-style-type: none"> • Resides in Murray Street and expresses concern for the large 'itchy bomb' trees planted in the area due to the mess they contribute to, the irritation they cause to humans and the wildlife that potentially inhabits them • Suggests the plantation of indigenous, cultivated or food scaped nature strips would be a more appropriate option • Requests the removal of the 'itchy bomb' trees in the residents area 	23	<ul style="list-style-type: none"> • The Norfolk Island Hibiscus trees are prolific across the City. They will be gradually replaced where necessary based upon priority. • Refer to Nature Strip Landscaping Policy.
<ul style="list-style-type: none"> • Suggests the past plantation of tree species has been inappropriate due to their large size and low hanging branches • Suggests the trees previously planted in residential areas has contributed to foot paths lifting from root systems and potentially becoming a hazard for pedestrians • Expresses concern for potential damage caused to storm water infrastructure and water and sewerage services from existing trees • Fearful that existing trees will damage private property • Questions who is responsible for damage caused by trees to private fences, paths or gardens • Questions if there is a plan in place to assess existing trees in residential areas • Questions input of residents when trees are selected to be planted • Questions the rights of a property owner 	24	<ul style="list-style-type: none"> • Noted. • Asset damage caused by Council trees are handled on a case by case basis, in consultation with Councils risk services team and insurers. • Contact submitter to discuss concerns and provide requested information.
<ul style="list-style-type: none"> • Suggests more consideration be given to the plantation of trees in newly built areas • Expresses concern for the lack of trees in new estates 	25	<ul style="list-style-type: none"> • Serious consideration is given to species selection to assess all issues. • Trees are planted last in new estates to minimise damage and ensure dwellings are positioned on individual lots.
<ul style="list-style-type: none"> • Suggests the replacement of missing plane trees along Canterbury Road 	26	<ul style="list-style-type: none"> • Noted for follow up.

Q1: Please let us know your thoughts on the Street Tree Planting and Management Policy	Submission Number	Comment/recommendations
<ul style="list-style-type: none">• Suggests more definite language be used throughout the policy to demonstrate commitment• Recommends more specifics to determine more tangible outcomes• Advocates for a reference to be made to the Australian Standard of Pruning in relation to amenity trees and engagement of staff and contractors	27	<ul style="list-style-type: none">• Noted. Document reviewed.• The Guidelines refer to Australian standards. Guidelines are listed on Council's website.



WARRNAMBOOL
CITY COUNCIL

Street Tree Planting and Management Policy



POLICY TYPE: COUNCIL
APPROVAL DATE: TBC 2017
REVIEW DATE: TBC 2020

STREET TREE PLANTING AND MANAGEMENT POLICY



DOCUMENT CONTROL

Document Title:	<i>Street Tree Planting and Management Policy</i>
Policy Type:	<i>Council</i>
Responsible Branch:	<i>Infrastructure Services Branch</i>
Responsible Officer:	<i>Director City Infrastructure</i>
Document Status:	<i>Final</i>
Approved By:	<i>Council resolution</i>
Approved Date:	<i>TBC 2017</i>
Review Date:	<i>TBC 2020</i>

STREET TREE PLANTING AND MANAGEMENT POLICY



1. INTRODUCTION

1.1. Purpose

The purpose of this policy is to ensure that a consistent approach is applied to the planting and ongoing management of street trees within Municipal streetscapes and the urban environment.

1.2. Scope

This policy is applicable to Warrnambool City Council in all its operations and functions relating to street tree planting and management.

1.3. Definitions

Term	Definition
The City	The Municipality of Warrnambool
Council	Warrnambool City Council
Streetscape	The visual elements of a street (e.g., streets, buildings, vegetation, medians and nature strips), that combine to form the street's character.
Urban Environment	The human made surroundings that provide the setting for human activity, including, commercial and residential areas, buildings, parks and open spaces and their supporting infrastructure.
Street tree	A tree or shrub growing within the road reserve, including nature strips, separators and medians.

1.4. References

- Warrnambool Planning Scheme
- Electricity Safety (Electric Line Clearance) Regulations 2015
- Councils Electric Line Clearance Management Plan
- Warrnambool City Council Community Engagement Policy.
- [Health and Wellbeing Plan](#)
- [Environmental Sustainability Plan](#)

STREET TREE PLANTING AND MANAGEMENT POLICY



2. POLICY OBJECTIVES

- To ensure consistency in the approach to street tree planting and management.
- To define Council's responsibilities in street tree planting and management.
- To ensure that proper consideration is given to trees in the planning and design of the built environment.
- To ensure trees contribute to the value of the urban landscape.
- To ensure that the amenity value of street trees is retained and enhanced.
- To inform decision making on street tree matters for Council, Council staff, developers and the community.

3. POLICY PRINCIPLES

Council has responsibility for the planning, establishment, maintenance and removal of all street trees located within the City's streetscapes.

All decisions related to street trees will be based on the following principles:

- Street trees are valuable community assets that positively contribute to the well-being of the community, and to the built and natural environment.
- Council is committed to planting and maintaining street trees which are visually, historically, or environmentally valuable to the community.
- Council recognizes that our historic Norfolk Island Pines are an iconic feature within our City and is committed to their protection.
- Council acknowledges that management and preservation of street trees will be sufficiently accounted for in the annual budget.
- Council will consult and engage the community and affected landowners where large scale plantings, significant streetscape works or tree removal works are to take place.
- Council will encourage the development of staff skills in arboriculture and consider recruitment of suitably qualified staff.
- Council will encourage community participation in street tree planting and ongoing maintenance where appropriate.
- Council will refer to the preferred tree species list published on Council's website to determine species selection. **A mix of Indigenous and exotic species will be selected appropriate to the area and conditions.**
- **Street trees that provide habitat will be encouraged.**
- Council will undertake proper selection, placement and planting of trees to reduce long term risk.
- Council will consider the potential damage to infrastructure, maintenance requirements,

STREET TREE PLANTING AND MANAGEMENT POLICY



and legislation in species selection.

- Council will only remove street trees that are in poor health, or which Council believes pose an unacceptable risk to the community, or as part of a broader streetscape renewal. Street trees are not removed for trimmed to facilitate development or to enhance vistas for property owners.
- Council may prosecute persons who prune, damage, kill or remove street trees without approval.
- Urban design treatments and streetscape renewal will incorporate measures to protect the health of proposed and existing trees.

4. GOVERNANCE

4.1. Owner

The Director City Infrastructure is responsible for monitoring the currency and relevance of this policy and for updating it when required.

4.2. Review

The Director City Infrastructure will review the policy for any necessary amendments no later than three years after its formulation or after the last review.

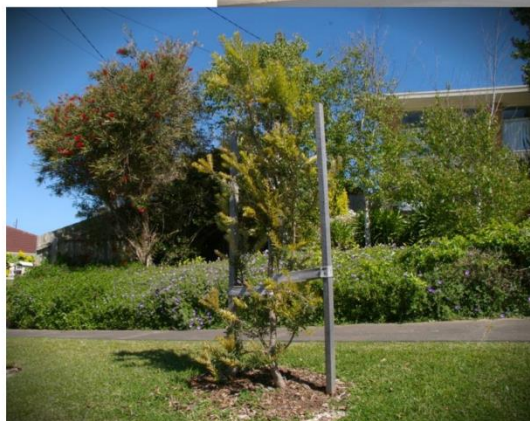
4.3. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).



WARRNAMBOOL
CITY COUNCIL

Street Tree Planting and Management Guidelines



DOCUMENT CONTROL

Document Title:	<i>Street Tree Planting and Management Guidelines</i>
Responsible Branch:	<i>City Infrastructure</i>
Responsible Officer:	<i>Director City Infrastructure</i>
Document Status:	<i>Final</i>
Approved By:	<i>TBC</i>
Adopted Date:	<i>TBC</i>
Review Date:	<i>TBC 2020</i>

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1. INTRODUCTION

1.1. Purpose

To implement the Warrnambool City Council's Street Tree Policy by introducing a consistent, adopted approach to street tree planting and ongoing management of street trees within the Municipality.

To provide information and direction for Council Officers, developers, consultants and the broader community in relation to Council owned street trees.

1.2. Scope

Warrnambool's trees are one of its greatest assets and the aim of these Guidelines is to provide good planning and appropriate maintenance which is vital for safe and manageable street, roadside, park and reserve trees that will provide aesthetic, material, environmental and ecological benefits to the community.

The aim of the Guidelines is to provide a framework for making structured, consistent and environmentally sound management decisions for all trees on land owned by Council or under Council's control.

1.3. Vision

The aim of is to plant, preserve and maintain, in a safe and healthy condition, those trees which are currently or which will become visually, historically, horticulturally or environmentally valuable to the Community of Warrnambool. Trees help to create softness and beauty in otherwise harsh urban streetscapes. Trees also have roles in ecology, microclimate modification and traffic control. As such they add significantly to the enjoyment of our City and to the value of properties.

By applying appropriate levels of resources and best practice management, Warrnambool City will develop streetscapes of attractive, healthy and safe trees for the benefit of the entire community, both now and in the future.

This Guidelines aims to ensure that all trees are contributing to the function and amenity of the city whilst also ensuring that any risks associated with them are managed or controlled in accordance with industry best practice and available resources.

The vision of the Guidelines is to:

- To guide new street tree planting, species and themes.
- To ensure consistency in tree management across the organisation and across the Council.
- To define Councils responsibilities and requirements with respect to the protection, retention and replacement of trees.
- To ensure that proper consideration is given to trees in planning, designing and constructing development.

- To facilitate the removal of undesirable species, noxious weeds, dangerous trees and any other inappropriate plantings and replace these with well selected new trees that will positively contribute to visual and environmental amenity.
- To retain healthy individual trees of local amenity and aesthetic value

1.4. Benefits

The social, environmental and economic benefits of street trees are wide and varied. Tree-lined streets contribute to aesthetic improvements, climatic modifications, a healthy environment and social wellbeing.

Research indicates the benefits include:

HEALTH

- Views of nature can relate to feelings of satisfaction, wellbeing, coping, personal effectiveness and optimism.
- Green surroundings reduce mental tiredness while enhancing concentration and attention, leading to an improved ability to cope and make positive decisions.
- Creating positive psychological benefits, including lower rates of anxiety, violence and crime.
- Trees reduce exposure to ultraviolet light, lessening risk of associated health problems such as skin cancer and cataracts.

SOCIAL

- Residents walk more on streets that are lined with trees.
- Greenery helps people to relax and renew, reducing aggression leading to less violence.
- The proximity of trees to dwellings has an effect on residents' use of outdoor space - the closer the trees, the higher the usage.
- Many more people are involved in social activities in green environs than in areas that have few or no trees and shrubs.
- Gardens and other plantings contribute to residents feeling safer, more supported and satisfied with their surroundings.
- Green spaces bring residents together more often, promoting chance meetings and encounters. Residents get to know one another, producing stronger, more cohesive neighbourhoods.
- Public safety - areas with higher levels of planting experience lower levels of crime because it creates pride and care of place which results in ownership.
- Road safety – tree-lined streets are perceived as narrower, resulting in reduced speeds. Trees along streets provide a buffer between pedestrians and vehicles.
- Surveys of landscaped and non-landscaped community areas have shown that the incidence of crime, vandalism and graffiti is many times lower in areas planted out with greenery.

AESTHETIC

- Beautifying and softening streetscapes, the appearance and general environment of many streets is improved considerably by the presence of trees.
- Trees soften harsh lines of paving, kerbs and other assorted infrastructure
- Frame good views and vistas.

- Trees provide seasonal interest and natural beauty through foliage and their interesting leaf patterns, flowers, bark, fruit and canopy.
- Provide a welcome contrast and relief to the appearance of long stretches of asphalt road.
- Play a significant role in determining the urban character of the townships and a sense of place.
- They enhance architecture; there are few buildings which do not look better in the company of suitable trees.

ECONOMIC

- Research indicates an increase in property values from high amenity, well treed areas. A garden adds to the aesthetic appeal of your home and neighbourhood, and it adds real monetary value to your home. It is estimated that property value can increase between 5% and 20%.
- Roads and footpaths with good tree canopy cover are protected from the sun and last longer.
- Attractive tree lined areas are popular with visitors who spend money during their stay.

ENVIRONMENTAL

- Provide wildlife habitat and food sources and preserve biodiversity.
- Trees are critical in the maintenance of a healthy environment as they produce oxygen, trap airborne pollutants in their leaves (such as nitrous oxide and ozone) and absorb carbon dioxide.
- Large trees have a greater benefit in terms of reducing pollution than small trees.
- Trees have a positive effect on the environment by the transpiration of water and the emission of oxygen by photosynthesis.
- Tree roots keep the soil porous which allows the stormwater to be absorbed rather than flow into the drain and sea.
- Plantings around buildings are a proven method of reducing the demand for artificial heating and cooling with a resultant, and important, lower use of fossil fuels.
- They provide shade in summer. Trees can reduce asphalt temperatures of carparks by as much as 13°C, and vehicle cabin temperatures by 17°C.
- Provide buffers/wind breaks from strong winds.

1.5. Definitions

Term	Definition
Tree	A woody plant that can be expected to exceed five (5) metres in height under normal growth conditions, typically with a single, dominant stem (trunk).
Shrub	A woody plant that would not be expected to exceed five (5) metres in height under normal growth conditions.
Pruning	The intentional removal of parts of a plant to improve its form or function.
Street tree	A tree or shrub growing within the road reserve, including nature strips, separators and medians.
Environmental Weed	Plants that invade native vegetation, usually adversely affecting regeneration and survival of the indigenous flora and fauna. They can be exotic plants, or plants that do not naturally grow in the area.

1.6. References

- Warrnambool Planning Scheme

- Electricity Safety (Electric Line Clearance) Regulations 2015
- Councils Electric Line Clearance Management Plan.

2. GUIDELINES

Trees have a finite life. Their genetic potential and the external factors that impact on them determine how well they perform. In the case of street trees, the growing conditions are usually significantly altered from those encountered in their natural growing environment.

Street trees also grow amongst people and property and as such pose management challenges as a result of community expectations for amenity, functionality and safety. The impact of the artificial growing environment and the community requirements of street trees is that street trees require ongoing management

2.1. Areas of Responsibility

Council is responsible for the trees on land owned by Council or under Council's control with the following exceptions:

2.1.1. Electric Line Clearance (Electric line clearance regulations 2015)

In some isolated areas within the City, line clearance is the responsibility of the local electrical power distribution company. Authorities and contractors should check with Council before starting work verify if trimming works are in a declared area.

2.1.2. Speed Restricted Zones

Trees on declared Vic-Roads, roads and highways, outside of speed restricted zones tree maintenance is the responsibility of Vic-Roads.

2.2. Staff

Warrnambool City Council officers and parks and gardens staff shall carry out all assessments of trees under these Guidelines. Services of an arborist may be required in these assessments.

All planning done for new planting, tree replacement programs and other tree related programs or works which impact on Council trees shall be done in consultation with Infrastructure Services.

2.3. Town planning approvals, capital and other works

The street tree is considered by Council as a permanent fixture and a valued asset, consequently the tree will not be considered for removal until all options have been explored by an architect/developer and Council.

Planning approval may be required where trees are heritage listed.

2.4. Liability

All claims for damages against Council trees shall be referred to Councils Infrastructure Services Branch.

2.5. Pest and Disease Management

Council will intervene in pest and disease outbreaks where the immediate or long term survival of the tree or trees is compromised or property is substantially affected. In these circumstances the efficiency and cost effectiveness of available treatments will be assessed and, if justified, the appropriate integrated pest management techniques may be applied as required.

2.6. Infectious Material

Chipped material, logwood, stump grinding and other debris from trees infected with or that may be infected with a pathogenic organism shall be disposed of in a manner to prevent spreading the infection. All equipment, vehicles and personal items that come in contact with infected or potentially infected material must be disinfected by approved methods before being returned to service.

2.7. Tree Valuation

Council adopts the Revised Burnley Method (Moore) as a basis for determining economic values for Council's tree assets. Council will use this method for accurate tree evaluation assessment to achieve an average figure. Valuations will be carried out by Council staff or consultants as required or determined by vandalism, vehicle damage, building development, road construction or other works which would require compensation for replacement damage and tree maintenance or tree removal.

2.8. Unauthorized Actions

2.8.1 Pruning or removal of Council owned or managed trees by anyone other than Council staff or contractors engaged by Council shall not be permitted. Affixing of signage or other infrastructure on Council owned or managed trees shall not be permitted.

2.8.2 Council will prosecute persons who prune, disfigure, damage, kill or remove Council trees without explicit authorisation from the Council's relevant manager or delegated officer, under the Summary Offences Act or other appropriate Local Laws. Council may also recover costs and compensation from the perpetrator for replacement, loss of amenity value and remedial works required as a result of unauthorised actions. Council may recover costs and compensation for replacement, loss of amenity value and remedial works required from authorised persons and contractors, who prune, remove or cause damage to Council trees by failing to comply with these Guidelines, contract document conditions and other relevant policies and guidelines.

2.9. Education

A part of Council's community responsibility is to educate the community in responsible tree care and management. Education and community awareness programs will be undertaken subject to funding and resource constraints.

2.10. Street Tree Removal

Removal of trees from nature strips and parks is potentially the greatest cause of conflict in the management of the Council's trees. Prudent tree management requires Council to assume that every tree, no matter how insignificant it may appear, has some value to someone.

It sometimes becomes necessary to remove trees, either because of a problem with the tree itself, or to facilitate development or installation of infrastructure.

The concern associated with the removal of trees can be minimised through proper consultation with the community and a demonstration of the importance of trees by Council and the communication of these views to the community. Decisions regarding tree removal become necessary in response to applications by customers, developers and external authorities or through observation of problem trees by Council staff.

2.10.1. Cost

The cost for general tree removal under this Guidelines will be borne by Council through the budget. Tree removals to facilitate Council infrastructure upgrade or repair shall be borne by Council through the budget of that infrastructure project. Tree removals to facilitate private works shall be borne by the person carrying out those private works. New subdivision will require approved street tree species to be provided by the developer.

2.10.2. Removal

Consideration for and consultation regarding removal of street, roadside and parkland trees will be in conformance with Council's Community Consultation and Engagement Guidelines.

2.11. Pruning

Trees are living mechanical structures that have evolved to cope with the conditions under which they grow. Intervening in the tree's self-management should be done as a last resort as such intervention has ramifications for the tree's ability to regulate its own systems.

Street trees grow in contrived conditions and therefore the trees own self-regulatory systems are often compromised. In these situations intervention may be required. The most common intervention is pruning. Pruning is also done to try to make trees conform to spaces around other structures. Ideally these structures should be located so that minimal pruning is required.

The extent of any pruning undertaken must take into account the condition and significance of the tree and the effect of the pruning on the tree. Pruning should also take into account the location of the tree and its potential impact on traffic and pedestrians. Pruning will not be undertaken to accommodate scenic views or to clear for commercial advertising signage.

Council will undertake the pruning of street trees to achieve the following:

- To a high standard of arboriculture practice in accordance with Australian Standard AS 4373/2007.
- To provide safe access to both pedestrians and vehicles.

- To ensure safe visibility to both pedestrians and vehicles.
- To ensure that suitable clearances are maintained under Powercor services and aesthetics of the tree, street and surrounding area.
- To ensure healthy tree growth by the use of skilled tree surgery methods and formative pruning to repair physical damage and maintain shape.
- To avoid pollarding trees in streets.
- To avoid intrusion of roots and branches onto public and private property.

2.12. Root Pruning

Root pruning is generally to be discouraged as the long term results cannot be fully known. This section applies only to Council owned and controlled trees.

2.13. Root Intrusion onto Private Property

Council will take all reasonable action which resources will permit to prevent roots from street trees from causing damage to Council assets and private property. Council will ensure that it is kept up to date with current trends in the development of root barriers and their installation.

2.14. Tree Roots Affecting Private Sewers or Drains

In the event of tree roots entering a sewer service line or storm water drain claims for compensation or removal of a tree due to roots in the sewer drain will be assessed on an individual basis by Council's risk officer in consultation with the Council Infrastructure Services branch.

2.15. Electric Lines

Energy Safe Victoria is responsible for ensuring electrical safety. The office produces the Electricity Safety (Electric Line Clearance) Regulations 2015 with which Council is obliged to comply with.

2.15.1. Electricity Safety (Electric Line Clearance) Regulations 2015

The cost for general tree removal under these Guidelines will be borne by Council through the budget. Tree removals to facilitate Council infrastructure upgrade or repair shall be borne by Council through the budget of that infrastructure project. Tree removals to facilitate private works shall be borne by the person carrying out those private works.

Council believes that safe and reliable supply of electricity to the community is a vital service. Whilst agreeing with the necessity for safety and continuity of supply, Council believes the allocation of resources by power companies to relocating power lines underground should reflect the value of the Council's tree assets to the community. Council shall encourage underground power where ever possible.

2.15.2. Declared Areas

The Council is responsible under the Regulations for Electric Line Clearance for Declared Areas within the municipality. For further information, refer to the Electricity Safety (Electric Line Clearance) Regulations 2015 and Councils Electric Line Clearance Management Plan. Council shall carry out works in accordance with these provisions as required.

2.15.3. Plans of Action for Non-Compliant Trees

For further information, refer to the Electricity Safety (Electric Line Clearance) Regulations 2015 and Councils Electric Line Clearance Management Plan.

2.15.4. Electricity Distribution Company

Powercor Australia maintains the electricity supply network within the City.

2.15.5. Underground Electric Lines

Underground electric lines are Council's preferred method of supplying the community with electricity. Council strongly encourages electricity supply companies, telecommunication companies and other related bodies to replace overhead cables with underground cables.

2.15.6. Aerial Bundled Conductors (ABC)

Council encourages electricity supply companies to replace bare conductors with ABC where under grounding is not being considered. Installation of ABC and relocation of electric lines significantly reduces the need for intervention in the growth of Council's trees.

2.16. Tree Preservation

2.16.1. Indigenous/Remnant Vegetation

Where indigenous / remnant vegetation exists on road reserves, efforts should be made to preserve and maintain it, however safety must be the overriding factor in management of such areas.

2.16.2. Heritage Trees Precinct/Significant Trees

The Warrnambool Planning Scheme includes a Heritage Overlay Schedule, Heritage Trees Precinct 7.

The objectives of Heritage Trees Precinct are:

- To conserve and enhance significant trees, and rows of trees which are of aesthetic, historic or cultural value.
- To discourage the erection of advertising signs and other similar devices that will detract from the character of the area; and
- To protect and enhance the character and appearance which generally consists of rows of mature Norfolk Island pine trees".

By including the street trees within Heritage Overlay Schedules and Planning Scheme, this provides clear information to service authorities and other contractors regarding the heritage status of these important trees, requires a planning permit to be obtained to destroy, prune or lop the trees.

Council Officers taking into account the following criteria, may deem a street or roadside tree as significant if the tree –

1. Has significant cultural value (eg. trees in an Avenue of Honour), or
2. Has significant historical value (eg. planted by a dignitary), or
3. Is an indigenous species, or
4. Has significant value to the community through its contribution to the streetscape, or
5. Is an outstanding specimen of its species as a result of its size or another growth
6. characteristic, or
7. Is an endangered species, or
8. Is a habitat tree for an endangered species.

2.16.3. Street Tree Management

Renewal programs and streetscape works will take steps to protect the health of proposed and existing trees to ensure their health is protected, particularly in car parking areas.

Council and its various communities have the opportunity to make a real statement with the careful selection and planting of trees within its streetscapes. The character of an area can be enhanced for residents and visitors alike providing a visually pleasing and lasting impression for all to experience.

Community consultation will ensure that the individual characteristics and requirements of an area are maintained and enhanced whilst at the same time meeting Council's objectives to produce streetscapes that provide a lasting impression for residents and visitors alike, and meet Councils risk management requirements.

Council has a dedicated "tree team" made up of qualified and experienced staff, who provide advice and make decisions and recommendations, in relation to street tree planting and management within the City.

2.17. Tree Planting

2.17.1. Street Tree Planting

Many streets and parklands contain fewer trees than they have capacity for or is desired by the community. Street, parkland and roadside tree planting will be undertaken in a programmed and sustainable manner. This approach is sound both environmentally and economically. It is essential to pre-plan what tree stock will be needed to be assured of obtaining the right species and quality at the right time of year.

In some cases, as requested by Council, a landscape plan will be requested for street tree plantings in high profile areas such as the CBD, and other broad acre areas at Council's discretion. The landscape plan must be prepared by a suitably qualified practitioner and must be sufficiently detailed to show the tree species, method of planting and staking, the rationale behind why the particular species has been selected and any associated urban design treatments required to maintain and manage the trees. Plantings in these instances must not proceed until the landscape plan has been approved by Councils Infrastructure services branch.

The right mix of species and age diversity are vital components of a sustainable tree population. A generally accepted rule for achieving this is for particular genera to not make up any more than ten percent of the whole tree population. The age of tree should also be spread evenly between young and old trees to lessen the impact of, or need, to remove whole blocks of trees.

Prior to the commencement of planting, the stock must be inspected and approved by Council's Parks, Gardens and Environment staff.

When selecting species for street, parkland and roadside tree planting the following decision making framework will be applied:

- Preferred Landscape Character;
- Nature strip width and road reserve requirements;
- Existing services and surrounding infrastructure
- Adopted master plans, strategies and development plans;
- The significance of previous history of tree planting;
- Drought tolerance/low water usage;
- Longevity;
- Growth habit, size and structural integrity;
- Tolerance to harsh urban environments;
- Soil type and structure;
- Root growth characteristics and tolerances;
- Pruning requirements;
- Amount and type of debris shed;
- Pest and disease susceptibility;
- Habitat value;
- Optimum time of year for planting specified species.
- Net community benefit

New tree planting should reinforce the existing character of areas.

The tree planting in Warrnambool has a long history. Some of our street trees are over 100 years old.

Council must be consulted and give approval for any tree planting within streets, parklands and roadsides it manages as Council will ultimately become responsible for the management and maintenance of the planting.

Only high quality tree stock will be used and planted correctly as substandard trees or planting can increase maintenance costs significantly and conversely quality stock and planting technique dramatically increases establishment rates, reduces future costs and increases the community's appreciation of trees.

Large growing trees provide the maximum environmental benefits and create the greatest visual impact. The ability to maintain or establish large growing species is becoming limited on both private and public land. The protection of existing large trees and utilising or creating appropriate spaces to plant new large growing trees will be a priority.

Tree planting by developers in land that will become the responsibility of Council must be done in consultation with and to the satisfaction of Council to ensure compliance with the principles listed in this Guidelines.

Council prefers to collect the prescribed sum from developers or individuals as set out in the annual fees and charges register, and plant and maintain the tree.

2.17.2. Customer Planting Requests

Individual trees requested by customers shall be assessed on a case by case basis.

Requests for block or whole street planting shall be considered as part of the overall street tree-planting program dependent on allocation of funding.

2.17.3. Consultation

The establishment or maintenance of an avenue of trees or a consistent planting theme can sometimes require Council to plant a tree in a nature strip against the wishes of the customer immediately adjacent. This is a difficult situation that calls for Council staff to make a judgment regarding the wishes of the wider community over the individual resident. When making such a decision, it should be borne in mind that a major factor in the survival of a newly planted street tree is the cooperation of the nearest resident.

In streetscapes, trees may be planted to fill gaps despite opposition from adjacent residents.

In all other instances, the relevant Council officer overseeing the project shall make a decision regarding planting in consultation with Infrastructure Services.

Prior to significant tree planting taking place (or removal), consultation shall take place with residents and affected landowners, in accordance with Councils Communication and Consultation Guidelines.

2.17.4. Unauthorised Nature Strip Planting

Unauthorised planting of street trees/garden beds by residents shall be discouraged and potentially removed and costs associated may be charged to the landowner. Recently planted trees may be allowed to remain provided they are of a suitable species

which is compatible with the surrounding streetscape, good quality specimens, in a suitable location, planted to Council standards.

2.18. Unsuitable Street Trees and Shrubs

Tree species that have a large canopy or a vigorous root system should be thoroughly examined prior to recommending in all future plantings.

Street trees can be of a suitable species, but some have been planted in an inappropriate location eg. narrow footpath or under Powerlines.

Other streets also have been planted with a mixture of species; age & shape do not tend to provide an attractive or unified streetscape. A street tree removal program should be in place to gradually

remove unsuitable species replacing them with more appropriate plantings that tend to be uniform and also to reduce long term maintenance costs.

Before planting any street trees research must be conducted to ensure the most suitable tree is planted in the most suitable location in accordance with the list of suitable species for street tree planting.

2.19. Inspection Process

Inspection processes are required for competent management of all trees on land owned by Council or under Council's control. Ongoing inspections will be conducted covering defects, risk and condition, and action plans prepared on an annual basis.

2.19.1. Defect Inspections

Determine if the asset has any immediate hazard or defects that are likely to create a danger or serious inconvenience to users of the areas or the wider community.

2.19.2. Condition Inspections

Identify deficiencies in the structural integrity of assets which if untreated, is likely to affect the life of the asset. Inspection takes into account but not limited to the trees current health, significance, stability, of the tree, vigour of the tree.

Safety issues may be detected either as the result of the defect inspection or by observation followed by notification to council by members of the community or council employees while undertaking their normal work duties. A subsequent safety inspection may then be conducted by an appropriate Council officer.

2.19.3. Ad Hoc Reactive / Safety Inspections

Identify defects outside the tolerable level and likely to create danger or serious inconvenience to users of the network or the wider community.

They are ad hoc by nature and may be undertaken following notification to council by members of the community through the Customer Request System or by council employees while undertaking their normal work duties. These notifications are of defects and safety deficiencies with any subsequent inspection conducted by an appropriate Council officer.

2.19.4. Incident Inspections

An incident report should to be prepared for use in potential legal proceedings and the gathering of information for the analysis of the causes of accidents relating to trees.

2.19.5. Risk Assessment and Prioritisation Remedial Works

The assessment of the level of safety risk associated with a defect outside the level that is considered 'tolerable' enables remedial work to be programmed on a risk prioritisation basis.

3. GUIDELINES REVIEW

As with all policies, there is a need for periodic review. Factors which must be considered include:

- 4.1.1 Tree plantings and the selected roads will be developed based on the road hierarchy in the Road Management Plan to achieve plantings in areas with a lack of trees, high profile areas, where trees have been removed and not replanted.
 - 4.1.2 An analysis of available and suitable street tree species has been developed and a "Recommended Street Tree Species" developed and reviewed regularly. Appropriate street trees are to be selected from that list (APPENDIX B).
 - 4.1.3 No more than two different species to be used in any one street or specific and definable sections of the street.
 - 4.1.4 All trees that become the management responsibility of Council be planted in conformance with Councils Standard drawings for tree planting (APPENDIX A).
 - 4.1.5 The species selected for planting should have as large a mature size as possible within the constraints of the site to create a definite visual impact on the site and provide for the necessary physical clearances.
 - 4.1.6 All new development sites incorporate new tree planting within the adjoining street frontages and any open space areas where appropriate to the approval of Council. The provision of trees, planting and establishment for a minimum period of two years at the developers cost or by an alternative arrangement to the satisfaction of Council.
 - 4.1.7 Any trees or shrubs planted without Council permission and not in conformance with this strategy may be removed by Council.
- All tree planting within a Vic Roads controlled road to be undertaken after consultation with Vic Roads and as far as is practicable comply with their planting procedures and the Road Management Act 2004.
 - Electric line clearance 2015 regulations.

4. AIMS AND ACTIONS

4.1. Delegated Authority

Manager Infrastructure Services has the delegated authority to remove any street, roadside or parkland tree:

- Assessed as being an "immediate risk";
- Assessed as being "Dead" or in "Poor" health and/or structure;
- Where its removal is essential for the construction of an approved development.
- Not in conformance with the preferred species for that street, or
- Recommended for removal in an adopted master plan or development plan.

4.2. Removal Consideration

Council will not remove a tree or undertake any formal removal consideration process based purely on the following reasons:

- Falling leaves, bark, twigs, fruit or flowers;
- Failure to establish grass under the tree;
- Obscuring vistas;
- Perceived aesthetic concerns; and
- Perceived allergies.

4.3. Cost of Removal

The cost of removal and replacement of street, roadside and parkland trees to facilitate private development works including driveways and service connections, is to be at the cost of the requestor unless otherwise determined by Council's Infrastructure Services Branch.

4.4. Revised Burnley Method

The recognised "Revised Burnley Method" (Moore) method for determining the monetary value of amenity trees be adopted and used as required to determine an appropriate level of compensation for trees removed illegally for developments or poisoned.

4.5. Removal of Trees on Council Owned/Managed Land

No person is allowed to remove any tree on land owned or managed by council without written permission from Council. Council will take enforcement proceedings including potential fines through the relevant Local Laws. The contractor or person performing the work must also be approved in writing. Tree removal on Council land is only to be done by people with appropriate qualifications, experience and insurances.

5. GOVERNANCE

5.1. Owner

The Director City Infrastructure is responsible for monitoring the currency and viability of this policy and updating it when required.

5.2. Review

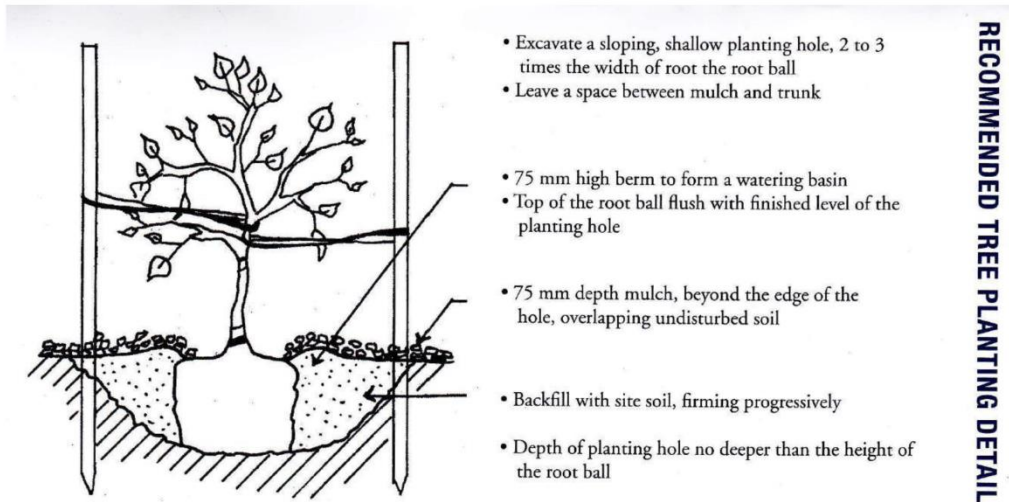
The Director City Infrastructure will review the document for any necessary amendments no later than three (3) years after its formulation or after the last review.

5.3. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2007).

Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.

APPENDIX A - RECOMMENDED TREE PLANTING DETAIL



APPENDIX B - RECOMMENDED STREET TREE SPECIES LIST

Note: Other Species may be considered subject to Council approval.

Acacia melanoxylon (*Blackwood*)

Acacia melanoxylon is a [tree](#) up to 20 m high, with a bole of about 150 cm in diameter. The pale yellow, cream or whitish coloured flowers are fluffy in appearance. Flowering can occur throughout the year.

Acmena smithii (*Lilly Pilly*)

Acmena smithii is a small too tall tree that grows up to 15 metres in height. Fragrant flowers are produced in spring and grow best in full sun to light shade.

Agonis flexuosa (*Willow Myrtle*)

Agonis flexuosa is a species of tree that grows in the south west of Western Australia. They are commonly grown in parks and on road verges. *Agonis flexuosa* occurs mainly as a small and bushy tree, usually less than 10 metres tall, it flowers between August and December.

Angophora costata (*Smooth Bark Apple*)

Smooth Bark Apple is a common woodland and forest tree of Eastern Australia. It grows primarily on sandstone soils, usually on headlands, plateaus or other elevated areas. Smooth Bark Apple is a large, wide, spreading tree, usually seen of a height between 15 and 25 metres.

Allocasuarina verticillata (*Drooping She Oak*)

Allocasuarina verticillata is a tree up to 10 metres tall with pendulous foliage. It grows on a wide range of habitats extending from coastal headlands and plains to rocky outcrops on inland ranges.

Araucaria heterophylla (*Norfolk Island Pine*)

Norfolk Island Pine is a distinctive conifer; it grows to a height of 50–65 metres, with straight vertical trunks and symmetrical branches. They are an integral part of beachfront landscapes as well as esplanade plantings; these trees can be used in parks and streetscapes.

Banksia ericifolia (*Heath Banksia*)

Banksia ericifolia, the Heath Banksia, is a species of woody shrub of the Proteaceae family native to Australia. It's a medium to large shrub that can reach 6 metres high and wide, usually flowering occurs in autumn or winter.

Banksia integrifolia (*Coastal Banksia*)

Banksia integrifolia, commonly known as Coastal Banksia, is a species of tree that grows along the east coast of Australia. It is highly variable in form, but is most often encountered as a tree up to 25 metres in height; it's a popular choice for parks and streetscapes.

Banksia marginata (*Silver Banksia*)

Banksia marginata, commonly known as the Silver Banksia, is a species of tree or woody shrub in the plant genus *Banksia* found throughout much of southeastern Australia. *Banksia marginata* usually range from a small shrub around 1 metre tall to a 12-20 metre high tree.

Banksia praemorsa (*Cut Leaf-banksia*)The Cut-leaf Banksia (*Banksia praemorsa*) is a species of shrub or tree in the [plant genus Banksia](#) growing to 4m tall. Leaves are broad with toothed margins. Win red cylindrical flower spikes up to 300mm long and 100mm wide in Spring and Summer.

Betula pendula (*Silver Birch*)

Betula pendula is a widespread European birch; it is a medium-sized deciduous tree, typically reaching 15–25 metres tall. Silver birch is often planted in parks and gardens, grown for its white bark and gracefully drooping shoots.

Callistemon Citrinus (*Crimson Bottlebrush*)

Callistemon citrinus, also known as Crimson Bottlebrush are found wild only on the Australian continent and is a very hardy plant accepting of wet conditions and preferring an open sunny position. It grows between 1-3 metres in height with flowers appearing in late spring to early summer.

Callistemon 'Kings Park Special' (*Kings Park Special*)

Kings Park Special are wonderful plants for the garden. They are long-lived, require little maintenance; they make good screens, hedges, feature plants and street trees is a tall-growing bottlebrush to around 5 metres high.

Callistemon pallidus (*Lemon Bottlebrush*)

The Callistemon pallidus is an upright, hardy shrub growing to 3 metres high by 2 metres wide with slender spreading branches. This plant will grow in moist soils in full-sun or part-shade.

Callistemon salignus (*Willow Bottlebrush*)

Callistemon salignus, commonly known as Willow Bottlebrush, the species usually grows to between 4 and 10 metres in height and has narrow foliage. The bottlebrush flower-spikes appear during spring, they are generally creamy white to yellow.

Callistemon viminalis (*Weeping Bottlebrush*)

Callistemon viminalis, also known as the Weeping Bottlebrush, is a shrub or small tree in the family Myrtaceae. Weeping Bottlebrushes are native in New South Wales and Queensland where they often occur along watercourses which grow quite quickly up to 8 metres in height.

Corymbia eximia (*Yellow Bloodwood*)

Corymbia eximia, commonly known as the Yellow Bloodwood, grows as an attractive gnarled tree, up to 20 metres in height. The cream flower heads grow in panicles in groups of seven and appear in spring.

Corymbia ficifolia (*Red Flowering Gum*)

Corymbia ficifolia or the red flowering gum is one of the most commonly planted ornamental trees in the broader eucalyptus family. It is an ideal street tree as it is hardy, moderately fast growing, to a height of anything between 2-8metres, and rarely grows large enough to require pruning.

Corymbia maculata (*Spotted Gum*)

Spotted Gum is a tall tree with a straight trunk, growing up to 45 metres in height (sometimes taller). Spotted Gum has smooth powdery bark which is white, grey or pink; often with characteristic patches.

Elaeocarpus reticulatus (*Blueberry Ash*)

Elaeocarpus reticulatus, the Blueberry Ash, is a large shrub or tree which can grow to a height of 15 metres. This is a hardy plant, and grows natively in eastern Australia under many conditions such as gullies, droughts and sandy coastal scrubs.

Eremophila santalina

Large shrub up to 4m. White flowers late Winter and Spring

Eucalyptus forresiana (*Fuchsia Gum*)

Eucalyptus forrestiana, commonly known as Fuchsia Gum, Forrest's Mallee or Forrest's Marlock, is a small tree which occurs in an area near [Esperance](#) in [Western Australia](#). It is a [mallee Eucalyptus](#) with smooth bark and grows to between 1.5 and to 6 metres in height. It has bright red buds and yellow flowers which appear between summer and winter.

Eucalyptus leucoxylon 'rosea' (Yellow Gum)

Eucalyptus leucoxylon grows approximately 30 metres in height and is known to be found from southern NSW through Victoria into most of South Australia. They're very useful for most locations including streetscapes and parks.

Eucalyptus pulchella (White Peppermint)

Eucalyptus pulchella is a medium to large evergreen tree reaching a height of 1-20 metres. Small white flowers are produced from June to October.

Eucalyptus sideroxylon 'Rosea' (Red Ironbark)

Red Ironbark is a highly valuable tree because of its adaptation to many sites, strong wood and ability to grow well in smog. It originates in Queensland, grows through NSW and into the north-eastern areas of Victoria. 'Rosea' Red Ironbark is a seed selection that is red flowering. Typically will grow to 20m

Eucalyptus viminalis Cygnetensis (Manna Gum)

Eucalyptus viminalis, Manna Gum, also known as White Gum, Ribbon Gum or Viminalis is an [Australian](#) eucalypt. It is a straight erect tree, often around 40 metres tall, with rough bark on the trunk and base of larger branches, its upper bark peels away in long "ribbons" which can collect on the branches and surrounding ground. It's widely distributed in the cooler areas of Australia where the leaves are the favoured food of Koalas.

Eucalyptus willisii West Coast (West Coast Shining Peppermint)

Evergreen tree. Common name Shining Peppermint with a height of 15m and a spread of 10m

Ficus macrophylla (Moreton Bay Fig)

Ficus macrophylla, commonly known as the Moreton Bay Fig, is a large evergreen banyan tree of the Moraceae family that is a native of most of the eastern coast of Australia. Individuals may reach 60 metres in height.

Ficus platypoda (Rock Fig)

Ficus platypoda, commonly known as the desert fig or rock fig, is a fig that is endemic to central and northern Australia, and Indonesia. Ficus platypoda is known for its growth in rocky, dry, exposed areas and normally grows to 8 metres tall.

Ficus rubiginosa (Port Jackson Fig)

Ficus rubiginosa is a species of flowering plant in the family Moraceae. Ficus rubiginosa forms a spreading densely shading tree when mature, and may reach 30 metres in height.

Flindersia australis (Australian Teak)

Flindersia australis is a rainforest tree from New South Wales and Queensland that grows up to 40 metres high. It is an evergreen tree that is very hardy and ideal as a shade tree for uses such as a street tree, wind break or simply used as a feature specimen.

Fraxinus 'Raywood' (Claret Ash)

The Claret Ash or Raywood Ash is a cultivar of ash tree, a seedling variant of the Caucasian Ash. The tree grows to around 15-20 metres and has dark green leaves that turn to a dark claret red in the autumn.

Glochidion ferdinandi (Cheese Tree)

Glochidion ferdinandi is native to eastern Australia, where it grows in rainforests and wetter forests. It grows as a woody shrub or small tree to 8 metres, although occasionally reaching 30 metres, with flaky brownish-

grey bark; the species may be partly deciduous in winter. Flowering may occur at any time of year; the cheese tree grows in both clay and sandy soils.

Grevillea Banksii (*Banks Grevillea*)

Grevillea Banksii is a popular garden plant; it's a tall, slender or spreading shrub, or small tree up to 7 metres high. It grows on headlands, ridges and forests that flowers for most of the year, however mainly in winter and spring.

Grevillea 'Honey Gem' (*Honey Gem Grevillea*)

Honey Gem is a tall, quick growing plant between 3-5 metres with golden yellow flowers that are extremely bird attracting

Grevillea 'Misty Pink' (*Misty Pink Grevillea*)

Grevillea Misty Pink is native to Queensland; it grows to about 3 metres in height. This cultivar is quick growing and performs best in warmer climates.

Hakea laurina (*Pincushion Hakea*)

Hakea laurina is a plant of Southwest Australia that is widely cultivated and admired. The habit of this plant is an upright shrub or tree, reaching a height between 2.5 and 6 metres.

Hymenosporum flavum (*Native Frangipani*)

The native Frangipani is a rainforest tree hailing from more tropical forests of the east coast, it has been well utilised in gardens and landscapes in the west. Native Frangipani is widely cultivated and usually grows to around 8 metres in height, although it can grow to over 20 metres tall in the rainforest.

Koelreuteria bipinnata (*Pride Of China*)

Koelreuteria bipinnata is a small to medium-sized deciduous tree that grows moderate to fast reaching a height between 10–20 metres tall. They bloom in the summer and can tolerate wind, air pollution, salt, heat, and drought.

Koelreuteria paniculata (*Golden Rain Tree*)

Koelreuteria paniculata is a species of flowering plant in the family Sapindaceae. It is a small to medium-sized deciduous tree growing to 7 metres tall. Several cultivars have been selected for garden planting, flowers in late summer.

Lagerstroemia indica x L. fauriei 'Acoma' (*Crepe Myrtle*)

Lagerstroemia grow to 3 metres tall and are a tough, powdery mildew resistant cultivar, though excellent as a specimen for small gardens or for growing in containers.

Lophostemon confertus (*Brushbox*)

Lophostemon confertus is a tree native to Australia, though it can be found elsewhere and is commonly found as a street tree in Sydney and Melbourne. It has high tolerance for smog, drought and poor drainage. It also has denser foliage and hence provides more shade than eucalypts; it can reach heights of 40 metres or more.

Magnolia grandiflora Greenback (*Magnolia*)

Magnolia grandiflora Greenback reaches a height of 27.5 metres; it is a large striking evergreen tree with timber that is hard and heavy, and has been used commercially to make furniture, pallets, and veneer.

Melaleuca lanceolata (*Moonah*)

Melaleuca lanceolata is a small tree or shrub in the genus Melaleuca, native to Australia. The species grows up to 10 metres in height and has rough bark. Leaves are linear to narrow elliptic, 5-15mm long and 1-3mm wide with and arranged alternately on the stem. The white or cream flower spikes are 2–4 cm in length and appear mainly in the summer, but may also appear randomly through the year.

Parrotia persica (*Persian Witch Hazel*)

Parrotia persica grows to 30 metres tall and 8–15 metres broad. The flowers are somewhat similar to witch-hazel flowers but dark red; they are likewise produced in late winter on bare stems.

Phoenix canariensis (*Canary Island Date Palm*)

Phoenix canariensis is a palm tree native and endemic to the Canary Islands. It is very hardy and can establish in a variety of soil conditions. Phoenix canariensis is a large, stately palm but is very slow-growing and will take a considerable amount of time to reach its 15 to 18 metre height.

Pistacia chinensis (*Chinese Pistachio*)

Pistacia chinensis is a small to medium-sized tree in the genus Pistacia in the cashew family. Very horticultural, because it's drought tolerant and can survive harsh environments, it is a popular choice for street tree in urban settings and grows up to 20 metres.

Platanus orientalis (*Oriental Plane Tree*)

Platanus orientalis, or oriental plane, is a large, deciduous tree, growing to 30 metres or more, and known for its longevity and spreading crown. It is quite capable of survival and success in dry soils once it is established.

Prunus cerasifera 'Nigra' (*Purple Leaved Cherry Plum*)

Prunus cerasifera is an excellent urban tree, its hardy and adaptable mature makes it an ideal garden, screening and street tree. Its growth rate is moderate reaching its height rate of 6metres tall.

Prunus x blireana (*Purple Leafed Plum*)

Prunus x blireana is a deciduous tree growing in Australia with a height of around 5 metres tall. It has slender, arching branches and flowering time is from mid-August to mid-September.

Pyrus sp(*Named variety Pear*)

Pyrus are well-known medium-sized trees which grow in many landscapes including parks, streetscapes and large gardens.

Quercus Acutissima (*Sawtooth Oak*)

Quercus Acutissima, a section of the genus characterised by shoot buds surrounded by soft bristles, bristle-tipped leaf lobes, and acorns that mature in about 18 months. It is a medium-sized deciduous tree growing to 25–30 metres tall.

Quercus Canariensis (*Algerian Oak*)

Quercus canariensis is a slow growing medium-large sized deciduous to semi-evergreen tree. They grow to 20-30 metres tall which grow well in semi-shade and direct sunlight.

Quercus palustris (*Pin Oak*)

Quercus palustris, the Pin oak is native to North America, mainly in the eastern United States. The Pin Oak is also well adapted to life in Australia and is a medium-sized deciduous tree growing to 18-22 metres tall.

Quercus rubra (*Red Oak*)

Quercus rubra commonly called northern red oak; this deciduous tree grows straight and tall, to 28 metres, exceptionally to 43 metres tall. It grows rapidly and is tolerant of many soils and varied situations.

Syzygium luehmannii (*Small-leafed Lilly Pilly*)

Syzygium luehmannii is a medium sized coastal rainforest tree native to Australia. *Syzygium luehmannii* reach 30 metres in height. A popular tree in cultivation, it has a dense crown and produces beautiful flushes of new growth and small red fruits.

Tristaniopsis laurina (*Water Gum*)

Tristaniopsis laurina, the Water Gum is a tree native to Australia, where it usually grows near the eastern coastline. *Tristaniopsis laurina* has a slow rate of growth, and usually reaches 4.6–9.1 metres tall.

Ulmus glabra Lutescens (*Golden Elm*)

The Golden Elm is a medium-sized, fast-growing deciduous tree that reaches a height of approximately 15 metres with a spread of about 20 metres. They are sensational large golden yellow tree ideal for streets, large gardens and parks.

Ulmus × hollandica (*Dutch Elm*)

Ulmus × hollandica, often known simply as Dutch Elm, is a natural hybrid between Golden Elm *Ulmus glabra* and Field Elm *Ulmus minor* which commonly occurs across Europe wherever the ranges of the two parent species overlap. They grow to a height of 40 metres.

Zelkova serrata (*Zelkova*)

Zelkova serrata is a medium sized deciduous tree usually growing to 30 meters tall. The tree grows rapidly when young though the growth rate slows to medium upon middle age and maturity. *Zelkova serrata* develops monoecious flowers in spring with the leaves.

References:

- Warrnambool Local Plant Guide.
- Plants of the Great South West Indigenous Plant Guide for Warrnambool.
- Botanica's Trees and Shrubs.
- Indigenous plants Moyne Shire.
- Environmental weeds of Warrnambool.

5.10 COUNCILS AND EMERGENCIES DIRECTIONS PAPER

PURPOSE

To provide an overview of Council's submission to Local Government Victoria on the Councils and Emergencies Direction Paper.

EXECUTIVE SUMMARY

- On 10 January 2017 Local Government Victoria (LGV) released the Councils and Emergencies Direction Paper (the "Directions Paper") attached at **Appendix A**.
- The Directions Paper is a result of the Councils and Emergencies Project, a priority B for action under the Victorian Emergency Management Strategic Action Plan.
- Moyne Shire Council and Warrnambool City Council have consulted in the development of the submission.
- The Directions Paper identified 154 responsibilities Councils currently perform in emergency management. Some responsibilities identified are legislated, or are in policy, whilst others are not.
- A detailed assessment of the 154 responsibilities indicates that Council currently performs 117 responsibilities. (**Appendix B**)
- Council does not consider it should be accountable for 72 responsibilities (**Appendix C**)
- Council generally supports the response provided by the Municipal Association of Victoria (MAV) *LGV Councils and Emergencies Directions Paper Draft Submission*.
- Although Council generally supports the MAV draft submission Council has concerns regarding topics not covered by either LGV or MAV. Topics such as the requirement to continue funding the VICSES; the involvement of Council in water replacement; training opportunities for staff performing emergency management roles, the Community Emergency Risk Assessment process, emergency management planning; and the importance of continued resource funding.
- Council when considering feedback to LGV can either:
 - (i) Not submit a response;
 - (ii) Support the response provided by MAV;
 - (iii) Prepare a separate submission (to that of MAV's) on behalf of Council which would provide additional points that should be considered with respect to emergency management

MOVED: CR. NEOH
SECONDED: CR. ANDERSON

That Council endorse the intent of our submission on the State Government's – Councils and Emergencies Directions Paper.

CARRIED – 7:0

BACKGROUND

In June 2015 the *Victorian Emergency Management Strategic Action Plan 2016-2018* (SAP) was launched and subsequently updated in November 2016. The goal of the SAP is for a sustainable and efficient emergency management system that reduces the likelihood, effect and consequences of emergencies.

The Councils and Emergencies Project comes under Priority B for action under the SAP.

The Councils and Emergencies Project has three distinct phases:

1. Clarify and confirm the current emergency management responsibilities of local government.
2. Assess the capacity and capability of councils in meeting their emergency management obligations.
3. Develop strategies and plans to address emergency management capability and capacity gaps.

In May and June 2016, as part of Phase 1, LGV held 16 workshops across Victoria with 68 councils and 19 emergency management agencies and discussed the role of local government in emergency management. The workshop findings are provided in an independent report *Councils and Emergences – Workshop Feedback Analysis June 2016*.

154 responsibilities were identified from the workshops and are divided into:

- ‘requirements’ because they have been derived from legislation, regulations, policy and statutory plans, (blue font items as defined in the Directions Paper); and
- those which some councils consider to be appropriate (black font items as defined in the Directions Paper)

The Directions Paper has been released for a period of four months to obtain formal submissions from councils, state government and emergency management agencies. The deadline for making a submission is 8 May 2017.

ISSUES

Although Council welcomes the opportunity to respond to LGV’s *Directions Paper*, Council considers there should be a bigger reform in emergency management to establish a new emergency management framework for Victoria. Fundamental to the reform is the need to recognise Council as an equal partner in planning, emergency response and funding in Victoria rather than performing administrative processes on behalf of agencies.

The current model is premised on structural arrangements established during the mid 1980s, during which there were 210 municipal councils throughout Victoria. There are now 79 councils with varying footprints and varying risks. It is timely to thoroughly reform the emergency management framework in Victoria to more accurately reflect a modern approach to emergency management.

Appendix B details Councils feedback to all 154 responsibilities

Appendix C details those 72 responsibilities that Council considers they should not be accountable for.

The key three issues of these 72 are:

1. Responsibility 86 (4) – Issuing permits to burn

Although the Country Fire Authority (CFA) is the fire authority it does not manage or issue the Schedule 13 permits to burn. CFA have highly trained personnel who understand fire and in most cases, set the ‘rules’ related to the issuing of permits by MFPOs. It is much more efficient and appropriate for the authority responsible for fire in the country area of Victoria to be administering permits to burn. There is definitely no role for Councils to be issuing permits to burn.

2. Responsibility 6 – Lead the maintenance and administration of the Vulnerable Persons Register (VPR)

The Department of Health and Human Services should be the lead agency to maintain and administer the VPR with Council as a user of the system

3. Responsibility 18 - Support implementation of flood warning systems in at-risk areas of the municipality

Council considers that VICSES, EMV, Bureau of Meteorology and the Catchment Management Authority, should be responsible for the installation, monitoring and ongoing maintenance of the flood gauges and flood warning systems. There has also been no commitment from BOM to monitor these gauges other than for pure data collection.

Aside from **Appendix C**, Council’s concerns with the *Directions Paper* are:

- There was inadequate engagement with Council on the development of the *Victorian Preparedness Goal*.
- Linkages between the suite of emergency management documents currently being distributed are unclear – no apparent agreement between LGV and Emergency Management Victoria (EMV) on these
- Legislation is not quoted accurately leading to misinterpretation

- Although the Directions Paper specifically requests to not identify capacity or capability restraints, Council is concerned about the financial support arrangements into the future and the long term effort and resources required to develop and maintain community relationships and associated initiatives, plans and committees.
- Several of the references are inaccurate or do not exist.

The Emergency Management issues not discussed within the Directions Paper, of concern to council are:

- **Operational**
 - The Municipal Emergency Resource Officer (MERO) role should be reviewed. The MERO role is a historic position that needs to better reflect current emergency management responsibilities within Council.
- **Municipal Emergency Management Plan (MEMP):**
 - Process for adopting MEMP's need to be reviewed: Councils, along with agencies, should accept the MEMP once passed audit not the other way around.
 - Emergency planning at the municipal level is too small scale and inefficient. Grouping councils together will enable planning to occur at a sub/regional level. It will incorporate a larger footprint therefore providing a better overview of risks. It will also not be as resource heavy with agencies not having to attend multiple meetings for small footprints.
- **Emergency Management Victoria**
 - EMV is better placed to facilitate the Community Emergency Risk Assessment (CERA) process than council and VICSES.
 - EMV should have a larger role in leading emergency planning across Victoria.
- **Funding:**
 - The requirement of councils to continue to fund the Victorian State Emergency Service (VICSES). As a Statutory Authority funding should come from the State.
 - There are no funding opportunities to assist council with the development of other emergency management plans; i.e. caravan parks, council owned buildings (airports, ports, libraries etc) nor funding available to assist council to support event managers with the development of event emergency management plans.
 - The continuation of Municipal Emergency Resourcing Program (MERP) funding is critical to ensure council has resources to perform emergency management functions however, many responsibilities are still not able to be performed even within the current funding model
 - The process for allocation of funding to Councils following an emergency needs to be streamlined.
- **Capability and Capacity:**
 - All councils should not be treated the same with regards to emergency management. Councils capacity and capability varies from council to council.
 - Inadequate training opportunities for Council staff performing emergency management roles and the inability to retain staff due to poor funding opportunities.
- **Communication:**
 - Currently there are two independent systems to record emergency management data; EM COP and Crisisworks. To ensure consistent reporting across an emergency the systems need to link or be reduced to one system.
- **Policies:**
 - Policies being developed by the State without consultation that financially impact local government (As an example: *Responding to people who are sleeping rough in extreme weather* Policy)
 - Clarification regarding the legitimacy of EMMV policy. Guidance documents, such as EMMV and state government policy seems to dictate Council responsibilities.

▪ **Recovery:**

- Continuing to administer requests for water replacement puts Council between the CFA and the Water Authority.

CURRENT STATUS

Councils currently perform 117 of the 154 responsibilities

KEY CONSIDERATIONS

- Council does not consider that they should be accountable for 72 of the responsibilities.
- Council has identified a number of issues that MAV has not considered in this submission as they are not raised in the Directions Paper.
- There will be a high financial impact to Council if all 154 responsibilities within the Directions Paper are legislated as is.

TIMING

Feedback is required to LGV by 8 May 2017

COMMUNITY IMPACT / CONSULTATION

LGV have only sought feedback on this paper from agencies and councils so far. Aside from limited contact by local agencies (CFA volunteers) limited consultation with the community has been carried out in relation to the Directions Paper.

Council supports the vision of 'all communities, all emergencies' approach to emergency management and would welcome community involvement in identifying responsibilities and actions during an emergency and particularly during the recovery phase.

FINANCIAL IMPACT

- There would be a high financial impact to Council if the responsibilities outlined in the Paper became policy or legislation
- Councils are provided funding through Department of Environment Land Water and Planning's Municipal Emergency Resourcing Program (MERP). Warrnambool City Council receives \$60,000 per year with the MERP's primary function to support the development of capability and capacity within local councils to plan, prepare and deliver activities that will assist their communities in an emergency.
- The MERP only enables basic functions to be performed and does not cover the ever increasing emergency management requests asked of Council.

RISK

If the responsibilities outlined in the Paper became policy or legislation the following risks would be evident:

- High financial cost to Council
- Impact all Council business
- Failure to meet community and government expectations



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Published January 2017

ISBN 978-1-76047-412-6 (Print)
ISBN 978-1-76047-413-3 (pdf/online)

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Foreword

Victoria's 79 councils play an essential role in the state's emergency management arrangements by preparing communities to respond to and recover from emergencies. However, current emergency management responsibilities are often not well-understood inside and outside the emergency management sector. Emergency management capability and capacity also differs greatly from council to council.

The emergency management and local government sectors recognise the need for clarity about councils' emergency management responsibilities and actions. Clarity ensures councils know what resources they need and also helps agencies and local communities understand what they can rely on their council to deliver and what they must do themselves.

Identifying and agreeing on councils' current emergency management responsibilities and actions is the essential first step of the Councils and Emergencies Project, which aims to improve the capability and capacity of councils to manage emergencies. The project will help the local government sector align with Victoria's overall emergency management system, in particular the Victorian Preparedness Goal. The Councils and Emergencies Project is being led by Local Government Victoria, which is part of the Department of Environment, Land, Water and Planning. The department works to ensure the ongoing viability of councils' normal business and emergency management responsibilities and actions through governance and funding support. The project is also a priority of the *Emergency Management Strategic Action Plan Update 2016–19*. Agencies have worked as one to progress the strategic action plan's priorities and to continue the reform journey, responding to new opportunities and challenges as they arise.

This directions paper describes councils' current emergency management responsibilities and actions, based on their current legislative, policy and planning obligations. The paper acknowledges councils' strengths and their capacity to overcome the challenges they face in undertaking their emergency management role. It reflects extensive consultation with council officers, emergency management agencies and emergency management experts.

As the Emergency Management Commissioner and Executive Director of Local Government Victoria, we ask the local government and emergency management sectors to confirm or suggest amendments to how this paper describes councils' current emergency management responsibilities and actions. Then, Local Government Victoria will work with councils to understand the skills and resources councils need to successfully deliver emergency management services to their community.

Thank you for reading this paper and we look forward to your feedback.



Dr Graeme Emonson
Executive Director
Local Government Victoria



Craig Lapsley PSM
Emergency Management
Commissioner



Introduction

Legislative, policy and planning framework

Emergency Management Strategic Action Plan Update 2016–19

The Emergency Management Acts of 1986 and 2013 as well as the *Emergency Management Strategic Action Plan Update 2016–19* underpin Victoria's emergency management arrangements. Together, they provide the vision, priorities, investment framework and principles for the statewide emergency management system.

The *Emergency Management Strategic Action Plan Update 2016–19* lists eight statewide strategic priorities and 31 actions to achieve safer and more resilient communities. The priorities seek to strengthen the collective capacity and capability of all those with emergency management responsibilities — the state government, councils, public sector agencies, community organisations, businesses and the public — to learn from experience, meet evolving challenges and build the governance, leadership and systems to support their efforts.

Victorian Preparedness Goal

The Victorian Preparedness Goal, published in August 2016, provides the foundation for an emergency management preparedness system including:

- state planning systems that support an integrated planning approach across all communities
- a state preparedness framework that identifies risk scenarios and critical tasks to deliver core capabilities
- a state preparedness report that explains progress building and sustaining the core capabilities.

The goal includes the *Victorian Emergency Management Capability Blueprint 2015–2025*, which aligns to Priority G in the strategic action plan. The blueprint's three objectives are:

- shared understanding: appreciation and understanding of the emergency management sector's capabilities, capacity and underlying responsibilities
- improved integration for the future: maximise current emergency management capabilities while building and developing future capabilities based on emerging risks
- connected community, business and government partnerships: enhancing capability across community, business and government.

The blueprint describes **capability** as our collective ability to reduce the likelihood and consequences of an emergency before, during and after it occurs. The core elements of capability are:

- people: people and personnel
- resources: physical equipment and assets
- governance: the enabling factors including legislation, funding, authorising environment, arrangements, doctrine and policy
- systems: learning and development, information technology, financial, infrastructure and assets management, workforce management, workplace health and safety, quality control and incident management systems
- processes: capacity planning, risk management, continuous improvement, information flow and planning.

The blueprint describes **capacity** as the extent to which the core elements of capability can be sustained before, during and after an emergency.

Core capabilities

The goal identifies 21 core capabilities the emergency management sector needs to manage emergencies, coordinate efforts and improve training. Table 1 lists and describes each core capability, and it shows when organisations exercise the capability: before, during or after an emergency.

Of the 21 core capabilities, councils have some responsibility or take action in sixteen. The 21 core capabilities are described below, those capabilities of which councils are not involved are in italics in the following table.



Victorian Preparedness Goal

Emergency Management Sector Core Capabilities
July 2016

Table 1: Victorian preparedness goal core capability descriptions - as they relate to Victorian councils

Core capability	When	Description
Planning	Before, during, after	Conduct a systematic process engaging the whole community as appropriate in the development of executable strategic, operational, and/or tactical level approaches to meet defined objectives.
Community information and warnings	Before, during, after	Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies. Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.
Operational management	Before, during, after	Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.
Intelligence and information-sharing	Before, during, after	To provide timely, accurate and actionable decision support information, resulting from the planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery activities. It also includes the assessment of risks, threats and hazards so that decision makers, responders, and community members can take informed action to reduce their entity's risk and increase their resilience.
Public order and community safety	Before, during, after	Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies and to afford a safe environment for those communities affected by an emergency and any responding personnel engaged in emergency operations.
Building community resilience	Before, during, after	Communities strengthen their lifelines by better connecting and working together with appropriate support.
Fire management & suppression	Before, during	Provide firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting lives, property, and the environment in the affected (land and water) area.

Core capability	When	Description
Fatality management	<i>No council involvement</i>	<i>Provide fatality management services, including search, recovery, victim identification (following Interpol Standards), and repatriation. As well as the sharing of accurate and timely information with other agencies and the community, and the provision of support to the bereaved.</i>
Critical transport	<i>No council involvement</i>	<i>Plan for and provide response and recovery services during emergencies that affect the road network including alternative routes, emergency permits and escorts for responders, clearing, restoration of damaged roads. Provide response to major public transportation emergencies including infrastructure access and accessible transportation services to ensure community movement including coordination of all private rail, tram and bus services to support response priority objectives.</i>
Logistics and supply chain management	During, after	Deliver essential commodities, equipment, and services in support of impacted communities and survivors, to include emergency power and fuel support, as well as the coordination of access to community staples. Synchronize logistics capabilities and enable the restoration of impacted supply chains, including removal of debris.
Impact assessment	During, after	Provide all decision-makers with relevant information regarding the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.
Search and rescue	<i>No council involvement</i>	<i>Deliver traditional and atypical search and rescue capabilities including people and resources with the goal of saving the greatest number of endangered lives in the shortest time possible.</i>
Health protection	During	The coordination and implementation of legislation, programs and monitoring procedures to minimise public health risk from infectious disease, contaminated food, and contaminated drinking water supplies, radiation and human environmental health hazards. This includes the development and implementation of strategies to promote and protect public health.

Core capability	When	Description
Health emergency response	No council involvement	<i>The planning, provisioning, response and coordination of pre hospital and health emergency care, including triage, treatment and distribution of patients, in a timely and structured manner, using all available resources to maximise positive health outcomes.</i>
Relief assistance	During	The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.
Environmental response	No council involvement	<i>To assess and manage the consequences to the community, environmental values, domestic animals and livestock of a hazardous materials release, naturally occurring pests or biological hazard.</i>
Economic recovery	After	Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community.
Natural and cultural heritage rehabilitation	After	Protect natural and cultural heritage resources through appropriate planning, mitigation, response, and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.
Built recovery	After	To restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.
Social recovery	After	The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for well-being.
Assurance and learning	After	Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.



Councils and Emergencies Project

The Councils and Emergencies Project, led by Local Government Victoria (LGV) and working with councils and the emergency management sector, is a project under 'Priority B: Enhance the capability and capacity of local governments to meet their obligations in the management of emergencies' of the strategic action plan. Figure 1 shows the strategic action plan and Priority B.

Figure 1: Strategic Action Plan Priority B



The Councils and Emergencies Project is using the core capabilities and their descriptions set out in the Victorian Preparedness Goal. These are the core capabilities that all organisations involved in emergency management need to prepare for, respond to and recover from emergencies. This will ensure there is consistency between the capabilities required by the emergency management sector and the capabilities required by councils for emergency management. It will also ensure councils are smoothly integrated into Victoria's service delivery model before, during and after emergencies.

The Councils and Emergencies Project will run for three years and has three phases:

- **phase 1** is identifying and agreeing council's current emergency management responsibilities and actions
- **phase 2** will assess the capability and capacity of the local government sector, to determine capability and capacity gaps (in terms of skills and expertise) that prevent it from adequately discharging its emergency management responsibilities and taking emergency management action
- **phase 3** will develop strategies and plans to address emergency management capability and capacity gaps.

Phase 1, of which this directions paper is a part, has involved extensive consultation with councils and the emergency management sector.

LGV held eight planning days in early 2016 to define the objectives of municipal emergency management enhancement groups, also considering the *Municipal Emergency Management Enhancement Group Strategic Plan 2015-2020*.

LGV also held 16 workshops with staff of councils and emergency management agencies to examine councils' current and future emergency management responsibilities and actions. It subsequently made the workshop report — *Councils and Emergencies – Workshop Feedback Analysis Report* — available online (search for 'Councils and Emergencies – Workshop Feedback Analysis Report').

Craig Lapsley, Emergency Management Commissioner and Dr Graeme Emonson, Executive Director, LGV hosted nine forums for council chief executive officers between September and December 2016. They explained emergency management legislative requirements and the objectives of the *Emergency Management Strategic Action Plan Update 2016–19*, the Victorian Preparedness Goal, emergency management collaborations and the Councils and Emergencies Project.

The consultation activities sought to identify council's current emergency management responsibilities and actions before, during and after emergencies. These are described in the next chapter.

Table 2 shows the main steps in the Councils and Emergencies Project.

Table 2: Councils and Emergencies Project Steps

Phase	Step	Timeframe
1	• Consultation with councils and the emergency management sector about councils' current responsibilities and actions and the emergency management sectors' expectations of councils	May – December 2016
	• Produce directions paper	December 2016
	• Seek feedback to agree on current responsibilities, actions and expectations	January – May 2017
	• Produce final paper on councils' current emergency management responsibilities and actions	June 2017
2	• Investigate councils' capability and capacity	2017
3	• Develop strategies and plans to address capability and capacity gaps	2018





Councils' strengths and capabilities

While councils' current emergency management responses are in part a result of legislative, policy and planning obligations, their ability to take action largely derives from their strengths and capabilities and their capacity to overcome the challenges they face undertaking their emergency management role.

The consultation activities identified councils' emergency management strengths in place-based community development and action. Councils:

- are skilled in building and maintaining local networks and relationships across their communities and across many sectors including the emergency management sector
- are knowledgeable about their communities and their unique characteristics, and in particular about local needs and priorities, and can advocate for these at the regional and state levels
- have wide-ranging skill sets which enable them to provide diverse services and implement federal, state and local laws and policies
- are dedicated to and invested in their communities, willing to step up when their communities are in need and are present in their communities beyond particular events
- are skilled in engaging with their communities and able to build community connectedness and social cohesion, build resilience against chronic stressors and acute shocks and work across all communities and all emergencies
- can work together and support each other before, during and after events.

The consultation activities also identified challenges councils face with their emergency management responsibilities and actions. These include that:

- councils' financial capacity, skills and expertise to provide emergency management services before, during and after emergencies varies
- councils need to balance community priorities across all service areas including emergency management when budgeting and reviewing service provision
- councils need to maintain essential council services during and after an emergency, which needs good business continuity planning
- emergency management is one part of the legal and policy environment within which councils operate, and this environment is constantly changing
- communities have various risk profiles and various needs.

About this directions paper

This directions paper draws on the consultation activities described above and on research about the current legislative, policy and planning framework. It aims to identify councils' current emergency management responsibilities and actions including how they collaborate with each other and with emergency management agencies. The responsibilities and actions are described in the next chapter.

LGV seeks feedback from the local government and emergency management sectors to confirm or suggest amendments to the list of responsibilities and actions. Note the request is about **current** responsibilities, actions and expectations and not those that are desired, foreshadowed or anticipated in future.

At the close of the consultation period, the Councils and Emergencies Project will review submissions and prepare a final paper about councils' current emergency management responsibilities and actions.

The final paper will inform the next phases of the project. It will also help councils, emergency management agencies and communities share an understanding of what can and cannot be currently expected of councils before, during and after emergencies.

Details about how you can provide feedback are in the final chapter (see page 36).

Other emergency management reform initiatives

In recent times there has been (and will continue to be) considerable reform of the emergency management legislative, policy and planning framework. Whilst this directions paper deals with (and feedback should address) councils' current emergency management responsibilities and actions, councils should be aware of the key initiatives driving changes.

There are currently two emergency management Acts operating in tandem:

- the *Emergency Management Act 1986*
- the *Emergency Management Act 2013*.

In mid-2016, submissions on the exposure draft of the *Emergency Management Legislation Amendment (Planning) Bill 2016* closed. The exposure draft proposes amendments to the 2013 Act to underpin new emergency management planning arrangements for Victoria. It envisages the *Emergency Management Act 1986* will be gradually repealed and new arrangements prescribed in the *Emergency Management Act 2013*. Councils should be familiar with these proposed legislative changes and should keep their knowledge up-to-date.

The *Emergency Management Manual Victoria* contains policy and planning documents for emergency management in Victoria and details the emergency management responsibilities of relevant organisations. Emergency Management Victoria (EMV) maintains the manual in collaboration with Victoria's emergency management agencies. The Councils and Emergencies Project is working with EMV to ensure future versions of the manual reflect councils' strengths and clearly define their responsibilities and actions.

EMV in partnership with the emergency management sector is developing new emergency management planning guidelines with practical advice about requirements under the proposed *Emergency Management Legislation Amendment (Planning) Act 2016*. The guidelines will cover core concepts, processes, content and standards to develop emergency management plans at the state, regional and municipal levels. EMV is developing the guidelines in consultation with a reference group comprising over 40 emergency management experts from a broad range of agencies, councils, departments and other organisations. The draft guidelines should be available by August 2017. The Councils and Emergencies Project will inform the guidelines, particularly those about emergency management planning arrangements at the municipal level.

**Councils have a long
history of supporting
their communities
during times of
emergency**



Councils' current emergency management responsibilities and actions

Introduction

This chapter describes the 154 identified current emergency management responsibilities and actions of councils before, during and after emergencies. The descriptions have been compiled by:

- examining requirements of councils in current legislation, regulations, policy and plans
- analysing the feedback from the consultation activities: the planning days, workshops and forums.

The descriptions are preliminary. The purpose of this directions paper is to make them available to councils and the emergency management sector so they can provide feedback about them. There is advice about how to provide feedback in the last chapter.

The descriptions are organised according to the core capabilities explained in the 'Introduction' chapter and according to whether they are responsibilities and actions that arise before, during or after an emergency. Some responsibilities and actions are required across several stages of an emergency or could be placed across a number of core capabilities. To avoid duplication they have been organised into the most relevant capability and stage of an emergency.

Colouring of descriptions

Some descriptions are coloured **blue**; others are coloured **black**.

Blue descriptions are responsibilities deriving from current emergency management legislation (such as the *Emergency Management Act 1986* and the *Country Fire Authority Act 1958*), regulations, policy (such as the *Emergency Management Manual Victoria*) and plans (such as the *State Emergency Response Plan* and *State Emergency Relief and Recovery Plan*). Each description has an endnote number which refers to the relevant document in the chapter 'Legislation, policy and plan references' showing the source of the requirement (the reference to the particular Act, policy or plan).

Black descriptions are actions that are not a responsibility under legislation, regulations, policy or plans, but which some councils consider to be appropriate emergency management actions for them to undertake. They may not be appropriate for every council: there is no suggestion they are suitable or relevant for all councils. This raises the question of whether they are an appropriate responsibility for local government or not.



Clarifying and agreeing on councils' responsibilities and actions

A council's role

The choice of active verb that starts each description reflects the role we understand a council takes, and about which we ask for feedback.

Lead: signifies a council provides overall direction and coordination of the responsibility or action: it plans, implements, directs, funds and resources most aspects of it. It is usually also the point of contact with government agencies, non-government groups, businesses and the community.

Support: signifies a council may contribute to the action, but responsibility is with another agency. It makes sure the other agency takes account of and respects its interests and those of its community. It may provide resources for some aspects of the responsibility or action. Often, involvement and resourcing is at the council's discretion.

Other active verbs: (such as 'appoint', 'develop' and 'improve') indicate council will usually directly take the action, often with community or other external participation.

Some descriptions are core business for councils, as well as being emergency management responsibilities and actions. For example, aspects of land use planning, compliance, regulatory services and infrastructure maintenance are core services that councils provide that also have an emergency management outcome, particularly in mitigating, preventing or leading into an emergency.

Other

Each description is numbered so respondents can refer to its number when providing feedback.

'Community' means the community within the municipality: the local community.

Current responsibilities and actions

Planning

Conduct a systematic process engaging the whole community as appropriate in the development of executable strategic, operational, and/or tactical level approaches to meet defined objectives.

Before

1. Lead an all-agencies approach to community-based risk assessment and planning including compliance with relevant legislation and policy at the municipal level.¹
2. Prepare and maintain municipal emergency management plans and subplans.²
3. Appoint a municipal emergency management planning committee.³
4. Support hazard-specific risk assessment to inform plans and community resilience-building strategies, using local knowledge and information based on community needs.⁴
5. Lead implementation and coordination of specific risk treatments on private and council land in partnership with emergency management agencies, including flood/fire management, maintaining a register of at-risk groups.⁵
6. Lead the maintenance and administration of the Vulnerable Persons Register (VPR).
7. Support the profiling of the community to identify and record what makes people vulnerable in emergencies and work with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community.
8. Develop council business continuity plans detailing procedures and systems to maintain core business and emergency management activities, including:
 - backfilling for staff with emergency management expertise when they are on leave
 - planning to identify and address gaps in council's emergency knowledge and action.
9. Improve recovery plans and procedures by exercising and reviewing them.
10. Develop settlement and issue-based policies and strategies in planning schemes that clearly express and give direction to urban change, including implementing risk-mitigation strategies (such as flood and bushfire management overlays).
11. Apply local planning schemes and building controls including development assessments, inspections and advice.⁶

During

12. Prepare local recovery plans after emergencies.⁷
13. Assess capability and capacity needs for undertaking relief and recovery activities, determine councils' ability to meet these needs and plan to obtain additional staff and resources as required.

Community information and warnings

Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies.

Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.

Before

14. Support agencies to plan, prepare and deliver consistent, all-hazards customised information and messages to the community, using council communication networks.⁸
15. Plan, together with neighbouring councils and regionally, community information.
16. Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse).⁹
17. Support agencies to develop emergency management communications that are relevant and credible to the community.
18. Support implementation of flood warning systems in at-risk areas of the municipality.
19. Support a whole-of-government approach to emergency preparedness and awareness campaigns.

During

20. Communicate with elected councillors and the senior/executive management team to keep them informed and up-to-date.
21. Support agencies to develop and disseminate information and warnings that are relevant and credible to the community by:¹⁰
 - disseminating information through council communication channels and local networks

- developing accurate, timely risk information tailored to community needs.

22. Respond to community calls for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs) and be the central point to identify resources and information.

After

23. Deliver timely, coordinated, accessible and tailored information to the community so it understands relief and recovery assistance mechanisms and processes including through community briefings and meetings.¹¹
24. Assess community needs, to inform recovery information.
25. Organise local broadcasts through the mayor and/or chief executive officer (for example, recovery newsletters).
26. Support agencies to provide community-led recovery information (for example using social media or notice boards).
27. Provide and staff a recovery centre.¹²
28. Support agencies to analyse community needs to inform recovery messages and planning from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings).
29. Support evaluators and researchers to better understand community information needs and the effectiveness of local warnings.

Operational management

Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.

Before

30. Appoint a municipal emergency resource officer.¹³
31. Appoint a municipal recovery manager.¹⁴
32. Identify council-owned and-operated resources, assets and services available for emergency prevention, response or recovery; specify their preparedness; and plan to deploy them.
33. Support agencies to develop procedures to use council resources.¹⁵
34. Lead risk-mitigation measures through business-as-usual works by:
 - where council is a road authority, managing vegetation on roadsides to ensure a safe, efficient road network¹⁶
 - mitigating risks to council-owned assets and infrastructure.
35. Manage and maintain a council emergency coordination system and/or council operations and facilities that can be used during emergencies.
36. Ensure council staff are trained to safely undertake emergency management roles and responsibilities (such as traffic management, emergency management liaison officer and municipal recovery manager).
37. Develop response, relief and recovery activities and participate in those led by agencies and other councils.
38. Engage relevant stakeholders in gathering, analysing and sharing recovery information.

During

39. Implement council's business continuity plan.
40. Implement collaborative plans and arrangements to maintain council's capacity, including by using neighbouring (partner) councils' resources.
41. Support response agencies to effectively deliver emergency response services locally by:¹⁷
 - after consultation, making council resources, facilities and services available to agencies during response, relief and recovery phases
 - providing council resources as requested by agencies to secure affected areas
 - providing a council liaison officer (emergency management liaison officer) to an emergency management team to:
 - share knowledge, data and information about community needs and consequences
 - ensure council is consulted and involved in emergency decisions that will affect the council and community.
42. Support response agencies to access affected areas.
43. Provide agencies with resources and information to partially or fully close roads and determine alternative transport routes.¹⁸

After

44. Conduct local recovery activities.¹⁹
45. Support the transition from relief to recovery with relevant emergency management teams.
46. When safe, deploy council staff to affected communities to deliver recovery services.
47. Work with the community and recovery agencies to adapt recovery plans to reflect newly identified or changing community needs and priorities.
48. Scope requirements for planning to establish a municipal / community recovery committee and if necessary form, lead and support the committee.²⁰
49. Support agencies to analyse community needs for the planning of service provision.
50. Establish processes to gather information from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings) to inform recovery planning.
51. Continually assess recovery needs, redeploy staff to recovery roles and implement surge arrangements to fill gaps.
52. Establish a recovery centre, coordinating across agencies to ensure sufficient staff, resources and equipment.
53. Support recovery case management and gather data from relevant agencies locally.
54. Conduct post-emergency needs assessments, coordinating with response and recovery agencies locally.
55. Coordinate local outreach with relief and recovery agencies to undertake the initial assessment of relief needs.
56. Work with local services including psychosocial services to utilise existing services and programs to support recovery efforts and reassure the community.
57. Support agencies to take a coordinated approach to recovery at the regional level.
58. Conduct the transition of local recovery arrangements back to the previous management arrangements.
59. Clear blocked drains and local roads including by removing trees on council land and on roads.²¹
60. Lead the management of environmental health issues (such as food and sanitation safety, vector control and animal disposal) with relevant agencies.
61. Support agencies to coordinate volunteer efforts after emergencies.²²
62. Coordinate animal welfare within council resources.²³
63. Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally.²⁴
64. Support agencies to monitor emerging needs and adapt services to minimise the long-term consequences on health and wellbeing.



Intelligence and information-sharing

To provide timely, accurate and actionable decision support information, resulting from the planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery activities. It also includes the assessment of risks, threats and hazards so that decision makers, responders, and community members can take informed action to reduce their entity's risk and increase their resilience.

Before

65. Implement standardised systems and processes to facilitate surge arrangements and exchange staff between neighbouring (partner) councils to maintain capability and capacity during and after emergencies by:
 - identifying data needs for relief provision and planning for data management
 - establishing data-sharing agreements and procedures with agencies.
66. Collect, analyse and share information about current and emerging local risks, hazards and consequences with agencies, businesses, service providers, the community and other emergency management partners.
67. Clarify and communicate council's emergency management role locally, to develop a shared understanding of emergency management activities with agencies and the community.
68. Work with other organisations to integrate information systems, tools and networks of trained personnel to deliver intelligence requirements (such as by using Crisisworks and Emergency Management Common Operating Picture ([EM-COP])).
69. Support regional and state information-sharing forums, committees and meetings.

During

70. Support agencies by providing council-owned data and intelligence about properties, residents, assets, facilities, community demographics, needs and consequences.
71. Capture, process and manage large volumes of data from multiple sources to share with the community and stakeholders.

After

72. Capture and analyse lessons, share the findings with other councils and agencies, and work cooperatively to identify and implement solutions.
73. Conduct ongoing intelligence-gathering and information-sharing activities about local mitigation and recovery activities.

Public order and community safety

Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies and to afford a safe environment for those communities affected by an emergency and any responding personnel engaged in emergency operations.

Before, during & after

74. Undertake municipal functions as required by local government, building, electricity, water and land use planning legislation and regulations.²⁵
75. Proactively enforce relevant regulations and laws that relate to emergency management.²⁶

Being prepared for future emergencies

Building community resilience

Communities strengthen their lifelines by better connecting and working together with appropriate support.

Before

76. Build local partnerships with businesses and not-for-profit organisations.
77. With other partners, support agencies to empower individuals and the community to exercise choice about and take responsibility for risks.
78. Encourage and assist the community to participate in emergency management education and training programs provided by council and agencies.
79. Advocate for community needs at the regional and state level including for:
 - community preparedness and local leadership
 - adequate emergency management funding and resources
 - compatible and consistent emergency management information systems
 - consistent and streamlined legislation that supports council's role in emergency management at all stages of an emergency.
80. Gather knowledge about local assets, values and support systems including about the community's history and what people value as important, now and for the future.
81. Develop and deliver emergency management and community resilience training for council staff.
82. Monitor and evaluate the community's engagement with emergency management and its capacity to prepare for, act during and recover from emergencies.

During

83. Support emergency management teams by ensuring local information and contacts are provided as part of community decision-making during emergencies.

After

84. Conduct community engagement activities to implement lessons learned about community resilience.
85. Engage the community in developing and delivering recovery activities including by appointing community development and/or community recovery officers.²⁷

Fire management & suppression

Provide firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting lives, property, and the environment in the affected (land and water) area.

Before & during

86. Support agencies in line with relevant fire legislation and regulations by:
- appointing a municipal fire prevention officer²⁸
 - developing and maintaining a municipal fire prevention plan²⁹
 - identifying, designating, signing, maintaining and annually reviewing bushfire safer places and their plans, and (for councils in Country Fire Authority [CFA] areas) reporting back annually to the CFA³⁰
 - issuing permits to burn³¹
 - taking all practicable steps (including with planned burning) to prevent the occurrence and spread of fires and minimise their danger on land that council manages or is responsible for³²
 - providing pillar fire hydrants in reticulated areas when the CFA issues written notice to do so³³
 - meeting the costs of providing, installing, marking and maintaining all fire plugs in the municipality.³⁴



Logistics and supply chain management

Deliver essential commodities, equipment, and services in support of impacted communities and survivors, to include emergency power and fuel support, as well as the coordination of access to community staples. Synchronize logistics capabilities and enable the restoration of impacted supply chains, including removal of debris.

Before

- 87. Develop emergency management resource-sharing protocols between councils.
- 88. Maintain and store essential equipment and materials to support emergency management activities and meet the needs of affected communities (such as sandbags).

During

- 89. Support agencies to source and supply personnel, equipment, materials, services and facilities to support emergency management activities and meet the needs of affected communities.
- 90. Manage, coordinate, supply and deliver resources promptly and efficiently using best-practice methods locally.



Impact assessment

Provide all decision-makers with relevant information regarding the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.

Before

91. Develop impact-assessment processes and data-collection systems.
92. Lead council's impact-assessment processes, systems and tools for core council services.

During

93. Collect secondary impact-assessment data about the scale and characteristics of the impact on the social, economic, built and natural environments.³⁵
94. Initially assess impacts on essential infrastructure and services.³⁶
95. Support agencies to gather information about how the emergency is affecting animals.
96. Support agencies to use council's spatial data to verify property losses.

After

97. Conduct a process to gather incident and impact intelligence from initial and secondary impact assessments to inform relief and recovery planning.
98. Conduct longitudinal mapping of the impact focusing on wellbeing, liveability, sustainability and viability.

Health protection

The coordination and implementation of legislation, programs and monitoring procedures to minimise public health risk from infectious disease, contaminated food, and contaminated drinking water supplies, radiation and human environmental health hazards. This includes the development and implementation of strategies to promote and protect public health.

Before, during & after

99. Undertake municipal functions as required by public health and wellbeing legislation and regulations.³⁷
100. Include emergency management in council plans including in the municipal public health and wellbeing plan and the council plan.
101. Establish programs to detect and identify risks to public health locally (such as through heatwave planning).
102. Conduct epidemiological and other investigations.
103. Communicate information about public health locally.



Relief assistance

The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.

Before

104. Coordinate relief agencies and the community to develop local relief plans.³⁸
105. Develop protocols and procedures that are agreed with relief agencies.
106. Design a scalable organisational structure to deliver relief services.
107. Work with other councils to develop a collaborative approach to relief.
108. Contribute to regional relief planning.
109. Identify, plan and document relief centres or other locations to provide emergency relief services that meet health and other community needs.
110. Develop plans and procedures for emergency shelter.
111. Plan for the needs of domestic animals as part of relief activities.
112. Support service providers and local groups to educate the community about donated goods and volunteering and develop messages and procedures about donated goods and volunteers.
113. Work with health practitioners to understand the health and psychosocial implications of emergencies and the implications for relief.
114. Develop surge arrangements for relief, recovery and business-as-usual activities in the short, medium and long-terms.

During

115. Coordinate relief services locally.³⁹
116. Establish and manage relief centres where appropriate, including:⁴⁰
 - register relief centre attendees
 - coordinate the provision of food, water and materials to affected communities⁴¹
 - provide temporary shelter options for displaced local people
 - coordinate and manage services to meet the physical and psychosocial needs of affected local people.⁴²
117. Start recovery case management by gathering data from relevant agencies.
118. Inform the community about financial hardship assistance payments.
119. Manage enquiries about donations of goods and offers to volunteer.
120. Support efforts to reunify family and others separated during an emergency.
121. Support a coordinated approach to relief at the regional level.

Economic recovery

Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community.

After

122. Help affected businesses to access information and advice locally.
123. Support the community to work with insurers.
124. Support organisations to offer technical advice about re-establishing local businesses.
125. Assess business and economic needs.



Natural and cultural heritage rehabilitation

Protect natural and cultural heritage resources through appropriate planning, mitigation, response, and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.

Before

126. As part of emergency planning, identify at-risk cultural heritage sites.

After

127. Coordinate natural environment rehabilitation works locally.
128. Restore local cultural heritage sites.
129. Assess impacts to natural and cultural heritage sites.
130. Coordinate remediation and stabilisation works on private and public land.
131. Monitor natural and cultural heritage sites.
132. With the support of Heritage Victoria, develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works.

Built recovery

To restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.

Before

133. Identify community needs and priorities for restoring the built environment including essential services, commercial and industrial facilities, public buildings and assets and housing.
134. Identify standards for clean-up and recovery.
135. Identify likely resource and equipment requirements for council recovery activities in the short, medium and long terms and determine supply chains in consultation with other agencies to ensure adequate resourcing.

After

136. Survey and determine the occupancy of damaged buildings.⁴³
137. Conduct stabilisation and remediation works on council or community infrastructure and land to prevent further damage to the built environment.
138. Support safety assessments for essential and critical assets and infrastructure.
139. Working with the community, prioritise the restoration of local assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.

140. Coordinate the rebuilding and redevelopment of council and private assets.⁴⁴
141. Restore council-owned assets, prioritising business operations and commercial or community facilities essential for community wellbeing or recovery activities.⁴⁵
142. Coordinate clean-up activities including the disposal of dead animals.⁴⁶
143. Support the restoration of private and non-council assets within the scope of existing council services.
144. Review physical infrastructure needs and establish long-term recovery infrastructure where necessary.
145. Support agencies to restore essential assets and infrastructure.
146. Establish planning scheme exemptions for emergency accommodation and clean-up works, and streamline planning and building construction approvals.

Social recovery

The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for well-being.

After

147. Coordinate health programs to ensure the continuity and availability of advice and activities.
148. Assess and deliver services for the medium- to long-term psychosocial needs of the community.
149. Provide access to short-, medium- and long-term housing options for displaced people.
150. Assess and deliver financial re-establishment assistance.
151. Support community services to provide shelter, food, counselling and other assistance to people at socioeconomic disadvantage.



Assurance and learning

Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.

After

152. Conduct after-action reviews of council operations during emergencies, to inform future planning.
153. Conduct incident management reviews and modify council plans and procedures to draw on lessons learned.
154. Assess and review outcomes for the community after an emergency, looking for opportunities to improve outcomes in future.



Principles for defining responsibilities and actions

The consultation activities also brought forward ideas for principles to use when assessing whether councils' emergency management responsibilities are appropriate. These principles might have application when considering any future changes to council's current emergency management responsibilities and actions.

These principles are that a council's emergency management responsibilities and actions should:

- reflect the council's strengths and capabilities and align to its normal business functions
- complement those of other agencies, businesses and the public
- be engaged only where the council is the best-placed organisation to do so (meaning it should not be used as an intermediary on behalf of other agencies, particularly for processes over which it has no control or ownership)
- be applicable to emergencies of different scales and complexity
- be consistent with its capability and capacity, along with its other legislative responsibilities and core business
- provide a platform to collaborate and build partnerships with other councils to enhance the delivery of services.



Building partnerships to enhance delivery of services

How to provide feedback

LGV invites submissions from councils about whether the current emergency management responsibilities and actions described in this directions paper are correct and correctly described. We also invite submissions from state government and emergency management agencies about whether the descriptions meet their current expectations of councils. In particular, we are interested in hearing about whether the choice of action verb — reflecting as it does a council's degree of responsibility, initiative and involvement — is accurate.

Note that the requested feedback is about **current** responsibilities, actions and expectations and not those that are desired, anticipated or expected in future. The requested feedback is also about whether the descriptions are **appropriate**, not whether councils currently engage in them or not, or a council's capability and capacity to discharge their responsibilities or engage in the actions. LGV recognises that emergency management capability and capacity varies between councils due to a range of factors including resourcing, size, location and risk profile. Phase 2 of the project includes assessing capability and capacity, but there first needs to be agreement about appropriate responsibilities and actions.

When providing feedback, please:

- refer to the relevant description number for feedback about that description
- include feedback about the principles for defining responsibilities and actions under a separate heading, 'Principles'
- include any other feedback under a heading, 'Other'.

The deadline for making a submission is **8 May 2017**. A number of information sessions will be held throughout Victoria for those wishing to discuss the directions paper in more detail. Information session dates and locations are available by visiting: <http://delwp.vic.gov.au/councils-and-emergencies>.

LGV has also produced an explanatory video which can also be viewed at: <http://delwp.vic.gov.au/councils-and-emergencies>.

Feedback can be made:

- online, at <https://engage.vic.gov.au/councils-and-emergencies-consultation>
- by email, to LGV.emergencies@delwp.vic.gov.au
- by post, to 'Councils and emergencies directions paper consultation', Local Government Victoria, Department of Environment, Land, Water and Planning, PO Box 500, Melbourne Victoria 8002.

Legislation, policy and plan references

- 1 s59B Amendment Bill to the *Emergency Management Act 2013* will change this to support, but until then as per s21 of the *Emergency Management Act 1986* councils lead this function by developing and maintaining the municipal emergency management plan
- 2 s20(1) *Emergency Management Act 1986*
- 3 s21(3) *Emergency Management Act 1986*
- 4 MEMPC guidelines, EMMV Part 6, p.6–5
- 5 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 6 s212 *Building Act 1993*, BMO, clause 52.47 Bushfire protection: planning requirements (BF5) & clause 44.06 Planning provisions
- 7 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 8 State Emergency Relief and Recovery Plan, EMMV Part 4, p.32
- 9 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 2, p. 4–23
- 10 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 11 State Emergency Relief and Recovery Plan, EMMV Part 4, pp.32
- 12 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 13 s59G Amendment Bill to the *2013 Emergency Management Act*, this section replaces s21 (1) of the *Emergency Management Act 1985*
- 14 State Emergency Relief and Recovery Plan, EMMV Part 4 p.4–8
- 15 s20(2) *Emergency Management Act 1986*
- 16 s20, s34, s40 *Road Management Act 2004*
- 17 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 18 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 19 State Emergency Relief and Recovery Plan, EMMV Part 4
- 20 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 21 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 22 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 6, p.4–39
- 23 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 24 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 25 *Emergency Management Act 1986, Emergency Management Act 2013, Local Government Act 1989, Country Fire Authority Act 1958, Metropolitan Fire Brigades Act 1958, Public Health and Wellbeing Act 2008, Water Act 1989, Water Industry Act 1994, Electricity Safety Act 1998, Planning and Environment Act 1987* and the *Building Act 1993*
- 26 *Emergency Management Act 1986, Emergency Management Act 2013* and the EMMV
- 27 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 2, p. 4–23
- 28 s96A *Country Fire Authority Act 1958* and s5A *Metropolitan Fire Brigades Act 1958*; MEMPC guidelines, EMMV Part 6, p.6–28
- 29 s55A, *Country Fire Authority Act 1958*
- 30 ss50G, H, I & J *Country Fire Authority Act 1958*
- 31 s38 *Country Fire Authority Act 1958*
- 32 s5 *Metropolitan Fire Brigades Act 1958*, s43 *Country Fire Authority Act 1958*
- 33 s36 *Country Fire Authority Act 1958*
- 34 s81 *Water Industry Act 1994*
- 35 State Emergency Relief and Recovery Plan, EMMV Part 4, p.4–8
- 36 State Emergency Relief and Recovery Plan, EMMV Part 4, p.4–26
- 37 s24 *Public Health and Wellbeing Act 2008*
- 38 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 39 State Emergency Relief and Recovery Plan, EMMV Part 4, pp.4–11, 4–20 & 4–32
- 40 State Emergency Response Plan, EMMV Part 3, pp.3–15 & 3–36
- 41 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 42 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 43 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 44 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 45 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 46 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

**Safer and more resilient
communities are flexible
and resourceful, with
the capacity to accept
uncertainty and proactively
respond to change**





Photo supplied, Claire Spicer 2016

Appendix B: Council assessment of the responsibilities

Blue descriptions are responsibilities deriving from current emergency management legislation

Black descriptions are actions that are not a responsibility under legislation, regulations, policy or plans, but which some councils consider to be appropriate emergency management actions for them to undertake.

Red descriptions are additions

APPENDIX B

Responsibilities	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate?	Reasoning/Comments
1. Lead an all-agencies approach to community-based risk assessment and planning including compliance with relevant legislation and policy at the municipal level. ¹	Y	N	EMV		
2. Prepare and maintain municipal emergency management plans and subplans with support of all emergency management stakeholders. ²	Y	N	EMV	N	Added "with support of all emergency management stakeholders"
3. Appoint a municipal emergency management planning committee. ³	Y	N	EMV		Remove "municipal". Committees should be local & regional
4. Support hazard-specific risk assessment to inform plans and community resilience-building strategies, using local knowledge and information based on community needs. ⁴					Same as 1
5. Lead implementation and coordination of specific risk treatments on private and council land in partnership with emergency management agencies, including flood/fire management, maintaining a register of at-risk groups. ⁵					Same as 1
6. Lead the maintenance and administration of the Vulnerable Persons Register (VPR).	N	N	DHHS		Not core council business
7. Support the profiling of the community to identify and record what makes people vulnerable in emergencies and work with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community.	N	N	DEDJTR		
8. Develop council business continuity plans detailing procedures and systems to maintain core business and emergency management activities, including: <ul style="list-style-type: none"> backfilling for staff with emergency management expertise when they are on leave planning to identify and address gaps in council's emergency knowledge and action. 	Y	Y	Council		BCP is a different focus – Are you referring to an Emergency Resource Plan?
9. Improve recovery plans and procedures by exercising and reviewing them. Support the implementation of recovery plans	Y	Y	Council		
10. Develop settlement and issue-based policies and strategies in planning schemes that clearly express and give direction to urban change, including implementing risk-mitigation strategies (such as flood and bushfire management overlays).	Y	Y	Council		
11. Apply local planning schemes and building controls including development assessments, inspections and advice. ⁶	Y	Y	Council		
12. In collaboration with other stakeholders, prepare local recovery plans after emergencies. ⁷	Y	Y	Council in consultation with DHHS	N	Added "in collaboration with other stakeholders" If funded
13. Assess capability and capacity needs for undertaking relief and recovery activities, determine councils' ability to meet these needs and plan to obtain additional staff and resources as required.	Y	Y	Council	Y	
14. Support agencies to plan, prepare and deliver consistent, all-hazards customised information and messages to the community, using council communication networks. ⁸	N	N	EMV		All agencies should be involved. Incorrect reference
15. In collaboration with EM agencies, plan, together with neighbouring councils and regionally, community information.	N	N	EMV	N	Added "In collaboration with EM agencies"
16. Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse). ⁹	Y	N	Agencies		Incorrect reference

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
17. Support agencies to develop emergency management communications that are relevant and credible to the community.	N	N	EMV		What are EM communications? Are they warnings etc?
18. Support implementation of flood warning systems in at-risk areas of the municipality	N	N	EMV, VICSES, Catchment Management Authority, BOM		Costly exercise for council and should be implemented/financed by agencies to better inform community warnings
19. Support a whole-of-government approach to emergency preparedness and awareness campaigns.	Y	Y	Council		
20. Communicate with elected councillors and the senior/executive management team to keep them informed and up-to-date.	Y	Y	Council		
21. Support agencies to develop and disseminate information and warnings that are relevant and credible to the community by: ¹⁰ <ul style="list-style-type: none"> disseminating information through council communication channels and local networks developing accurate, timely risk information tailored to community needs. 	Y	N	Control agency	N	Remove "and warnings" Control agency should be the only agency to issue warnings Incorrect reference – same as 14
22. Respond to community calls for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs) and be the central point to identify resources and information.	Y	N	DHHS		
23. Deliver timely, coordinated, accessible and tailored information to the community so it understands relief and recovery assistance mechanisms and processes including through community briefings and meetings. ¹¹	Y	Y	Council		Incorrect reference
24. Assess community needs, to inform recovery information.	Y	Y	Council		
25. Organise local broadcasts through the mayor and/or chief executive officer (for example, recovery newsletters).	Y	Y	Council	N	Remove "through the Mayor and/or Chief Executive Officer"
26. Support agencies to provide community-led recovery information (for example using social media or notice boards) via MRM	Y	Y	Council	N	Added "via MRM"
27. Provide and staff a recovery centre. ¹² with the assistance of support agencies	Y	Y	Council	N	Added "with the assistance of support agencies"
28. Agencies to support Council Support agencies to analyse community needs to inform recovery messages and planning from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings).	Y	Y	Council	N	Added "agencies to support Council"
29. Support evaluators and researchers to better understand community information needs and the effectiveness of local warnings.	Y	N	EMV		
30. Appoint a municipal emergency resource officer. ¹³	Y	N	Agencies		Consider validity of this role
31. Appoint a municipal recovery manager. ¹⁴	Y	Y	Council		
32. Identify council-owned and-operated resources, assets and services available for emergency prevention, response or recovery; specify their preparedness; and plan to deploy them.	Y	Y	Council		EM Act 20 (2)A
33. Support agencies to develop procedures to use council resources. ¹⁵ Should read "Specifying how such resources are to be used for emergency prevention, response and recovery"	Y	Y	Support agencies	N	S20(2) Emergency Management Act 1986
34. Lead risk-mitigation measures through business-as-usual works by: <ul style="list-style-type: none"> where council is a road authority, managing vegetation on roadsides to ensure a safe, efficient road network¹⁶ mitigating risks to council-owned assets and infrastructure. 	Y	Y	Council		Incorrect reference. Business as usual not specific to emergencies
35. Manage and maintain a council emergency coordination system and/or council operations and facilities that can be used during emergencies.	Y	Y	Council		
36. Ensure council staff are trained to safely undertake emergency management roles and responsibilities (such as traffic management, emergency management liaison officer and municipal recovery manager).	Y	Y	Council	N	Added "MERO"

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
37. Develop response, relief and recovery activities and participate in those led by agencies and other councils.	Y	Y	Council		
38. Engage relevant stakeholders in gathering, analysing and sharing recovery information.	Y	N	DHHS/EMV		
39. Implement Have a council's business continuity plan that recognizes emergency response.	Y	Y	Council		Removed "Implement" and added "Have a"
40. Implement collaborative plans and arrangements to maintain council's capacity, including by using neighbouring (partner) councils' resources.	Y	Y	Council		Should be in continuity plans
41. Support response agencies to effectively deliver emergency response services locally by: <ul style="list-style-type: none"> 17 after consultation, making council resources, facilities and services available to agencies during response, relief and recovery phases providing council resources as requested by if available to agencies to secure affected areas providing a council liaison officer (emergency management liaison officer) to an emergency management team once an incident has commenced to: <ul style="list-style-type: none"> share knowledge, data and information about community needs and consequences ensure council is consulted and involved in emergency decisions that will affect the council and community. 	Y	Y	Council	Y	Remove "as requested by" add "if available to". Add "once an incident has commenced" No pre-emptive presence at an ICC
42. Support response agencies to access affected areas.	Y	Y	Council		What is required?
** Provide agencies with resources and information to partially or fully close roads and determine alternative transport routes.** Should read "Support VicRoads for partial/full road closures and determination of alternative routes"	Y	Y	Council	N	EMMV p7-76
44. Conduct local recovery activities. ¹⁹	Y	Y	Council		
45. Support the transition from relief to recovery with relevant emergency management teams.	Y	Y	Council		
46. When safe, deploy council staff to affected communities to deliver recovery services assess and reinstate councils services	Y	Y	Council		
47. Work with the community and recovery agencies to adapt develop recovery plans to reflect newly identified or changing community needs and priorities.	Y	Y	Council	N	Removed "adapt" & "newly identified or changing"
48. Scope requirements for planning to establish a municipal/ community recovery committee and if necessary form, lead and support the committee. ²⁰	Y	Y	Council		
49. Support agencies to analyse community needs for the planning of service provision.	Y	Y	Council		
50. Establish processes to gather information from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings) to inform recovery planning	N	N	DHHS/EMV		
51. Continually assess recovery needs, redeploy staff to recovery roles and implement surge arrangements to fill gaps.	Y	Y	Council		
52. Establish a recovery centre, coordinating across agencies to ensure sufficient staff, resources and equipment.	N	N	DHHS/EMV		
53. Support recovery case management and gather data from relevant agencies locally.	N	N	DHHS/EMV		
54. Conduct post-emergency needs assessments, coordinating with response and recovery agencies locally.	N	N	DHHS/EMV		
55. Coordinate local outreach with relief and recovery agencies to undertake the initial assessment of relief needs.	Y	Y	Council		
56. Work with local services including psychosocial services to utilise existing services and programs to support recovery efforts and reassure the community.	Y	Y	Council		
57. Support agencies to take a coordinated approach to recovery at the regional level.	Y	Y	Council		

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
58. Conduct the transition of local recovery arrangements back to the previous management arrangements.	Y	Y	Council		
59. Clear blocked drains and local roads including by removing trees on council land and on roads. ⁴¹	Y	Y	Council		Delete or make broader
60. Lead the management of environmental health issues (such as food and sanitation safety, vector control and animal disposal) with relevant agencies.	Y	Y	Council		Animal disposal is DEDJTR
61. Support agencies to coordinate volunteer efforts after emergencies. ⁴²	Y	Y	Council		Define what volunteers and to what extent.
62. Coordinate animal welfare within council resources. ⁴³ "Housing of displaced and lost/stray companion animals. Municipal councils will work with the Victorian Farmers' Federation, RSPCA and Australian Veterinary Association when required."	Y	Y	Council	N	Misleading quote. (EMMV p7-76.)
63. Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally. ⁴⁴	Y	N	DEDJTR		No reference found in EMMV Part 7, pp7-76 & 77 regarding livestock Remove "coordinate and manage services"
64. Support agencies to monitor emerging needs and adapt services to minimise the long-term consequences on health and wellbeing	Y	Y	Council		
65. Implement standardised systems and processes to facilitate surge arrangements and exchange staff between neighbouring (partner) councils to maintain capability and capacity during and after emergencies by: <ul style="list-style-type: none"> identifying data needs for relief provision and planning for data management establishing data-sharing agreements and procedures with agencies. 	N	N	DHHS/EMV		Should state be involved versus neighbouring councils?
66. Collect, analyse and share information about current and emerging local risks, hazards and consequences with agencies, businesses, service providers, the community and other emergency management partners.	Y	Y	MEMPC		
67. Clarify and Communicate council's emergency management role locally, to develop a shared understanding of emergency management activities with agencies and with the community.	Y	Y	Council		Remove "Clarify and", "locally, to develop a shared understanding of emergency management activities with agencies and"
68. Work with other organisations to integrate information systems, tools and networks of trained personnel to deliver intelligence requirements (such as by using Crisisworks and Emergency Management Common Operating Picture (EM-COP)).	N	N	EMV		Why should have one system
69. Support regional and state information-sharing forums, committees and meetings.	Y	Y	Council		
70. Support agencies by providing council-owned data and intelligence about properties, residents, assets, facilities, community demographics, needs and consequences	Y	Y	Council		For this to occur it needs to be added to Information Privacy Act
71. Capture, process and manage large volumes of data from multiple sources to share with the community and stakeholders.	N	N	EMV		
72. Capture and analyse lessons, share the findings with other councils and agencies, and work cooperatively to identify and implement solutions.	N	Y	Council EMV coordinate knowledge sharing		
73. Conduct ongoing intelligence-gathering and information-sharing activities about local mitigation and recovery activities.	Y	Y	MEMPC		
74. Undertake municipal functions as required by local government, building, electricity, water and land use planning legislation and regulations. ⁴⁵	Y (building) N (rest)	Y	Council in liaison with utilities and authorities		Electricity should be Powercor, Water should be water authority
75. Proactively enforce relevant regulations and laws that relate to emergency management. ⁴⁶	Y	Y	Council		Broad reference
76. Build local partnerships with businesses and not-for-profit organisations.					Remove – Business as usual

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
77. With other partners , Support agencies to empower individuals and the community to exercise choice about and take responsibility for risks.	Y	Y	Council		Remove "With other partners"
78. Encourage and assist the community to participate in emergency management education and training programs provided by council and agencies.	Y	N	CFA/SES		Council encourage emergency management education however, are unaware of training programs?
79. Advocate for community needs at the regional and state level including for: <ul style="list-style-type: none"> community preparedness and local leadership adequate emergency management funding and resources compatible and consistent emergency management information systems consistent and streamlined legislation that supports council's role in emergency management at all stages of an emergency. 	Y	Y	Council		
80. Gather knowledge about local assets, values and support systems including about the community's history and what people value as important, now and for the future.	Y	Y	Council		
81. Develop and deliver emergency management and community resilience training for council staff.	N	N	EMV		
82. Monitor and evaluate the community's engagement with emergency management and its capacity to prepare for, act during and recover from emergencies.	N	N	EMV		
83. Support emergency management teams by ensuring local information and contacts are provided as part of community decision-making during emergencies.	Y	Y	Council		
84. Conduct community engagement activities to implement lessons learned about community resilience.	N	N	EMV/Agencies		
85. Engage the community in developing and delivering recovery activities including by appointing community development and/or community recovery officers. ²⁷	Y	Y	Council		Please provide a copy of Appendix 2 of the State Relief & Recovery Plan as quoted as a reference. If funded
86. Support agencies in line with relevant fire legislation and regulations by: <ol style="list-style-type: none"> appointing a municipal fire prevention officer²⁸ developing and maintaining a municipal fire prevention plan²⁹ identifying, designating, signing, maintaining and annually reviewing bushfire safer places Neighbourhood Safer Places and their plans, and (for councils in Country Fire Authority [CFA] areas) reporting back annually to the CFA³⁰ issuing permits to burn³¹ taking all practicable steps (including with planned burning) to prevent the occurrence and spread of fires and minimise their danger on land that council manages or is responsible for³² providing pillar fire hydrants in reticulated areas when the CFA issues written notice to do so³³ <ul style="list-style-type: none"> meeting the costs of providing, installing, marking and maintaining all fire plugs in the municipality.⁴⁴ 	1.Y 2.Y 3.Y 4.Y 5.Y 6.Y 7.Y	Y N N N N N N	Council CFA Agencies CFA Agencies Water Authority CFA/Water Authority		3. Victoria doesn't have bushfire safer places, we have Neighbourhood Safer Places. Are the plans Community Information Guides? 4. CFA is the fire authority and should issue permits to burn
87. Develop emergency management resource-sharing protocols between councils.	Y	Y	Council		Protocol for Inter-Council Emergency Management Resource Sharing
88. Maintain and store essential equipment and materials to support emergency management activities and meet the needs of affected communities (such as sandbags).	N	N	Agencies		
89. Support agencies to source and supply personnel , equipment, materials, services and facilities to support emergency management activities and meet the needs of affected communities.	Y	Y	Council	N	Remove "personnel"
90. Manage, coordinate, supply and deliver resources promptly and efficiently using best-practice methods locally.	Y	Y	Council		Reasonable requests

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
91. Develop impact-assessment processes and data-collection systems.	N	N	Agencies		
92. Lead council's impact-assessment processes, systems and tools for core council services.	Y	Y	Council		
93. Collect secondary impact-assessment data about the scale and characteristics of the impact on the social, economic, built and natural environments. ³⁵	Y	N	DHHS/EMV		
94. Initially assess impacts on essential infrastructure and services. ³⁶	N	N	Agencies		
95. Support agencies to gather information about how the emergency is affecting animals.	Y	N	DEDJTR		
96. Support agencies to use council's spatial data to verify property losses.	Y	Y	Council		
97. Conduct a process to gather [incident and impact intelligence from initial] and secondary impact assessments to inform relief and recovery planning.	Y	N	DHHS/EMV		Agencies should gather incident & impact intelligence from initial
98. Conduct longitudinal mapping of the impact focusing on wellbeing, liveability, sustainability and viability.	N	N	DHHS		
99. Undertake municipal functions as required by public health and wellbeing legislation and regulations. ⁴⁷	Y	Y	Council		
100. Include emergency management in council plans including in the municipal public health and wellbeing plan and the council plan.					What Council Plan are you referring too?
101. Establish programs to detect and identify risks to public health locally (such as through heatwave planning).	N	N	DHHS		
102. Conduct epidemiological and other investigations.	N	N	Department of Health/Chief Medical Officer		
103. Communicate information about public health locally.	Y	Y	Council		
104. Coordinate relief agencies and the community to develop local relief plans. ³⁸	Y	N	DHHS/EMV		No reference found in EMMV Part 7, pp76&77
105. Develop protocols and procedures that are agreed with relief agencies.	N	N	State		
106. Design a scalable organisational structure to deliver relief services.	Y	N	DHHS/EMV		
107. Work with other councils to develop a collaborative approach to relief.	Y	Y	Council		
108. Contribute to regional relief planning.	Y	Y	Council		
109. Identify, plan and document relief centres or other locations to provide emergency relief services that meet health and other community needs.	Y	Y	Council		
110. Develop plans and procedures for emergency shelter.	N	N	DHHS		Council should be involved in discussions
111. Plan for the needs of domestic animals as part of relief activities.	Y	Y	Council		
112. Support service providers and local groups to educate the community about donated goods and volunteering and develop messages and procedures about donated goods and volunteers.	N	N	State Government		Define Local Groups
113. Work with health practitioners to understand the health and psychosocial implications of emergencies and the implications for relief.	N	N	DHHS		
114. Develop surge arrangements for relief, recovery and business-as-usual activities in the short, medium and long-terms.	Y	Y	Council		
115. Coordinate relief services locally. ³⁹	Y	N	DHHS/EMV		Incorrect reference

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
116. Establish and manage relief centres where appropriate, including: ⁴⁰ 1. register relief centre attendees 2. coordinate the provision of food, water and materials to [affected communities] ⁴¹ 3. provide temporary shelter options for displaced local people 4. coordinate and manage services to meet the physical and psychosocial needs of affected local people. ⁴²	1 N 2 Y 3 N 4 Y	N N N N	Red Cross, DHHS Agencies - Council Red Cross, DHHS DHHS		2. Council will only provide to affected communities within a relief centre, not to the wider community
117. Start recovery case management by gathering data from relevant agencies.	N	N	DHHS		
118. Support agencies to inform the community about financial hardship assistance payments.	Y	Y	Council	N	Added "Support agencies to"
119. Manage enquiries about donations of goods and offers to volunteer.	Y	N	Agencies & Council		Council will field enquiries
120. Support efforts to reunify family and others separated during an emergency.	Y	Y	Council		
121. Support a coordinated approach to relief at the regional level	Y	Y	Council		
122. Help affected businesses to access information and advice locally.	Y	Y	Council		
123. Support the community to work with insurers.	N	N	Agencies		
124. Support organisations to offer technical advice about re-establishing local businesses.	Y	Y	Council		
125. Assess business and economic needs.	N	N	DEDJTR		
126. As part of emergency planning, identify at-risk cultural heritage sites.	Y	Y	Council with Traditional Owners, EMV, Asset Owner		With Heritage Victoria, Parks Vic & DELWP
127. Coordinate natural environment rehabilitation works locally.	Y	N	DELWP, Parks		
128. Restore local cultural heritage sites.	Y	N	Agency that caused damage or Traditional Owners, EMV, Asset Owner	N	
129. Assess impacts to natural and cultural heritage sites.	Y	N	Land manager Asset Owner	N	Added "on council land"
130. Coordinate remediation and stabilisation works on private and public land.	N	N	Agencies		
131. Monitor natural and cultural heritage sites.	N	N	DELWP, Parks		
132. With the support of Heritage Victoria, develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works.	Y	N	Asset owner		
133. Identify community needs and priorities for restoring the built environment including essential services, commercial and industrial facilities, public buildings and assets and housing.	Y	Y	Council		
134. Identify standards for clean-up and recovery.	N	N	EMV		
135. Identify likely resource and equipment requirements for council recovery activities in the short, medium and long terms and determine supply chains in consultation with other agencies to ensure adequate resourcing.	Y	Y	Council		
136. Survey and determine the occupancy of damaged buildings. ⁴³	Y	Y	Council		Needs to be scalable
137. Conduct stabilisation and remediation works on council or community infrastructure and land to prevent further damage to the built environment.	Y	Y	Council		Remove "community infrastructure"
138. Support safety assessments for essential and critical assets and infrastructure.	N	N	Agencies		In liaison with municipal building surveyor

Responsibilities	Currently do?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Reasoning/Comments
139. Working with the community, prioritise the restoration of local assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.	Y	N	Community Recovery Committee		
140. Coordinate the rebuilding and redevelopment of council and private assets.⁴⁴ Responsibility should read "undertaking the assessment, restoration, clearing and rehabilitation of public buildings and assets (eg roads, bridges, sporting facilities, public amenities) where the municipal council is the manager of that building or asset"	Y	Y	Council	N	
141. Restore council owned assets, prioritising business operations and commercial or community facilities essential for community wellbeing or recovery activities.⁴⁵					Remove as same as 140
142. Coordinate clean-up activities including the disposal of dead animals. ⁴⁵	Y	N	DEDJTR		
143. Support the restoration of private and non council assets within the scope of existing council services					Remove as same as 140
144. Review physical infrastructure needs and establish long-term recovery infrastructure where necessary.	Y	Y	Council		
145. Support agencies to restore essential assets and infrastructure.	Y	Y	Council		
146. Establish planning scheme exemptions for emergency accommodation and clean-up works, and streamline planning and building construction approvals.	N	N	State Government		
147. Coordinate health programs to ensure the continuity and availability of advice and activities.	Y	N	DHHS & Local health service		Different lead agency dependent on program
148. Assess and deliver services for the medium- to long-term psychosocial needs of the community.	N	N	DHHS		
149. Provide access to short-, medium- and long-term housing options for displaced people.	N	N	DHHS		
150. Assess and deliver financial re-establishment assistance.	N	N	DHHS		
151. Support community services to provide shelter, food, counselling and other assistance to people at socioeconomic disadvantage	Y	Y	Council		
152. Conduct after-action reviews of council operations during emergencies, to inform future planning	Y	Y	Council		
153. Conduct incident management reviews and modify council plans and procedures to draw on lessons learned.	Y	Y	Council		
154. Assess and review outcomes for the community after an emergency, looking for opportunities to improve outcomes in future	Y	Y	Council & EMV		

Appendix C: Responsibilities that Council should not perform

	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
1	1. Lead an all-agencies approach to community-based risk assessment and planning including compliance with relevant legislation and policy at the municipal level. ¹	Y	N	EMV		
2	2. Prepare and maintain municipal emergency management plans and subplans with support of all emergency management stakeholders. ²	Y	N	EMV	N	Added "with support of all emergency management stakeholders"
3	3. Appoint a municipal emergency management planning committee. ³	Y	N	EMV		Remove "municipal". Committees should be local & regional
4	6. Lead the maintenance and administration of the Vulnerable Persons Register (VPR).	N	N	DHHS		Not core council business
5	7. Support the profiling of the community to identify and record what makes people vulnerable in emergencies and work with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community.	N	N	DEDJTR		
6	14 Support agencies to plan, prepare and deliver consistent, all-hazards customised information and messages to the community, using council communication networks. ⁸	N	N	EMV		All agencies should be involved. Incorrect reference
7	15. In collaboration with EM agencies, plan, together with neighbouring councils and regionally, community information.	N	N	EMV	N	Added "In collaboration with EM agencies"
8	16. Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse). ⁹	Y	N	Agencies		Incorrect reference
9	17. Support agencies to develop emergency management communications that are relevant and credible to the community.	N	N	EMV		What are EM communications? Are they warnings etc?
10	18. Support implementation of flood warning systems in at-risk areas of the municipality	N	N	VICSES, EMV Catchment Management Authority & BOM		Costly exercise for council and should be implemented/financed by agencies to better inform community warnings



	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
11	21. Support agencies to develop and disseminate information and warnings that are relevant and credible to the community by: ¹⁰ a. disseminating information through council communication channels and local networks b. developing accurate, timely risk information tailored to community needs.	Y	N	Control agency	N	Remove "and warnings" Control agency should be the only agency to issue warnings
12	22. Respond to community calls for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs) and be the central point to identify resources and information.	Y	N	DHHS		
13	29. Support evaluators and researchers to better understand community information needs and the effectiveness of local warnings.	Y	N	EMV		
14	30. Appoint a municipal emergency resource officer. ¹³	Y	N	Agencies		Consider validity of this role
15	38. Engage relevant stakeholders in gathering, analysing and sharing recovery information.	Y	N	DHHS/EMV		
16	50. Establish processes to gather information from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings) to inform recovery planning	N	N	DHHS/EMV		
17	52. Establish a recovery centre, coordinating across agencies to ensure sufficient staff, resources and equipment.	N	N	DHHS/EMV		
18	53. Support recovery case management and gather data from relevant agencies locally.	N	N	DHHS/EMV		
19	54. Conduct post-emergency needs assessments, coordinating with response and recovery agencies locally.	N	N	DHHS/EMV		
20	63. Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally. ²⁴	Y	N	DEDJTR		No reference found in EMMV Part 7, pp7-76 &77 regarding livestock
21	65. Implement standardised systems and processes to facilitate surge arrangements and exchange staff between neighbouring (partner) councils to maintain capability and capacity during and after emergencies by: <ul style="list-style-type: none">• identifying data needs for relief provision and planning for data management• establishing data-sharing agreements and procedures with agencies.	N	N	DHHS/EMV		Should state be involved versus neighbouring councils?

	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
22	68. Work with other <u>organisations</u> to integrate information systems, tools and networks of trained personnel to deliver intelligence requirements (such as by using <u>Crisisworks</u> and Emergency Management Common Operating Picture ((EM-COP)).	N	N	EMV		Why? We should only have one system
23	71. Capture, process and manage large volumes of data from multiple sources to share with the community and stakeholders.	N	N	EMV		
24	78. Encourage and assist the community to participate in emergency management education and training programs provided by council and agencies.	Y	N	CFA/SES		Council encourage emergency management education however, are unaware of training programs?
25	81. Develop and deliver emergency management and community resilience training for council staff.	N	N	EMV		
26	82. Monitor and evaluate the community's engagement with emergency management and its capacity to prepare for, act during and recover from emergencies.	N	N	EMV		
27	84. Conduct community engagement activities to implement lessons learned about community resilience.	N	N	EMV/Agencies		
28	86. Support agencies in line with relevant fire legislation and regulations by: 2. developing and maintaining a municipal fire prevention plan ²⁹	Y	N	CFA		
29	86 (3) identifying, designating, signing, maintaining and annually reviewing <u>bushfire safer places</u> <u>Neighbourhood Safer Places</u> and their plans, and (for councils in Country Fire Authority [CFA] areas) reporting back annually to the CFA ³⁰	Y	N	CFA		
30	86 (4) issuing permits to burn ³¹	Y	N	CFA		CFA is the fire authority and should issue permits to burn
31	86 (5) taking all practicable steps (including with planned burning) to prevent the occurrence and spread of fires and <u>minimise</u> their danger on land that council manages or is responsible for ³²	Y	N	CFA		
32	86 (6)providing pillar fire hydrants in reticulated areas when the CFA issues written notice to do so ³³	Y	N	Water Authority		

	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
33	86 (7) meeting the costs of providing, installing, marking and maintaining all fire plugs in the municipality. ³⁴	Y	N	CFA/Water Authority		
34	88. Maintain and store essential equipment and materials to support emergency management activities and meet the needs of affected communities (such as sandbags).	N	N	Agencies		
35	91. Develop impact-assessment processes and data-collection systems.	N	N	Agencies		
36	93. Collect secondary impact-assessment data about the scale and characteristics of the impact on the social, economic, built and natural environments. ³⁵	Y	N	DHHS/EMV		
37	94. Initially assess impacts on essential infrastructure and services. ³⁶	N	N	Agencies		
38	95. Support agencies to gather information about how the emergency is affecting animals.	Y	N	DEDJTR		
39	97. Conduct a process to gather [incident and impact intelligence from initial] and secondary impact assessments to inform relief and recovery planning.	Y	N	DHHS/EMV		Agencies should gather incident & impact intelligence from initial
40	98. Conduct longitudinal mapping of the impact focusing on wellbeing, liveability, sustainability and viability.	N	N	DHHS		
41	101. Establish programs to detect and identify risks to public health locally (such as through heatwave planning).	N	N	DHHS		
42	102. Conduct epidemiological and other investigations.	N	N	Department of Health/Chief Medical Officer		
43	104. Coordinate relief agencies and the community to develop local relief plans. ³⁸	Y	N	DHHS/EMV		No reference found in EMMV Part 7, pp76&77
44	105. Develop protocols and procedures that are agreed with relief agencies.	N	N	State		
45	106. Design a scalable organisational structure to deliver relief services.	Y	N	DHHS/EMV		

	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
46	110. Develop plans and procedures for emergency shelter.	N	N	DHHS		Council should be involved in discussions
47	112. Support service providers and local groups to educate the community about donated goods and volunteering and develop messages and procedures about donated goods and volunteers.	N	N	State Government		Define Local Groups
48	113. Work with health practitioners to understand the health and psychosocial implications of emergencies and the implications for relief.	N	N	DHHS		
49	115. Coordinate relief services locally. ³⁹	Y	N	DHHS/EMV		Incorrect reference
50	116. Establish and manage relief centres where appropriate, including: ⁴⁰ 1. register relief centre attendees	N	N	Red Cross, DHHS		
51	116 (2) coordinate the provision of food, water and materials to [affected communities] ⁴¹	Y	N	Agencies/Council		(2) Council will only provide to affected communities within a relief centre, not to the wider community
52	116 (3) provide temporary shelter options for displaced local people	N	N	Red Cross, DHHS		
53	116 (4) coordinate and manage services to meet the physical and psychosocial needs of affected local people. ⁴²	Y	N	DHHS		
54	117 Start recovery case management by gathering data from relevant agencies.	N	N	DHHS		
55	119 Manage enquiries about donations of goods and offers to volunteer.	Y	N	Agencies & Council		Council will field enquiries
56	123. Support the community to work with insurers.	N	N	Agencies		
57	125. Assess business and economic needs.	N	N	DEDJTR		
58	127. Coordinate natural environment rehabilitation works locally.	Y	N	DELWP, Parks		

	Responsibility	Currently do it?	Should we do it?	Best Placed Agency to do it	Are descriptors appropriate	Comments
59	128. Restore local cultural heritage sites.	Y	N	Agency that caused damage or Traditional Owners, EMV, Asset Owner	N	
60	129. Assess impacts to natural and cultural heritage sites.	Y	N	Land manager Asset Owner	N	Added "on council land"
61	130. Coordinate remediation and stabilisation works on private and public land.	N	N	Agencies		
62	131. Monitor natural and cultural heritage sites.	N	N	DELWP, Parks		
63	132. With the support of Heritage Victoria, develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works.	Y	N	Asset owner		
64	134. Identify standards for clean-up and recovery.	N	N	EMV		
65	138. Support safety assessments for essential and critical assets and infrastructure.	N	N	Agencies		
66	139. Working with the community, prioritise the restoration of local assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.	Y	N	Community Recovery Committee		
67	142. Coordinate clean-up activities including the disposal of dead animals. ⁴⁶	Y	N	DEDJTR		
68	146. Establish planning scheme exemptions for emergency accommodation and clean-up works, and streamline planning and building construction approvals.	N	N	State Government		
69	147. Coordinate health programs to ensure the continuity and availability of advice and activities.	Y	N	DHHS & Local health service		Different lead agency dependent on program
70	148. Assess and deliver services for the medium- to long-term psychosocial needs of the community.	N	N	DHHS		
71	149. Provide access to short-, medium- and long-term housing options for displaced people.	N	N	DHHS		
72	150. Assess and deliver financial re-establishment assistance.	N	N	DHHS		

5.11 PETITION – INTERSECTION OF PRINCES HIGHWAY & GARABALDI LANE

PURPOSE

This report is in response to a petition received by Council at its meeting held on 19 December 2016.

EXECUTIVE SUMMARY

- A petition was received by Council at its meeting of 19 December 2016 containing 496 signatures in relation to road repairs at the intersection of the Princes Highway and Garibaldi Lane, Allansford – refer Appendix A.
- The petition requests that Council lobby the local Member for South West Coast, Roma Britnell MP and VicRoads in an endeavour to have the intersection repaired and maintained.
- In accordance with Warrnambool City Council, Governance (Meeting Procedures) Local Law No. 1-2016 – Division 4.36 – the petition was referred to the Chief Executive for a report to a future Council meeting. This is the follow-up report.

MOVED: CR. CASSIDY
SECONDED: CR. ANDERSON

That Council

1. **Write to the author of the petition and enclose a copy of this report summarising Council's recent and proposed actions in lobbying for an upgrade of the Garibaldi Lane/Princes Highway Intersection; and**
2. **Continue to lobby VicRoads, State Government representatives, including the local Member for South West Coast, Roma Britnell MP, to upgrade the intersection.**

CARRIED – 7:0

BACKGROUND

A petition was received by Council at its meeting of 19 December 2016 containing 496 signatures in relation to road repairs at the intersection of the Princes Highway and Garibaldi Lane, Allansford.

In accordance with Warrnambool City Council, Governance (Meeting Procedures) Local Law No. 1 – 2016 – Division 4.36, the petition was referred to the Chief Executive for a report to a future Council meeting.

ISSUE

The petition requests that Council lobby the local Member for South West Coast, Roma Britnell MP and VicRoads in an endeavour to have the intersection repaired and maintained.

CURRENT STATUS

Attached is a copy of Council's letter forwarded to VicRoads requesting urgent works on Garibaldi Lane together with the reply to our letter stating that "*Pavement rehabilitation works at the intersection have been assessed and are currently being prioritised along with other locations on the arterial road network*" and that VicRoads "*has no plans to modify the intersection in the near future.*" – refer **Appendices A, B and C**.

In addition Council has prepared the following two (2) documents (**refer Appendices D and E**) to assist with future lobbying of State and Federal Governments for future upgrades to the Princes Highway, being:

- "*Princes Highway West – Colac to the South Australian Border*"; and
- "*Princes Highway West – Focus on Warrnambool*".

The latter document refers to an improvement project at the Garibaldi Lane intersection as a Council priority.

FINANCIAL CONSIDERATION

The Garibaldi Lane / Princes Highway intersection is the responsibility of VicRoads. It is not an obligation of Council to make a financial contribution towards any future upgrade works, although it is possible.

KEY CONSIDERATIONS

Ziegler Parade Bridge

A separate Council report will be prepared which assesses options to manage the Ziegler Parade bridge.

Feedback from the two (2) public meetings held in Allansford regarding the future of the Ziegler Parade bridge highlighted the importance of road safety measures and road pavement repairs to the Allansford community.

Intersection Safety

While VicRoads' response has not acknowledged the issues raised as being prevalent, a Road Safety Audit of the Garibaldi Lane / Princes Highway intersection that concluded:

- The sight distances at the intersection meet the Austroads Guide to Road Design Part 4A;
- There were no accidents recorded at the intersection in the past 5 years;
- The intersection was observed to operate adequately and with spare capacity during the morning peak period; and
- The pavement condition and line marking was poor and required works.

The Road Safety Audit also noted that the Garibaldi Lane approach is very wide which allows motorists to:

- Turn left at relatively high speeds by cutting the corner and with poor observation angles to the east; and
- Wait two-abreast at the holding line. This practice can result in vehicles blocking sight lines to approaching traffic and an increased risk crashes involving vehicles entering the Highway.

Road Safety Audit recommendations included:

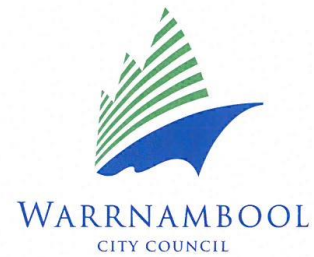
- Consider reducing the width of the south approach, subject to the swept paths of turning vehicles. This could be achieved by modifying kerb lines, providing a concrete apron at the south west corner or implementing line marking to narrow the approach to a single lane.
- Consider undertaking a traffic analysis to determine the ability of this intersection to safely accommodate the expected traffic volumes.

The intersection also has unprotected turning lanes from the Princes Highway into Allansford in a high speed zone.

As this intersection is the responsibility of VicRoads, where the subsequent response indicated the intersection was "*operating adequately and safely*" and that VicRoads "*has no plans to modify the intersection in the near future.*"

VicRoads has indicated that resurfacing works are programmed to be completed by 30 June 2017.

24 November 2016



Mr. Mark Koliba
Regional Director – South Western Victoria
VicRoads
PO Box 775
GEELONG VIC 3220

Dear Mr. Koliba,

Ziegler Parade Bridge & Princes Highway/Garibaldi Lane Intersection

As you may be aware, Council has been reviewing options to upgrade the Ziegler Parade bridge over the Hopkins River at Allansford.

In 2012, following a detailed inspection by Bridge Engineer Glyn Jones, a 14 tonne load limit was placed on the bridge. This limit restricted use of the bridge to both school buses and quarry trucks and re-routed access to the Princes Highway west-bound carriageway via Garibaldi Lane.

In January 2016 Council was successful in obtaining a grant from the Federal Government's Bridges Renewal Program (on a 50:50 funding basis) with the object of rejuvenating the bridge so that the current load limit could be removed. This funding was based on a \$1.2 million project which would remediate the structure.

After the recent floods David Morris Consulting was engaged to complete a level 3 condition assessment and a review of the structure to provide Council with options to upgrade the bridge to various load capacities.

Following completion of the Level 3 condition assessment, review of the construction drawings (dated 1937) and a detailed structural assessment, the consultant has recommended that, even with significant repairs and structural improvements to the existing bridge, it should continue to be subject to a maximum 18 tonne load limit. This means that school buses could use the bridge (under an individual permit system); however heavier vehicles would be prohibited from using the bridge.

The report concluded that the only option to provide a structure capable of operating without a load limit would be to construct a new bridge at an estimated cost of \$2.20-2.40 million.

The option for a full bridge replacement is not currently budgeted in Council's long term financial plan and therefore Council does not readily have the capacity to fund the shortfall. Accordingly we will shortly be engaging with the Allansford community with regard to the appropriate service standard for this bridge.

Our consultation will focus on the service standard required given that the Princes Highway Bridge is located just 40m upstream of the Ziegler Parade Bridge and is not load constrained.

Civic Centre 25 Liebig Street
Warrnambool Victoria Australia
PO Box 198 Warrnambool VIC 3280

Telephone (03) 5559 4800
Facsimile (03) 5559 4900
Ausdoc DX 28005

Website www.warrnambool.vic.gov.au
ABN 44 594 264 321

While Council is reviewing the level of service to be provided by the structure, and how it should be managed into the future; it is clear that all heavy vehicles will need to continue to access the Princes Highway via Garabaldi Lane for the foreseeable future.

Council engaged a Road Safety Auditor to undertake an audit of the Garabaldi Lane - Princes Highway intersection in February 2016. Please see a copy of this audit attached.

The auditor concluded that:

1. The sight distances at the intersection meet the Austroads Guide to Road Design Part 4A;
2. There were no accidents recorded at the intersection in the past 5 years;
3. The intersection was observed to operate adequately and with spare capacity during the morning peak period; and
4. The pavement condition and line marking was poor and required works.

The auditor noted that the Garabaldi Lane approach is very wide, perhaps excessively so.

The existing width allows motorists to:

- Turn left at relatively high speeds by cutting the corner and with poor observation angles to the east; and
- Wait two-abreast at the holding line. This practice can result in vehicles blocking sight lines to approaching traffic and an increased risk crashes involving vehicles entering the Highway.

The photograph below illustrates the extremely poor condition of the pavement at this intersection:



Council having undertaken this review is now seeking that VicRoads review the geometry of this intersection, taking into account the Road Safety Auditor's comments. We would also strongly encourage VicRoads to review the speed zone through this area and determine if an 80km/h limit is appropriate.

We also request that the pavement at the intersection be given a high priority for asphalt rejuvenation works as it is clear from the photograph that the pavement has reached the end of its economic life and its condition presents a hazard to road users.

In light of the above we also advise that this location is a Warrnambool City Council 'Priority Site' for an upgraded intersection treatment under any Princes Highway West upgrade plan. Our requested treatment options for this site include a roundabout or acceleration lanes including necessary bridge widening works.

Should you like to discuss this matter further please do not hesitate to contact me on 5559 4868.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Cavanagh', with a stylized flourish at the end.

SCOTT CAVANAGH
Director City Infrastructure



South Western Region
180 Fyans Street
South Geelong Victoria 3220
PO Box 775 Geelong Victoria 3220
Fax (03) 5221 6102
vicroads.vic.gov.au

Mr. Scott Cavanagh
Director City Infrastructure
PO Box 198
WARRNAMBOOL VIC 3280

Contact: Glenn Blundell
Telephone: 5561 9203
Our Ref: QD: 3705598
Your Ref: QD:3700173
File No: TM-010-WRB-2500

4 December 2016

Dear Scott

Thank you for your letter dated 24 November 2016 regarding the Zeigler Parade Bridge and the Princes Highway / Garibaldi Lane intersection.

Upon review of the Warrnambool City Council options paper and the recent road safety audit that has been undertaken at this location, VicRoads considers the existing intersection of the Princes Hwy and Garibaldi Lane to be operating adequately and safely and has no plans to modify the intersection in the near future.

VicRoads has reviewed the Princes Highway at this location and considers that on balance, the current speed limit of 100 km/h to be appropriate for the road environment considering the low level of abutting development, low crash history and the horizontal and vertical alignment of the road.

Pavement rehabilitation works at the intersection have been assessed and are currently being prioritised along with other locations on the arterial road network.

To assist in the development of longer term options for the management the Zeigler Parade Bridge, VicRoads will attend the public meeting to listen to the potential long term options for the bridge being presented to the Allansford community. This will assist in VicRoads understanding the desires of the community and enable VicRoads to work closely with Council in determining a suitable outcome.

Yours sincerely

for
SAM PIRROTTA
MANAGER PLANNING

Warrnambool City Council	
- 8 DEC 2016	
Ref N*	
Officer	
Scanned Yes / No	Chk:



15 December 2016

Mr. Mark Koliba
Regional Director – South Western Victoria
VicRoads
PO Box 775
GEELONG VIC 3220



Via Email: mark.koliba@roads.vic.gov.au

Dear Mr. Koliba

PRINCES HIGHWAY / GARABALDI LANE INTERSECTION

I write further to Council's letter dated 24 November 2016 and VicRoads response dated 4 December 2016, regarding the intersection of Garibaldi Lane and Princes Highway.

Council has received, and is continuing to receive, strong feedback from the Allansford community regarding safety concerns at this location.

These concerns rightly identify the failure of the road pavement as a factor that diminishes driver confidence as they enter this high speed traffic environment. I implore VicRoads to act responsibly and take immediate action to rehabilitate the road pavement at this location.

While VicRoads may believe that the intersection is operating 'adequately and safely' we have formed the view that modifications should be made at this location to provide an acceleration lane and to improve the turning lane.

In addition to their safety concerns the community also advise us of their apprehension when traveling eastbound and turning in Garibaldi Lane due to the high speed of both oncoming and pursuing traffic. This is an existing condition for which our deliberations over the Ziegler Parade Bridge have no direct bearing and therefore VicRoads can address this aspect immediately.

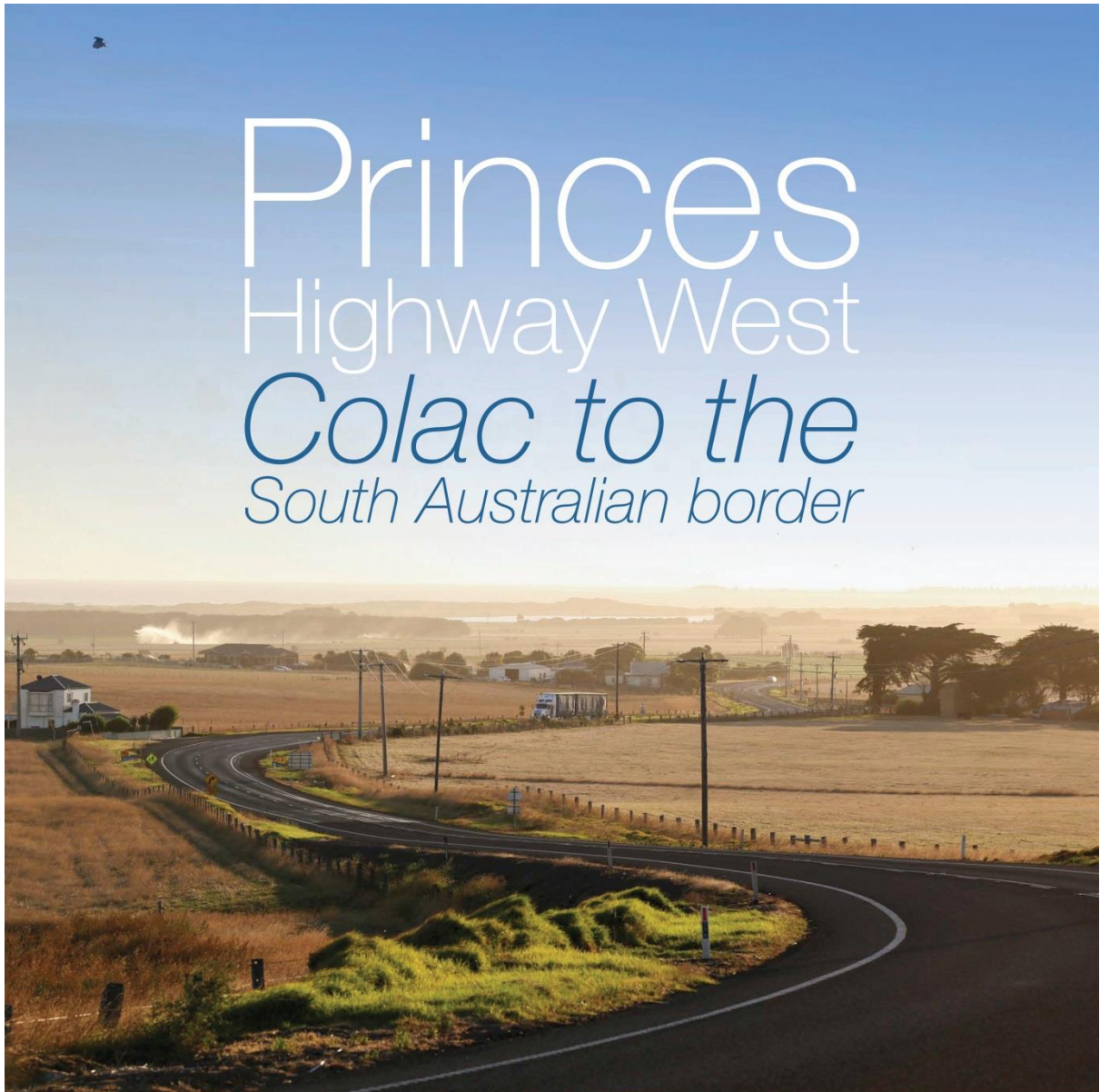
I also highlight that Warrnambool City Council has identified this location for treatment in our priority listing for Princes Highway West upgrades.

Should you like to discuss this matter further please do not hesitate to contact me on 5559 4812.

Regards


Bruce Anson
Chief Executive

Cc: Roma Britnell – Member for South West Coast
Dan Tehan – Member for Wannon



Princes Highway West *Colac to the South Australian border*

Time for a plan

The fertile Great South Coast region of Victoria produces a third of Victoria's beef, a third of its dairy, a third of its lamb and one quarter of its wool.

The vast majority of this produce - worth more than \$1.8 billion - is bound for markets further afield, mostly international.

A key to the ongoing prosperity of the Great South Coast is an effective transport network. Central to this network is the Princes Highway.

The Princes Highway West is the key east-west route in

south-western Victoria, providing a strategic transport link between Melbourne and the South Australian border, and beyond to Adelaide.

The highway conveys grain, livestock, dairy, timber and smelter products.

It also conveys people in growing number.



Time for a plan

While traffic on the highway has grown in volume in recent years, the highway infrastructure west of Colac has received only minor upgrades.

It has been 18 years since the last VicRoads strategy for the Princes Highway West was produced. It is time for a new plan.

The Princes Highway bridge over the Merri River at Dennington has not had an engineering assessment for AB-double vehicles, placing a restriction on freight movement between key local transport nodes.

More than a decade ago VicRoads reported the crash rate was greater than the state average in the winding sections between Colac and Warrnambool and between Portland and Heywood.

The majority of these were 'run off the road' fatigue-related or head-on due to driver error.

Accident hotspots also occur where the highway intersects with busy urban streets, particularly in Warrnambool. Outside a limited number of passing lanes, there have been no significant improvements to what remains a dangerous stretch of highway.

Princes Highway at Dennington, Warrnambool



Danger zones

Nine fatalities, 80 serious injuries and 141 other injuries.

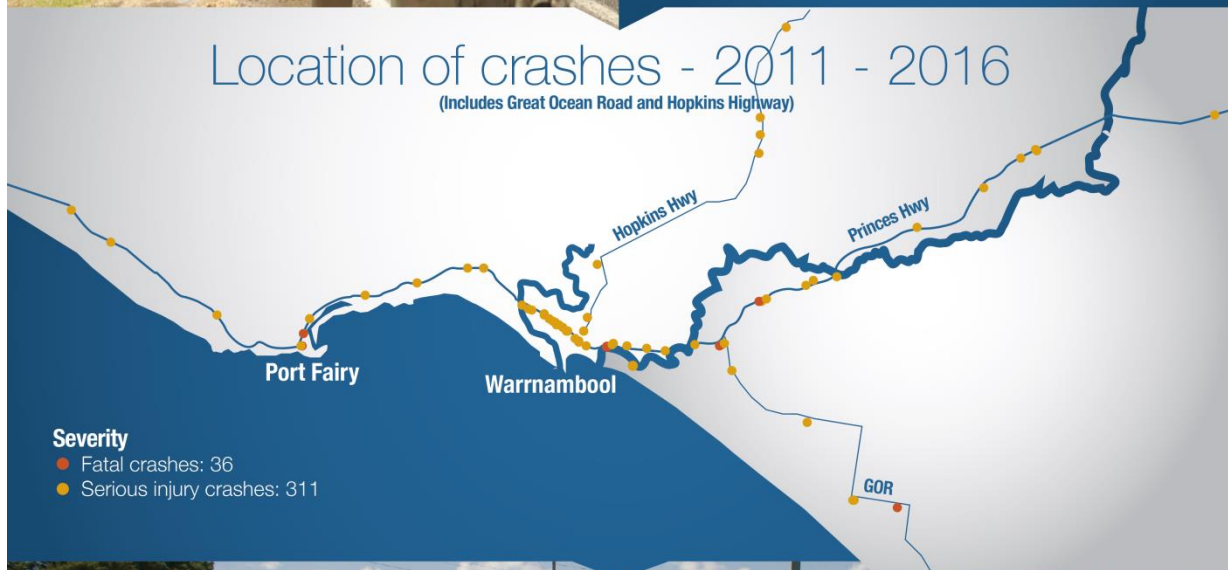
Those figures represent the human toll on the Princes Highway over a five-year period to June 2016 between Colac and the South Australian border.

Over the same period the short 9.4km stretch of the highway from Swan Lane, Allansford, to Mahoneys Road, Warrnambool has seen one fatality, seven serious injuries and seven other injuries.

The highway as it passes through Warrnambool is also a serious accident zone. The 13.9km stretch has recorded one fatality, 22 serious injuries and 58 other injuries.

Location of crashes - 2011 - 2016

(Includes Great Ocean Road and Hopkins Highway)



The growth in traffic

2016 vehicles per day (VPD) counts show that stretches of highways in and around Warrnambool are among the busiest on the regional sections of the Princes Highway.

Traffic counts		
Location	1999	2016
Central Warrnambool	13,000	20,000
Warrnambool to Port Fairy (Allansford)	5,000	13,000
Great Ocean Rd intersection		13,000

Traffic numbers over the past 15 years along section of highway at Warrnambool have increased by about 50 per cent. The VPD counts from VicRoads most recent

Princes Highway West Corridor Strategy (1999) indicate vehicle counts in Warrnambool's urban area were about 13,000. They are now 20,000 and this figure includes a commercial/heavy vehicle number estimated at 2,400.

VPD between Warrnambool and Port Fairy are currently 13,000, compared to 5,000 in 1999. This single lane stretch is a high accident zone and populations of both urban centres continue to grow.

The growing traffic volumes have impact the road surfaces and created some challenges around maintenance schedules.

The economic imperative

In 2014–15, Victoria accounted for 27 per cent of Australia's total food and fibre exports and remained Australia's largest state exporter. Victoria has a 25 per cent share of Australia's total food exports and a 40 per cent share of Australia's total fibre exports (Food and Fibre Report Victoria 2014-2015).

Victoria accounted for 83 per cent of Australia's dairy exports by value. Milk and cream products (worth just over \$1 billion) and cheese and whey products (worth \$748 million) were the most valuable dairy export categories, making up 89 per cent of Victoria's dairy exports. (Food and Fibre Report Victoria 2014-2015).

A growing region

The population of the South West, traversed by the Princes Highway West, continues to grow and the highway performs an important commuter service.

Municipal/Urban area	Population 1996	Population 2011	2036 Projection
City of Greater Geelong	174,800	210,875	320,791
Winchelsea	1,000	1,579	
Colac	9,800	11,778	
Camperdown	3,200	3,463	
Warrnambool	26,100	32,029 (now 35,000)	46,742
Port Fairy	2,600	2,835 (excludes visitor popn)	
Portland	9,700	9,950	

The target for Victoria

Victoria has set a target of fewer than 200 deaths per year by 2020. If the trend over recent years continues, this target will not be achieved. Deaths in regional Victoria continue to be higher than those in metropolitan Melbourne and resolving the challenges of the Princes Highway West is part of the solution to achieving the lower road trauma ambition.

(2015 Victorian Road Trauma - Analysis of Fatalities and Serious Injuries)

The Victorian Government has highlighted the impact of serious injury arising from road accidents and why they must be prevented:

"We also want much better outcomes for people who survive serious crashes. This is the 'hidden road toll', affecting about 5,000 people a year whose lives are suddenly upended by the physical and mental trauma of road crashes."

From Towards Zero 2016-2020 Victoria's Road Safety Strategy & Action Plan.



Our ask

We are seeking a strategy for the Princes Highway West between Colac and the South Australian border that clearly identifies the improvements and upgrades the highway will require.

It is anticipated the corridor strategy would include:

- Duplication of the Princes Highway between Warrnambool and Port Fairy
- Additional, improved and more regular passing opportunities between Colac and the border. These would need to be longer lanes providing safer passing opportunities for both east and west-bound traffic
- Investigation into feasibility of the 2 + 1 model
- Investigation into the feasibility of more overtaking lanes
- Investigation into the feasibility of duplication of the highway between Colac and the border

Funding to implement the recommendations of a strategy for the Princes Highway West will also be required.

Funding to implement the recommendations of a strategy for the Princes Highway West will also be required.



Princes Highway West *Colac to the South Australian border*



www.warrnambool.vic.gov.au

Connect to Council





Princes Highway West *focus on Warrnambool*

Warrnambool is the major urban centre within the Great South Coast region.

It provides a centre for commerce, health and education and services a regional population of 120,000.

The city – a popular seachange destination - has grown significantly over recent decades from a population of about 23,000 in 1986 to a current population of 35,000.

The growth in population, along with increases in visitor numbers to attractions including Port Fairy and Tower Hill, have added to the task carried by the region's road network, including the Princes Highway.

Along with the number of people calling the South West home local industries, particularly the dairy industry, have prospered. This has added to the road network a significant freight task.

Much of this increase in transport activity is centred within and around Warrnambool.

The Princes Highway West has reached a point where a strategy and investment are required to meet the expectations of industry and motorists.



Our ask

Warrnambool City Council has identified a range of key improvement projects for the highway in and around Warrnambool, based on traffic volumes, accident data and on-site assessments

Project site	Issue	Treatment required	Priority
Allansford Princes Highway-Garibaldi Lane intersection	Intersection treatment to accommodate truck traffic and to provide safe access for 2,000 vehicles per day (VPD) entering and exiting township. Garibaldi Lane provides the main access into the township including for heavy vehicles. Traffic count along this stretch of highway is 13,000 VPD.	Roundabout / acceleration lane (bridge widening) / channelization/ compliant turning lane treatment.	Critical
Princes Highway Bridge Merri River	Bridge has not been assessed for AB Double traffic and restricts freight movement between key local nodes.	Bridge assessment/ strengthening / widening.	Critical
Intersection Raglan Parade (Princess Highway) / Fitzroy Road / Botanic Road	Botanic Road has a significant amount of traffic with a high volume of right turning traffic out of Botanic into the highway. Intersection has an accident history.	Signalisation.	Critical
Princes Highway duplication from Rooneys Road to Conns Lane	High turn residential and commercial area. Restricted passing opportunities through township zone and heavy truck movements. No opportunity to pass slow moving heavy vehicle traffic in a stop-start environment. Dennington overpass redundant and poorly aligned which restricts pedestrian and cyclist movement and an area of future growth.	Road duplication; increase in turning lanes; removal of Dennington overpass.	High
Improved on-road bike lanes Raglan Parade (Derby Street – Deakin University)	Currently there are sections of Raglan Parade that do not provide for on-road cycling. This is a critical cycling linkage for Deakin University	Provision of on-road cycling lanes.	High
Lighting Raglan Parade (Princes Highway) between Selby Road - Mahoneys Road	A 500m section of Raglan Parade does not have any street lighting. This is a major entrance to Warrnambool in a retail precinct with high volumes of traffic.	Install Australian Standards-compliant lighting.	High
Intersection of Raglan Parade (Princes Highway) / Banyan Street	Accident statistics indicate a high occurrence. High volume east/west to north/south interaction.	Review phasing and lane configuration	High
Raglan Parade (Princes Hwy) Bell Street & Derby Street intersection	Accident history at unsignalised intersection. Pedestrian linkages and crossing points require improvement to current standards.	Install pedestrian refuges, improve footpath linkages and tactile indicators	High
Intersection Raglan Parade (Princes Highway) / Simpson Street	Accident history at signalised intersection.	Review phasing and line configuration	Medium
Intersection of Raglan Parade (Princes Highway) / Foster Street	Accident statistics indicate a high occurrence of "cross traffic" accidents in this area.	Median treatment	Medium
Intersection of Raglan Parade (Princes Highway) / Hider Street	Accident statistics indicate a high occurrence of "cross traffic" accidents in this location.	Median treatment	Medium
Intersection of Raglan Parade / Kelp Street	Accident statistics indicate a high occurrence of "cross traffic" accidents in this area.	Median treatment	Medium
Raglan Parade (Princes Highway) / Henna Street	Cross road intersections have dual lane medians, which require wide road approaches into city centre.	Review phasing and lane configuration	Medium
Princes Highway-Great Ocean Road intersection	Safety improvements required in a high accident zone. Potential to create a greater sense of arrival.	Assess safety treatments for intersection.	Medium
Pavement improvement/ rehabilitation	Stretches of highway and other VicRoads managed roads in poor condition.	Review of maintenance schedule	Medium
Improvements to deceleration/ storage lanes at level crossings	In close proximity along the Princess Hwy east of Warrnambool are the rail line / level crossings. The distance between the level crossing and highway is insufficient to hold long vehicles. The level crossings also have insufficient treatments (not signalised). Significant examples are at Rowans Lane and Jubilee Park Rd.	Provision of storage area adjacent to through lanes.	Low



Pavement and road markings at Princes Highway-Gateway Rd intersection



Potential to build the sense of arrival and improve safety at the Great Ocean Road and Princes Highway intersection at Allansford.



Safety and pavement improvements required at the intersection of Princes Highway and Garibaldi Lane, Allansford



Traffic signal upgrade would increase safety at the intersection of Princes Highway and Banyan Street, Warrnambool



Traffic light phasing at the Princes Highway and Banyan Street intersection can confuse motorists approaching the intersection



The bridge over the Merri River is narrow and unable to support fully loaded AB milk tankers which are integral to the South West dairy industry



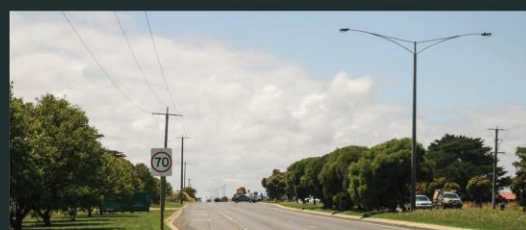
A dual carriageway through Dennington would improve safety



Deceleration lanes are required in the approaches to key intersections along rural sections of the highway including here at Jubilee Park Road



Increasing traffic loads have created challenges around maintenance of the road pavement



Street lighting in-fill is required along the Princes Highway between Gateway Road and Horne Road

Princes Highway West

focus on Warrnambool



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5.12 ASSEMBLY OF COUNCILLORS RECORDS

PURPOSE

The purpose of this report is to provide the record of any assembly of Councillors, which has been held since the last Council Meeting, so that it can be recorded in the Minutes of the formal Council Meeting.

BACKGROUND INFORMATION

The Local Government Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the Councillors (5) and a member of Council staff; or
2. an advisory committee of the Council where one or more Councillors are present.

The requirement for reporting provides increased transparency, particularly the declarations of conflict of interest.

REPORT

Section 80A(2) of the Local Government Act 1989 requires the record of an Assembly of Councillors be reported to the next practicable Ordinary Meeting of Council.

The record of the following Assembly of Councillors is enclosed:-

1. Monday 10 April 2017 – refer **Appendix A**.
2. Monday 24 April 2017 – refer **Appendix B**.

MOVED: CR. HULIN
SECONDED: CR. ANDERSON

That the information be received.

CARRIED – 7:0

APPENDIX A

Assembly of Councillors Record

Purpose of meeting:	Councillor Briefing
Meeting date:	10 April 2017
Start time:	3.30pm
Councillors present:	Cr. K Gaston – Chairperson Cr. R Anderson Cr. S Cassidy Cr. T Herbert arrived Cr. P Hulin Cr. M Neoh Cr D Owen
Council Officers present:	Bruce Anson, Chief Executive. Scott Cavanagh, Director City Infrastructure. Vikki King, Director Community Development. Andrew Paton, Director City Growth. Peter Utri, Director Corporate Strategies. David Mc Mahon Manager Visitor Economy Kim Griffiths Manager Events
Other persons present:	None
Apologies:	Nil
Conflict of Interest Disclosures:	Nil
Items discussed:	<ul style="list-style-type: none"> ▪ Event Strategy ▪ CBD revitalisation works ▪ Update preferred Bus interchange locations in CBD ▪ Port Of Warrnambool – Safer Launching and Retrieval of Boats – Reference Group ▪ January & February 2017 Monthly Financial Reports
Other items raised by Councillors & Officers:	<ul style="list-style-type: none"> ▪ Various operational items

The meeting closed at 5.30pm.

Assembly of Councillors Record

Purpose of meeting:	Councillor Briefing
Meeting date:	24 April 2017
Start time:	2.00pm
Councillors present:	Cr. K Gaston – Chairperson Cr. R Anderson Cr. S Cassidy Cr. T Herbert Cr. P Hulin Cr. M Neoh Cr. D Owen
Council Officers present:	Bruce Anson, Chief Executive. Scott Cavanagh, Director City Infrastructure. Russell Lineham, Acting Director Community Development. Andrew Paton, Director City Growth. Peter Utri, Director Corporate Strategies. Ben Storey, Project Manager, City Centre Renewal Lisa McLeod, Manager Community Policy & Planning Nick Higgins, Manager Communications David Harrington, Manager Finance Glendon Dickinson, Manager Revenue and Property
Other persons present:	Mick Hassett, 2MH Consulting David Turley Landscape Architecture Damon Obst, Outlines Landscape Architecture
Apologies:	Nil
Conflict of Interest Disclosures:	Cr Neoh on item CBD revitalisation Cr Neoh (part) City Entrances relating to Banyan Street treatment
Items discussed:	<ul style="list-style-type: none"> ▪ City entrances ▪ CBD revitalisation works ▪ Warrnambool 2040 Community Plan ▪ Appointment of Community Members to Council Advisory Committees ▪ Borrowing Strategy and Policy ▪ Investment Policy – Review ▪ Rating Strategy 2017 - 2021 ▪ Social Media Policy ▪ Warrnambool City Council Plan 2017-2021 ▪ Warrnambool City Council – Proposed Budget 2016-2017 ▪ Warrnambool China Strategy ▪ Bushfire Management Overlay Schedule and Mapping ▪ Draft Nature Strip Landscape Policy ▪ Updated Street Tree Planting and Management Policy ▪ Councils and Emergencies Directions Paper ▪ Petition – Intersection of Princes Highway & Garibaldi Lane ▪ Regional Development Australia – Barwon South West Committee ▪ Submission to Resilient Recovery Discussion Paper
Other items raised by Councillors & Officers:	Various operational items

The meeting closed at 7.30pm.

5.13 MAYORAL & CHIEF EXECUTIVE COUNCIL ACTIVITIES – SUMMARY REPORT

PURPOSE

This report summarises Mayoral and Chief Executive Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.

REPORT

Date	Location	Function
2 April 2017	Warrnambool	Mayor : Attended the Blessing and official opening of St Joseph's Parish Warrnambool Redevelopment.
5 April 2017	Warrnambool	Mayor : Hosted a Civic Reception to Vicky Jellie in recognition of Vicky winning the National Local Hero Award.
	Warrnambool	Mayor : Attended the official opening of TJM 4X4 Equipped & New Age Caravans.
6 April 2017	Melbourne	Chief Executive : Attended a meeting of the Barwon South West Regional Development Association committee.
11 April 2017	Warrnambool	Chief Executive : Attended the Warrnambool Legacy Club meeting.
19 April 2017	Warrnambool	Mayor : Attended the Warrnambool Student Wellbeing Association & Warrnambool Chaplaincy Support AM.
20 April 2017	Warrnambool	Mayor : Attended the Brauer College Anzac Day Service.
	Colac	Mayor : Attended a meeting of the Corangamite Regional Library Board.
21 April 2017	Warrnambool	Mayor : Attended the South West Coast Piper, Drumming & Dancing Showcase held at Kings College.
22 April 2017	Warrnambool	Mayor : Attended the South West Coast Massed Pipe band performance held on the Civic Green.
25 April 2017	Warrnambool	Mayor & Chief Executive: Attended the Anzac Day Service and wreath laying ceremony held at the Cenotaph with Cr Hulin representing the Mayor at the Dennington service and wreath laying ceremony.
27 April 2017	Melbourne	Mayor & Chief Executive – Attended a meeting of Regional Cities Victoria.
	Warrnambool	Cr Cassidy represented the Mayor at the Heatherlie Homes Annual General Meeting.

MOVED: CR. CASSIDY
SECONDED: CR. HULIN

That this report be received.

CARRIED – 7:0

6. PUBLIC QUESTION TIME

Nil.

7. CLOSE OF MEETING

The meeting closed at 6.45pm.

CHAIRMAN

I certify that these minutes were confirmed at a subsequent meeting of Council

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CR KYLIE GASTON
MAYOR