



Ararat Rural City

GREEN HILL LAKE MANAGEMENT

Community Engagement Activity

Information Pack

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INTRODUCTION

Why a review of Greenhill Lake Management?

Greenhill Lake is an important asset to the community of and visitors to Ararat. Ararat Rural City Council and the Greenhill Lake Development Board currently have some shared responsibility for the management and maintenance of the lake and reserve. With roles and responsibilities unclear for each party as is the present status, council is placed in a position of greater risk with minimal control. The Greenhill Lake Development Board have on a number of occasions requested that council hand over management of the reserve to their committee and that in doing this council provide a facilities maintenance grant to assist financially in the costs associated on an annual basis.

Council wishes to seek community feedback as part of the asset review process, before making final decisions relating to the disposal of an asset.

Ararat Rural City Councillors and officers are collectively committed to a long term vision for a vibrant, healthy and sustainable community in which all residents enjoy a good quality of life. It is with this commitment that community engagement becomes an essential part of our decision making. During this engagement process council will;

- provide the community with knowledge and understanding of how their inputs will be used.
- consider the submissions of all community members.
- include feedback and ensure that all input is considered.
- make reasonable attempts to resolve conflicts if they arise and reach appropriate equitable solutions.
- communicate its decisions with those involved in the engagement process.

Statement from Councillors

Council at the April Ordinary Meeting of Council carried the following motion: ***“That Council refer Green Hill Lake Reserve to Council’s asset review process to allow full community consultation on the matter.”***

Council have approved this process as an appropriate method of community engagement and conversation in relation to Greenhill Lake. Councillors would like to see as a result of this workshop and additional submissions that a recommendation be presented to them on the proposed future management of the Greenhill Lake reserve. It should be noted that this will be a recommendation only to council and that councillors will be responsible for the final decision making on this matter taking into account a number of considerations including the recommendations coming from this process.

What is the process?

Invite all members of the Ararat community to make comment on the information contained in this document. And;

Council officers will be holding a workshop of 50 randomly selected community participants plus representatives from 8 identified stakeholder groups, to provide a recommendation on the options to councillors as part of a group consensus activity.

BACKGROUND

This paper is intended to provide an overview of management issues, opportunities and options to be considered in the decision making process for the ongoing management of Green Hill Lake Reserve.

Land Management

Green Hill Lake Reserve and its surrounds are located on Crown Land, under the control of the Department of Sustainability and Environment (DSE) for which Ararat Rural City Council (ARCC) has been appointed the committee of management and land manager for the land, under the Crown Land (Reserves) Act 1978 (Vic). Green Hill Lake Reserve's gazetted purpose is "public recreation reserve".

As the nominated committee of management, ARCC must be aware of any projects, works, or activities that are being undertaken at Green Hill Lake Reserve, and in some cases depending on the scale of the project seek approval from DSE to undertake works.

The main feature of the reserve is the recreational lake, which due to being relatively shallow, was not well utilised during the drought years. The Lake now being full again is seeing a dramatic increase in usage, and is seen as an important community asset that can provide the local community and tourists with a venue for recreation activities. The Lake and surrounding reserve is being used by tourists and locals for camping, angling & fly fishing, boating & sailboarding, water skiing, rowing & canoeing, birdwatching, and walking & cycling.

The Reserve contains a number of facilities and amenities, including toilet & shower blocks, shelters, picnic tables, trails & walking paths, boat ramps, lake access points, pontoon, beach areas and carparking areas. There is also a concrete shared pathway that connects Ararat to the Reserve.

The Department of Sustainability & Environment (DSE) is responsible for the administration of Crown lands under the *Crown Land (Reserves) Act 1978* and can be generally looked at as the land owner. DSE may devolve management of the reserve land to many different public and community bodies as Committees of Management that then become the land manager. There are many Crown Land Reserves within ARCC municipality, for example Public Halls, recreation reserves and sporting fields that are used for public recreation. ARCC is the Committee of Management for the majority of these reserves but community groups may also be the Committee of Management for example the Lake Bolac Foreshore Committee is a community group that has direct Committee of Management status for the Lake Bolac foreshore under DSE. Where ARCC is the Committee of Management it has often used local committees to manage the facilities either as s.86 committees of Council under the Local Government Act or as advisory committees. The Committees of Management for Crown Land Reserves as land managers have a wide range of management responsibilities including day to day control, maintenance and upkeep, environmental management, planning and development.

DSE has a number of requirements regarding the appointment of Committees of Management of Crown Land Reserves. Public authorities such as Water Authorities and Councils are preferred due to the sometimes onerous burden of managing public land including risk management, physical upkeep and legislative requirements; however there are many community based Committees of Management that have successfully managed public lands. Community based Committees of Management of Crown land Reserves often have a long history of community involvement.

DSE requires a rigorous process for the appointment of community based land managers in order to ensure that the appropriate skills and commitment are evident. There are two mechanisms under which a community based Committee of Management may be formed.

- 1 Through a public election process, sometimes under the auspice of a local council which may advertise and chair a public meeting; and,
- 2 Though a public expression of interest for members to form a board.

In both these cases the appointments are expected to be skills based. The skills that would need to be demonstrated include public management, natural resource management, financial skills and risk management. Any new committee is expected to be incorporated under the *Crown Land (Reserves) Act 1978* and abide by the Acts financial reporting, accounting, auditing and conflict of interest requirements.

From time to time Committees of Management of Crown Land Reserves wish to relinquish their committee role or close a public facility. This may come about by lack of interest or an aging committee that no longer has the numbers to continue to manage the reserve or maintenance costs being beyond the means of the local community based committee. DSE will seek to transfer the committee of management role to another body using the above process; however for some Reserves there may be no public or community body to accept the role. If this occurs the day to day management role will default to DSE. The most likely outcome for those Reserves will be closing or minimal upkeep and a deterioration of facilities.

If the public consultation process confirms that a new management structure has wide public approval then a public process either of election or expression of interest would need to be undertaken to form a new board as the Committee of Management. A new Committee of Management would be responsible for the land management of Green Hill Lake Reserve.

The Green Hill Lake Development Board has been the long term “friends of committee” and in the past an advisory committee of Council involved in the management of Green Hill Lake Reserve and currently involved in mowing and maintenance works through a memorandum of understanding with ARCC. In any public process of electing or appointing a Committee of Management, members of the Green Hill Lake Development Board would be eligible to apply for or contest these positions, however it should be noted that a skilled based board would be appointed on merit by the Minister not by council.

Community/user Feedback

In considering the options for the management of Green Hill Lake Reserve in the future, it is important to hear what regular users of the facility have to say. During the summer of 2011/12 a user survey was conducted.

A summary and key themes, from the survey are as follows;

Over 50% of respondents who completed the survey were female.

48.6% of respondents were aged 25-54 and 45.8% were over 55 years of age.

73% of respondents reside in Ararat.

Of the respondents who weren't local, people found out about Green Hill Lake by "word of mouth" and Camp Australia books.

82.4% of respondents said they would return to the Lake in the future.

Of the visitors to the area, 44.4% attend the Visitor Information Centre to ask for information about tourist attractions, local maps, facilities and events and to find out what is happening in the local area.

86.7% of visitors who use Green Hill Lake use the Ararat local facilities including: dump point, supermarkets, service stations, eatery/restaurants, fast food outlets, hardware stores, bank, post office, local shops and the Visitor Information Centre.

From the survey responses the length of overnight stay varies from 1 night to a couple of weeks. It is unusual for people to stay for up to a month at a time, with most people staying for under a week.

Green Hill Lake is the busiest during January on a daily to weekly basis with February, March, April, November and December also being used by respondents on a daily to weekly basis.

A majority of the people surveyed are locals. The Lake is popular for fishing, camping, water sports, Picnics/barbeques, walking and passive recreation activities.

Facilities used at the Lake include toilets, beach areas and boat facilities. Tracks were mentioned in "other" as being popular as well.

The Lake is also an important social venue with respondents visiting with friends and family of varying ages. Groups of up to 20 people visit at the Lake together.

What people like about Green Hill Lake;

- Nature – Green Hill Lake offers a great natural environment
- Proximity to Ararat – makes Green Hill Lake accessible to the local community for a range of activities
- Activities the Lake offers – there is lots to do at the Lake including fishing, boating, swimming, walking, bike riding, and providing opportunity to escape to nature.

- Facilities at the Lake – the amenities whilst not fancy they are appropriate for providing a “simple” camping experience; roads; water; beach area; and the “dump point” provided in Ararat supports camping activities being conducted at the Lake.

What people dislike about Green Hill Lake. Once again a range of responses was provided with the key themes being:

- Roads – lack of road maintenance and dust from the road, poor Lake entrance from the highway (requires a turning lane if travelling from Ararat)
- User behaviour – poor behaviour from users including hoon driving, campers behaving badly and not respecting other users, vandalism and damage caused to facilities by users, untidy campsites.
- Facility condition – not enough sand at beach areas, muddy beach areas, upgrades to shower/toilet blocks needed, more shower/toilet blocks needed, play equipment needed, more shelters and barbeques needed.
- Rubbish and cleanliness of toilets/showers.
- The community is divided about whether to be involved in a strategic planning project that would incorporate the development of a master plan, management plan and business plan for Green Hill Lake and its facilities.
- The best method to involve the community would be through the newspaper, email, and social media formats. The Council website can also be used to provide the community with newsletters and project updates.

People were asked if they visited other lakes and what they liked about using those lakes. 83% of respondents visit other lakes. The things they like about those lakes are:

- Grassed area on beaches
- Cleaner and better toilet facilities
- Fishing
- Sandy beaches
- Shelters
- Barbeques
- Playground/designated children’s area
- Grassed area for children
- Bush – nature, wildlife (birds)
- Peace and quiet
- Kiosk facilities

People were asked if they were aware of the Green Hill Lake Development Board. 77% of respondents were aware of the Board and their perception of the responsibilities and role of the Board ranged from managing the Lake to keeping the lake clean and tidy (mowing) for users and collecting donations. From the responses it was certain that there needs to be clearly defined roles of those involved in management of the facility.

Additional to the surveys conducted by Council, the Green Hill Lake Development Board conducted surveys of users when collecting donations from people staying overnight at the Lake. The Board's survey results were provided to Councillors and Council officer's. A summary of the findings conducted by the Board are;

- Campers found out about Green Hill Lake via word of mouth, camp books and touring around/driving past.
- The most common length of stay is less than a week but more than 2 nights, and for a week.
- Couple adults camp at the Lake closely followed by families.
- The people staying at the Lake use the local businesses for supplies including food, petrol, etc.

These results are similar to the information obtained when conducting the Council survey.

Maintenance Costs

Currently ARCC funds the maintenance and development of the Green Hill Lake Reserve. Mowing and basic maintenance is funded by the Greenhill Lake Development Board via donations collected from overnight campers. This is a voluntary donation and is not compulsory.

Below is a table of expenditure council has made on Green hill lake over the past 6 financial years. During the years where the lake was almost empty there was little expenditure however has more people use the facility there are additional maintenance requirements. There are a number of maintenance issues relating to facilities which are still outstanding.

Actual 2011/2012	Actual 2010/2011	Actual 2009/2010	Actual 2008/2009	Actual 2007/2008	Actual 2006/2007
\$50,168.88	\$84,996.23	\$20,306.78	\$25,858.41	\$8,736.46	\$16,975.93

REGULATIONS IMPACTING ON GREENHILL LAKE

Local laws

There are currently a number of Local laws that apply to the Green Hill lake Reserve. These include;

Ararat Rural City Council's Municipal Places Local Law 2011 states the rules that must be obeyed with regards to public places. Clause 7 of the Local Law states specific components regarding behaviour, and essentially outlines unacceptable behaviour. Clause 8 relates to the control of activities and states what activities cannot take place without written permission from Council. Clause 9 specifically relates to Green Hill Lake.

- (1) In addition to clauses (7) and (8), within Green Hill Lake Reserve, no person may;

- a) drive or ride any motorcar, motorcycle, bicycle or other vehicle except in areas that may be set aside for that purpose or for the parking of vehicles and then only subject to the observance of such terms and conditions and the payment of such fees as may be prescribed by the Council from time to time.
- b) allow any cat or dog under their control into the Reserve unless adequately restrained so as not to be any annoyance to any person or animal or be potentially damaging to any property.
- c) bring glass bottles into designated beach areas or boat ramp area of the Reserve as defined.
- d) drive, ride or operate any motorised vehicle within the Reserve at a speed in excess of 50 kilometres per hour.
- e) remove, alter, damage or shift any buoys, lakeside markers, floats or lines secured to the lake.

(2) All provisions of the Marine Act 1988 (or its Regulations and Notices) shall form part of this Local Law and any breach of these Acts, Regulations or Notices shall constitute an offence against this Local Law.

Green Hill Lake Reserve is a designated area where horses are permitted provided they are kept under effective control and cause no nuisance. Ararat Rural City Council's Environment Local Law 2011, clause 16 states the local laws for camping.

(1) A person must not, without a permit, camp or live on council land or public land in a tent, caravan or any other temporary or makeshift structure unless they are within a Caravan Park registered under the Caravan Parks and Movable Dwellings Act 1988 or an area determined by the Council to be available for camping purposes.

(2) In deciding whether to grant a permit, the Council must take into consideration:

- a) the location of the land; and
- b) the zoning of the land; and
- c) the suitability of the land for camping; and
- d) the number of tents or other structures to be located on the land; and
- e) the length of time the tents and other structures will be erected on the land; and
- f) the availability of sanitary facilities to the land; and
- g) the likely damage to be caused; and
- h) any other matter relevant to the circumstances associated with the application.

(3) No person may without a permit, camp or live in any caravan, tent, or similar portable structure, erected, constructed or placed on any private property for a period longer than 28 days in any calendar year, except with specific written approval of Council given after it is known that special circumstances exist.

Camping

The designated camping area at the Reserve features informal unpowered camp sites. DSE's Camping and Caravan Park Policy applies to any overnight accommodation on Crown Land. DSE view overnight camping as a designated recreation activity. Since camping is consistent with the purpose of the reserve, and the nominated Committee of Management has the ability to charge for recreation activities being conducted at the Reserve, Council will need to determine if the Reserve needs to be a registered caravan park. In determining this, Council needs to consider the Residential Tenancies Act (1997).

The Caravan Park Regulations are in existence to regulate the minimum health, safety and amenity of caravan parks, and were updated early this year. Recent investigations by Council officers has shown that if a cost or fee is levied on users for the provision of camping, then the area must be registered as a Caravan Park, which then must meet standards set out in the Caravan Park Regulations.

If Council (or the GHADB) wishes to charge fees for camping at Green Hill Lake, then it must register Green Hill Lake as a caravan park, or seek an exemption from registration from the Minister for Planning. In practical terms for an exemption to be granted, Council would need to show the Minister that some or all of the Caravan Park Regulations were not appropriate at Green Hill Lake.

By no longer charging for camping at Green Hill Lake, Council is no longer required to Register Green Hill Lake as a caravan park, however, as the Caravan Park Regulations are there to safeguard health and safety, they are seen as minimum standards that should apply whether Council charges fees or not. There is therefore a requirement of Council to apply as much of the Caravan Park Regulations as is appropriate to address health, safety, & risk issues.

Amenities

The existing toilet blocks are now quite old, and the toilet adjacent to the eastern beach area has been closed for general use as the effluent lines do not comply with the EPA setback distance from the lake. At certain peak use periods, generally Christmas and Easter, this toilet block has been reopened with the septic tank being pumped out on a regular basis. This should be seen as only a temporary measure, and a longer term solution of relocation of the effluent lines is required that would entail relocating the septic effluent lines to the opposite side of the access road using a pump. This may require upgrading and extension of electricity to the toilet block. It is also noted that both toilet blocks do not have proper disabled access and would need to be upgraded in the future.

The Caravan Park Regulations require a ratio of 1 toilet per 10 persons. The main toilet block has 5 toilets so an estimate of 50 Caravans or tent sites would be the limit for this area. The eastern toilet block also has 5 toilets which could service another 50 sites; however, there is no power to the eastern toilet block.

Essential Services & Fire Management

The Victorian Caravan Park Regulations provide a basis for determining minimum fire safety requirements and should be read in conjunction with the CFA document "Caravan Park Fire Safety Guideline". The CFA document puts forward the potential ways of addressing fire risk.

The fire requirement guideline objectives may be addressed in two ways:

1. Through a performance based system where there is a need for the objectives to be demonstrated as being met for an appropriate level of risk and hazard; or,
2. Through meeting set prescriptive provisions that include spacing of caravans, access requirements for fire trucks, and fire authority equipment.

The second prescriptive method gives a good outline of requirements that meet the code. Green Hill Lake Reserve has a reticulated water supply system, used for provision of water to toilets and amenities blocks. It also has several fire plugs on an internal main line. When the pressure and volume were tested for compliance with fire system requirements, it was found not to have adequate pressure or volume delivery.

As Green Hill Lake Reserve does not have an adequate water supply for fire fighting purposes, under the prescriptive based assessment of fire risk, Council would need to augment the system with a static water supply in the form of tanks. The minimum requirement is 45,000 litres to supply an area within 60 metres of the tank or if a pipe mains is installed from the tank, 120 metres. This would effectively limit the camping area to a radius of 60 metres from the tank or 120 metres if a mains is used.

Another requirement of this section is on spacing of caravans and or tents. Appropriate spacing is required to allow access to fire fighters and hoses. This requirement may require setting out of formal camp site areas on an appropriate grid. It would also limit the camping areas to set distances equating to the runs of fire hose from the static water tanks. If this happens it would change the current relaxed approach to camping at Green Hill Lake to a more structured approach, which could quite possibly reduce the attractiveness of the site for camping.

The performance based objectives can be argued on level of risk, and as this is quite low in a simple foreshore camping site, Council may be able to demonstrate that it can mitigate the risk by means other than using static water tanks. This option would need to be prepared and argued by professional fire engineers.

Waterways management & enforcement

Council are also the waterway managers for Greenhill Lake. There are a number of regulations that must be adhered to as part of the Transport Safety Victoria Marine Act.

Historically, Green Hill Lake has operated with what is described in the Marine Act (1988) as an 'exclusive use' system for boating. The system is also referred to locally as an 'odds and evens' system. To explain it simply, the system allows for power boating, water skiing and personal water craft to operate on the lake for four alternating days per week during Eastern Daylight Saving time,

while the remaining three days of each week are restricted to non-power boats or boats operating at less than 5-knots. During the non-daylight saving period, the days are reversed.

While the system had the intention of making the lake available to all users, the major flaw in the 'exclusive use' policy was that it failed to cater for the weather conditions at Green Hill Lake and the patterns of use by the public. Unfortunately the prescribed days for specific uses in many cases failed to actually match up with suitable conditions, i.e, skiers were prohibited from using the lake when the ski conditions were perfect or were greeted with windy and unsuitable conditions on their allocated day, and likewise anglers were unable to fish from boats on days when the fish were clearly biting or conditions were suitable. Likewise through the winter months the exclusive use system also resulted in the lake being allocated for power boating activities three days per week during non-daylight saving time, when clearly there was no interest from skiers and power boaters to use the lake during the colder months. This limited the ability of anglers, many who participate year-round, to access the water for fishing.

A side effect of the 'exclusive use' system was that many Ararat Rural City residents were forced to travel to other locations outside of Ararat Rural City to participate in water activities, while Green Hill Lake sat relatively idle. The system also acted as a deterrent to tourists who would have otherwise travelled to use the lake for water activities such as fishing and skiing, but chose to go elsewhere due to the unavailability of the lake, resulting in a missed economic opportunity for Ararat Rural City.

As a result of the issues outlined above, the then Green Hill Lake Advisory Committee requested in November 2001 that council seek an amendment to the Marine Regulations for Green Hill Lake to remove the exclusive use system and allow the lake to operate under normal marine regulations in the same manner as the majority of other lakes across the State. Council supported the recommendation and the trial removal of the exclusive use system started in February 2002 for a period of 18 months.

While the trial operated successfully over the remainder of the 2001/2002 summer, by the following summer the water level within the lake continued to drop due to the ongoing drought conditions. Therefore it was no longer possible to use the lake for boating or fishing, and the lake dried up soon after. As such, there was no recommendation made by Ararat Rural City Council for the continuation of the rule change regarding the exclusive use system. The rule change lapsed after 18 months.

As Green Hill Lake is now full again, the opportunity exists for Council, as Committee of Management for the lake, to revisit the Marine Regulations as requested by the Green Hill Lake Development Board. This is a simple process to undertake, with Council officers completing an Application for Notification under Section 15 of the Marine Act 1988. Marine Safety Victoria would then assess the application, and if successful, the rule change would come into effect 21 days after the application was submitted.

Summary of Possible Minimum Requirements resulting from applying Caravan Park Regulations for Green Hill Lake Reserve

- 1/ CFA Fire plan – develop and determine an appropriate fire plan in conjunction with CFA including a schedule of works.
- 2/ Develop an emergency plan for Green Hill Lake Reserve
- 3/ Set out formal camping sites – provide a camping grid layout with formal access tracks and allowance for CFA fire access to provide minimum spacing for fire risk.
- 4/ Fire tanks – depending on CFA fire plan and schedule of works -Minimum 45,000 litre static tank or tanks with electric pressure system (dependant on power capacity of electric supply may require diesel system)
- 5/ Provision of a fire main to extend reach of fire hoses to extend camping area
- 6/ Signage outlining camping areas
- 7/ Limit of 50 Caravan or tent sites to each toilet area.

Costs for the above requirements are yet to be determined.

THE OPTIONS

Five (5) Potential Management options have been identified for Green Hill Lake Reserve. These options are described in the following pages.

Council are inviting people to make comment on any or all of the options suggested via a written submission.

OPTION 1

1. Council could remain the Committee of Management and resume full maintenance of the lake.

Continue to be the delegated committee of management under DSE, but directly manage the Green Hill Lake Reserve, and have full control over the maintenance and management at the Lake. Under this option Council would cease all current mowing, basic maintenance and cleaning arrangements with the Green Hill Lake Development Board. This option would also result in Council needing to increase its budget allocation for the additional mowing, maintenance and cleaning that would be required, and this work would need to be conducted by Council operations staff. This option may also result in more call outs for Local Laws officers having to address behaviour issues at the Lake, because currently the GHLDDB in collecting donations have a physical and visible presence at the Lake, which helps to educate users and address behaviour issues from an early stage.

This option would provide Council with more control of the Lake's operations, however will also add to Council's costs for the running of the lake. If Council decides on this option, Council officers will need to develop a schedule for maintenance, mowing and cleaning operations to be conducted at the Lake, by Council staff.

Council will also need to conduct more regular audit inspections at the Lake, to address any risk issues.

Financial and resource implications

Council provides the day to day works and would require additional funding to be provided at Green Hill Lake Reserve to offset the work provided by the Green Hill Lake Development Board in mowing and minor maintenance.

In addition to this maintenance work, the Greenhill Lake Development Board currently play an unofficial role in keeping a general eye on the reserve and discourage visitors to the lake from breaking any rules whilst they are using the facility. Local Laws enforcement would be required to play a more active role should the development board be no longer undertaking this. Police would also be utilised for law enforcement.

Risk implications

Risk implications to council would be minimised in this scenario given a greater level of control than is existing currently.

Statutory Implications

As Committee of Management, ARCC is currently responsible under the Crown Land Reserves Act, Residential Tenancies Act, and the Marine Act for the proper administration of Green Hill Lake Reserve.

OPTION 2

Council could remain Committee of Management and keep the current arrangements with Green Hill Lake Development Board

Council could continue to be the delegated committee of management under DSE, and continue with the current mowing, maintenance and cleaning arrangements with the Green Hill Lake Development Board.

If Council decides on this option Council and the GHLDB should develop a more detailed agreement to ensure all parties understand their roles and responsibilities. This would alleviate some of the current confusion over who is responsible for what, and ensure a smoother relationship with the Board.

Council should continue to conduct regular audit inspections at the Lake (in conjunction with the GHLDB) to address any risk issues.

Financial and resource implications

This is a status quo option where a new arrangement with Green Hill Lake Development Board would be entered into. This will mean negotiating new financial arrangements and a documented agreement outlining each party's roles and responsibilities. The Development Board have requested a facilities maintenance grant in order to continue.

Risk implications

Identified risks relate to either party stepping outside of documented agreed roles and responsibilities. Council would remain the waterway manager.

Statutory Implications

Crown Land Reserves Act, Residential Tenancies Act, and the Marine Act for the proper administration of Green Hill Lake Reserve.

OPTION 3

Council could Remain Committee of Management under DSE and Establish a New Skills Based Committee to manage on its behalf.

Continue to be the delegated committee of management for the Lake, but establish a new skills based community committee (such as would be established by DSE under option 5 below) to receive a Facilities Maintenance Grant from Council to manage the operations at the Lake. This arrangement would be similar to a “service agreement” where each party’s roles and responsibilities would be outlined and formally documented.

Council should continue to conduct regular audit inspections at the Lake (in conjunction with this new committee) to address any risk issues.

Financial and resource implications

This arrangement would require a new, skills based committee of council, documented roles and responsibilities as well as a formal maintenance Grant to be negotiated.

Risk implications

Identified risks relate to either party stepping outside of documented agreed roles and responsibilities. Council would remain the waterway manager.

As a committee of council, the members would be subject to all of councils OH&S policies, procedures and risk assessment and the reserve would in future need to be assessed as if it were a formal workplace of council staff.

Statutory Implications

Crown Land Reserves Act, Residential Tenancies Act, and the Marine Act for the proper administration of Green Hill Lake Reserve.

Community Implications

Environmental Implications

OPTION 4

Council could Lease Green Hill Lake to a Separate Party

Lease Green Hill Lake Reserve out to a private caravan park operator who would run the reserve (or a set portion of the reserve) as a private camping operation under a formal agreement with Council. This option would be similar to that of Lake Fyans, where the operator has a Lease to manage and operate the reserve, and the operator is then responsible for all of the repairs, maintenance etc and runs the reserve as their own private business within the boundaries set by Council through the Lease.

Financial and resource implications

In leasing Green Hill Lake Reserve to a “Caravan Park” operator Council may obtain a small financial gain, however it would continue to be an expected responsibility that council maintain the roads and waterways in an appropriate manner.

Risk implications

Risk to council is reduced through clear agreements, however as land manager the risks cannot be transferred. Waterways would continue to be managed by council.

Statutory Implications

Crown Land Reserves Act, Residential Tenancies Act, and the Marine Act for the proper administration of Green Hill Lake Reserve.

Community Implications

Provides potential competition to existing caravan park owners

Environmental Implications

OPTION 5

Council could relinquish its Committee of Management Status

Relinquish its Committee of Management status over Green Hill Lake, and hand back the facility to the Department of Sustainability and Environment (DSE). DSE would manage the facility as they see fit. This option would mean that Council has no control over the management, maintenance and development of Green Hill Lake.

Discussions with DSE have established that they would either:

- a. Run the facility themselves – this runs the risk of the facility becoming run down as DSE are not in the position to fund and run such a facility. The likely outcome for the Lake would be the gradual running down of facilities due to lack of maintenance.
- b. Undertake a public process to form a new committee of management under DSE – DSE prefers the situation where the Committee of Management role is passed onto a public body or to a community group. This information was provided to Council at its February 2012 meeting under item 7.10

Financial and resource implications

Council in relinquishing the Committee of Management role to another body would have significant cost savings and officer time savings. Equity throughout the municipality would mean that DSE Committees of Management should be treated equally, and any new Committee of Management of Green Hill Lake Reserve would need to be treated similarly to that at Lake Bolac, (and funding could be provided on the same community grant basis).

Risk implications

Green Hill Lake Reserve is managed by Council as the DSE Committee of Management. There is considerable inherent risk including, fire safety, traffic safety, health safety that Council must manage. If the committee of management is relinquished to another body then Council would no longer be responsible for those risks.

Statutory Implications

Crown Land Reserves Act, Residential Tenancies Act, and the Marine Act for the proper administration of Green Hill Lake Reserve.

Community Implications

In this scenario council also loses any control over future activity and development of Greenhill lake. The lake may be closed or allowed to be left to run down.

Environmental Implications

HOW TO BE INVOLVED

All residents of the Ararat Rural City Council Local Government Area are invited to make comment on the above information and options. If you would like to enter a submission into this community engagement activity you can do so in writing by Monday 10th September 2012

All submissions must include full names and address details of the party(s) making the submission and any submissions made on behalf of multiple people must contain signatures of each person.

Council will;

Provide this paper to all members of the community who are interested

Invite all members of the Ararat community to make comment on this information

Additionally, council officers will be holding a workshop of 50 randomly selected community participants to provide a recommendation on the options to councillors as part of a group consensus activity.

Submissions should be addressed to;

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Community Development & Client Services Coordinator

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