

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC - Colac on 24 February 2016 at 4.00pm.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

Cr Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft (Deputy Mayor)

Sue Wilkinson, Chief Executive Officer
Mark Lyons, General Manager, Corporate Services
Ingrid Bishop, General Manager, Infrastructure & Leisure Services
Brydon King, General Manager, Development & Community Services
Jennifer Wood, Manager Governance & Customer Service
Alison Richardson, Governance Officer
Sandra Wade, General Manager Bushfire Recovery
Ashley Roberts, Manager Financial Services
Paula Gardiner, Manager Capital and Major Projects

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

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

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

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

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

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

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

5. QUESTION TIME

QUESTION TIME BEGAN AT 4:02 PM

Questions Received in Writing Prior to the Meeting

James Judd

1. The estimated \$330,000 reduction in in rate revenue for 2016-17 year for properties devalued as a result of Christmas day fires 2015. Should these funds not be received from the State government? Was this estimate on 2015-2016 year rate calculations? Is it 2015-2016 valuation plus rate cap increase? Plus allowance for increase in 1-7-2016 to 30-6-2018 valuations? Should funds not be received, how will council pass on these costs over all other ratepayers? Or will it cut services or reduce work hours or a combination of all three.

General Manager Corporate Services to respond

Council is currently preparing its 2016/17 financial year budget and this will include estimates of valuation changes for properties impacted as a result of the Christmas day fires. The estimate has been calculated based on historical data analysis and reviewing future trends and early estimates are that the impact could be in the vicinity of \$270,000. The final outcome and the impact on overall rating will be finalised as part of the 2016/17 budget which will be adopted at the end of June 2016.

Council continues to advocate to the State Government for support in funding this shortfall, due to the extraordinary nature of the impact. There will be no direct financial impact for Council in relation to costs incurred to restore assets and

undertake recovery activities in Wye River and Separation Creek, as these will be reimbursed through the Natural Disaster Recovery and Relief Arrangements.

2. When will valid agendas again be produced with the first item CEO's report. This item has been missing all of 2016. Plus carry the name of who authorised the issue of the agenda.

General Manager Corporate Services to respond

The agenda is valid and a decision was made in January 2016 that the CEO report will no longer be included in future agendas. The CEO authorises all documents including the agenda for the Ordinary Council Meeting.

3. Regarding Item 162402-7. The costs quoted in the agenda for review of election costs. While you claim costs increase 33.38% since 2012. You received on 11th December 2015. Since that postage has gone by another 14 +%. So what is the now expected increase for 2016 costs?

General Manager Corporate Services to respond

The meeting report includes the most up to date cost estimate or budget available from the Victorian Electoral Commission regarding election costs. Preliminary conversations with the Victorian Electoral Commission indicate that the total cost is not expected to exceed the quote.

Peter Fillmore

1. In the interests of open government can COS please put a brief outline of council meeting agendas in the newssheet the week prior?

General Manager Corporate Services to respond

Council currently advertises an outline of the Ordinary Council meeting agendas in the Colac Herald on the Friday prior to each meeting taking place. We appreciate your suggestion and will investigate the ability to also complete a similar process in the Apollo Bay Newssheet.

2. Still waiting for a list of COS planning applications in AB to be published monthly in the AB newssheet?

General Manager Development & Community Services to respond

The opportunity to provide a list of planning applications per the planning permit register will be investigated further and communicated to you to help confirm the most effective way to provide that information.

As part of the development of the new Council website, consideration is being given to making available online, details of current planning applications which are on public notice, which will assist with access to information on planning applications.

3. Still waiting on Vic Roads to commit to build passing bays on the Skenes ck. to Colac road?

General Manager Infrastructure & Leisure Services to respond

Council will again seek commitment from VicRoads regarding these improvement works. We also encourage the Otway Forum to contact VicRoads directly to seek their commitment to the improvement works. VicRoads postal contact details are:

***VicRoads South West Region
PO Box 775
Geelong Vic 3220***

4. Still waiting on COS to build parking bays and signage on the Cape Otway Lighthouse rd. where koala viewing is causing major safety issues?

General Manager Infrastructure & Leisure Services to respond

The Cape Otway Lighthouse Road is managed by VicRoads and as such any maintenance and improvement works would be carried out by VicRoads. Council will forward your request for improvements and again encourage Otway Forum to contact them directly.

5. Signage in international languages needed in AB to remind visitors to drive on the left?
6. Does someone have to be injured before these issues are taken seriously?

General Manager Infrastructure & Leisure Services to respond

Signage of this nature on declared main roads is the responsibility of VicRoads. Council will forward your request for signage and again encourage Otway Forum to Contact them directly. Council does take these issues seriously and will be forwarding Otway Forum's concerns on to the responsible road authority.

7. Has the Heathfield public reserve lease been issued, what are its terms and will access be still allowed?

General Manager Infrastructure & Leisure Services to respond

A formal lease has not yet been established. It is an issue that will be progressed following the recent recruitment of the Strategic Property Coordinator. Council's resolution was to establish a lease for grazing purposes and/or fodder conservation.

8. Can a walking path from the Marengo flora reserve to the Heathfield reserve be planned and built?

General Manager Infrastructure & Leisure Services to respond

The Apollo Bay Trails Feasibility Study investigated a loop trail connecting Apollo Bay and Marengo via the Barham River and Heathfield Estate Reserves. The study identified that at this point in time (2012), the trail was considered not feasible, as there was currently no viable route available. In regards to connecting the Marengo flora reserve and Heathfield Estate Reserve, the key issues are the location of the

Apollo Bay Airfield and the capital costs for the infrastructure needed to address the physical barriers existing in the topography eg: long span bridges

9. Can the lease fees be put aside to maintain and develop the Heathfield site in the future?

General Manager Infrastructure & Leisure Services to respond

Heathfield Estate Reserve Community Reference Group recommended that the reserve could partly be used for passive recreation purposes in the future, subject to obtaining funding to undertake the works. Future development of the Heathfield Estate Reserve will be subject to further detailed design and Council's Capital Works budget.

10. Has the sub division next to the museum been through Colac Otway Shire Council and state government approval process?

General Manager Development & Community Services to respond

The land in question is zoned Neighbourhood Residential Zone with a Development Plan Overlay amongst other overlays. The land was rezoned via amendment C7, which was gazetted in February 2015, to help deliver the adopted Apollo Bay Settlement and Urban Design Review strategy.

A Development Plan is required for the land prior to detailed subdivision occurring. Preliminary information on a Development Plan has been submitted to Council and a stage 1 subdivision application for 38 lots, together with a balance lot, has also been lodged. The Development Plan is still being finalised before broader processing and notification occurs.

The developers of the land have been marketing the proposed lots and 'selling off the plan' to allow people to register an interest in the lots to be created. There is no legal barrier for this to occur and it does regularly occur in some larger subdivision proposals. Having said that, there are risks and benefits to buying off the plan and Council strongly encourages buyers to do their due diligence and fully understand what they are committing to before signing any contracts.

11. How much will the current harbor redevelopment process cost ratepayers?

General Manager Development & Community Services to respond

Approximately \$100,000 has been allocated to the preparation of the Development Plan, including the current Expression of Interest process, with \$50,000 of this being from a State Government grant.

12. Has this been allocated in the current budget?

General Manager Development & Community Services to respond

Yes, this has been allocated in the 2015/16 budget.

13. Will rate capping restrict public investment at the AB harbour redevelopment?

General Manager Development & Community Services to respond

Investment in the harbour could occur from a number of sources, including the private sector and State and Local Government. Rate capping may influence how priorities are established for investment, however the opportunity to consider such investment will still be available.

14. Tapping possible underground hot water springs at the harbour was ruled out years ago as economically unfeasible due to the geological formation?

General Manager Development & Community Services to respond

It is understood that the geology below the harbour does not support hot water springs as a resource.

15. It has been reported that tables are being reserved at the new harbour viewing deck. Is this allowed?

General Manager Development & Community Services to respond

The reservation of tables on the deck is not allowed. Condition 2 of planning permit PP105/2013-1, which allowed the construction of the deck, states:

“The deck hereby permitted must be available for public use and no part of the deck may be used for commercial purposes. No signage relating to any commercial business, or implying that the deck is for the use of customers of a business, may be displayed on or near the deck area. Any tables and chairs placed on the deck must be available for public use and no tables or chairs placed on the deck may be reserved for a specific purpose.”

This does not prevent people from, for example, purchasing fish and chips from the Fisherman’s Co-operative and then sitting at the tables on the deck, but it does prevent a business, or individuals, from reserving tables.

This issue will be discussed with the Fisherman’s Co-operative to remind them of the planning permit requirements.

16. More cost blow outs at the Bluewater fitness centre redevelopment?

General Manager Infrastructure & Leisure Services to respond

The financial aspects of the Bluewater Fitness Centre Redevelopment Project are reported through the half year budget review report which is included in this agenda.

David Walsh

1. At today's meeting 24/2/2016 Councillors will award the contract to upgrade part of Aireys Street. My question to council is when will the section between Armstrong St and Sinclair St in Aireys Street, which has no road at all, be constructed? (even a gravel road would be good)

General Manager Infrastructure & Leisure Services to respond

Council has no current plans to improve this section of Aireys Street due to its location within a floodplain and its lower strategic rating within Council's road network. Council is currently undertaking the Colac Stormwater Development Strategy, which seeks to identify economically viable options for lifting parts of Colac out of floodplain and thereby assisting in the development of such areas including improvement of the road network. This work will link with Council's Colac 2050 Plan and Council will await the recommendations of both of these projects before reappraising the status of this section of the road within its work programme.

Questions Received Verbally at the Meeting

Tony Webber, Otway Forum

1. I found that the CEO's report was really informative and I wonder why it's no longer being included in the agenda or is it in some other publication?

The CEO, Sue Wilkinson, responded that it's great to have the opportunity. I acknowledge that change can create some interest, so it's great to have a chance to talk about this. I made a very careful operational decision based on workload and resourcing for the organisation. As the community knows, it's going to be increasingly important that resource allocation is carefully managed to respond to the rate capping environment. In making this decision, I considered many factors. I checked and found that this type of report is far from common and in fact a quick check found most Council's don't have a similar report, including Geelong, Wyndham, Queenscliffe, Surf Coast, Monash, Northern Grampians, Yarra, Indigo, Kingston and Dandenong, just to name a few. It follows from these examples that there is also no legal or Statutory requirement to provide a CEO report and I'm glad to have the opportunity to clear this up. I am aware that on social media, this is something that is being said, so it's great to be able to reassure the community that there's no legal breach or issues with regard to not having a CEO report, nor is there an issue with transparency. The original purpose of the report was to highlight the activities of the organisation over the last twelve months. We have worked really hard with the community and responding to community feedback to improve our community engagement and our communications and by extension, our transparency. We've introduced the 'Community Matters' newsletter, which goes to every household in the Shire four times a year. We've introduced the 'service snapshot' which summarises all of the key service activities and much of the data from the CEO report, which also goes to every household. We have far fewer confidential reports which has been achieved by moving contracts and audits into the Ordinary Agenda cycle. We have a substantially increased presence on social media as well as in the mainstream media. We've also introduced a series of conversation events where we have a chance to go out and talk to people face to face and these have been really well received. That's not the end of that though, our work in this space continues and perhaps the next most exciting part of it is going to be the launch of the website, where the community will

see much more information in a much more transparent way than they've ever seen before. I think it's fair to say our website pretty much needs a heritage overlay on it because it's so old. I am really looking forward to the day that we can launch the new website, it's looking fantastic and it's not far away. I think the community will see that as a great resource. The other thing is that the various tools we've introduced to ensure that all of the information is available to all of our community and not just the visitors to the chamber and that's been one of the really important points to think about in this. Another factor that I took into account is the concerns that have been regularly raised by Councillors in this forum in relation to the report. It clearly wasn't meeting Councillor's needs and there have been a number of situations where Councillors have had conflicts and haven't been able to be present for the consideration of the report, which I highlight was for noting only. On balance and just to clarify this was something that was discussed on several occasions at Council briefings. I have made the operational decision to reallocate resources, to respond to other priorities in emerging areas and to maximise value there, such as the Community Conversations and I am confident that there's no compromise to transparency.

2. Would Council consider having a look at the Old Horden Vale Rd and how much work would be needed to rejuvenate it?

General Manager Infrastructure & Leisure Services took the question on notice.

Maddy Mahoney, Lake Colac Master plan.

1. What is the progress of the Lake Colac Master plan, when is it coming out, how long the community has to put their opinions and how should they put their opinions?

General Manager Development & Community Services responded that the Lake Colac Master plan is being finalised as a draft for exhibition to come to the March Council meeting for support to place it on public exhibition for a minimum of six weeks. The details of how community comment will be made is still being finalised, but certainly written submissions will be available. Other opportunities will be looked at in terms of meeting spaces and more dynamic ways that people can come along and understand the Plan and make some comment in different forums, which will be confirmed.

Cr. Crook added a clarification that the question referred to the Lake Colac Master plan however to clarify we have the Lake Colac Foreshore Master plan that is being considered at the moment which is about to come to the community for public comment as Mr. King as indicated.

Cr. Smith responded to add further clarity when we are talking about the Foreshore Master plan, it's not all foreshore or the lake, it is only a very small section basically from Deans Creek and the bird sanctuary and Meredith Park, just so we're very clear on that, that's the part the plan covers, nothing to do with the bed of the lake or the lake itself, just that part of the foreshore.

Gloria Phillips, Beeac

1. Why isn't there a master plan being done of the lake?

The CEO, Sue Wilkinson responded that she thinks everyone has in their thoughts the issue of the water retreating and I also think it's a pretty difficult and complex issue, which the community is clearly turning its mind to. With regard to a Master Plan for the lake itself, it really does come down to a jurisdictional issue. The various bodies that manage the lake is incredibly complex, right up there with some of the most complex regulatory arrangements I've seen. Parks Victoria have a role and the Department of Environment, Land, Water and Planning have a role. Council also has a role in the foreshore which is why we are doing the foreshore Master Plan and at times the Environment Protection Authority have a role, depending on what's happening with the carp.

Simon Arundell, Bungador

1. Has Council apologised yet to Cr. Smith?

The Mayor, Cr Frank Buchanan responded that we haven't and we won't be doing that.

2. Why was it necessary to spend another \$30,000 of ratepayers money to get a consultant in to make a few simple recommendations to the Planning department?

The Mayor, Cr Frank Buchanan responded that all Councillors were concerned about this and there was a report developed and six Councillors noted that the report be received, so therefore it's out there. I think it's a great tribute to the CEO to bring this forward, to make sure this organisation can go forward

The CEO, Sue Wilkinson added the decision was made that an independent report needed to be done. Several reviews have occurred internally over the years. Given the issue and the need to get the confidence of the Council and the community, I thought it was important to have an independent review that provided independent recommendations for improvement, so that there wouldn't be any concern about whether all the issues were being dealt with in a clear and openly transparent way and that was the decision that was made.

QUESTION TIME ENDED AT 4:35PM

6. **TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS**

Peter Jacobs – Separation Creek

1. Why are we still in lockdown and will Council please show some initiative and remedy this situation today?

Access to Mr Jacob's property was and continues to be available following the immediate period after the Christmas fire. No fencing remains to prevent access to properties in Stanway Drive.

The fencing erected in Wye River and Separation Creek has at all times been initiated and controlled by the State Government – initially by VicPolice and DELWP in partnership with EMV, Local Government Victoria, and with input from Council, EPA and DHHS. The fence was intended to facilitate the return of evacuated residents where possible, whilst preventing access to parts of the towns which were not considered safe. Control of the restricted area is now with DELWP. Control of the area will move across to Grocon as the contract proceeds for the site clean-up.

Helen Paatsch – Colac Botanic Gardens playground

1. Does the council have any firm intention of completing Stage 3 of the playground. Does council have this on its agenda and if not, could this be attended to?

The Rotary Club of Colac West has recently undertaken the installation of the hand water pump in the Colac Botanic Gardens Playspace. This work was undertaken in alignment with the Botanic Garden Playspace Master Plan. At this point in time, Council does not have funds available to undertake any further works at the Colac Botanic Gardens Playspace. Council will wait to understand the direction of the Lake Colac Master Plan before considering additional infrastructure in the Colac Botanic Gardens Playspace.

Simon Arundell –Bungador

1. How do I make a complaint about a Councillor?

If a person is dissatisfied with the conduct of a Councillor they are to contact the Governance Manager at the Colac Otway Shire who will ensure a thorough investigation is conducted.

7. DECLARATION OF INTEREST

Cr Russell:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Direct Interest
Type of Direct Interest:	77B
Nature of Interest:	Member of Kana Festival Inc. which has previously been granted funds and will be applying for funds in the future.

Cr Buchanan:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Member of Apollo Bay Chamber of Commerce

Cr Delahunty:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Supported organising committee for blueberry festival

Cr Smith:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Direct Interest
Type of Direct Interest:	77B
Nature of Interest:	10 of the festivals involved I have a direct connection with

8. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 27/01/16.**

ORIGINAL RECOMMENDATION:

THAT COUNCIL CONFIRM THE ABOVE MINUTES

ALTERNATIVE MOTION- MOVED Cr Stephen Hart seconded Cr Lyn Russell:

That Council:

Adopt the draft minutes as tabled today, with the following correction:

That at Item 2 - OM162701-2, it identifies that the Mayor accepted that it be moved to the end of the meeting because there was a query in relation to that resolution.

Carried 6:1

MATTER OF URGENT BUSINESS - MOVED Cr Chris Smith seconded Cr Michael Delahunty:

That Council:

Admit the item of a motion of no confidence in the Mayor and CEO in relation to the omission of the CEO's report from the monthly Council meetings as an item of Urgent Business.

LOST 2 : 5

DIVISION called

For the Motion: Cr Chris Smith, Cr Michael Delahunty

Against the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft

OM162402-1

OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017

AUTHOR:	Emma Clark	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F15/10156

Cr Russell:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Direct Interest
Type of Direct Interest:	77B
Nature of Interest:	Member of Kana Festival Inc. which has previously been granted funds and will be applying for funds in the future

Cr Buchanan:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Member of Apollo Bay Chamber of Commerce

Cr Delahunty:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Supported the organising committee for the blueberry festival

Cr Smith:	OM162402-1 FESTIVAL AND EVENTS SUPPORT SCHEME 2016-2017
Nature of Disclosure:	Direct Interest
Type of Direct Interest:	77B
Nature of Interest:	10 of the festivals involved I have a direct connection with

Item OM162402 – 1 has been withdrawn from the Agenda and will be deferred to the March Ordinary Council meeting

OM162402-2 2016/17 COMMUNITY FUNDING PROGRAM

AUTHOR:	Nicole Frampton	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/10157

Original Recommendation**That Council:**

1. **Endorses the revised 2016/2017 Council Community Funding Program guidelines and application forms.**
2. **Commences implementation of Council's Community Funding Program in accordance with:**
 - a. **The revised guidelines and application forms including the proposed processes and timelines, and**
 - b. **The proposed funding levels:**
 - Recreation Facilities – \$95,000 (inclusive of relevant Small Equipment & Training applications)**
 - Community Projects – \$40,000 (inclusive of relevant Small Equipment & Training applications)**
 - COPACC Assistance – \$10,000**

ALTERNATIVE MOTION - MOVED Cr Stephen Hart seconded Cr Lyn Russell that:

The recommendation as it appears on page 34 but with an extra point 2 c) and d) which reads:

That Council:

1. **Endorses the revised 2016/2017 Council Community Funding Program guidelines and application forms.**
2. **Commences implementation of Council's Community Funding Program in accordance with:**
 - a. **The revised guidelines and application forms including the proposed processes and timelines, and**
 - b. **The proposed funding levels:**
 - **Recreation Facilities – \$95,000 (inclusive of relevant Small Equipment & Training applications)**
 - **Community Projects – \$40,000 (inclusive of relevant Small Equipment & Training applications)**
 - **COPACC Assistance – \$10,000**

c. The allocations for each category stated in 2b) can be reallocated to suit the number and types of applications received, with any reallocations not intended to reduce the total grant pool of \$145,000.

d. If all the COPACC funds are not allocated through the process that they be held to be allocated later in the year.

Carried: 7:0

**OM162402-3 CONTRACT 1548 - AIREYS STREET AND FOREST STREET STAGE 1
RECONSTRUCTION**

AUTHOR:	Andrew Kavanagh	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/12445

MOTION - MOVED Cr Lyn Russell seconded Cr Brian Crook:

That Council:

- 1. Awards Contract 1548 for Aireys Street and Forest Street Stage 1 Reconstruction to Lake & Land Pty Ltd at the lump sum tender price of \$446,482.00 (excluding GST).**
- 2. That the Chief Executive Officer signs the contract documents following award of Contract 1548.**

Carried 7:0

**OM162402-4 VICTORIAN GOVERNMENT'S "REGIONAL STATEMENT" AND GREAT
SOUTH COAST MEMBERSHIP**

AUTHOR:	Sue Wilkinson	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F11/3696

ORIGINAL RECOMMENDATION:

That Council:

1. **Notes the new State government regional administrative arrangements in particular the inclusion of Colac Otway Shire in the Barwon region rather than the Great South Coast region.**
2. **Resolves to cease its membership on the Great South Coast at the expiry of the current term (30 June 2016).**
3. **Advices the Chair of the Great South Coast Group**

ALTERNATIVE MOTION - MOVED Cr Chris Smith that:

Change the word 'cease' to 'continue' in point 2

1. **Notes the new State government regional administrative arrangements in particular the inclusion of Colac Otway Shire in the Barwon region rather than the Great South Coast region.**
2. **Resolves to continue its membership on the Great South Coast at the expiry of the current term (30 June 2016).**
3. **Advices the Chair of the Great South Coast Group**

Motion lapsed due to no seconder

ORIGINAL RECOMMENDATION - MOVED Cr Brian Crook seconded Cr Terry Woodcroft:

That Council:

1. **Notes the new State government regional administrative arrangements in particular the inclusion of Colac Otway Shire in the Barwon region rather than the Great South Coast region.**
2. **Resolves to cease its membership on the Great South Coast at the expiry of the current term (30 June 2016).**
3. **Advices the Chair of the Great South Coast Group**

CARRIED 6 : 1

DIVISION called

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft, Cr Michael Delahunty

Against the Motion: Cr Chris Smith

OM162402-5 REVISED DELEGATIONS FOR S86 COMMITTEES OF MANAGEMENT

AUTHOR:	Mark Lyons	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Corporate Services	FILE REF:	11/96474

Original Recommendation

That Council include an additional clause to the Instrument of Delegations Schedule for all S86 Committees to include the following;

- (f) 'Promote use of the facility and support its development as a community asset which includes fundraising activities where all monies raised must be used by the Committee on the facility/asset.'***

MOTION - MOVED Cr Chris Smith seconded Cr Lyn Russell:

That Council:

Defer this item for one month so that appropriate wording can be considered which would allow S86 committees to work with other groups in fundraising

Carried 7:0

OM162402-6 SECOND QUARTER FINANCIAL PERFORMANCE REPORT 2015-2016

AUTHOR:	Ashley Roberts	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	CLF11/42

Original Recommendation

That Council receives and notes the forecast results and budget allocations contained in the second quarter financial performance report for 2015-2016.

ALTERNATIVE MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

Add a Point 2 to the Original Recommendation:

- 1. That Council receives and notes the forecast results and budget allocations contained in the second quarter financial performance report for 2015-2016.***
- 2. Notes that the report actually covers a seven month period to 31/1/16 to include the effects of the bushfire related costs and bushfire related Government reimbursements.***

CARRIED 5 : 2

DIVISION called

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

Meeting adjourned for a Comfort break at 6:19pm

Meeting resumed at 6:25pm

OM162402-7 REVIEW OF ELECTION COSTS

AUTHOR:	Jenny Wood	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F15/9065

Original Recommendation

That Council:

1. Propose a motion to State Council to be held on Friday 13 May 2016 that:

'The Municipal Association of Victoria lobby the State Government to review the electoral costs for the 2016 Local Government General Elections given the current economic climate that Councils face as they manage the one third increase in general election costs whilst implementing rate capping legislation'.

2. Support the use of the building space currently occupied by the Library Annexe as temporary office accommodation for the Victorian Electoral Commission specifically for the conduct of the 2016 Local Government Elections.

In accordance with Section 59 of Local law no. 4, on request, the chairperson put the motion to the vote in separate parts.

MOTION - MOVED Cr Stephen Hart seconded Cr Lyn Russell:

That Council:

Propose a motion to MAV State Council to be held on Friday 13 May 2016 that:

'The Municipal Association of Victoria lobby the State Government to review the electoral costs for the 2016 Local Government General Elections, given the current economic climate that Councils face as they manage the one third increase in general election costs whilst implementing rate capping legislation'.

CARRIED 6 : 1

DIVISION called

For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft

Against the Motion: Cr Michael Delahunty

ALTERNATIVE MOTION - MOVED Cr Stephen Hart seconded Cr Lyn Russell that:

1. Support the use of the building space currently occupied by the Library Annexe as temporary office accommodation for the Victorian Electoral

Commission specifically for the conduct of the 2016 Local Government Elections.

- 2. In agreeing to allow the Victorian Electoral Commission to temporarily use the Library Annexe space for conducting the 2016 Local Government election, Council notes that the Council Chief Executive officer must still comply with the requirement in resolution OM151612-2 to:***
 - a) Bring a report to Council to be dealt with in open Council meeting regarding the future use of the Library Annexe space, and***
 - b) Until that occurs, to ensure that the space currently occupied by the Library Annexe is not used as office accommodation for Council staff.***

Carried 7:0

OM162402-8 ASSEMBLY OF COUNCILLORS

AUTHOR:	Alison Richardson	ENDORSED:	Jenny Wood
DEPARTMENT:	Corporate Services	FILE REF:	F15/5960

MOTION - MOVED Cr Lyn Russell seconded Cr Stephen Hart that:

That Council notes the Assembly of Councillors reports for:

- **Colac Friends of the Botanic Gardens Advisory Committee**
- **Councillor briefing 10 February 2016**
- **Councillor briefing 17 February 2016**

AMENDMENT:- MOVED Cr Chris Smith seconded Cr Michael Delahunty:

Add a Point 1 -

That Council notes the Assembly of Councillors reports for:

- **Colac Friends of the Botanic Gardens Advisory Committee**
- **Councillor briefing 10 February 2016**
- **Councillor briefing 17 February 2016**

1. **And further that council investigates all Assemblies of Councillors and brings back a report to Council on the requirements to next month's meeting.**

Carried 7 : 0

AMENDED ORIGINAL MOTION - MOVED Cr. Lyn Russell seconded Cr Stephen Hart:

That Council notes the Assembly of Councillors reports for:

- **Colac Friends of the Botanic Gardens Advisory Committee**
- **Councillor briefing 10 February 2016**
- **Councillor briefing 17 February 2016**

1. **And further that council investigates all Assemblies of Councillors and brings back a report to Council on the requirements to next month's meeting.**

Carried 7 : 0

OM162402-9 STRACHAN STREET BIRREGURRA (Cr Michael Delahunty)

Original Recommendation

That Council considers the contents of this Notice of Motion.

MOTION - MOVED Cr Michael Delahunty seconded Cr Chris Smith that:

That Council:

- 1. Requests the CEO to include the construction and sealing of Strachan Street Birregurra, between Main Street and Barry Street, in the works programme for 2016/17.***

AMENDMENT - MOVED Cr Stephen Hart seconded Cr Lyn Russell:

That Council amends the motion by inserting the words 'consideration as part of the' prior to the words '2016/17'.

Inserting the words 'budget preparation process' after the words '2016/17' so it reads:

- 1. Requests the CEO to include the construction and sealing of Strachan Street Birregurra, between Main Street and Barry Street, in the works programme for consideration as part of the 2016/17 budget preparation process.***

CARRIED 4 : 3

DIVISION called

For the Motion: Cr Stephen Hart, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft

Against the Motion: Cr Chris Smith, Cr Brian Crook, Cr Michael Delahunty

AMENDED ORIGINAL MOTION - MOVED Cr Michael Delahunty seconded Cr Chris Smith:

- 1. Requests the CEO to include the construction and sealing of Strachan Street Birregurra, between Main Street and Barry Street, in the works programme for consideration as part of the 2016/17 budget preparation process.***

CARRIED 5 : 2

DIVISION called

For the Motion: Cr Stephen Hart, Cr Lyn Russell, Cr Frank Buchanan, Cr Terry Woodcroft, Cr Michael Delahunty

Against the Motion: Cr Chris Smith, Cr Brian Crook

IN COMMITTEE

MOTION - MOVED Cr Lyn Russell seconded Cr Terry Woodcroft:

that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public at 7:48pm and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Minutes of In-Committee Council Meeting held on 27 January 2016	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
Contract 1548 - Aireys Street and Forest Street Stage 1 Reconstruction	this matter deals with contractual matters	Section 89 (2) (d)

OUT OF COMMITTEE

MOTION - MOVED Cr Lyn Russell seconded Cr Terry Woodcroft:

that the meeting move out of committee.

The Meeting Was Declared Closed at 7:55 pm

CONFIRMED AND SIGNED at the meeting held on 23 MARCH 2016


.....MAYOR