

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC - Colac on 27 January 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

Mark Lyons, General Manager Corporate Services (**Acting CEO**)
Ingrid Bishop, General Manager Infrastructure & Leisure Services
Brydon King, General Manager Development & Community Services
Jennifer Wood, Manager Governance & Customer Services
Alison Richardson, Governance Officer
Maree Redmond, Acting Executive Officer
Adam Lehmann, Manager Assets & Property Services
Paula Gardiner, Manager Capital & Major Projects
Ray Leak, Acting Manager Services & Operations

3. APOLOGIES

Sue Wilkinson, Chief Executive Officer

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 4.04PM

Questions Received in Writing Prior to the Meeting

James Judd

1. What is the total cost to this shire to meet all operating expenses of Visitor Information Centre's (V.I.C's) on an annual basis. Plus what is the value of benefits provided to the shire for this outlay.
 - (a) Cost of wages
 - (b) Cost of literature distributed
 - (c) Cost to Council of promotions granted
 - (d) Cost to Council of keeping buildings open
 - (e) Costs to Council of providing in Colac a facility for overflow calls from Great Ocean Road Visitor Information Centres (GORVIC)
 - (f) How much staff time is taken up with each phone call from GORVIC
 - (g) When will phone calls be divided and listed into calls for Colac VIC and diverted calls from GORVIC

General Manager Development & Community Services responded that the annual operating budget for the Visitor Information Centre's is \$344,799. The annual costs and benefits of VIC operation will be considered in a strategic review of all VIC's in the Great Ocean Road Regional Tourism area in 2016. This review will look at options to help VIC's to function effectively in changing environments. Research indicates that visitors who attend at a VIC end up spending significantly more at local businesses than those who don't. As a widely accepted source of visitor information the VIC's have also been very important in distributing information to visitors in the current bushfire context. Some of the other elements relating to phone calls will be answered in following questions.

2. Now that the excessive cost snail mail delivery service has commenced, will Council give serious consideration to extending the time allowed to return questionnaires and comment on Councils actions.

General Manager Corporate Services responded that in most instances a generous amount of time is allowed for responses. There are a number of ways to interact with Council in addition to postal services including telephone, email, Facebook and face to face. In relation to formal consultation processes Council already allows two weeks in addition to the minimum requirements in the Local Government Act 1989.

3. Since overflow phone calls from GORVIC are included in actual numbers of calls to Colac VIC. Do you also include in Colac VIC figures for:
Walk in enquiries
Email enquiries
Relating to services provided in area covered by GORVIC and not applicable to Colac region.

General Manager Development & Community Services responded that both the Colac VIC and GORVIC provide information to visitors about the broader region and promote local business and attractions across the whole area. There's no specific data about walk-ins etc; that are location specific, and in relation to phone calls, the overflow phone calls to the Colac V.I.C from G.O.R.V.I.C were 52 in 2015.

4. In the Australian Regions Year Book 2015. How did Colac business activity move if number trading changed?
 - (a) How many increase by sections
 - (b) How many decrease by sections

General Manager Development & Community Services responded that the above publication is published by the Australian Government and provide data at a regional level across the nation. There is no data in the document specific to Colac. Further clarification about the data sought will enable Council to help the author source the relevant data if available.

5. When Council is late providing Agendas for Council meetings. Will Council extend the time by when questions on the Agenda items must be lodged. When an Agenda is proved on Friday mornings you have in excess of 3 days to digest the items and consider if a question must be asked. But when not available prior to Monday morning you have under 8 hours to digest the contents and query an item prior to close off time to lodge a question.

General Manager Corporate Services responded that Local Law 23 (a) requires that the Agenda is required to be given to every Councillor or member of a Special Committee:

- **At least 48 hours (including at least 1 working day) before the meeting.**
- **At least 24 hours (including at least 1 working day) before a special meeting and**
- **At least 48 hours (including at least 1 working day) for a Special committee**

However, Council will make every effort to have the Agenda prepared and available to the Public on the Friday before a Council meeting where possible.

6. Since no report on VIC's included in January 2016 Council Meeting Agenda. What are the details relating to comparison 2015 against December 2014.
- a. Colac VIC
Actual phone enquiries about Colac region minus overflow calls from GORVIC.
Email enquiries
Walk in enquiries only about Colac Region.
 - b. GORVIC
Actual direct phone calls plus overflow to Colac VIC.
Email enquiries.
Walk in enquiries only about GOR Region.

General Manager Development & Community Services responded that this question relates to the response given in question 3. There are no specific details in each of the V.I.C's about a specific region or locality. The general enquiries are dealt with across the region in relation to tourism and the overflow phone calls to the Colac V.I.C from G.O.R.V.I.C in December 2015 were 52.

Leigh Barrett

7. Would you please give a breakdown of cost of the Pirron Yallock Recreational Reserve Club rooms to fit out:

Building A	\$94k
Remedial work not more than	\$20k
Building B	\$14k
Septic unit	\$9.4k
Demolition of original building	\$14k
TOTAL	\$151k
Balance not accounted for	\$198.5k

Would you please provide figures for:

- 1) External carpentry and external fit out on both buildings
- 2) Internal carpentry and internal fit out on both buildings

- 3) Plastering
- 4) Painting
- 5) Plumbing
- 6) Electrical

General Manager Infrastructure & Leisure Services responded:

The following is a breakdown of the balance of project related expenditure:

Trade	Total (\$)
Carpentry, Plastering and Fitout (internal & External)	\$133,562
Electrical	\$18,459
Painting	\$7,708
Plumbing	\$40,521
Total	\$200,251

8. Was the official opening advertised in the Colac Herald? Was there a report in the Colac Herald of the official opening?

General Manager Infrastructure & Leisure Services responded that two (2) articles appeared in the Colac Herald in relation to the opening of the new Pirron Yallock Recreation Reserve Clubrooms. The first article was published on 9 October 2015 which included information regarding the opening ceremony. The second article was published on 14 October 2015 which provided information about the project and that the facility had already been officially opened.

9. What is the Shire corporations view on its performance on this project, for example is this a project that a council officer would be proud to put on their CV in their next job application?

General Manager Infrastructure & Leisure Services responded that the delivery of this project has demonstrated significant innovation in the delivery of a quality community recreational facility. The purchase and fit-out of modular buildings offered the best outcomes for the community at the lowest cost when matched with other identified options. This project has resulted in significantly improved facilities, which will be able to be enjoyed by users of the recreation reserve and the community for generations to come.

Questions Received Verbally at the Meeting

Peter Jacobs – Separation Creek

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

General Manager Development & Community Services responded that the fencing issue has caused some frustration, which is acknowledged. Currently, the risk

assessment about removing the fence and managing people back into their houses is resting with the State Government through a number of risk assessment issues they are taking on board, which are landslip, asbestos and tree removal. Council is involved in those discussions and I understand there's some work being done this week to try and resolve those risk assessment issues and get some conclusion to that. I will have to take on notice exploring that further in coming back to you, but the responsibility for that final access will rest with the State Government agencies at this point. Council will be involved with some of those discussions.

General Manager Development & Community Services has taken on notice to update Peter on when fence will be removed or changed when that information becomes available.

2. Would the Shire be prepared to sit down with a few selected members of the community and go through those certain issues that need raising?

The Mayor responded that there are recovery group applications out for people to go on that committee. That will happen very soon. There is always the opportunity for someone to pick up the phone and log issues, and my attitude is to always be available for that. We know it's frustrating, we know it's not going to be easy and to resolve the issues that Brydon was discussing regarding the fence I think right now is a State issue and I think they're grappling with some of the issues that have been difficult for them. I'm not sure where those assessments are and we hope that happens very quickly. Beyond that point in time, I think you'll see things that start to free up a lot better. I take on board that a lot has happened since Christmas day and I think in terms of council's perspective, I've never seen an organisation jump into gear that quickly and support their local community down there. Everybody has got different stories about a few issues, but from my perspective and being very close to it, I've been very proud to be associated with it and I've had many discussions with you close up to the day and at Wye River since that point in time. I know it's not the time you'd like to hear 'a little more patience', but I think we're getting close to the point. The issue that needs to be addressed for you immediately is the water issue, I think that's something that's critical to us and we will take that on board very quickly.

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?

General Manager Development & Community Services took this question on notice.

Simon Arundell – Bungador

1. Recently one of our Councillors was hauled before the courts. He was found innocent. Have those that pushed that agenda, apologised to Councillor Smith, and if they haven't, why not?

The Mayor responded that this is not an issue of apology, this is an issue of some potential breaches and an obligation by council officers and Councillors to report that to the Municipal Inspector. The Municipal Inspector and the State decided that was the appropriate thing to do. They have gone through a process and the cost to council is nil apart from a little bit of officer time.

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

The Mayor took the question on notice.

3. Regarding the bypass, is the Shire going to do something about deciding what's going to happen when the highway gets to Colac?

The Mayor responded that Council went through a process with a reference group and a whole range of other people from VicRoads down to decide where and if a line on a map should be drawn for the future. It cost well over \$100,000 and at the end of the day VicRoads said it's their business and they will decide that when the time comes. I don't think this council and particularly me, have any appetite on spending one more dollar.

4. Can I have an itemised account from Council of how they were able to drop from 6% rate increases for the next 8 years back to 2% because the Andrews government threatened them?

The General Manager Corporate Services responded that council is in the process of constructing its budget and long term plan as we speak and that will be ready for public consultation in April and May and that will detail how council are responding and how it will identify those savings and that will be in writing.

The Mayor responded that at a high in 2006-7, a rate increase of 11.8% was struck. In 2007-8, 9.3% was struck, they were the high end of the rates.

Maddy Mahoney - Colac

1. What is going to happen with Lake Colac in the longer term?

General Manager Development & Community Services responded that there is some work being done on a Lake Colac masterplan that's relating primarily to the areas of land that council manages, which are the sections adjacent to the township of Colac and Meredith Park on the northern side of the lake. There has been some consultation on that process through 2015 and there's some formulation occurring based on that consultation about some possible improvements to the lake and those areas of the lake that council manages that hopefully will come through Council in the next couple of months to go out for public exhibition so that there can be some broader discussion and debate about possible improvements over the long term to the lake in general.

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

Lyn Foster

1. Why haven't I received acknowledgement of my letter regarding the library?

Unfortunately time and demands didn't allow for this to happen before Christmas but the letters will be prepared and forwarded this week.

A letter acknowledging receipt of your submission to the library annexe service review was sent on 6 November 2015. Council's process for dealing with submissions

to reviews/projects incorporates collation of all submissions which are then provided to Councillors in a confidential memo prior to the Council meeting where a report and subsequent resolution are passed in relation to the issue. Once a decision has been made by Council, all submitters are subsequently sent a letter outlining the resolution and the future actions to be taken by Council. Unfortunately time and demands didn't allow for these letters to be prepared and sent prior to Christmas, however these have now been completed.

David Bautovich – Colac Men's Shed

1. Why hasn't the mayor responded to my request for a meeting?
2. What is the Council going to offer the Colac Men's Shed in terms of financial support?

Council officers recently met with yourself and other representatives of the Colac Men's Shed to discuss possible funding opportunities. It was explained to the group why its application to the 2015/16 Council Community Grants program was unsuccessful. A number of funding opportunities were discussed including a revised, smaller application to the 2016/17 Council Community Grants program which will open in March 2016. Applications to other grant programs such as the Colac Community Enterprise and the South West Community Foundation could also be investigated by the Colac Men's Shed.

Phil Lawson – Apollo Bay

1. I want the harbor to be a prize destination for boat owners because I consider that the best way of maximising employment opportunities. To have an idea of how well boating interests will be represented by the four shire representatives, which will be yourself (Mayor Frank Buchanan), the Manager Development & Community Services, Manager Planning Building & Health and Economic Development, how many of the four representatives Committee have boating licences?

Whilst 2 of the 4 Council representatives on the Project Control Group have boating license the issue of whether representatives of Council have boating licenses will not determine how such interest will be considered by the Project Control Group. The opportunity to have feedback from relevant boating interests as part of the process will be available to help inform that issue.

7. DECLARATION OF INTEREST

Cr Delahunty:	OM162701-7 Planning Scheme Amendment C84 - Rezoning of Land at 150 Sand Road, Glenaire
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Produced Geotechnical report for access road

8. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 16/12/15.**

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that Council confirm the above minutes.

CARRIED 5 : 2

DIVISION called by Cr Smith

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

Special Council Meeting held on the 20/1/16

MOVED Cr Stephen Hart seconded Cr Brian Crook that Council confirm the above minutes

CARRIED 5 : 2

DIVISION called by Cr Smith

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

**OM162701-1 OPERATIONAL PLAN SECOND QUARTER PERFORMANCE REPORT
SEPTEMBER - DECEMBER 2015**

AUTHOR:	Margaret Giudice	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	11/95679

ORIGINAL RECOMMENDATION

That Council receives the 2015-2016 Operational Plan Second Quarter Performance Report for the three months ending 31 December 2015.

ALTERNATIVE MOTION MOVED Cr Stephen Hart seconded Cr Lyn Russell

- 1. That Council receives the 2015-2016 Operational Plan Second Quarter Performance Report for the three months ending 31 December 2015.***
- 2. Council is to provide a briefing to Councillors regarding the footpath plan, before the plan is presented for public exhibition, with a view to ensuring that the document appropriately identifies high priority footpath projects.***

CARRIED 5 : 2

DIVISION called by Cr Smith

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

Item 2 - OM162701-2 was moved in the order of tabled agenda items as the Mayor accepted that it be moved to the end of the meeting because there was a query in relation to the resolution.

OM162701-3 G21 MEMORANDUM OF UNDERSTANDING

AUTHOR:	Mark Lyons	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Corporate Services	FILE REF:	F12/3384

Maree Redmond left Council chambers at 5:06 pm

ORIGINAL RECOMMENDATION

That Council authorises the Mayor to sign the Memorandum of Understanding with the G21 Regional Alliance committing Colac Otway Shire to the Group for the next 4 Years.

ALTERNATIVE MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that:

- 1. That Council authorises the Mayor to sign the Memorandum of Understanding with the G21 Regional Alliance committing Colac Otway Shire to the Group for the next 4 Years.*
- 2. Recommend that Council's CEO bring this agreement to the attention of Councillors no later than 1 December 2019 so that they may discuss the matter well before the agreement expires.*

CARRIED 7 : 0

OM162701-4 CONTRACT 1541 - MCLEOD STREET RECONSTRUCTION

AUTHOR:	Andrew Kavanagh	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/10690

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council:

- 1. Awards Contract 1541 for McLeod Street Reconstruction to R Slater & Sons Pty Ltd at the lump sum tender price of \$303,693.40 (excluding GST)**
- 2. Delegates to the Chief Executive Officer authority to sign and place under Council seal the contract documents following award of Contract 1541.**

CARRIED 7 : 0

OM162701-5 CONTRACT 1545 - BUSTY ROAD RECONSTRUCTION

AUTHOR:	Andrew Kavanagh	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/11930

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Awards Contract 1545 for Busty Road Reconstruction to Deja Eight Pty Ltd at the lump sum tender price of \$663,691.95 (excluding GST), including options for supply and installation of guide posts and pine tree removal.**
- 2. Delegates to the Chief Executive Officer authority to sign and place under Council seal the contract documents following award of Contract 1545.**

CARRIED 7 : 0

OM162701-6 CONTRACT 1547 - SUPPLY AND DELIVER GRADER

AUTHOR:	Andrew Kavanagh	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/12443

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- 1. Awards Contract 1547 for Supply and Delivery of one Caterpillar 12M grader to Williams Adams at the changeover price of \$318,000.00 (excluding GST, stamp duty and registration costs) inclusive of trade-in.***
- 2. Delegates authority to General Manager, Infrastructure & Leisure Services to sign the contract documents following award of Contract 1547.***

CARRIED 7 : 0

**OM162701-7 PLANNING SCHEME AMENDMENT C84 - REZONING OF LAND AT 150
SAND ROAD, GLENAIRE**

AUTHOR:	Blaithin Butler	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F15/5257

Cr Delahunty:	OM162701-7 Planning Scheme Amendment C84, - Rezoning of Land at 150 Sand Road, Glenaire
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Produced Geotechnical report for access road

Having declared a Conflict of Interest Cr Michael Delahunty left Council Chambers at 5:34 PM

MOVED Cr Lyn Russell seconded Cr Stephen Hart

That Council:

1. ***Pursuant to section 29 of the Planning and Environment Act 1987, adopt Amendment C84 without changes.***
2. ***Pursuant to section 31 of the Planning and Environment Act 1987, submit the adopted Amendment, together with the prescribed information, to the Minister for Planning for approval.***

CARRIED 6 : 0

Cr Michael Delahunty returned to Council Chambers at 5:35 PM

OM162701-8 IMPLEMENTATION OF IMPROVEMENTS TO PLANNING SERVICE

AUTHOR:	Brydon King	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Development & Community Services	FILE REF:	F15/5482

Cr Terry Woodcroft left Council Chambers at 5:59 PM

Cr Terry Woodcroft returned to Council Chambers at 6:01 PM

ORIGINAL RECOMMENDATION

That Council:

1. *Note the Glossop Planning Services review Report dated January 2016 and support the implementation of the 28 recommendations in the report.*

ALTERNATIVE MOTION - MOVED Cr Lyn Russell seconded Cr Brian Crook that:

1. *Note the Glossop Planning Services review Report dated January 2016 and support the implementation of the 28 recommendations in the report.*
2. *A report be delivered to Council twice a year on the progress of implementation*
3. *Acknowledges the feedback from the community and users of the planning system in the Glossop Planning Services review report and commits to improvements in the planning system through implementation of the recommendations in the report*

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

Add a point 4 to the Alternative Motion:

4. *That Council acknowledges that council's planning performance has been below what our community expects*

LOST 2 : 5

DIVISION called by Cr Chris Smith

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

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

Add a Point 5 to the Amended alternative motion:

- 5. That council apologises to our community for any past failures to meet appropriate expectations**

LOST 2 : 5

DIVISION called by Cr Michael Delahunty

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

FORMAL MOTION - MOVED Cr Stephen Hart that:

I move that the Motion be put

CARRIED 7 : 0

ORIGINAL ALTERNATIVE MOTION - MOVED Cr Lyn Russell seconded Cr Brian Crook that:

- 1. Note the Glossop Planning Services review Report dated January 2016 and support the implementation of the 28 recommendations in the report.**
- 2. A report be delivered to Council twice a year on the progress of implementation**
- 3. Acknowledges the feedback from the community and users of the planning system in the Glossop Planning Services review report and commits to improvements in the planning system through implementation of recommendations in the report**

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

MEETING ADJOURNED AT 6.15PM FOR A COMFORT BREAK

MEETING RESUMED AT 6.25PM

OM162701-9 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

AUTHOR:	Nicole Frampton	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	11/96660

MOVED Cr Terry Woodcroft seconded Cr Michael Delahunty

That Council notes the Minutes of the Old Beechy Rail Trail Committee for 5 October 2015.

CARRIED 7 : 0

OM162701-10 ASSEMBLY OF COUNCILLORS

AUTHOR:	Alison Richardson	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F15/5960

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council notes the Assembly of Councillors reports for:

- ***Councillor Briefing Session*** ***16 December 2015***
- ***Councillor Bushfire Briefing*** ***5 January 2016***

CARRIED 7 : 0

OM162701-2 RE-ELECTION OF S86 COMMITTEE OF MANAGEMENT

AUTHOR:	Mark Lyons	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Corporate Services	FILE REF:	11/96658

Item 2 - OM162701-2 was moved in the order of tabled agenda items as the Mayor accepted that it be moved to the end of the meeting because there was a query in relation to the resolution.

Maree Redmond returned to Council chambers at 5:21pm

MOVED Cr Lyn Russell seconded Cr Terry Woodcroft

That Council:

- 1. Pursuant to section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Warrion Hall Committee of Management until 23 January 2019:**

Warrion Hall	Tony Mahoney, Colin Bayne, Lynette Facey, Peter Facey, Kathy Mahoney, Pat Ilett, Graeme Inglis, Lesley Inglis, Alan Chant, Isabel Chant, Barbara Hallyburton, Malcolm Hallyburton, Andrew Kerr, Steven Chant, Peter Ponton
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- 2. In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.**
- 3. Advises the committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a treasurer's report be provided on an annual basis.**

CARRIED 7 : 0

OM162701-11 COSTIN ST FOOTPATH, APOLLO BAY (Cr Stephen Hart)

Original Recommendation:

That Council consider the contents of this Notice of Motion.

MOVED Cr Stephen Hart seconded Cr Brian Crook

- 1. Notes that Apollo Bay Commuter Footpath Strategy adopted at the Council meeting on 28 May 2014 doesn't reflect the importance of Costin Street, Apollo Bay as a route to the Apollo Bay school by classifying the route as a "local" route which means that a special charge scheme would be required to fund any extra footpath**
- 2. Notes that Costin Street, Apollo Bay already has a footpath from its intersection with Montrose Ave to Costin Street's intersection with Cawood Street**
- 3. Understands that the cost to construct the footpath on Costin Street from its intersection with McLennan Street to join the footpath which already exists on Costin Street from Montrose Avenue is approximately \$17,000 and that the extra path represents one block**
- 4. Understands that the cost to construct the footpath on Costin Street from McLennan Street to Seymour Crescent is approximately \$11,000 in addition to the amount at point 3**
- 5. Resolves that the Apollo Bay Commuter Footpath Strategy is amended to the extent necessary to reclassify Costin Street from a "local" path to a "secondary" path due to its importance as a route to the Apollo Bay School. In doing so, Council acknowledges that the cost of constructing the extra footpath in Costin Street should be borne by Council**
- 6. Resolves that the construction of the footpath on Costin Street from where it intersects with McLennan Street to join the existing footpath where Costin Street intersects with Montrose Avenue is to be treated as a top priority, and is to be constructed as soon as practicable, and**
- 7. Asks the Chief Executive Officer to either:**
 - a. Arrange for construction of the path as soon as practicable and before 30 June 2016, or**
 - b. Bring a report to Council no later than the April 2016 Council meeting to outline when the path will be constructed if this isn't going to occur by 30 June 2016.**

CARRIED 5 : 2

DIVISION called by Cr Smith

For the motion: Cr Hart, Cr Russell, Cr Buchanan, Cr Woodcroft, Cr Crook

Against the motion: Cr Smith, Cr Delahunty

OM162701-12 AUDIT COMMITTEE - SUMMARY MINUTES - 20151210

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council receives for information the Colac Otway Shire Audit Committee Minutes dated 10 December 2015

CARRIED 7 : 0

IN COMMITTEE

MOVED Cr Stephen Hart 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 6.40 pm and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Minutes of In-Committee Council Meeting held on 16 December 2015	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
Contract 1547 - Supply and Deliver Grader	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1545 - Busty Road Reconstruction	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1541 - McLeod Street Reconstruction	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 7 : 0

OUT OF COMMITTEE

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that the meeting move out of committee.

CARRIED 7 : 0

The Meeting Was Declared Closed at 6:49 pm

CONFIRMED AND SIGNED at the meeting held on 24 FEBRUARY 2016


.....MAYOR

