

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC COLAC on 24 August 2016 at 4:00pm.

1. I DECLARE THIS MEETING OPEN

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

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
Heather Johnson, Acting General Manager, Development & Community Services
Jennifer Wood, Manager Governance & Customer Service
Sarah McKew, Governance Officer
Daniel Fogarty, Manager, Financial Services
Simone Robertson, Waste Management Officer
Andrew Kavanagh, Contract Governance Coordinator
Francis Wong, Statutory Planner
Kristen Black, Administration, Waste & Contracts
Brian Cooper, COPACC Operations & Event Support Officer
Blaithin Butler, Statutory Planning Coordinator
Ian Seuren, Manager, Recreation Arts & Leisure
Tony White, Manager, Economic Development
Greg Fletcher, Manager, Community Services
Tamzin McLennan, Public Relations Coordinator
Paula Gardiner, Manager, Capital & Major Projects
Sandra Wade, General Manager, Bushfire Recovery
Doug McNeill, Manager, Bushfire Recovery
Melanesia Carson, Public Relations Officer
Vige Satkunarajah, Acting Manager, Planning, Building & Health
Simon Vulcz, Project Delivery Officer

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

Questions Received in Writing Prior to the Meeting

James Judd

1. *In view of Council's refusal to hold Australia Day events out of Colac on any code red fire danger days, what certainty exists that the 2017 event will be held or what certainty any in the future will ever be held?*

Response from the General Manager, Development and Community Services:

Council has resolved to hold the 2017 Australia Day Event in Apollo Bay following a successful expression of interest by that community. In the event a Code Red Danger Day occurred a range of adaptive measures would be planned for and implemented as necessary. The postponement or relocation of events may be adopted by Council depending on circumstances at that time.

2. *Due to the location for the 2017 Colac Otway Shire Australia Day celebrations, will Council rescind its 2016-2017 fund's allocation of \$1,000 to Apollo Bay for their own celebration other than Colac Otway Shire celebration, then reallocate over those who applied for funds and their allocation reduced or refused?*

Response from the General Manager, Development and Community Services:

Council has made a decision to fund both a community and a civic event on Australia Day in Apollo Bay. One allocation is aimed at creating a reason to visit the town and one is aimed at recognising the civic contributions of residents and citizens of the Shire.

3. a) *What was the total Bluewater paid membership at:
End March 2016
End April 2016
End May 2016
End June 2016?*

Responses from the General Manager, Infrastructure & Leisure Services:

- a) *End March 2016 – 1,633
End April 2016 – 1,673
End May 2016 – 1,720
End June 2016 – 1,726*
- b) *How does attendance at compare of those who pay each time against those taking out membership?*

VISITATION	March	April	May	June
Members & Multi-passes	4,228	4,032	6,264	6,666
Multi-passes	211	162	250	296
Casual	1,702	1,443	1,151	1,163
TOTAL	6,141	5,637	7,665	8,125

- c) *Is the percentage of membership attendance increasing or going down?*

The percentage of membership usage is increasing.

- d) *Has Council investigated the reasons why some still pay each time instead of taking out membership?*

The opportunity to use Bluewater on a casual basis is important for our community as it provides flexibility for use. Council has not investigated why some members of our community use the facility on a casual basis.

4. *What were the Vic monthly comparison figures for June 2015 and June 2016 for the following:*

- a) *Vic Colac*
Phone enquiries less overflow from GORVIC
Email enquiries
Walk in enquiries
Total enquiries
- b) *GORVIC*
Phone enquiries plus overflow call to Colac Vic
Walk in enquiries
Email enquiries
Total enquiries

Response from the General Manager, Development and Community Services:

- a) **Colac Visitor Information Centre**

JUNE	2015	2016	% Change
Walk Ins	2,052	1,640	-20%
Phone Calls	141 Excluding WG Overflow Calls	83 Excluding WG Overflow Calls	-69%
E-mails	8	16	100%

- b) **Great Ocean Road Visitor Information Centre**

JUNE	2015	2016	%Change
Walk Ins	5,756	6,200	7%
Phone Calls	652 Including WG Overflow Calls	629 Including WG Overflow Calls	-4%
E-mails	26	13	-100%

5. *Under Code of Conduct by Councillors, over what period of time is the 80% attendance required to be considered if official exemption to attend not granted?*

Response from the General Manager, Corporate Services:

The requirement to attend a minimum of 80% of Council Ordinary Meetings, Planning Meetings, Special Council Meetings and Briefings and Workshops is measured on a financial year basis or part thereof in an election year.

6. a) *In view of the ownership claims by Southern Phone, what direct involvement does Colac Otway Shire have in saturation letter boxing in the Colac region by Southern Phone?*
 or
 b) *What involvement by Council officers in this work?*
 and
 c) *What was the percentage of income Colac Otway received on its local government investment in Southern Phone for the 2015-2016 financial year?*

Response from the General Manager, Development & Community Services:

Colac Otway Shire has had no involvement in saturation letter boxing related to Southern Phone and there has been no investment by Council in Southern Phone and this is readily ascertainable from the company's own web site.

7. a) *How much in the 2015-16 financial year did Colac Otway Shire outlay towards the introduction of the Smart Street Lighting Program within the local municipalities?*

Response from the General Manager, Development & Community Services:

Council cost to install 1414 LED street lights: (paid during 2014-15 and 2015-16)	\$ 389,719
Federal Government funding received:	<u>\$ 279,673</u>
Total Project cost:	\$ 669,392

- b) *What were the expenses for street lighting for the 2014-15 and 2015-16 financial years?*

Response from the General Manager, Development & Community Services:

Street lighting Costs:	2013/14	\$ 221,808 (prior to upgrade)
	2014/15	\$ 127,025 (partial upgrade)
	2015/16	\$ 103,969 (all lights upgraded)

Since installations commenced in August 2014, Council saved \$212,622 to 30th of June 2016, which equates to annual savings of \$117,838 and a payback period of 3.3 years.

- c) *What is the projected expense for street lighting for the 2016-2017 financial year?*

Response from the General Manager, Development & Community Services:

Council has allocated \$100,000 for energy efficient lighting in the 2016/17 budget. A proportion of this funding will be spent on upgrading the streetlights and the remaining will be used to upgrade lighting for public open space (e.g. Memorial Square). A business case is currently being developed that will identify exactly what proportion of the funds will be required for the street light upgrades.

8. *When will Council take up with the State Government its excessive increase in the Fire Services Levy while restricting Councils to 2.5% increase in Council rates and charges? The FSPL – Residential (AVPCC-120) rate in dollar of valuation up over 17%.*

Response from the General Manager, Corporate Services:

The Fire Services Property Levy is a State Government charge set on an annual basis. According to our records the rate in the dollar charge for Residential properties actually reduced by approximately 11% for charges in the 2016/17 financial year (0.000144 to 0.000128).

Phil Lawson

9. *The Heathfield Recreation Reserve at its Western end: large areas have cattle knee deep in mud, some areas they disappear to their torsos. Some animals get stuck and struggle. This is happening within 20 metres of the river bank where it is best for there to be no cattle grazing at all. The 25 metres of fencing on the Western boundary that runs from private residential land to the river course has had the wire removed.*

a) *Will Council urgently reinstate the fence on the Western boundary?*

Response from the General Manager, Infrastructure & Leisure Services:

Over the last four years Council has worked with the Corangamite Catchment Management Authority and Southern Otway Landcare Network to undertake extensive willow removal and revegetation works along the Barham River fronting Heathfield Estate. To protect this significant investment, Council has also constructed stock proof fencing along the majority of the river fronting the Heathfield Estate. Council is aware that there is a small section that requires maintenance and will be meeting with Landcare and a contractor shortly to discuss the works required to address this issue. Once this has occurred, Council can provide an update on when the works will be completed.

b) *Will Council cease allowing grazing animals to access the Recreation Reserve along the river bank?*

Response from the General Manager, Infrastructure & Leisure Services

Council has had an informal agreement with the current occupiers of Heathfield Estate Reserve where they are using the site to graze stock and harvest fodder, and will continue with this arrangement. Consistent with the Council resolution, Council is working towards a process of establishing a lease agreement to use the Heathfield Estate Reserve for the purposes of grazing and/or fodder. Expressions of Interest will be sought during September 2016. The lease will have a number of conditions as part of the lease, including:

- Fences must be maintained to ensure stock cannot access the streamside revegetation area at any time.
- Stocking densities must be managed to ensure degradation of the property does not occur.
- Three separate rounds of weed control works are required throughout the year. All weeds listed under the Catchment and Land Protection Act 1994 must be controlled in line with all legislative requirements.

c) *The Reserve is owned and administered by Council. Owners of land fronting the Western end of the reserve are distressed at the appalling animal welfare and environmental damage issues. This is not what you expect if you own residential that fronts land zoned "Public Park and Recreation". If the fence on the Western boundary is not to be reinstated will the owners be financially compensated for having to experience the results of Council negligence and environmental irresponsibility?*

Response from the General Manager, Infrastructure & Leisure Services:

As mentioned previously, Council will be working with Landcare and a contractor to have this section of the fence reinstated shortly. Council is also working towards establishing a lease for Heathfield Estate Reserve as per the Council resolution.

Bill Gross

10. Sealing of Busty Road.

There is a consensus among residents that the new seal is significantly narrower than the previous seal.

Section A of the tender documents states:

This contract is for reconstruction of approximately 3060 lineal metres of Busty Road, Apollo Bay, from Wild Dog Road to the end of the seal. The works, in steep and windy terrain, includes culvert upgrade works including new headwalls and rock beeching, new pavement of 200mm with 10mm prime seal at current seal widths.

Section B schedule 3.1 states:

Average existing seal width 4.32m.

1. *Given that a large proportion of the new seal is significantly less than 4.32 metres, has there been a failure in the inspection regime as specified in the contract?*

Response from the General Manager, Infrastructure & Leisure Services:

The reconstruction of Busty road has been completed within the existing roadside table drain alignment. The road formation was not proposed to be widened as part of the reconstruction due to site restrictions including roadside batters. Routine inspections were carried out throughout the duration of the reconstruction. Contract works have been completed within the project specifications.

2. *Is it correct that the project has been re-surveyed recently (a pre-works survey was conducted), and that the latest survey confirms residents' observations that much of the new pavement is significantly narrower (and more dangerous) than previously?*

Response from the General Manager, Infrastructure & Leisure Services:

Council is yet to receive the as-constructed survey for the Busty Road reconstruction.

3. *Why is there no minimum width specified in the document? Theoretically, sections of road could be sealed less than a car width provided the average was as per specification. Does this omission mean that the Shire is unable to demand rectification from the contractor?*

Response from the General Manager, Infrastructure & Leisure Services:

It is noted on the standard cross section supplied with the contract that the "pavement width varies, match to existing". Due to available budget and site constraints such as roadside batters, widening of the existing pavement was not a viable option to include in the reconstruction project. It is accepted practice to maintain a road pavement that is wider than the seal to protect the seal from damage. The width of seal applied to the road pavement was reviewed and approved by Council.

4. *If the Shire can demand rectification, and given that there is an urgent need for remediation (vehicles travelling in opposite directions can no longer safely pass), when will these works be done?*

Response from the General Manager, Infrastructure & Leisure Services:

Council will not be seeking rectification as the road reconstruction was completed in line with project specifications.

5. *Was placement of guide posts adequately supervised, given that a large number have already been damaged or destroyed by traffic, and many of the existing ones do not appear to be placed in compliance with the Standard?*

Response from the General Manager, Infrastructure & Leisure Services:

Council is currently in negotiation with the Contractor regarding the location of guide posts on Busty Road.

6. *On another matter, Wild Dog Road has signs at both ends which state (correctly) that the road is not suitable for caravans. Yet the northern 5 kms of the road is used throughout summer by log trucks, which take up the entire road, often at unsafe speed. Can the Shire ensure, if this traffic is imperative, that at the very least each truck traversing the road is accompanied by an escort vehicle in the lead? There have been many close calls and it's only a matter of time before a serious accident occurs.*

Response from the General Manager, Infrastructure & Leisure Services:

By law on Victorian roads, pilot vehicles are only required to escort vehicles carrying oversized or overmass loads. Timber trucks do not generally fall under this classification.

As a standard operating procedure, timber companies harvesting in the Wild Dog Road area have previously installed appropriate warning signs to advise that trucks are operating along the road. Other signs indicating the operating UHF Channels are used during the period of harvesting. This allows persons with radios to communicate directly with the truck drivers to get an idea of what truck movements may be occurring along Wild Dog Road at any particular time.

These measures are considered a reasonable approach to managing traffic safety issues. Council continues to engage with the various timber companies whom operate in our shire and continue to stress that it is important for their cartage operators to drive in a safe manner, recognising that the various local roads which they use also cater for local commuter and tourist traffic.

Questions taken from the floor

Alan Billing, Larpent

In relation to Bluewater, when will a report on the Bluewater redevelopment be available to the public?

General Manager, Infrastructure and Leisure Services responded:

Thank you, Mr Billing, for the question. At this point in time we are up to stage two of the Bluewater audit which is the discovery process where we're data collecting and the external consultants are doing the data gathering and evaluation. Due to the somewhat voluminous process because there are so many pieces of data to gather in that one, it has slowed the

process. At this stage I can't give you a date of when that report is going to come through to Council but there is a resolution on the table that will come through to Council so it will in due course, so that's where that project is at this particular point in time.

Given the extended time, is that likely to add to the actual cost of that report?

No, it won't.

What is the weekly water use at Bluewater facility?

Mr Billing, I'll have to take that on notice.

For the next question – just as a bit of a warning, last time I raised this issue, as it did affect Cr Delahunty, he did choose to leave the Council Chamber – he may wish to do the same again.

Declaring a potential conflict of interest, Cr Delahunty left the chamber at 4.26pm.

On whose authority did two members of staff approach Cr Delahunty in the public area of COPACC following the May Council meeting and accuse him of taping the In Committee segment of that meeting?

General Manager, Corporate Services responded:

My understanding is that question was certainly asked in a previous meeting and answered and Council's unable to discuss anything in relation to In Committee items.

Cr Delahunty returned to the chamber at 4.28pm.

Yvonne Francis, Apollo Bay

In the interests of transparency Mr Mayor, I think it's absolutely essential that the CEO's report be given some publicity.

The Mayor acknowledged the comment.

When is the Council going to pay attention to the dire state of roads, footpaths and drainage in the CBD in Apollo Bay?

General Manager, Infrastructure and Leisure Services responded:

Thank you for the question. As you are aware Yvonne, we do have a road management plan, a maintenance plan, we have renewal plans and we also have a footpath strategy so perhaps I'll take that question on notice so that I can come back to you in writing to show you the things that we do, how we evaluate it, what the proposed works are for the coming couple of years, so that you can see what that forward plan looks like and also share with you some of the joint activities and partnerships that are also in play that also address some of the questions that you've raised today.

Bill Gross, Apollo Bay

In regards to Busty Road, given that you have yet to receive the surveyor's report, how can you say that no remediation is required and that the road is up to specification? If the surveyor's report demonstrates that this is the case, will there be remediation?

Manager, Capital & Major Projects responded:

Thank you for the question. The average road seal that is on Busty Road is quite similar to what was there. While the as-constructed survey is yet to be completed, I can't give you exact widths but we'd be able to provide that in due course. Officers have done investigations though, and in general the width is very similar.

If the survey shows that that is not the case, and virtually all the residents think that is what the situation is, will the Shire remediate?

Manager, Capital & Major Projects responded:

It will depend on the outcome of the survey, so part of your question would need to be taken on notice, pending the outcome of the survey. Our initial investigations do indicate that the seal width is similar to what was there but if you can bear with us while that investigation is completed, through the as-constructed survey, we'd be able to come back to you with much further data.

Tony Webber, Apollo Bay

Regarding the Heathfield Public Reserve, what were the conditions on this lease agreement? Can we have the conditions today, thank you?

General Manager, Infrastructure and Leisure Services responded:

Thank you for the question. I'll take that on Notice. I don't have the detailed conditions with me, only the high level around stock control, fencing, etcetera.

Paul Cross, President of Coswecount Inc

Is this Council aware that Colac is suffering from an ambulance crisis, caused by the lack of available resources? Does this Council realise that Coswecount Inc met with many politicians and Victorian ambulance managers over the last three years and currently have a petition calling for improvements in ambulance resourcing which has gathered in excess of 8,500 signatures?

I'm just asking generally if the Council could support the Notice of Motion this afternoon.

The Mayor acknowledged this request.

MOTION

MOVED Cr Chris Smith seconded Cr Michael Delahunty:

That Council extend question time for another 15 minutes.

CARRIED 7 : 0

Bill Lawson, Apollo Bay

Regarding Busty Road, in the specifications for the job, was the elevation of the road centre to stay the same height?

Manager, Capital & Major Projects responded:

The finished height for the road is nominally 200mm higher and that was to enable additional pavement strength – so essentially make the road stronger. The road alignment, or the centre line of the road, is higher than it used to be, which may give that perception of it seeming higher than it used to, especially with the shoulders and no grass anymore, that would also add to that perception.

The General Manager, Infrastructure and Leisure Services offered to have a meeting about Busty Road with residents.

Glynis Myers, Colac

Can Council please tell me what's the local weighted percentage for local contracts?

Chief Executive Officer, Colac Otway Shire responded:

It's five percent.

Alex McKenzie, Colac

Could Council follow up and check our public toilet facilities in the CBD are adequate enough with the influx of tourists we've got at the moment, whether they get cleaned enough and whether they're sign-posted enough so people can find them?

The General Manager, Infrastructure and Leisure Services responded:

My pleasure.

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

7. DECLARATIONS OF INTEREST

Cr Delahunty:	OM162408-2
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Produced geotechnical report on subject site

Cr Delahunty:	OM162408-3
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Tendered for road design

Cr Delahunty:	OM162408-4
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Produced geotechnical report on subject site

Cr Hart	OM162408-11
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78E
Nature of Interest:	May affect my residential amenity

8. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 27 July 2016.

Recommendation

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council confirm the above minutes.

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

OM162408-1 APOLLO BAY HARBOUR EXPRESSION OF INTEREST PROCESS

AUTHOR:	Vige Satkunarajah	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/6696

Original Recommendation***That Council:***

- a. Engage a suitable consultant to undertake the Market Testing for the Apollo Bay Harbour precinct.***
- b. On completion of the market testing process, submit a report to Council with the outcomes.***

ALTERNATIVE MOTION***MOVED Cr Stephen Hart seconded Cr Lyn Russell******That Council:***

- a. Undertake a process to engage a consultant to undertake the Market Testing for the Apollo Bay Harbour precinct.***
- b. Requests that any decision on a suitable consultant for the market testing be reported to Council for a decision with information about the proposed costs and to be no higher than \$50,000.***
- c. Requests that on completion of the market testing process a report is submitted to Council with the outcomes.***
- d. That the Project Control Group be informed to the appropriate level that they can be prior to coming back to Council.***

CARRIED 7 : 0

**OM162408-2 STAGED DEVELOPMENT PLAN - KINGDOM HALL OF JEHOVAH'S
WITNESSES AT 117 MAIN STREET, ELLIMINYT - PP122/2016-1**

AUTHOR:	Francis Wong	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/5122

Having declared a conflict of interest, Cr Delahunty left the meeting at 4.58pm.

Cr Delahunty:	OM162408-2
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Produced geotechnical report on subject site

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- 1. Approves the staged Development Plan for Kingdom Hall of Jehovah's Witnesses at 117 Main Street, Elliminyt.***
- 2. Notifies the landowner, and adjoining landowners, of the approval of the staged Development Plan with the only changes at this time being to 117 Main Street, Elliminyt for a planning application.***

CARRIED 6 : 0

**OM162408-3 SECTION 96A COMBINED PLANNING SCHEME AMENDMENT C92 AND
PLANNING PERMIT APPLICATION NO. PP82/2016-1 - REZONING AND
SUBDIVISION OF LAND AT 120 POUND ROAD, ELLIMINYT**

AUTHOR:	Francis Wong	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/3154

Cr Delahunty:	OM162408-3
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Tendered for road design

RESOLUTION

MOVED Cr Lyn Russell seconded Cr Brian Crook

That Council:

- **Pursuant to section 4B of the Planning and Environment Act 1987, seek authorisation from the Minister for Planning to prepare Amendment C92 which seeks to:**
- **Subdivide 120 Pound Road Elliminyt into two lots subject to conditions.**
- **Rezone part of the land from Rural Living Zone to General Residential Zone Schedule 1.**
- **Amend Clause 21.03 Settlement – Colac Framework Plan to include Nos. 98, 100, 102, 104, 106, 108, 110, 112, and 114 Pound Road Elliminyt within the town's long term settlement boundary.**
- **Exhibit Amendment C92 for a minimum period of six weeks seeking written submissions.**
- **Authorise Council officers to make minor changes to the Amendment documentation.**

CARRIED 6 : 0

**OM162408-4 SECTION 96A COMBINED PLANNING SCHEME AMENDMENT C91 AND
PLANNING PERMIT APPLICATION NO. PP58/2016-1 - REZONING AND
RE-SUBDIVISION OF LAND AT 120 BARHAM RIVER ROAD, APOLLO
BAY AND REZONING OF LAND AT 200 BARHAM RIVER ROAD, APOLLO
BAY**

AUTHOR:	Francis Wong	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/2913

Cr Delahunty:	OM162408-4
Nature of Disclosure:	Direct Interest
Type of Indirect Interest:	77B
Nature of Interest:	Produced geotechnical report on subject site

Original Recommendation

That Council:

- ***Pursuant to section 4B of the Planning and Environment Act 1987, seek authorisation from the Minister for Planning to prepare and exhibit Amendment C91 which seeks to:***
 - ***Re-subdivide four lots (Lot 1 PS408749, Lot 2 PS440381, Lot 1 LP13765 and Lot 2 LP13765) into two lots (Lot 1 PS743873 and Reserve No. 1).***
 - ***Rezone proposed Reserve No. 1 from RCZ to PUZ1.***
 - ***Rezone Lot 1 TP243582 and part of Lot 1 TP95752 from PUZ1 to RCZ.***
- ***Exhibit Amendment C91 for a minimum period of six weeks seeking written submissions.***
- ***Authorise Council officers to make minor changes to the Amendment documentation prior to exhibition.***

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- ***Pursuant to section 4B of the Planning and Environment Act 1987, seek authorisation from the Minister for Planning to prepare and exhibit Amendment C91 which seeks to:***
 - ***Re-subdivide four lots (Lot 1 PS408749, Lot 2 PS440381, Lot 1 LP13765 and Lot 2 LP13765) into two lots (Lot 1 PS743873 and Reserve No. 1).***
 - ***Rezone proposed Reserve No. 1 from RCZ to PUZ1.***
 - ***Rezone Lot 1 TP243582 and part of Lot 1 TP95752 from PUZ1 to RCZ.***
- ***Exhibit Amendment C91 for a minimum period of eight weeks seeking written submissions.***
- ***Authorise Council officers to make minor changes to the Amendment documentation prior to exhibition.***
- ***Include detailed advertising of the amendments in the Apollo Bay news sheet.***

CARRIED 6 : 0

Vige Satkunarajah attended the meeting at 5.03pm.

Kristen Black left the meeting at 5.14pm.

Cr Delahunty returned to the meeting at 5.21pm.

Francis Wong left the meeting at 5.21pm.

Blaithin Butler left the meeting at 5.22pm.

**OM162408-5 KINDERGARTEN SERVICE LICENCE AGREEMENTS WITH COLAC
EAST, WINIFRED NANCE AND WYDINIA**

AUTHOR:	Greg Fletcher	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/6763

Original Recommendation

That Council:

- 1. In accordance with Local Government Act 1989 sections 190(3)(b) enter into licence agreements with Barwon Child Youth and Family for land situated 19 Dunoon Street, Colac, 5 Gilmartin Street, Colac and 1 Polwarth Street, Colac on the following terms and conditions:***

Agreement Type	Community Services Licence (kindergarten and early years services)
Rent	\$1.00 per annum (incl. GST)
Licence Term	10 years
Further Term	Nil
Rent Review	Nil
Maintenance	In accordance with Annexure B, Maintenance Schedule 1 (contained within each Licence)

- 2. Authorise Council officers to prepare and give public notice of the proposed licences in accordance with sections 190 and 223 of the Act for a period of six weeks.***
- 3. In accordance with section 223 of the Act;***
 - 3.1 consider any written submissions received in relation to the proposed licences.***
 - 3.2 gives seven days' notice by placing a public notice in the local print media of its intention to consider any submissions received at an Ordinary Council Meeting to be held on 23 November 2016. Formal advice of the time and location of the meeting will be provided to those parties wishing to be heard in support of their submission.***
 - 3.3 if written submissions are received, report back with recommendations to Council.***
- 4. In the event that no submissions are received, execute the proposed three licence agreements under delegation in accordance with the terms and conditions specified in paragraph 1 above.***

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Lyn Russell

That Council:

1. ***In accordance with Local Government Act 1989 sections 190(3)(b) enter into licence agreements with Barwon Child Youth and Family for land situated 19 Dunoon Street, Colac, 5 Gilmartin Street, Colac and 1 Polwarth Street, Colac on the following terms and conditions:***

Agreement Type	Community Services Licence (kindergarten and early years services)
Rent	\$1.00 per annum (incl. GST) per site
Licence Term	10 years
Further Term	Nil
Rent Review	Nil
Maintenance	In accordance with Annexure B, Maintenance Schedule 1 (contained within each Licence)

2. ***Authorise Council officers to prepare and give public notice of the proposed licences in accordance with sections 190 and 223 of the Act for a period of six weeks.***
3. ***In accordance with section 223 of the Act;***
- 3.1 ***consider any written submissions received in relation to the proposed licences.***
- 3.2 ***gives seven days' notice by placing a public notice in the local print media of its intention to consider any submissions received at an Ordinary Council Meeting to be held on 23 November 2016. Formal advice of the time and location of the meeting will be provided to those parties wishing to be heard in support of their submission.***
- 3.3 ***if written submissions are received, report back with recommendations to Council.***
4. ***In the event that no submissions are received, execute the proposed three licence agreements under delegation in accordance with the terms and conditions specified in paragraph 1 above.***

CARRIED 7 : 0

OM162408-6 KINDERGARTEN SERVICE LICENCE AGREEMENT FOR APOLLO BAY

AUTHOR:	Greg Fletcher	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F14/3097

RESOLUTION

MOVED Cr Lyn Russell seconded Cr Brian Crook

That Council:

- 1. In accordance with Council Property Leasing Policy Ref. 4.2 (18 December 2013) enters into a Community Services Licence agreement with the Apollo Bay Preschool Incorporated Committee for the Land situated at 69 McLachlan Street Apollo Bay on the following terms and conditions.**

Agreement Type	Community Services Licence ((kindergarten and early years services))
Rent	\$1.00 per annum (incl. GST)
Licence Term	3 years
Further Term	Nil
Rent Review	Nil
Maintenance	In accordance with Annexure C, Maintenance Schedule 1 of the Licence

- 2. Executes the proposed Licence under delegation in accordance with the terms and conditions specified in the table above.**

Cr Terry Woodcroft left the meeting at 5.35pm.

Cr Terry Woodcroft returned to the meeting at 5.37pm.

CARRIED 7 : 0

**OM162408-7 COUNCIL SUPPORT FOR CO-LOCATION OF APOLLO BAY
KINDERGARTEN ON APOLLO BAY P-12 COLLEGE LAND**

AUTHOR:	Greg Fletcher	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/6696

Original Recommendation

That Council:

- 1. Supports in principle the relocation of the Apollo Bay kindergarten from 69 McLachlan St to the Apollo Bay P-12 College site.**
- 2. Supports a senior Council officer being represented on a project working group for the relocation of the kindergarten to the Apollo Bay P-12 College.**
- 3. Supports in principle the public sale of the land that the current kindergarten at 69 McLachlan St Apollo Bay occupies in the event that relocation of the kindergarten to the Apollo Bay P-12 school site is supported by the State Government and fully funded.**
- 4. Supports in principle, making a financial contribution to the construction of a new kindergarten at the Apollo Bay P-12 site from a yet to be determined proportion of the proceeds of the sale of the site at 69 McLachlan Street Apollo Bay, noting that;**
 - 4.1. The funds available from the sale of the land at 69 McLachlan St Apollo Bay are not currently known.**
 - 4.2. The amount of any Council contribution to the relocation of the kindergarten must be the subject of a future Council resolution.**
 - 4.3. The amount of any Council contribution to the relocation of the kindergarten will be determined by Council taking into account the financial outcome of the sale of the land (minus sale costs, clean-up costs demolition, legals etc), the final project cost, funds required and extent of external funding secured.**
 - 4.4. Councils contribution will be dependent on reaching a formal agreement regarding guaranteed public access to the kindergarten building and repayment of funds in the event that the school site is disposed of by the State Government in the future.**

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

1. ***Supports in principle the relocation of the Apollo Bay kindergarten from 69 McLachlan St to the Apollo Bay P-12 College site.***
2. ***Supports a senior Council officer being represented on a project working group for the relocation of the kindergarten to the Apollo Bay P-12 College.***
3. ***Supports in principle the public sale of the property that the current kindergarten at 69 McLachlan St Apollo Bay occupies in the event that relocation of the kindergarten to the Apollo Bay P-12 school site is supported by the State Government and fully funded subject to:***
 - 3.1 ***A further report to Council for final consideration; and***
 - 3.2 ***Council complying with Council's sale of land policy and the requirements of s189 and s223 of the Local Government Act to advertise the intention to sell the property and to consider submissions before the property is actually advertised for sale.***
4. ***Supports in principle, making a financial contribution to the construction of a new kindergarten at the Apollo Bay P-12 site from a yet to be determined proportion of the proceeds of the sale of the property at 69 McLachlan Street Apollo Bay, noting that:***
 - 4.1. ***The funds available from the sale of the property at 69 McLachlan St Apollo Bay are not currently known.***
 - 4.2. ***The amount of any Council contribution to the relocation of the kindergarten must be the subject of a future Council resolution and available budget.***
 - 4.3. ***The amount of any Council contribution to the relocation of the kindergarten will be determined by Council taking into account the financial outcome of the sale of the property (minus sale costs, clean-up costs, possible demolition, legals etc), the final project cost, funds required and extent of external funding secured.***
 - 4.4. ***Council's contribution will be dependent on reaching a formal agreement regarding guaranteed public access to the kindergarten building and repayment of funds in the event that the school site is disposed of by the State Government in the future.***
5. ***Notes that nothing in this resolution authorises the demolition of the kindergarten building and any action to demolish the kindergarten building requires explicit authorisation by a prior and stand alone council resolution before a contract to demolish the building is agreed to by Council.***

MOTION REQUESTING SEPARATE PARTS

MOVED Cr Chris Smith seconded Cr Michael Delahunty

That Points 1 and 2 become a separate motion and Points 3, 4 and 5 become a separate motion.

CARRIED 7 : 0

MOTION

MOVED Cr Stephen Hart seconded Cr Brian Crook

- 1. Supports in principle the relocation of the Apollo Bay kindergarten from 69 McLachlan St to the Apollo Bay P-12 College site.**
- 2. Supports a senior Council officer being represented on a project working group for the relocation of the kindergarten to the Apollo Bay P-12 College.**

CARRIED 7 : 0

MOTION

MOVED Cr Stephen Hart seconded Cr Brian Crook

- 3. Supports in principle the public sale of the property that the current kindergarten at 69 McLachlan St Apollo Bay occupies in the event that relocation of the kindergarten to the Apollo Bay P-12 school site is supported by the State Government and fully funded subject to:**
 - 3.1 A further report to Council for final consideration; and**
 - 3.2 Council complying with Council's sale of land policy and the requirements of s189 and s223 of the Local Government Act to advertise the intention to sell the property and to consider submissions before the property is actually advertised for sale.**
- 4. Supports in principle, making a financial contribution to the construction of a new kindergarten at the Apollo Bay P-12 site from a yet to be determined proportion of the proceeds of the sale of the property at 69 McLachlan Street Apollo Bay, noting that:**
 - 4.1. The funds available from the sale of the property at 69 McLachlan St Apollo Bay are not currently known.**
 - 4.2. The amount of any Council contribution to the relocation of the kindergarten must be the subject of a future Council resolution and available budget.**
 - 4.3. The amount of any Council contribution to the relocation of the kindergarten will be determined by Council taking into account the financial outcome of the sale of the property (minus sale costs, clean-up costs, possible demolition, legals etc), the final project cost, funds required and extent of external funding secured.**
 - 4.4. Council's contribution will be dependent on reaching a formal agreement regarding guaranteed public access to the kindergarten building and**

repayment of funds in the event that the school site is disposed of by the State Government in the future.

- 5. Notes that nothing in this resolution authorises the demolition of the kindergarten building and any action to demolish the kindergarten building requires explicit authorisation by a prior and stand alone council resolution before a contract to demolish the building is agreed to by Council.**

CARRIED 6 : 1

DIVISION called

For the motion: Cr Stephen Hart, Cr Frank Buchanan, Cr Lyn Russell, Cr Brian Crook, Cr Chris Smith

Against the motion: Cr Michael Delahunty

Karen Patterson attended the meeting at 5.43pm.

Karen Patterson left the meeting at 5.44pm.

Nicole Frampton attended the meeting at 5.52pm.

Nicole Frampton left the meeting at 5.56pm.

Simone Robertson left the meeting at 6.00pm.

Melanesia Carson left the meeting at 6.03pm.

Simone Robertson returned to the meeting at 6.07pm.

Meeting adjourned for a break at 6.31pm.

Meeting resumed at 6.37pm.

OM162408-8 GREAT OCEAN ROAD REGIONAL TOURISM FUNDING AGREEMENT

AUTHOR:	Tony White	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/6696

Original Recommendation**That Council:**

- 1. Authorise the Chief Executive Officer to execute the attached funding agreement with Great Ocean Road Regional Tourism subject to the Schedule to the agreement re-iterating that Council's contribution will be indexed at the lower of CPI or the maximum municipal rate specified annually by the State government.**

ALTERNATIVE MOTION**MOVED Cr Stephen Hart seconded Cr Lyn Russell****That Council:**

- 1. Authorise the Chief Executive Officer to execute the attached funding agreement with Great Ocean Road Regional Tourism subject to the Schedule to the agreement re-iterating that Council's contribution will be indexed at the lower of CPI or the maximum municipal rate specified annually by the State government.**
- 2. Notes that the attached funding agreement with Great Ocean Road Regional Tourism does not alter the Council resolution of 27 April 2016 allowing businesses rated 'holiday rental' to display suitable printed promotional material in Visitor Information Centres.**
- 3. Looks at better aligning these agreements with Council election cycles when it is next reviewed.**

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**

**OM162408-9 CONTRACT 1607 - PROVISION OF BUILDING SURVEYING AND
INSPECTION SERVICES**

AUTHOR:	Andrew Kavanagh	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F16/6678

RESOLUTION

MOVED Cr Terry Woodcroft seconded Cr Stephen Hart

That Council:

- 1. Awards Contract 1607 – Provision of Building Surveying & Inspection Services to MBS Services Australia Pty Ltd for the period 1 September 2016 to 31 August 2018, with provision of a one year option to extend the contract, at the tender price of \$228,980.00 (excluding GST) per annum.**
- 2. Authorises the Chief Executive Officer to place under Council Seal the contract documents following award of Contract 1607.**
- 3. Authorises the Chief Executive Officer to perform all functions and exercise all powers of the principal in accordance with the terms of the Contract, including exercising the option to extend the Contract at the conclusion of its original term.**

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

Tony White left the meeting at 7.05pm.

Vige Satkunarajah left the meeting at 7.08pm.

OM162408-10 CONTRACT 1609 - BITUMINOUS SEALING WORKS

AUTHOR:	Andrew Kavanagh	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F16/6696

RESOLUTION

MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That Council:

- 1. Awards Contract 1609 for Bituminous Sealing Works to Inroads Pty Ltd at the lump sum prices of \$949,164.83 (excluding GST) for reseals and final seals (Part A) and \$152,614.83 (excluding GST) for primer seals (Part B).***
- 2. Authorises the Chief Executive Officer to sign and seal the contract documents following award of Contract 1609.***
- 3. Authorises the Chief Executive Officer to perform all functions and exercise all powers of the principal in accordance with the terms of the Contract.***

CARRIED 7 : 0

**OM162408-11 LAVERS HILL TO CROWES AND MELBA GULLY OFF-ROAD TRAIL -
DRAFT REPORT AND CONCEPT PLANS**

AUTHOR:	Nicole Frampton	ENDORSED:	Ingrid Bishop
DEPARTMENT:	Infrastructure & Leisure Services	FILE REF:	F15/8105

Having declared a conflict of interest, Cr Stephen Hart left the meeting at 7:17pm.

Cr Hart	OM162408-11
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78E
Nature of Interest:	May affect my residential amenity

Original Recommendation**That Council:**

- 1. Endorses the Lavers Hill to Crowes and Melba Gully Off-Road Trail – Draft Report and Concept Plans to be placed on public exhibition in accordance with Council’s Community Engagement Policy 2013, from Friday 26 August 2016 to Monday 10 October 2016.**
- 2. Receives a report summarising the feedback from the public exhibition period at a future Council meeting.**

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Brian Crook

That Council:

- 1. Endorses the Lavers Hill to Crowes and Melba Gully Off-Road Trail – Draft Report and Concept Plans to be placed on public exhibition in accordance with Council’s Community Engagement Policy 2013, from Friday 26 August 2016 to Monday 10 October 2016.**
- 2. Receives a report summarising the feedback from the public exhibition period at a future Council meeting.**
- 3. Notes that this report is a further extension of the Old Beechy Rail Trail from Colac through to Crowes Buffer stop.**

CARRIED 6 : 0

Cr Stephen Hart returned to the meeting at 7:38pm.

OM162408-12 COUNCIL WASTE DROP OFF FACILITIES - FEES AND CHARGES

AUTHOR:	Jenny Wood	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F16/6678

Original Recommendation

That Council:

Amend the 2016/17 Fees and Charges Schedule to add the following:-

Putrescibles (including mixed rubbish) Drop of Facilities - Lavers Hill, Beech Forrest, Gellibrand and Carlisle River, 1st bin up to 240 litre bin \$ 11, additional bins 120 litre bin or less \$ 11, additional bins 240 litre bin \$ 17.

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

Amend the 2016/17 Fees and Charges Schedule to the following:-

Putrescibles (including mixed rubbish) –

- 1. First bin per visit - up to 240 litre bin (not exceeding 240 litres in volume) \$10 (this is intended for residents depositing domestic quantities of waste); additional 240 litre bin or part thereof will be calculated pro rata based on volume with a maximum charge of \$15 (not exceeding 240 litres in volume) and minimum charge of \$7.50; or**
- 2. \$60 per m3 or \$280 per tonne weight.**

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

Heather Johnson left the meeting at 7.40pm.

Heather Johnson returned to the meeting at 7.44pm.

Simone Robertson left the meeting at 7.54pm.

Andrew Kavanagh left the meeting at 7.55pm.

OM162408-13 LOCAL GOVERNMENT ACT REVIEW SUBMISSION

AUTHOR:	Jenny Wood	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F16/6696

RESOLUTION

MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That Council:

Adopt the draft submission 'Act for the Future' – Directions for a new Local Government Act Submission Paper – Colac Otway Shire, for submission to the State of Victoria Department of Environment, Land, Water and Planning by 16 September 2016.

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

Cr Terry Woodcroft left the meeting at 7.56pm.

Cr Terry Woodcroft returned to the meeting at 7.58pm.

Andrew Kavanagh returned to the meeting at 7.58pm.

OM162408-14 PROPOSED AMENDMENTS TO COUNCIL MEETING DATES - 2016

AUTHOR:	Jenny Wood	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F16/6678

Original Recommendation 1:

That Council:

- 1. re-schedule the Ordinary Council meeting currently scheduled to be held on Wednesday 28 September to be held on Wednesday 14 September 2016 4pm at COPACC;**
- 2. confirm that all committees will remain in place until Wednesday 28 September 2016 as intended in the resolution of Council at the Special Council meeting held on Wednesday 18 November 2015;**
- 3. receive a report on regarding the tenure of Committees during the election period at the next available meeting.**

Original Recommendation 2:

That Council:

schedule a Special meeting to be held on Wednesday 9 November 2016 4pm at COPACC for the purposes of electing the Mayor and Deputy Mayor.

ALTERNATIVE MOTION 1

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

- 1. re-schedule the Ordinary Council meeting currently scheduled to be held on Wednesday 28 September to be held on Wednesday 14 September 2016 4pm at COPACC;**
- 2. confirm that all committees will remain in place until Wednesday 28 September 2016 as intended in the Council resolution at the Special Meeting held on Wednesday 18 November 2015; and**
- 3. receive a report on the continuation of committees during the election period at the next available meeting.**

AMENDMENT

MOVED Cr Chris Smith seconded Cr Michael Delahunty

1. *Change point 2 so it reads:*

confirm that all committees will remain in place until Friday 21 October 2016 at 6pm; and

2. *Delete point 3.*

CARRIED 7 : 0

AMENDED ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

1. *re-schedule the Ordinary Council meeting currently scheduled to be held on Wednesday 28 September to be held on Wednesday 14 September 2016 4pm at COPACC; and*
2. *confirm that all committees will remain in place until Friday 21 October 2016 at 6pm.*

CARRIED 7 : 0

ALTERNATIVE MOTION 2

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

schedule a Special meeting to be held on Wednesday 9 November 2016 4pm at COPACC for the purposes of electing the Mayor and Deputy Mayor if Council chooses to have a Deputy Mayor.

CARRIED 7 : 0

Tony White returned to the meeting at 8.15pm.

Tony White left the meeting at 8.22pm.

OM162408-15 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

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

RESOLUTION

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council notes the Minutes of the Old Beechy Rail Trail Committee for 23 May 2016.

CARRIED 7 : 0

OM162408-16 ASSEMBLY OF COUNCILLORS

AUTHOR:	Sarah McKew	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F16/6678

RESOLUTION

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council notes the Assembly of Councillors reports for:

- ***Councillor Briefing*** ***20 July 2016***
- ***Ordinary Council Meeting Pre Meeting Briefing*** ***27 July 2016***
- ***Councillor Briefing*** ***3 August 2016***
- ***Councillor Briefing*** ***10 August 2016***

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

OM162408-17 NOTICE OF MOTION - AMBULANCE SERVICES SUMMIT (Cr Michael Delahunty)

RESOLUTION

MOVED Cr Michael Delahunty seconded Cr Chris Smith

That Council request the CEO:

- 1. Writes to the Honourable Jill Hennessy, Victorian Health Minister and Minister for Ambulance Services, requesting advice as to a suitable date for the Minister to attend an interagency meeting, arranged and convened by Colac Otway Shire and involving all relevant agencies to discuss optimising emergency medical service provisions in the township of Colac and the surrounding district.**
- 2. Convenes a summit involving all relevant agencies to discuss optimising emergency medical service provisions in the township of Colac and the surrounding district, once advice has been obtained from the Honourable Jill Hennessy, Victorian Health Minister and Minister for Ambulance Services as to a suitable date for the Minister to attend.**

CARRIED 7 : 0

IN COMMITTEE

MOTION

MOVED Cr Chris Smith seconded Cr Michael Delahunty

That the item regarding Colac Saleyards be dealt with in Open Council.

LOST 2 : 5

DIVISION called

For the motion: Cr Michael Delahunty, Cr Chris Smith

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

RESOLUTION

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 9.07pm and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Minutes of In-Committee Council Meeting held on 27 July 2016	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
Bushfire Recovery - Award of Contract 16/17-10 - Wye River & Separation Creek Topographical & Cadastral Survey & Creation of Easements	this matter deals with contractual matters; AND this matter deals with legal advice; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) (f) (h)
Colac Saleyards	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) (h)
Contract 1607 - Provision of Building Surveying & Inspections Services	this matter deals with contractual matters.	Section 89 (2) (d)
Contract 1609 - Bituminous Sealing Works	this matter deals with contractual matters.	Section 89 (2) (d)
COPACC Cinema Services Lease	this matter deals with contractual matters.	Section 89 (2) (d)
Leave of Absence	this matter may prejudice the Council or any person.	Section 89 (2) (h)
Leave of Absence	this matter may prejudice the Council or any person.	Section 89 (2) (h)

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

Cr Smith left the meeting at 9.08pm.

OUT OF COMMITTEE

RESOLUTION

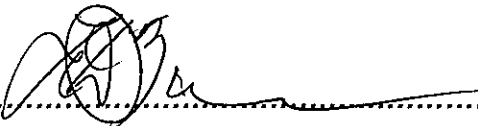
MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council move "Out-of-Committee".

CARRIED 7 : 0

The Meeting Was Declared Closed at 10.02pm

CONFIRMED AND SIGNED at the meeting held on 19 SEPTEMBER 2016


.....MAYOR

