



Colac Otway
SHIRE

SPECIAL COUNCIL MEETING

SUMMARY MINUTES

12 OCTOBER 2016

at 4pm

COPACC



COLAC OTWAY SHIRE SPECIAL COUNCIL MEETING

12 October 2016

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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 and Services
Heather Johnson, Acting General Manager, Development and Community Services
Jenny Wood, Manager, Governance and Customer Service
Vige Satkunarajah, Acting Manager, Planning, Building and Health
Harry Timmermans, Acting Manager, Financial Services
Melissa Garner, Assistant Accountant, Financial Services
Margaret Giudice, Corporate Development Officer, People, Performance and Culture
Nicholas Welsh, Accounting Officer, Assets
Adam Pullen, Manager, Services and Operations
Sharyn Ryan, Acting Manager, Community Services
Ian Seuren, Manager, Arts and Leisure
Jade Thomas, Asset Management Coordinator, Assets
Marni Young, Acting Manager, People Performance and Culture
Adam Lehmann, Manager, Assets and Property Services
Tony White, Manager, Economic Development and Tourism
Stewart Anderson, Manager, Environment and Community Safety
Doug McNeill, Manager, Planning Building and Health
Jeremy Rudd, Acting Manager, Capital Works

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.

The sole purpose of the Special Meeting is to consider and receive the Colac Otway Shire 2015/2016 Annual Report.

5. QUESTION TIME

Thank you. At every Special Meeting, a public question time not exceeding 30 minutes will be held to enable any member of the public to question Council but only on items included in the Agenda of that Special Meeting.

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).

James Judd

1. As those present is part of the agenda, please explain how in an agenda produced and distributed days prior meeting date you can claim in attendance all councillors plus council officers with their positions?

General Manager – Corporate Services to respond

The public agenda issued for the Special Council Meeting held on 12 October 2016 indicated Councillors and staff invited to the meeting. The official meeting minutes will reflect Councillors and staff present at the meeting.

2. In the Special Council meeting agenda for Special Council Meeting 12 October 2016 on page 8 you state under “A Place to Live and Grow”, you claim a 40% increase in membership with Bluewater Leisure Centre. What percentage of total membership use these facilities on a regular basis at least once per month?

General Manager – Infrastructure and Leisure Services to respond

For the three months from July to September 2016, membership usage was 45%.

2. Questions from the floor.

Simon Arundell – Bungador

Where did you find the \$700,000 for the Bluewater stadium floor? I would also like a written reply.

Response from the General Manager, Corporate Services:

The process in terms of identifying funding options for the floor replacement were completed late in the financial year so during that process, identification opportunities came up with adjustments to things like fuel usage during the year because petrol prices were lower, and electricity usage was lower, so the actual timing of that report provided an opportunity to look at its operational finances and find those funding opportunities and I believe they were written in that report, tabled to Council at that time and I'd be happy to point you to where that is again as well.

You're going to employ another manager for \$180,000 a year. Why? Who gets to set this \$180,000 salary? Does that include holiday pay, car, superannuation and everything else we have to foot the bill for?

Response from the Chief Executive Officer:

That was a recruitment of a vacancy, that is to replace an existing position rather than a new position, so that's the first point that needs to be made.

The second point that needs to be made is that it was for a General Manager role, so second line reporting to me, and the value is the entire value of the package including vehicle and annual leave and all of the entitlements. The salaries at Colac Otway are actually somewhat below the average in local government and at second level that is a very

conservative salary. The decision was made that that was the value of the position and I'm delighted to announce that we've actually made a successful appointment.

Alan Billing – Larpent

With regards to bushfire-affected ratepayers and dairy farmer ratepayers, what is Council's justification for such a difference in treatment of ratepayers?

Response from the General Manager, Corporate Services:

Certainly in January, post the bushfire, Council took a very considered decision to provide some relief to those that were severely affected by the bushfire, lost their houses, lost their livelihood, and that was provided through a number of funding sources where Council made savings. The rating arrangements across the Shire are shared arrangements; it's a process that's done through the budget and budget submissions and so forth. That process is reviewed every year and adopted by Council, so that is taken very seriously about trying to find the balance. I think we've tried to reflect that in the Annual Report about those broader services that are provided across the whole region for that contribution for rates across all different category types.

Who will be held accountable for the additional cost to the community for the Bluewater floor?

Response from the Chief Executive Officer:

In response I'd say that the premise of the question isn't correct. The choice of the flooring material isn't the issue – it's the installation. The flooring material chosen hasn't been a contributor

The report on page 46 indicates that several investors have investigated sites for milk processing facilities around Colac. Can Council put a precise figure on that enquiry?

Response from the Chief Executive Officer:

Discussions that I've been involved in specifically have been with two separate entities.

Just on twelve months ago, Council carried a motion that photocopied copies of the Annual Report would be available upon request at a cost of \$20. Has that motion been rescinded or has this been replaced by another motion?

Response from the General Manager, Corporate Services:

No, that motion still applies. That's a consistent motion reflected in our fees and charges.

6. DECLARATION OF INTEREST

7. VERBAL SUBMISSIONS

Nil

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| | | | |
|-------------|--------------------|-----------|------------|
| AUTHOR: | Margaret Giudice | ENDORSED: | Mark Lyons |
| DEPARTMENT: | Corporate Services | FILE REF: | 11/95771 |

Original recommendation

That Council:

- 1. Notes the Annual Report was submitted to the Minister for Local Government by 30 September 2016 as required.***
- 2. Considers and receives the 2015/16 Annual Report as presented to this meeting in accordance with Sections 131 and 134 of the Local Government Act 1989 and Part 4 of the Local Government (Planning and Reporting) Regulations 2014.***
- 3. Notes the Auditor's unqualified reports on the Financial Statements, and Performance Statement.***

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Notes the Annual Report was submitted to the Minister for Local Government by 30 September 2016 as required.***
- 2. Considers and receives the 2015/16 Annual Report as presented to this meeting in accordance with Sections 131 and 134 of the Local Government Act 1989 and Part 4 of the Local Government (Planning and Reporting) Regulations 2014.***
- 3. Notes the Auditor's unqualified reports on the Financial Statements, and Performance Statement.***
- 4. Notes that subsequent to 30 June 2016, Council has received \$335,741 reimbursement for bushfire related expenditure incurred in the 2015/2016 financial year. There are still some claims outstanding as outlined in note 33 (c) of the annual report.***

CARRIED 5 : 2

DIVISION

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

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*This meeting was declared closed at 4.31pm*

*Confirmed and signed at the meeting held on 23 November 2016*

.....Mayor