



ORDINARY COUNCIL MEETING

MINUTES

WEDNESDAY 24 OCTOBER 2018

AT 4PM

APOLLO BAY SENIOR CITIZENS' CENTRE

Next Council Meeting: 28 November 2018 at 4:00pm
COPACC

COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

24 OCTOBER 2018

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COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at the Apollo Bay Senior Citizens' Centre on 24 October 2018 at 4pm

MINUTES

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 Kate Hanson
Cr Stephen Hart
Cr Joe McCracken (Mayor)
Cr Chris Potter
Cr Jason Schram
Cr Chris Smith

Peter Brown, Chief Executive
Tony McGann, General Manager, Infrastructure & Leisure Services
Errol Lawrence, General Manager, Corporate Services
Ian Seuren, Acting General Manager, Development & Community Services
Sarah McKew, Manager, Governance & Communications
Jason Clissold, Manager, Financial Services
Gary Warrener, Manager, Economic Development & Events
Jeremy Rudd, Manager, Assets & Project Delivery
Frank Castles, Manager, Services & Operations
Lyndal McLean, Governance Coordinator
Alison Martin, Communications Coordinator

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Brian Crook is an apology for the 24 October 2018 Colac Otway Shire Ordinary Council Meeting.

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Kate Hanson

That Council grants Cr Brian Crook a Leave of Absence for the 24 October 2018 Colac Otway Shire Ordinary Council Meeting, in accordance with sections 66B and 69 of the Local Government Act 1989.

CARRIED 6 : 0

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

I would like to start this evening by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of 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.

5. QUESTION TIME

A maximum of 30 minutes is allowed for question time. To ensure that each member of the gallery has the opportunity to ask questions, it may be necessary to allow a maximum of two questions from each person in the first instance. Once everyone has had an opportunity to ask their initial questions, and if time permits, the Mayor will invite further questions.

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. Question time is not a forum for public debate or statements.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

John Gorman, President, Chamber of Commerce, Apollo Bay

I notice on the Agenda the details of changes in relation to the Amy Gran Fondo and I have to say I am extremely concerned to see that the road apparently is going to be blocked both ways as it has been in the past – correct me if I'm wrong. Will the Council work with Surf Coast to get Surf Coast and VicRoads to appreciate the impact that the road closures have on this community? I note that in regard to the event which is the marathon, that the other threesome of VicRoads and the two Shires have agreed to close the road and that the Surf Coast Shire still benefits significantly from the fact that ING has developed the Lorne end of the event (in terms of people staying) as part of

that event, and that in regard to both events the access to Lorne is never a problem - certainly as far as the eastern end - whether that be from Geelong or Melbourne. Everyone can get access to Lorne for both events but in the case of this event there is no economic benefit, or there will be no economic benefit. There's a big, big downside both for the community and economically in having the roads closed. I note that there's a recommendation about talking to VicRoads but I would ask that the Shire go beyond VicRoads and there actually be a fair discussion with Surf Coast as to whether they can completely accommodate the event without both of our access points being closed.

Response from the Mayor

I do note that that is obviously coming up in the meeting so I'd hate to predetermine what a vote might be but I might ask: the three points that you made were talking to Surf Coast and VicRoads, the second point was about the economic impact and the third point was about accessibility as well. Can I ask an officer to make a comment about those three points?

Response from the Chief Executive

I am happy to make a comment about the discussions with Surf Coast; certainly it's an issue that needs to be discussed with Surf Coast and I think that's our intention. The other two issues perhaps I might defer to the Acting Manager of Development & Community Services to respond to.

Response from Acting Manager, Development & Community Services

These are obviously two really important considerations. We'd certainly be discussing with Surf Coast and VicRoads the impact on our community. I think that you make some really good points about the marathon and economic benefits for the Surf Coast Shire and particularly Lorne but we need to make clear the impacts on our communities to both those and other parties. I think that it's a reasonable request.

Tim Cobb, Skenes Creek

1. I've just noticed, in the last few months, Colac Otway Shire has had a wonderful success in committing funds and getting funds to the old Colac School site; a new study into toilets; \$270,000 for the Western Oval; upgrade to the CBD entrances and the Colac foreshore. I think that's fantastic; well done Shire. I would also note that in the community of Apollo Bay we have raised all the money without any help from the Shire to get the pool heated (all the capital costs - not the running costs - all the capital costs) and also have got some funds through successful applications to 'Pick My Project' from State Government, again with no assistance from the Shire. I was just wondering if the Shire officers can name any new community infrastructure in Apollo Bay that the Shire has actually financially contributed to in the last five years? I am happy to push it out to 10 years, if need be. I know that there's been some roads and bins...

Response from General Manager, Infrastructure & Leisure Services

I would be happy to take the question on notice and provide Mr Cobb with a full list of the infrastructure work that has been done. The first project that probably comes to mind - and I think it was jointly funded if I remember by the TAC and the Shire - was the footpath work on the Great Ocean Road at Skenes Creek. I will take the question on notice and provide a full list.

2. Thank you. I was wondering if you might need to take that on notice. There are some 'Building Better Regions' fund applications going in very shortly. Given the well recognised state of the infrastructure down on the coast, has the Shire managed to find any project on the coast that it is ready to support for an improvement of infrastructure or are we going to tip in a couple of projects in Colac just to keep the ball rolling up there?

Response from the Mayor

I don't know the answer to that one off the top of my head but I might ask an officer to make comment on that particular 'Building Better Regions' fund.

Response from Acting Manager, Development & Community Services

As you would be aware, we are submitting a number of applications to the 'Building Better Regions' fund. Two of those projects are in Colac. We do have matching contributions for those, so the important thing to know is that funding program does require a dollar-for-dollar contribution. There were a number of projects considered in Apollo Bay and Skenes Creek, in particular. The challenge with the Skenes Creek Trail, which you are intimately aware of, is that it doesn't have a matching contribution to match the application, so for a project of \$4.5 - \$5 million a matching contribution is certainly a significant issue.

So the Shire wasn't able to find any infrastructure projects worth championing down on the coast, at all. That's correct, is it?

Response from the Chief Executive

I guess the question also should be raised in the context of the level of funding that is sought and the nature of the funding programs that are available. Projects of a substantial nature are very difficult to find funding for - to find the matching contribution. Similarly, the government often has funding lines and conditions on funding programs that make certain projects sit very neatly into those categories and not for others. In the time that I have been here, I have worked very diligently on seeking and developing the major projects that the Apollo Bay Chamber of Commerce and other Apollo Bay groups champion and I will continue to do that but the nature of some of those projects are that it will take some time to be able to obtain state or federal government funding, given that they don't fit into a neat funding box. We need to be able to convince government that those projects are worthwhile even if there isn't a current funding program available.

Tony Webber, Otway Forum

1. We had 10 days of the panel hearing here over the last few weeks. It was very well run by the three women panel members and very thorough and very even handed but out of that panel hearing came a lot of conditions on this large scale development that hadn't been met, like the heritage study and many others that were either partly done or not done at all. For such a large scale development, in the future should all of the requirements be completed before it is put to Council or a panel hearing? I have heard that it cost \$180,000 for the Shire's submission, so that's a lot of ratepayers' money if someone hasn't done the complete job. Will the Council in the future require a large scale development to complete all conditions before it is considered?

Response from the Mayor

I guess it's difficult for me to surmise on what a future decision might be but I think the points you raise are valid and we certainly take them on board.

Response from the Chief Executive

Like many things, it's a balance and for many developers they need to have an indication as to whether the project has favour before they invest considerable sums of money in developing all the required strategies and plans for a major development. It is a common practice in planning to make sure that the essential planning studies are done and the ones that can be made subject to a permit, subject to further work, are then left to a later stage. It's a balance between what you need to know up-front and what you can safely allow to happen after a permit has been issued, if it is indeed issued. I don't think you can make an across-the-board judgement for all the future planning applications that may be made to this Council and if we were to institute such a blanket rule, I think it would be very difficult for many developers to get on and submit their development applications.

- 2. The heritage study is a requirement. As far as I know, nothing was done about the heritage study. That's a really important requirement for a large scale development and I think that should be an absolute requirement before it's even considered. Would the Council, just on that specific issue, consider a heritage study being completed before the Council or anyone else considers it? We've invested an awful lot of ratepayer money into this proposal that, in a lot of people's opinion, was not well presented and the developers didn't even turn up to the meeting that was held here to answer questions. They treated the community not very well so I think in future, people need to be serious about their development, not just present what a lot of people thought was a half-baked idea.**

Response from the Chief Executive

I am reluctant to make a comment in relation to this particular planning application but as a general rule, there are often situations where it is very wise to obtain a heritage study before a lot of work is done. Once again, I have to emphasize that it depends on the nature of the development and where there are many studies required before a development can ultimately go ahead, it is important then to give a developer an early indication as to whether this is going to be approved or not. Heritage studies are, in many situations, very important and once again, I would not be prepared to give a blanket coverage for heritage studies in town planning applications.

- 3. At the September meeting in Beeac, I asked if Graeme Bentley's proposal would be considered as part of the development plan for the harbour. Is it being considered?**

Response from General Manager, Infrastructure & Leisure Services

I don't recall what that proposal was but I am happy to engage with Mr Webber after this meeting just to ensure that it is taken into account.

John Gorman, President, Chamber of Commerce, Apollo Bay

I think it is appropriate to note the presence of community members here today - family members included - of Christian Feetham. I just want to make sure that it is noted that the community came out in strength at the weekend in support of the situation he finds himself in which is in many

people's view, including mine, just wrong – that a person who by quirk of fate spent his first year of his life in another country can then face the situation of being detained now for nearly six months and facing deportation to a country where he effectively knows no one. I hope that at some stage, Council can consider in any way that it might be able to support Christian as a citizen of the Colac Otway Shire.

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

Nil

7. PETITIONS/JOINT LETTERS

A petition requesting that serious consideration be given to reducing the speed limit on Barongarook Road, Barongarook, from 100km/h to 80km/h has been received from a community member. The petition contained 33 signatures.

A report will be tabled at the Ordinary Council Meeting to be held on 28 November 2018.

8. DECLARATIONS OF INTEREST

Nil

9. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 26 September 2018.

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Kate Hanson

That Council confirm the minutes of the Ordinary Council Meeting held on 26 September 2018.

CARRIED 4 : 2

DIVISION

For the Motion: Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter

Against the Motion: Cr Chris Smith, Cr Jason Schram

ORDINARY COUNCIL MEETING
**APOLLO BAY SKENES CREEK COASTAL
DISCOVERY TRAIL FEASIBILITY STUDY**

OM182410-1

LOCATION / ADDRESS	Apollo Bay / Skenes Creek	GENERAL MANAGER	Gareth Smith
OFFICER	Gary Warrener	DIVISION	Development & Community Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	1. Apollo Bay Skenes Creek Trail Feasibility Study		
PURPOSE	To seek Council consideration of the Apollo Bay Skenes Creek Trail Feasibility Study.		

RECOMMENDATION

That Council:

- 1. Note the completion of the Skenes Creek to Wild Dog Creek feasibility study.*
- 2. Reaffirm Council's position that this is a priority project and will continue to advocate for funding.*
- 3. Note agency comments contained within this report from VicRoads, Department of Environment, Land, Water and Planning, Otway Coast Committee and Great Ocean Road Regional Tourism, including some requiring further investigations to be undertaken.*
- 4. Note the recently announced Apollo Bay to Torquay feasibility study and that this will further review existing studies such as Skenes Creek to Wild Dog Creek trail study.*
- 5. Note further investigations are required to identify an appropriate governance model for the ongoing maintenance responsibility for such a trail.*
- 6. Council will further consider its position regarding whether it would seek to be a the responsible agency for the future maintenance of the proposed trail from Skenes Creek to Wild Dog Creek following:*
 - a. Further details regarding the recent State Government announcement to establish a Great Ocean Road Authority, in particular any changes to future land management responsibilities.*
 - b. Completion of the Feasibility Study for trails between Torquay and Apollo Bay which may also consider the most appropriate governance model to maintain such trails in the future.*

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Kate Hanson

That Council:

1. *Note the completion of the Skenes Creek to Wild Dog Creek feasibility study.*
2. *Reaffirm Council's position that this is a priority project and will continue to advocate for funding.*
3. *Note agency comments contained within this report from VicRoads, Department of Environment, Land, Water and Planning, Otway Coast Committee and Great Ocean Road Regional Tourism, including some requiring further investigations to be undertaken.*
4. *Note the recently announced Apollo Bay to Torquay feasibility study and that this will further review existing studies such as Skenes Creek to Wild Dog Creek trail study.*
5. *Note further investigations are required to identify an appropriate governance model for the ongoing maintenance responsibility for such a trail.*
6. *Further consider its position regarding whether it would seek to be the responsible agency for the future maintenance of the proposed trail from Skenes Creek to Wild Dog Creek following:*
 - a. *Further details regarding the recent State Government announcement to establish a Great Ocean Road Authority, in particular any changes to future land management responsibilities.*
 - b. *Completion of the Feasibility Study for trails between Torquay and Apollo Bay which may also consider the most appropriate governance model to maintain such trails in the future.*
7. *Requests that the Chief Executive take appropriate action to have this matter considered as a G21 Priority Project.*

CARRIED 6 : 0

Jeremy Rudd attended the meeting at 4:28pm

ORDINARY COUNCIL MEETING
AMY'S GRAN FONDO EVENT
 OM182410-2

LOCATION / ADDRESS	Deans Marsh - Lorne Road; Birregurra - Deans Marsh Road; Birregurra - Forrest Road; Forrest - Skenes Creek Road; Great Ocean Road to Lorne	GENERAL MANAGER	Gareth Smith
OFFICER	Gary Warrenner	DIVISION	Development & Community Services
TRIM FILE	F17/12822	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To review Council's position regarding the Amy's Gran Fondo event for 2019.		

RECOMMENDATION

That Council:

1. *Notes Amy's Gran Fondo application to VicRoads to hold the next event on Sunday 15th September 2019 with a slightly revised route that of: from Lorne along Deans Marsh – Lorne Road; Birregurra – Deans Marsh Road; Birregurra – Forrest Road; Forrest – Skenes Creek Road; and the Great Ocean Road back to Lorne, using only roads managed by VicRoads and using no Council managed roads.*
2. *Notes VicRoads' request for a Council view on the Amy's Gran Fondo event application.*
3. *Notes Council's December 2017 resolution regarding the Amy's Gran Fondo event included an absence of support for the 2019 and 2020 events due to previous reviews of the Amy's Gran Fondo event have repeatedly found that the event is not supported by the majority of the Colac Otway Shire community who have provided their view on the event.*
4. *Instructs the Chief Executive to inform VicRoads that Council does not support the 2019 Amy's Gran Fondo event:*
 - a. *As no information has been provided to Council that suggests the event will address previous issues raised by Colac Otway businesses and community members.*
 - b. *No consultation has been undertaken of potential impacted communities and businesses from the proposed amended route.*
 - c. *The amended route is likely to further exacerbate impacts on Colac Otway Shire businesses and community by extending the route towards the southern entrance of*

Birregurra Township.

- d. *Requests VicRoads undertake consultation with community members and businesses likely to be impacted by the amended route, including the Birregurra community and businesses, prior to making a decision on the Amy Gran Fondo event application.*

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Jason Smith

That Council:

1. *Notes Amy's Gran Fondo application to VicRoads to hold the next event on Sunday 15th September 2019 with a slightly revised route that of: from Lorne along Deans Marsh – Lorne Road; Birregurra – Deans Marsh Road; Birregurra – Forrest Road; Forrest – Skenes Creek Road; and the Great Ocean Road back to Lorne, using only roads managed by VicRoads and using no Council managed roads.*
2. *Notes VicRoads' request for a Council view on the Amy's Gran Fondo event application.*
3. *Notes Council's December 2017 resolution regarding the Amy's Gran Fondo event included an absence of support for the 2019 and 2020 events due to previous reviews of the Amy's Gran Fondo event have repeatedly found that the event is not supported by the majority of the Colac Otway Shire community who have provided their view on the event.*
4. *Instructs the Chief Executive to inform VicRoads that Council does not support the 2019 Amy's Gran Fondo event:*
 - a. *As no information has been provided to Council that suggests the event will address previous issues raised by Colac Otway businesses and community members.*
 - b. *No consultation has been undertaken of potential impacted communities and businesses from the proposed amended route.*
 - c. *The amended route is likely to further exacerbate impacts on Colac Otway Shire businesses and community by extending the route towards the southern entrance of Birregurra Township.*
 - d. *Requests VicRoads undertake consultation with community members and businesses likely to be impacted by the amended route, including the Birregurra community and businesses, prior to making a decision on the Amy Gran Fondo event application.*
 - e. *Requests that VicRoads inform the community that the event has not been supported by Colac Otway Shire Council when VicRoads discusses the event with the community within Colac Otway Shire.*
5. *Requests that the Chief Executive meet with the Chief Executive Officer of Surf Coast Shire to outline Colac Otway Shire's concerns about the Amy's Gran Fondo Event.*

CARRIED 6 : 0

ORDINARY COUNCIL MEETING
**DRAFT ECONOMIC DEVELOPMENT
STRATEGY**

OM182410-3

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Gareth Smith
OFFICER	Gary Warrener	DIVISION	Development & Community Services
TRIM FILE	F17/2739	CONFIDENTIAL	No
ATTACHMENTS	1. Colac Otway Economic Development Strategy 16 Oct 2018 Exhibition Version		
PURPOSE	To seek Council's endorsement for the Draft Economic Development Strategy to go on public exhibition for a period of 6 weeks		

RESOLUTION

MOVED Cr Chris Potter seconded Cr Jason Schram

That Council endorses the Colac Otway Shire Draft Economic Development Strategy to go on public exhibition for a period of 6 weeks.

CARRIED 5 : 1

DIVISION

For the Motion: Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter, Cr Jason Schram

Against the Motion: Cr Chris Smith

ORDINARY COUNCIL MEETING
DRAFT G21 REGIONAL HOCKEY STRATEGY
OM182410-4

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Nicole Frampton	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7466	CONFIDENTIAL	No
ATTACHMENTS	1. Draft G21 Regional Hockey Strategy		
PURPOSE	To present the Draft G21 Regional Hockey Strategy for endorsement to commence public exhibition in accordance with Council's Community Engagement Policy 2013.		

RESOLUTION

MOVED Cr Chris Potter seconded Cr Jason Schram

That Council:

- 1. Endorses the Draft G21 Regional Hockey Strategy to be placed on public exhibition in accordance with Council's Community Engagement Policy 2013, from 26 October to 7 December 2018.*
-
- 3. Notes that the Final G21 Regional Hockey Strategy will be presented at a future meeting of Council.*

CARRIED 6 : 0

Frank Castles attended the meeting at 5:01pm

Gary Warrener left the meeting at 5:01pm

Peter Brown left the meeting at 5:02pm; returned at 5:03pm

ORDINARY COUNCIL MEETING
**DRAFT G21 AND CRICKET VICTORIA
BARWON REGIONAL CRICKET STRATEGY**
OM182410-5

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Nicole Frampton	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7466	CONFIDENTIAL	No
ATTACHMENTS	1. Draft G21 & Cricket Victoria Barwon Regional Cricket Strategy		
PURPOSE	To present the Draft G21 and Cricket Victoria Barwon Regional Cricket Strategy for endorsement to commence public exhibition in accordance with Council's Community Engagement Policy 2013.		

RESOLUTION

MOVED Cr Jason Schram seconded Cr Chris Potter

That Council:

- 1. Endorses the Draft G21 and Cricket Victoria Barwon Regional Cricket Strategy to be placed on public exhibition in accordance with Council's Community Engagement Policy 2013, from 26 October to 7 December 2018.*
- 2. Notes that the Final G21 and Cricket Victoria Barwon Regional Cricket Strategy will be presented at a future meeting of Council.*

CARRIED 6 : 0

Jason Clissold left the meeting at 5:12pm; returned at 5:14pm

ORDINARY COUNCIL MEETING
**ADOPTION OF THE 2017-2018
ANNUAL REPORT**

OM182410-6

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Melanie Duve	DIVISION	Corporate Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	1. Revised 2017-2018 Annual Report - Final		
PURPOSE	To consider and adopt the 2017-2018 Annual Report		

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Jason Schram

That Council:

- 1. Notes the Annual Report was submitted to the Minister of Local Government by 30 September 2018 as required.*
- 2. Considers and receives the 2017-2018 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.*

CARRIED 5 : 1

DIVISION

For the motion: Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Jason Schram, Cr Joe McCracken

Against the motion: Cr Chris Smith

The meeting adjourned for a short break at 5.55pm.
The meeting resumed at 6.09pm.

MOTION

MOVED Cr Joe McCracken seconded Cr Chris Potter

That agenda items 10 and 11 (OM182410-10 and OM182410-11) be moved to the end of the agenda, in the event they need to be considered in Closed Session.

CARRIED 6 : 0

ORDINARY COUNCIL MEETING
**QUARTERLY PERFORMANCE REPORT
2018-2019**

OM182410-7

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Melanie Duve	DIVISION	Corporate Services
TRIM FILE	F18/7513	CONFIDENTIAL	No
ATTACHMENTS	1. September Quarter Performance Report 2018-2019		
PURPOSE	To endorse the Quarterly Performance Report 2018/19 for the period 1 July to 30 September 2018		

RECOMMENDATION

That Council notes the Quarterly Performance Report 2018/19 for the period 1 July to 30 September 2018.

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Stephen Hart

That Council defer this item until the November Ordinary Council Meeting so that Councillors can be given current figures regarding the material and services costs, more specifically the contractors and legal fees.

EQUAL 3 : 3

DIVISION

For the motion: Cr Stephen Hart, Cr Joe McCracken, Cr Chris Smith

Against the motion: Cr Kate Hanson, Cr Jason Schram, Cr Chris Potter

The Mayor determined his casting vote for the motion.

CARRIED 4 : 3

ORDINARY COUNCIL MEETING
RISK MANAGEMENT POLICY (REVIEW)
OM182410-8

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Marni Young	DIVISION	Corporate Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. RM-04 Risk Management Policy - 2018 - FOR COUNCIL ADOPTION2. 7.3 Risk Management Policy 2016 - 2018 Review w Track Changes3. 7.3 Risk Management Policy		
PURPOSE	To present Council's revised Risk Management Policy for adoption.		

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Chris Potter

That Council adopts the following revised policy:

- *RM-04 Risk Management Policy*

CARRIED 4 : 2

DIVISION

For the Motion: Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter

Against the Motion: Cr Chris Smith, Cr Jason Schram

Jason Clissold left the meeting at 6:36pm

ORDINARY COUNCIL MEETING
RURAL COUNCILS TRANSFORMATION PROGRAM
 OM182410-9

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Errol Lawrence	DIVISION	Corporate Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none"> 1. Rural Councils Transformation Program - Frequently Asked Questions 2. Rural Councils Transformation Program 		
PURPOSE	To formally present the Rural Councils Transformational Program to Council and seek Council's support of the G21 Group of Councils' submission of a Expression of Interest to the program.		

RESOLUTION

MOVED Cr Chris Potter seconded Cr Kate Hanson

That Council:

1. *Endorses its participation in an application to the Victorian Government's Rural Councils Transformation Program, noting the following:*
 - 1.1 *This is a joint application of the five local government authorities within the G21 region.*
 - 1.2 *The program aims to improve the efficiency and financial sustainability of rural and regional councils.*
 - 1.3 *The application proposes increased collaboration amongst councils, including the potential for a shared operational delivery model.*
 - 1.4 *Each council would retain autonomy for setting its strategy, service levels and policies in relation to the included services.*
 - 1.5 *The application requires each council's Chief Executive Officer to sign a Memorandum of Understanding affirming the council's willingness to participate.*

CARRIED 6 : 0

ORDINARY COUNCIL MEETING
**CONTRACT 1823 - 2018/19 BITUMINOUS
RESEALING TENDER AWARD**
OM182410-10

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Jeremy Rudd	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To award Contract 1823 - 2018/19 Bituminous Resealing Contract		

Items OM182410-10 (Contract 1823 - 2018/19 Bituminous Resealing Tender Award) and OM182410-11 (Award of Contract 1907 Cleaning Services) were considered following OM182410-12 (Notice of Motion – Public Conveniences Strategy) and OM182410-13 (Old Beechy Rail Trail Minutes and Assembly of Councillors Notes).

RESOLUTION

MOVED Cr Chris Potter seconded Cr Kate Hanson

That Council:

- 1. Awards Contract 1823, 2018/2019 Bituminous Resealing to Inroads Pty Ltd, at the lump sum price referred to in the confidentially distributed document pertaining to this contract, for a period of one (1) year, with no contract extensions.*
- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1823.*
- 3. Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

CARRIED 4 : 2

DIVISION

For the motion: Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Joe McCracken

Against the motion: Cr Chris Smith, Cr Jason Schram

ORDINARY COUNCIL MEETING
**AWARD OF CONTRACT 1907 -
CLEANING SERVICES**

OM182410-11

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Jeremy Rudd	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To award Contract 1907 - Cleaning Services		

RECOMMENDATION

That Council:

- 1. Awards Contract 1907 Cleaning Services to Bogdan Investments Pty Ltd, at the lump sum price referred to in the confidentially distributed document pertaining to this contract, for a period of one (1) year, with no contract extensions.*
- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1907.*
- 3. Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

MOTION

MOVED Cr Jason Schram seconded Cr Chris Potter

That Council moves into Closed Session to enable confidential discussion regarding Contract 1907 Cleaning Services.

CARRIED 6 : 0

The meeting moved into Closed Session and adjourned for a short break at 8.22pm.
Alison Martin left the meeting at 8:22pm

The meeting resumed in Open Council at 9.17pm.

RESOLUTION

That Council:

1. *Awards Contract 1907 - Cleaning Services to Bogdan Investments Pty Ltd, at the lump sum price referred to in the confidentially distributed document pertaining to this contract, for a period of one (1) year, with no contract extensions.*
2. *Authorises the Chief Executive to sign the contracts following award of Contract 1907.*
3. *Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

CARRIED 4 : 2

DIVISION

For the motion: Cr Kate Hanson, Cr Stephen Hart, Cr Chris Potter, Cr Joe McCracken

Against the motion: Cr Chris Smith, Cr Jason Schram

ORDINARY COUNCIL MEETING
**NOTICE OF MOTION –
PUBLIC CONVENIENCES STRATEGY**
OM182410-12

COUNCILLOR Chris Potter

ATTACHMENTS 1. Notice of Motion No. 285 - Public Convenience Strategy -
Signed - 20181015

NOTICE OF MOTION

MOVED Cr Chris Potter

That Colac Otway Shire develop a public conveniences (toilet) strategy to address current insufficiencies and future needs.

Such strategy should consider:

- 1. Condition report of current assets*
- 2. Assessment of current use and future demand.*
- 3. Consideration of locations and placement of conveniences*
- 4. Innovative design and technology and environmental issues*
- 5. Cost recovery*

AMENDED MOTION

MOVED Cr Chris Potter seconded Cr Kate Hanson

- 1. That Colac Otway Shire develop a public conveniences (toilet) strategy to address current insufficiencies and future needs, subject to the mid-year budget review.*

Such strategy should consider:

- 1.1 Condition report of current assets*
- 1.2 Assessment of current use and future demand*
- 1.3 Consideration of locations and placement of conveniences*
- 1.4 Innovative design and technology and environmental issues*

1.5 Cost recovery

1.6 Public convenience requirements within the municipality on publicly owned land

2. At the time of the budget review that current basic information is presented to Council.

CARRIED 6 : 0

ORDINARY COUNCIL MEETING
**OLD BEECHY RAIL TRAIL MINUTES AND
 ASSEMBLY OF COUNCILLORS NOTES**
 OM182410-13

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Lyndal McLean	DIVISION	Corporate Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none"> 1. Assembly of Councillors - Councillor Briefing - 12 September 2018 2. Assembly of Councillors - Councillor Briefing - 19 September 2018 3. Assembly of Councillors - Pre-Council Meeting Preparation - 26 September 2018 4. Assembly of Councillors - Councillor Briefing - 3 October 2018 5. Assembly of Councillors - Lake Colac Advisory Committee - 9 October 2018 6. Meeting Minutes - Old Beechy Rail Trail Committee - 7 August 2018 - Confirmed 7. Meeting Notes - Old Beechy Rail Trail Committee - 11 September 2018 - Confirmed 		
PURPOSE	To report the minutes of the Old Beechy Rail Trail and report the Assemblies of Councillors		

REPORTING


1. *The Assemblies of Councillors are reported herewith.*
2. *The minutes of the Old Beechy Rail Trail Committee for 7 August 2018 and meeting notes of the Old Beechy Rail Trail Committee for 11 September 2018 are reported herewith.*

The Local Government Act 1989 does not require a Council decision.

Cr Chris Smith requested that his opposition to this item be noted.

The meeting was declared closed at 9.30pm

CONFIRMED AND SIGNED at the meeting held on 28 NOVEMBER 2018


.....MAYOR