



ORDINARY COUNCIL MEETING

MINUTES

WEDNESDAY 27 JUNE 2018

AT 4PM

COPACC

Next Council Meeting: 25 July 2018

COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

27 JUNE 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
COPACC on 27 June 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
Cr Terry Woodcroft

Robert Dobrzynski, Acting Chief Executive Officer
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Gareth Smith, General Manager, Development & Community Services
Sarah McKew, Manager, Governance & Customer Service
Lyndal McLean, Acting Governance Officer
Nicholas Welsh, Coordinator Management Accounting
Sarah Osborne, Acting Communications Coordinator
Toni Saunders, Management Accountant
Frank Castles, Acting Manager, Services & Operations
Glen Bernoth, Acting Communications Officer
Vicki Jeffrey, Events Officer
Gary Warrener, Manager, Economic Development & Events
Ian Seuren, Manager, Arts & Leisure
Katrina Kehoe, Economic Development Officer/Grant Officer
Tamzin McLennan, Acting COPACC Manager
Michael Swanson, Economic Development Coordinator
Trevor Olsson, Manager, People, Performance & Culture
Melanie Duvé, Corporate Planning & Reporting Officer
Jeremy Rudd, Manager, Assets & Project Delivery

3. APOLOGIES

Nil

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 IN WRITING PRIOR TO THE MEETING

Mr Judd

Re: *Local Government Act 1989*

- 1. How does the Colac Otway Shire Council justify attempting to change regulations based on a proposed law not presented to parliament to be considered then passed amended or rejected until over one month after being presented to Council proposing to make an amendment? No amendment is legal prior to a bill being changed, signed and dated to be proclaimed law.**

Response from General Manager, Corporate Services

The Local Government Bill 2018 was introduced into the Victorian Parliament on 23 May 2018. While Colac Otway Shire Council is aware that the Bill is just that – a Bill – some recommendations by officers to introduce changes that align with sections of the proposed Bill have been made to introduce efficiencies and improvements to Colac Otway Shire, in the best interests of ratepayers.

- 2. Has the Colac Otway Shire Council considered placing a requirement on its electricity suppliers to always maintain power lines in a proper and safe condition? This is now urgent in light of the frequent blame on poor maintenance being the cause of many major fires since start of 2009. Some of these fires have resulted in many lives lost.**

Response from General Manager, Development & Community Services

Council has no powers to enforce requirements for maintenance or management regimes around powerlines. The general maintenance of powerlines and vegetation under powerlines is managed by the State Government via the legislative powers issued under the *Electricity Safety Act 1998* and the *Electricity Safety (Electric Line Clearance) Regulations 2015*.

- 3. How does Colac Otway Shire Council explain its refusal to produce minutes and have them tabled and accepted prior to any item covered by a Special Council Meeting or Special Committee Meeting voted on by Council? We now have the position minutes not being confirmed until about a year after a meeting when matter voted on at a Council Meeting only two weeks after a Special Committee held.**

Response from General Manager, Corporate Services

Colac Otway Shire Council follows standard and recognised governance procedures regarding the confirmation of minutes from previous meetings. Please note that under the *Local Government Act 1989*, Special Council meetings and Special Committee meetings are covered under two different sections and procedure is to confirm minutes from each of those meetings at the next respective meeting.

- 4. What percentage of Council's total outlays for the 2018 – 2019 budget year is allocated to meeting consultants, outside planners and outside advisors expenses? Plus, if the figure is unknown what is the maximum limit of funds available without new Councillor permission being granted for each?**

Response from General Manager, Corporate Services

As per the Budget Document section 4.1.8, the amount that is budgeted for Consultancy is \$946,000. This will include amounts for consultants, planners and other advisory services.

5. Since the revaluation carried out to set the Council's 2017 – 2018 rates was on the basis of 2 yearly valuations including 2018 – 2019, then during the 2017 – 2018 period the Government changed the rules to annual revaluations, why is the total expense to carry out a new valuation to set the 2018 – 2019 rates not recovered in total from the Government and not 50% to be recovered from rate payers, plus charged against works that could have been done?

Response from General Manager, Corporate Services

The State Government's move to annual revaluations simply means the valuations returned by Council's valuer will be used for one year (i.e. 2018-19) instead of two years (i.e. 2018-19 and 2019-20).

The cost of the contract valuer revaluing all properties in the shire does not change as a result of the valuations being used for a lesser period. The State Revenue Office is proposing to reimburse Council 50% of the costs of preparing the revaluation in accordance with its longstanding statewide agreement with local government.

Tony Brown, President, Colac Otway Sustainability Group Inc.

I am aware that Colac Otway Shire is making substantial steps towards energy efficiency with its installation of solar electricity generation on Council buildings, in replacing incandescent street lighting with light emitting diodes and other cost-effective initiatives.

However, it has been brought to my attention that the existing pool cover for the main pool at Bluewater is not being used at night on the grounds of 'labour saving' instituted by a previous manager. There is also a spa pool which has a cover which takes under a minute to apply or remove. This pool is maintained at 38 degrees centigrade night and day, but its cover isn't being used either.

Does the monetary saving of 15 minutes of labour early each day outweigh the extra cost of gas to maintain the pool, at 34 degrees centigrade all day every day (gas usage spikes between midnight to 2 am), electricity for pumping when pumping isn't necessary at night, increased corrosion in the pool room roof from heightened humidity, and unnecessary wear and tear on boilers and pumps?

Response from General Manager, Infrastructure & Leisure Services

Bluewater is continually looking for operational efficiencies. We have recently trialled not using the pool blankets to determine if the impacts of using the blankets on energy consumption outweigh the cost of labour to use the covers, which in total is approximately one hour per day. The aquatic industry is divided on the benefits of using pool blankets with many larger centres (such as Leisurelink, Aquapulse and St Albans) deciding not to utilise them.

The impact on water, electricity and gas consumption has been reviewed during the trial. It has been determined that energy usage and costs have increased slightly however the increases are negligible across the entire facility. Overall, when taking into account the environmental benefits of energy savings Council has determined to recommence using the pool blankets as of 2 July 2018.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

Leigh Barrett, Colac

On 18 April the Colac Herald reported that Council had the result to take legal action against BDH Constructions and DWP Suters Architects to recover about one million dollars due to the failure of the Bluewater stadium floor and consequent replacement. Has Council lodged legal proceedings with the Supreme Court or any court yet?

Response from Acting Chief Executive Officer

The Council has two separate contracts in regard to the Bluewater issue that it's seeking compensation under and it's seeking compensation from both these parties – one is the architects and the other is the builders. There are two differing contracts; one requires arbitration to resolve issues and the other one leaves it open for the Council to take legal action to protect its interests. The Council is commencing legal proceedings against the architect. It has been seeking consent from the builders to join as a party to those proceedings so that the whole matter can be resolved in the best interests of all three parties. Only in the last week have we received advice from new lawyers appointed by the builders, that the builders are in agreeance with that and so Council's legal representatives are now proceeding with registering the legal action in court.

Samantha Day, Larpent

The families and the community at Cororooke would like to know if you are going to fund the toilets in the budget.

Response from the Mayor

That is a very good question and I guess that is why a lot of people are here tonight. It is subject to a Council decision tonight and it's the first item on the agenda. I can't answer that question directly right now, but you'll soon see if you stick around.

Alan Davis, Colac

I am wondering about Kanyana. There was a phone on there before the NBN took over and now there is no phone. I think that there could be a medical emergency at any time with old folks and I'm just wondering why there is no phone?

Response from General Manager, Development and Community Services

I will have to investigate to understand why there is no longer a phone there. I am happy to get your details so one of our officers can give you a call tomorrow and confirm what the situation is with the telephone.

Simon Arundell, Bungador

I see in the *Colac Herald* you are going to allocate \$2,000, if I read correctly, to each shop to paint their shop fronts up. Is that correct?

Response from the Mayor

Are you referring to the facades?

I guess that's what I'm referring to. Is it just for shops in Murray Street?

Response from General Manager, Development and Community Services

Council did a major review of its grants program in 2017. As part of that review, there were various recommendations to improve our grants program. One of those was to trial a new facades grant program for Colac and it was purely restricted to the Murray Street area. That will be considered tonight by Council if they wish to allocate grants to those people who have applied.

Where is this money coming from?

Response from the Mayor

The Council budget.

But aren't all those shops representing free enterprise? Isn't it up to them to do their own facades? Why should Shire money be spent on that? Perhaps you could come out and paint all the farmers' front gate posts and things like that. We are also businesses and despite what the *Colac Herald* printed a few weeks ago, we are the largest industry in this area because without the farmer, you wouldn't have the lamb works and Bulla wouldn't exist, but Murray Street gets preference.

And why just pick on Murray Street? What about Forrest and Apollo Bay?

Response from the Mayor

I think the view is to trial it this year, as this is the first year and see how it goes in Murray Street. If it's a success, it would be widened.

But why grow a cancer? This will just be another cost to the rate payers. How much time is going to be taken up by Shire people going to inspect and go back and inspect again? What do you think the end cost of all this is going to be?

Response from the Mayor

It's capped at \$2,000 per site.

And does that include the time of officers to go down and check the paint work and all the rest? Is that included in the costs?

Response from the Mayor

No.

Leave it to the shop keepers and you just get on with roads, bridges and Murray Street.

Graham Howard, Colac

I asked a question about two months ago with regards to what the Shire knew, and Councillors knew, about these road trains. They are running up and down Murray Street and that was one of the reasons why I got held up today. There was one crossing down at Queens Street as I came through. I've heard nothing about it and I was just wondering what's going on. There were three, I believe, on the weekend. I think that with elderly people living in Colac, there needs to be something done about these road trains that are going through the middle of town. They are going from Portland and they would be going back sometime or other between now and early morning, so I'd imagine.

Response from General Manager, Infrastructure & Leisure Services

I think I would like to meet with Mr Howard in the next day or two, just to get a complete understanding of the type of vehicle that he is talking about. Obviously the Princes Highway is a transport route for various vehicles, including b-doubles and from time-to-time there are over dimensional vehicles that get permits to travel on the Princes Highway. My memory is that we wrote to Mr Howard on this subject, but I think it would be good for me to organise a face-to-face catch up to answer the questions.

They actually are road trains because they have got two containers about 40 foot long and there is also a hitch between the truck and the next trailer which I believe is definitely a road train.

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

Nil

7. PETITIONS/JOINT LETTERS

A petition for the erection of bollards at the end of Surf Avenue, Skenes Creek has been received from a community member. The petition contained 24 signatures.

A report responding to the petition will be tabled at the Ordinary Council meeting to be held on 25 July 2018.

8. DECLARATIONS OF INTEREST

Cr Schram	OM182706-5 (Recommendation 1, number 16)
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78
Nature of Interest:	Applicant in Category 1 Colac West Rotary was filled out by my mother.

Cr Potter	OM182706-5 (Recommendation 2, number 29)
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78B
Nature of Interest:	Councillor is a Board member of the Colac RSL, an applicant for grant funding.

9. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 23 May 2018.

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Chris Potter

That Council confirm the above minutes.

CARRIED 7 : 0

ORDINARY COUNCIL MEETING
NOTICE OF MOTION –
COROROOKE TENNIS COURTS PUBLIC FACILITIES
OM182706-1

COUNCILLOR	Chris Potter
ATTACHMENTS	<ol style="list-style-type: none">1. Notice of Motion No 278 - Cr Chris Potter - Cororooke Tennis Courts Public Facilities - Signed2. Notice of Motion No 278 – Councillor Comment - Cororooke Tennis Courts Public Facilities – Cr Chris Potter

RESOLUTION

MOVED Cr Chris Potter seconded Cr Stephen Hart

That Council:

Subject to the adoption of the Colac Otway Shire 2018/19 Annual Budget and subsequent to the adoption if it is confirmed adequate funds are available in the Project Reserve to accommodate the cost to design and construct public toilets at the Cororooke Reserve totalling \$120,000, then such funds be allocated from the reserve for completion of the Cororooke Toilets project during the 2018/19 financial year.

CARRIED 6 : 1

DIVISION

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

Against the Motion: Nil

Final vote count as documented in the division – CARRIED 7 : 0

Michael Swanson attended the meeting at 4.33pm.
Tamzin McLennan attended the meeting at 4.33pm.
Katrina Kehoe attended the meeting at 4.33pm.
Katrina Kehoe left the meeting at 4.36pm.
Katrina Kehoe returned to the meeting at 4.41pm.

ORDINARY COUNCIL MEETING
**NOTICE OF MOTION –
OLD BEECHY RAIL TRAIL**
OM182706-2

COUNCILLOR Stephen Hart

ATTACHMENTS 1. Notice of Motion No 279 - Cr Stephen Hart - Old Beechy Rail Trail - Signed

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Chris Potter

That Council:

- 1. Notes that submissions to the draft 2018/2019 budget raise concerns about the adequacy of the maintenance budget for the Old Beechy Rail Trail (OBRT),*
- 2. Confirms that, subject to the budget being adopted, the allocation for the OBRT maintenance will be \$60,000 in the 2018/2019 budget, an increase of \$15,000 on the preceding financial year,*
- 3. Requests that ongoing reports to the OBRT Committee on the expenditure on the trail also be circulated to Councillors,*
- 4. Notes that Council is assessing the maintenance and capital works needed on the OBRT, and*
- 5. Resolves to reconsider the extent of the funding for the OBRT if the assessments show a need for additional funding.*

CARRIED 6 : 1

DIVISION

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

Against the Motion: Cr Chris Smith

Katrina Kehoe left the meeting at 5.29pm.

The meeting adjourned for a short break at 5.29pm.
The meeting resumed at 5.37pm.

ORDINARY COUNCIL MEETING
ADOPTION OF THE 2018/19 ANNUAL BUDGET
OM182706-3

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Nicholas Welsh	DIVISION	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	No
ATTACHMENTS	1. 2018-19 Colac Otway Shire Council Budget - Final		
PURPOSE	To present the 2018/19 annual budget for Council's consideration and adoption.		

RECOMMENDATION

That Council:

1. *Having considered all submissions received, adopts the 2018-2019 Budget annexed to this resolution as Attachment 1 in accordance with section 130 of the Local Government Act 1989 (the Act).*
2. *Notes that submissions received which are not included in the 2018/19 Budget will inform Council's budget deliberations in 2019/20.*
3. *Authorises the Chief Executive Officer to:*
 - 3.1 *Give public notice of this decision to adopt the 2018-2019 Budget, in accordance with section 130(2) of the Act;*
 - 3.2 *Forward a copy of the adopted Budget to the Minister for Local Government, in accordance with section 130(4) of the Act;*
 - 3.3 *Make available a copy of the adopted Budget at the Rae Street Office and the Apollo Bay Customer Service Centre for public inspection in accordance with section 130(9) of the Act; and*
 - 3.4 *Thank persons making submissions to the budget for their submission and advise them of the outcome of the budget decision by writing to each person who made a submission.*

4. *Intends to raise the following amount:*

An amount of \$ 30,223,927 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount that Council intends to raise by general rates (described later in this resolution), municipal charge and service (Waste Management) charges, which is calculated as follows:

<i>Category</i>	<i>Income</i>
<i>General Rates</i>	<i>\$24,386,798</i>
<i>Municipal Charge</i>	<i>\$2,709,644</i>
<i>Annual Service (Waste Management) Charges</i>	<i>\$3,127,485</i>
TOTAL	\$30,223,927

5. *Declares a general rate in respect of the 2018-2019 Financial Year.*

5.1 *It be further declared that, consistent with Council's current Rating Strategy and having regard to the considerations outlined in the Budget for the 2018-2019 Financial Year, the general rate be raised by the application of differential rates.*

5.2 *A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:*

5.2.1 *Residential Land – Colac, Colac East, Colac West or Elliminyt*

Any land whether vacant or built upon, which is located in Colac, Colac East, Colac West or Elliminyt that is not zoned in the Colac Otway Planning Scheme for commercial or industrial use and which does not have the characteristics of:

5.2.1.1 *Rural Farm Land;*

5.2.1.2 *Holiday Rental Land; or*

5.2.1.3 *Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.*

5.2.2 *Residential Land - Balance of Shire*

Any land whether vacant or built upon which is not located in Colac, Colac East, Colac West or Elliminyt that:

does not have the characteristics of:

5.2.2.1 *Rural Farm Land;*

5.2.2.2 *Holiday Rental Land;*

5.2.2.3 *Commercial/Industrial Land – Balance of Shire*

5.2.3 Rural Farm Land

Any land within Council's municipal district which constitutes "Farm Land" as defined by Section 2 of the Valuation of Land Act 1960 and is zoned to allow land to be used for rural and/or farming purposes.

5.2.4 Holiday Rental Land

Any land that contains a dwelling, cabin or house or part of a house that:

5.2.4.1 *is used for the provision of holiday accommodation for the purpose of generating income; or*

5.2.4.2 *is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner,*

Note: Typically, the category will include absentee owned holiday houses, owner occupied "Bed and Breakfast" establishments, farm properties with accommodation cabins, holiday farms and the like.

The category will not include land used to provide tourist/holiday accommodation on an overtly commercial scale and basis where the provision of accommodation is an integral part of the use of the property. The types of properties excluded from this category would include motels, resorts, hotels with accommodation, caravan parks, centrally managed and promoted multi-unit developments and the like.

5.2.5 Commercial/Industrial Land - Colac, Colac East, Colac West or Elliminyt

Any land which is located in Colac, Colac East, Colac West or Elliminyt which:

does not have the characteristics of:

5.2.5.1 *Rural Farm Land;*

5.2.5.2 *Residential Land – Colac, Colac East, Colac West or Elliminyt; or*

5.2.5.3 *Holiday Rental Land; and*

is used primarily for:

5.2.5.4 *the sale of goods or services;*

5.2.5.5 *other commercial purposes; or*

5.2.5.6 *industrial purposes,*

or which is vacant but zoned in the Colac Otway Planning Scheme for commercial or industrial use.

5.2.6 Commercial/Industrial Land - Balance of Shire

Any land which is not located in Colac, Colac East, Colac West or Elliminyt which does not have the characteristics of:

- 5.2.6.1 *Rural Farm Land;*
- 5.2.6.2 *Residential Land – Balance of Shire; or*
- 5.2.6.3 *Holiday Rental Land; and*
is used primarily for:
 - 5.2.6.4 *the sale of goods or services;*
 - 5.2.6.5 *other commercial purposes; or*
 - 5.2.6.6 *industrial purposes*

or which is vacant but zoned in the Colac Otway Planning Scheme for commercial or industrial use.

- 5.3 *Each differential rate will be determined by multiplying the Capital Improved Value of each piece of rateable land (categorised by the characteristics described in Clause 5.2 of this Resolution) by the relevant rate in the dollar indicated in the following table:*

<i>Rating Category</i>	<i>Rate in the dollar of CIV</i>
<i>Residential- Colac, Colac East, Colac West, Elliminyt</i>	<i>0.004271</i>
<i>Residential- Balance of Shire</i>	<i>0.003631</i>
<i>Rural- Farm</i>	<i>0.003204</i>
<i>Holiday Rental</i>	<i>0.004271</i>
<i>Commercial/Industrial - Colac, Colac East, Colac West, Elliminyt</i>	<i>0.007048</i>
<i>Commercial/Industrial- Other</i>	<i>0.005980</i>

- 5.4 *It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:*

- 5.4.1 *the respective objectives of each differential rate be those specified in section 7.12 of the 2017-2018 Budget Document;*
- 5.4.2 *the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this resolution;*
- 5.4.3 *the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the current Colac Otway Shire Rating Strategy; and*

5.4.4 the relevant:

5.4.4.1 uses of;

5.4.4.2 geographical locations of;

5.4.4.3 Colac Otway Planning Scheme zoning of; and

5.4.4.4 types of buildings on

the respective types or classes of land be those identified in Council's current Rating Strategy.

- 6. Declares a Municipal Charge for the 2018-2019 Financial Year to cover some of the administrative costs of the Council in the amount of \$188.35 per annum for each rateable property in respect of which a municipal charge can be levied.**
- 7. Declares the following Annual Service (Waste Management) Charges for the 2018-2019 Financial Year:**
 - 7.1 An Annual Service (Waste Management) Charge of \$315 per annum be declared for all:**
 - 7.1.1 land used predominantly for residential or commercial purposes to which a weekly waste collection and disposal service is provided or made available; and**
 - 7.1.2 other land to which a weekly waste collection and disposal service is provided.**
 - 7.2 An Annual Service (Waste Management) Charge of \$215 per annum be declared for all:**
 - 7.2.1 land used predominantly for residential or commercial purposes to which a fortnightly waste collection and disposal service is provided or made available; and**
 - 7.2.2 other land in respect of which a fortnightly waste collection and disposal service is provided.**
- 8. Allows the general rates, Municipal Charge and Annual Service (Waste Management) Charges to be paid in accordance with section 167 of the Act by four instalments due on or before:**
 - 8.1 30 September 2018;**
 - 8.2 30 November 2018;**
 - 8.3 28 February 2019; and**
 - 8.4 31 May 2019**
- 9. Requires any person to pay interest at the maximum rate calculated in accordance with section 172(2) of the Act on any amounts of rates and charges which:**

- 9.1 *that person is liable to pay; and*
- 9.2 *have not been paid by the date specified for their payment.*
- 10. *Authorises the General Manager Corporate Services, Manager Financial Services and the Revenue Co-ordinator to levy and recover the general rates, Municipal Charge and Annual Service (Waste Management) Charges in accordance with the Act.*
- 11. *Adopts the User Fees and Charges Schedule 2018/19 as listed in Appendix A of the 2018 Budget Document.*
- 12. *Declares a Special Charge for the Tirrengower drainage works to be calculated at \$2.50 per hectare for the 2018-2019 Financial Year in respect of all land previously declared by Council in its resolution on 24th January 2018 and listed in the Schedule attached to the 24th January 2018 resolution.*

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Jason Schram

That Council:

- 1. *Having considered all submissions received, adopts the 2018-2019 Budget annexed to this resolution as Attachment 1 in accordance with section 130 of the Local Government Act 1989 (the Act).*
- 2.
 - 2.1 *Notes the submissions supporting the Apollo Bay Skenes Creek Discovery Trail project.*
 - 2.2 *Notes that a report to consider the Apollo Bay Skenes Creek Discovery Trail Feasibility Study is due to be tabled at a subsequent Ordinary Council meeting in 2018.*
 - 2.3 *Resolves that an amount of \$200,000 is to be retained as unallocated in the Asset Renewal Reserve or Project Reserve, whichever the Chief Executive Officer deems is more appropriate. This amount is temporarily reserved for the Apollo Bay Skenes Creek Discovery Trail, until a decision is made by Council on the Apollo Bay Skenes Creek Discovery Trail at a subsequent Ordinary Council meeting in 2018.*
 - 2.4 *Notes the funds referred to in point 2.3 are to be retained so that Council has an option of supporting the Apollo Bay Skenes Creek Discovery Trail in the 2018/2019 financial year.*
 - 2.5 *Resolves that potential additional funding contributions in future years be subject to Council completing and endorsing a comprehensive Long Term Financial Plan and notes this is currently under development.*
- 3.
 - 3.1 *A minimum of \$200,000 is to be made available from the project reserve for new footpaths.*

- 3.2 *\$100,000 is to be made available from the project reserve for the energy efficiency street lighting project, which is a Council Priority Project.*
4. *Notes that submissions received which are not fully included in the 2018/19 Budget will inform Council's budget deliberations in 2019/20.*
5. *Authorises the Chief Executive Officer to:*
- 5.1 *Give public notice of this decision to adopt the 2018-2019 Budget, in accordance with section 130(2) of the Act;*
- 5.2 *Forward a copy of the adopted Budget to the Minister for Local Government, in accordance with section 130(4) of the Act;*
- 5.3 *Make available a copy of the adopted Budget at the Rae Street Office and the Apollo Bay Customer Service Centre for public inspection in accordance with section 130(9) of the Act; and*
- 5.4 *Thank persons making submissions to the budget for their submission and advise them of the outcome of the budget decision by writing to each person who made a submission.*
6. *Intends to raise the following amount:*
- An amount of \$ 30,223,927 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount that Council intends to raise by general rates (described later in this resolution), municipal charge and service (Waste Management) charges, which is calculated as follows:*

<i>Category</i>	<i>Income</i>
<i>General Rates</i>	<i>\$24,386,798</i>
<i>Municipal Charge</i>	<i>\$2,709,644</i>
<i>Annual Service (Waste Management) Charges</i>	<i>\$3,127,485</i>
TOTAL	\$30,223,927

7. *Declares a general rate in respect of the 2018-2019 Financial Year.*
- 7.1 *It be further declared that, consistent with Council's current Rating Strategy and having regard to the considerations outlined in the Budget for the 2018-2019 Financial Year, the general rate be raised by the application of differential rates.*
- 7.2 *A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:*

7.2.1 Residential Land – Colac, Colac East, Colac West or Elliminyt

Any land whether vacant or built upon, which is located in Colac, Colac East, Colac West or Elliminyt that is not zoned in the Colac Otway Planning Scheme for commercial or industrial use and which does not have the characteristics of:

7.2.1.1 Rural Farm Land;

7.2.1.2 Holiday Rental Land; or

7.2.1.3 Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.

7.2.2 Residential Land - Balance of Shire

Any land whether vacant or built upon which is not located in Colac, Colac East, Colac West or Elliminyt that:

does not have the characteristics of:

7.2.2.1 Rural Farm Land;

7.2.2.2 Holiday Rental Land;

7.2.2.3 Commercial/Industrial Land – Balance of Shire

7.2.3 Rural Farm Land

Any land within Council's municipal district which constitutes "Farm Land" as defined by Section 2 of the Valuation of Land Act 1960 and is zoned to allow land to be used for rural and/or farming purposes.

7.2.4 Holiday Rental Land

Any land that contains a dwelling, cabin or house or part of a house that:

7.2.4.1 is used for the provision of holiday accommodation for the purpose of generating income; or

7.2.4.2 is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner,

Note: Typically, the category will include absentee owned holiday houses, owner occupied "Bed and Breakfast" establishments, farm properties with accommodation cabins, holiday farms and the like.

The category will not include land used to provide tourist/holiday accommodation on an overtly commercial scale and basis where the provision

of accommodation is an integral part of the use of the property. The types of properties excluded from this category would include motels, resorts, hotels with accommodation, caravan parks, centrally managed and promoted multi-unit developments and the like.

7.2.5 Commercial/Industrial Land - Colac, Colac East, Colac West or Elliminyt

Any land which is located in Colac, Colac East, Colac West or Elliminyt which:

does not have the characteristics of:

7.2.5.1 *Rural Farm Land;*

7.2.5.2 *Residential Land – Colac, Colac East, Colac West or Elliminyt; or*

7.2.5.3 *Holiday Rental Land; and*

is used primarily for:

7.2.5.4 *the sale of goods or services;*

7.2.5.5 *other commercial purposes; or*

7.2.5.6 *industrial purposes,*

or which is vacant but zoned in the Colac Otway Planning Scheme for commercial or industrial use.

7.2.6 Commercial/Industrial Land - Balance of Shire

Any land which is not located in Colac, Colac East, Colac West or Elliminyt which does not have the characteristics of:

7.2.6.1 *Rural Farm Land;*

7.2.6.2 *Residential Land – Balance of Shire; or*

7.2.6.3 *Holiday Rental Land; and*

is used primarily for:

7.2.6.4 *the sale of goods or services;*

7.2.6.5 *other commercial purposes; or*

7.2.6.6 *industrial purposes*

or which is vacant but zoned in the Colac Otway Planning Scheme for commercial or industrial use.

- 7.3** *Each differential rate will be determined by multiplying the Capital Improved Value of each piece of rateable land (categorised by the characteristics described in Clause 7.2 of this Resolution) by the relevant rate in the dollar indicated in the following table:*

<i>Rating Category</i>	<i>Rate in the dollar of CIV</i>
<i>Residential- Colac, Colac East, Colac West, Elliminyt</i>	<i>0.004271</i>
<i>Residential- Balance of Shire</i>	<i>0.003631</i>
<i>Rural- Farm</i>	<i>0.003204</i>
<i>Holiday Rental</i>	<i>0.004271</i>
<i>Commercial/Industrial - Colac, Colac East, Colac West, Elliminyt</i>	<i>0.007048</i>
<i>Commercial/Industrial- Other</i>	<i>0.005980</i>

- 7.4** *It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:*

7.4.1 *the respective objectives of each differential rate be those specified in section 7.12 of the 2017-2018 Budget document;*

7.4.2 *the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this resolution;*

7.4.3 *the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the current Colac Otway Shire Rating Strategy; and*

7.4.4 *the relevant:*

7.4.4.1 *uses of;*

7.4.4.2 *geographical locations of;*

7.4.4.3 *Colac Otway Planning Scheme zoning of; and*

7.4.4.4 *types of buildings on*

the respective types or classes of land be those identified in Council's current Rating Strategy.

- 8.** *Declares a Municipal Charge for the 2018-2019 Financial Year to cover some of the administrative costs of the Council in the amount of \$188.35 per annum for each rateable property in respect of which a municipal charge can be levied.*

9. *Declares the following Annual Service (Waste Management) Charges for the 2018-2019 Financial Year:*
 - 9.1 *An Annual Service (Waste Management) Charge of \$315 per annum be declared for all:*
 - 9.1.1 *land used predominantly for residential or commercial purposes to which a weekly waste collection and disposal service is provided or made available; and*
 - 9.1.2 *other land to which a weekly waste collection and disposal service is provided.*
 - 9.2 *An Annual Service (Waste Management) Charge of \$215 per annum be declared for all:*
 - 9.2.1 *land used predominantly for residential or commercial purposes to which a fortnightly waste collection and disposal service is provided or made available; and*
 - 9.2.2 *other land in respect of which a fortnightly waste collection and disposal service is provided.*
10. *Allows the general rates, Municipal Charge and Annual Service (Waste Management) Charges to be paid in accordance with section 167 of the Act by four instalments due on or before:*
 - 10.1 *30 September 2018;*
 - 10.2 *30 November 2018;*
 - 10.3 *28 February 2019; and*
 - 10.4 *31 May 2019*
11. *Requires any person to pay interest at the maximum rate calculated in accordance with section 172(2) of the Act on any amounts of rates and charges which:*
 - 11.1 *that person is liable to pay; and*
 - 11.2 *have not been paid by the date specified for their payment.*
12. *Authorises the General Manager Corporate Services, Manager Financial Services and the Revenue Co-ordinator to levy and recover the general rates, Municipal Charge and Annual Service (Waste Management) Charges in accordance with the Act.*
13. *Adopts the User Fees and Charges Schedule 2018/19 as listed in Appendix A of the 2018 Budget Document.*
14. *That notwithstanding the fees and charges incorporated within the 2018/19 budget, the*

Council, subsequent to the adoption of the 2018/19 budget, review the Apollo Bay Harbour Port fees component related to fixed costs and volume usage of utilities and provide a report to the September 2018 Council meeting for consideration of any fee changes.

15. *Declares a Special Charge for the Tirrengower drainage works to be calculated at \$2.50 per hectare for the 2018-2019 Financial Year in respect of all land previously declared by Council in its resolution on 24th January 2018 and listed in the Schedule attached to the 24th January 2018 resolution.*

CARRIED 6 : 1

DIVISION

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

Against the Motion: Cr Chris Smith

Trevor Olsson attended the meeting at 5.37pm.
Melanie Duvé attended the meeting at 5.37pm.
Katrina Kehoe returned to the meeting at 5.45pm.
Ian Seuren left the meeting at 6.07pm.
Tamzin McLennan left the meeting at 6.19pm.
Nicholas Welsh left the meeting at 6.19pm.
Toni Saunders left the meeting at 6.19pm.
Frank Castles left the meeting at 6.19pm.

ORDINARY COUNCIL MEETING
COUNCIL PLAN 2017-2021 ANNUAL REVIEW
OM182706-4

LOCATION / ADDRESS	Whole of Municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Melanie Duve	DIVISION	Corporate Services
TRIM FILE	F17/12085	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To provide Council with the revised Council Plan 2017-2021, including the Strategic Resource Plan 2018-19 to 2021-22, for consideration and adoption.		

RECOMMENDATION

That Council adopts the revised Council Plan 2017-2021, including the administrative changes and the updated Strategic Resource Plan.

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Chris Potter

That Council:

- 1. Adopts the revised Council Plan 2017-2021, including the administrative changes and the updated Strategic Resource Plan.*
- 2. Request the Chief Executive Officer to arrange a Briefing of Councillors no later than 30 November 2018, and not on an Ordinary Council meeting day, to discuss options for a review of the Council Plan involving community consultation, as per Council's community consultation policy. This is with a view to consider a revised Plan in time for adoption at the meeting in June 2019.*

CARRIED 5 : 2

DIVISION

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

Against the Motion: Cr Chris Smith, Cr Jason Schram

Trevor Olsson left the meeting at 6.30pm.

Melanie Duvé left the meeting at 6.30pm.

ORDINARY COUNCIL MEETING
**COLAC OTWAY SHIRE GRANTS PROGRAM
 2018-2019 - ALLOCATION OF FUNDS**

OM182706-5

LOCATION / ADDRESS	Colac Otway Shire	GENERAL MANAGER	Gareth Smith
OFFICER	Katrina Kehoe	DIVISION	Development & Community Services
TRIM FILE	F18/2846	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To seek Council's approval for the proposed allocation of the Colac Otway Shire Grants Program 2018-2019		

Having declared a conflict of interest, Cr Jason Schram adjourned from the meeting at 6.38pm whilst discussion regarding conflict of interest took place. He returned to the meeting at 6.39pm.

Having declared a conflict of interest, Cr Chris Potter adjourned from the meeting at 6.38pm whilst discussion regarding conflict of interest took place. He returned to the meeting at 6.39pm.

Having declared a conflict of interest, Cr Jason Schram adjourned from the meeting at 6.52pm and did not take part in debate nor vote on the matter which included Recommendation 1, number 16 – Books for Beginners (Rotary Club of Colac West).

Having declared a conflict of interest, Cr Chris Potter adjourned from the meeting at 6.52pm and did not take part in debate nor vote on the matter which included Recommendation 2, number 29 – Colac Show’N’Shine (Colac RSL Sub-Branch Inc.).

Cr Schram	OM182706-5 (Recommendation 1, number 16)
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78
Nature of Interest:	Applicant in Category 1 Colac West Rotary was filled out by my mother.

Cr Potter	OM182706-5 (Recommendation 2, number 29)
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78B
Nature of Interest:	Councillor is a Board member of the Colac RSL, an applicant for grant funding.

RECOMMENDATION

RECOMMENDATION 1

That Council endorses the following grants be allocated for Category 1 - Community Grants, subject to the adoption of the 2018/19 Council Budget:

No.	Project Name	Applicant	Grant requested/ Recommended
1	Red Rock Reserve improvements	Alvie Tree Planters	\$6,263
2	Security Shutters	Colac Pony Club Inc	\$2,765
3	CWA Recipe Colouring Book	Birregurra CWA	\$5,000
4	Irrewillipe Hall Repair & upgrade of Foyer	Irrewillipe Sports & Entertainment Complex	\$5,653
5	Replace seating around the Arena & public areas	Colac & District Pastoral & Agricultural Society (the Show Society)	\$9,023
6	Purchase an equipment trailer	Colac & District Adult Riding Club Inc	\$5,000
7	Replace storage cupboards & drawers	Birregurra Bowling Club	\$5,000
8	Purchase hurdles & 'Come & Try Day'	Colac Little Athletics	\$4,025
9	Purchase quilters machine & related equipment	Birregurra Charity Quilters Group	\$10,000
10	Public cycling workstation	Forrest Mountain Bike & Cycling Club	\$2,800
11	Replace football goal posts	Alvie Football Netball Club Inc	\$3,022
12	Winter Woodcraft – sculpture course to create a kinetic sculpture to be performed at Winterwild Festival Apollo Bay in August 2018.	Marrar Woon Neighbourhood House Apollo Bay	\$5,000
13	Wye River Bushfire – Community Photo & Film narrative	Wye River, Separation Creek & Kennett River Renewal Association	\$6,250
14	Heating/Cooling system for 3 rd /4 th Scouts Hall	3 rd /4 th Colac Scouts	\$6,490
15	Kitchen upgrade	Warrowie Recreation Reserve	\$5,975
16	Books for Beginners (purchase books for Prep students)	Rotary Club of Colac West	\$4,000
17	Re-coat floor surface at Elliminyt Hall	Elliminyt Public Hall Inc	\$2,623

18	Welcome wall - Gellibrand Rex Norman Park	Gellibrand Garden Group	\$8,180
Total recommended			\$97,069

RECOMMENDATION 2

That Council endorses the following grants be allocated for Category 2 - Community Events and Support Program, subject to the adoption of the 2018/19 Council Budget:

No.	Project Name	Applicant	Grant requested/ Recommended
1	108 th Warrion Flower Show	Warrion Flower Show/Hall Committee	\$2,400
2	School Biennial Production at COPACC	Elliminyt Primary School	\$1,137
3	Birregurra Festival & Art Show 2018	Birregurra Festival & Art Show/ Birregurra Community Group	\$5,000
4	Otway Odyssey & Great Otway Gravel Grind	Rapid Ascent	\$5,000
5	Colac Otway Arts Trail	Otway Arts Trail	\$5,000
6	Twilight Christmas Market	Friends of Colac Botanic Gardens	\$2,000
7	Colac Kana Festival	Colac Kana Festival Inc	\$5,000
8	Forrest Soup Fest	Forrest Special Events Club	\$5,000
9	Apollo Bay Edible Garden Trail	Apollo Edible Garden Trail	\$1,500
10	Colac City Band's 72 nd Carols by Candlelight	Colac City Band Inc	\$4,510
11	Specialist providing training	Colac Cake Decorators	\$300
12	25 th Warm Winter Words	Apollo Bay Arts Inc	\$1,150
13	Gellibrand river Blues & Blueberry Festival	Gellibrand River Blues & Blueberry Festival	\$5,000
14	Pang - ngooteekeyya weeng malangeepa - ngeeye. Remembering our Future Event held on 26 January	Caracaramigen: Colac Aboriginal Gathering Place	\$4,120
15	Birregurra School of Rock Choir training & performance	Birregurra Primary School	\$2,000
16	Hunt for the Golden Gumboot	Friends of Old Beechy Rail Trail	\$3,500
17	Otway Food & Fibre Showcase 2019	Barongarook Landcare Group	\$5,000
18	Great Ocean Road Running Festival	IMG	\$5,000

19	Colac West Primary School Production at COPACC	Colac West Primary School	\$1,410
20	Run Forrest Trail Run	Southern Exposure	\$5,000
21	Apollo Bay Seafood Festival Harbour Day	Apollo Bay Seafood Festival	\$5,000
22	Winterwild Apollo Bay	Winterwild Apollo Bay	\$5,000
23	Birregurra Drama	Birregurra Community Arts Group	\$1,340
24	Otway Trail Run 2019	Rotary Club of Colac	\$2,000
25	Colac Basketball Tournaments	Colac Basketball Association Inc	\$2,000
26	Amateur theatre production & performance at COPACC	The Colac Players Inc	\$2,230
27	Otway Harvest Trail Twilight Festa	Otway Harvest Trail	\$2,000
28	Live in the Otways	Otway Country to Coast Tourism Association Inc	\$2,000
29	Colac Show'N'Shine	Colac RSL Sub-Branch Inc	\$5,000
30	Colac Orchid Club Annual Show & Display	Colac Orchid Club	\$1,000
31	Wild Otways	Art & Ecology	\$1,000
32	Apollo Bay & Otway District Agricultural Show 2019	Apollo Bay & Otway District Agricultural Society	\$2,000
		Total recommended	\$99,597

RECOMMENDATION 3

That Council endorses the following grants be allocations for Category 3 Small Grants Program, subject to the adoption of the 2018/19 Council Budget:

No.	Project Name	Applicant	Grant requested/ Recommended
1	Sound Equipment	Colac Comeback Country Music Inc	\$1,123
2	Sailing Club Rescue Boat Fit Out	Apollo Bay Sailing Club Inc	\$1,711
3	Safety enhancing pre-school equipment	Apollo Bay Pre-school	\$1,000
4	In the Back Room V22- Book publication	Colac Writers Guild	\$575
5	Storage Solutions	Birregurra Pre-school	\$1,281
6	Purchase Lawn Mower	Beeac Tennis Club Inc	\$250
7	Split-system air conditioner for Club rooms	Warrion Recreation Reserve Committee of	\$1,265

		Management	
8	Defibrillator	U3A Colac Otway	\$1,684
9	Interior refurbishment of Club Rooms (Stage 2)	Beeac Golf Club	\$717
10	HUB Gaming Technology Upgrade	Community Hub Inc (HUB Gaming)	\$583
11	Security System	Irrewarra Cricket Club	\$2,000
12	Purchase 2 x dust extractors	Colac Woodcrafters Guild	\$968
13	Electronic scoring for Runners	Colac Leisure Runners Inc	\$1,000
14	Ipad for administration & display toy library & purchase small toys	Colac Toy Library	\$1,000
15	Purchase oven, cooktop & small freezer	Colac Football Umpires Association Social Club	\$800
16	Purchase Community Gym Equipment	Wye River CFA	\$700
17	Maintenance equipment for Arena	Apollo Bay & Otway Riding Club	\$1,650
18	Old Beechy Rail Trail – new map	Old Beechy Rail trail Committee of Management	\$1,345
19	Cororooke Hall Replacement/upgrade of Chairs	Cororooke Hall Committee	\$2,000
		Total recommended	\$21,652

RECOMMENDATION 4

That Council endorses the following grants be allocated for Category 4 Building Façade Improvement Program, subject to the adoption of the 2018/19 Council Budget:

No.	Project Name	Applicant	Grant requested/ Recommended
1	Verandah repairs	Hulms Bakery Colac	\$2,000
2	Repairs & paint shop front	Nireeda Homes/John Bethune	\$1,054
3	Shop front upgrade	Lilly Pilly Gifts	\$2,000
4	Façade Improvement	Ray Croft	\$1,810
5	Façade upgrade	Sportspower Colac	\$2,000
6	Façade refurbishment	Colac Motorcycles	\$2,000
7	Exterior painting	Austral Hotel	\$2,000
8	Painting	Holts Mowers & Saws	\$2,000
		Total recommended	\$14,864

RECOMMENDATION 5

That Council endorses:

- *The Chief Executive Officer to initiate a second round of the Grants Program with applications open for four weeks from July 2018 .*
- *The unallocated funds from Category 1 Community Grants Program are available for the second round.*
- c) *Applications to be approved, subject to meeting the funding criteria in the guidelines and recommended applications will be subject to a Council Report.*

RECOMMENDATION 6

That Council endorses the General Manager Development and Community Services, under delegation, to approve grants for the remaining amounts of:

- *\$1,903 from Category 2 Events & Support Program*
- *\$8,348 from Category 3 Small Grants Program*
- *\$5,136 from Category 4 Building Façade Improvement Program;
to be made available until 30 May 2019 and subject to meeting the Grant Program Guidelines.*

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Kate Hanson

That Council move Recommendations 1 to 6, with the exception of:

- *Recommendation 1, number 16 – Books for Beginners (Rotary Club of Colac West), and*
- *Recommendation 2, number 29 – Colac Show’N’Shine (Colac RSL Sub-Branch Inc.).*

CARRIED 7 : 0

Having declared a conflict of interest, Cr Jason Schram adjourned from the meeting at 6.52pm and did not take part in debate nor vote on the following motion.

Having declared a conflict of interest, Cr Chris Potter adjourned from the meeting at 6.52pm and did not take part in debate nor vote on the following motion.

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Stephen Hart

That Council endorse the following grants:

- *Recommendation 1, number 16 - Books for Beginners (Rotary Club of Colac West,) and*
- *Recommendation 2, number 29 – Colac Show’N’Shine (Colac RSL Sub-Branch Inc.).*

CARRIED 5 : 0

Robert Dobrzynski left the meeting at 6.30pm.
Trevor Olsson returned to the meeting at 6.31pm.
Robert Dobrzynski returned to the meeting at 6.32pm.
Glen Bernoth left the meeting at 6.51pm.
Tony McGann left the meeting at 6.51pm.
Gary Warrenner left the meeting at 6.54pm.
Katrina Kehoe left the meeting at 6.54pm.
Michael Swanson left the meeting at 6.54pm.
Vicki Jeffrey left the meeting at 6.54pm.
Jeremy Rudd attended the meeting at 6.54pm.

Cr Jason Schram returned to the meeting at 6.54pm.
Cr Chris Potter returned to the meeting at 6.54pm.

RESOLUTION

MOVED Cr Jason Schram

That the order of business of the Open Council meeting be changed to have Item 6 Contract 1811 - Road Slip Stabilisation Works (retaining walls, piers, piling, drainage and erosion control), Blue Johanna Road, Johanna and Item 7 Contract 1812 - Road Slip Stabilisation Works (retaining walls, piers and drainage), Old Bay Road, Apollo Bay as the last items heard in the Open Council meeting.

CARRIED 7 : 0

ORDINARY COUNCIL MEETING
**CONTRACT 1811 - ROAD SLIP STABILISATION WORKS
(RETAINING WALLS, PIERS, PILING, DRAINAGE AND
EROSION CONTROL), BLUE JOHANNA ROAD, JOHANNA**
OM182706-6

LOCATION / ADDRESS	Blue Johanna Road, Johanna	GENERAL MANAGER	Errol Lawrence
OFFICER	Andrew Kavanagh	DIVISION	Corporate Services
TRIM FILE	F18/1704	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	Council approval is required to award Contract 1811 - Road Slip Stabilisation Works (Retaining Walls, Piers, Piling, Drainage and Erosion Control), Blue Johanna Road, Johanna.		

This Item was considered during Closed Session.

ORDINARY COUNCIL MEETING

**CONTRACT 1812 - ROAD SLIP STABILISATION
WORKS (RETAINING WALLS, PIERS AND
DRAINAGE), OLD BAY ROAD, APOLLO BAY**

OM182706-7

LOCATION / ADDRESS	Old Bay Road, Apollo Bay	GENERAL MANAGER	Errol Lawrence
OFFICER	Andrew Kavanagh	DIVISION	Corporate Services
TRIM FILE	F18/1709	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	Council approval is required to award Contract 1812 - Road Slip Stabilisation Works (Retaining Walls, Piers and Drainage), Old Bay Road, Apollo Bay.		

This Item was considered during Closed Session.

ORDINARY COUNCIL MEETING
**OLD BEECHY RAIL TRAIL MINUTES AND
ASSEMBLY OF COUNCILLOR NOTES**

OM182706-8

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DIVISION	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. Meeting Minutes - Old Beechy Rail Trail Committee - 27 March 2018 - Confirmed2. Assembly of Councillors - Councillor Briefing - 23 May 20183. Assembly of Councillors - Councillor Briefing - 6 June 20184. Assembly of Councillors - Councillor Briefing - 13 June 2018		
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 27 March 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.

MOTION

MOVED Cr Jason Schram second Cr Chris Potter

That pursuant to the provisions of section 89 (2) (d) of the Local Government Act 1989 dealing with contractual matters the Council now considers Item 6 Contract 1811 - Road Slip Stabilisation Works (retaining walls, piers, piling, drainage and erosion control), Blue Johanna Road, Johanna and Item 7 Contract 1812 - Road Slip Stabilisation Works (retaining walls, piers and drainage), Old Bay Road, Apollo Bay in Closed Session.

CARRIED 7 : 0

Trevor Olsson left the meeting at 7.08pm.

The meeting was declared closed at 7.59pm

CONFIRMED AND SIGNED at the meeting held on 25 JULY 2018


.....MAYOR

APPENDIX A PUBLICATION OF RESOLUTION FROM 27 JUNE 2018 CLOSED SESSION ORDINARY COUNCIL MEETING

The following resolution is from the 27 June 2018 Closed Session Ordinary Council Meeting.

**CONTRACT 1811 - ROAD SLIP STABILISATION WORKS (RETAINING WALLS, PIERS, PILING, DRAINAGE AND EROSION CONTROL), BLUE JOHANNA ROAD, JOHANNA (IC182706-1) AND
CONTRACT 1812 - ROAD SLIP STABILISATION WORKS (RETAINING WALLS, PIERS AND DRAINAGE), OLD BAY ROAD, APOLLO BAY (IC182706-2)**

RESOLUTION

That Council:

- 1. Awards Contract 1811 – Road Slip Stabilisation Works (Retaining Walls, Piers, Piling, Drainage and Erosion Control), Blue Johanna Road, Johanna to Deja Eight at the lump sum price of \$797,517.93 (excluding GST).*
- 2. Authorises the Chief Executive Officer to sign the contract documents following award of Contract 1811.*
- 3. Awards Contract 1812 – Road Slip Stabilisation Works (Retaining Walls, Piers and Drainage), Old Bay Road, Apollo Bay to Deja Eight Pty Ltd at the lump sum price of \$490,731.48 (excluding GST).*
- 4. Authorises the Chief Executive Officer to sign the contract documents following award of Contract 1812.*
- 5. Authorises the Chief Executive Officer and the Mayor to make public the Council’s resolution.*