

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held in the COPACC Meeting Room, Rae Street, Colac on 30 January 2008 at 3.00 pm.

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**1. PRESENT**

Cr. Chris Smith (Mayor)  
Cr. Joe Di Cecco  
Cr. Peter Mercer  
Cr. Warren Riches  
Cr Fran Lehmann  
Cr Tony Graham

Tracey Slatter, Chief Executive Officer

Colin Hayman, General Manager, Corporate & Community Services  
Julie Jagôt, Acting General Manager, Infrastructure  
Jack Green, General Manager, Sustainable Planning & Development  
Rick Morrow, Manager Information Services

Kristy Cochrane, Executive Officer

The Mayor welcomed Cr Tony Graham and Cr Fran Lehmann to their first meeting of the Colac Otway Shire.

**2. APOLOGIES**

Nil

**3. QUESTION TIME**

**Questions received in writing prior to the meeting**

**Rod Spence, CORRA**

- 1. In relation to the \$3119 raised for tsunami relief following the 2004 boxing-day tsunami, has the money now been paid to the chosen charity? If so, when?**

Opportunity International advised Colac Otway Shire of the details for payment of the \$3119.04 on 22 January 2008; payment was made with effect 23 Jan 08.

- 2. a) In relation to the proposed new Apollo Bay/Marengo transfer station and the move from the current site, when will the transfer station be moved from the current site?**

It is envisaged that the Apollo bay Transfer Station is constructed and commissioned by the end of December 2008 subject to no unforeseen circumstances being faced.

- b) At what stage is the replacement transfer station? Has the building commenced or finished?**

The design of the new transfer station is about to be completed and submitted to Council's planning department for planning permit approval. Planning have also requested that a Cultural and Heritage Management Plan be developed which may require additional time in the planning permit process.

**c) Where in the Apollo Bay/Marengo area will it be situated?**

The proposed Transfer Station is to be located at Apollo Bay with the exact details are yet to be finalized and subject to Council's approval.

- 3. The Planning Committee agenda of April 2007 contained an item regarding so called zoning anomalies including land that was formerly road reserve but now in private ownership. Council considered writing to the Planning Minister to "fast track" a number of re-zonings without public exhibition.**

**At what stage are the various re-zonings of the land mentioned in the April 2007 agenda?**

The Colac Otway Shire Council requested the Minister for Planning, under Section 20(4) of the *Planning and Environment Act 1987*, to amend the Colac Otway Planning Scheme in order to reduce the time frame for amendments that correct anomalous zonings.

**Have the re-zonings been completed?**

Delays to the amendment occurred due to a request by the Department of Planning and Community Development (DPCD) for additional information on the approximately 36 parcels that comprise the amendment. This information required detailed investigations into the site history of each property proposed to be rezoned.

**If so, when?**

The additional information and revised amendment was forwarded to DPCD for the Minister's consideration and approval in November 2007 and Council is still awaiting the Minister's decision on the amendment. Once the outcome of the Minister's decision on the amendment has occurred, all relevant landowners will be notified by Council.

- 4. a) In relation to money Council has available for deposit or investment, what was the total amount on deposit and/or invested as at 30 June 2007 and 31 December 2007?**
- b) Of this amount, as at 30/6/07 and 31/12/07 what amount was on deposit with Australian Banks supervised by the Australian Prudential Regulation Authority (APRA) and what was the name of the bank or banks?**
- c) of the total amounts given in answer to 4a), what amount (if any) was on deposit and/or invested in other financial type investments such as collateral debt securities, debentures, promissory notes, unit trusts, unsecured notes as at 30/6/07 and 31/12/07?**

Note 13 of the 2006/07 Financial Report indicates that Council had \$6.988 million in Cash and Cash Equivalents as at 30 June 2007.

The equivalent balance at 31 December 2007 was \$3.9m.

The monthly Council report normally only discloses the **operating bank account balance** - at December 31, 2007 this is \$1.6m of the total \$3.9m.

All cash and deposits are held at the Commonwealth Bank.

5. **Council may recall that in 2003/2004 Council had to contribute an additional \$863,000 to the relevant Local authorities Superannuation Fund due to its underlying investment performance being below the rate necessary to fully fund estimated superannuation liabilities.**
- a) **What amount (if any) did the relevant superannuation fund have invested in financial type investments as described in 4 c) as at 30/6/07 and 31/12/07?**
  - b) **What steps has Council taken and will Council take to establish whether problems with so-called "sub prime" investments and other investment market falls have affected the relevant superannuation fund and whether a "top up" payment by Council may be required?**

Vision Super has investments spread across a wide variety of areas.

Rob Brooks, the CEO of Vision Super advised in December 2007:

*"Whilst Vision Super has no direct exposure to the sub prime debt market, no fund can claim to be fully insulated from the wider impacts of uncertainty in the broader financial markets. On the evidence to date, it would appear that our diversified approach to funds management is working well in difficult times."*

The last status report from Vision Super indicated that the Defined Benefits Plan remains in a sound financial position.

This will continue to be monitored.

#### **Questions received verbally at the meeting**

##### **Phillip Lawson, Apollo Bay.**

Colac Otway Shire's submission to Victorian Coastal Strategy is consistent with the concerns of sea level rise and wetland concerns. The C55 amendment is also consistent with the concern of wetlands and their existence. However, the C29 amendment advocates the destructions of wetlands by filling them in. Why does the Shire not have a consistent policy?

*Jack Green, General Manager Sustainable Planning & Development advised that the Panel's Report concluded that C29 Amendment would result in an improvement to the environment. C29 has not been considered by Council at this stage. The process being followed is done in consultation with the Department of Planning & Community Development.*

Is Council considering deferring C29 until after C55 has been adopted?

*Jack Green, General Manager Sustainable Planning & Development advised that this is a matter for Council decision.*

I draw your attention to the points about wetlands in the Victorian Coastal Strategy. C55 excludes housing from the majority of the floodplain; however C29 allows housing on the whole floodplain. C55 should override C29? The Apollo Bay Framework plan of C29 should be consistent with the plans contained in the Draft Apollo Bay Structure Plan. The plan that is included will change the zoning to allow housing on the floodplain and cover over 50% of the Floodplain with housing, resulting in loss of habitat.

Why wasn't the proper plan that was consistent to saving the wetlands contained in C29 documentation?

*Tracey Slatter, CEO advised that the C55 amendment aimed to have incorporated into the Planning Scheme several documents already adopted by council such as the Apollo Bay Structure Plan. The map in the Apollo Bay Structure Plan is exactly as it was adopted by Council. As C29 has not been adopted by Council it would be improper to use the C29 map in the C55 Amendment documentation.*

Requesting that C29 does not come before Council before C55 is adopted.

*Jack Green, General Manager, Sustainable Planning & Development advised that this decision is a Council matter but that it would be quite appropriate for Council to consider C29 prior to C55 being adopted.*

**John Spencer, Apollo Bay**

John Spencer queried why Council was advocating that it be made clear that the Victorian Coastal Strategy was directional rather than prescriptive.

*The Mayor advised that he had questioned the Victorian Coastal Board about this matter and the Board Chair and CEO confirmed that the document was not meant to be prescriptive as local circumstances vary.*

**Mr Westbrook, Wynne Street Colac**

Did Council publish the original forum of the joint schools which occurred in August 2006? What is the amount of money spent so far on the project?

*Colin Hayman, General Manager, Corporate & Community Services advised that \$10,000-\$15,000 has been spent so far and the project has a budget of approx \$150,000*

*Tracey Slatter, CEO advised that the forum was publicly advertised.*

**Rod Spence, CORRA**

Alvie Transfer station has had additional roadworks required of \$40,000. How has \$40,000 been spent on the road around the transfer station?

*Julie Jagôt, Acting General Manager, Infrastructure & Services advised that it had been discovered that the weighbridge foundations were built on fill and the transfer station needed to be moved to a new location and as such, the roads need to be relocated.*

Why did it cost \$40,000 to do this work?

*The Mayor advised that this question had been answered. Further investigation will be undertaken by Tracey Slatter, CEO and an answer provided in writing.*

### **Christine Holm**

A Councillor said on the radio that he is aware of the community concern over the library joining the school complex, but that the community needs to look to the future. How much more does the community need to provide to acknowledge that the majority of ratepaying library users does not want the move?

Where is the funding coming from and how much?

Will you admit that the move will cost more than updating our current library, as there are two separate issues here?

Readers want their own separate library

*Tracey Slatter, CEO advised that Council is currently conducting consultation on the proposed joint school & community Library. When this is complete the information will be provided to Councillors along with a range of other information including cost comparisons. This report will be submitted to Council, and as such, will be publicly available, submissions will be analysed, summary made available to the public, and will be expected to be in the March 2008 agenda.*

The green feedback forms don't give the option to leave the library where it is.

*Tracey Slatter, CEO advised that the information provided to Councillors will include information in relation to community issues, pros & cons of a joint library and maintaining a stand alone library & financial data. It will also include the concerns expressed by the Friends of the Library.*

What is in Stage 1 and Stage 2 of the project?

*Tracey Slatter, CEO advised that stage 1 relates to the Department of Education and School elements basic infrastructure as well as some initial classrooms to help the new school facility to begin operations at the new site from the start of next calendar year and doesn't include any of the community elements.*

*Tracey Slatter, CEO advised that the exact details of Stage 2 are not yet known.*

***MOVED Cr Riches seconded Cr Graham that Standing Orders be suspended at 3.35 pm for the purpose of presenting the Mayoral Awards***

***CARRIED 6:0***

***MOVED Cr Mercer seconded Cr Riches that Standing Orders are resumed at 3.45pm following the presentation of the Mayoral Awards.***

## **4. DECLARATION OF INTEREST**

Cr Graham: OM083001-2 Oath of Office – Swearing in of New Councillors  
Nature of Disclosure: Interest  
Nature of Interest: Councillor named in Oath of Office Attachment

Cr Lehmann: OM083001-2 Oath of Office – Swearing in of New Councillors  
Nature of Disclosure: Interest  
Nature of Interest: Councillor named in Oath of Office Attachment

## 5. CONFIRMATION OF MINUTES

- Ordinary Meeting of the Colac-Otway Shire Council held on the 12/12/07.
- Special Meeting of the Colac-Otway Shire Council held on the 19/12/07.

***MOVED Cr Di Cecco seconded Cr Riches that Council confirm the minutes of the Ordinary Meeting of the Colac-Otway Shire Council held on the 12/12/07.***

**CARRIED 6:0**

***MOVED Cr Riches seconded Cr Di Cecco that Council confirm the minutes of the Special Meeting of the Colac-Otway Shire Council held on the 19/12/07.***

**CARRIED 6:0**

## **OFFICERS' REPORTS**

### **Chief Executive Officer**

OM083001-1	CEO'S PROGRESS REPORT TO COUNCILLORS
OM083001-2	OATH OF OFFICE - SWEARING IN OF NEW COUNCILLORS
OM083001-3	COUNCIL MEETING DATES FOR 2008
OM083001-4	HALF YEAR REPORT

### **Corporate and Community Services**

OM083001-5	CORANGAMITE REGIONAL LIBRARY CORPORATION AGREEMENT
OM083001-6	MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE
OM083001-7	STRATEGIC PLAN 2008-2012 VOLUNTEER ENGAGEMENT AND SUSTAINABILITY, COLAC OTWAY SHIRE
OM083001-8	BEST VALUE REVIEWS OF CUSTOMER SERVICES, PROPERTY AND RATES AND LOCAL LAWS
OM083001-9	YOUTH COUNCIL

### **Infrastructure**

OM083001-10	LOCAL ROADS TO MARKETS PROGRAM - LARPENT ROAD UPGRADE
OM083001-11	BRIDGE ASSET MANAGEMENT PLAN
OM083001-12	PETITION - SEALING OF BARHAM RIVER ROAD, APOLLO BAY
OM083001-13	ROAD CLOSURE - WEST BARWON RESERVOIR
OM083001-14	SPECIAL CHARGE SCHEME - BORWICK STREET, COLAC
OM083001-15	SPECIAL CHARGE SCHEME - DOWLING STREET

## **Sustainable Planning and Development**

- OM083001-17 ITEM FOR SIGNING AND SEALING - ELLIMINYT NATURAL GAS EXTENSION AGREEMENT WITH SP AUSNET
- OM083001-17 REVIEW OF LAKE COLAC COORDINATING COMMITTEE
- OM083001-18 COUNCIL SUBMISSION TO THE DRAFT VICTORIAN COASTAL STRATEGY

## **GENERAL BUSINESS**

### **OM083001-19** **General Business**

- OM083001-19.1 ITEMS FOR SIGNING & SEALING – SECTION 173 AGREEMENT, 420 YEO YEODENE ROAD, YEODENE
- OM083001-19.2 ITEM FOR SIGNING & SEALING - SECTION 173 AGREEMENT, 225 SWAN MARSH STONEYFORD ROAD, SWAN MARSH
- OM083001-19.3 ITEM FOR SIGNING & SEALING - INSTRUMENT OF AGREEMENT CONTRACT NO. 0719

## **REPORTS FROM DELEGATES TO OTHER BODIES**

### **OM083001-20** **Reports from Delegates to Other Bodies**

- OM083001-20.1 REPORTS FROM DELEGATES TO OTHER BODIES

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>M083001-1 CEO'S PROGRESS REPORT TO COUNCILLORS</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That council note the Chief Executive Officer's progress report to Council.</i></p>	Cr Di Cecco	
<p><b><u>OM083001-2 OATH OF OFFICE - SWEARING IN OF NEW COUNCILLORS</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council note that Cr Frances Lehmann and Cr Anthony Graham have both taken the Oath of Office signed and dated before me on 16 January 2008.</i></p>		
<p><b><u>OM083001-3 COUNCIL MEETING DATES FOR 2008</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council confirm the following meeting dates and venues for Council Meetings for 2008:</i></p> <ul style="list-style-type: none"> <li>• <i>Tuesday, 26 February 2008, 3pm - Colac Otway Performing Arts &amp; Culture Centre, Colac</i></li> <li>• <i>Tuesday, 25 March 2008, 3pm - Colac Otway Performing Arts &amp; Culture Centre, Colac</i></li> <li>• <i>Tuesday, 24 April 2008, 3pm - Apollo Bay Senior Citizens Centre, Apollo Bay</i></li> <li>• <i>Tuesday, 27 May 2008, 3pm - Colac Otway Performing Arts &amp; Culture Centre, Colac</i></li> <li>• <i>Tuesday, 24 June 2008, 3pm - Colac Otway</i></li> </ul>		Cr Riches

<ul style="list-style-type: none"> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 22 July 2008, 3pm - Colac Otway</i></li> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 26 August 2008, 3pm - Colac Otway</i></li> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 23 September 2008, 3pm - Colac Otway</i></li> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 28 October 2008, 3pm - Colac Otway</i></li> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 25 November 2008, 3pm - Apollo Bay Senior Citizens Centre, Apollo Bay</i></li> <li>• <i>Performing Arts &amp; Culture Centre, Colac Tuesday, 15 December 2008, 3pm - Colac Otway</i></li> </ul>		
<p><b><u>OM083001-4 HALF YEAR REPORT</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <ol style="list-style-type: none"> <li>1. <i>That Council received the Half Year Progress Report</i></li> <li>2. <i>That Council approve the following new project sourced through Capital Works Budget reallocations totaling \$977,500:</i> <ul style="list-style-type: none"> <li>• <i>Resheeting Program \$600,000</i></li> <li>• <i>Old Beechy Rail Trail \$ 35,000</i></li> <li>• <i>Alvie Transfer Station \$ 40,000</i></li> <li>• <i>COPACC Stove Replacement \$ 7,500</i></li> <li>• <i>BWFC Backwash \$ 35,000</i></li> <li>• <i>Poorneet Road Project \$260,000</i></li> </ul> </li> <li>3. <i>That Council approve the following new projects sourced through Operating Budget reallocations totaling \$60,000:</i> <ul style="list-style-type: none"> <li>• <i>Barongarook Creek Carp Cleanup \$ 50,000</i></li> <li>• <i>Marriner's Lookout \$ 10,000</i></li> </ul> </li> </ol>		

*Cr Graham and Cr Lehmann declared an interest in item OM083001-2.*

*MOVED Cr Di Cecco seconded Cr Mercer that recommendations to items listed in the Consent Calendar, with the exception of items OM083001-3, be adopted.*

**CARRIED 6:0**

**OM083001-3**

***MOVED Cr Riches seconded Cr Di Cecco That Council confirm the following meeting dates and venues for Council Meetings for 2008***

- ***Tuesday, 26 February 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 25 March 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 22 April 2008, 3pm - Apollo Bay Hotel, Apollo Bay***
- ***Tuesday, 27 May 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 24 June 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 22 July 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 26 August 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 23 September 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 28 October 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***
- ***Tuesday, 25 November 2008, 3pm - Apollo Bay Hotel, Apollo Bay***
- ***Tuesday, 16 December 2008, 3pm - Colac Otway Performing Arts & Culture Centre, Colac***

***CARRIED 6:0***

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

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ITEM	D	W
<p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM083001-5 CORANGAMITE REGIONAL LIBRARY CORPORATION AGREEMENT</u></b></p> <p>Department: Corporate &amp; Community Services</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council advise the Corangamite Regional Library Corporation that it fully supports extending the Regional Library Agreement to June 2013.</i></b></p>	Cr Graham	
<p><b><u>OM083001-6 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE</u></b></p> <p>Department: Corporate &amp; Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council endorse:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. The current Municipal Emergency Management Planning Committee composition.</i></b></li> <li><b><i>2. The current version of the Municipal Emergency Management Plan.</i></b></li> </ol>	Cr Graham	
<p><b><u>OM083001-7 STRATEGIC PLAN 2008-2012 VOLUNTEER ENGAGEMENT AND SUSTAINABILITY, COLAC OTWAY SHIRE</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council adopt the 'Strategic Plan 2008-2012 Volunteer Engagement and Sustainability, Colac Otway Shire'.</i></b></p>	Cr Mercer Cr Smith	

<p><b><u>OM083001-8 BEST VALUE REVIEWS OF CUSTOMER SERVICES, PROPERTY AND RATES AND LOCAL LAWS</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <ol style="list-style-type: none"> <li>1. <b><i>That Council receive the attached Best Value Services Review Reports for Customer Services and Property &amp; Rates, and Local Laws.</i></b></li> <li>2. <b><i>That Council endorses the implementation of the Continuous Improvement Plans for Customer Services, Property &amp; Rates and Local Laws.</i></b></li> </ol>		
<p><b><u>OM083001-9 YOUTH COUNCIL</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council endorse the implementation of 13 targeted new actions as listed, to increase the role of Youth Council with Council.</i></b></p>	Cr Smith	

***MOVED Cr Di Cecco seconded Cr Graham that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6:0***

**CONSENT CALENDAR****OFFICERS' REPORT**

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ITEM	D	W
<p><b><u>INFRASTRUCTURE</u></b></p> <p><b><u>OM083001-10 LOCAL ROADS TO MARKETS PROGRAM - LARPENT ROAD UPGRADE</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Resolve to provide an allocation of \$225,000 in the 2008/09 budget as Council's contribution towards the total cost of \$450,000 to upgrade the nominated sections of Larpent Road; and</i></b></li> <li><b><i>2. That Council note that the Chief Executive Officer will write to Regional Development Victoria confirming that a provision for this project will be made in the 2008/09 Council budget.</i></b></li> </ol>	<p>Cr Mercer Cr Riches</p>	
<p><b><u>OM083001-11 BRIDGE ASSET MANAGEMENT PLAN</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Receive the draft Bridge Asset Management Plan; and</i></b></li> <li><b><i>2. In accordance with the Community Consultation &amp; Engagement Policy, place the draft Bridge Asset Management Plan on public display inviting submissions in relation to the content of the plan.</i></b></li> </ol>		

<p><b><u>OM083001-12 PETITION - SEALING OF BARHAM RIVER ROAD, APOLLO BAY</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Receive the petition requesting the widening and sealing of the unsealed section of Barham River Road.</i></b></li> <li><b><i>2. Agrees to deal with petition at today's meeting.</i></b></li> <li><b><i>3. Advise the petitioners, via the resident, that no funding is currently available for these works in the 2007/08 Budget but that Council recognises the importance of Barham River Road on a local and regional basis and will continue to seek funding in order to construct the gravel section of this road.</i></b></li> <li><b><i>4. That a project be scoped for the construction and sealing the unsealed section of Barham River Road (approximately 3.2 km), and that this project be referred to the capital works program for consideration.</i></b></li> </ol>	Cr Di Cecco	
<p><b><u>OM083001-13 ROAD CLOSURE - WEST BARWON RESERVOIR</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council gives public notice of its intention to agree to the closure of the unused road at the West Barwon Reservoir in crown allotment 2126, Parish of Yaughier.</i></b></p>		

<p><b><u>OM083001-14 SPECIAL CHARGE SCHEME - BORWICK STREET, COLAC</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council –</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Adopt the final costs for the construction of the unconstructed section of Borwick Street, Colac, as set out in this report; and</i></b></li> <li><b><i>2. Notify effected property owners of the final costs levied against the properties within the scheme boundary.</i></b></li> </ol>	Cr Di Cecco	
<p><b><u>OM083001-15 SPECIAL CHARGE SCHEME - DOWLING STREET</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council –</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Adopt the final costs for the construction of the unconstructed section of Dowling Street, Colac, as set out in this report; and</i></b></li> <li><b><i>2. Notify effected property owners of the final costs levied against the properties within the scheme boundary.</i></b></li> </ol>	Cr Di Cecco	

***MOVED Cr Lehmann seconded Cr Graham that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6:0***

## CONSENT CALENDAR

### OFFICERS' REPORT

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ITEM	D	W
<p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p><b><u>OM083001-1 ITEM FOR SIGNING AND SEALING - ELLIMINYT NATURAL GAS EXTENSION AGREEMENT WITH SP AUSNET</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation</u></b></p> <p><b><i>That council sign and seal the Elliminyt natural gas extension agreement with SP AusNet.</i></b></p>	<p>Cr Mercer Cr Riches</p>	
<p><b><u>OM083001-17 REVIEW OF LAKE COLAC COORDINATING COMMITTEE</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <ol style="list-style-type: none"> <li><b><i>1. That Council endorses the change of status of the Lake Colac Coordinating Committee from a Special Committee of Council under Section 86 of the Local Government Act 1989, to a Community Advisory Committee.</i></b></li> <li><b><i>2. That Council endorses the establishment of a new Lake Colac Coordinating Committee through a public Expression of Interest process and with a new Terms of Reference.</i></b></li> <li><b><i>3. Note that the Terms of Reference for the new Committee structure will be drafted in consultation with the Lake Colac Coordinating Committee.</i></b></li> </ol>		

<p><b><u>OM083001-18 COUNCIL SUBMISSION TO THE DRAFT VICTORIAN COASTAL STRATEGY</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That the attached submission is endorsed by Council and submitted to the Victorian Coastal Council.</i></b></p>		

***MOVED Cr Di Cecco seconded Cr Graham that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6:0***

**OFFICERS' REPORT**

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ITEM	D	W
<p><b><u>GENERAL BUSINESS</u></b></p> <p><b><u>OM083001-19.1 Items for Signing &amp; Sealing – Section 173 Agreement, 420 Yeo Yeodene Road, Yeodene</u></b></p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council sign and seal the Section 173 Agreement between Colac Otway Shire and M H McDonald covenanting Certificate of Title Volume 10794 Folio 692, Volume 10794 Folio 693, Volume 10794 Folio 694, Part Volume 10794 Folio 695, Volume 10794 Folio 696, Volume 10794 Folio 697 that the owner will at his expense compensate for the loss of native vegetation by:</i></b></p> <ol style="list-style-type: none"> <li><b><i>a. The construction of a stock proof fence along the river flat to protect the creek.</i></b></li> <li><b><i>b. Submit an endorsed Offset Management Plan to the responsible authority in consultation with the Department of Sustainability and Environment.</i></b></li> <li><b><i>c. Allow an offset area at least 4.2 hectares in size (see area highlighted red in the attached plan stamped 6 August 2007)</i></b></li> <li><b><i>d. Ensure that the offset area contains intact vegetation from Ecological Vegetation Class 3 Damp Sands Herb-rich Woodland (Bioregional conservation status of Vulnerable in the Otway Plain Bioregion) and must include at least 30 large old trees and 60 medium old trees.</i></b></li> <li><b><i>e. The offset area will be protected and managed for conservation, including the erection and maintenance of a stock proof fence and ongoing pest plant (including environmental weeds) and animal control program.</i></b></li> </ol>		

<p><b><u>OM083001-19.2</u>      <u>Item for Signing &amp; Sealing - Section 173 Agreement, 225 Swan Marsh Stoneyford Road, Swan Marsh</u></b></p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council sign and seal the Section 173 Agreement between Colac Otway Shire and R D &amp; T A Manson covenanted Certificate of Title Volume 10343 Folio 289 that the owner will not further subdivide lot 2 so as to create any additional lots and acknowledges that not more than one dwelling is to be permitted on Lot 2.</i></b></p>		
<p><b><u>OM083001-19.3</u>      <u>Item for Signing &amp; Sealing - Instrument of Agreement Contract No. 0719</u></b></p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council sign and seal the Instrument of Agreement between the Colac Otway Shire and Lake &amp; Land Pty. Ltd.</i></b></p>		

***MOVED Cr Di Cecco seconded Cr Riches that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6:0***

**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

ITEM	D	W
<b><u>REPORTS FROM DELEGATES TO OTHER BODIES</u></b>		
<p><b><u>OM083001-20.1      Reports from Delegates to Other Bodies</u></b></p> <p><b><u>Recommendation</u></b></p> <p><b><i>That Council receive for information the Colac Otway Shire Roads Committee Minutes dated 5 December 2007.</i></b></p>		

***MOVED Cr Mercer seconded Cr Riches that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6:0***

IN-COMMITTEE

IN COMMITTEE

**Resolution**

***MOVED Cr Di Cecco seconded Cr Graham that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:***

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
<b><i>Personnel Matter</i></b>	<b><i>Personnel Matter</i></b>	<b><i>Section 89(2)(a)</i></b>

**CARRIED 6:0**