

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the COPACC Meeting Room on 28 October 2009 at 3:00 pm.

1. 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 Brian Crook (Mayor)
Cr Frank Buchanan
Cr Stephen Hart
Cr Stuart Hart
Cr Lyn Russell
Cr Chris Smith

Rob Small, Chief Executive Officer

Colin Hayman, General Manager, Corporate & Community Services
Neil Allen, General Manager, Infrastructure & Services
Jack Green, General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

3. APOLOGIES

Cr Geoff Higgins

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Questions made in writing will be addressed if received within two days of the Council meeting. Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.'

Thank you, now question time. 30 minutes is allowed for question time.

1. Questions received in writing prior to the meeting
2. Questions from the floor

5. QUESTION TIME

Questions Received in Writing Prior to the Meeting

Nil

Questions Received Verbally at the Meeting

Mr D Wessner – Colac

Please explain why there are obvious errors in the formatting of text on pages 28 and 29 of the agenda for the Ordinary Council Meeting of the 28 October 2009.

The Mayor noted that the errors were the result of a problem with the system used to prepare the agenda.

Given the conditions of Section 4 c) of Policy 18.4 Pre-election Caretaker Policy, how could the Chief Executive Officer sign off on the Joint Use Library agreement.

The CEO replied that the decision on the Joint Use Library was made by Council prior to the caretaker period.

Mr Richard Judd - Colac

Could Council please request that Vic Roads upgrade the Princes Highway at the Deans Creek Road intersection.

General Manager, Infrastructure & Services, responded by saying that this matter would be included in ongoing discussions with Vic Roads with respect to road maintenance issues.

Mrs Lyn Foster – FOCL

As per an election promise made by Cr Frank Buchanan, if and when will the price of petrol in Colac be reduced?

Cr Frank Buchanan indicated that cheaper petrol in Colac had been an election aim and not an election promise. Cr Buchanan noted that Council has been working to attract an independent contractor to Colac and there has been some progress made towards achieving parity with Geelong in terms of the price of petrol.

Mrs Christine Holm – FOCL

In relation to Schedule 2 of the proposed Council Meeting Procedures and Common Seal, Local Law No 4 – 2009, will the form for Public Question Time need to be completed in order for the public to ask a question during Question Time?

The CEO stated that if the draft Local Law No 4 – 2009 was adopted in its present form then the form would need to be completed. However if passed at the Council meeting today, the draft Local Law No 4 – 2009 would be released for a 6 week period for public consultation.

Who would the forms be sent to and when would they need to be submitted and would the questions need to relate only to the agenda?

The Mayor stated that the draft policy would be released for a six week period for public consultation.

Joyce Cook – Beeac

In relation to the Beeac Windmill Park & History Walk, where in Beeac will the walk be located?

The General Manager Sustainable Planning & Development, advised that while he did not have the details of the proposed History Walk in front of him, a copy of the plans should have been provided to the Beeac Progress Association and he undertook to follow this up.

Mr Paul David Cross - FOCL

Has the proposed Local Law 4 – 2009 been workshopped?

The Mayor stated that yes, there had been a workshop.

With respect to proposed changes to Local Law 4 – 2009, if a person cannot attend a Council meeting and has submitted a question in writing, does that mean that the question will not be read out?

The CEO stated that the question would not be read out if the person submitting the question was not in attendance.

Will it be recorded in the minutes?

The Mayor replied that while it was the current practice to record all questions & their responses in the minutes, the draft Local Law 4 – 2009 is to be released for a six week period of public consultation.

The CEO reminded those present that minutes are a recording of the proceedings of a meeting.

Will submitted questions be answered in writing?

The CEO advised that questions submitted in writing and not read out during Question Time would be answered in writing.

If you cannot be in attendance and your questions are not recorded in the minutes, how long before the meeting will the questions need to be submitted?

The CEO advised that the timeframes would be specified within the policy.

The Mayor reminded Mr Cross that the Local laws 4 – 2009 was a draft document and encouraged the community to submit their comments in writing when it is released for public consultation.

Will the Joint Use Library open on time?

The Mayor advised that 1 July 2010 was the target for the opening of the Joint Use Library.

Will there be an annex?

The Mayor stated that this would be subject to the results of the Enhanced Library Services Project. A report on the outcomes of the project is due shortly.

Does Council believe that 2 days was sufficient time to consult with a community with a population of 22,000?

The General Manager Corporate & Community Services advised that sufficient time had been allowed for community consultation.

How many days had been allowed for individual consultations?

The General Manager Corporate & Community Services stated that while 2 days had been set aside for individual consultations, additional days were available if required.

6. DECLARATION OF INTEREST

Cr Crook:	OM092810-16 Items for Signing & Sealing – Trinity, PP127/09 189 – 243 Pound Road, Colac
Nature of Disclosure:	Direct
Nature of Interest:	Employee of Trinity College

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 23/09/09.**

MOVED Cr Lyn Russell seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 6 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM092810-1 STATUTORY MEETING - 2009
- OM092810-2 CEO'S PROGRESS REPORT TO COUNCIL

Corporate and Community Services

- OM092810-3 AUSTRALIA DAY 2010
- OM092810-4 REVIEW OF COUNCIL POLICIES
- OM092810-5 REVIEW OF MEETING PROCEDURES LOCAL LAW 4
- OM092810-6 BARWON SOUTH WEST REGIONAL TRAILS MASTER PLAN PROJECT
- OM092810-7 UPDATE INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF
- OM092810-8 ANNUAL REPORT 2008-2009
- OM092810-9 FIRST QUARTER PERFORMANCE REPORT TO COUNCIL 2009-2010

Infrastructure and Services

- OM092810-10 PROPOSED ROAD CLOSURE – ROAD ABUTTING 49 QUEEN STREET, COLAC
- OM092810-11 TIMBER ROADS PROGRAM – LOCAL ROAD UPGRADES

Sustainable Planning and Development

- OM092810-12 COMMUNITY ENGAGEMENT POLICY
- OM092810-13 BEEAC WINDMILL PARK AND HISTORY WALK FUNDING AGREEMENT
- OM092810-14 COLAC OTWAY SHIRE ENVIRONMENT STRATEGY

General Business

- OM092810-15 ITEMS FOR SIGNING & SEALING - 112 -118 JENNINGS STREET, COLAC
- OM092810-16 ITEMS FOR SIGNING & SEALING - TRINITY, PP127/09, 189-243 POUND ROAD, COLAC

Notices of Motion

- OM092810-17 BRINGING THE COUNCIL CLOSER TO THE COMMUNITY

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CHIEF EXECUTIVE OFFICER</u></p> <p><u>OM092810-1 STATUTORY MEETING - 2009</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council confirm that the Statutory Meeting of the Colac Otway Shire Council be held on Wednesday, 9 December 2009 at 4.00 pm in the Colac Otway Performing Arts & Culture Centre.</i></p>		
<p><u>OM092810-2 CEO'S PROGRESS REPORT TO COUNCIL</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receives the CEO's Progress Report for information.</i></p>	Cr Stephen Hart Cr Stuart Hart Cr Lyn Russell Cr Frank Buchanan Cr Chris Smith Cr Brian Crook	

MOVED Cr Stuart Hart seconded Cr Lyn Russell 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
<p><u>CORPORATE AND COMMUNITY SERVICES</u></p> <p><u>OM092810-3 AUSTRALIA DAY 2010</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p><i>1. Endorses the recommendation by the Australia Day Advisory Committee to hold the Australia Day community event in Birregurra on 26 January 2010.</i></p>	<p>Cr Chris Smith</p>	

<p>OM092810-4 REVIEW OF COUNCIL POLICIES</p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p><i>1. Revoke the following policies:</i></p> <p><i>Policy No 18.1 Governance Policy</i> <i>Policy No 18.7 Mayoral Awards Policy</i></p> <p><i>2. Adopt the following new and revised policies:</i></p> <p><i>Policy No 18.9 Gifts, Benefits and Hospitality Policy</i> <i>Policy No 2.4 Confidential Information Policy</i> <i>Policy No 4.3 Sale and Exchange of Council Land Policy</i> <i>Policy No 11.3 Special Rate and Special Charges Policy</i> <i>Policy No 15.1 Committees of Management of Drainage Systems Policy</i> <i>Policy No 15.2 Section 86 Committees of Management Policy</i> <i>Policy No 16.1 Internal Audit Policy</i> <i>Policy No 16.2 Fraud Prevention/Control Policy</i> <i>Policy No 18.4 Pre-election Caretaker Policy</i> <i>Policy No 18.8 Council Committees Policy</i> <i>Policy No 19.1 Municipal Building Control – Intervention Filter Criteria Guideline Policy</i></p>		<p>Cr Stephen Hart</p>
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<p>3. Approves Council’s Existing Policy 3.1 Tendering and Contracts Policy as the interim Procurement Policy under S186A of the Local Government Act.</p>		
<p>OM092810-5 <u>REVIEW OF MEETING PROCEDURES</u> <u>LOCAL LAW 4</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Pursuant to sections 119 and 223 of the Local Government Act gives notice in the Government Gazette and local media of its intention to make “Local Law No 4 – 2009 Council Meeting Procedures and Common Seal”.</i> 2. <i>In accordance with section 223 of the Local Government Act invites written submissions in regards to the draft Local Law No 4 – 2009 until 11 December 2009.</i> 3. <i>Considers any submissions received in relation to the draft Local Law No 4 at the Council meeting to be held on Wednesday, 16 December 2009 at 3.00 pm.</i> 4. <i>Considers adoption of the draft Local Law No 4 at the Ordinary Council meeting to be held in January 2010.</i> 		<p>Cr Stephen Hart</p>

<p><u>OM092810-6 BARWON SOUTH WEST REGIONAL TRAILS MASTER PLAN PROJECT</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p><i>1. Receive and endorse the Barwon South West Regional Trails Master Plan acknowledging that any future trail proposals within the Colac Otway Shire that have financial or strategic implications will be presented to Council for further consideration.</i></p>	<p>Cr Chris Smith</p>	
<p><u>OM092810-7 UPDATE INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the tabled Instrument of Delegation, Colac Otway Shire Council (Council) resolves that -</i></p> <p><i>1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the tabled</i></p>		

<p><i>Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.</i></p> <p>2. <i>The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.</i></p> <p>3. <i>On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.</i></p> <p>4. <i>The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.</i></p>		
<p><u>OM092810-8 ANNUAL REPORT 2008-2009</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p>That Council:</p> <p>1. <i>Notes the completion of the 2008/2009 Annual Report document and process.</i></p> <p>2. <i>Notes the Auditor’s unqualified reports on the Financial Statements, Standard Statements and</i></p>	<p>Cr Chris Smith Cr Stephen Hart Cr Brian Crook</p>	

<p>Performance Statement.</p> <p>3. Notes the Annual Report was submitted to the Minister for Local Government by 30 September 2009, as required.</p> <p>4. Consider and receive the 2008/09 Annual Report as presented to this meeting in accordance with Sections 131 and 134 of the Local Government Act 1989.</p>		
<p><u>OM092810-9 FIRST QUARTER PERFORMANCE REPORT TO COUNCIL 2009-2010</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council: Receive for information the first quarter Performance Report for the three months ending 30 September 2009.</i></p>	<p>Cr Chris Smith</p> <p>Cr Stephen Hart</p>	

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that recommendations to items listed in the Consent Calendar, with the exception of items OM092810-4 & OM092810-5, be adopted.

CARRIED 6 : 0

OM092810-4 REVIEW OF COUNCIL POLICIES

MOVED Cr Stephen Hart seconded Cr Frank Buchanan

That Council:

1. Revoke the following policies:

***Policy No 18.1 Governance Policy
Policy No 18.7 Mayoral Awards Policy***

2. Adopt the following new and revised policies:

***Policy No 18.9 Gifts, Benefits and Hospitality Policy
Policy No 2.4 Confidential Information Policy
Policy No 11.3 Special Rate and Special Charges Policy
Policy No 15.1 Committees of Management of Drainage Systems Policy
Policy No 15.2 Section 86 Committees of Management Policy
Policy No 16.1 Internal Audit Policy
Policy No 16.2 Fraud Prevention/Control Policy
Policy No 18.4 Pre-election Caretaker Policy
Policy No 18.8 Council Committees Policy
Policy No 19.1 Municipal Building Control – Intervention Filter Criteria Guidelines Policy***

3. Approves Council's Existing Policy 3.1 Tendering and Contracts Policy as the interim Procurement Policy under S186A of the Local Government Act.

CARRIED 5 : 1

Division called by Cr Chris Smith

For the Motion: Cr Stephen Hart, Cr Frank Buchanan, Cr Brian Crook, Cr Lyn Russell, Cr Stuart Hart

Against the Motion: Cr Chris Smith

MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that Council, subject to the addition of a sentence to point 4.4.1 so that it reads: "All sales, exchanges and transfers of land must comply with the provisions of the LG Act. The requirements under S 189 of the Local Government Act must be complied with before a contract is entered into unless Council decides otherwise" adopt the revised Policy No 4.3 Sale and Exchange of Council Land Policy.

CARRIED: 6 : 0

OM092810-5 REVIEW OF MEETING PROCEDURES LOCAL LAW 4

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- 1. Pursuant to sections 119 and 223 of the Local Government Act gives notice in the Government Gazette and local media of its intention to make "Local Law No 4 – 2009 Council Meeting Procedures and Common Seal".**
- 2. In accordance with section 223 of the Local Government Act invites written submissions in regards to the draft Local Law No 4 – 2009 until 11 December 2009.**
- 3. Considers any submissions received in relation to the draft Local Law No 4 at the Council meeting to be held on Wednesday, 16 December 2009 at 3.00 pm.**
- 4. Considers adoption of the draft Local Law No 4 at the Ordinary Council meeting to be held in January 2010.**
- 5. During this process the rules about the Mayor's casting vote and question time are to be reconsidered. This is to ensure that the right to ask questions isn't eroded.**

CARRIED 6 : 0

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>INFRASTRUCTURE AND SERVICES</u></p> <p><u>OM092810-10 PROPOSED ROAD CLOSURE – ROAD ABUTTING 49 QUEEN STREET, COLAC</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Resolve to invite public submissions in accordance with Section 223 of the Local Government Act 1989 of its intention to discontinue the section of road separating 49 Queen Street (Lot 1 TP173744) and 74 Dennis Street (PC367529);</i> <i>2. Council considers submissions pursuant to Section 223 of the Local Government Act 1989 at COPACC at the January 2010 Council meeting.</i> <i>3. After hearing submissions in accordance with Section 223 of the Local Government Act 1989, consider a report in relation to the future of this piece of land.</i> 		
<p><u>OM092810-11 TIMBER ROADS PROGRAM – LOCAL ROAD UPGRADES</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Resolve to support the grant funding application and consider allocations of \$69,376 in both the 2010/11 and 2011/12 Capital Works budgets as Council's contribution towards Better Roads grant funding of \$971,261 for the upgrade of both Old Beech Forest Road and Pipeline Road.</i> 	Cr Chris Smith Cr Brian Crook	

MOVED Cr Stuart Hart seconded Cr Stephen Hart 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
<p><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></p> <p><u>OM092810-12 COMMUNITY ENGAGEMENT POLICY</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council endorse the draft Colac Otway Shire Community Engagement Policy, October 2009, for public comment.</i></p>	<p>Cr Chris Smith Cr Stephen Hart Cr Lyn Russell</p>	
<p><u>OM092810-13 BEEAC WINDMILL PARK AND HISTORY WALK FUNDING AGREEMENT</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council sign and seal the funding agreements between Regional Development Victoria and Colac Otway Shire in order to officially ratify the \$112,500 of funding received by Council for the Beeac Windmill Park and History Walk Project.</i></p>	<p>Cr Chris Smith</p>	
<p><u>OM092810-14 COLAC OTWAY SHIRE ENVIRONMENT STRATEGY</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Endorse the release of the current draft Colac Otway Shire Environment Strategy for public comment.</i> <i>2. Place the draft Colac Otway Shire Environment Strategy on public exhibition for a period of six weeks and invite written submissions.</i> 	<p>Cr Stephen Hart Cr Lyn Russell</p>	

MOVED Cr Lyn Russell seconded Cr Frank Buchanan that recommendations to items listed in the Consent Calendar, be adopted.

CARRIED 6 : 0

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>GENERAL BUSINESS</u></p> <p><u>OM092810-15</u> <u>ITEMS FOR SIGNING & SEALING - 112 - 118 JENNINGS STREET, COLAC</u></p> <p>Department: General Business</p> <p><u>Recommendation(s)</u></p> <p><i>That Council sign and seal the Section 173 Agreement between Colac Otway Shire and Peter Andrew Carter and Margaret Mary Carter covenanting Certificate of Title Volume 9820 Folio 906 that any future dwelling on Lot 1 or Lot 2 comprising the subject land must be sited in a manner that will not prejudice the future subdivision of the land for residential purposes to the satisfaction of the Responsible Authority.</i></p>		
<p><u>OM092810-16</u> <u>ITEMS FOR SIGNING & SEALING - TRINITY, PP127/09, 189-243 POUND ROAD, COLAC</u></p> <p>Department: General Business</p> <p><u>Recommendation(s)</u></p> <p><i>That Council sign and seal the Section 173 Agreement between Colac Otway Shire and Roman Catholic Trusts Corporation for the Diocese of Ballarat covenanting Certificate of Title Volume 10046 Folio 938, Volume 0677 Folio 374, Volume 6226 folio 048 Volume 10050 Folio 625 that :</i></p> <ul style="list-style-type: none"> <i>• The office/administration building approved by planning permit PP127/09 must only be used as an office in association to the education facility situated on adjoining land (Lot 1 PS304089, Lot 1 TP401872 and C/A 113 Parish of Colac); and</i> <i>• The carpark approved by planning permit PP334/07 must only be used as a carpark in association to the education facility situated on adjoining land (Lot 1 PS304089, Lot 1 TP401872 and C/A 113 Parish of Colac); and</i> <i>• That the land described as C/A 129, 113, Lot 1 TP401872 and Lot 1 PS304089, Parish of Colac, must not be sold, leased, or otherwise disposed of separately of the land described as</i> 		Cr Stephen Hart

<i>C/A 129, 113, Lot 1 TP401872 and Lot 1 PS304089, Parish of Colac, whilst all or part of the land is being used as an education facility.</i>		
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OM092810-15 ITEMS FOR SIGNING & SEALING - 112 -118 JENNINGS STREET, COLAC

MOVED Cr Stephen Hart seconded Cr Frank Buchanan

That Council sign and seal the Section 173 Agreement between Colac Otway Shire and Peter Andrew Carter and Margaret Mary Carter covenanting Certificate of Title Volume 9820 Folio 906 that any future dwelling on Lot 1 or Lot 2 comprising the subject land must be sited in a manner that will not prejudice the future subdivision of the land for residential purposes to the satisfaction of the Responsible Authority.

CARRIED 6 : 0

Having declared a conflict of interest in item OM092810-16 Cr Brian Crook left Council Chambers at 4.53pm. The Deputy Mayor, Cr Lyn Russell, chaired the meeting during the Mayor's absence.

Conflict of Interest

Cr Crook:	OM092810-16 Items for Signing & Sealing – Trinity, PP127/09 189 – 243 Pound Road, Colac
Nature of Disclosure:	Direct
Nature of Interest:	Employee of Trinity College

OM092810-16 ITEMS FOR SIGNING & SEALING - TRINITY, PP127/09, 189-243 POUND ROAD, COLAC

MOVED Cr Frank Buchanan seconded Cr Stuart Hart

That Council sign and seal the Section 173 Agreement between Colac Otway Shire and Roman Catholic Trusts Corporation for the Diocese of Ballarat covenanting Certificate of Title Volume 10046 Folio 938, Volume 0677 Folio 374, Volume 6226 folio 048 Volume 10050 Folio 625 that :

- ***The office/administration building approved by planning permit PP127/09 must only be used as an office in association to the education facility situated on adjoining land (Lot 1 PS304089, Lot 1 TP401872 and C/A 113 Parish of Colac); and***

- ***The carpark approved by planning permit PP334/07 must only be used as a carpark in association to the education facility situated on adjoining land (Lot 1 PS304089, Lot 1 TP401872 and C/A 113 Parish of Colac); and***
- ***That the land described as C/A 129, 113, Lot 1 TP401872 and Lot 1 PS304089, Parish of Colac, must not be sold, leased, or otherwise disposed of separately of the land described as C/A 129, 113, Lot 1 TP401872 and Lot 1 PS304089, Parish of Colac, whilst all or part of the land is being used as an education facility.***

CARRIED 5 : 0

Cr Brian Crook returned to Council Chambers at 4.55pm.

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

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ITEM	D	W
<p><u>NOTICES OF MOTION</u></p> <p><u>OM092810-17 BRINGING THE COUNCIL CLOSER TO THE COMMUNITY</u></p> <p>Department: Notices of Motion</p> <p><u>Recommendation</u></p> <p><i>That Council consider the contents of this Notice of Motion.</i></p>		

Recommendation***That Council consider the contents of this Notice of Motion.******MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that:******Council calls on the Chief Executive Officer to prepare options for the 2010 Ordinary Council meetings on the basis that:***

- 1. At least two Ordinary meetings during 2010 are held in Apollo Bay.***
- 2. At least one Ordinary meeting during 2010 is held in Birregurra or Forrest.***
- 3. At least one Ordinary meeting during 2010 is held north of the Princes Highway in a town such as Beeac or Cressy.***

CARRIED 4: 2

IN COMMITTEE

MOVED Cr Stephen Hart seconded Cr Lyn Russell 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:

<i>SUBJECT</i>	<i>REASON</i>	<i>SECTION OF ACT</i>
Contract Approval Contract 0915 - Provision Of Building Maintenance Services	this matter deals with contractual matters	Section 89 (2) (d)
Apollo Bay Airfield Licence Agreements	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 6 : 0

OUT OF COMMITTEE

MOVED Cr Stephen Hart seconded Cr Stuart Hart that the meeting move out of committee.

CARRIED 6 : 0

The Meeting Was Declared Closed at 5.30 pm

CONFIRMED AND SIGNED at the meeting held on 25 NOVEMBER 2009

.....**MAYOR**