

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the Birregurra Community Centre on 29 June 2011 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 Geoff Higgins
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
Brett Exelby, Manager Finance & Customer Service
Rhonda Deigan, Executive Officer

3. APOLOGIES

Cr Stuart Hart

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.

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.

I remind you that you must ask a question, if you do not have a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time)
2. Questions from the floor

5. QUESTION TIME

Questions Received in Writing Prior to the Meeting

John & Andrena Macfarlane – Birregurra

Are the Councillors aware that the provision of a sewerage system in Birregurra may well have the complete opposite effect on the township than the state objective of fostering the future development of Birregurra?

Many residents, councillors and council employees have expressed their opinion that the provision of a sewerage system for Birregurra would facilitate future subdivision of existing half acre (or larger) blocks into quarter acre blocks. Whilst this may well be feasible in some locations, due to need to use gravitational (downhill) feed in the system, the owners of many blocks may well find the costs associated with any subdivision financially prohibitive.

For a typical half acre strip block (20m by 100m), common in Birregurra, the cost of subdividing into two quarter acre blocks (each 20m by 50m) could (and in many instances would) include approximately \$50,000 for a sewerage mains extension (50m @ \$1,000/linear metre): see allotments coloured in yellow on attached map. This, together with the costs of establishing an easement, engineer's report, water mains extension (if needed) and connection costs to sewerage and water, may well prove a sufficient enough disincentive to prevent such a subdivision from being contemplated.

On every occasion that I have tried to raise these issues with Council officers, I have been advised that it was nothing to do with Council, but an issue that needed to be raised with Barwon Water. I have been left with the impression that Colac Otway Shire had its collective head firmly in the sand.

Does Council have any strategy to alleviate this disincentive to the future development of Birregurra?

Response:

Barwon Water, as the public authority responsible for water and sewerage in Birregurra, is in the process of implementing a reticulated sewerage scheme in Birregurra township. Any queries associated with the Scheme's implementation, including costs for connection, should be directed to Barwon Water.

Whilst Council has an important planning role to ensure that future growth in Birregurra occurs in an appropriate manner, Council does not have any role in developing or setting the pricing structure for connections to the Scheme.

Council will continue over the next twelve months to prepare appropriate planning policies for Birregurra that facilitate appropriate subdivision and development, which falls within its jurisdiction to address.

It is important to recognise that the main purpose for the sewerage of Birregurra is to achieve public health gains.

Any consequent outcomes in relation to future development of the township are additional to the intended purpose of the Sewer Scheme.

Fostering the future development of Birregurra should not be interpreted, or put forward, as being the stated objective of the project – although it is correct that it will have an impact on the development potential of some of the properties in the township zone.

The current draft Birregurra Structure Plan and draft Neighbourhood Character Study will attest to the role of Council in this project and provides residents with the opportunity to make comment.

James Judd – Colac

1. Why can “Welcome to Colac” signs not also include a speed advisor statement, “Please prepare to slow down”?

Response:

Vic Roads Speed limit signs serve the purpose of advising motorists entering Colac to drive at the appropriate speed. Other warning signs would be superfluous.

2. Before Issuing permits, when will Council require that all wishing to extend a dwelling length and or height plus others who install roof panels must supply evidence that the proposed works will not cause the sun to be blocked from other properties and increase the use of power by others to keep warm and dry as well as stopping washing being dried in the open air because of shadows?

Response:

Where a planning permit is required under the planning scheme for the development of a dwelling or an extension to an existing dwelling under the Residential 1 Zone, Township Zone or the Neighbourhood Character Overlay, consideration is given to Rescode provisions at Clause 54 and 55 of the Planning Scheme, for amenity impacts including overshadowing, overlooking and privacy to adjoining properties. These clauses contain minimum standards to be met. If a proposed development has the potential to affect the amenity of adjoining property owners, public notice is given to adjoining property owners, providing an opportunity for comment and/or objection to the proposed development.

Not all dwellings, alterations or extensions to dwellings require planning approval. In this circumstance, if a building permit is required, the proposal is assessed against

Rescode provisions relating to overshadowing, overlooking and privacy to adjoining properties.

If a variation is sought to these standards under the Building Regulations, a Report and Consent is required. If a Report of Consent is applied for, adjoining properties owners are given public notice and an opportunity to object.

Minor works such as solar panels and/or antenna generally do not require planning or building approval.

Damien Dureau - Colac

1. Re: Apollo Bay Public Library

The Apollo Bay Public Library opened on Wednesday 4 July 2007, being set up as a "temporary library facility" in a building at 6 Pengilly Avenue, located directly behind Otway Health & Community Services' Marrar Woon Community Centre (Neighbourhood House).

- (a) Is the land on which the building which houses the Apollo Bay Public Library built 100%-owned by COSC; and if not, who does own the land?**

Response:

The land is owned by Otway Health and Community Services.

- (b) Is the building which houses the Apollo Bay Public Library 100%-owned by COSC; and if not, who does own the building?**

Response:

The building is owned by Otway Health and Community Services.

- (c) If the building which houses the Apollo Bay Public Library is not 100%-owned by COSC:-**

- (i) Is there a lease** between the owner of the building and COSC?
- (ii) If there is a lease** between the owner of the building and COSC, **what is the commencement date on the lease?**
- (iii) If there is a lease** between the owner of the building and COSC, **what is the exact expiry date on the lease;** and, under the terms of the lease, **does the lease provide an option/s for COSC to further renew it beyond the initial term expiry date,** and if so, **please provide those details** (ie. the number of, and expiry dates of each, renewal option/s)?
- (iii) Does COSC pay rent to the owner of the building;** and if so, **how much are the exact current annual rent payments?**

Response:

There is no formal lease in place. Agreement in writing. Council pays an amount for cleaning, utilities etc.

- (d) Did the building** which houses the Apollo Bay Public Library **exist prior to the establishment of a permanent static library at Apollo Bay; or was it specifically built to house the Apollo Bay Public Library?**

Response:

The building previously existed.

- (e) **If the building** which houses the Apollo Bay Public Library **did exist prior to the establishment of a permanent static library at Apollo Bay:-**
- (i) **What was it used for?**
 - (ii) **What year was it built** (and if the exact year is not known, please provide the approximate year/s in which it was built)?

Response:

The building was previously used for Men's programs.

Unknown when it was built.

- (f) **Does the building** which houses the Apollo Bay Public Library **contain only the Apollo Bay Public Library;** and if not, please also advise **what else is in the building?**

Response:

Only the Library is housed in the building.

- (g) What is the **exact current "Total Floor Space" size (in square metres)** of the **entire building** which houses the Apollo Bay Public Library?

Response:

60 square metres.

- (h) What was the **actual final total capital cost** (including the total interior fit-out costs) of establishing **only the Apollo Bay Public Library?**

Response:

The total cost to Council for the Apollo Bay Library was \$60,585. The works were funded from Council's funds.

2. Re: Buildings' floor space sizes

Further to my "Registered Questions" **Question 7** submitted for the Wednesday 26 August 2009 COSC Ordinary Council Meeting to be put to the Council in Public Question Time, what is the **exact current "Total Floor Space" size (in square metres)** of **each** of the following:-

- 2.1** COSC Nelson St, Apollo Bay council offices building?

Total floor area of the Nelson Street offices is approximately 360sqm.

- 2.2** Apollo Bay Waste Transfer Station, 10-18 Arthur Court, Apollo Bay (opened Monday 20 December 2010) (and **please also confirm** that it is **now named "Apollo Bay Resource Recovery Centre"**)?

This facility comprises a number of separate buildings including the administration office and receipt shed. Further clarification is needed to determine which building floor area information is being requested for. The Apollo Bay Transfer Station is now named the Apollo Bay Resource Recovery Centre.

- 2.3** Great Ocean Road Visitor Information Centre, Apollo Bay?

Approximate total floor area of the Apollo Bay Visitor Information Centre is 290sqm.

2.4 Colac Visitor Information Centre, Colac?

Approximate total floor area of the Colac Visitor Information Centre is 214sqm.

2.5 Local Laws office/Animal Pound, Rossmoyne Road, Colac
(and please also confirm that it was built in the 2005/2006 financial year)?

Approximate total floor area of the Animal Pound is 173sqm. Certificate of Occupancy for this building was issued in March 2006.

2.6 101-105 Gellibrand St, Colac building (the former Colac Public Library and Corangamite Regional Library Corporation (CRLC) region administration headquarters building) - Entire Building (I had believed the "Total Floor Space" size of the "Entire Building" was 547.48 square metres but the CRLC Board have previously raised doubts with me about this and indicated that it may have been the "Public Access Floor Space size" only which was 547.48 square metres. Therefore, I am now requesting that the "**Total Floor Space**" size for the "**Entire Building**" is **officially confirmed**)?

The approximate total floor area of the former Colac Library Building is 548sqm.

2.7

(a) Bluewater Fitness Centre (BWFC), Colac - Entire Building?

Approximate total floor area of Bluewater Fitness Centre is 4,178sqm.

(b) The area of BWFC known as "**Swimming Pool, etc. Area**" (ie. originating from the 1991 developed "wet facilities", opened in 1991) **only**?

Total floor space of the Aquatic area as constructed in 1991 is approximately 1,046sqm.

(c) The area of BWFC known as "**Sports Stadium, etc. Area**" (ie. originating from the original 1976 "dry facilities", opened in 1976) **only**?

Total floor space of the Stadium area is approximately 2,484sqm.

(d) The area of BWFC known as "**gymnasium Area**" **only**?

Total floor area of the Gymnasium is approximately 222.4sqm.

(e) The area of BWFC known as "**entrance/foyer/lounge/reception Area**" **only**?

Total floor area of the entrance, foyer, lounge, and offices is approximately 247.6sqm

Please note that there have been a number of additions to the original footprint of the Aquatic Area including the crèche (107sqm) and first aid room (71sqm). The building floor area (4,178sqm) is inclusive of these spaces.

(Please ensure that the aggregate "Total Floor Space" of all the BWFC component elements provided in answers 2.7(b) to (e) above, reconciles with the answer provided at 2.7(a) above.)

Questions Received Verbally at the Meeting

Christine West

I understand that the structure plan you refer to is a draft structure plan. That point seems to be getting lost along the way.

Response

The Mayor stated that yes it is a draft plan. Council has proceeded slowly with this plan due to the preparation of a Neighbourhood Character Study for Birregurra and you will note in the agenda today an item with respect to that. Consultants have been appointed to do the Neighbourhood Character Study for Birregurra and also the Structure Plan will be attended to and moved forward at the same time. All of that will be done in conjunction with meetings with the community reference group so that the community will have direct input as the two plans proceed side by side. The Structure Plan should be completed by the end of the year and the Neighbourhood Character Study may take a little longer.

The General Manager for Sustainable Planning & Development advised that it was the intent of Council that the process for these two documents to run in harmony. Council had been well advanced with the Structure Plan but there were a number of issues that were raised by members of the community so that has led to Council accelerating the development of a Neighbourhood Character Study. Council will be working to develop both those documents at the same time.

Sarah Handscomb

The Surf Coast Shire has released its population predictions for the region including the town of Winchelsea, 15 minutes drive from here, for the period of the next 20 years. The predicted growth for Winchelsea is 1.38% annually. What evidence, such as future growth predictions, has been used to support the supposed demand for greenfield development in Birregurra?

The General Manager for Sustainable Planning & Development stated that the normal process that occurs with structure plans is that they are all developed through and in conjunction with the Department of Planning & Community Development. The State Government has predictions for growth which are the ones that are generally accepted during that process. Council is engaging in a Regional Land Use Plan through the G21 Regional Alliance and that will give us a better idea of the future projections. At this stage the future projections for Colac are not particularly high and those figures will obviously be amended following the duplication of the highway. There is a whole range of things that must be taken into consideration in relation to future projections and we are working with consultants on those matters. So that is all being looked at through the structure plans and through a number of other bodies of work that we are doing in relation to planning for the future of the Colac Otway Shire.

Jenny Handscomb

With reference to the Municipal Association's Planning Guide for Local Government in relation to the connection of all new compulsory sewerage schemes, as Barwon Water has designed our sewerage system to be augmented in the future with existing works sized for a doubling of the population within the current Birregurra town zone. How can Council justify use of our sewerage system in the short term for greenfield development?

Response

The Mayor responded that as per the previous response to the Macfarlanes, Barwon Water are bringing a sewerage system to Birregurra primarily due to health reasons and naturally the flow on from that is that there will be the capacity to subdivide and develop. That is the very reason that we need a Structure Plan and a Neighbourhood Character Study so that we have some controls over the nature of that development and how that is to proceed. It is important that we also have the support of the community.

Barwon Water have calculated in their design of the sewerage scheme to double the population within the Birregurra town zone. The original draft Structure Plan has spoken of significant growth for Birregurra but referring to the Regional Development Strategy, that had not come out at the same time, a careful reading exposes, relating to that document, a desire for significant growth being the maximum to be achieved by every group including the State Planning Authority. When the regional draft strategy came out recently, that original document is no longer being used to justify this development because significant development is being scaled down now to moderate development for Birregurra. How can we have a sewerage system designed for significant growth within the town zone over time? There is a conflict in what is being designed for in-fill within the town and what council is saying is needed to fulfill significant growth, though it has now fallen back to moderate growth, an even worse scenario for greenfield development in the future.

Response

The Mayor reiterated that even though Barwon Water is saying there is a capacity to double the population of Birregurra, that is all the more reason to undertake these studies so that there is some control over that. Barwon Water's view of doubling the population might not necessarily be the outcome of the Birregurra Structure Plan and the Neighbourhood Character Study. We cannot predict that at this stage.

The General Manager for Sustainable Planning & Development stated that Barwon Water is undertaking the sewerage of Birregurra for public health reasons. When they plan their infrastructure they have to make a decision on how much investment they want to place in that now and they have to make judgments on how much growth there will be in the future. If they have designed the sewer for a much greater capacity that is their way of maximizing their investment for the future. If they only cater for current population levels, if impacts such as the duplication of the highway has a marked increase in population growth, then they will have to make a far greater investment in the future if they have to come in and augment that sewerage scheme for Birregurra. They make that judgment as the relevant authority. That does not mean that our planning will suggest that Birregurra should grow to that level. They have done their design on what they have determined to be a reasonable investment decision for the future.

But my understanding is that Council has already chosen what the scenario will be in the draft Structure Plan and that is for moderate growth. Are you saying that they haven't chosen that?

Response

The General Manager for Sustainable Planning & Development stated that it is a draft Structure Plan and there is a number of things that need to be considered. It is not a case of Council doing a plan to drive any specific outcome. This is Council having a look at what we should be doing as a responsible authority to plan for the future.

But you have just interpreted Barwon Water's intention with this design, I would counter that by saying I would like to hear Barwon Water's word on their intentions.

Response

The General Manager for Sustainable Planning & Development advised that Ms Handscomb should make those enquiries to Barwon Water.

The CEO stated that the two issues which had been raised are quite different. One relates to an utility company wanting to provide an utility service for Birregurra. It has decided that its design parameters will be for a certain level of growth. That is their decision and they have done that to give some measure of conservatism to the system that they design so that they do not have to invest a lot of money for small improvements later. That has nothing whatsoever to do with the planning processes that we are involved with. They are not aligned because from the point of engineering infrastructure, quite often a small increase to double the capacity does not make a significant difference in the design parameters but they have designed the system to handle twice the population it has today. The two issues are unrelated.

Could Council please provide the Birregurra community with the accurate numbers of vacant land available for potential residential use within the Birregurra town zone?

Response

The Mayor advise that those figures would be determined during the Birregurra Structure Plan and Neighbourhood Character Study processes.

Lyn Foster – Colac

In relation to parking outside the new pharmacy in Murray Street, could Council look at making the first carpark the disabled park given the dangerous conditions caused by the angle of the carparks?

Response

The Mayor advised that this question would be taken on notice.

Sarah Handscomb

How many Councillors have read the draft Rural Living Strategy and the draft structure plan in its entirety?

The Councillors indicated by a show of hands that they had all read the two documents.

Tabling of Documents

The Mayor tabled the following documents:

- Petition – Ryan’s Lane Coragulac
- Letter regarding drainage in Evans Court Apollo Bay
- Request for support from the District 6 State Championships Committee

Mr McGee was invited to address Council regarding the request for support to host the 2012 State Championships in Colac.

Mr McGee advised that the committee had been successful in its application to host the 2012 State Championships in Colac next year and would require support from the Council to make this event possible.

The Mayor advised that he would be happy to continue the conversation with the committee and to explore available options.

6. DECLARATION OF INTEREST

Cr Stephen Hart:	OM112906-19 Petition – Draft Rural Living Strategy
Nature of Disclosure:	Direct Interest
Nature of Interest:	Own land identified in the Rural Land Strategy (2006/2007) and later reports as part of an area recommended for re-zoning to “Rural Living”

Cr Geoff Higgins:	OM112906-24 Contract No 1101 External Plant Hire (In-Committee)
Nature of Disclosure:	Indirect
Type of Indirect Interest:	Section 78
Nature of Interest:	Family relation to a contractor

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 25/05/11.**

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

CARRIED 6 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM112906-1 MAYORS FOR PEACE
- OM112906-2 CEO'S PROGRESS REPORT TO COUNCIL

Corporate and Community Services

- OM112906-3 RENAMING OF PART OF EGAN STREET, COLAC.
- OM112906-4 INVESTMENT POLICY
- OM112906-5 ALVIE RECREATION RESERVE
- OM112906-6 EXPRESSION OF INTEREST TO HOST AUSTRALIA DAY 2012
- OM112906-7 2011-2012 COMMUNITY FUNDING PROGRAM
- OM112906-8 FESTIVAL & EVENTS SUPPORT SCHEME 2011-12
- OM112906-9 LEASE OF LAND 10 LAVERS HILL COBDEN ROAD LAVERS HILL
- OM112906-10 COLAC COMMUNITY LIBRARY & LEARNING CENTRE - ACCESS REPORT
- OM112906-11 COUNCIL PLAN REVIEW (INCLUDING STRATEGIC RESOURCE PLAN)
- OM112906-12 ADOPTION OF THE 2011-12 BUDGET
- OM112906-13 LONG TERM FINANCIAL PLAN

Infrastructure and Services

- OM112906-14 EXTENSION OF PORT OF APOLLO BAY MANAGEMENT AGREEMENT FOR A PERIOD OF TWELVE MONTHS.
- OM112906-15 COMMUNITY REFERENCE GROUP - COLAC ROAD HIERARCHY/HEAVY VEHICLE ROUTE
- OM112906-16 KENNETT RIVER WETLAND RENEWAL
- OM112906-17 EXTINGUISHMENT OF CARRIAGEWAY EASEMENT - 6 MOTTS LANE, SKENES CREEK

Sustainable Planning and Development

- OM112906-18 BIRREGURRA STRUCTURE PLAN AND NEIGHBOURHOOD CHARACTER STUDY
- OM112906-19 PETITION - DRAFT RURAL LIVING STRATEGY

General Business

- OM112906-21 ASSEMBLY OF COUNCILLORS

Notice of Motion

- OM112906-22 NATIONAL DISABILITY INSURANCE SCHEME

Reports from Delegates to Other Bodies

- OM112906-23 REPORT FROM DELEGATE TO OTHER BODY - MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CHIEF EXECUTIVE OFFICER</u></p> <p><u>OM112906-1 MAYORS FOR PEACE</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council agrees that the Mayor, Cr Brian Crook, sign the registration form for Mayors for Peace on behalf of Council.</i></p>	CR BRIAN CROOK	
<p><u>OM112906-2 CEO'S PROGRESS REPORT TO COUNCIL</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receive the CEO's Progress Report to Council.</i></p>	CR CHRIS SMITH	

MOVED Cr Geoff Higgins 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>CORPORATE AND COMMUNITY SERVICES</u> <u>OM112906-3 RENAMING OF PART OF EGAN STREET, COLAC.</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"> <i>1. Commences statutory procedures pursuant to Section 206 and clause 5 of Schedule 10 of the Local Government Act 1989 to rename the part of Egan Street, Colac extending north from Pound Road to Hearn Street as "North Egan Street", Colac.</i> <i>2. Holds a Special Council meeting on 14 September 2011 (if required) to consider submissions received pursuant to Section 223 of the Local Government Act 1989 and Council's Community Engagement Policy.</i> 		
<p><u>OM112906-4 INVESTMENT POLICY</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopts the "Investment Policy" No. 16.3.</i></p>		CR STEPHEN HART
<p><u>OM112906-5 ALVIE RECREATION RESERVE</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"> <i>1. Signs and seals the Transfer of Land from the Alvie Public Hall and Recreation Reserve Trust to Council.</i> <i>2. Commences a process to appoint a Section 86 Committee of Management of local community members to manage the Alvie Recreation Reserve.</i> 	CR CHRIS SMITH	

<p><u>OM112906-6</u> <u>EXPRESSION OF INTEREST TO HOST AUSTRALIA DAY 2012</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council endorses the recommendation by the Australia Day Advisory Committee to hold the 2012 Australia Day event in Beeac.</i></p>	<p>CR CHRIS SMITH CR BRIAN CROOK</p>																																											
<p><u>OM112906-7</u> <u>2011-2012 COMMUNITY FUNDING PROGRAM</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p><i>1. Approves the recommendations from the Grants Community Funding Advisory Committee for Council grants from the 2011/2012 Community Funding Program, total expenditure under each of the funding categories as follows:</i></p> <p><i>a. COPACC Assistance \$ 7,433.50 (plus \$2,566.50 discretionary spend)</i></p> <table data-bbox="188 1232 1005 1444"> <tr> <td><i>Colac West Primary School</i></td> <td><i>\$ 778.50</i></td> </tr> <tr> <td><i>FReeZA Colac (Lac & Co Productions)</i></td> <td><i>\$ 559</i></td> </tr> <tr> <td><i>Colac Woodturners & Wood crafters Guild Inc</i></td> <td><i>\$ 753</i></td> </tr> <tr> <td><i>The Colac Players</i></td> <td><i>\$4,343</i></td> </tr> <tr> <td><i>Colac Sudanese Community Inc.</i></td> <td><i>\$ 450</i></td> </tr> <tr> <td><i>Colac NAIDOC</i></td> <td><i>\$ 550</i></td> </tr> </table> <p><i>b. Community Recreation Facilities \$87,231.40</i></p> <table data-bbox="188 1534 1005 2040"> <tr> <td><i>Apollo Bay Leisure Centre & Pool Liaison Com.</i></td> <td><i>\$5,000</i></td> </tr> <tr> <td><i>Beeac Community Centre</i></td> <td><i>\$1,300</i></td> </tr> <tr> <td><i>Beeac Tennis Club</i></td> <td><i>\$2,000</i></td> </tr> <tr> <td><i>Beech Forest Recreation Reserve</i></td> <td><i>\$ 550</i></td> </tr> <tr> <td><i>Birregurra Bowling Club</i></td> <td><i>\$2,778</i></td> </tr> <tr> <td><i>Birregurra Community Hall CoM</i></td> <td><i>\$1,900</i></td> </tr> <tr> <td><i>Birregurra Golf Club</i></td> <td><i>\$5,000</i></td> </tr> <tr> <td><i>Birregurra Recreation Reserve CoM</i></td> <td><i>\$5,000</i></td> </tr> <tr> <td><i>Carlisle River Community Group</i></td> <td><i>\$2,380</i></td> </tr> <tr> <td><i>Chapple Junction Public Hall</i></td> <td><i>\$2,172.50</i></td> </tr> <tr> <td><i>City United Cricket Club</i></td> <td><i>\$4,597.50</i></td> </tr> <tr> <td><i>Colac & District Adult Horse Riding Club</i></td> <td><i>\$5,000</i></td> </tr> <tr> <td><i>Colac & District Football League Netball Ass. Inc</i></td> <td><i>\$ 335.50</i></td> </tr> <tr> <td><i>Colac Central Bowling Club</i></td> <td><i>\$ 715</i></td> </tr> <tr> <td><i>Colac Community Health Services- Colac Cranks</i></td> <td><i>\$ 600</i></td> </tr> </table>	<i>Colac West Primary School</i>	<i>\$ 778.50</i>	<i>FReeZA Colac (Lac & Co Productions)</i>	<i>\$ 559</i>	<i>Colac Woodturners & Wood crafters Guild Inc</i>	<i>\$ 753</i>	<i>The Colac Players</i>	<i>\$4,343</i>	<i>Colac Sudanese Community Inc.</i>	<i>\$ 450</i>	<i>Colac NAIDOC</i>	<i>\$ 550</i>	<i>Apollo Bay Leisure Centre & Pool Liaison Com.</i>	<i>\$5,000</i>	<i>Beeac Community Centre</i>	<i>\$1,300</i>	<i>Beeac Tennis Club</i>	<i>\$2,000</i>	<i>Beech Forest Recreation Reserve</i>	<i>\$ 550</i>	<i>Birregurra Bowling Club</i>	<i>\$2,778</i>	<i>Birregurra Community Hall CoM</i>	<i>\$1,900</i>	<i>Birregurra Golf Club</i>	<i>\$5,000</i>	<i>Birregurra Recreation Reserve CoM</i>	<i>\$5,000</i>	<i>Carlisle River Community Group</i>	<i>\$2,380</i>	<i>Chapple Junction Public Hall</i>	<i>\$2,172.50</i>	<i>City United Cricket Club</i>	<i>\$4,597.50</i>	<i>Colac & District Adult Horse Riding Club</i>	<i>\$5,000</i>	<i>Colac & District Football League Netball Ass. Inc</i>	<i>\$ 335.50</i>	<i>Colac Central Bowling Club</i>	<i>\$ 715</i>	<i>Colac Community Health Services- Colac Cranks</i>	<i>\$ 600</i>	<p>CR CHRIS SMITH CR STEPHEN HART CR LYN RUSSELL CR BRIAN CROOK</p>	
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Colac Football/Netball Club	\$2,900		
Colac Imperials Football Netball Club	\$5,000		
Colac Legacy Club	\$2,200		
Colac Lawn Tennis Club	\$1,650		
Colac Mallet Sports Club	\$1,236.75		
Colac Pony Club	\$1,933		
Colac Swimming Club	\$1,280		
Colac West Cricket Club	\$1,400		
Corangamite Pistol Club	\$1,670		
Corangamite Regional Library Corporation	\$ 600		
Elliminyt Public Hall CoM	\$3,285		
Elliminyt Tennis Club	\$ 295		
Irrewarra Cricket Club	\$5,000		
Otway Health and Community Services	\$1,505.65		
Pirron Yallock Recreation Reserve Grounds CoM	\$2,000		
South Colac Sports Club	\$5,000		
Warncoort Tennis Club	\$5,000		
Warrion Hall CoM	\$ 735		
Warrowie Recreation Reserve	\$ 400		
Western Eagles Football Netball Club	\$4,812.50		
c. Community Projects	\$32,686.51		
Apollo Bay Arts	\$ 500		
Apollo Bay Kendo Club	\$1,114		
Apollo Bay Netball Club	\$ 222.76		
Apollo Bay Pony Club	\$ 715		
Beeac Progress Association	\$1,900		
Colac & District Football Umpires Association	\$ 999.50		
Colac and District Gem Club	\$ 200		
Colac and District Historical Society	\$1,640		
Colac Area Health	\$1,000		
Colac City Band	\$1,400		
Colac Community Road Safe Council	\$4,000		
Colac Night Netball Association	\$1,700		
Colac Otway Disability Accommodation	\$ 500		
Colac Tenpin Bowling Association	\$1,400		
Colac Tigers Netball Club	\$ 990		
Colac Wood Turners and Woodcrafters Guild	\$1,830.25		
Colac Writers Guild	\$ 950		
Green Renters	\$2,575		
Meriba Service Club	\$4,500		
Probus Club of Colac	\$ 550		
The Rotary Club of Colac West	\$4,000		

OM112906-8 FESTIVAL & EVENTS SUPPORT SCHEME 2011-12				CR CHRIS SMITH
Department: Corporate and Community Services				
<u>Recommendation(s)</u>				
<i>That Council adopts the recommendations made by the Festival and Event Support Scheme Advisory Committee for categories of the various events and funding allocations to events under the Colac Otway Festival and Events Support Scheme 2011-12.</i>				
	Event	Funding	Category	
1	<i>Colac Orchid Club</i>	<i>\$500</i>	<i>Bronze (Community)</i>	
2	<i>Forrest 6 Hour Race</i>	<i>\$1,000</i>	<i>Bronze (Community)</i>	
3	<i>Forrest MidWinter Festival</i>	<i>\$1,000</i>	<i>Bronze (Community)</i>	
4	<i>World Refugee Day</i>	<i>\$1,000</i>	<i>Bronze (Community)</i>	
5	<i>Heritage Festival</i>	<i>\$1,000</i>	<i>Silver (Community)</i>	
6	<i>Birregurra & Beeac Weekend Studios</i>	<i>\$1,000</i>	<i>Silver (Community)</i>	
7	<i>Colac Garden & Lifestyle Expo</i>	<i>\$1,000</i>	<i>Silver (Community)</i>	
8	<i>Otway Soup Festival</i>	<i>\$1,500</i>	<i>Silver (Community)</i>	
9	<i>Colac Otway Wood Design Exhibition</i>	<i>\$2,000</i>	<i>Silver (Community)</i>	
10	<i>Naidoc Colac</i>	<i>\$2,500</i>	<i>Silver (Community)</i>	
11	<i>Gellibrand River Blues & Blueberry Festival</i>	<i>\$5,000</i>	<i>Gold (Community)</i>	
12	<i>Great Ocean Sports Festival</i>	<i>\$2,500</i>	<i>Gold (Community)</i>	
13	<i>Carols by Candlelight</i>	<i>\$5,000</i>	<i>Gold (Community)</i>	
14	<i>Otway Harvest Festival</i>	<i>\$1,000</i>	<i>Gold (Community)</i>	
15	<i>Opera in the Otways</i>	<i>\$5,000</i>	<i>Gold (Community)</i>	
16	<i>Birregurra Weekend Festival</i>	<i>\$5,000</i>	<i>Platinum (Community)</i>	
17	<i>Amy Gillett Gran Fondo</i>	<i>\$3,000</i>	<i>Platinum (Community)</i>	
18	<i>Otway Odyssey</i>	<i>\$4,000</i>	<i>Platinum (Commercial)</i>	
19	<i>Colac Kana Festival</i>	<i>\$5,000</i>	<i>Platinum (Community)</i>	

20	<i>Apollo Bay Music Festival</i>	<i>\$7,000</i>	<i>Platinum (Community)</i>		
21	<i>Great Ocean Marathon</i>	<i>\$5,000</i>	<i>Platinum (Commercial)</i>		
	<i>TOTAL FUNDS</i>	<i>\$60,000</i>			
<u>OM112906-9 LEASE OF LAND 10 LAVERS HILL COBDEN ROAD LAVERS HILL</u>					CR STEPHEN HART
<p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council agrees to sign and seal the lease document with the Country Fire Authority for the property at 10 Lavers Hill Cobden Road, Lot 12 LP6159, Lavers Hill at a rent of \$1.00 per annum for a term of 50 years.</i></p>					
<u>OM112906-10 COLAC COMMUNITY LIBRARY & LEARNING CENTRE – ACCESS REPORT</u>					CR STEPHEN HART
<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"> <i>1. Endorses the Colac Community Library and Learning – Access Report 2011.</i> <i>2. Through the Transport Connections Project, seeks solutions to implement the recommendations in this report.</i> 					
<u>OM112906-11 COUNCIL PLAN REVIEW (INCLUDING STRATEGIC RESOURCE PLAN)</u>					CR CHRIS SMITH
<p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopts the revised Council Plan 2009/2013 (including the Strategic Resource Plan 2011/2015) and forwards a copy of the Plan to the Minister for Local Government.</i></p>					

OM112906-12 ADOPTION OF THE 2011-12 BUDGET		CR CHRIS SMITH										
Department: Corporate and Community Services												
<u>Recommendation(s)</u>												
<i>That Council:</i>												
<p>1. Having received no submissions, adopts the 2011-12 Budget annexed to this resolution as Attachment 1 in accordance with Section 130 of the Local Government Act 1989 (the Act).</p>												
<p>2. Authorises the Chief Executive Officer to:</p>												
<p>a. Give public notice of this decision to adopt the 2011-12 Budget, in accordance with Section 130(2) of the Act.</p>												
<p>b. Forward a copy of the adopted Budget to the Minister for Local Government before 31 August 2011, in accordance with Section 130(4) of the Act.</p>												
<p>c. 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.</p>												
<p>3. Authorises the amount intended to be raised.</p>												
<p>An amount of \$ 21,736,376 be declared as the amount that Council intends to raise by general rates, municipal charge and service (Waste Management) charges, which is calculated as follows:</p>												
<table border="0"> <thead> <tr> <th style="text-align: left;">Category</th> <th style="text-align: right;">Income</th> </tr> </thead> <tbody> <tr> <td>General Rates (including Supplementary rates)</td> <td style="text-align: right;">\$ 17,190,920</td> </tr> <tr> <td>Municipal Charge</td> <td style="text-align: right;">\$ 2,008,020</td> </tr> <tr> <td>Annual Service (Waste Management) Charges</td> <td style="text-align: right;">\$ 2,537,436</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">\$ 21,736,376</td> </tr> </tbody> </table>	Category	Income	General Rates (including Supplementary rates)	\$ 17,190,920	Municipal Charge	\$ 2,008,020	Annual Service (Waste Management) Charges	\$ 2,537,436	TOTAL	\$ 21,736,376		
Category	Income											
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Municipal Charge	\$ 2,008,020											
Annual Service (Waste Management) Charges	\$ 2,537,436											
TOTAL	\$ 21,736,376											
<p>4. Authorises a general rate be declared for the period commencing 1 July 2011 to 30 June 2012.</p>												
<p>4.1 It be declared that the general rate be raised by the application of differential rates.</p>												
<p>4.2 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:</p>												

<p><u>4.2.1 Residential Land – Colac, Colac East, Colac West or Elliminyt</u> <i>Any land which is located in Colac, Colac East, Colac West or Elliminyt that is not zoned for commercial or industrial use and which:</i></p> <p>4.2.1.1 <i>is vacant or used primarily for residential purposes and is less than 1.0 hectare in area; and</i></p> <p>4.2.1.2 <i>does not have the characteristics of:</i></p> <p style="padding-left: 20px;">a) <i>Rural Farm Land;</i> b) <i>Holiday Rental Land; or</i> c) <i>Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.</i></p> <p><u>4.2.2 Residential Land – Balance of Shire</u> <i>Any land which is 1.0 hectare or more in area or which is not located in Colac, Colac East, Colac West or Elliminyt that:</i></p> <p>4.2.2.1 <i>is vacant or used primarily for residential purposes; and</i></p> <p>4.2.2.2 <i>does not have the characteristics of:</i></p> <p style="padding-left: 20px;">a) <i>Rural Farm Land;</i> b) <i>Holiday Rental Land;</i> c) <i>Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt; or</i> d) <i>Commercial/Industrial Land – Balance of Shire.</i></p> <p><u>4.2.3 Rural Farm Land</u> <i>Any land which is “Farm Land” within the meaning of Section 2 of the Valuation of Land Act 1960.</i></p> <p><u>4.2.4 Holiday Rental Land</u> <i>Any land that contains a dwelling, cabin or house or part of a house that:</i></p> <p>4.2.4.1 <i>is used for the provision of holiday accommodation for the purpose of generating income; or</i></p> <p>4.2.4.2 <i>is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner.</i></p> <p><i>Note: Typically, the category will include absentee owned holiday houses, owner occupied “Bed and Breakfast” establishments, farm properties with</i></p>		
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<p>accommodation cabins, holiday farms and the like.</p> <p><i>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.</i></p> <p><u>4.2.5 Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt</u> <i>Any land which is located in Colac, Colac East, Colac West or Elliminyt which:</i></p> <p>4.2.5.1 does not have the characteristics of:</p> <ul style="list-style-type: none"> a) Rural Farm Land; b) Residential Land – Colac, Colac East, Colac West or Elliminyt; or c) Holiday Rental Land; and <p>4.2.5.2 is used primarily for:</p> <ul style="list-style-type: none"> a) the sale of goods or services; b) other commercial purposes; or c) industrial purposes <p>or which is vacant but zoned for commercial or industrial use.</p> <p><u>4.2.6 Commercial/Industrial Land – Balance of Shire</u> <i>Any land which is not located in Colac, Colac East, Colac West or Elliminyt which:</i></p> <p>4.2.6.1 does not have the characteristics of:</p> <ul style="list-style-type: none"> a) Rural Farm Land; b) Residential Land – Balance of Shire; or c) Holiday Rental Land; and <p>4.2.6.2 is used primarily for:</p> <ul style="list-style-type: none"> a) the sale of goods or services; b) other commercial purposes; <p>or</p> <ul style="list-style-type: none"> c) industrial purposes <p>or which is vacant but zoned for commercial or industrial use.</p>		
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<p>4.3 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in Clause 4.2 of this Resolution) by the relevant cents in the dollar indicated in the following table:</p>	
Category	Cents in the dollar of the capital improved value
<i>Residential – Colac, Colac East, Colac West, Elliminyt</i>	<i>\$0.003603</i>
<i>Residential – Balance of Shire</i>	<i>\$0.003063</i>
<i>Rural – Farm</i>	<i>\$0.002847</i>
<i>Holiday Rental</i>	<i>\$0.003603</i>
<i>Commercial/Industrial – Colac, Colac East, Colac West, Elliminyt</i>	<i>\$0.005945</i>
<i>Commercial/Industrial – Balance of Shire</i>	<i>\$0.005045</i>
<p>4.4 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:</p>	
<p>4.4.1 the respective objectives of each differential rate be those specified in Appendix B (point 8) of the 2011-12 Budget Document.</p>	
<p>4.4.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Recommendation; and</p>	
<p>4.4.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Recommendation; and</p>	
<p>4.4.4 the relevant:</p>	
<p>4.4.4.1 uses of;</p>	
<p>4.4.4.2 geographical locations of; and</p>	
<p>4.4.4.3 planning scheme zonings of;</p>	

<p style="text-align: center;">and</p> <p style="text-align: center;">4.4.4 types of buildings on the respective types or classes of land be those identified in Appendix B (point 8) of the 2011-12 Budget Document.</p> <p>5 Authorises a Municipal Charge be declared for the period commencing 1 July 2011 to 30 June 2012 to cover some of the administrative costs of the Council.</p> <p>5.1 The Municipal Charge be the sum of \$147 per annum for each rateable property in respect of which a municipal charge can be levied.</p> <p>6 Authorises the following Annual Service (Waste Management) Charges</p> <p>6.1 An annual service (waste management) charge of \$274.00 per annum be declared for:</p> <p style="padding-left: 40px;">6.1.1 all land used primarily for residential or commercial purposes; or</p> <p style="padding-left: 40px;">6.1.2 other land in respect of which a weekly waste collection and disposal service is provided, for the period 1 July 2011 to 30 June 2012.</p> <p>6.2 An annual service (waste management) charge of \$186.00 per annum be declared for:</p> <p style="padding-left: 40px;">6.2.1 all land used primarily for residential or commercial purposes; or</p> <p style="padding-left: 40px;">6.2.2 other land in respect of which a fortnightly waste collection and disposal service is provided, for the period 1 July 2011 to 30 June 2012.</p> <p>7 Authorises a Special Charge of \$0.20 per hectare will be declared on those properties located within the Aire River Drainage Scheme for the period 1 July 2011 to 30 June 2012.</p> <p>8 Authorises a Special Charge for the Tirrengower drainage works previously declared by Council be fixed at \$2.50 per hectare for the period 1 July 2011 to 30 June 2012.</p> <p>9 Declares that it be recorded that Council requires any person to pay interest at the maximum rate</p>		
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<p><i>fixed under Section 2 of the Penalty Interest Rates Act 1983 as the rate set out in accordance with Section 172(2) of the Act on any amounts of rates and charges which:</i></p> <p><i>9.1 that person is liable to pay; and</i></p> <p><i>9.2 have not been paid by the date specified for their payment.</i></p> <p><i>10 Allows a lump sum payment and 4 instalment payments for the 2011-12 year, on the dates published in the Victoria Government Gazette by the Minister and in accordance with Section 167 of the Act.</i></p> <p><i>11 Authorises the General Manager Corporate & Community Services, Manager Finance and Customer Service and the Revenue Co-ordinator to levy and recover the general rates, municipal charge and annual service charges in accordance with the Act.</i></p>		
<p><u>OM112906-13 LONG TERM FINANCIAL PLAN</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopts the Long Term Financial Plan 2011-12 to 2020-21.</i></p>	<p>CR CHRIS SMITH CR STEPHEN HART CR LYN RUSSELL</p>	

MOVED Cr Geoff Higgins seconded Cr Stephen Hart that recommendations to items listed in the Consent Calendar, with the exception of items OM112906-4, OM112906-8, OM112906-9, OM112906-10, OM112906-11, and OM112906-12, be adopted.

CARRIED 6 : 0

OM112906-4 INVESTMENT POLICY

MOTION - MOVED Cr Stephen Hart seconded Cr Geoff Higgins that Council:

- 1. Supports Investment Policy No 16.3 in principle***
- 2. Refers the matter to a Councillor Workshop to discuss the details of the policy***

CARRIED 6 : 0

OM112906-8 FESTIVAL & EVENTS SUPPORT SCHEME 2011-12

MOTION - MOVED Cr Chris Smith:

That Council

1. Allocates an extra \$10,000 to the Festival & Event Support Scheme

2. Adopts the recommendations made by the Festival and Event Support Scheme Advisory Committee for categories of the various events and funding allocations to events under the Colac Otway Festival and Events Support Scheme 2011-12 with the additional funds distributed to increase funding to the following amounts:

	Event	Funding	Category
1	Colac Orchid Club	\$500	Bronze (Community)
2	Forrest 6 Hour Race	\$1,000	Bronze (Community)
3	Forrest MidWinter Festival	\$1,000	Bronze (Community)
4	World Refugee Day	\$1,000	Bronze (Community)
5	Heritage Festival	\$1,000	Silver (Community)
6	Birregurra & Beeac Weekend Studios	\$1,000	Silver (Community)
7	Colac Garden & Lifestyle Expo	\$1,000	Silver (Community)
8	Otway Soup Festival	\$2,500	Silver (Community)
9	Colac Otway Wood Design Exhibition	\$2,500	Silver (Community)
10	Naidoc Colac	\$2,500	Silver (Community)
11	Gellibrand River Blues & Blueberry Festival	\$5,000	Gold (Community)
12	Great Ocean Sports Festival	\$3,500	Gold (Community)
13	Carols by Candlelight	\$5,000	Gold (Community)
14	Otway Harvest Festival	\$2,000	Gold (Community)
15	Opera in the Otways	\$5,000	Gold (Community)
16	Birregurra Weekend Festival	\$7,500	Platinum (Community)
17	Amy Gillett Gran Fondo	\$3,500	Platinum (Community)
18	Otway Odyssey	\$4,500	Platinum (Commercial)
19	Colac Kana Festival	\$7,500	Platinum (Community)
20	Apollo Bay Music Festival	\$7,500	Platinum (Community)
21	Great Ocean Marathon	\$5,000	Platinum (Commercial)
	TOTAL FUNDS	\$70,000	

This motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Lyn Russell seconded Cr Frank Buchanan that:

That Council adopts the recommendations made by the Festival and Event Support Scheme Advisory Committee for categories of the various events and funding allocations to events under the Colac Otway Festival and Events Support Scheme 2011-12.

	Event	Funding	Category
1	Colac Orchid Club	\$500	Bronze (Community)
2	Forrest 6 Hour Race	\$1,000	Bronze (Community)
3	Forrest MidWinter Festival	\$1,000	Bronze (Community)
4	World Refugee Day	\$1,000	Bronze (Community)
5	Heritage Festival	\$1,000	Silver (Community)
6	Birregurra & Beeac Weekend Studios	\$1,000	Silver (Community)
7	Colac Garden & Lifestyle Expo	\$1,000	Silver (Community)
8	Otway Soup Festival	\$1,500	Silver (Community)
9	Colac Otway Wood Design Exhibition	\$2,000	Silver (Community)
10	Naidoc Colac	\$2,500	Silver (Community)
11	Gellibrand River Blues & Blueberry Festival	\$5,000	Gold (Community)
12	Great Ocean Sports Festival	\$2,500	Gold (Community)
13	Carols by Candlelight	\$5,000	Gold (Community)
14	Otway Harvest Festival	\$1,000	Gold (Community)
15	Opera in the Otways	\$5,000	Gold (Community)
16	Birregurra Weekend Festival	\$5,000	Platinum (Community)
17	Amy Gillett Gran Fondo	\$3,000	Platinum (Community)
18	Otway Odyssey	\$4,000	Platinum (Commercial)
19	Colac Kana Festival	\$5,000	Platinum (Community)
20	Apollo Bay Music Festival	\$7,000	Platinum (Community)
21	Great Ocean Marathon	\$5,000	Platinum (Commercial)
	TOTAL FUNDS	\$60,000	

CARRIED 5 : 1

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Chris Smith,

OM112906-9 LEASE OF LAND 10 LAVERS HILL COBDEN ROAD LAVERS HILL

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan:

That Council agrees to sign and seal the lease document with the Country Fire Authority for the property at 10 Lavers Hill Cobden Road, Lavers Hill at a rent of \$1 per annum for 50 years with the following change to the draft lease:

The words "with the exception of rates and charges levied by Colac Otway Shire Council, if any" are to be added to Clause 2.1.

This change is to ensure that the tenant, the CFA, is not required to pay Council rates during the term of the lease.

CARRIED 6 : 0

OM112906-10 COLAC COMMUNITY LIBRARY & LEARNING CENTRE – ACCESS REPORT

MOTION - MOVED Cr Stephen Hart seconded Cr Lyn Russell:

That Council:

- 1. Notes the Colac Community Library and Learning Access Report 2011***
- 2. Endorses the recommendations contained in the report***
- 3. Through the Transport Connections Project, seeks solutions to implement the recommendations in this report.***

CARRIED 6 : 0

OM112906-11 COUNCIL PLAN REVIEW (INCLUDING STRATEGIC RESOURCE PLAN)

MOVED Cr Frank Buchanan seconded Cr Geoff Higgins

That Council adopts the revised Council Plan 2009/2013 (including the Strategic Resource Plan 2011/2015) and forwards a copy of the Plan to the Minister for Local Government.

CARRIED 5 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM112906-12 ADOPTION OF THE 2011-12 BUDGET

MOVED Cr Frank Buchanan seconded Cr Lyn Russell

That Council:

1. **Having received no submissions, adopts the 2011-12 Budget annexed to this resolution as Attachment 1 in accordance with Section 130 of the Local Government Act 1989 (the Act).**
2. **Authorises the Chief Executive Officer to:**
 - a. **Give public notice of this decision to adopt the 2011-12 Budget, in accordance with Section 130(2) of the Act.**
 - b. **Forward a copy of the adopted Budget to the Minister for Local Government before 31 August 2011, in accordance with Section 130(4) of the Act.**
 - c. **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.**
3. **Authorises the amount intended to be raised.**
An amount of \$ 21,736,376 be declared as the amount that Council intends to raise by general rates, municipal charge and service (Waste Management) charges, which is calculated as follows:

Category	Income
General Rates (including Supplementary rates)	\$ 17,190,920
Municipal Charge	\$ 2,008,020
Annual Service (Waste Management) Charges	\$ 2,537,436
TOTAL	\$ 21,736,376

4. **Authorises a general rate be declared for the period commencing 1 July 2011 to 30 June 2012.**
 - 4.1 **It be declared that the general rate be raised by the application of differential rates.**
 - 4.2 **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:**
 - 4.2.1 Residential Land – Colac, Colac East, Colac West or Elliminyt**
Any land which is located in Colac, Colac East, Colac West or Elliminyt that is not zoned for commercial or industrial use and which:
 - 4.2.1.1 **is vacant or used primarily for residential purposes and is less than 1.0 hectare in area; and**
 - 4.2.1.2 **does not have the characteristics of:**
 - a) **Rural Farm Land;**
 - b) **Holiday Rental Land; or**

- c) **Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.**

4.2.2 Residential Land - Balance of Shire

Any land which is 1.0 hectare or more in area or which is not located in Colac, Colac East, Colac West or Elliminyt that:

- 4.2.2.1 **is vacant or used primarily for residential purposes; and**
4.2.2.2 **does not have the characteristics of:**
- a) **Rural Farm Land;**
 - b) **Holiday Rental Land;**
 - c) **Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt; or**
 - d) **Commercial/Industrial Land – Balance of Shire.**

4.2.3 Rural Farm Land

Any land which is “Farm Land” within the meaning of Section 2 of the Valuation of Land Act 1960.

4.2.4 Holiday Rental Land

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

- 4.2.4.1 **is used for the provision of holiday accommodation for the purpose of generating income; or**
4.2.4.2 **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.

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

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

- 4.2.5.1 **does not have the characteristics of:**
- a) **Rural Farm Land;**
 - b) **Residential Land – Colac, Colac East, Colac West or Elliminyt; or**
 - c) **Holiday Rental Land; and**
- 4.2.5.2 **is used primarily for:**
- a) **the sale of goods or services;**
 - b) **other commercial purposes; or**
 - c) **industrial purposes**
- or which is vacant but zoned for commercial or industrial use.**

4.2.6 Commercial/Industrial Land - Balance of Shire

Any land which is not located in Colac, Colac East, Colac West or Elliminyt which:

4.2.6.1 does not have the characteristics of:

- a) ***Rural Farm Land;***
- b) ***Residential Land – Balance of Shire; or***
- c) ***Holiday Rental Land; and***

4.2.6.2 is used primarily for:

- a) ***the sale of goods or services;***
 - b) ***other commercial purposes; or***
 - c) ***industrial purposes***
- or which is vacant but zoned for commercial or industrial use.***

4.3 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in Clause 4.2 of this Resolution) by the relevant cents in the dollar indicated in the following table:

Category	Cents in the dollar of the capital improved value
<i>Residential – Colac, Colac East, Colac West, Elliminyt</i>	<i>\$0.003603</i>
<i>Residential – Balance of Shire</i>	<i>\$0.003063</i>
<i>Rural – Farm</i>	<i>\$0.002847</i>
<i>Holiday Rental</i>	<i>\$0.003603</i>
<i>Commercial/Industrial – Colac, Colac East, Colac West, Elliminyt</i>	<i>\$0.005945</i>
<i>Commercial/Industrial – Balance of Shire</i>	<i>\$0.005045</i>

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

4.4.1 the respective objectives of each differential rate be those specified in Appendix B (point 8) of the 2011-12 Budget Document.

4.4.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Recommendation; and

4.4.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Recommendation; and

4.4.4 the relevant:

4.4.4.1 uses of;

- 4.4.4.2 geographical locations of; and**
- 4.4.4.3 planning scheme zonings of; and**
- 4.4.4.4 types of buildings on the respective types or classes of land be those identified in Appendix B (point 8) of the 2011-12 Budget Document.**
- 5 Authorises a Municipal Charge be declared for the period commencing 1 July 2011 to 30 June 2012 to cover some of the administrative costs of the Council.**
- 5.1 The Municipal Charge be the sum of \$147 per annum for each rateable property in respect of which a municipal charge can be levied.**
- 6 Authorises the following Annual Service (Waste Management) Charges**
- 6.1 An annual service (waste management) charge of \$274.00 per annum be declared for:**
- 6.1.1 all land used primarily for residential or commercial purposes; or**
- 6.1.2 other land in respect of which a weekly waste collection and disposal service is provided, for the period 1 July 2011 to 30 June 2012.**
- 6.2 An annual service (waste management) charge of \$186.00 per annum be declared for:**
- 6.2.1 all land used primarily for residential or commercial purposes; or**
- 6.2.2 other land in respect of which a fortnightly waste collection and disposal service is provided, for the period 1 July 2011 to 30 June 2012.**
- 7 Authorises a Special Charge of \$0.20 per hectare will be declared on those properties located within the Aire River Drainage Scheme for the period 1 July 2011 to 30 June 2012.**
- 8 Authorises a Special Charge for the Tirrengower drainage works previously declared by Council be fixed at \$2.50 per hectare for the period 1 July 2011 to 30 June 2012.**
- 9 Declares that it be recorded that Council requires any person to pay interest at the maximum rate fixed under Section 2 of the Penalty Interest Rates Act 1983 as the rate set out 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 Allows a lump sum payment and 4 instalment payments for the 2011-12 year, on the dates published in the Victoria Government Gazette by the Minister and in accordance with Section 167 of the Act.**

- 11 Authorises the General Manager Corporate & Community Services, Manager Finance and Customer Service and the Revenue Co-ordinator to levy and recover the general rates, municipal charge and annual service charges in accordance with the Act.**

CARRIED 4 : 2

DIVISION called by Cr Chris Smith

**For the Motion: Cr Brian Crook, Cr Geoff Higgins, Cr Frank Buchanan, Cr Lyn Russell
Against the Motion: Cr Chris Smith, Cr Stephen Hart**

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>INFRASTRUCTURE AND SERVICES</u></p> <p><u>OM112906-14 EXTENSION OF PORT OF APOLLO BAY MANAGEMENT AGREEMENT FOR A PERIOD OF TWELVE MONTHS.</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. Supports the 12 months extension of the Port of Apollo Bay Management Agreement with DOT incorporating the minor amendments as detailed in the report and shown in the attachment effective from Close of business on 1 July 2011 to 1 July 2012.</i> <i>2. Authorises the Chief Executive Officer to Sign and Seal the Agreement subject to any further negotiations with DOT and finalisation.</i> <i>3. During the 12 months period, continues to negotiate with DOT the long term agreement to be applicable from 1 July 2012, and a further report be provided to Council in relation to the future Management Agreement with DOT.</i> 	CR FRANK BUCHANAN	
<p><u>OM112906-15 COMMUNITY REFERENCE GROUP - COLAC ROAD HIERARCHY/HEAVY VEHICLE ROUTE</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) Appoints a Community Reference Group for the Road Hierarchy and Heavy Vehicle Truck Route for the Colac Township consisting of the following;</i> 		CR CHRIS SMITH

<p>a) Community Representatives</p> <ul style="list-style-type: none"> • Darryn Monaghan • John Betts • Simon Arundell • Murray Newcombe • Brian O'Donohue • David Parker • Michael Delahunty • Shane Howard • George Tucker • Mark Daffy <p>b) Transport Industry Representatives</p> <ul style="list-style-type: none"> • Bulla Regal Pty.Ltd • Wettenhalls Transport Pty.Ltd • Clearwater Transport <p>c) Council Representatives</p> <ul style="list-style-type: none"> • Cr Brian Crook • Cr Frank Buchanan • Cr Geoff Higgins • Rob Small - Chief Executive Officer • Neil Allen - General Manager Infrastructure and Service • Doug McNeill - Manager Planning and Building <p>d) Contract Representative</p> <ul style="list-style-type: none"> • Aurecon Representative – Gillian Austin <p>2) Writes to all submitters and thanks them for their interest and invites the nominated representatives to be formally part of the Community Reference Group.</p>		
<p>OM112906-16 <u>KENNETT RIVER WETLAND RENEWAL</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Writes to the originator of the petition outlining the proposed course of action and include a copy of the Council report. 2. Undertakes a detailed drainage investigation of the drainage requirements at the rear of the Kennett River caravan park. 3. Considers a budget request in Council's 2012/13 budget process to undertake the Renewal Works described for the wetland and upgrade of the drainage system. 4. Writes to DSE, the Catchment Management Authority and the Otway Coast Committee seeking support in funding to undertake these works. 		

<p>5. <i>Writes to DSE requesting a long term arrangement that allows Council to undertake routine works within the wetland as required without the need for DSE permission.</i></p>		
<p><u>OM112906-17 EXTINGUISHMENT OF CARRIAGEWAY EASEMENT - 6 MOTTS LANE, SKENES CREEK</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receives this report on extinguishment of carriageway easement - 6 Motts Lane (CP103760) Skenes Creek for information.</i></p>		

MOVED Cr Stephen Hart seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar, with the exception of item OM112906-15, be adopted.

CARRIED 6 : 0

OM112906-15 COMMUNITY REFERENCE GROUP - COLAC ROAD HIERARCHY/HEAVY VEHICLE ROUTE

MOVED Cr Lyn Russell seconded Cr Stephen Hart

That Council;

1) Appoints a Community Reference Group for the Road Hierarchy and Heavy Vehicle Truck Route for the Colac Township consisting of the following;

a) Community Representatives

- *Darryn Monaghan*
- *John Betts*
- *Simon Arundell*
- *Murray Newcombe*
- *Brian O'Donohue*
- *David Parker*
- *Michael Delahunty*
- *Shane Howard*
- *George Tucker*
- *Mark Daffy*

b) Transport Industry Representatives

- *Bulla Regal Pty.Ltd*
- *Wettenhalls Transport Pty.Ltd*
- *Clearwater Transport*

c) Council Representatives

- **Cr Brian Crook**
- **Cr Frank Buchanan**
- **Cr Geoff Higgins**
- **Rob Small - Chief Executive Officer**
- **Neil Allen - General Manager Infrastructure and Service**
- **Doug McNeill - Manager Planning and Building**

d) Contract Representative

- **Aurecon Representative – Gillian Austin**

2) Writes to all submitters and thanks them for their interest and invites the nominated representatives to be formally part of the Community Reference Group.

CARRIED 5 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></p> <p><u>OM112906-18 BIRREGURRA STRUCTURE PLAN AND NEIGHBOURHOOD CHARACTER STUDY</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. Notes the current status of the Birregurra Structure Plan and Neighbourhood Character Study projects.</i> <i>2. Extends the consultation period for the Birregurra Structure Plan to match the completion date of the public consultation undertaken in relation to the draft Birregurra Neighbourhood Character Study when that consultation is undertaken.</i> 	CR CHRIS SMITH	
<p><u>OM112906-19 PETITION - DRAFT RURAL LIVING 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. Determines that the petition regarding rezoning of land between 45 and 75 Ryans Lane, Coragulac be considered as urgent business.</i> <i>2. Advises the coordinator of the petition that their petition has been received by Council and will be considered as a submission to the draft Rural Living Strategy.</i> 		CR LYN RUSSELL

<p><u>OM112906-20 INDUSTRY ADVISORY GROUP</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council nominates Cr..... as its representative on the Industry Advisory Group.</i></p>		<p>CR STEPHEN HART</p>
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MOVED Cr Stephen Hart seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar, with the exception of items OM112906-19 and OM112906-20, be adopted.

CARRIED 6 : 0

OM112906-19 PETITION - DRAFT RURAL LIVING STRATEGY

Cr Stephen Hart:	OM112906-19 Petition – Draft Rural Living Strategy
Nature of Disclosure:	Direct Interest
Nature of Interest:	Own land identified in the Rural Land Strategy (2006/2007) and later reports as part of an area recommended for re-zoning to “Rural Living”

Cr Stephen Hart, citing a conflict of interest in this item, left the meeting at 5.07pm.

MOVED Cr Lyn Russell seconded Cr Geoff Higgins

That Council:

- 1. Determines that the petition regarding rezoning of land between 45 and 75 Ryans Lane, Coragulac be considered as urgent business.***
- 2. Advises the coordinator of the petition that their petition has been received by Council and will be considered as a submission to the draft Rural Living Strategy.***

CARRIED 5 : 0

Cr Stephen Hart returned to the meeting at 5.13pm.

OM112906-20 INDUSTRY ADVISORY GROUP

MOTION - MOVED Cr Stephen Hart seconded Cr Lyn Russell:

That Council nominates Cr Brian Crook as its representative on the Industry Advisory Group.

CARRIED 6 : 0

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>GENERAL BUSINESS</u></p> <p><u>OM112906-21 ASSEMBLY OF COUNCILLORS</u></p> <p>Department: General Business</p> <p><u>Recommendation(s)</u></p> <p><i>That Council notes the Assembly of Councillors reports for:</i></p> <ul style="list-style-type: none"> • <i>Meeting with McRae Road Residents</i> - 20 May 2011 • <i>Councillor Briefing Session</i> - 25 May 2011 • <i>CEO's Performance Review</i> - 30 May 2011 • <i>Australia Day Advisory Committee</i> - 1 June 2011 • <i>Festival & Support Scheme Committee</i> - 1 June 2011 • <i>Community Funding Program 2011-2012</i> - 7 June 2011 • <i>Councillor Workshop</i> - 8 June 2011 • <i>Councillor Briefing</i> - 15 June 2011 	CR STEPHEN HART	

MOVED Cr Stephen 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>NOTICE OF MOTION</u></p> <p><u>OM112906-22 NATIONAL DISABILITY INSURANCE SCHEME</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>	<p>CR LYN RUSSELL CR FRANK BUCHANAN CR CHRIS SMITH</p>	

OM112906-22 NATIONAL DISABILITY INSURANCE SCHEME***MOTION - MOVED Cr Lyn Russell seconded Cr Frank Buchanan:******That Colac Otway Shire Council express our support for a National Disability Insurance Scheme by signing up as a organisational supporter of the National Disability Insurance Scheme.******CARRIED 6 : 0***

CONSENT CALENDAR

OFFICERS' REPORT

D = Discussion
W = Withdrawal

ITEM	D	W
<p><u>REPORTS FROM DELEGATES TO OTHER BODIES</u></p> <p><u>OM112906-23 REPORT FROM DELEGATE TO OTHER BODY - MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING</u></p> <p>Department: Reports from Delegates to Other Bodies</p> <p><u>Recommendation</u></p> <p>Council notes the report regarding the Municipal Association of Victoria State Council meeting on 26 May 2011.</p>	<p>CR STEPHEN HART</p>	

MOVED Cr Stephen Hart seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar be adopted.

CARRIED 6 : 0

URGENT ITEM OF BUSINESS – PURCHASE OF PROPERTY

MATTER OF URGENCY - MOVED Cr Lyn Russell seconded Cr Frank Buchanan that:

Council consider the proposed purchase of a property In-Committee as an urgent item of business

CARRIED 6 : 0

IN COMMITTEE

MOVED Cr Lyn Russell seconded Cr Frank Buchanan 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:

SUBJECT	REASON	SECTION OF ACT
Contract No. 1101 – External Plant Hire	this matter deals with contractual matters	Section 89 (2) (d)
Contract No. 1103 – Annual Supply Of Concrete Works	this matter deals with contractual matters	Section 89 (2) (d)
Contract Approval Contract 1105 – Electricity Supply To Public Lighting (Procurement Australia Tender 1407/0614)	this matter deals with contractual matters	Section 89 (2) (d)
Audit Committee Chairperson's Report	this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (d) (h)
Councillor Conduct Panel Determination	this matter deals with personnel matters; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (h)
Report from Delegate to Other Bodies - Audit Committee Meeting	this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (d) (h)
Urgent Item of Business – Purchase of Property	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 5 : 1

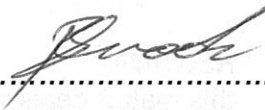
OUT OF COMMITTEE

MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that the meeting move out of committee.

CARRIED 6 : 0

The Meeting Was Declared Closed at 6.10 pm

CONFIRMED AND SIGNED at the meeting held on 27 JULY 2011



.....**MAYOR**