

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the COPACC Meeting Rooms on 24 August 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 Lyn Russell
Cr Stephen Hart
Cr Stuart Hart
Cr Geoff Higgins
Cr Chris Smith

Rob Small, Chief Executive Officer
Colin Hayman, General Manager, Corporate & Community Services
Neil Allen, General Manager, Infrastructure & Services
Doug McNeill, Acting General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

Part: Mike Barrow, Manager Economic Development

3. APOLOGIES

Nil

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

Question taken on Notice at July Council Meeting

Jenny Handscomb - Birregurra

How many subdivisions for Birregurra town zone are awaiting approval post sewer and how many residential lots will be yielded?

Response:

An examination of planning permits issued since 1 January 2009 has revealed that 18 additional lots have been approved through subdivision since that time – one of the approved subdivisions was for a ten lot subdivision.

With the exception of two lots (which were permitted on the basis of septic tank systems to treat effluent), the balance of these lots cannot be created until sewerage has been connected to the properties through the current Barwon Water sewerage scheme due to planning permit conditions containing this requirement.

It is worth noting that in most instances during this period, the lots being created by subdivision are for relatively large allotments that are generally consistent with the existing allotment pattern in the town, rather than creating small lots which would have potential to adversely affect the valued character of the town.

Questions Received in Writing Prior to the Meeting

James Judd – Colac

1. If rate revenue is used as a security for raising loans, what happens if ratepayers object to the continual hike in rates and refuse to pay and your security value is reduced?

Response:

Security is held against the rates and charges levied and therefore against a recognised debt. If Council levied less rates there would be a reduction in security resulting in a reduction in possible debt levels. The security levels only diminish if Council levies less rates.

As rates are a charge against the property (ie: they remain until they are paid) the security is not diminished as eventually the full amount levied will be collected.

2. How do you explain that waste management charges only went up by \$5.00 in 2010-2011 rates when in your notice of rates and charges you also advise that over 10% of general rates is also needed to cover "the waste management"?

Response:

"Waste management" is a broad term used to describe the management of waste across the entire shire. This term includes the costs of various landfill and waste transfer sites, collection of municipal waste and the domestic waste collection service. Given the broad nature of waste management, approximately 10% of rates and charges are required to fund these activities.

The waste charges are specifically to recover the costs of domestic waste collection and are only levied on those receiving waste collection services. As such, these charges will vary directly with changes in the costs to deliver that service.

3. What is the absolute minimum amount Council will accept for over the counter payments towards 2011-2012 rates and charges? Please make sure that the office counter staff are aware of this and that these amounts must be accepted not refused because it is below a minimum they find fit to demand.

Response:

As previously advised, Council will accept minimum payments of \$1 towards 2011-2012 rates and charges.

4. How long is a few weeks in the eyes of this Council? I brought up matters prior to Christmas 2010 with a senior officer and was advised that they would check them out and get back to me within a few weeks. Since over 7 months have gone and I have had no advice on these matters, how much longer must I wait for a few weeks to pass as answers are required?

Response:

The matter and the topic raised by Mr Judd are not clear and therefore cannot be followed up or answered. If specific details are submitted to Council, specific answers can be provided.

5. Please explain the breakup of the municipal charge on ratepayers. All are entitled to know what we are paying for to ensure you are not double or triple charging for any one expense.

Response:

Council is able to levy a municipal charge on each rateable property within the municipality with the exception of farms where a single municipal charge is payable on multiple assessments operated as part of a single farm enterprise.

The municipal charge is a flat, identical charge that can be used to offset some of the "administrative costs" of the Council. The legislation is not definitive on what comprises "administrative costs". The maximum municipal charge that can be levied equals 20% of the revenue raised from rates and the municipal charge divided by the number of chargeable properties.

Some of the "administrative costs" of the Council include:

- Chief Executive Office
- Public Relations and Marketing
- Council

- **Corporate & Community Services Management**
- **Financial Control**
- **Property & Rates**
- **Customer Services**
- **Organisational Development Services**

6. How can Council complain when a person makes part payments towards their rate instalments when for years Council has pushed the line that part advance payments are best for people to reduce the total of instalments when rendered?

Response:

Council has no complaint with ratepayers making part payments towards their rate notices and does not believe that it has ever complained about this matter. As stated above Council will accept minimum payments of \$1 towards its rates and charges.

7. I notice in the minutes of 29 June 2011 Council Meeting pages 3-4 in answer to question 2 it is stated 'public notice is given to adjoining property owners'. Since a recent development was given a Council ok to proceed why do you not delay permission until proof of this fact is provided and why do Council not make sure a notice is erected on the property to alert all who pass by of a development? In the case that affects me, no notice was ever given and no notice was displayed on the property.

Response:

Public notice of planning permit applications is not always required under the Planning and Environment Act. Officers only require notice to be given where it is considered there may be material detriment caused to another person. When public notice is required, notices are sent to adjoining properties. A sign on the site is not always required, depending on the circumstances of the application. Where the proposed development does not require a planning permit, and only requires a building permit, there is no requirement for notice of the application.

8. Why does Council not require notices of applications to be displayed near the fence line instead of far from the fence but only on a dwelling that cannot be read from a road or footpath?

Response:

When public notice of a planning permit application is required under Section 52 of the Planning and Environment Act 1987, instructions are provided to the applicant that the sign must be placed on the site which forms the application, be A3 in size, attached to a backing board, made weatherproof and orientated to front the street. The sign must be displayed within 1 metre of the front boundary and must be easily read from that boundary. Where the property is a corner site, a notice may be requested on both street frontages. The sign must be maintained on site in good condition for a minimum of 14 days. The applicant is required to sign and submit a statutory declaration at the completion of the notice period which states that the notice(s) were erected and displayed in accordance with these instructions. If it becomes known to Council that a notice has been placed in a position that clearly does not meet these requirements and has been difficult to see, the applicant may be asked to readvertise the application for a further 14 days.

9. Why is Council breaking the law? Stop asking people for their private financial details since we are told never to disclose the details unless for a legal reason. So never ask for these. You can make a suggestion that they may like to provide these as they will be needed if direct payments are required.

Response:

Council will not respond to any question which impugns upon Council's reputation.

Corrine Mitchell – Otways Tourism

1. If Council agrees to the seconding of existing staff to the new structure, what are the financial imposts on Colac Otway Ratepayers for existing staff's long service leave sick leave etc?

Response:

Council is seeking information on this matter but at this point it is not clear what obligations exist in respect to Staff entitlements if Geelong Otway Tourism Staff currently employed by the City of Greater Geelong but in effect working for Geelong Otway Tourism were made redundant. It is also unclear at this point if there would be any obligation on the member municipalities in the Geelong Otway Tourism partnership to pay a share of these entitlements.

2. Is it true that previously there was an undertaking by Tourism Vic that the CEO position would be advertised?

Response:

An undertaking was given by the Acting CEO of Tourism Victoria in a meeting with CEOs from the Barwon South West earlier this year. This will be further discussed in the report later today.

3. What is Colac Otway's legal obligation for redundancies of Geelong Tourism staff?

Response:

Council is seeking information on this matter but at this point it is not clear what obligations exist.

4. Will the City of Greater Geelong transfer its financial support to the new board or will they employ staff and pay administration and therefore the staff will continue to have a conflict of interests?

Response:

The structural arrangements for the employment of Regional Tourism Board Staff have not been discussed amongst Councils within the region and so no decision has been made on this matter. However it is believed that the City of Greater Geelong has included in its submission to Tourism Victoria in response to the Regional Tourism Board 'Discussion Paper' a condition on its support for the proposed new structure that Staff currently working under secondment arrangements for Geelong Otway Tourism be transferred to the Regional Tourism Board.

The staffing arrangement for Geelong Otway Tourism is part of the City of Greater Geelong \$1.4m contribution to regional tourism. The Geelong Otway Tourism Executive Director is responsible for both regional tourism and the role of Tourism Manager within the City of Greater Geelong.

As a member of Geelong Otway Tourism and as a part of the tourism region all the municipalities benefit from a regional approach including the City of Greater Geelong. While it may not be a perfect structure there is no evidence that the joint role of Executive Director Geelong Otway Tourism and Tourism Manager City of Greater Geelong has caused a conflict of interest.

5. Will the new structure allow for a detailed review similar to that which Colac Otway undertook of Otway Tourism?

Response:

This is a matter for the proposed Regional Tourism Board to determine. Tourism Victoria has proposed a timeline for establishment of the Regional Tourism Board as October 2011 and within that timeline would be the development of a Memorandum of Understanding. If the proposed new Regional Tourism Board is established and has Council support, Council would use the Memorandum of Understanding development process to discuss matters such as key performance indicators, review schedules and processes.

Given that the structure once established is new then you would not expect a review until it had been operational for some time.

6. Will the new structure fund and support local tourism or only regional tourism?

Response:

Within the staffing structure fully funded by the Regional Tourism Board there is a dedicated resource at the Manager level for each of the sub regions including Geelong/Bellarine, Surf Coast/Otways and South Coast. It must be also remembered that regional tourism marketing has benefits at a local level.

The funding of local tourism in the context of payment for local marketing campaigns or the transfer of organisational membership funds to local organisations as happens currently with Geelong Otway Tourism is a matter for the proposed new Regional Tourism Board once it is established.

The proposed new Regional Tourism Board will set the overarching strategic vision and direction for tourism. It will be the peak tourism organisation for the Great Ocean Road Region and play a critical role in creating a platform for future growth and will have responsibility for a range of key tourism functions including not just tourism marketing but also industry development, product development and identification of investment opportunities.

7. An estimated cost to Colac Otway Shire for the Industry Development Officer and local tourism costs including collateral is \$135,000, how will ratepayers pay for this cost?

Response:

The estimate of \$135,000 included in the Council Report entitled 'Great Ocean Road Victoria Regional Tourism Board Proposal' for the 24 August 2011 Meeting of Council is based on the employment of an Industry Development Officer plus the cost of collateral such as maps and guides distributed by the Visitor Information Centres.

Council collects funds from the Economic Development and Tourism rate and currently contributes a proportion of this to Otways Tourism. These funds would in effect transfer from Otways Tourism to the Industry Development Officer function but at a lower cost. Council currently contributes \$160,000 per annum to Otways Tourism. The cost saving is largely in the removal of administrative support that currently

exists for the Otways Tourism Executive Officer and the proposal that an Industry Development Officer located at the Great Ocean Road Visitor Information Centre at Apollo Bay would share a vehicle with the coordinator of the Centre rather than be provided with a separate vehicle.

8. If ratepayers are to be charged \$8 per rateable property to fund this restructure will this cost be mandatory, legislated and included as a budget item for Council?

Response:

The Tourism Victoria Regional Tourism Board 'Discussion Paper' Version 9, included a number of proposals in regard to the modelling of municipal contributions to the Regional Tourism Board.

One model suggests that an amount of \$8 levy per rateable property would be an equitable proposal for local government because it relates to the resource capacity of respective regional municipalities.

Based on the \$8.00 per rateable property model, the Local Government contribution would be as follows:

Local Government	Rateable Properties	Total (\$)
City of Greater Geelong	104,609	836,872
Borough of Queenscliffe	3,002	24,016
Surf Coast	19,070	152,560
Colac Otway	14,398	115,184
Golden Plains	2,342	18,736
Corangamite	9,448	75,584
Warrnambool	15,478	123,824
Moyne	10,936	87,488
Glenelg	13,890	111,120
Total	193,173	\$1,545,384

It is not proposed that there be a separate and extra charge of \$8 per rateable property. Rather this is proposed as a model for managing an equitable sharing of the total municipal contribution.

Agreement on this proposal is a matter for Council consideration and it is discussed within the Council Report related to this issue in today's agenda.

9. If ratepayers are to be charged \$8 per rateable property does that mean all ratepayers may become members of the new structure or will they have to pay membership above the \$8?

Response:

Ratepayers would not be charged \$8 per rateable property, this is simply a model designed to create an equitable spread of costs amongst local government authorities in the region.

Membership of the proposed new Regional Tourism Board would be a matter for individual tourism operators and the structure may change from the existing Geelong Otway Tourism arrangements following consideration of the proposed new Regional Tourism Board once established.

10. Will tourism operators still have to pay membership to two organisations to display their information in the Visitor Centres?

Response:

One of the benefits of membership of Sub Local Tourism Associations which in turn creates membership of Geelong Otway Tourism is the entitlement to display tourism operator brochures in the Visitor Centres. This is part of the signed Memorandum of Understanding between Geelong Otway Tourism and member Councils. Tourism operators only pay one fee for this benefit and a range of other benefits.

Many tourism operators also pay rates to Colac Otway Shire as residential ratepayers and/or business ratepayers. It is known that many tourism operators believe that because the Visitor Centres are owned and operated by Colac Otway Shire that the their rates should entitle them to access to the Visitor Information Centres or cover their membership of tourism associations. This is not the case and will be discussed as part of a future full rates review. The proposed new Regional Tourism Board may also address this issue and remove the need for consideration of any change by Colac Otway Shire.

Access to Visitor Information Centres is based on the belief that the tourism industry works best when people in the industry work together. It is based on the belief that local tourism works best in conjunction with Regional Tourism. Access to the Visitor Information Centres is an incentive to join in cooperative efforts that benefit individual businesses.

11. Is there a written guarantee that Colac Otway Shire would be consulted in respect to Key Performance Indicators? What if Council has no reps on Board?

Response:

There are currently no written guarantees about any matter related to the proposed new Regional Tourism Board. As a member of the Regional Tourism Board and a major funding contributor it is highly likely that Colac Otway Shire will be consulted on all aspects of performance review systems.

The proposed new Regional Tourism Board includes two Council representatives. It is believed that the proposed new Regional Tourism Board has been designed to be a skills based board, with less local government representatives than currently exists on Geelong Otways Tourism for example, to reduce the potential for parochialism and infighting between sub regions.

As a major contributor to the financing of the Regional Tourism Board and its associated regional structures, Colac Otway Shire believes that there should be a higher level of involvement of local government and a higher level of accountability to local government built into the structure. To this end Council has written to Tourism Victoria requesting that that number be raised from two to four. It is further addressed in the Officer Report related to the new structure on today's Council agenda.

12. Why is Version 9 (20/05/2011) provided to Councillors and not Version 10?

Response:

The Officer Report to the August 24 Meeting of Council, entitled "Great Ocean Road Victoria Regional Tourism Board" has attached Version 9 of the Tourism Victoria 'Discussion Paper' instead of the latest version which is Version 10.

Versions 9 and 10 are identical except that Version 9 includes from p. 16 onwards a number of tables indicating a proposed financial structure for the Regional Tourism Board and this has been excluded from Version 10. Since the Officer Report refers to the proposed financial structure it is important to include the information proposed by Tourism Victoria in Version 9, so that Council is able to examine the tables of financial figures provided.

While no reason has been given by Tourism Victoria for distributing Version 10 without the tables of financial figures, there are some areas of unreliability in them that indicate that the financial structure has not been fully thought out. This is one of the matters for discussion in the Officer's Report related to the regional restructure on today's agenda.

Questions Received Verbally at the Meeting

Sharon Bradshaw – Forrest

Why does the Forrest Structure Plan seem to favour existing subdivision permits that have already been submitted rather than the land to the south area of Frizon Street?

What is the meaning and relevance of the red dot area, the business district centre indicated on the maps, when this still comes under township zoning which provides very little opportunity for business development or tourism product development within the township of Forrest? For example under the township zoning you would not be permitted to have a bakery, a smoke house for smoked products, any expansion of the brewery or any sculptural exhibition under township zoning as it exists at the moment. So the red dot area seems to be fairly meaningless in the context of this report.

Response

Acting General Manager for Sustainable Planning & Development responded by saying that the Forrest Structure Plan considered a number of issues surrounding the future growth of Forrest and no preference has been given to existing subdivision proposals. One of the key issues that has directed the focus of the Structure Plan has been the high bushfire risk and the area to the south of Frizon Street has a higher risk of fire than the area to the north which has been recommended by the Structure Plan for some limited expansion in terms of the township boundary. The Structure Plan does recommend some change in zoning around that area of Frizon Street to rural living to recognise the current settlement pattern in terms of dwellings that have previously been allowed in that area.

With respect to the red dot zone in the middle of the structure plan referring to the preferred concentration of retail uses in Forrest, this serves to give some direction with respect to future planning decisions. Applications would still be considered outside of that red dot area. The township zone allows applications for commercial activities anywhere within that zone and they will be considered on their merits in the context of the planning scheme. It is envisaged that this Structure Plan will be included in the planning scheme and will guide future development of commercial activity within Forrest.

Dieter Wessner – Colac

Has Council, in its contract with the garbage collector, a clause for punitive charges on default of the delivery of services on time and if so, has it ever been evoked?

Response:

General Manager for Infrastructure and Services advised that this question would need to be taken on notice.

With respect to the sale of 6 Murray Street, Colac, does Council know if the Otway Community College intends to remain in the building until the end of its lease or will it be seeking alternative accommodation?

Response:

The Mayor stated that whether the Otway Community College would remain at the property for the remainder of its lease was unknown to Council, however a condition of the sale of the property is that there is a lease in place until the end of 2015.

Paul David Cross – Colac

Does the Mayor accept or recognise the validity of the Apollo Bay Harbour petition which has been signed by the overwhelmingly majority of the Apollo Bay residents who oppose the project?

Response:

The Mayor stated that he accepts the petition but that the question of the validity of the petition is a contentious issue in that because of the way in which the petition was worded there wouldn't be many people who wouldn't sign it.

Does the CEO accept or recognise the validity of the Apollo Bay Harbour petition which has been signed by an overwhelmingly majority of the Apollo Bay residents who oppose the project?

Response:

The CEO stated that Council had accepted the petition but that if he had been presented with the petition without being aware of the facts of the proposal he would have signed it himself. The wording of the petition misrepresents the facts.

Why did Council insist on a phone poll where carefully worded questions were asked of some Apollo Bay residents when a petition against the proposal already existed?

Response:

The CEO advised that Council took that approach to ensure that people were given an equal voice to the issue. General community feedback has indicated that they would prefer not to make comment in a public way. As a result of that we considered a telephone survey would be a fair and equitable way for the community to respond in an anonymous way.

In respect to the telephone poll of some Apollo Bay residents seeking individual comment on the Apollo Bay Harbour proposal, were the telephone conversations recorded?

Response:

The CEO stated while he could not answer that question definitively, a reputable company had been engaged to undertake the telephone survey with questions approved by Council.

Will Council publish the results of the telephone poll?

Response:

The CEO advised that Council and the Apollo Bay Harbour Reference Group would be briefed on the results of the telephone survey early in September and the results would then be made public.

And the people will remain anonymous?

Response:

The CEO advised that the respondents will remain anonymous.

And the people who sign a petition, including the name and address, do not remain anonymous?

Response:

The CEO responded that this was not the time to debate the validity of the petition however it had asked the question as to whether people were in favour of a multi-storey hotel being built on golf club land when this is not correct.

In reference to today's agenda, why is Council so concerned about understanding the full cost of the Regional Tourism Board when Council proceeded with the Joint Use Library when not all costs were known at the time?

Response:

The Mayor stated that the issue of the Regional Tourism Board would be discussed at this meeting.

Tanya Evans – Forrest

With reference to the Forrest Structure Plan, the proposed land supply analysis diagram shows areas that are shaded and there is a shaded area within the Birregurra-Forrest Road which includes my property that is an occupied lot which is going to be proposed for subdivision. At present the front of our property is zoned residential and the back is zoned farming. The back bit is one acre and you cannot farm on one acre and I would like to confirm that is correct.

Response:

The Mayor stated that area was identified as having future capacity for residential development. Council is required to cater for future growth over a 10 – 15 year timeframe and Forrest is problematic due to the surrounding bush with respect to bushfire threat etc. This was deemed to be a suitable area to be included in the township zone for the purpose of residential development.

Acting General Manager for Sustainable Planning & Development stated there had been a very in-depth look at future growth options and the area in pink was one of the few areas that could occur. The community would have a further chance to make a submission through the planning scheme amendment process.

6. DECLARATION OF INTEREST

Rob Small	In-Committee Item OM112408-21
Nature of Disclosure:	Direct

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 27/07/11.**

MOVED Cr Lyn Russell seconded Cr Geoff Higgins that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM112408-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM112408-2 COUNCIL MEETINGS FOR 2012

Corporate and Community Services

- OM112408-3 SALE OF COUNCIL PROPERTY - 6 MURRAY STREET, COLAC
- OM112408-4 APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT PLAN PROJECT COMMITTEE
- OM112408-5 ALVIE RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT
- OM112408-6 AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT ACT)

Infrastructure and Services

- OM112408-7 INVESTIGATION OF THE POTENTIAL TO ROOF THE COLAC SALEYARDS
- OM112408-8 DRAINAGE REPLACEMENT - EVANS COURT TO MCLACHLAN STREET, APOLLO BAY
- OM112408-9 ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.
- OM112408-10 TV & E-WASTE RECYCLING
- OM112408-11 STRUCTURAL ASSESSMENTS OF COUNCIL BRIDGES

Sustainable Planning and Development

- OM112408-12 GREAT OCEAN ROAD VICTORIA REGIONAL TOURISM BOARD PROPOSAL
- OM112408-13 2011 - 12 SMALL TOWN IMPROVEMENT PROGRAM ALLOCATIONS
- OM112408-14 FORREST STRUCTURE PLAN
- OM112408-15 UPDATE ON STATUS OF THE G21 REGIONAL GROWTH PLAN
- OM112408-16 APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW
- OM112408-17 SUBMISSION TO STATE GOVERNMENT REVIEW OF PLANNING PROVISIONS RELATING TO HELICOPTERS

General Business

- OM112408-18 ASSEMBLY OF COUNCILLORS
- OM112408-19 SIGNING AND SEALING - SAFETY INTERFACE AGREEMENT - V/LINE

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CHIEF EXECUTIVE OFFICER</u></p> <p><u>OM112408-1 CEO'S PROGRESS REPORT TO COUNCIL</u></p> <p>Department: Executive <u>Recommendation(s)</u></p> <p><i>That Council notes the CEO's Progress Report to Council.</i></p>	<p>CR STUART HART</p>	
<p><u>OM112408-2 COUNCIL MEETINGS FOR 2012</u></p> <p>Department: Executive <u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p>1. <i>Confirm the meeting dates, times and venues of 2011 Ordinary Council meetings as:</i></p> <ul style="list-style-type: none"> • <i>Wednesday, 25 January 2012 at 6.00pm, at COPACC, Colac</i> • <i>Wednesday, 22 February 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay</i> • <i>Wednesday, 28 March 2012 at 3.00pm, at COPACC, Colac</i> • <i>Thursday, 26 April 2012 at 3.00pm, at COPACC</i> • <i>Wednesday, 23 May 2012 at 3.00pm, at COPACC, Colac</i> • <i>Wednesday, 27 June 2012 at 3.00pm, at Birregurra Community Health Centre</i> • <i>Wednesday, 25 July 2012 at 3.00pm, at COPACC, Colac</i> • <i>Wednesday, 22 August 2012 at 3.00pm, at COPACC, Colac</i> • <i>Wednesday, 26 September 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay</i> • <i>Wednesday, 24 October 2012 at 3.00pm, at COPACC, Colac (subject to advice on the Local Government election date)</i> • <i>Wednesday, 28 November 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council)</i> 		

<ul style="list-style-type: none"> • Wednesday, 19 December 2012 at 3.00pm, at COPACC, Colac (subject to approval by the new Council). <p>2. Confirm the meeting dates, times and venues of 2012 Planning Committee meetings, if required, as:</p> <ul style="list-style-type: none"> • Wednesday, 18 January 2012 at 10.30am, at COPACC, Colac • Wednesday, 8 February 2012 at 10.30am, at COPACC, Colac • Wednesday, 14 March 2012 at 10.30am, at COPACC, Colac • Wednesday, 11 April 2012 at 10.30am, at COPACC, Colac • Wednesday, 9 May 2012 at 10.30am, at COPACC, Colac • Wednesday, 13 June 2012 at 10.30am, at COPACC, Colac • Wednesday, 11 July 2012 at 10.30am, at COPACC, Colac • Wednesday, 8 August 2012 at 10.30am, at COPACC, Colac • Wednesday, 12 September 2012 at 10.30am, at COPACC, Colac • Wednesday, 10 October 2012 at 10.30am, at COPACC, Colac (subject to advice on the Local Government election date) • Wednesday, 14 November 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council) • Wednesday, 12 December 2012 at 10.30am, at COPACC, Colac (subject to approval by the new Council). <p>Note that these dates will need to be confirmed by the Planning Committee.</p>		
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MOVED Cr Stephen Hart seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar be adopted.

CARRIED 7 : 0

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CORPORATE AND COMMUNITY SERVICES</u></p> <p><u>OM112408-3 SALE OF COUNCIL PROPERTY - 6</u> <u>MURRAY 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. Having complied with the provisions of sections 189 of the Local Government Act 1989 (Act), and having received no submissions pursuant to section 223 of the Act, resolves to sell the property known as 6 Murray Street, Colac, being the land in certificate of title volume 10401 folio 603 (Property), by public tender.</i> <i>2. Resolves that any funds from the sale of the Property be applied to offset Council's loan borrowings.</i> <i>3. Directs that the Chief Executive Officer be authorised to:</i> <ol style="list-style-type: none"> <i>(a) set a reserve price that is not less than the independent valuation obtained by Council pursuant to section 189 of the Act</i> <i>(b) appoint an estate agent and an independent probity auditor</i> <i>(c) accept or reject any tender received on the highest price (subject to the reserve) or any other criteria that the Chief Executive Officer sees fit</i> <i>(d) act on behalf of Council in the execution of all relevant documents in relation to the sale of the Property, including the contract of sale and vendor's statement.</i> 		<p>CR STEPHEN HART</p>

<p>4. Directs that Council's seal be affixed to any transfer of land and other documentation to which Council's seal is required to be affixed in connection with the sale of the Property.</p>		
<p><u>OM112408-4 APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT PLAN PROJECT COMMITTEE</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council nominates Cr..... and Cr.....as Committee Members to the Apollo Bay Indoor Pool Business Development Plan Project Committee.</i></p>		<p>CR LYN RUSSELL</p>
<p><u>OM112408-5 ALVIE RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT</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. Pursuant to Section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Alvie Recreation Reserve Committee of Management until 31 August 2014:</i> <p><i>Peter Delahunty, Damian Fleming, Noel McKay, Barry Parker, Noel Parker, Peter Holland, John Miller, Owen Williamson and Graeme Russell.</i></p> <i>2. In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.</i> <i>3. Agrees to sign and seal the Instrument of Delegation for the Alvie Recreation Reserve Committee of Management.</i> <i>4. Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided following the Annual General Meeting of the Committee.</i> 	<p>CR CHRIS SMITH</p>	

OM112408-6	AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT ACT)	CR CHRIS SMITH
Department: Corporate and Community Services		
<u>Recommendation</u>		
<ol style="list-style-type: none"> 1. <i>That Council appoints Kimberly Linden as an authorised officer pursuant to the Planning and Environment Act 1987.</i> 2. <i>The Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.</i> 3. <i>The Instrument of Appointment and Authorisation be sealed.</i> 		

MOVED Cr Frank Buchanan seconded Cr Lyn Russell that recommendations to item OM112408-5 Alvie Recreation Reserve Section 86 Committee of Management, as listed in the Consent Calendar, be adopted.

CARRIED 7 : 0

OM112408-3 SALE OF COUNCIL PROPERTY - 6 MURRAY STREET, COLAC

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan that:

Council:

1. *Having complied with the provisions of sections 189 of the Local Government Act 1989 (Act), and having received no submissions pursuant to section 223 of the Act, agrees to sell the property known as 6 Murray Street, Colac, being the land in certificate of title volume 10401 folio 603 (Property), by public tender.*
2. *Resolves that any funds from the sale of the Property be applied to pay off debt to the best financial advantage to Council.*
3. *Will not provide "vendor" finance.*
4. *Directs the Chief Executive Officer to:*
 - a) *Appoint a probity auditor.*
 - b) *Invite estate agents to offer to market the property. A report is to be presented to the Council meeting on 28/9/11. This report is to be considered "In Committee" to allow Council to determine which agent is to be appointed following the process undertaken by the Chief Executive Officer and/or his delegate.*

- c) *Obtain a valuation.*
 - d) *Present a report to Council after the tender process is closed so that the Council can determine which tender, if any, is accepted.*
5. *Council notes that the Chief Executive Officer is authorised to do all that is reasonably necessary to fulfill the steps outlined in this resolution.*
6. *Council reserves the right to not proceed to sell the property if the price on offer is inadequate, as determined by Council, and this is to be made clear during the process.*

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

**OM112408-4 APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT PLAN
PROJECT COMMITTEE**

MOTION - MOVED Cr Lyn Russell seconded Cr Stuart Hart:

That Council nominates Cr Frank Buchanan and Cr Stephen Hart as Committee Members to the Apollo Bay Indoor Pool Business Development Plan Project Committee.

CARRIED 7 : 0

**OM112408-6 AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT
ACT)**

MOVED Cr Stuart Hart seconded Cr Lyn Russell

1. *That Council appoints Kimberly Linden as an authorised officer pursuant to the Planning and Environment Act 1987.*
2. *The Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.*
3. *The Instrument of Appointment and Authorisation be sealed.*

CARRIED 7 : 0

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>INFRASTRUCTURE AND SERVICES</u></p> <p><u>OM112408-7 INVESTIGATION OF THE POTENTIAL TO ROOF THE COLAC SALEYARDS</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>Calls for Expressions of Interest from suitably qualified companies to register for consideration to be invited to submit a tender for the Design and construction of a roof at the Colac Saleyards.</i> <i>Be provided with a further report seeking approval regarding the awarding of any contract.</i> 		<p>CR FRANK BUCHANAN</p>
<p><u>OM112408-8 DRAINAGE REPLACEMENT - EVANS COURT TO MCLACHLAN STREET, APOLLO BAY</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>Replaces approximately 170 metres of underground drainage pipes and three (3) pits, between Evans Court and McLachlan Street, Apollo Bay, at an estimated cost of \$30,000, based on the installation of a 300mm diameter storm water pipe.</i> <i>Authorises the works to be funded from the provision made in the 2011/12 budget for the implementation of the recommendations of the Apollo Bay Drainage Study.</i> <i>Writes to all affected property owners and the parties named in the petition advising them of the proposed works and timing.</i> 		

<p>OM112408-9 <u>ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council under the Mayor's signature, writes to the Prime Minister, Leader of the Opposition, Minister of Infrastructure and Transport, Opposition Minister for Transport and Local Federal Members of Parliament, calling on the Federal Government to:</i></p> <ol style="list-style-type: none"> <i>1. recognise its successful delivery of the Roads to Recovery Program by Local Government since 2000.</i> <i>2. continue the Roads to Recovery Program on a permanent basis to assist Local Government's meet its responsibilities of providing access to its communities.</i> <i>3. continue to the Roads to Recovery Program with current administrative arrangements.</i> <i>4. provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.</i> 		CR LYN RUSSELL
<p>OM112408-10 <u>TV & E-WASTE RECYCLING</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council approve the introduction of a new E-Waste charge at the Transfer Stations of \$6 (GST Inclusive) for hazardous electrical waste such as TVs, computer monitors and laptops to cover cost of disposal to a suitable recycle facility.</i></p>		

<p>OM112408-11 <u>STRUCTURAL ASSESSMENTS OF COUNCIL BRIDGES</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p>1. <i>Implements the following load limits subject to complying with section 223 of the Local Government Act 1989 and a six (6) week notification period:</i></p> <table border="1"> <thead> <tr> <th><u>Bridge No.</u></th> <th><u>Road Name</u></th> <th><u>Load Limit</u></th> </tr> </thead> <tbody> <tr> <td>CS053</td> <td>Daffys Lane</td> <td>13 tonnes</td> </tr> <tr> <td>CS074</td> <td>Skenes Creek Valley Road</td> <td>16 tonnes</td> </tr> <tr> <td>CS059</td> <td>Watsons Access</td> <td>5 tonnes</td> </tr> </tbody> </table> <p>2. <i>In accordance with section 223 of the Local Government Act 1898 undertakes the following:</i></p> <p>a. <i>Advertise its intention to impose load limits on the above bridges and hear and consider submissions should any be received.</i></p> <p>b. <i>If required, hold a Special Committee Meeting on 12 October 2011 at 1:00pm in COPACC to consider any submissions. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their written submission and will be advertised in local media.</i></p> <p>c. <i>If no submissions or objections are received, instruct the CEO to implement the load limits as recommended.</i></p> <p>d. <i>If required, a final decision shall be made by Council following preparation of a report by the General Manager Infrastructure and Services based on the recommendations to the Council meeting of 26 October 2011.</i></p> <p>3. <i>Refers the work to rehabilitate each of the structures to Council's Capital Works and Major Projects Program for detailed costing and prioritisation within the relevant renewal program.</i></p>	<u>Bridge No.</u>	<u>Road Name</u>	<u>Load Limit</u>	CS053	Daffys Lane	13 tonnes	CS074	Skenes Creek Valley Road	16 tonnes	CS059	Watsons Access	5 tonnes	<p>CR CHRIS SMITH</p> <p>CR STEPHEN HART</p> <p>CR FRANK BUCHANAN</p>	
<u>Bridge No.</u>	<u>Road Name</u>	<u>Load Limit</u>												
CS053	Daffys Lane	13 tonnes												
CS074	Skenes Creek Valley Road	16 tonnes												
CS059	Watsons Access	5 tonnes												

MOVED Cr Geoff Higgins seconded Cr Stephen Hart that recommendations to items listed in the Consent Calendar, with the exception of items OM112408-7 and OM112408-9, be adopted.

CARRIED 7 : 0

OM112408-7 INVESTIGATION OF THE POTENTIAL TO ROOF THE COLAC SALEYARDS

MOTION - MOVED Cr Frank Buchanan seconded Cr Stephen Hart that Council:

- 1. *Calls for Expressions of Interest from suitably qualified companies to register for consideration to be invited to submit a tender for the Design and construction of a roof at the Colac Saleyards.***
- 2. *Be provided with a further report including a strengthened business case before proceeding.***

CARRIED 7 : 0

OM112408-9 ROADS TO RECOVERY PROGRAM - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.

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

Council under the Mayor's signature, writes to the Prime Minister, Leader of the Opposition, Minister of Infrastructure and Transport, Opposition Minister for Transport and Local Federal Members of Parliament, calling on the Federal Government to:

- 1. *recognise its successful delivery of the Roads to Recovery Program by Local Government since 2000.***
- 2. *continue the Roads to Recovery Program on a permanent basis to assist Local Government's meet its responsibilities of providing access to its communities.***
- 3. *continue to the Roads to Recovery Program with current administrative arrangements.***
- 4. *provide an increased level of funding under a future Roads to Recovery Program that recognises the national shortfall of funding on local roads of \$1.2 billion annually.***

CARRIED 7 : 0

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<u>SUSTAINABLE PLANNING AND DEVELOPMENT</u>		
OM112408-12 <u>GREAT OCEAN ROAD VICTORIA</u> <u>REGIONAL TOURISM BOARD</u> <u>PROPOSAL</u>		CR LYN RUSSELL
Department: Sustainable Planning and Development		
<u>Recommendation(s)</u>		
<p><i>That Council writes a submission to Tourism Victoria on the Discussion Paper addressing the following:</i></p> <ol style="list-style-type: none"> <i>That Tourism Victoria provide further detail on the structure and cost of the proposed new regional structure and commit to a long term funding arrangement with the Regional Tourism Board.</i> <i>That the proposed new Regional Tourism Board include one Local Government representative from each of the following sub regional groups Geelong/Bellarine, Surf Coast/Otways and South Coast, increasing the proposed number of Local Government representatives on the Board from two to three.</i> <i>That Council will make no financial contribution in support of the proposed new structure until Council is provided with a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.</i> <i>That Council make no decision on the future of funding of the proposed new industry development officer and the support services to local tourism until the full cost structure of the Regional Tourism Board is known.</i> <i>That Council continue its commitment to the transition period of funding support for Geelong Otway Tourism and Otways Tourism.</i> <i>That the proposed new Regional Tourism Board adopts the \$8 per rateable property formula for Local Government contribution to the Board.</i> <i>That Tourism Victoria sets a timeline for the commencement of the Regional Tourism board and proposed new structure of 1 July 2012 so that adequate time is available to deal with the complexity</i> 		

<i>of the proposed new arrangements; to seek clarity on structure and cost of the proposed new structure and to enable a smooth transition from Geelong Otway Tourism and Otways Tourism fund to the new model. It would also enable Council to deal with the new cost structure through the normal Council Budget process for the forthcoming financial year.</i>		
OM112408-13	<u>2011 - 12 SMALL TOWN IMPROVEMENT PROGRAM ALLOCATIONS</u>	
Department: Sustainable Planning and Development		
<u>Recommendation(s)</u>		
<i>That Council approves the annual \$80,000 funding allocations of the 2011/12 Small Town Improvement Program (STIP) recommended by the STIP Advisory Committee as follows:</i>		
<i>Beeac Park Rotunda</i> \$12,500		
<i>Barwon Downs Combined Community</i>		
<i>Centre Planning</i> \$ 5,000		
<i>Carlisle River BBQ Shelter Upgrade</i> \$ 5,500		
<i>Cressy Duverney St Rotunda</i> \$10,000		
<i>Gellibrand Main Street Tree Planting</i> \$ 7,000		
<i>Wye River Pathway</i> \$20,000		
<i>Birregurra Park Tourism and Information Sign</i> \$ 5,000		
<i>Red Rock Community Infrastructure Plan</i> \$ 5,000		
<i>Forrest Bike Rack Sculpture</i>		
<i>Project Stage 2</i> \$ 5,000		
<i>Beech Forrest Cliff Young Memorial</i> \$ 5,000		
OM112408-14	<u>FORREST STRUCTURE PLAN</u>	CR CHRIS SMITH
Department: Sustainable Planning and Development		
<u>Recommendation(s)</u>		
<i>That Council:</i>		
<i>1. Adopts the Forrest Structure Plan.</i>		
<i>2. Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.</i>		

<p><u>OM112408-15 UPDATE ON STATUS OF THE G21 REGIONAL GROWTH PLAN</u></p> <p>Department: Sustainable Planning and Development <u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Notes the status update on the G21 Regional Growth Plan Project.</i> <i>2. Notes the project timelines, key milestones and the project management arrangements to deliver the project within the agreed timelines.</i> <i>3. Notes that formal consideration of the Regional Growth Plan by G21 Councils and the Minister will be in September 2012.</i> 	CR CHRIS SMITH	
<p><u>OM112408-16 APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW</u></p> <p>Department: Sustainable Planning and Development <u>Recommendation(s)</u></p> <p><i>That Council notes the draft Apollo Bay Settlement Boundary and Urban Design Review report and authorises it to be released for public exhibition.</i></p>	CR CHRIS SMITH	
<p><u>OM112408-17 SUBMISSION TO STATE GOVERNMENT REVIEW OF PLANNING PROVISIONS RELATING TO HELICOPTERS</u></p> <p>Department: Sustainable Planning and Development <u>Recommendation(s)</u></p> <p><i>That Council lodges a submission to the State Government review of helicopter provisions in accordance with the issues raised in this report, particularly noting that:</i></p> <ul style="list-style-type: none"> <i>• Council would support the change in definitions proposed to create a new definition of 'helicopter landing site'.</i> <i>• Council is opposed to further exemptions being provided to planning permit requirements relating to helicopter movements at Clause 52.15 of the Planning Scheme over and above those that currently exist.</i> 	CR CHRIS SMITH CR STEPHEN HART	

<ul style="list-style-type: none"> <i>The Otways and Great Ocean Road hinterland are pristine environments and significant natural assets which are highly valued for quiet enjoyment of the high value lifestyle this represents.</i> <i>Further encouragement of helicopter movements not subject to planning permit requirements would have potential to adversely affect these values.</i> 		
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MOVED Cr Geoff Higgins seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar, with the exception of items OM112408-12 and OM112408-14, be adopted.

CARRIED 7 : 0

OM112408-12 GREAT OCEAN ROAD VICTORIA REGIONAL TOURISM BOARD PROPOSAL

MOTION - MOVED Cr Lyn Russell seconded Cr Stephen Hart that:

Council writes a submission to Tourism Victoria on the Discussion Paper addressing the following:

- a. ***That Tourism Victoria provide further detail on the structure and cost of the proposed new regional structure and commit to a long term funding arrangement with the Regional Tourism Board.***
- b. ***That the proposed new Regional Tourism Board include two Local Government representatives from each of the following sub regional groups, G21 and Great South Coast. One of those representatives being from a Great Ocean Road Council within G21, thus increasing the proposed number of Local Government representatives on Board from two to four as passed by Colac Otway Shire Council's May 2011 meeting.***
- c. ***That Council will make no financial contribution in support of the proposed new structure until Council is provided with a complete understanding of the full cost of both the Regional Tourism Board and the local Surf Coast/Otways structure.***
- d. ***That Council make no decision on the future of funding of the proposed new industry development officer and the support services to local tourism until the full cost structure of the Regional Tourism Board is known.***
- e. ***That Council continue its commitment to the transition period of funding support for Geelong Otway Tourism and Otways Tourism.***
- f. ***That the proposed new Regional Tourism Board adopts the \$8 per rateable property formula for Local Government contribution to the Board.***
- g. ***That Tourism Victoria sets a timeline for the commencement of the Regional Tourism board and proposed new structure of 1 July 2012 so that adequate time is available to deal with the complexity of the proposed new arrangements; to seek clarity on structure and cost of the proposed new structure and to enable a smooth transition from Geelong Otway Tourism and Otways Tourism fund to***

the new model. This would also enable Council to deal with the new cost structure through the normal Council Budget process for the forthcoming financial year.

- h. That Council's position is that the CEO of the new entity be advertised and filled through a competitive and merit based process as per the undertaking given by Tourism Victoria.*

CARRIED 7 : 0

OM112408-14 FORREST STRUCTURE PLAN

MOTION - MOVED Cr Chris Smith that Council defers the adoption of the Forrest Structure Plan until Councillors receive a copy of all submissions.

This motion lapsed due to the lack of a seconder

MOTION - MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that Council:

- 1. Adopts the Forrest Structure Plan.***
- 2. Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.***

AMENDMENT - MOVED Cr Stephen Hart seconded Cr Stuart Hart that Council:

- 1. Adopts the Forrest Structure Plan.***
- 2. Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.***
- 3. Requests that matters raised in submissions to the Forrest Structure Plan be considered as part of the Planning Scheme Amendment process.***

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

MOTION - MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that:

- 1. Adopts the Forrest Structure Plan.**
- 2. Seeks authorisation from the Minister for Planning to prepare an amendment to the Colac Otway Planning Scheme that implements the Structure Plan.**
- 3. Requests that matters raised in submissions to the Forrest Structure Plan be considered as part of the Planning Scheme Amendment process.**

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>GENERAL BUSINESS</u></p> <p><u>OM112408-18 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>Councillor Briefing Session - 27 July 2011</i> • <i>Councillor Workshop - 10 August 2011</i> • <i>Friends of the Botanic Gardens AGM - 11 August 2011.</i> 	<p>CR CHRIS SMITH</p> <p>CR STEPHEN HART</p>	
<p><u>OM112408-19 SIGNING AND SEALING - SAFETY INTERFACE AGREEMENT - V/LINE</u></p> <p>Department: General Business</p> <p><u>Recommendation(s)</u></p> <p><i>That Council approves the signing and sealing of the Safety Interface Agreement with V/Line and delegate signing to the Council's Chief Executive Officer and the General Manager Infrastructure and Services.</i></p>		

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

CARRIED 7 : 0

IN COMMITTEE

MOVED Cr Stephen Hart 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
Marengo Landfill Tender Evaluation	this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (d) (h)
CEO's Remuneration Review	this matter deals with personnel matters; AND this matter deals with legal advice	Section 89 (2) (a) (f)

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

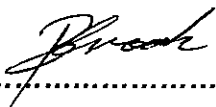
OUT OF COMMITTEE

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

CARRIED 7 : 0

The Meeting Was Declared Closed at 5.40 pm

CONFIRMED AND SIGNED at the meeting held on 28 SEPTEMBER 2011

..........**MAYOR**

