

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC Meeting Rooms on 26 June 2013 at 3.00 pm.

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**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 Lyn Russell (Mayor)  
Cr Brian Crook  
Cr Michael Delahunty  
Cr Stephen Hart  
Cr Mick McCrickard  
Cr Chris Smith

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

Part: Brett Exelby, Manager, Finance & Customer Service

**3. APOLOGIES**

Cr Terry Woodcroft

**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 community input and participation in Council decisions. Council meetings provide an opportunity for the community to ask Council questions, either verbally at the meeting or in writing.

Please note that Council may not be able to answer some questions at the meeting. These will be answered later.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

An audio recording of this meeting is being made for the purpose of ensuring the minutes of the meeting are accurate. 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. It is an offence to make an unauthorised recording of the meeting.

Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. 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

### Tabling of Petition

Petition received requesting that Council continue to maintain recent beautification works undertaken along the Barongarook Creek.

### Questions Received in Writing Prior to the Meeting

#### James Judd

1. What are the cost to Council of maintaining the following libraries:
  - a. i). Apollo Bay: 15 hours a week  
ii) Colac Annexe: 22 hours a week
  - b. Books at each
    - i) Apollo Bay
    - ii) Colac Annexe
  - c. Computers at each
    - i) Apollo Bay
    - ii) Colac Annexe
  - d. What would be the change in operating expenses at Apollo Bay if the hours were changed from 3 days a week of 5 hours each to 5 days over 2 weeks at 6 hours each since the total hours would remain at 30 hours over two weeks. A reduction in time to set up prior to opening and putting away each day after closure.

### Response

**1 (a) The cost of staffing for the Apollo Bay Library is approximately \$28,500 per annum. As reported in December 2012 the staff cost of running the Colac Annexe is approximately \$44,000 per annum.**

**(b) & (c)**

27/5/2013	Books	Computers		
		Staff	Catalogue	Public PCs
<b>Apollo Bay</b>	<b>4,258</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Colac Annexe</b>	<b>3,044</b>	<b>1</b>	<b>1</b>	<b>3*</b>

**\*Two of the PCs at the Colac Annexe have been provided by the National Broadband for Seniors program, funded by the Commonwealth Government.**

(d)

*Currently the Apollo Bay Library's hours are not spread evenly over three days, as on Saturdays the library is open for 2 hours.*

	<b>Wednesday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Total</b>
<b>Open hours</b>	6.5	6.5	2	15
<b>Admin time</b>	1	1	1	3
<b>Total hours</b>	7.5	7.5	3	18

*To gain an additional day of opening each week by reducing the spread of hours would hypothetically result in:*

	<b>Monday</b>	<b>Wednesday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Total</b>
<b>Open hours</b>	4	4	4	2	14
<b>Admin time</b>	1	1	1	1	4
<b>Total hours</b>	5	5	5	3	18

*This reduces the time open to the public by one hour per week, if the same cost to Council is to be maintained.*

*The reduction in administration time is particularly difficult in libraries operated by one staff member, even more so in a busy branch like Apollo Bay. This time is dedicated to computer maintenance (virus protection being particularly important in public machines and must be completed every day) and to processing the stock which is rotated between branches. This stock rotation is especially important to small branches that may receive less than 800 new items per year, but receive thousands of titles from other branches, ensuring customers have more choice.*

2. Under what authority is this Council meeting the requirements of the Local Government Act by refusing to make available details of matters at Council workshops not covered by sub section 2 of section 89 to the public for checking through your refusal to include in written form to be read and checked.

**Response:**

*As has been explained to Mr Judd previously, this information is made available on our website as part of the Council agenda and he is welcome to view this information at the Council offices.*

3. When will this Council consider a fixed percentage rebate on Council rates and charges to those in receipt of the Government rebate since as soon as the rebate limit is reached, all costs to pensioners increase in dollar terms at the same rate as full payers of rates and charges. On all small value properties the rates and charges exceed 50% of total payable on most reasonable value properties exceeds 90%. The rebate now only just covers the municipal charge only.

**Response:**

*This is not an issue officers have been requested to investigate however the concession set by the State Government is 50% of rates and charges to a maximum of \$198.00. It increases each year in accordance with CPI and in 2013-14 will be \$202.90.*

**The Municipal Charge for 2012-13 is \$149.00 and in 2013 -14 is proposed to be \$162.00. The concession therefore clearly exceeds the Municipal Charge.**

**The Pensioner Rates Concession is one of several concessions provided to pension recipients by the various levels of government . Any Council rebate over and above the State Government funded concession would be funded by rates paid by the rest of the community – many of whom do not receive the benefits afforded to pensioners.**

3. As in open Council no mention is made about a sister city relationship anymore, does this Council still have a “sister city relationship” with Walker, Michigan, USA as promoted on the roadway into Colac by this Council?

**Response:**

**The sister city relationship between the Colac Otway Shire Council and the City of Walker still exists and secondary schools within this Shire have been encouraged to reinvigorate the student exchange program with the schools in that city.**

4. Since Council operates a business, how is it going to explain to the business community its past refusal to keep either the Colac Show Day or Melbourne Cup Day as a public holiday while telling the business community it must take one of either days?

**Response:**

**As we have attempted to explain to Mr Judd on previous occasions, the Colac Otway Shire Council has gazetted the Colac Show Day as a public holiday. It is up to businesses to decide whether they continue to trade on that day and pay public holiday rates or provide staff with a day in lieu, or to offer an alternative public holiday (Melbourne Cup Day). While Council does remain open on Colac Show Day, it provides staff with the opportunity to take the day as a public holiday or to have an additional day added to their leave entitlement.**

### **Questions Received Verbally at the Meeting**

#### **Simon Arundell – Bungador**

1. Is it about time that we got time in motion auditors or office procedure auditors to spend some time in the Rae Street offices to make sure that we are getting value for money?

**Response:**

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

#### **John Modra**

1. Is the Infrastructure Environment Officer position recently advertised in the Colac Herald a new position?

**Response:**

**The CEO advised that it is an existing position resulting from the Cressy Shelford Road Enforceable Undertaking entered into by Council.**

2. How long had the previous person occupied that position and why has he left?

**Response:**

**The CEO advised that the term of the previous incumbent was irrelevant and that the officer left to go to another position. The term of that position is privileged information which Council will not reveal.**

3. Is the position to provide environmental advice about the Native Vegetation Framework and the various legislation relating to biodiversity in particular?

**Response:**

**The CEO advised that it is a much larger role that does include those duties but is also part of an enforceable undertaking between the Federal and State Governments and this Council and that there was no option but to employ this person. This position has been extremely valuable in guiding our work around a large number of environmental issues and is not limited to the vegetation framework.**

4. Could you name some of the projects that this person has helped with?

**Response:**

**The CEO stated that the position had been influential in reducing the red tape involved in the removal of roadside vegetation.**

5. Is it just about deciding when Council can cut down trees and mowing grass?

**Response:**

**The CEO stated that it was not.**

**Allan Billing - Larpent**

1. Did the Economic Development Unit undertake an assessment of the economic position of agriculture within Colac Otway Shire prior to the budget process. If so how was that assessment conducted and what was the source of the information gathered?

**Response:**

**The General Manager Sustainable Planning and Development advised that no specific assessment had been undertaken but we do get that information through government sources.**

2. What was the full cost of the Colac Otway Shire marketing campaign including full consultant's costs, total staff costs and full implementation costs, both past and expected?

**Response:**

**The General Manager Sustainable Planning and Development stated that this question would need to be taken on notice.**

## Paul Durr

1. What are the long term plans for the former Civic Home Hardware building and can it be leased out in the short term to raise some much needed revenue for this Shire?

### **Response:**

**The CEO advised that the purchase of the former Civic Home Hardware building was a strategic decision to cater for improved commuter rail services by being able to offer an improved park and ride facility. This purchase will also provide other benefits to this Council and the civic precinct.**

**Currently the building is being used in part for storage and a number of other functions and Council has not yet determined any other purpose for it at this stage.**

2. How long has the Council owned the building? There should be a strategic plan to provide benefits for the Shire whereby we get a better financial return for our outlay, such as weekend markets.

### **Response:**

**The CEO advised that the building has a number of potential uses and a farmers market is one of those being considered. As part of the Bluewater Fitness Centre upgrade, consideration had been given to using the building for dry programs, however this has since been found to be unsuitable. Council would take on notice the question as to when Council acquired the building.**

3. How much did Council pay for the building?

### **Response:**

**The CEO advised that it was approximately \$760,000.**

4. Could the Council investigate more suitable uses for this investment to raise revenue for the Shire?

### **Response:**

**The CEO stated that he would take this comment on board but reassured Mr Durr that Council had been looking at the long term future of the building.**

5. As a member of the Bluewater Fitness Centre and given that the pool is to be closed for 12 months despite not being affected by the upgrade, would Council consider opening the pool on weekends when builders are not working and, by doing so, provide employment for staff?

### **Response:**

**The CEO advised that the upgrade would involve the pool and given public safety issues, could not remain open to the public during building works.**

## John Campigli

Why is Council considering putting the bypass across the lake given that it is one of this region's best resources and an extremely valuable environment and bird breeding asset?

### **Response:**

**The Mayor announced that the proposed Colac bypass was an item to be debated on today's agenda.**

**John Daffy**

1. With respect to the C67 Planning Scheme Amendment, the Mayor and CEO have admitted in the paper that the mapping for C67 is wrong. If the mapping is inaccurate, has the CEO made this obvious to Councillors and is giving them the responsibility to introduce a new law that is incorrect?

**Response:**

**The CEO advised that Councillors are aware that the mapping may have some inaccuracies. The mapping was done by a University of Ballarat professor for the Corangamite Catchment Management Authority and is subject to continuous review. Council is fully aware of the issues and is proceeding with this item to a future Council meeting.**

2. Given that Council is pushing ahead with the C67 overlay in July, why would it consider introducing something that is wrong? The mapping is wrong and it is legally wrong to introduce a law that will make criminals out of farmers.

**Response:**

**The CEO stated that all planning overlays are endorsed by the State into the Planning Schemes. Council has received claims that the maps are inaccurate and in the case of one individual, the Panel has determined that one area needs to be reassessed. Council will need to make a decision on this in the future and will continue to investigate the issues around it.**

**John Modra**

In approving a very long term of office for the only person that you can call to account, Mr Small or Mr Green, you have offered them a four year term. Can you explain that?

**Response:**

**The Mayor advised that Councillors only employ the CEO and it is the role of the CEO to employ staff. The CEO has KPIs that he needs to meet and it is up to Council to determine the length of his employment term which can be up to 5 years.**

**6. DECLARATION OF INTEREST**

Cr Delahunty:	OM132606-5	Festival & Events Support Scheme 2013-14
Nature of Disclosure:	Indirect	
Type of Indirect Interest:	78B	
Nature of Interest:	Member of committee for the Old Beechy Rail Trail Fun Run which is in receipt of Council funding.	

Cr Delahunty:	OM132606-18	Planning Scheme Amendment C72 - Consideration of Submissions
Nature of Disclosure:	Direct	
Nature of Interest:	Owns property in commercial district of Apollo Bay	

Cr Hart:	OM132606-19	Amendment C70 (Biodiversity Mapping) Status Update
Nature of Disclosure:	Direct	
Nature of Interest:	The proposed amendment will almost entirely cover land I own with overlays subsequent to this proposal, I lodged a submission to the C70 amendments	

Rob Small	OM132606-5	Festival & Events Support Scheme 2013-14
Nature of Disclosure:	Indirect	
Type of Indirect Interest:	78B	
Nature of Interest:	Board Member of Colac Rotary Club	

## 7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 22/05/13
- Special Council Meeting held on the 12/06/13.

***MOVED Cr Mick McCrickard seconded Cr Stephen Hart that Council confirm the minutes from the Ordinary Council Meeting held on 22/5/13.***

***CARRIED 5 : 1***

***DIVISION called by Cr Stephen Hart***

***For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Michael Delahunty***

***Against the Motion: Cr Chris Smith,***

***MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty that Council confirm the minutes from the Special Council Meeting held on the 12/6/13.***

***CARRIED 6: 0***



## **OFFICERS' REPORTS**

### **Chief Executive Officer**

- OM132606-1 CONSIDERATION OF SUBMISSIONS TO THE DRAFT 2013-2014 BUDGET
- OM132606-2 CEO'S PROGRESS REPORT TO COUNCIL

### **Corporate and Community Services**

- OM132606-3 COUNCIL PLAN 2013-2017 AND STRATEGIC RESOURCE PLAN 2013-14 TO 2016-17
- OM132606-4 COMMUNITY PLAN - WYE RIVER AND SEPARATION CREEK
- OM132606-5 FESTIVAL & EVENTS SUPPORT SCHEME 2013-14
- OM132606-6 2013-2014 COMMUNITY FUNDING PROGRAM
- OM132606-7 2013-2014 COMMUNITY FUNDING PROGRAM COPACC ASSISTANCE
- OM132606-8 INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER
- OM132606-9 S6 INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF

### **Infrastructure and Services**

- OM132606-10 COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE JUNE 2013

### **Sustainable Planning and Development**

- OM132606-11 G21 ECONOMIC DEVELOPMENT STRATEGY
- OM132606-12 DRAFT G21 REGIONAL GROWTH PLAN IMPLEMENTATION PLAN
- OM132606-13 GEELONG OTWAY TOURISM MEMORANDUM OF UNDERSTANDING
- OM132606-14 DRAFT PIRRON YALLOCK RECREATION RESERVE AND SWAN MARSH TENNIS RESERVE MASTER PLAN
- OM132606-15 DRAFT RED ROCK REGION COMMUNITY INFRASTRUCTURE PLAN
- OM132606-16 2013 - 14 SMALL TOWN IMPROVEMENT PROGRAM ALLOCATIONS
- OM132606-17 REVIEW OF BIRREGURRA STRUCTURE PLAN - FINAL REPORT
- OM132606-18 PLANNING SCHEME AMENDMENT C72 - CONSIDERATION OF SUBMISSIONS
- OM132606-19 AMENDMENT C70 (BIODIVERSITY MAPPING) STATUS UPDATE

### **General Business**

- OM132606-20 ASSEMBLY OF COUNCILLORS
- OM132606-21 MINUTES OF THE OLD BEECHY RAIL TRAIL
- OM132606-22 MINUTES FROM YOUTH COUNCIL MEETINGS

### **Notices of Motion**

- OM132606-23 COMMUNITY HUB INC.
- OM132606-24 PLANNING ADVISORY COMMITTEE

### **Reports from Delegates to Other Bodies**

- OM132606-25 2013 MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING

**CHIEF EXECUTIVE OFFICER**

<b>ITEM</b>	
<b>OM132606-1</b>	<b>CONSIDERATION OF SUBMISSIONS TO THE DRAFT 2013-2014 BUDGET</b>
<b>OM132606-2</b>	<b>CEO'S PROGRESS REPORT TO COUNCIL</b>

OM132606-1

**CONSIDERATION OF SUBMISSIONS TO THE DRAFT 2013-2014 BUDGET**

AUTHOR:	Brett Exelby	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/3291

**Hearing of Submissions**

1. Alan Billing – Larpent
2. Stewart Carson - Larpent

***MOVED Cr Brian Crook seconded Cr Michael Delahunty***

***That Council having received and noted the written and verbal submissions, refers all submissions for further consideration to the Special meeting of Council to be held on Wednesday 10 July 2013, as part of Council's deliberations in adopting the 2013-2014 annual budget.***

**CARRIED 6: 0**

**OM132606-2****CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/3291

***MOVED Cr Mick McCrickard seconded Cr Brian Crook  
That Council notes the CEO's Progress Report to Council.***

***CARRIED 6 : 0***

**CORPORATE AND COMMUNITY SERVICES**

<b>ITEM</b>	
<b>OM132606-3</b>	<b>COUNCIL PLAN 2013-2017 AND STRATEGIC RESOURCE PLAN 2013-14 TO 2016-17</b>
<b>OM132606-4</b>	<b>COMMUNITY PLAN - WYE RIVER AND SEPARATION CREEK</b>
<b>OM132606-5</b>	<b>FESTIVAL &amp; EVENTS SUPPORT SCHEME 2013-14</b>
<b>OM132606-6</b>	<b>2013-2014 COMMUNITY FUNDING PROGRAM</b>
<b>OM132606-7</b>	<b>2013-2014 COMMUNITY FUNDING PROGRAM COPACC ASSISTANCE</b>
<b>OM132606-8</b>	<b>INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER</b>
<b>OM132606-9</b>	<b>S6 INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF</b>

OM132606-3

**COUNCIL PLAN 2013-2017 AND STRATEGIC RESOURCE PLAN 2013-14 TO 2016-17**

AUTHOR:	Carmen Lawrence	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/95682

**Original Recommendation(s)**

***That Council adopts the Council Plan 2013-2017 and Strategic Resource Plan 2013-14 to 2016-17.***

**MOTION - MOVED Cr Stephen Hart:**

***That Council adopts the Council Plan 2013 - 2017 and Strategic Resource Plan 2013-2014 to 2016-2017 as distributed with the 26 June 2013 agenda with the following alteration:***

***The Strategic Resource Plan is to be altered to remove the 2 per cent per annum allowance for "Resource Increments" in employee Costs as Council has already determined that there should be no additional cost for increased staff unless an explicit resolution is adopted by the Council.***

***The motion lapsed due to the lack of a seconder.***

**MOVED Cr Brian Crook seconded Cr Mick McCrickard**

***That Council adopts the Council Plan 2013-2017 and Strategic Resource Plan 2013-14 to 2016-17.***

**VOTE 3 : 3**

***The Mayor used her casting vote to carry the motion.***

**CARRIED: 4 : 3**

**DIVISION called by Cr Chris Smith**

***For the Motion: Cr Lyn Russell, Cr Mick McCrickard, Cr Brian Crook, Cr Lyn Russell (casting vote)***

***Against the Motion: Cr Stephen Hart, Cr Chris Smith, Cr Michael Delahunty***

OM132606-4

**COMMUNITY PLAN - WYE RIVER AND SEPARATION CREEK**

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3727

**Original Recommendation**

*That Council acknowledges and adopts the Community Plan for Wye River and Separation Creek as a document which identifies the community's needs and a process of how to realise them.*

**MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:**

**That Council:**

- 1. Acknowledges and adopts the Community Plan for Wye River and Separation Creek as a document which identifies the community's needs and a process of how to realise them.**
- 2. Will consider how the priorities in the Community Plan might be included when formulating the annual Council Operational Plan.**

**CARRIED 6 : 0**

**OM132606-5 FESTIVAL & EVENTS SUPPORT SCHEME 2013-14**

AUTHOR:	Vicki Jeffrey	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96432

Cr Delahunty:	OM132606-5 Festival & Events Support Scheme 2013-14
Nature of Disclosure:	Indirect
Type of Indirect Interest:	78B
Nature of Interest:	Member of committee for the Old Beechy Rail Trail Fun Run which is in receipt of Council funding.

Rob Small	OM132606-5 Festival & Events Support Scheme 2013-14
Nature of Disclosure:	Indirect
Type of Indirect Interest:	78B
Nature of Interest:	Board Member of Colac Rotary Club

Having declared a conflict of interest in this item, Cr Delahunty left the meeting at 4.42pm.

**Original Recommendation(s)**

***That Council, subject to the adoption of the 2013/2014 Council Budget, adopts the recommendations made by the Festival and Events Support Scheme Advisory Committee for categories of the various events and funding allocations to events under the Colac Otway Festival and Events Support Scheme 2013-14.***

	<b>Event</b>	<b>Funding</b>	<b>Category</b>
1.	Colac Golf Club – Indoor Markets 2013	\$500	Seed
2.	Birregurra Golf Club 100 <sup>th</sup> Year 2013	\$1,000	Seed
3.	Beeac Primary School 150 <sup>th</sup> 2013	\$750	Seed
4.	Cressy Railway Centenary 2013	\$500	Seed
5.	Barongarook Fire Festival 2013	\$1,000	Seed
6.	Colac Orchid Club 2013	\$500	Bronze
7.	Bulla Fun Run 2014	\$1,000	Bronze
8.	An Autumn Night with Tiffany Eckhart and Dave Steel 2014	\$1,000	Seed
9.	Colac Quilters Exhibition 2014	\$1,000	Seed
10.	OBRT Fun Run 2014	\$1,000	Bronze
11.	Good Friday Fun Day 2014	\$1,000	Seed
12.	VVGA Country Championship 2014	\$1,000	Seed
13.	Run Forrest – Half Marathon 2014	\$1,000	Seed
14.	Colac Braves Baseball 30 <sup>th</sup> Year 2014	\$1,000	Seed
15.	Cororooke Tennisathon 2013	\$2,500	Silver
16.	Volcano Dreaming 2013	\$2,500	Silver
17.	22 <sup>nd</sup> Colac Garden & Lifestyle Expo 2013	\$1,000	Silver



18.	<i>Community Choir at Birregurra Festival 2013</i>	\$1,000	Silver
19.	<i>Warrion Flower Show 2013</i>	\$2,500	Silver
20.	<i>Colac Woodturners Exhibition 2013</i>	\$2,250	Silver
21.	<i>The Big Rainbow 2013</i>	\$1,000	Silver
22.	<i>Run Colac 2014</i>	\$1,000	Silver
23.	<i>Birregurra &amp; Warncoort Open Studio 2014</i>	\$1,000	Silver
24.	<i>Otway Soup Festival 2014</i>	\$1,500	Silver
25.	<i>2013/2014 Happenings Guide &amp; Events</i>	\$1,000	Silver
26.	<i>Forrest Festival 2013</i>	\$1,000	Gold
27.	<i>Carols by Candlelight 2013</i>	\$5,000	Gold
28.	<i>Gellibrand River Blues and Blueberry Festival 2014</i>	\$3,000	Gold
29.	<i>Amy Gran Fondo 2013</i>	\$3,000	Platinum
30.	<i>Birregurra Festival &amp; Art Show</i>	\$4,000	Platinum
31.	<i>RACV Great Vic Bike Ride 2013</i>	\$5,000	Platinum
32.	<i>Colac Golf Club – Australia Day on the Green</i>	Nil	Platinum
33.	<i>Seafood Festival 2014</i>	\$5,000	Platinum
34.	<i>The Beach to Beech Cycling Event</i>	Nil	Platinum
35.	<i>Colac Kana Festival 2014</i>	\$6,500	Platinum
36.	<i>Apollo Bay Music Festival 2014</i>	\$5,000	Platinum
37.	<i>Kona Odyssey 2014</i>	\$3,000	Platinum
38.	<i>GOR Marathon 2014</i>	\$5,000	Platinum
	<b>TOTAL FUNDING</b>	<b>\$75,000</b>	

**MOTION - MOVED** Cr Stephen Hart seconded Cr Mick McCrickard:

That Council, subject to the adoption of the 2013/2014 Council Budget, adopts the recommendations made by the Festival and Events Support Scheme Advisory Committee for categories of the various events and funding allocations to events under the Colac Otway Festival and Events Support Scheme 2013-14.

	<i>Event</i>	<i>Funding</i>	<i>Category</i>
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2.	<i>Birregurra Golf Club 100<sup>th</sup> Year 2013</i>	\$1,000	Seed
3.	<i>Beeac Primary School 150<sup>th</sup> 2013</i>	\$750	Seed
4.	<i>Cressy Railway Centenary 2013</i>	\$500	Seed
5.	<i>Barongarook Fire Festival 2013</i>	\$1,000	Seed
6.	<i>Colac Orchid Club 2013</i>	\$500	Bronze
7.	<i>Bulla Fun Run 2014</i>	\$1,000	Bronze
8.	<i>An Autumn Night with Tiffany Eckhart and Dave Steel 2014</i>	\$1,000	Seed
9.	<i>Colac Quilters Exhibition 2014</i>	\$1,000	Seed
10.	<i>OBRT Fun Run 2014</i>	\$1,000	Bronze
11.	<i>Good Friday Fun Day 2014</i>	\$1,000	Seed
12.	<i>VVGA Country Championship 2014</i>	\$1,000	Seed
13.	<i>Run Forrest – Half Marathon 2014</i>	\$1,000	Seed
14.	<i>Colac Braves Baseball 30<sup>th</sup> Year 2014</i>	\$1,000	Seed
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16.	<i>Volcano Dreaming 2013</i>	\$2,500	Silver
17.	<i>22<sup>nd</sup> Colac Garden &amp; Lifestyle Expo 2013</i>	\$1,000	Silver
18.	<i>Community Choir at Birregurra Festival 2013</i>	\$1,000	Silver
19.	<i>Warrion Flower Show 2013</i>	\$2,500	Silver

20.	<i>Colac Woodturners Exhibition 2013</i>	\$2,250	<i>Silver</i>
21.	<i>The Big Rainbow 2013</i>	\$1,000	<i>Silver</i>
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23.	<i>Birregurra &amp; Warncoort Open Studio 2014</i>	\$1,000	<i>Silver</i>
24.	<i>Otway Soup Festival 2014</i>	\$1,500	<i>Silver</i>
25.	<i>2013/2014 Happenings Guide &amp; Events</i>	\$1,000	<i>Silver</i>
26.	<i>Forrest Festival 2013</i>	\$1,000	<i>Gold</i>
27.	<i>Carols by Candlelight 2013</i>	\$5,000	<i>Gold</i>
28.	<i>Gellibrand River Blues and Blueberry Festival 2014</i>	\$3,000	<i>Gold</i>
29.	<i>Amy Gran Fondo 2013</i>	\$3,000	<i>Platinum</i>
30.	<i>Birregurra Festival &amp; Art Show</i>	\$4,000	<i>Platinum</i>
31.	<i>RACV Great Vic Bike Ride 2013</i>	\$5,000	<i>Platinum</i>
32.	<i>Colac Golf Club – Australia Day on the Green</i>	<i>Nil</i>	<i>Platinum</i>
33.	<i>Seafood Festival 2014</i>	\$5,000	<i>Platinum</i>
34.	<i>The Beach to Beech Cycling Event</i>	<i>Nil</i>	<i>Platinum</i>
35.	<i>Colac Kana Festival 2014</i>	\$7,500	<i>Platinum</i>
36.	<i>Apollo Bay Music Festival 2014</i>	\$5,000	<i>Platinum</i>
37.	<i>Kona Odyssey 2014</i>	\$3,000	<i>Platinum</i>
38.	<i>GOR Marathon 2014</i>	\$4,000	<i>Platinum</i>
	<b>TOTAL FUNDING</b>	<b>\$75,000</b>	

**CARRIED: 5 : 0**

Cr Delahunty returned to the meeting at 4.54pm.

OM132606-6

**2013-2014 COMMUNITY FUNDING PROGRAM**

AUTHOR:	Jodie Fincham	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F13/1451

Cr McCrickard advised, that after having received advice on this matter, he did not have a conflict of interest to declare with respect to this item and item OM132606-7 2013-2014 Community Funding Program COPACC Assistance.

***MOVED Cr Mick McCrickard seconded Cr Brian Crook***

***That Council, subject to the adoption of the 2013/2014 Council Budget, approves the recommendations from the Grants/Community Funding Advisory Committee for grants from the 2013/2014 Community Funding Program, total expenditure under each of the funding categories as follows:***

***a. Recreation Facilities \$91,221***

<b><i>Apollo Bay &amp; Otway Riding Club</i></b>	<b><i>\$5,000</i></b>
<b><i>Apollo Bay Football Club</i></b>	<b><i>\$4,000</i></b>
<b><i>Apollo Bay Petanque Inc</i></b>	<b><i>\$2,500</i></b>
<b><i>Apollo Bay Sailing Club</i></b>	<b><i>\$5,000</i></b>
<b><i>Beeac Community Centre Inc</i></b>	<b><i>\$5,000</i></b>
<b><i>Birregurra Cricket Club</i></b>	<b><i>\$5,000</i></b>
<b><i>Carlisle River Public hall Committee</i></b>	<b><i>\$5,000</i></b>
<b><i>Chapple Vale Junction Public hall</i></b>	<b><i>\$500</i></b>
<b><i>City United Cricket Club</i></b>	<b><i>\$3,245</i></b>
<b><i>Colac Football Netball Club</i></b>	<b><i>\$5,000</i></b>
<b><i>Colac Lawn Tennis Club</i></b>	<b><i>\$4,800</i></b>
<b><i>Colac Summer Netball Association Inc</i></b>	<b><i>\$5,000</i></b>
<b><i>Elliminyt Public Hall Inc</i></b>	<b><i>\$1,615</i></b>
<b><i>Forrest Horse Riding Club</i></b>	<b><i>\$3,700</i></b>
<b><i>Irrewarra Cricket Club</i></b>	<b><i>\$4,960</i></b>
<b><i>Irwillipe Sports and Entertainment Complex</i></b>	<b><i>\$2,200</i></b>
<b><i>Otway Districts Football Netball Club</i></b>	<b><i>\$4,366</i></b>
<b><i>Otway Districts Historical Society</i></b>	<b><i>\$3,500</i></b>
<b><i>Simpson Car Club Inc</i></b>	<b><i>\$1,800</i></b>
<b><i>Swan Marsh Hall Committee</i></b>	<b><i>\$3,460</i></b>
<b><i>Warncoort tennis Club</i></b>	<b><i>\$5,000</i></b>
<b><i>Warrion Recreation reserve Committee of Management</i></b>	<b><i>\$2,200</i></b>
<b><i>Yeodene Hall &amp; Recreation Reserve Committee</i></b>	<b><i>\$3,400</i></b>
<b><i>Yuulong Hall Committee</i></b>	<b><i>\$4,975</i></b>

***b. Community Projects \$20,465***

<b><i>Apollo Bay Arts</i></b>	<b><i>\$800</i></b>
<b><i>Apollo Bay Pony Club</i></b>	<b><i>\$1,780</i></b>
<b><i>Beeac Golf Club</i></b>	<b><i>\$1,075</i></b>
<b><i>Birregurra Hall Committee</i></b>	<b><i>\$1,675</i></b>
<b><i>Colac &amp; District of Victoria Riding for the Disabled</i></b>	<b><i>\$1,000</i></b>

<i>Colac Community Road Safety Council</i>	<b>\$2,000</b>
<i>Colac Legacy House</i>	<b>\$5,000</b>
<i>Friends of the Botanic Gardens</i>	<b>\$1,350</b>
<i>Glastonbury Community Services</i>	<b>\$2,500</b>
<i>Kanyana Senior Citizens</i>	<b>\$300</b>
<i>Old Beechy Rail Trail Committee</i>	<b>\$1,165</b>
<i>Otway Derby Dolls</i>	<b>\$1,820</b>

**c. Small Equipment & Training \$13,274**

<i>Barongarook Hall &amp; Tennis Reserve Committee</i>	<b>\$1,000</b>
<i>City United Cricket Club</i>	<b>\$925</b>
<i>Colac &amp; District Gem Club</i>	<b>\$122</b>
<i>Colac &amp; District Historical Society Inc</i>	<b>\$660</b>
<i>Colac &amp; District of Victoria Riding for the Disabled</i>	<b>\$645</b>
<i>Colac &amp; District Pipes and Drums</i>	<b>\$260</b>
<i>Colac Amateur Swimming Club</i>	<b>\$600</b>
<i>Colac Budgerigar Society Inc</i>	<b>\$707</b>
<i>Colac Chorale</i>	<b>\$600</b>
<i>Colac Junior Badminton</i>	<b>\$495</b>
<i>Colac Mallet Sports Club Inc</i>	<b>\$875</b>
<i>Colac Pony Club Inc</i>	<b>\$403</b>
<i>Colac Pony Club Junior Committee</i>	<b>\$305</b>
<i>Colac Table Tennis Association Inc</i>	<b>\$450</b>
<i>Colac Veteran Cycling Club</i>	<b>\$1,000</b>
<i>Colac Wood turners and Wood crafters guild</i>	<b>\$1,000</b>
<i>Colac Writers Guild</i>	<b>\$850</b>
<i>Geelong &amp; South Western Rail Heritage Society Inc</i>	<b>\$752</b>
<i>Colac &amp; District Dog Obedience Club Inc</i>	<b>\$625</b>
<i>Wye River Surf life Saving Club</i>	<b>\$1,000</b>

**CARRIED 6 : 0**

OM132606-7

**2013-2014 COMMUNITY FUNDING PROGRAM COPACC ASSISTANCE**

AUTHOR:	Jodie Fincham	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F13/1451

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council, subject to the adoption of the 2013/2014 Council Budget, approves the officer recommendations from the Grants/Community Funding Advisory Committee for the 2013/2014 Community Funding Program, as follows:***

***COPACC Assistance \$10,751:***

<b><i>Colac Area Health (Youth Health hub art)</i></b>	<b><i>\$1,500</i></b>
<b><i>Colac Music Teachers Association</i></b>	<b><i>\$745</i></b>
<b><i>Colac West Primary School</i></b>	<b><i>\$940</i></b>
<b><i>Colac Woodturners &amp; Woodcrafters Guild Inc</i></b>	<b><i>\$1,071</i></b>
<b><i>FReeZA Colac - Cool Awards/Young Ambassadors</i></b>	<b><i>\$825</i></b>
<b><i>FReeZA Colac Battle of the bands</i></b>	<b><i>\$1,096</i></b>
<b><i>Sophisticated Swing</i></b>	<b><i>\$813</i></b>
<b><i>The Colac Players Inc</i></b>	<b><i>\$3,761</i></b>

***CARRIED 6 : 0***

OM132606-8

**INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96474

***MOVED Cr Stephen Hart seconded Cr Brian Crook***

***That Council in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation, resolves that :***

- 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.***
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.***
- 3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.***
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***
- 5. It is noted that the Instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.***

***CARRIED 5 : 1***

***DIVISION called by Cr Stephen Hart***

***For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Michael Delahunty***

***Against the Motion: Cr Chris Smith***

**OM132606-9      S6 INSTRUMENT OF DELEGATION - COUNCIL TO  
COUNCIL STAFF**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96474

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council, in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the tabled Instrument of Delegation, resolves that:***

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the tabled Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.***
- 2. The Chief Executive Officer is authorised to affix the Common Seal to the Instrument. The Instrument comes into force immediately the common seal of Council is affixed.***
- 3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.***
- 4. The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that may from time to time be adopted.***

***AMENDMENT - MOVED Cr Chris Smith seconded Cr Stephen Hart:  
That the following be added as point 5:***

***"In the shortest instance a review of the delegation to the Planning Department be undertaken."***

***CARRIED 5 : 1***

***DIVISION called by Cr Chris Smith***

***For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Brian Crook, Cr Mick McCrickard,  
Cr Michael Delahunty***

***Against the Motion: Cr Lyn Russell***

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council, in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the tabled Instrument of Delegation, resolves that:***

1. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the tabled Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.*
2. *The Chief Executive Officer is authorised to affix the Common Seal to the Instrument. The Instrument comes into force immediately the common seal of Council is affixed.*
3. *On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.*
4. *The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that may from time to time be adopted.*
5. *In the shortest instance a review of the delegation to the Planning Department be undertaken.*

**CARRIED 6 : 0**



**INFRASTRUCTURE AND SERVICES**

<b>ITEM</b>	
<b>OM132606-10</b>	<b>COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE JUNE 2013</b>

## OM132606-10 COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE JUNE 2013

AUTHOR:	Neil Allen	ENDORSED:	Rob Small
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/2716

**Original Recommendation(s)****That Council:**

1. ***Considers the need to preserve areas to cater for the development of a future Princes Highway By-Pass of Colac when undertaking planning related to significant land use change such as urban expansion based on the following :***
  - a. ***By-Pass Option across the Lake – Planning needs to provide for the option of a route across the lake with access from the existing Highway at each end outside of the current urban area.***
  - b. ***By-Pass Option (Outer Southern Route) – Planning needs to provide for the option of a route to the south of the existing urban areas of Colac/Elliminyt which has connectivity into the Colac East Industrial area.***
2. ***Includes references to the need to preserve land for the options of a future Princes Highway By-Pass of Colac across the lake or around the southern edge of Colac Elliminyt in its Municipal Strategic Statement of the Colac Otway Planning Scheme.***
3. ***Advises VicRoads of Council's intentions to include reference to the potential options of a lake crossing or outer southern route in its Municipal Strategic Statement, and to highlight the need for detailed route investigation by VicRoads of a Princes Highway By-Pass of Colac.***
4. ***Requests VicRoads to consider the Princes Highway By-Pass of Colac as part of its long term Infrastructure Planning for the Princes Highway, and that such planning occur at the earliest time, irrespective of timing of construction of the By-Pass, in order to provide certainty to land owners and decision making agencies about the specific route which is required.***

**MOTION - MOVED Cr Chris Smith seconded Cr Michael Delahunty:**

***That Council abandons the bypass options that are before us and that Council starts to work with the community, Vic Roads and the State Government towards suitable options.***

**VOTE 3 : 3**

***In accordance with casting vote guidelines, the Mayor used her casting vote to vote in the negative and deferred the item to the July 2013 Ordinary Council meeting.***

**SUSTAINABLE PLANNING AND DEVELOPMENT**

<b>ITEM</b>	
<b>OM132606-11</b>	<b>G21 ECONOMIC DEVELOPMENT STRATEGY</b>
<b>OM132606-12</b>	<b>DRAFT G21 REGIONAL GROWTH PLAN IMPLEMENTATION PLAN</b>
<b>OM132606-13</b>	<b>GEELONG OTWAY TOURISM MEMORANDUM OF UNDERSTANDING</b>
<b>OM132606-14</b>	<b>DRAFT PIRRON YALLOCK RECREATION RESERVE AND SWAN MARSH TENNIS RESERVE MASTER PLAN</b>
<b>OM132606-15</b>	<b>DRAFT RED ROCK REGION COMMUNITY INFRASTRUCTURE PLAN</b>
<b>OM132606-16</b>	<b>2013 - 14 SMALL TOWN IMPROVEMENT PROGRAM ALLOCATIONS</b>
<b>OM132606-17</b>	<b>REVIEW OF BIRREGURRA STRUCTURE PLAN - FINAL REPORT</b>
<b>OM132606-18</b>	<b>PLANNING SCHEME AMENDMENT C72 - CONSIDERATION OF SUBMISSIONS</b>
<b>OM132606-19</b>	<b>AMENDMENT C70 (BIODIVERSITY MAPPING) STATUS UPDATE</b>

**OM132606-11      G21 ECONOMIC DEVELOPMENT STRATEGY**

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council endorses the Draft G21 Economic Development Strategy.***

***CARRIED 6 : 0***

***Cr McCrickard left the meeting at 5.55pm and returned at 5.59pm.***

**OM132606-12****DRAFT G21 REGIONAL GROWTH PLAN  
IMPLEMENTATION PLAN**

AUTHOR:	Doug McNeill	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2194

***MOVED Cr Brian Crook seconded Cr Michael Delahunty***

***That Council endorses the public exhibition of the draft G21 Regional Growth Plan Implementation Plan for a period of six weeks.***

**CARRIED 6 : 0**

**OM132606-13      GEELONG OTWAY TOURISM MEMORANDUM OF UNDERSTANDING**

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

**Original Recommendation(s)**

*That Council resolves to sign the Memorandum of Understanding between the Colac Otway Shire Council and Geelong Otway Tourism Inc. for the period 1 July 2013 to 30 June 2014 and notes that this Memorandum of Understanding will cease only if a new structure is agreed upon by all parties during the 2013/14 period.*

**MOTION - MOVED** Cr Stephen Hart seconded Cr Michael Delahunty:

*That Council resolves that it will not be signing the Memorandum of Understanding between the Colac Otway Shire Council and Geelong Otway Tourism and instructs the Council Chief Executive Officer to cease Council's involvement with Geelong Otway Tourism from 30 June 2013 being the date the current agreement expires.*

**VOTE 3 : 3**

**DIVISION** called by Cr Stephen Hart

**For the Motion:** Cr Chris Smith, Cr Stephen Hart, Cr Michael Delahunty  
**Against the Motion:** Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard

*In accordance with casting vote guidelines, the Mayor used her casting vote to vote in the negative and deferred the item to the July 2013 Ordinary Council meeting.*

OM132606-14

**DRAFT PIRRON YALLOCK RECREATION RESERVE AND  
SWAN MARSH TENNIS RESERVE MASTER PLAN**

AUTHOR:	Michael Cosgriff	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

***MOVED Cr Mick McCrickard seconded Cr Michael Delahunty***

***That Council endorses the release of the Draft Pirron Yallock Recreation Reserve and Swan Marsh Tennis Reserve Master Plan for public exhibition for a period of not less than six weeks.***

**CARRIED 6 : 0**

**OM132606-15****DRAFT RED ROCK REGION COMMUNITY  
INFRASTRUCTURE PLAN**

AUTHOR:	Michael Cosgriff	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

***MOVED Cr Mick McCrickard seconded Cr Brian Crook***

***That Council endorses the Draft Red Rock Region Community Infrastructure Plan for release for public exhibition for a period of not less than six (6) weeks.***

***CARRIED 6 : 0***



OM132606-16

**2013 - 14 SMALL TOWN IMPROVEMENT PROGRAM  
ALLOCATIONS**

AUTHOR:	Michael Cosgriff	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2107

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council approves the annual \$80,000 funding allocations of the 2013/14 Small Town Improvement Program (STIP) recommended by the STIP Advisory Committee subject to the adoption of the 2013/14 Council Budget as follows:***

<b><i>Apollo Bay Foreshore Gazebo</i></b>	<b><i>\$20,000</i></b>
<b><i>Beech Forest Main Street Public Art Installation</i></b>	<b><i>\$7,000</i></b>
<b><i>Birregurra Roadknight Street Pathway Stage 1</i></b>	<b><i>\$20,000</i></b>
<b><i>Carlisle River Public Street Tree and Vegetation Management Plan</i></b>	<b><i>\$3,000</i></b>
<b><i>Cressy Discover Trail Signage Upgrade</i></b>	<b><i>\$5,000</i></b>
<b><i>Kawarren Community Precinct</i></b>	<b><i>\$25,000.</i></b>

***CARRIED 6 : 0***

OM132606-17

**REVIEW OF BIRREGURRA STRUCTURE PLAN - FINAL  
REPORT**

AUTHOR:	Don Lewis	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2194

***MOVED Cr Brian Crook seconded Cr Michael Delahunty***

***That Council resolves to:***

- 1. Adopt the Birregurra Structure Plan review.***
- 2. Prepare and exhibit a planning scheme amendment to implement the recommendations from both the Birregurra Structure Plan and Birregurra Neighbourhood Character Study.***
- 3. Seek authorisation from the State Planning Minister to exhibit the amendment.***

***CARRIED 6 : 0***

OM132606-18

**PLANNING SCHEME AMENDMENT C72 - CONSIDERATION OF SUBMISSIONS**

AUTHOR:	Don Lewis	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

**Original Recommendation(s)*****That Council:***

- 1. Notes the submission of Barwon Water which does not object to the amendment.**
- 2. Does not support Submissions 2 and 3.**
- 3. Splits Amendment C72 into two parts as follows:**
  - a. Part 1- Introduction of Design and Development Overlay Schedules 8 and 9, modifications to Design and Development Overlay Schedules 1 and 3; relevant modifications to Clauses 21.2, 21.3, 21.6 and 21.7 and inclusion of the Colac CBD and Entrances Project as a Reference Document.**
  - b. Part 2 – Introduction of the Parking Overlay as well as Schedules 1 and 2 to that overlay, relevant modifications to Clauses 21.2, 21.3, 21.6 and 21.7 and inclusion of the Colac and Apollo Bay Car Commercial Parking Precinct Plans and rezoning of the former hardware site in Railway Street, Colac.**
- 4. Requests the Minister for Planning to appoint an independent planning panel to hear submissions in regard to Amendment C72 Part 1.**
- 5. Adopts Part 2 of the Amendment with changes to the following:**
  - a. Amended Parking Overlay including the insertion of a Restaurant/café in the Schedule with a rate of 2 spaces per 100 sqm.**
  - b. Deletes the Schedule to Clause 81.01.**
- 6. Requests the Planning Minister to approve the adopted Amendment relating to Part 2.**

**MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:*****That Council:***

- 1. Notes the submission of Barwon Water which does not object to the amendment.**
- 2. Does not support Submissions 2 and 3.**
- 3. Splits Amendment C72 into two parts as follows:**
  - a. Part 1- Introduction of Design and Development Overlay Schedules 8 and 9, modifications to Design and Development Overlay Schedules 1 and 3; relevant modifications to Clauses 21.2, 21.3, 21.6 and 21.7 and inclusion of the Colac CBD and Entrances Project as a Reference Document.**

- b. **Part 2 – Introduction of the Parking Overlay as well as Schedules 1 and 2 to that overlay, relevant modifications to Clauses 21.2, 21.3, 21.6 and 21.7 and inclusion of the Colac and Apollo Bay Car Commercial Parking Precinct Plans and rezoning of the former hardware site in Railway Street, Colac.**
4.
  - a. **Requests the Minister for Planning to appoint an independent planning panel to hear submissions in regard to Amendment C72 Part 1.**
  - b. **Agrees in principle to incorporate an appropriate clause in the C72 amendment (Part 1) to support innovative uses that attract visitors and customers into disused retail areas in the Colac Central Business District, and that officers advocate this position at the planning panel hearing.**
5. **Adopts Part 2 of the Amendment with changes to the following:**
  - a. **Amended Parking Overlay including the insertion of a Restaurant/café in the Schedule with a rate of 2 spaces per 100 sqm.**
  - b. **Deletes the Schedule to Clause 81.01.**
6. **Requests the Planning Minister to approve the adopted Amendment relating to Part 2.**

**CARRIED 5 : 0**

**Cr Delahunty returned to the meeting at 7.12pm.**

**OM132606-19      AMENDMENT C70 (BIODIVERSITY MAPPING) STATUS UPDATE**

AUTHOR:	Don Lewis	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

Cr Hart:	OM132606-19	Amendment C70 (Biodiversity Mapping) Status Update
Nature of Disclosure:	Direct	
Nature of Interest:	The proposed amendment will almost entirely cover land I own with overlays subsequent to this proposal, I lodged a submission to the C70 amendments	

Having cited a conflict of interest in this item, Cr Hart left the meeting at 7.13pm.

**Original Recommendation**

***That Council:***

1. ***Notes the deferment of Amendment C70 until the implications of the State Government changes relating to native vegetation provisions have been determined.***
2. ***Notes that Council officers will bring a further report to Council on this matter when the implications of the State Government native vegetation changes are known.***

***MOTION - MOVED Cr Chris Smith:***

***That Council abandons Amendment C70.***

***The motion lapsed due to the lack of a seconder.***

***MOTION - MOVED Cr Brian Crook seconded Cr Mick McCrickard:***

***That Council:***

1. ***Notes the deferment of Amendment C70 until the implications of the State Government changes relating to native vegetation provisions have been determined.***
2. ***Notes that Council officers will bring a further report to Council on this matter when the implications of the State Government native vegetation changes are known.***
3. ***Requests the Department of Environment and Primary Industries consult with***

*all farmers who have complaints regarding the inaccuracy of the mapping and to make necessary correction to these inaccuracies.*

4. *Not be liable for any costs related to mapping discrepancies and their amelioration.*

**CARRIED 3 : 2**

**DIVISION called by Cr Chris Smith**

**For the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard  
Against the Motion: Cr Chris Smith, , Cr Michael Delahunty**

Cr Hart returned to the meeting at 7.37pm

GENERAL BUSINESS

ITEM	D	W
OM132606-20 ASSEMBLY OF COUNCILLORS		
OM132606-21 MINUTES OF THE OLD BEECHY RAIL TRAIL		
OM132606-22 MINUTES FROM YOUTH COUNCIL MEETINGS		

OM132606-20

## ASSEMBLY OF COUNCILLORS

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	CLF11/6

***MOVED Cr Stephen Hart seconded Cr Brian Crook***

***That Council notes the Assembly of Councillors reports for:***

- ***Colac Livestock Selling Centre Advisory Committee Meeting*** 2 May 2013
- ***Friends of the Botanic Gardens*** 9 May 2013
- ***Councillor Briefing Session*** 22 May 2013
- ***Central Reserve Advisory Committee*** 5 June 2013
- ***Small Town Improvement Program Advisory Committee*** 5 June 2013
- ***Festival & Events Support Scheme Advisory Committee*** 5 June 2013
- ***Community Funding Program Advisory Committee*** 7 June 2013
- ***Councillor Workshops*** 12 June 2013.

**CARRIED 6 : 0**



**OM132606-21****MINUTES OF THE OLD BEECHY RAIL TRAIL**

AUTHOR:	Jodie Fincham	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

***MOVED Cr Brian Crook seconded Cr Mick McCrickard***

***That Council notes the Minutes and Executive Officer Report of the Old Beechy Rail Trail Committee for 8 April 2013.***

***CARRIED 6 : 0***

OM132606-22

**MINUTES FROM YOUTH COUNCIL MEETINGS**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	11/96640

***MOVED Cr Mick McCrickard seconded Cr Stephen Hart***

***That Council notes the minutes arising from Youth Council meetings held on:***

- ***29 April 2013***
- ***13 May 2013.***

***CARRIED 6 : 0***

**NOTICES OF MOTION**

<b>ITEM</b>	
<b>OM132606-23</b>	<b>COMMUNITY HUB INC.</b>
<b>OM132606-24</b>	<b>PLANNING ADVISORY COMMITTEE</b>

**OM132606-23      COMMUNITY HUB INC. (CR STEPHEN HART)**

**Original Recommendation**

***That Council consider the contents of this Notice of Motion.***

***MOVED Cr Stephen Hart seconded Cr Brian Crook***

***That Council:***

- 1. Notes the request from the Colac Community Hub members to the Mayor for a substitute representative from Council for the Executive Committee.***
- 2. Resolves to appoint Councillor McCrickard as the substitute representative to the Colac Community Hub Executive with a view to him having the same rights and responsibilities as the appointed member, Councillor Smith, would normally have, to replace Councillor Smith when he is absent from the meetings.***

***CARRIED 5 : 1***

***DIVISION called by Cr Stephen Hart***

***For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Michael Delahunty***

***Against the Motion: Cr Chris Smith***

**OM132606-24 PLANNING ADVISORY COMMITTEE (CR MICHAEL DELAHUNTY)****Original Recommendation**

*That Council consider the contents of this Notice of Motion.*

**MOTION - MOVED Cr Michael Delahunty seconded Cr Stephen Hart:**  
**That:**

- 1. Council establishes an Advisory Committee to investigate circumstances pertaining to the average days to process planning applications.**
- 2. The Advisory Committee comprises not less than three Councillors.**
- 3. The Advisory Committee reports to the Planning Committee.**

**AMENDMENT - MOVED Cr Chris Smith:**

*That Point 2 be changed to "comprises of all Councillors"*

*The motion lapsed due to the lack of a seconder.*

**AMENDMENT - MOVED Cr Chris Smith:**

*That Point 2 be changed to "comprises all Councillors that wish to be on the advisory committee"*

*The motion lapsed due to the lack of a seconder.*

**MOTION - MOVED Cr Michael Delahunty seconded Cr Stephen Hart:**  
**That:**

- 1. Council establishes an Advisory Committee to investigate circumstances pertaining to the average days to process planning applications.**
- 2. The Advisory Committee comprises not less than three Councillors.**
- 3. The Advisory Committee reports to the Planning Committee.**

**LOST 2 : 4**

**DIVISION called by Cr Chris Smith**

**For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Michael Delahunty**  
**Against the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard**

**VOTE 3 : 3**

***In accordance with casting vote guidelines, the Mayor used her casting vote to vote in the negative and deferred the item to the July 2013 Ordinary Council meeting.***

**REPORTS FROM DELEGATES TO OTHER BODIES**

ITEM	
OM132606-25	2013 MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING

**OM132606-25      2013 MUNICIPAL ASSOCIATION OF VICTORIA STATE  
COUNCIL MEETING**

***MOVED Cr Stephen Hart seconded Cr Brian Crook***

***That Council notes the report regarding the Municipal Association of Victoria State Council meeting on 16 May 2013.***

***CARRIED 6 : 0***

***MOVED Cr Stephen Hart seconded Cr Michael Delahunty that:***

***That Council generally supports the disclosure of leases on Council's web site for Council owned land and buildings and calls for a report from Management as to how this might best be achieved.***

***CARRIED 6 : 0***

**ITEM OF URGENT BUSINESS - COUNCILLOR LEAVE OF ABSENCE**

***MATTER OF URGENCY - MOVED Cr Stephen Hart seconded Cr Mick McCrickard:***

***That Council consider, as urgent business, granting Cr Woodcroft a leave of absence.***

***CARRIED 6: 0***

***MOTION - MOVED Cr Stephen Hart seconded Cr Mick McCrickard:***

***That Council grants Cr Woodcroft leave of absence until 1 August 2013.***

***CARRIED 6: 0***



**IN COMMITTEE**

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

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
Contract 1311 - External Plant Hire	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1312 - Annual Supply of Concrete Works	this matter deals with contractual matters	Section 89 (2) (d)
Expression of Interest 1314 - Bluewater Fitness Centre Redevelopment	this matter deals with contractual matters	Section 89 (2) (d)
Meredith Park Public Recreation and Camping Reserve	this matter deals with legal advice; AND this matter may prejudice the Council or any person	Section 89 (2) (f) (h)

**CARRIED 6 : 0**

Cr McCrickard left the meeting at 8.30pm.

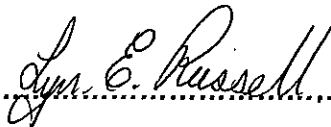
**OUT OF COMMITTEE**

**MOVED Cr Stephen Hart seconded Cr Brian Crook that the meeting move out of committee.**

**CARRIED 5 : 0**

*The Meeting Was Declared Closed at 8.35 pm*

**CONFIRMED AND SIGNED** at the meeting held on 24 JULY 2013

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

