

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC Meeting Rooms on 24 July 2013 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 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: Doug McNeill, Manager Planning & Building

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 descendants 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 Documents

The Mayor tabled the following documents:

1. Letter from Simon Ramsay MP relating to the C67 Planning Scheme Amendment
2. Co-signed letter from 15 Colac business people relating to the proposed Colac Bypass

Questions Taken on Notice – 26 June 2013

Alan Billing – Larpent

1. 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 full consultant's fees for the Colac Marketing Strategy as outlined in the report to Council at the November 2012 Council meeting:

- ***\$20,000 was allocated to the Colac Marketing Strategy from the 2010/11 Council budget***
- ***\$10,000 was allocated to the Colac Marketing Strategy from the 2011/12 Economic Development Unit Action Agenda Implementation budget***
- ***\$6,200 was allocated from the 2012/13 Colac Marketing Strategy Implementation budget for the new concept brands as requested by Council***

The deliverables from the expenditure above were:

- ***Literature review for the development of the Colac Marketing Strategy***
- ***Community engagement including phone and face to face interviews with local business and community members, a local survey and focus group meetings with Council staff and Otway Business Inc.***
- ***Development of the target market, strategy aims and objectives and implementation plan***
- ***Development of two rounds of brand concepts***
- ***Consultant presentations and engagement with Councillors and Council staff***
- ***Development of a draft and final Colac Marketing Strategy***
- ***Development of final Colac brand***

The current implementation costs are:

- ***\$13,800 - 2012/13 Colac Marketing Strategy Implementation budget less new brand concepts cost***

- \$20,000 - A Victorian Government grant allocated to the Colac Otway Shire for the 2012 Regional Victoria Living Expo
- \$10,000 – A Victorian Government grant allocated to the Colac Otway Shire for the 2013 Regional Victoria Living Expo

Successes to date from the implementation of the Colac Marketing Strategy:

- The 'Colac – Life, your way' brand development
- The development of the 'Colac – Life, your way' website
- The 'Colac – Life, your way' marketing booklet handed out to over 1,000 people at the Regional Victoria Living Expo
- Marketing collateral such as tear drop banners and branded clothing and well as branded lens cloths and jelly beans to be handed out at the Regional Victoria Living Expo
- The development and advertng of a 'Colac – Life, your way' Win Television commercial airing over 6 weeks
- The advertng of the 'Colac – Life, your way' commercial featuring on 87 buses in Melbourne with the advertisement running 2-4 times every hour for 3 months.
- The Colac Marketing Strategy Launch
- The attendance at the Regional Victoria Living Expo which was attended by over 9,500 people with over 150 registrations at the Colac Otway Shire stand.
- The Colac Open Day for potential new residents to attend a welcome luncheon and tour of Colac.
- Council is aware that from the Regional Victoria Living Expo, held in April 2013, two people have moved to Colac since speaking to Colac Otway Shire at the Expo.

The expected implementation costs:

- \$20,000 allocated to the 2013/14 Colac Marketing Strategy Implementation budget
- \$10,000 from the Victorian Government for the upcoming Regional Victoria Living Expo in April 2014.

Future marketing activities may include (but are not limited to):

- A cafes and restaurants campaign over the long weekend in March. This will consist of cafes and restaurants handing out brochures to people passing through Colac that weekend.
- A presence at major events held within Colac and the Colac Otway Shire.
- Future marketing opportunities within Melbourne.
- A housing campaign aimed at potential new residents during September - November. Local real estate agents have indicated that most houses are sold during this period.

The below represents a summary of the costs for the Colac Marketing Strategy

Financial year	Cost to Council
2010 /11	\$20,000 – Colac Marketing Strategy development
2011/12	\$10,000 - Economic Development Unit budget
2012/13	\$20,000 – Colac Marketing Strategy implementation
Total	\$50,000 – Total cost of Council funds for the Colac Marketing Strategy

In addition to the table above, Council received \$20,000 in 2012 for the Regional Victoria Living Expo which included the initial developed of the Colac website and the development of a special edition of the Colac Herald to be handed out at the Expo. Council also received \$10,000 in 2013 for Council's attendance at the Regional Victoria Living Expo.

This represents a total of \$80,000 value spent of the Colac Marketing Strategy with a cost of \$50,000 to Colac Otway Shire ratepayers.

Questions Received in Writing Prior to the Meeting

Questions submitted in writing for the 10 July 2013 Special Council meeting.

James Judd

1. How does this Council explain its budget calculations when in a particular estimate of expenses for two years, it adds both income and expenditure together to arrive at a total cost while offering no explanation of how income is an expense?

Response:

In order to answer this question we would require further information as it is unclear what item in the budget Mr Judd is referring to.

More details were subsequently provided: Item 3.4.7, page 99

Response:

The item referred to in the budget document relates to major plant cost recovery. This is derived from works undertaken and can be treated as either a negative expense or as an income item. In this case, it is treated as a negative expense so as to eliminate the recovery value from the works performed in order to prepare accurate financial statements. This approach ensures that both expenses and income are not inflated in the annual accounts.

Questions submitted in writing for the 24 July 2013 Council meeting.

James Judd

1. Under the new system of paying rates and charges, unless an assessment is a full multiple of twenty dollars (\$20), it is not divisible by four (4) and the answer a full multiple of five (5) dollars. What is the lowest value of an assessment before Council requires full payment by 30 September each year?

Response:

- ***Council has no minimum value or amount below which Council requires an account to be paid in full***
 - ***It is possible for all accounts are divided into 4 payments. Where the amount is not equally divisible by 4 , instalments 2, 3 and 4 will be for an equal amount with instalment 1 bearing the excess caused by the division.***
2. With the proposed changes to workshop/briefing sessions for the balance of 2013 to a weekly basis, will this be amended for October with five Wednesdays plus December, one Wednesday after final Council meeting?

Response:

This item is listed on the agenda for decision at today's meeting.

3. If the proposal to alter Council and Planning Committee meeting times is carried, will Council provide a press release with details of these changes for the remainder of 2013?

Response:

The date and times of Planning Committee and Council meetings are advertised each month in accordance with the Local Government Act 1989.

Robert Missen - Beeac

With Reference to **Amendment C67**

1. The post panel changes recommended by the consultant P Dahlhaus on my property are attributed to incorrect aerial mapping as a saline wetland by Corrick in the 1970s and 1980s. This old mapping and erroneous classification forms the basis of much of the mapping in the north of the Shire. It was only re-visited by Dahlhaus with computer contour modelling.

Response:

The Panel has recognised that it would not be financially affordable, or in the public interest to physically inspect every property potentially affected by the overlay, and it is for this reason that the salinity mapping project was based on collation of previously gathered information and computer modelling. Given this limitation, there will always be some risk of minor inaccuracies in the mapping of salinity hazard. However, the post panel changes to mapping on submitter's properties following on-ground inspection by Mr Dahlhaus, was only minor, providing Council and the community with confidence that there is no strong evidence of widespread inaccuracies in the mapping. The SMO mapping is relatively targeted and is not blanket in coverage, as has occurred with other overlays.

2. If Council proceeds with the SMO in its present form, how and at whose cost can other landholders have land which was erroneously placed under the overlay removed from it?

Response:

If Council adopts Amendment C67 and the mapping is gazetted to form part of the Planning Scheme, the overlay can only be further amended by a new planning scheme amendment. A land owner(s) could make a request for Council to initiate an amendment to the mapping, but would need to provide evidence to demonstrate appropriately that the mapping changes were to remove land where the salinity hazard does not exist. Any revised mapping and preparation of technical justification for the amendment would be at the cost of the proponent(s).

3. The Panel stated that the methodology was the best available at this time. It also says that ground water levels have fallen and actions taken by landowners to manage secondary salinity have been successful. Out of date mapping was the basis of the methodology.

Response:

Council does not agree that the mapping used to form the basis of Salinity Management Overlay maps is out of date. Information from a number of sources was used in the preparation of the maps. Whilst some of this data dates back to the mid-1970s, there is no widespread evidence that this information is not accurate or no

longer relevant. Whilst the Panel acknowledged that actions taken by land owners to manage salinity have been successful they concluded that it is conceivable that after a succession of wet years or poor land management by a future owner, salinity could again manifest itself in these areas.

4. Does the Council intend to punish landholders for improving their properties and fencing off saline wetlands for environmental benefit when the overlay devalues their property?

Response:

The Salinity Management Overlay is simply a tool under the State Government's Planning system to require planning permits for specified buildings and works, vegetation removal and subdivision in areas of potential salinity hazard. It is unlikely the overlay will trigger many planning permits beyond what already are required due to flood based overlays and other controls.

There is no evidence that the SMO will result in the devaluation of properties. The threat of salinity to buildings and agricultural production currently exists today – the mapping of these areas in a Planning Scheme will not alter these conditions, nor change the agricultural capability of the land, which is the primary consideration for a land owner seeking to purchase land.

Edward J Martin - Irrewarra

1. Does Council recognise, that there are considerable inaccuracies in the C67 mapping, and if so, does Council realise that consultant Dr Peter Dahlhaus, made an admission with regards to the inaccuracies in the mapping, in the landholder objection interview process.

Response:

Council, and its consultant Peter Dahlhaus, acknowledges there are minor inaccuracies in the mapping of the Salinity Management Overlay, however there is no evidence of 'considerable inaccuracies'. The on-ground inspections undertaken for submitter properties to date have largely confirmed the exhibited mapping, and revealed the need for only minor adjustments to the overlay boundaries.

The conclusion of the independent panel was that the methodology used to generate the mapping is considered 'best practice', and it has been accepted by the Panel as the basis for the SMO. The Panel concluded it would not be in the public interest to undertake more on-ground inspections of land due to the significant financial cost of investigating every property in the area. It is for this reason that the salinity mapping project was based on collation of previously gathered information and computer modelling. Given this limitation, there will always be some risk of minor inaccuracies in the mapping of salinity hazard.

Council does not have the financial capacity to undertake further on-site review of individual properties.

2. Furthermore with the information provided by me to Council, does Council acknowledge that my farming and agricultural research operations will be affected in any way, and if so, do you think it is worthwhile spending more time, in getting this document accurate in particular the mapping, so as not to impact me and my family, financially in the future.

Response:

Council does not believe the amendment will have a significant impact on the operation of the farming and agricultural research activities conducted on the Martin's

property. The proposed overlay will not prevent the on-going use of the land for agricultural purposes and in particular does not prevent continued irrigation. There are a range of planning permit exemptions in the Schedule to the overlay which will be unlikely to generate many more permit requirements than current planning controls affecting the property. The addition of an SMO will simply mean that salinity impacts will be considered through one planning process, when and if a permit is required.

Questions Received Verbally at the Meeting

Jim Alston – Beeac

1. Have Councillors been made aware of inaccuracies in the C67 Planning Scheme Amendment mapping in the Cundare area. (Displayed a photo taken at Stoneyhurst in 2012 showing brolgas) Are Councillors aware that brolgas do not nest in saline areas, this area in the photograph is covered by the mapping in the C67 amendment?

Response:

The Mayor replied that Councilors had received and read the Panel report and had also received copies of all the submissions that had been received with respect to this matter.

Alan Billing – Larpent

1. Why has Council not responded to the letter from the Victorian Farmers Federation (VFF) President, Peter Tuohey, dated 14 June 2013, which indicated their concern with the C67 and C70 planning scheme amendments and requested a meeting with the CEO and Councilors prior to any decision being made?

Response:

The CEO responded that he was of the opinion that a response had been sent, but would take the question on notice.

2. If a letter has not been sent after six weeks, and advice from VFF this morning indicates that it has not yet received a response, is that an acceptable professional standard?

Response:

The CEO advised that if that were the case, then it would not be an acceptable standard.

Debbie Francese – Beeac

1. With respect to the letters that were meant to have been sent to all landholders affected by the C67 Planning Scheme Amendment, why did my father-in-law not receive a letter and was therefore not legally told what was going to happen?

Response:

The Manager for Planning and Building advised that he had been made aware of a small number of people who had reported since the planning scheme amendment was displayed that they had not received any notice. In each occasion, officers have been able to demonstrate that they were sent a notice. This is the first time that I have been told that your father-in-law did not receive a notice and that he was not on the mailing list.

2. Why did Council not adopt a succession plan?

Response:

The Manager for Planning and Building advised that he would take that question on notice and requested further information from Ms Francese.

3. What are you going to do about the revaluation of property rates?

Response:

The Manager for Planning and Building advised that the rezoning of properties or the value land was not a relevant consideration in this process.

4. Would it be relevant if Council members owned property within the affected areas?

Response:

The Mayor advised that Council undertakes a revaluation of properties every two years and that one would take place this year.

5. So there is a chance that the rates will be revalued?

Response:

The Mayor advised that it would be up to the valuer.

John Modra

1. Is Council aware that some other shires in Victoria have requested a rates review based on the previous question?

Response:

The Mayor advised that a revaluation of properties would be undertaken this year and it would up to the ratepayers to request a review of the revaluation of their property. There is a process in place to object to property valuations.

2. Are you aware, when talking about the independent review of the C67 and C70 planning scheme amendments, that the Ombudsman might take different view regarding the independence of the consultant being used by Council given his role on the Victorian Civil and Administrative Tribunal?

Response:

The Mayor advises that the independent panel is appointed by Minister Guy and any concerns regarding the independence of the Panel should be directed to him.

3. Are you aware that the use of irrigation could increase salinity which is contrary to advice given by Council's consultant?

Response:

The Mayor advised that Council had sought expert opinion on that issue.

The Manager for Planning and Building stated that the C67 Planning Scheme Amendment is not seeking to change land use practice, it is simply a means of triggering a planning permit for certain types of building works, vegetation removal or subdivision which might have the potential to increase the hazard. Irrigation is a form of land use which is not being affected by this amendment.

John Daffy

1. What would the chances be of the freshwater marshes, that have been freshwater for the last 10,000 years, becoming saline in the next 10,000 years?

Response:

The Manager for Planning and Building advised that there was no evidence of what the conditions were like 10,000 years ago, but the advice that has been received in terms of the methodology that has been used has indicated that the freshwater marshes are included in the mapping overlays because of the existence of low groundwater tables.

6. DECLARATION OF INTEREST

NIL

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 26/06/13
- Special Council Meeting held on 10/7/13 (adjourned to 17/07/13).

MOVED Cr Stephen Hart seconded Cr Brian Crook that Council confirm the minutes of the Ordinary Council Meeting held on 26 June 2013.

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 Mick McCrickard that Council confirm the minutes of the Special Council Meeting held on 10 July 2013.

CARRIED 6 : 0

MOTION - MOVED Cr Stephen Hart seconded Cr Mick McCrickard that Council confirm the minutes of the Special Council Meeting that was adjourned from 10 July to 17 July 2013

CARRIED 6 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM132407-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM132407-2 SCHEDULING OF COUNCIL MEETINGS - 2013

Corporate and Community Services

- OM132407-3 INSTRUMENT OF DELEGATION - OLD BEECHY RAIL TRAIL COMMITTEE
- OM132407-4 GUARANTEE OF COMMUNITY LOANS POLICY
- OM132407-5 COUNCIL POLICY REVIEW
- OM132407-6 OPERATIONAL PLAN 2013-2014
- OM132407-7 RENEW LEASE - COLAC CENTRAL BOWLING CLUB - 115-129 WILSON STREET, COLAC

- OM132407-8 COLAC OTWAY SHIRE PUBLIC HEALTH AND WELLBEING PLAN 2013 - 2017
- OM132407-9 COLAC OTWAY ACTIVE TRANSPORT STRATEGY
- OM132407-10 S86 COMMITTEE MEMBERSHIP

Infrastructure and Services

- OM132407-11 ROAD MANAGEMENT COMPLIANCE REPORT
- OM132407-12 COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE AUGUST 2013
- OM132407-13 PORT OF APOLLO BAY - REVIEW OF INSTRUMENT OF DELEGATION

Sustainable Planning and Development

- OM132407-14 GEELONG OTWAY TOURISM MEMORANDUM OF UNDERSTANDING
- OM132407-15 SALINITY MANAGEMENT OVERLAY - ADOPTION OF AMENDMENT C67
- OM132407-16 DOMESTIC ANIMAL MANAGEMENT PLAN
- OM132407-17 REHABILITATION WORKS ON BARONGAROOK CREEK

General Business

- OM132407-18 ASSEMBLY OF COUNCILLORS
- OM132407-19 MINUTES FROM YOUTH COUNCIL MEETINGS

Notices of Motion

- OM132407-20 COLAC BYPASS - SOCIO-ECONOMIC IMPACTS STUDY
- OM132407-21 GEELONG OTWAY TOURISM
- OM132407-22 COUNCIL BUDGETS
- OM132407-23 COLAC OTWAY SHIRE COUNCILLOR REPRESENTATIVE – TIMBER TOWNS COMMITTEE

CHIEF EXECUTIVE OFFICER

<u>ITEM</u>	
<u>OM132407-1</u>	<u>CEO'S PROGRESS REPORT TO COUNCIL</u>
<u>OM132407-2</u>	<u>SCHEDULING OF COUNCIL MEETINGS - 2013</u>

OM132407-1

CEO'S PROGRESS REPORT TO COUNCIL

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

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

CARRIED 6 : 0

OM132407-2

SCHEDULING OF COUNCIL MEETINGS - 2013

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/759

MOVED Cr Brian Crook seconded Cr Mick McCrickard:

That Council rescinds the resolution from its Statutory Council Meeting held on 7 November 2012 with respect to the scheduling of 2013 Ordinary Council meetings as follows:

“That Council:

- 1. Confirms the meeting dates, times and venues for Ordinary Council meetings for the remainder of 2012 as:**
 - **Wednesday, 28 November 2012 at 3.00pm, at COPACC, Colac**
 - **Wednesday, 19 December 2012 at 3.00pm, at COPACC, Colac**
- 2. Confirms the meeting dates, times and venues for the 2013 Ordinary Council meetings as:**
 - **Wednesday, 23 January 2013 at 5.00pm, at COPACC, Colac**
 - **Wednesday, 27 February 2013 at 5.00pm, COPACC, Colac**
 - **Wednesday, 27 March 2013 at 5.00pm, at COPACC, Colac**
 - **Wednesday, 24 April 2013 at 3.00pm, at COPACC**
 - **Wednesday, 22 May 2013 at 3.00pm, at Apollo Bay Senior Citizen’s Centre, Apollo Bay**
 - **Wednesday, 26 June 2013 at 3.00pm, at COPACC, Colac**
 - **Wednesday, 24 July 2013 at 3.00pm, at COPACC, Colac**
 - **Wednesday, 28 August 2013 at 3.00pm, at Birregurra Community Health Centre**
 - **Wednesday, 25 September 2013 at 3.00pm, at COPACC, Colac**
 - **Wednesday, 23 October 2013 at 3.00pm, at COPACC, Colac**
 - **Wednesday, 27 November 2013 at 3.00pm, at Apollo Bay Senior Citizen’s Centre, Apollo Bay**
 - **Wednesday, 18 December 2013 at 3.00pm, at COPACC, Colac.**
- 3. Confirms the date for the Colac Otway Shire Statutory Meeting as the 13 November 2013.**
- 4. Notes the meeting dates, times and venues for the Planning Committee meetings, if required, for the remainder of 2012 as:**
 - **Wednesday, 14 November 2012 at 10.30am, at COPACC, Colac**
 - **Wednesday, 12 December 2012 at 10.30am, at COPACC, Colac.**
- 5. Notes the meeting dates, times and venues of 2013 Planning Committee meetings, if required, as:**
 - **Wednesday, 16 January 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 13 February 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 13 March 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 10 April 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 8 May 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 12 June 2013 at 10.30am, at COPACC, Colac**
 - **Wednesday, 10 July 2013 at 10.30am, at COPACC, Colac**

- *Wednesday, 14 August 2013 at 10.30am, at COPACC, Colac*
- *Wednesday, 11 September 2013 at 10.30am, at COPACC, Colac*
- *Wednesday, 9 October 2013 at 10.30am, at COPACC, Colac*
- *Wednesday, 13 November 2013 at 10.30am, at COPACC, Colac*
- *Wednesday, 11 December 2013 at 10.30am, at COPACC, Colac*

Note that these dates will need to be confirmed by the Planning Committee."

CARRIED 6 : 0

Original Recommendation 2

That Council:

1. **Confirms the meeting dates, times and venues for Ordinary Council meetings for the remainder of 2013 as:**

- *Wednesday, 28 August 2013 at 5.00pm, at Birregurra Public Hall*
- *Wednesday, 25 September 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 23 October 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 27 November 2013 at 5.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay*
- *Wednesday, 18 December 2013 at 5.00pm, at COPACC, Colac.*

2. **Confirms the date for the Colac Otway Shire Statutory Meeting as the 13 November 2013.**

3. **Notes the meeting dates, times and venues for Planning Committee meetings for the remainder of 2013, if required, as:**

- *Wednesday, 14 August 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 11 September 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 9 October 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 13 November 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 11 December 2013 at 5.00pm, at COPACC, Colac*

Note that these dates will need to be confirmed by the Planning Committee.

4. **Notes that Councillor workshops and briefings will be held every Wednesday afternoon from 3.00pm for the remainder of 2013.**

MOTION - MOVED Cr Brian Crook seconded Cr Mick McCrickard that Council:

1. **Confirms the meeting dates, times and venues for Ordinary Council meetings for the remainder of 2013 as:**

- *Wednesday, 28 August 2013 at 5.00pm, at Birregurra Public Hall*
- *Wednesday, 25 September 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 23 October 2013 at 5.00pm, at COPACC, Colac*
- *Wednesday, 27 November 2013 at 5.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay*
- *Wednesday, 18 December 2013 at 5.00pm, at COPACC, Colac.*

2. ***Confirms the date for the Colac Otway Shire Statutory Meeting as the 13 November 2013.***
3. ***Notes the meeting dates, times and venues for Planning Committee meetings for the remainder of 2013, if required, as:***
 - ***Wednesday, 14 August 2013 at 10.30am, at COPACC, Colac***
 - ***Wednesday, 11 September 2013 at 5.00pm, at COPACC, Colac***
 - ***Wednesday, 9 October 2013 at 5.00pm, at COPACC, Colac***
 - ***Wednesday, 13 November 2013 at 5.00pm, at COPACC, Colac***
 - ***Wednesday, 11 December 2013 at 5.00pm, at COPACC, Colac***

Note that these dates will be subject to approval by the Planning Committee.

4. ***Notes that Councillor workshops and briefings will be held every Wednesday afternoon commencing from 28 August 2013 from 3.00pm for the remainder of 2013.***

CARRIED 6 : 0

CORPORATE AND COMMUNITY SERVICES

ITEM	
<u>OM132407-3</u>	<u>INSTRUMENT OF DELEGATION - OLD BEECHY RAIL TRAIL COMMITTEE</u>
<u>OM132407-4</u>	<u>GUARANTEE OF COMMUNITY LOANS POLICY</u>
<u>OM132407-5</u>	<u>COUNCIL POLICY REVIEW</u>
<u>OM132407-6</u>	<u>OPERATIONAL PLAN 2013-2014</u>
<u>OM132407-7</u>	<u>RENEW LEASE - COLAC CENTRAL BOWLING CLUB - 115-129 WILSON STREET, COLAC</u>
<u>OM132407-8</u>	<u>COLAC OTWAY SHIRE PUBLIC HEALTH AND WELLBEING PLAN 2013 - 2017</u>
<u>OM132407-9</u>	<u>COLAC OTWAY ACTIVE TRANSPORT STRATEGY</u>
<u>OM132407-10</u>	<u>S86 COMMITTEE MEMBERSHIP</u>

OM132407-3

**INSTRUMENT OF DELEGATION - OLD BEECHY RAIL
TRAIL COMMITTEE**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96037

MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

- 1. Signs and seals the Instrument of Delegation for the Old Beechy Rail Trail Committee.***
- 2. In accordance with section 81(2A) of the Local Government Act 1989, resolves to exempt members of the Old Beechy Rail Trail Committee from being required to submit a Primary or Ordinary "Register of Interest" Return.***

CARRIED 6 : 0

OM132407-4**GUARANTEE OF COMMUNITY LOANS POLICY**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96037

MOVED Cr Stephen Hart seconded Cr Michael Delahunty

That Council endorses the Draft Guarantee of Community Loans Policy for release for community comment for a period of not less than six (6) weeks.

CARRIED 6 : 0

OM132407-5

COUNCIL POLICY REVIEW

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96037

Original Recommendation**That Council:****1. Adopts the following revised policies:**

- Policy No 2.4 Confidential Information**
- Policy No 2.5 Community Engagement**
- Policy No 2.6 Customer Service Policy/Guidelines**
- Policy No 4.2 Council Property Leasing**
- Policy No 4.3 Sale and Exchange of Council Land**
- Policy No 6.2 Funding Advances to Community Organisations**
- Policy No 6.3 Donations - Miscellaneous**
- Policy No 6.4 Council Support to Neighbourhood Houses**
- Policy No 7.4 Equal Opportunity**
- Policy No 9.1 Off Loading of Livestock at the Colac Livestock Selling Centre**
- Policy No 10.1 Maternal and Child Health Services**
- Policy No 11.1 Rates Assistance to Community Groups**
- Policy No 11.4 Assistance to Rates Debtors in Hardship**
- Policy No 11.5 Residential Properties deemed to be Not Rateable as used for Charitable Purposes**
- Policy No 12.2 Skate Park Events and Hire**
- Policy No 12.3 Playground Maintenance and Improvement**
- Policy No 12.5 Use of the Old Beechy Rail Trail by Recreational Vehicles**
- Policy No 12.6 Fencing for Events**
- Policy No 13.9 Event Road Closure Consultation and Communication**
- Policy No 15.2 Section 86 Committees**
- Policy No 16.3 Investment**
- Policy No 18.2 Information Privacy**
- Policy No 18.4 Pre-Election Caretaker**
- Policy No 18.5 Councillor Support**
- Policy No 18.6 Audio Recordings of Council Meetings**
- Policy No 18.8 Council Committees**
- Policy No 18.9 Gifts, Benefits and Hospitality**
- Policy No 18.10 Casting Vote Guidelines**
- Policy No 18.11 Community Reference Group Policy and Guidelines**
- Policy No 20.1 Environmental Sustainability**

2. Notes the following policies have been changed to Operational Policies:

- Policy No 4.1 Hire of COPACC**
- Policy No 5.1 Community Bus**
- Policy No 13.3 Display of Items on Footpath/Street.**

3. Notes that Policy No 18.3 - Whistleblowers Protection Act 2001 has been repealed.

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

1. Adopts the following revised policies:

- Policy No 2.4 Confidential Information**
- Policy No 2.5 Community Engagement**
- Policy No 2.6 Customer Service Policy/Guidelines**
- Policy No 4.2 Council Property Leasing**
- Policy No 4.3 Sale and Exchange of Council Land**
- Policy No 6.2 Funding Advances to Community Organisations**
- Policy No 6.3 Donations - Miscellaneous**
- Policy No 6.4 Council Support to Neighbourhood Houses**
- Policy No 7.4 Equal Opportunity**
- Policy No 9.1 Off Loading of Livestock at the Colac Livestock Selling Centre**
- Policy No 10.1 Maternal and Child Health Services**
- Policy No 11.1 Rates Assistance to Community Groups**
- Policy No 11.4 Assistance to Rates Debtors in Hardship**
- Policy No 11.5 Residential Properties deemed to be Not Rateable as used for Charitable Purposes**
- Policy No 12.2 Skate Park Events and Hire**
- Policy No 12.3 Playground Maintenance and Improvement**
- Policy No 12.5 Use of the Old Beechy Rail Trail by Recreational Vehicles**
- Policy No 12.6 Fencing for Events**
- Policy No 13.9 Event Road Closure Consultation and Communication**
- Policy No 15.2 Section 86 Committees**
- Policy No 16.3 Investment**
- Policy No 18.2 Information Privacy**
- Policy No 18.4 Pre-Election Caretaker**
- Policy No 18.6 Audio Recordings of Council Meetings**
- Policy No 18.8 Council Committees**
- Policy No 18.9 Gifts, Benefits and Hospitality**
- Policy No 18.10 Casting Vote Guidelines**
- Policy No 18.11 Community Reference Group Policy and Guidelines**
- Policy No 20.1 Environmental Sustainability**

2. Notes the following policies have been changed to Operational Policies:

- Policy No 4.1 Hire of COPACC**
- Policy No 5.1 Community Bus**
- Policy No 13.3 Display of Items on Footpath/Street.**

3. Notes that Policy No 18.3 - Whistleblowers Protection Act 2001 has been repealed.

4. Notes that Policy 18.5 – Councillor Support – is to be brought back to Council once clarification has been received regarding the reimbursement of travel allowances.

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

OM132407-6**OPERATIONAL PLAN 2013-2014**

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

MOVED Cr Brian Crook seconded Cr Mick McCrickard:

That Council receives and notes the Operational Plan 2013-2014 for information.

CARRIED 5 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM132407-7

RENEW LEASE - COLAC CENTRAL BOWLING CLUB - 115-129 WILSON STREET, COLAC

AUTHOR:	Paul Carmichael	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3715

MOVED Cr Brian Crook seconded Cr Mick McCrickard:

That Council:

- 1. Having advertised its intention to enter into a new lease with the Colac Central Bowling Club to allow it to occupy the Council owned site at 115 -129 Wilson Street, Colac and having received no submissions in regard to the proposal, therefore resolves to enter into a lease agreement for a ten year period from 1 July 2012 to 30 June 2013.***
- 2. Agrees to the terms and conditions of the lease as set out in the attachment, namely for a period of ten years from 1 July 2012 for a rental of \$6,886 pa, with annual CPI increases thereafter.***
- 3. Resolves to sign and seal the lease agreement document.***

CARRIED 6 : 0

OM132407-8

**COLAC OTWAY SHIRE PUBLIC HEALTH AND WELLBEING
PLAN 2013 - 2017**

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3715

MOVED Cr Stephen Hart seconded Cr Mick McCrickard:

That Council endorses the draft Public Health and Wellbeing Plan 2013 – 2017 to be released for public submissions for a period of five weeks.

CARRIED 6 : 0

OM132407-9**COLAC OTWAY ACTIVE TRANSPORT STRATEGY**

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

***MOVED Cr Mick McCrickard seconded Cr Brian Crook:
That Council adopts the Colac Otway Active Transport Strategy.***

CARRIED 5 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM132407-10

S86 COMMITTEE MEMBERSHIP

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96653

MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

- Pursuant to section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Lavers Hill Hall and Irrewillipe Hall and Reserve Committees of Management until 24 July 2016:**

Lavers Hill Hall	Tracy Brauer, Kim Robertson, Virginia Atkins, Bob Atkins, Pam Dodsworth
Irrewillipe Hall and Reserve	Tim Ryan, John Ladhams, Paul Theodore, Don Henderson, Stephen Theodore, Matthias Weiss, Doug Phillips, Jim Carson, Kevin McNabb

- 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.**
- 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 on an annual basis.**

CARRIED 6 : 0

INFRASTRUCTURE AND SERVICES

ITEM	
<u>OM132407-11</u>	<u>ROAD MANAGEMENT COMPLIANCE REPORT</u>
<u>OM132407-12</u>	<u>COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE AUGUST 2013</u>
<u>OM132407-13</u>	<u>PORT OF APOLLO BAY - REVIEW OF INSTRUMENT OF DELEGATION</u>

OM132407-11 ROAD MANAGEMENT COMPLIANCE REPORT

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95454

MOVED Cr Brian Crook seconded Cr Michael Delahunty:

That Council receives the Road Management Plan Compliance Report for the period January to June 2013 for information.

CARRIED 6 : 0

**OM132407-12 COLAC HEAVY VEHICLE BYPASS STUDY - UPDATE
AUGUST 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 deferred from the 26 June 2013 Council meeting.

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

The Mayor used her casting vote to defeat the motion.

LOST 3 : 4

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Mick McCrickard, Cr Michael Delahunty

Against the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Lyn Russell (casting vote)

***MOTION - MOVED Cr Brian Crook seconded Cr Stephen Hart:
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 in Colac.***
- 2. Includes references to the need to preserve land for the options of a future Princes Highway By-Pass of Colac in its Municipal Strategic Statement of the Colac Otway Planning Scheme.***
- 3. Advises VicRoads of Council's intention to include reference to the potential options for a bypass 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 include a social economic impact study, 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.***
- 5. As part of the Colac Structure Plan process, Council develops a communication strategy to better inform the community of the issues.***

CARRIED 4 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM132407-13 PORT OF APOLLO BAY - REVIEW OF INSTRUMENT OF DELEGATION

AUTHOR:	Ranjani Jha	ENDORSED:	Colin Hayman
DEPARTMENT:	Infrastructure & Services	FILE REF:	F13/5204

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council in the exercise of the powers conferred by sections 44C, 44F and 44G of the Port Management Act 1995, resolves that:

- 1. There be delegated to the person holding the position, acting in or performing the duties of General Manager Infrastructure & Services or the Manager Major Contracts, the powers, duties and functions set out in the Instrument of Delegation, subject to the conditions and limitations specified in that Instrument.***
- 2. The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument.***
- 3. On the coming into force of the Instrument, all previous delegations concerning the Port Management Act 1995 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 it may from time to time adopt.***
- 5. Endorse the appointment of the following authorised officers under sections 18, 19, 21 of the Marine Safety Act 2010:***
 - Ranjani Jha, Manager - Major Contracts***
 - Brian Shields, Team Leader – Port of Apollo Bay***
 - Phillip Falla, Port Officer – Port of Apollo Bay.***

CARRIED 6 : 0

SUSTAINABLE PLANNING AND DEVELOPMENT

ITEM	
<u>OM132407-14</u>	<u>GEELONG OTWAY TOURISM MEMORANDUM OF UNDERSTANDING</u>
<u>OM132407-15</u>	<u>SALINITY MANAGEMENT OVERLAY - ADOPTION OF AMENDMENT C67</u>
<u>OM132407-16</u>	<u>DOMESTIC ANIMAL MANAGEMENT PLAN</u>
<u>OM132407-17</u>	<u>REHABILITATION WORKS ON BARONGAROOK CREEK</u>

OM132407-14 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 does not sign the Memorandum of Understanding with Geelong Otway Tourism (GOT) and that it makes a pro rata payment based on the proposed 2013/14 payment structure to GOT for the period of 1 July 2013 to the commencement date of the new Regional Tourism Board.

Motion deferred from the 26 June 2013 Council meeting.

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.

Cr Mick McCrickard left Council Chambers at 5:54 PM

Councillor Hart withdrew this motion and moved the recommendation from his Notice of Motion at item OM132407-21 Geelong Otway Tourism.

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:

That Council:

- 1. Resolves that it will not be signing any 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 immediately,***
- 2. Notes that nothing in this resolution changes the authorisation to the Council Chief Executive Officer to participate in discussions about a possible replacement Regional Tourism body, and***
- 3. Notes that agreement to participate in a new Regional Tourism body is subject to it being approved at a future Council meeting.***

Cr Mick McCrickard returned to Council Chambers at 5:56 PM

VOTE: 3 : 3

The Mayor used her casting vote to carry the motion.

CARRIED 4 : 3

OM132407-15 SALINITY MANAGEMENT OVERLAY - ADOPTION OF AMENDMENT C67

AUTHOR:	Gemma Browning	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

Original Recommendation(s)

That Council:

1. ***Adopts Amendment C67 with the following changes:***
 - a. ***Mapping alterations proposed by the Panel to the Salinity Management Overlay as shown in the attached maps (Attachment 1) that include the post exhibition changes presented to panel and the post panel changes identified for Mr Missen's property.***
 - b. ***Changes to the Salinity Management Overlay Schedule to:***
 - i. ***Remove the permit requirement for removing, destroying or cutting grass associated with use of land for agriculture within 30m of a waterway and***
 - ii. ***Insert an additional permit exemption for earthworks that do not raise the ground level topography by more than 200mm.***
2. ***Forwards the adopted amendment to the Minister for Planning for approval.***

MOTION - MOVED Cr Chris Smith seconded Cr Mick McCrickard:

That Council:

1. ***Abandons Amendment C67***
2. ***Forwards the decision to the Minister for Planning.***

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 28 August 2013 Ordinary Council meeting.

OM132407-16

DOMESTIC ANIMAL MANAGEMENT PLAN

AUTHOR:	Graeme Murphy	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

Original Recommendation(s)

That Council adopts the attached Colac Otway Shire Domestic Animal Management Plan 2013.

MOTION - MOVED Cr Chris Smith:

That Council adopts the Colac Otway Shire Domestic Animal Management Plan 2013 with the exclusion of any reference to poultry, roosters, pigeons, sheep or goats, cattle, horses and other large animals, pigs and reptiles.

This motion lapsed due the lack of a seconder.

MOTION - MOVED Cr Brian Crook seconded Cr Mick McCrickard:

That Council adopts the attached Colac Otway Shire Domestic Animal Management Plan 2013.

CARRIED 5 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM132407-17

REHABILITATION WORKS ON BARONGAROOK CREEK

AUTHOR:	Stewart Anderson	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council:

- 1. Acknowledges the submission presented by the petitioner and endorses the rehabilitation works and the associated maintenance program being undertaken along Barongarook Creek.***
- 2. Requests that the Chief Executive Officer write to the petitioner confirming Council's commitment to undertaking maintenance along Barongarook Creek in order to achieve the objectives set out in the Lake Colac and Barongarook Creek Revegetation Plan.***

CARRIED 6 : 0

GENERAL BUSINESS

ITEM	
<u>OM132407-18</u>	<u>ASSEMBLY OF COUNCILLORS</u>
<u>OM132407-19</u>	<u>MINUTES FROM YOUTH COUNCIL MEETINGS</u>

OM132407-18 ASSEMBLY OF COUNCILLORS

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

MOVED Cr Stephen Hart seconded Cr Mick McCrickard

That Council notes the Assembly of Councillors reports for:

- ***Friends of the Botanic Gardens*** ***13 June 2013***
- ***Councillor Briefing Session*** ***26 June 2013***
- ***CEO's Performance Review*** ***4 July 2013***
- ***Councillor Workshop*** ***10 July 2013***
- ***Councillor Workshop*** ***17 July 2013.***

CARRIED 6 : 0

OM132407-19

MINUTES FROM YOUTH COUNCIL MEETINGS

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

MOVED Cr Stephen Hart seconded Cr Mick McCrickard

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

- ***27 May 2013***
- ***17 June 2013***
- ***24 June 2013.***

CARRIED 6 : 0

NOTICES OF MOTION

ITEM	
<u>OM132407-20</u>	<u>COLAC BYPASS - SOCIO-ECONOMIC IMPACTS STUDY</u>
<u>OM132407-21</u>	<u>GEELONG OTWAY TOURISM</u>
<u>OM132407-22</u>	<u>COUNCIL BUDGETS</u>
<u>OM132407-23</u>	<u>COLAC OTWAY SHIRE COUNCILLOR REPRESENTATIVE – TIMBER TOWNS COMMITTEE (CR BRIAN CROOK)</u>

Please Note:

Cr Delahunty has withdrawn the Notice of Motion (Planning Advisory Committee) that had been deferred by the Mayor from the June 2013 Ordinary Council Meeting to the July 2013 Ordinary Council Meeting.

OM132407-20 COLAC BYPASS - SOCIO-ECONOMIC IMPACTS STUDY
(CR MICHAEL DELAHUNTY)

Recommendation

That Council consider the contents of this Notice of Motion.

Given that this matter was dealt with under item OM132407-12 Colac Heavy Vehicle Bypass Study – Update August 2013, the Mayor ruled this motion out of order and withdrew the item.

OM132407-21 GEELONG OTWAY TOURISM (CR STEPHEN HART)

Recommendation

That Council consider the contents of this Notice of Motion.

This matter was dealt with under item OM132407-14 Geelong Otway Tourism Memorandum of Understanding.

OM132407-22 COUNCIL BUDGETS (CR STEPHEN HART)**Recommendation**

That Council consider the contents of this Notice of Motion.

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

1. *Aims to reduce the extent of future rate rises,*
2. *Instructs the Chief Executive Officer to ensure that all future draft budgets contain an increase in average Council rates, including the municipal charge, general rate and waste management charge of less than six percent*
3. *Notes that this doesn't mean that any such budget will necessarily be approved*
4. *Notes that any budget containing an average increase of six percent or more may have difficulty in being supported by the majority of Council*
5. *Instructs that this arrangement is to continue unless this resolution is explicitly rescinded.*

Cr McCrickard left the meeting at 7.36pm and returned at 7.39pm.

AMENDMENT - MOVED Cr Chris Smith:

That the wording in point 2 be changed to "less than three percent" and the wording in point 4 be changed to "increase of three percent or more"

This amendment lapsed due to the lack of a seconder

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

1. *Aims to reduce the extent of future rate rises,*
2. *Instructs the Chief Executive Officer to ensure that all future draft budgets contain an increase in average Council rates, including the municipal charge, general rate and waste management charge of less than six percent*
3. *Notes that this doesn't mean that any such budget will necessarily be approved*
4. *Notes that any budget containing an average increase of six percent or more may have difficulty in being supported by the majority of Council*
5. *Instructs that this arrangement is to continue unless this resolution is explicitly rescinded.*

CARRIED 4 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

**OM132407-23 COLAC OTWAY SHIRE COUNCILLOR REPRESENTATIVE -
TIMBERTOWNS COMMITTEE (CR BRIAN CROOK)**

Recommendation

That Council consider the contents of this Notice of Motion.

MOTION - MOVED Cr Brian Crook seconded Cr Mick McCrickard:

***That Council appoints Cr Russell as an alternate Councillor Representative to Timber
Towns Victoria.***

CARRIED 6 : 0

IN COMMITTEE

MOVED Cr Stephen Hart seconded Cr Mick McCrickard 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
Confidential Memo for Consideration - ByPass Study - Council Report	this matter deals with legal advice	Section 89 (2) (f)
Report from Delegate to Other Bodies - Audit Committee Minutes	this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter deals with legal advice; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (d) (f) (h)

CARRIED 6 : 0

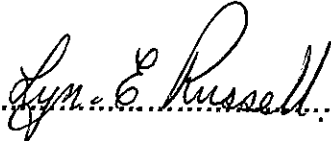
OUT OF COMMITTEE

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

CARRIED 6 : 0

The Meeting Was Declared Closed at 8.09 pm

CONFIRMED AND SIGNED at the meeting held on 28 AUGUST 2013

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