

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the COPACC Meeting Rooms on 23 October 2013 at 5.00 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 Frank Buchanan
Cr Chris Smith
Cr Terry Woodcroft

Rob Small, Chief Executive Officer
Colin Hayman, General Manager, Corporate & Community Services
Adam Lehmann, Acting General Manager, Infrastructure & Services
Jack Green, General Manager, Sustainable Planning & Development
Brett Exelby, Manager, Finance & Customer Service
Rhonda Deigan, Executive Officer

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

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

Colac Otway Shire encourages 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.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. 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

Questions Taken on Notice at Previous Meetings

John Daffy

1. Question to Cr Crook, through the Mayor, who informed you that the SMO was a matter of urgency?

Response:

The recording of Cr Crook's speech during debate on OM132407-15 Salinity Management Overlay - Adoption of Amendment C67 has been checked. It has been confirmed that Cr Crook did not mention either DEPI or CCMA during that time, nor did he say that there was any urgency associated with the issue.

Alan Billing

1. In reference to the car hired for the opening of a bridge in the Otways, what was the cost of hiring the vehicle, who authorized the hiring of the vehicle and what value did it add to Council's road network?

Response:

The cost of hiring the motor vehicle used in the official opening of C Pearce's bridge located on Barham River Road was \$200 (ex GST). This expenditure was authorised by the General Manager Infrastructure and Services.

Council has completed a number of local road and bridges projects under the State Government's Country Roads and Bridges Initiative over the past two years of the programme. This programme was established to assist rural Councils in funding the renewal of their ageing transport infrastructure. In 2012/13, Council replaced four bridges within the Shire using funding from this programme. This included C Pearce's Bridge in Apollo Bay.

It is important that Council acknowledges the funding support that it receives from other levels of Government which help us deliver key improvements to infrastructure and services. Events such as this provide Council an opportunity to highlight the challenges it faces in managing its vast portfolio of infrastructure with limited funding and allows us to advocate for additional funding assistance.

2. At what point in the future can other industries within the Colac Otway Shire expect to receive similar financial support to that provided to the tourism industry?

Response:

The Australian Tourism Industry is recognised as a growth industry of the future. It attracts investment, supports business growth, creates jobs and makes a positive contribution to our balance of trade figures. The tourism industry in Colac Otway Shire produces \$116m in direct economic output, provides direct employment for 693 people and the economic multiplier effect of tourism is estimated at another 937 indirect jobs. The tourism industry receives some government assistance through the Federal Government support of Tourism Australia; the State Government support of Tourism Victoria and at a local level through local governments.

The Federal/State governments already have significant funding programs in place, for the motor vehicle industry, agriculture and the dairy industry, as examples, where many millions of dollars are provided, and have been for many years to sustain, promote and in general protect these industries due to their importance to the local economy and as important job providers.

Further, this Council has struck a differential rate on farmland which it does not apply to other businesses which recognises the contribution that farming makes to our community as the primary driver of economic wellbeing. No other industry enjoys this concession.

The level of funds provided at this level to assist the tourism industry is relatively insignificant by comparison.

The other levels of government rely on targeted support for tourism from local government as the tourism industry is largely the domain of small and locally based operators who need assistance with the coordination and marketing of their businesses to enable this growing industry to more effectively play its role in both the local and broader economies.

Colac Otway Shire provides a wide variety of services for business across all sectors but is obligated through this arrangement to support tourism at a more targeted level.

In Colac Otway Shire we provide two Visitor Information Centres, one in Colac and one at Apollo Bay that assist over 180,000 people per annum to enjoy our region and to spend their money in restaurants and cafes and at our local attractions. Council provides a Tourism Development Officer who works with tourism businesses helping them to develop and to attract more people to the area through campaigns such as 'Love Our Region'.

Finally, Council contributes to a regional tourism association, which now that the restructure of the region is complete, will be the Great Ocean Road Regional Tourism Board, where Council will partner with Surf Coast, Corangamite, and Moyne Shires and the City of Warrnambool.

Whilst Council does not directly support all industries in this way, the unique character of the tourism industry and its growing importance to our regional and local economy warrants the level of support that is provided.

Questions Received in Writing Prior to the Meeting

James Judd

1. Has Council yet received authority from the government to insert items that are supposed to be for the information of the community in general news items and not as public notices?

Response

Council is confident that advertising in this way is legal and this method of advertising has been used by a number of municipalities over a number of years. This includes for example City of Greater Geelong, Shires of Corangamite and Moyne and the City of Warrnambool.

2. How can Council explain its community consultation is carried out when it limits those it consults with to only Council officers according to claims made in the Council agenda.

Response:

Mr Judd has not provided any specific details of the item he refers to, however Council would only consult with Council officers on internal matters such as internal policies and/or procedures.

Catherine Sullivan - Colac

1. Is it possible for Council to make a decision tonight to include one or two additional categories in the Home and Garden Awards for 2013?

These would be:

- a. Owners corporate residential properties
 - b. A category for properties such as the health and aged care facilities near the Council building.
2. To facilitate this for 2013, could a Council officer be directed to communicate with all such property owners on the 24 October so they can all meet the deadline?
 3. Otherwise, could an additional week be allowed for these properties?
 4. If neither option is feasible for 2013, could consideration be given to including these categories in the 2014 Home and Garden Awards?

Response:

While it is too late for changes to be made to the format of the 2013 Home and Garden Awards, consideration will be given to this suggestion as part of the preparations for the 2014 Home and Garden Awards.

Tabling of Documents

1. Petition from Apollo Bay residents requesting a footpath in Montrose Avenue
2. Book, "Cororooke: A Dairy Factory 1901-2013."

Questions Received Verbally at the Meeting

Alan Billing - Larpent

1. How can the use of a rural rate differential be deemed to be financial support to agriculture when rural rate assessments represent only 17% of all rate assessments but contribute 26% of all rate revenue and this is despite the use of a 79% differential?

Response:

The CEO advised that if farm rates were charged at the ordinary rate that amount would be significantly higher and that in discussions held in the Council Chambers that had been one of the considerations in arriving at a lower differential rate for farms.

Dieter Wessner – Colac

1. Can you tell me who schedules the mobile street sweepers?

Response:

The Acting General Manager for Infrastructure and Services advised that the street sweeping is coordinated through CosWorks.

2. Can the street sweeping in future be scheduled to come after the garbage has been collected now that the bins are getting full of lawn cuttings again and the transfer from the bin into the garbage truck is not always clean and there ends up being a lot of clippings on the side of the road? Would it be possible to schedule it so that the street sweeper comes the day after the garbage is collected?

Response:

The Acting General Manager for Infrastructure and Services advised that under Council's waste collection contract, the contractor has an obligation to clean up any spills from the bins that are being collected and the street sweepings are coordinated to occur early in the morning to avoid conflict with parked vehicles and other activities within our streets.

Tony Webber – Otway Forum

1. Why is there no mention of community gardens or permaculture in the Heathfield Estate Reserve council report in today's council agenda?

Response:

The Mayor advised that this matter would be discussed when the item comes up during the course of today's meeting.

6. DECLARATION OF INTEREST

Rob Small	OM132310-25 CEO's Remuneration Review
Nature of Disclosure:	Direct

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 25/09/13.**

MOVED Cr Brian Crook seconded Cr Michael Delahunty that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

OM132310-1 CEO'S PROGRESS REPORT TO COUNCIL

Corporate and Community Services

OM132310-2 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013 - 2017
OM132310-3 G21 REGION HEALTH AND WELLBEING PLAN 2013-2017
OM132310-4 COUNCIL POLICY REVIEW
OM132310-5 NEW COUNCIL POLICIES
OM132310-6 FUTURE MANAGEMENT OF HARRINGTON MEMORIAL PARK
OM132310-7 HEATHFIELD ESTATE RESERVE
OM132310-8 COUNCIL ANNUAL REPORT 2012-2013
OM132310-1 ANNUAL FINANCIAL PERFORMANCE REPORT 2012-2013
OM132310-10 EMPLOYEE ANALYSIS FOR 2012-2013
OM132310-1 FIRST QUARTER FINANCIAL PERFORMANCE REPORT 2013-2014
OM132310-12 OPERATIONAL PLAN FIRST QUARTER PERFORMANCE REPORT
JULY - SEPTEMBER 2013
OM132310-13 NAMING OF UNNAMED ROAD AS "ROWS LANE", BARONGAROOK
WEST

Infrastructure and Services

OM132310-14 GREAT SOUTH COAST REGIONAL TRANSPORT STRATEGY
OM132310-15 DECLARATION OF ROAD AS UNUSED - ROAD ABUTTING 275
FLANNAGANS ROAD IRREWILLIPE
OM132310-16 ADOPTION OF THE INFRASTRUCTURE DESIGN MANUAL
OM132310-17 DECLARATION OF ROAD AS UNUSED – GOVERNMENT ROAD
NORTH WEST OF CROWN ALLOTMENT 11J, PARISH OF
MOORBANOOL

Sustainable Planning and Development

OM132310-18 ADOPTION OF PLANNING SCHEME AMENDMENT C72 PART 1

General Business

OM132310-19 ASSEMBLY OF COUNCILLORS
OM132310-20 ITEM FOR SIGNING & SEALING - STOCK UNDERPASS - RATTRAYS
ROAD, ONDIT

Notices of Motion

OM132310-21 NOTICE OF MOTION - WASTE WATER TREATMENT REGULATIONS
REVIEW

CHIEF EXECUTIVE OFFICER

ITEM	
<u>OM132310-1</u>	<u>CEO'S PROGRESS REPORT TO COUNCIL</u>

OM132310-1**CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/3442

***MOVED Cr Terry Woodcroft seconded Cr Frank Buchanan
That Council notes the CEO's Progress Report to Council.***

CARRIED 7 : 0

CORPORATE AND COMMUNITY SERVICES

ITEM	
<u>OM132310-2</u>	<u>MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013 - 2017</u>
<u>OM132310-3</u>	<u>G21 REGION HEALTH AND WELLBEING PLAN 2013-2017</u>
<u>OM132310-4</u>	<u>COUNCIL POLICY REVIEW</u>
<u>OM132310-5</u>	<u>NEW COUNCIL POLICIES</u>
<u>OM132310-6</u>	<u>FUTURE MANAGEMENT OF HARRINGTON MEMORIAL PARK</u>
<u>OM132310-7</u>	<u>HEATHFIELD ESTATE RESERVE</u>
<u>OM132310-8</u>	<u>COUNCIL ANNUAL REPORT 2012-2013</u>
<u>OM132310-9</u>	<u>ANNUAL FINANCIAL PERFORMANCE REPORT 2012-2013</u>
<u>OM132310-10</u>	<u>EMPLOYEE ANALYSIS FOR 2012-2013</u>
<u>OM132310-11</u>	<u>FIRST QUARTER FINANCIAL PERFORMANCE REPORT 2013-2014</u>
<u>OM132310-12</u>	<u>OPERATIONAL PLAN FIRST QUARTER PERFORMANCE REPORT JULY - SEPTEMBER 2013</u>
<u>OM132310-13</u>	<u>NAMING OF UNNAMED ROAD AS "ROWS LANE", BARONGAROOK WEST</u>

OM132310-2**MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013
- 2017**

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F13/6508

MOVED Cr Terry Woodcroft seconded Cr Michael Delahunty

That Council adopts the Municipal Public Health and Wellbeing Plan 2013 – 2017.

CARRIED 6 : 1

DIVISION called by Cr Frank Buchanan

***For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft,
Cr Michael Delahunty, Cr Frank Buchanan***

Against the Motion: Cr Chris Smith

OM132310-3**G21 REGION HEALTH AND WELLBEING PLAN 2013-2017**

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96717

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council supports the G21 Region Public Health and Wellbeing Plan 2013 – 2017.

CARRIED 7 : 0

OM132310-4**COUNCIL POLICY REVIEW**

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

MOVED Cr Brian Crook seconded Cr Frank Buchanan

That Council adopts the following revised policies:

<i>Policy 6.1</i>	<i>Landscaping Sponsorship</i>
<i>Policy 8.5</i>	<i>Investment Attraction</i>
<i>Policy 11.3</i>	<i>Special Rate and Special Charges</i>
<i>Policy 12.1</i>	<i>Recreation Reserve Fees and Charges</i>
<i>Policy 12.4</i>	<i>Plaques and Memorials in Colac Botanic Gardens</i>
<i>Policy 13.1</i>	<i>Closure of Unused Government Roads, Licencing of an Unused Road or Water Frontage</i>
<i>Policy 13.4</i>	<i>Installation and Usage of Stock Underpasses</i>
<i>Policy 13.6</i>	<i>Street Tree Management</i>
<i>Policy 13.7</i>	<i>Asset Management</i>
<i>Policy 13.8</i>	<i>Heavy Vehicle Access</i>
<i>Policy 13.10</i>	<i>Installation and Usage of Cattle Grids</i>
<i>Policy 15.1</i>	<i>Committees of Management of Drainage Systems</i>
<i>Policy 19.1</i>	<i>Municipal Building Control Intervention Filter Criteria Guideline</i>
<i>Policy 19.2</i>	<i>Municipal Pool and Spa Enforcement</i>

CARRIED 6 : 1

DIVISION called by Cr Frank Buchanan

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan

Against the Motion: Cr Chris Smith

OM132310-5**NEW COUNCIL POLICIES**

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

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council:

- 1. Adopts Policy 19.3 – Essential Safety Measures.***
- 2. Endorses the following Draft policies for release for community consultation for a period of not less than six (6) weeks:***

Policy No. 2.7 - Social Networking

Policy No. 20.2 - Naming of Roads, Localities and Features.

CARRIED 5 : 2

OM132310-6

FUTURE MANAGEMENT OF HARRINGTON MEMORIAL PARK

AUTHOR:	Ian Seuren	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F12/438

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

- 1. Dissolves the Harrington Memorial Park Wye River Advisory Committee once the Section 86 Committee of Management is established.***
- 2. Endorses the establishment of the Section 86 Harrington Memorial Park Committee of Management.***

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

- 1. Immediately suspends the authority of the Harrington Memorial Park Wye River Advisory Committee.***
- 2. Investigates and reports upon the degree of compliance of works with respect to the redevelopment "Multi Use Recreation Facility" (MURF) plans as advised to the community in December 2012.***
- 3. Investigates and reports upon the function of the Harrington Memorial Park Wye River Advisory Committee with respect to variations between the MURF plans and subsequent works.***
- 4. Defers the dissolution of the Harrington Memorial Park Wye River Advisory Committee to enable the committee to assist in the investigative procedures.***
- 5. Defers the establishment of the Section 86 Harrington Memorial Park Committee of Management until satisfactory resolution of the works program associated with the MURF.***

LOST 1 : 6***DIVISION called by Cr Michael Delahunty******For the Motion: Cr Chris Smith, Cr Michael Delahunty******Against the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Frank Buchanan*****LOST 2 : 5**

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

- 1. Endorses the establishment of the Section 86 Harrington Memorial Park Committee of Management.***
- 2. Dissolves the Harrington Memorial Park Wye River Advisory Committee.***

CARRIED 5 : 2

OM132310-7

HEATHFIELD ESTATE RESERVE

AUTHOR:	Ian Seuren	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3468

Original Recommendation(s)

That Council accepts the recommendation of the Heathfield Estate Reserve Community Reference Group to commence the process of establishing a lease agreement to use the reserve for grazing purposes.

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan:

That Council defers this decision until the December 2013 Council meeting to allow time for the permaculture group to put in their submission regarding this matter.

CARRIED 7 : 0

OM132310-8

COUNCIL ANNUAL REPORT 2012-2013

AUTHOR:	Margaret Giudice	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Notes the completion of the 2012/2013 Annual Report document and process.***
- 2. Notes the Auditor's unqualified reports on the Financial Statements, Standard Statements and Performance Statement.***
- 3. Notes the Annual Report was submitted to the Minister for Local Government by 30 September 2013 as required.***
- 4. Considers and receives the 2012/13 Annual Report as presented in accordance with sections 131 and 134 of the Local Government Act 1989.***

CARRIED 7 : 0

OM132310-9

ANNUAL FINANCIAL PERFORMANCE REPORT 2012-2013

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council notes the Annual Financial Performance Report 2012-2013.

CARRIED 7 : 0

OM132310-10**EMPLOYEE ANALYSIS FOR 2012-2013**

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Frank Buchanan

That Council notes the information provided on the analysis of employees for 2012-2013.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan

Against the Motion: Cr Chris Smith

**OM132310-11 FIRST QUARTER FINANCIAL PERFORMANCE REPORT
2013-2014**

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council receives the first quarter financial performance report for 2013-2014.

CARRIED 6 : 1

OM132310-12**OPERATIONAL PLAN FIRST QUARTER PERFORMANCE
REPORT JULY - SEPTEMBER 2013**

AUTHOR:	Margaret Giudice	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Frank Buchanan

That Council receives the 2013/2014 Operational Plan First Quarter Performance Report for the three months ending 30 September 2013.

Cr Woodcroft left the meeting between 6.35pm and 6.37pm.

CARRIED 7 : 0

OM132310-13

**NAMING OF UNNAMED ROAD AS "ROWS LANE",
BARONGAROOK WEST**

AUTHOR:	Paul Carmichael	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Michael Delahunty seconded Cr Terry Woodcroft

That Council:

- 1. Having given notice of its intention to name the unnamed road reserve located between the properties addressed as 125 Ackerleys Road West and 1160 Irrewillipe Road, Barongarook West as "Rows Lane" Barongarook West, hereby resolves to allocate this name to the road reserve in accordance with the provisions of clause 5 Schedule 10 of the Local Government Act 1989.***
- 2. Arranges for this resolution to be published in the Victorian Government Gazette.***
- 3. Notifies owners of abutting properties of this resolution.***
- 4. Arranges for street nameplates to be prepared and erected at both ends of the road reserve named as "Rows Lane".***

CARRIED 7 : 0

INFRASTRUCTURE AND SERVICES

ITEM	
<u>OM132310-14</u>	<u>GREAT SOUTH COAST REGIONAL TRANSPORT STRATEGY</u>
<u>OM132310-15</u>	<u>DECLARATION OF ROAD AS UNUSED - ROAD ABUTTING 275 FLANNAGANS ROAD IRREWILLIPE</u>
<u>OM132310-16</u>	<u>ADOPTION OF THE INFRASTRUCTURE DESIGN MANUAL</u>
<u>OM132310-17</u>	<u>DECLARATION OF ROAD AS UNUSED – GOVERNMENT ROAD NORTH WEST OF CROWN ALLOTMENT 11J, PARISH OF MOORBANOOL</u>

OM132310-14

GREAT SOUTH COAST REGIONAL TRANSPORT STRATEGY

AUTHOR:	Adam Lehmann	ENDORSED:	Rob Small
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

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

1. ***Endorses the Great South Coast Regional Transport Strategy.***
2. ***Continues to actively raise freight transportation issues which directly affect the municipality through the Great South Coast's Improve our Connections Pillar.***

MOTION - MOVED Cr Michael Delahunty seconded Cr Brian Crook:**That Council:**

1. ***Endorses the Great South Coast Regional Transport Strategy subject to the dot point referring to the Bypass route planning for Colac being revised in the Council report.***
2. ***Continues to actively raise freight transportation issues which directly affect the municipality through the Great South Coast's Improve our Connections Pillar.***

CARRIED 7 : 0

OM132310-15**DECLARATION OF ROAD AS UNUSED - ROAD ABUTTING 275
FLANNAGANS ROAD IRREWILLIPE**

AUTHOR:	James Watson	ENDORSED:	Adam Lehmann
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/4290

MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft

That Council:

- 1. Gives public notice of its intension to declare the section of unmade road described as the government road south east of Crown Allotment 32D, Parish of Irrewillipe as unused.***
- 2. Subject to a six (6) week notification period, considers any submissions in accordance with section 223 of the Local government Act 1989.***

CARRIED 7 : 0

OM132310-16

ADOPTION OF THE INFRASTRUCTURE DESIGN MANUAL

AUTHOR:	Ronan Corcoran	ENDORSED:	Adam Lehmann
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

MOVED Cr Michael Delahunty seconded Cr Terry Woodcroft

That Council:

- 1. Adopts the Infrastructure Design Manual as the Colac Otway Shire infrastructure design and development standard.***
- 2. Maintains involvement in the ongoing improvement of the Infrastructure Design Manual (IDM).***

CARRIED 7 : 0

**OM132310-17 DECLARATION OF ROAD AS UNUSED – GOVERNMENT ROAD
NORTH WEST OF CROWN ALLOTMENT 11J, PARISH OF
MOORBANOOL**

AUTHOR:	Adam Lehmann	ENDORSED:	Rob Small
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

Original Recommendation(s)

That Council:

- 1. Gives public notice of its intension to declare the section of unmade road described as the government road south east of Crown Allotment 11J, Parish of Moorbanool as unused.***
- 2. Subject to a six (6) week notification period, considers any submissions in accordance with section 223 of the Local government Act 1989.***

MOTION - MOVED Cr Chris Smith seconded Cr Frank Buchanan:

That Council:

- 1. Gives public notice of its intension to declare the section of unmade road described as the government road south east of Crown Allotment 11J, Parish of Moorbanool as unused.***
- 2. Subject to a six (6) week notification period, considers any submissions in accordance with section 223 of the Local government Act 1989.***
- 3. Also investigates the land tenure of Clancy's Access as shown on the map on page 111 of the Council agenda of 23 October 2013.***

CARRIED 7 : 0

SUSTAINABLE PLANNING AND DEVELOPMENT

ITEM	
<u>OM132310-18</u>	<u>ADOPTION OF PLANNING SCHEME AMENDMENT C72 PART 1</u>

OM132310-18

**ADOPTION OF PLANNING SCHEME AMENDMENT C72
PART 1**

AUTHOR:	Don Lewis	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F12/6651

MOVED Cr Terry Woodcroft seconded Cr Frank Buchanan

That Council:

- 1. Adopts Amendment C72 Part 1 with the following changes recommended by the independent panel report:***
 - a. Revise Schedule 9 to the Design and Development Overlay to:***
 - Include the guidance provided in Chapter 2.2 Arrival Experience of the Colac CBD and Entrances Project relating to the treatment of interfaces with the highway;***
 - Include an objective relating to minimising of visual clutter;***
 - Delete decision guidelines referring to external documents; and***
 - Include the Colac Structure Plan 2007 and the Colac CBD and Entrances Project 2012 as reference documents.***
 - b. Amend the DDO1, DDO3 and DDO8 to limit the role of external documents to that of a reference document.***
 - c. Change the following Clause 21.03-2 strategy to add the underlined words:***
“Retain heritage places and areas as significant components of Colac's character and attractiveness and encourage their adaptive reuse and restoration including by supporting innovative uses that attract visitors and customers into disused retail areas.”
- 2. Forwards the adopted amendment to the Planning Minister for approval.***

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan

Against the Motion: Cr Chris Smith

GENERAL BUSINESS

ITEM	
<u>OM132310-19</u>	<u>ASSEMBLY OF COUNCILLORS</u>
<u>OM132310-20</u>	<u>ITEM FOR SIGNING & SEALING - STOCK UNDERPASS - RATTRAYS ROAD, ONDIT</u>

OM132310-19 ASSEMBLY OF COUNCILLORS

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

Original Recommendation(s)

That Council notes the Assembly of Councillors reports for:

- *Friends of the Colac Botanic Gardens* 12 September 2013
- *Councillor Workshop* 18 September 2013
- *Councillor Briefing Session* 25 September 2013
- *Councillor Workshop* 2 October 2013
- *Councillor Workshop* 9 October 2013.

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan:

That Council notes the Assembly of Councillors reports for:

- *Councillor Workshop* 18 September 2013
- *Councillor Briefing Session* 25 September 2013
- *Councillor Workshop* 2 October 2013
- *Councillor Workshop* 9 October 2013.

CARRIED 7 : 0

OM132310-20

ITEM FOR SIGNING & SEALING - STOCK UNDERPASS - RATTRAYS ROAD, ONDIT

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	11/95455

MOVED Cr Terry Woodcroft seconded Cr Michael Delahunty

That Council sign and seal the Stock Underpass Agreement between Colac Otway Shire Council and R. C. & C. L. Angus for a stock underpass under Rattrays Road, Ondit.

CARRIED 7 : 0

NOTICES OF MOTION

ITEM	
<u>OM132310-21</u>	<u>NOTICE OF MOTION - WASTE WATER TREATMENT REGULATIONS REVIEW</u>

OM132310-21 NOTICE OF MOTION - WASTE WATER TREATMENT REGULATIONS REVIEW (CR FRANK BUCHANAN)***That Council:***

- *Requests the State Minister for Water review Waste Water (Sewerage) Treatment regulations in water catchments in light of what is seen as over onerous conditions relating to sewerage treatment on residential properties.*
- *Seeks consideration of modern onsite treatment systems as acceptable alternatives in these water catchment zones.*

Recommendation

That Council consider the contents of this Notice of Motion.

MOTION - MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft:

That Council:

- 1. Requests the State Minister for Water review Waste Water (Sewerage) Treatment regulations in water catchments in light of what is seen as over onerous conditions relating to sewerage treatment on residential properties.***
- 2. Seeks consideration of modern onsite treatment systems as acceptable alternatives in these water catchment zones.***
- 3. Recognises the work, cooperation and commitment of Wannon Water, Barwon Water and the Member for Polwarth, the Honourable Terry Mulder MP, now in progress in seeking a solution to this issue.***

AMENDMENT - MOVED Cr Chris Smith:

That the following be added as point 4:

"Acknowledges that the residents currently affected is a result of Council's current Wastewater Management Plan being out of date"

The amendment lapsed due to the lack of a seconder.

MOTION - MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft:

That Council:

- 1. Requests the State Minister for Water review Waste Water (Sewerage) Treatment regulations in water catchments in light of what is seen as over onerous conditions relating to sewerage treatment on residential properties.***
- 2. Seeks consideration of modern onsite treatment systems as acceptable alternatives in these water catchment zones.***
- 3. Recognises the work, cooperation and commitment of Wannon Water, Barwon Water and the Member for Polwarth, the Honourable Terry Mulder MP, now in progress in seeking a solution to this issue.***

CARRIED 7 : 0

IN COMMITTEE

MOVED Cr Frank Buchanan seconded Cr Brian Crook that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Contract Approval Contract 1323 - Bituminous Sealing Works	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1322 - Bluewater Fitness Centre Redevelopment	this matter deals with contractual matters	Section 89 (2) (d)
Proposed Rates Recovery Sales	this matter may cause personal hardship of any resident or ratepayer; AND this matter may prejudice the Council or any person	Section 89 (2) (b) (h)
CEO's Remuneration Review	this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (d) (h)

CARRIED 7 : 0

Cr Smith and Council officers left the meeting at 8.36pm. The CEO returned to the meeting at 8.43pm.


OUT OF COMMITTEE

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

CARRIED 6 : 0

The Meeting Was Declared Closed at 8.49pm

CONFIRMED AND SIGNED at the meeting held on 27 NOVEMBER 2013

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