

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC Meeting Rooms on 25 June 2014 at 4.00pm.

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

Rob Small, Chief Executive Officer
Colin Hayman, General Manager, Corporate & Community Services
Phil Corluka, General Manager, Infrastructure & Services
Jack Green, General Manager, Sustainable Planning & Development
Carmen Lawrence, Manager Organisational Support & Development
Rhonda Deigan, Executive Officer

PART

Ashley Roberts, Manager Finance & Customer Services (4.00pm to 7.20pm)

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.

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

Tabling of Documents

1. Petition from C Clarke requesting that the "Give Way" sign at the intersection at Hearn Street and Sinclair Street South be changed to a "Stop Sign"
2. Letter from Sharyn Faulkner requesting support for marriage equality.

Questions Received in Writing Prior to the Meeting

Don Anderson

1. Re proposed rate increase in the 2014/2015 Draft Budget for the 360 ratepayers of Elliminyt, Colac West and East areas. The increase in rates will possibly only generate an income of approximately \$100-175,000. For this very small increase in revenue, you have created an extremely unhappy and irate group of ratepayers. This is unfair and unjustified. Why would you choose to penalise so few ratepayers when this could be saved by a cutback in shire expenses? ie;
 - a. Cutback food and drink provision at every staff meeting and official function
 - b. Vehicle cost cutbacks, ie; introduce car pooling and tighten vehicle expense wastage
 - c. Tighten all shire staff on unnecessary fringe benefits.

Response:

Council adopted its Rating Strategy at the March 2014 meeting which included the change in rating to the Elliminyt, Colac West and East areas. It is Council's position that the application of the Colac Residential rate to these properties correctly represents their true use and proximity to Colac and corrects existing anomalies within Council's rating structure.

Council looks at all items of expenditure as part of the budget process and where savings can be made.

James Judd

1. The works at Memorial Square in Gellibrand Street, Colac, advertised to start on 19 May 2014. The road only to be open for north bound traffic. Since the street remained open for another 10 days for two way traffic, what was the date on the signed contract that works were required to start by? The detour sign at the intersection on south side Dennis Street and Gellibrand Street needs improved lighting as some traffic heading south still continue south using the west side open for north bound traffic in the non-sunlight periods.

Response:

The contract documents do not reference a start date for the commencement of works. The contractor initially advised the commencement date for works would be 19 May 2014, however there was a hold up in obtaining permits to work in close vicinity to the power poles.

Council has discussed the signage in the area of the works, and while the traffic management plan is correct, it was agreed to alter the sign at the roundabout to increase clarity for drivers and thus prevent vehicles entering the wrong way. Additional lighting of the area is not considered necessary.

2. When will Council accept responsibility to make sure its records are up to date at a time claimed an amount owing prior to sending out demands for payment. Should Council have its rates notices prepared outside, it is not exempt from making sure its records are correct prior to sending out notices. Demands for payment when nothing is not new for this Council.

Response:

Council considers it is the best use of its resources to outsource the printing and postage of rate notices and reminder notices. Council does not have the necessary equipment to bulk print and post these in as an effective manner as does Council's contractor.

Council takes great care to ensure that rate and debt balances are correct and current when forwarding this information to our printing contractor. The timing of when individual ratepayers actually make payments is completely out of the control of Council. Also beyond the control of Council is when the rate notices are actually delivered to individual ratepayers (this is the scope of the postal service). It will always remain possible for any ratepayer to make a payment in the time between their rate notice being posted and their rate notice actually being delivered, regardless of whether rate notices are printed in-house by Council or via an external contractor.

It is Council's experience that the number of ratepayers falling into this category is very small.

3. What is the Colac Otway Shire share of the State Government's allocation of \$9m for regional councils to access infrastructure demand, develop business cases and manage projects allocation?

Response:

We are totally unaware of what the question is about and request further clarification from the questioner.

4. Re Council Agenda, page 48: The excuse that reduction in income as a result of freezing funds income and limiting rate rises to CPI to justify rate increases needs Council to explain this claim since CPI rate increases were floated by a body not in control of the State finances with no guarantee if elected it would ever carry out this promise.

Response:

Council has limited sources from which it can raise income. The major of these being rates, which account for 56% of Council's income, and grants, which account for 32% of Council's income. It is obvious that any limitations placed on either Council's ability to raise rates or it's grants allocations will have significant effects on Council's financial and service provision capacity.

The freezing of financial assistance grants and the potential of CPI capping to rates is not being used in any way as a justification for raising rates for in the 2014-15 Budget. However Council is duty bound as part of its obligation of providing for prudent financial management to raise any issues which may have a negative impact on its future financial capacity and service delivery potential.

Questions Received Verbally at the Meeting

Don Anderson – Elliminyt

1. I have written to each Councillor asking the same question, why have I only received a response to that question from the Mayor and not from each of the Councillors?

Response

The Mayor advised that the answer had been provided on behalf of all Councillors. The General Manager Corporate and Community Services advised that the question had been received and answered in accordance with Council's Local Law no. 4.

Cr Smith asked why each Councillor had not received a copy of the letter from Mr Anderson.

The Mayor undertook to follow the matter up.

Yvonne Francis – Apollo Bay

1. Why are footpaths poorly addressed by the Colac Otway Shire in the township of Apollo Bay? Why do we have to walk on muddy grass or the road? Why are the rates in Apollo Bay as high as in Melbourne when we don't have lovely facilities such as this COPACC centre?

Response:

The General Manager for Infrastructure and Services advised that the Apollo Bay Footpath Strategy was submitted to Council for adoption two months ago and as part of that strategy several different categories of footpaths were identified. The specific classification for Montrose Avenue would require further investigation and was taken on notice.

Rebecca Lane

1. Do you believe that ratepayers have been given enough time and explanation to investigate and understand the implications of the proposed rate increases affecting Elliminyt, Colac East and Colac West?

Response;

The Mayor advised that the draft budget had been out for a six week consultation period, which by law is only required to last for four weeks. The Revenue Coordinator

for the Colac Otway Shire has the qualifications to answer any questions ratepayers might have.

Peter Jacobs – Separation Creek

Mr Jacobs indicated that his questions would relate to plans by Minister Guy to gazette changes to the Bushfire Management Overlay next week.

| | |
|-----------------------|---|
| Cr Hart: | OM142506-13 Colac Otway Bushfire Planning Project - Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owens a property in Lavers Hill and a property near Lavers Hill which are covered in this report. The property near Lavers Hill is one of a group of properties that may have been re-zoned to "Rural Living" subject to this report. |

Having declared a conflict of interest in this item, Cr Hart left the meeting at 4.20pm.

1. Given the amount of information available to it, why has this Council persisted, even at the eleventh hour, in trying to adopt such a divisive and reprehensible bushfire report? When the State Government initially made a grant to Council, would it have not been more appropriate to use that money for more acceptable and warranted community projects such as community refuges, Neighbourhood Safer Places or even the fire component of the Wye project and not been a waste of money and resources as has been the case in the futile exercise for Wye River, Separation Creek, Kennett Creek and Wye River?

Response:

The Mayor advised that funding provided by the State Government generally has a purpose for which that funding can be spent and its expenditure must meet a specific criteria.

The General Manager for Sustainable Planning & Development advised that the report had been undertaken by Council to make it easier for affected property owners. The funding had been provided by State Government for this specific purpose and could not be used as suggested by Mr Jacobs. The consultants used to prepare the report had been recommended by the State Government and any planned changes had not been communicated to Council or the consultants. The report had been withdrawn from the agenda to enable an assessment of any proposed changes which could not be undertaken until the detailed information had been received by Council. The study will still be valuable to people in low Bushfire Attack Level (BAL) areas as they will not be required to undertake the full BAL assessment.

Cr Hart returned to the meeting at 4.26pm.

Bill Brown – Dreeite

1. Why have I not received a copy of Council budgets for the 2011, 2012 and 2013 financial years as previously requested by me?

The Mayor advised that she would follow up the request.

Sheryl Smith – Wye River

Flagged a question relating to the Colac Otway Bushfire Planning Project.

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|-----------------------|---|
| Cr Hart: | OM142506-13 Colac Otway Bushfire Planning Project - Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owens a property in Lavers Hill and a property near Lavers Hill which are covered in this report. The property near Lavers Hill is one of a group of properties that may have been re-zoned to "Rural Living" subject to this report. |

Having declared a conflict of interest in this item, Cr Hart left the meeting at 4.29pm.

1. Will Council issue an apology to the community for the emotional and psychological distress caused by the Colac Otway Bushfire Planning Project given that Council was advised of possible changes by the State Government 8 weeks ago? If not, will Council acknowledge the detrimental impact of this process on the affected community?

Response:

The Mayor advised that Wye River was not included in the report.

2. Then why did the consultants provide a presentation to the residents of Wye River?

Response:

The Mayor advised that Wye River was removed from the report after the presentation was given.

The CEO advised that there had been no definitive indication from the Minister or the State Government about changes to the Bushfire Management Overlay. The assessments remain an effective way to streamline the process for many landowners. Officers are continuing to check with the Minister and the consultants what the changes will be and these will be further analysed when that information is received. This policy is a result of directions arising from the Black Saturday Bushfire Royal Commission and are State Government driven. This Council is not doing anything wrong by undertaking actions to keep its community safe and is not liable for any distress caused.

Cr Hart returned to the meeting at 4.32pm.

Alan Billing – Larpent

1. With reference to the 150 year anniversary of local government in this area which was achieved on 10 May this year, why did the Colac Otway Shire ignore such a significant event?

Response:

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

2. With reference to the allocation of \$1.3m for information technology (IT) in the 2014/2015 budget, what strategy is Council developing to get that area of expenditure under control?

Response:

The General Manager for Corporate and Community Services advised that while the allocation for IT did increase, the allocation for information management services decreased resulting in a net increase of \$40,000. This was a result of a staff member

being transferred between units to undertake the implementation of a records management software program. That staff person has now been reassigned to IT.

3. Given that the tourism industry, which directly employs 680 people, is being allocated \$620,000 in the 2014/2015 budget, at what point in future will the manufacturing industry, with 1020 direct employees in the Colac Otway Shire, receive similar support?

Response:

The CEO stated that the manufacturing industry is supported by large businesses, which do their own promotion and marketing. The tourism industry consists of small businesses which while they do not have the same capacity to undertake the same level of promotion and marketing, provide significant benefits for the rest of the shire and not just directly to employees. The allocation to tourism also includes an amount to encourage settlement within the Shire. Based on this information it is difficult to make comparisons between the two industries.

4. Given that visitor numbers have remained static and there are a significant number of empty business premises within the municipality, how does Council justify the level of expenditure given to economic development and tourism with these poor outcomes?

Response:

The General Manager for Sustainable Planning and Development advised that the funding allocated to economic development was \$700,000 for tourism with the balance going towards marketing and working with local businesses. The State and Federal Governments provides funds to manufacturing which have large peak bodies advocating on their behalf. The State Government expects local government to look after the tourism industry which generally consists of small operators.

The CEO stated that he believed the budget allocation was justified and that the money is being spent wisely. There is a growing level of business confidence within the Shire and ongoing opportunities for economic development which are being fostered. The CEO stated that he was satisfied with the allocation of funding to that area of Council's services.

Leigh Barrett – Colac

1. Why doesn't Council prune its expenditure in the same way the many businesses with the Shire has been forced to?

Response:

The CEO advised that Council had cut its expenditure last year and that as a result of a review of service levels, a number of further savings had been identified and these had been reflected in the proposed budget. A number of factors, such as the high cost of gravel, impact on the costs incurred by Council which have risen in excess of the CPI. While operating expenditure has been reduced in the last two years, asset renewal expenditure needs to be maintained.

Ben Cardinal – Colac

1. Why doesn't Council put a small increase on all ratepayers instead of such a large increase on 3% of us?

Response:

The Mayor responded that Council undertakes a budget process that looks at what we are doing, what we need to do and what we want to do. This information guides Councillors in making their decisions.

MOTION - MOVED Cr Chris Smith seconded Cr Michael Delahunty:

That Council extends question time by 30 minutes.

CARRIED 6 : 0

Rebecca Lane – Colac

1. Why did Councillors wait six years to address the anomaly in rates?

Response:

The General Manager for Corporate and Community Services advised that the decision to revise the rates category for Elliminyt, Colac East and Colac West had come out of the review of the Rating Strategy undertaken earlier this year.

2. How can you put the increase on these people in 2008 and every property bought prior to the abolishment of the rural residential rate and put on the residential balance of shire, how have you been able to justify that they were charged the higher rate?

Response:

The Mayor advised that she was not on Council in 2008 and that a review of the Rating Strategy had been undertaken and put out for a six week period for community consultation. There had been significant media coverage of the Rating Strategy during that time and the community needs to take responsibility for knowing what is going on.

3. Who were the Councillors who voted on the Rating Strategy?

Response:

The General Manager for Corporate and Community Services advised that the Ratings Strategy had been adopted by 6 votes to 1. The question as to who voted for the strategy would need to be taken on notice.

Alwyn Williamson – Elliminyt

1. Is it right that we will be able to pay half of the increase this year and half the next year?

Response:

The Mayor advised that was part of the recommendation to be considered today.

2. What is the use of that, won't it just mean that we have to pay even more next year?

Response:

The Mayor advised that there would be no amount owing carried forward to next year as it is proposed that the increase be phased in over two years.

Alex McKenzie

1. In order to achieve a reduction in expenditure, is the new CEO going to be offered the same salary as the existing CEO?

Response:

The Mayor advised as this was a contractual matter it could not be discussed until negotiations had been finalised.

Bill Brown – Dreeite

1. With reference to the number of parking infringement notices issued by Council, would it not be better if Council devised a way of giving motorists a warning instead of a parking ticket as a way of attracting shoppers to shop in the town?

Response:

The Mayor advised that allowing motorists to overstay parking limits resulted in a negative impact on local businesses. Parking restrictions are clearly on display for motorists to adhere to.

Yvonne Francis – Apollo Bay

1. Why is the Council office in Apollo Bay only open half a day?

Response:

The CEO advised that it was not cost effective to open the Apollo Bay office all day given the level of business undertaken in that town.

2. Why did this Council wait until a resident of Apollo Bay fell over on the footpath outside our main supermarket before they put in a footpath?

Response:

The CEO advised that the person tripped on the curb and not the footpath. The curb is about to be replaced. There is a program for the replacement of footpaths and curbs overtime based on their urgency.

3. Why wasn't the Council meeting held in Apollo Bay in May more widely advertised?

Response:

The Mayor advised that the meeting had been advertised in the Apollo Bay News, the Colac Herald and Council's website. Council is not able to force people to attend meetings.

Kerrie Anderson – Elliminyt

1. Why is it difficult for people to find budget information on Council's website and to interpret and understand the information?

Response:

The General Manager for Corporate and Community Services advised that he was not sure why the budget document was hard to access on the website and would investigate why that was so. Council is required to contain specific information within its budget document and would take on board suggestions from the community on how that can be made easier to understand.

Don Anderson – Elliminyt

1. Please explain why so much money was spent on the playground at the Alvie Recreation Reserve when it was located behind the goal posts making it unsafe for children to use during football matches?

Response:

The General Manager for Corporate & Community Services advised that the funds had been provided by the State Government and that in response to a request from the Alvie community, Council had decided to use the funds for that purpose. The question relating to the location of the playground would need to be taken on notice.

2. Why are Councillors not listening to the community and trying to reduce the increase in rates and why are they not asking the CEO to reduce operating costs when the majority of expenditure is going towards wages and IT?

Response:

The CEO advised that a significant proportion of the community were receiving a reduction in rates, namely farmers. The majority of the increase in rates is not directly related to operational expenditure. The increase in wages is a result of the increase included within Council's Enterprise Bargaining Agreement and as a result of wage costs being consolidated into one area. The major increase in expenditure is the result of keeping pace with asset renewal.

The Mayor advised that it was not possible for employers to sack people without incurring costs resulting from redundancy payments.

3. Why can't costs be cut when the majority of the increase in wages is going to new staff?

Response:

The Mayor advised that only two new staff were being employed as part of the proposed budget, a new gardener and an apprentice mechanic.

Marjorie Hamilton

1. How many Colac Otway Shire Council employees live outside the shire?

Response:

The Mayor advised that Council could not compel its staff to live within the shire, nor could it compel its residents to work within the Shire.

Max Arnott – Colac

1. Could Council consider increasing services to the properties affected by the increase in the differential rates, such as increased grading of gravel roads?

Response:

The Mayor advised that this suggestion would be taken into account during future budget discussions.

Rebecca Lane

1. Can ratepayers of this shire appeal to the State Government regarding the mismanagement of Council with respect to this budget process?

Response:

The Mayor advised that ratepayers had the right to appeal to the Ombudsman.

6. DECLARATION OF INTEREST

| | |
|-----------------------|---|
| Cr Hart: | OM142506-13 Colac Otway Bushfire Planning Project - Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owens a property in Lavers Hill and a property near Lavers Hill which are covered in this report. The property near Lavers Hill is one of a group of properties that may have been re-zoned to "Rural Living" subject to this report. |

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|----------------------------|---|
| Cr Delahunty: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | Member of Rotary Club sub-committee which is to receive funds |

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|-----------------------|--|
| Cr Delahunty: | OM142506-14 Planning Scheme Amendment C74 (Apollo Bay Settlement Boundary & Urban Design Review Implementation) – Consideration of Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owns property in Apollo Bay |

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|----------------------------|---|
| Cr Smith: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | Member of some of the events involved in the report. |

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| Rob Small: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | President of Rotary Club which is to receive funds |

| | |
|-----------------------|--|
| Phil Corluka: | OM142506-2 Appointment of Acting Chief Executive Officer |
| Nature of Disclosure: | Direct |
| Nature of Interest: | It is recommended in the report that he be appointed to the position of Acting Chief Executive Officer |

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 28/05/14.

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 6 : 0

OFFICERS' REPORTS**Chief Executive Officer**

- OM142506-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM142506-2 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER
- OM142506-3 REFUGEE WELCOME ZONE PROGRAM
- OM142506-4 ALTERNATIVE COUNCILLOR REPRESENTATIVE - G21 EDUCATION & TRAINING PILLAR
- OM142506-5 SERVICE LEVEL STATEMENTS

Corporate and Community Services

- OM142506-6 ADOPTION OF THE 2014-15 ANNUAL BUDGET
- OM142506-7 COUNCIL PLAN 2013-2017 REVIEW
- OM142506-8 2014-2015 COMMUNITY FUNDING PROGRAM
- OM142506-9 FESTIVAL & EVENTS SUPPORT SCHEME 2014-2015

Infrastructure and Services

- OM142506-10 BLUEWATER FITNESS CENTRE REDEVELOPMENT PROJECT - PROGRESS REPORTING
- OM142506-11 ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL

Sustainable Planning and Development

- OM142506-12 2014/2015 SMALL TOWN IMPROVEMENT PROGRAM (STIP) ALLOCATIONS
- OM142506-13 COLAC OTWAY BUSHFIRE PLANNING PROJECT – SUBMISSIONS (DEFERRED)
- OM142506-14 PLANNING SCHEME AMENDMENT C74 (APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW IMPLEMENTATION) - CONSIDERATION OF SUBMISSIONS
- OM142506-15 PLANNING SCHEME AMENDMENT C77 - HERITAGE AUDIT IMPLEMENTATION

General Business

- OM142506-16 ASSEMBLY OF COUNCILLORS
- OM142506-17 MINUTES FROM YOUTH COUNCIL MEETINGS
- OM142506-18 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

Notices of Motion

- OM142506-19 COUNCIL BORROWINGS

Reports from Delegates to Other Bodies

- OM142506-20 REPORT FROM DELEGATE - MUNICIPAL ASSOCIATION OF VICTORIA (MAV) STATE COUNCIL MEETING OF 16 MAY 2014

CHIEF EXECUTIVE OFFICER

| <u>ITEM</u> | |
|--------------------------|---|
| <u>OM142506-1</u> | <u>CEO'S PROGRESS REPORT TO COUNCIL</u> |
| <u>OM142506-2</u> | <u>APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER</u> |
| <u>OM142506-3</u> | <u>REFUGEE WELCOME ZONE PROGRAM</u> |
| <u>OM142506-4</u> | <u>ALTERNATIVE COUNCILLOR REPRESENTATIVE - G21 EDUCATION & TRAINING PILLAR</u> |
| <u>OM142506-5</u> | <u>SERVICE LEVEL STATEMENTS</u> |

OM142506-1 CEO'S PROGRESS REPORT TO COUNCIL

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

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

CARRIED 6 : 0

| | |
|-----------------------|--|
| Cr Hart: | OM142506-13 Colac Otway Bushfire Planning Project - Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owns a property in Lavers Hill and a property near Lavers Hill which are covered in this report. The property near Lavers Hill is one of a group of properties that may have been re-zoned to "Rural Living" subject to this report. |

During the discussion on this item, Cr Hart left the meeting from 5.19pm to 5.20pm and again from 5.30pm to 5.32pm as a result of having declared a conflict of interest in item OM142506-13.

OM142506-2 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

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|-------------|-------------|-----------|-------------|
| AUTHOR: | Lyn Russell | ENDORSED: | Lyn Russell |
| DEPARTMENT: | Executive | FILE REF: | F11/3291 |

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|-----------------------|--|
| Phil Corluka: | OM142506-2 Appointment of Acting Chief Executive Officer |
| Nature of Disclosure: | Direct |
| Nature of Interest: | It is recommended in the report that he be appointed to the position of Acting Chief Executive Officer |

MOVED Cr Frank Buchanan seconded Cr Stephen Hart

That Council endorses the appointment of Mr Phil Corluka as Acting Chief Executive Officer commencing on 1 July 2014 until the newly appointed Chief Executive Officer commences in the role.

CARRIED 6 : 0

OM142506-3

REFUGEE WELCOME ZONE PROGRAM

| | | | |
|-------------|-----------|-----------|-----------|
| AUTHOR: | Rob Small | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | F11/3291 |

Original Recommendation**That Council:**

1. ***Resolves that the Colac Otway Shire becomes a 'Refugee Welcome Zone' and signs the 'Refugee Welcome Zone Declaration'.***
2. ***Communicates its resolution and related action to the Colac Otway Shire community, the local network of Rural Australians for Refugees, the G21 Region Alliance and the Refugee Council of Australia.***
3. ***Requests officers to arrange a formal signing ceremony to coincide with a future Council meeting.***

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

1. ***Resolves that the Colac Otway Shire becomes a 'Refugee Welcome Zone' and signs the 'Refugee Welcome Zone Declaration'.***
2. ***Communicates its resolution and related action to the Colac Otway Shire community, the local network of Rural Australians for Refugees, the G21 Region Alliance and the Refugee Council of Australia.***
3. ***Requests officers to arrange a formal signing ceremony to coincide with a future Council meeting.***
4. ***Uses no ratepayer funds to enact this program without a further Council resolution being passed unless those funds are used to bring the motion before Council.***

The addition of point 4 was deemed to be hostile to the original recommendation and was ruled out of order by the Mayor.

MOTION – MOVED Cr Chris Smith**That Council:**

1. ***Resolves that the Colac Otway Shire becomes a 'Refugee Welcome Zone' and signs the 'Refugee Welcome Zone Declaration'.***
2. ***Communicates its resolution and related action to the Colac Otway Shire community, the local network of Rural Australians for Refugees, the G21 Region Alliance and the Refugee Council of Australia.***
3. ***Requests officers to arrange a formal signing ceremony to coincide with a future Council meeting.***
4. ***Uses no ratepayer funds to enact this program beyond was is passed today without a further Council resolution being passed unless those funds are used to bring the motion before Council.***

The addition of point 4 was deemed to be hostile to the original recommendation and was ruled out of order by the Mayor.

MOTION – Moved Cr Brian Crook and seconded Cr Frank Buchanan

That Council:

- 1. Resolves that the Colac Otway Shire becomes a 'Refugee Welcome Zone' and signs the 'Refugee Welcome Zone Declaration'.***
- 2. Communicates its resolution and related action to the Colac Otway Shire community, the local network of Rural Australians for Refugees, the G21 Region Alliance and the Refugee Council of Australia.***
- 3. Requests officers to arrange a formal signing ceremony to coincide with a future Council meeting.***

CARRIED 4 : 2

DIVISION called by Cr Michael Delahunty

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

**OM142506-4 ALTERNATIVE COUNCILLOR REPRESENTATIVE - G21
EDUCATION & TRAINING PILLAR**

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|-------------|---------------|-----------|-----------|
| AUTHOR: | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | 11/96715 |

Original Recommendation(s)

That Council nominates Cr.....as an alternative Colac Otway Shire Councillor representative on the G21 Education and Training Pillar.

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan:

That Council nominates Cr Brian Crook as an alternative Colac Otway Shire Councillor representative on the G21 Education and Training Pillar.

CARRIED 6 : 0

OM142506-5 SERVICE LEVEL STATEMENTS

| | | | |
|-------------|-----------|-----------|-----------|
| AUTHOR: | Rob Small | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | F13/9159 |

Original Recommendation(s)

That Council adopts the service level statements for 2014-2015.

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:

That Council notes the service level statements for 2014-2015.

CARRIED 6 : 0

CORPORATE AND COMMUNITY SERVICES

| ITEM | |
|--------------------------|--|
| <u>OM142506-6</u> | <u>ADOPTION OF THE 2014-15 ANNUAL BUDGET</u> |
| <u>OM142506-7</u> | <u>COUNCIL PLAN 2013-2017 REVIEW</u> |
| <u>OM142506-8</u> | <u>2014-2015 COMMUNITY FUNDING PROGRAM</u> |
| <u>OM142506-9</u> | <u>FESTIVAL & EVENTS SUPPORT SCHEME 2014-2015</u> |

OM142506-6

ADOPTION OF THE 2014-15 ANNUAL BUDGET

| | | | |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR: | Roberts Ashley | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | 11/95682 |

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council:

- 1. Having considered all submissions received, adopts the 2014-2015 Budget annexed to this resolution as Attachment 1 in accordance with Section 130 of the Local Government Act 1989 (the Act).**
- 2. Authorises the Chief Executive Officer to:**
 - a. Give public notice of this decision to adopt the 2014-2015 Budget, in accordance with Section 130(2) of the Act;**
 - b. Forward a copy of the adopted Budget to the Minister for Local Government before 31 August 2014, in accordance with Section 130(4) of the Act;**
 - c. Make available a copy of the adopted Budget at the Rae Street Office and the Apollo Bay Customer Service Centre for public inspection in accordance with section 130(9) of the Act; and**
 - d. Thank persons making submissions to the budget in writing for their submission and advise of the outcome of the budget decision.**
- 3. Authorises the amount intended to be raised:**

An amount of \$ 26,415,358 be declared as the amount that Council intends to raise by general rates, municipal charge and service (Waste Management) charges, which is calculated as follows:

| Category | Income |
|--|-----------------------------|
| General Rates (including Supplementary rates) | \$ 21,421,319 |
| Municipal Charge | \$ 2,389,383 |
| Annual Service (Waste Management) Charges | \$ 2,604,656 |
| TOTAL | <u>\$ 26,415,358</u> |

- 4. Authorises a general rate be declared for the period commencing 1 July 2014 to 30 June 2015 and that:**
 - 4.1 It be declared that the general rate be raised by the application of differential rates.**
 - 4.2 A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:**
 - 4.2.1 Residential Land – Colac**
Any land which is located in Colac, Colac East, Colac West or Elliminyt that is not zoned for commercial or industrial use and which:
 - 4.2.1.1 is vacant or used primarily for residential purposes; and**
 - 4.2.1.2 does not have the characteristics of:**

- a) *Rural Farm Land;*
- b) *Holiday Rental Land; or*
- c) *Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.*

4.2.2 Residential Land – Colac East, Colac West or Elliminyt

Any land whether vacant or built upon, which is located in Colac East, Colac West or Elliminyt that is not zoned for commercial or industrial use and which:

4.2.2.1 does not have the characteristics of:

- a) *Rural Farm Land;*
- b) *Holiday Rental Land; or*
- c) *Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt.*

4.2.3 Residential Land - Balance of Shire

Any land whether vacant or built upon or which is not located in Colac, Colac East, Colac West or Elliminyt that:

4.2.3.1 does not have the characteristics of:

- a) *Rural Farm Land;*
- b) *Holiday Rental Land;*
- c) *Commercial/Industrial Land – Colac, Colac East, Colac West or Elliminyt; or*
- d) *Commercial/Industrial Land – Balance of Shire.*

4.2.4 Rural Farm Land

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

4.2.5 Holiday Rental Land

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

4.2.5.1 is used for the provision of holiday accommodation for the purpose of generating income; or

4.2.5.2 is made generally available for holiday accommodation and is a secondary or supplemental source of income for the owner.

Note: Typically, the category will include absentee owned holiday houses, owner occupied “Bed and Breakfast” establishments, farm properties with accommodation cabins, holiday farms and the like.

The category will not include land used to provide tourist/holiday accommodation on an overtly commercial scale and basis where the provision of accommodation is an integral part of the use of the property. The types of properties excluded from this category would include motels, resorts, hotels with accommodation, caravan parks, centrally managed and promoted multi-unit developments and the like.

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

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

- 4.2.6.1** *does not have the characteristics of:*
- a) *Rural Farm Land;*
 - b) *Residential Land – Colac, Colac East, Colac West or Elliminyt; or*
 - c) *Holiday Rental Land; and*

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

4.2.7 Commercial/Industrial Land - Balance of Shire

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

- 4.2.7.1** *does not have the characteristics of:*
- a) *Rural Farm Land;*
 - b) *Residential Land – Balance of Shire; or*
 - c) *Holiday Rental Land; and*

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

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

| Rating Category | Rate in the dollar of CIV |
|---|----------------------------------|
| <i>Residential- Colac</i> | <i>0.004317</i> |
| <i>Residential – Colac East, Colac West, Elliminyt Transitional</i> | <i>0.003993</i> |
| <i>Residential- Balance of Shire</i> | <i>0.003669</i> |
| <i>Rural- Farm</i> | <i>0.003410</i> |
| <i>Holiday Rental</i> | <i>0.004317</i> |
| <i>Commercial/Industrial - Colac, Colac East, Colac West, Elliminyt</i> | <i>0.007123</i> |
| <i>Commercial/Industrial- Balance of Shire</i> | <i>0.006044</i> |

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

- 4.4.1** *the respective objectives of each differential rate be those specified in Appendix B of the 2014-2015 Budget Document.*

- 4.4.2 *the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Recommendation; and*
 - 4.4.3 *the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Recommendation; and*
 - 4.4.4 *the relevant:*
 - 4.4.4.1 *uses of;*
 - 4.4.4.2 *geographical locations of; and*
 - 4.4.4.3 *planning scheme zonings of; and*
 - 4.4.4.4 *types of buildings on the respective types or classes of land be those identified in Appendix B of the 2013-2014 Budget Document.*
 - 4.4.5 *that the Residential Colac East, Colac West and Elliminyt rate in dollar be set to 92.5% of the Residential Colac rate for 2014/2015 financial year, rising to 100% of the Residential Colac rate for the 2015/2016 financial year.*
- 5. *Authorises a Municipal Charge be declared for the period commencing 1 July 2014 to 30 June 2015 to cover some of the administrative costs of the Council.*
 - 5.1 *The Municipal Charge be the sum of \$171 per annum for each rateable property in respect of which a municipal charge can be levied.*
- 6. *Authorises the following Annual Service (Waste Management) Charges:*
 - 6.1 *An annual service (waste management) charge of \$272 per annum be declared for:*
 - 6.1.1 *all land used primarily for residential or commercial purposes; or*
 - 6.1.2 *other land in respect of which a weekly waste collection and disposal service is provided, for the period 1 July 2014 to 30 June 2015.*
 - 6.2 *An annual service (waste management) charge of \$180 per annum be declared for:*
 - 6.2.1 *all land used primarily for residential or commercial purposes; or*
 - 6.2.2 *other land in respect of which a fortnightly waste collection and disposal service is provided, for the period 1 July 2014 to 30 June 2015.*
- 7. *Authorises a Special Charge of \$0.20 per hectare will be declared on those properties located within the Aire River Drainage Scheme for the period 1 July 2014 to 30 June 2015.*
- 8. *Authorises a Special Charge for the Tirrengower drainage works previously declared by Council be fixed at \$2.50 per hectare for the period 1 July 2014 to 30 June 2015.*
- 9. *Declares that it be recorded that Council requires any person to pay interest at the maximum rate fixed under section 2 of the Penalty Interest Rates Act 1983 as the rate set out in accordance with section 172(2) of the Act on any amounts of rates and charges which:*

- 9.1 that person is liable to pay; and**
- 9.2 have not been paid by the date specified for their payment.**
- 10. Authorises the General Manager Corporate & Community Services, Manager Finance and Customer Service and the Revenue Co-ordinator to levy and recover the general rates, municipal charge and annual service charges in accordance with the Act.**

**AMENDMENT - MOVED Cr Chris Smith:
An additional clause be added as follows:**

That Council and the CEO work together to bring about a zero increase in employee costs over the 2013-2014 forecast amount of \$15,465,949.

This motion lapsed due to the lack of a seconder.

AMENDMENT - MOVED Cr Chris Smith:

That all 376 properties in Elliminyt, Colac West and Colac East stay on the current rate of 85% of the Residential Colac rate and that point 4.4.5 of the recommendation be changed to reflect this.

This amendment was deemed to be hostile to the budget and the recommendation and was ruled out of order by the Mayor.

AMENDMENT - MOVED Cr Chris Smith:

That Council sets a rate on all rateable properties as the same as was in 2013 and changes points 3, 4.3 and 4.4.5 of the recommendation to reflect this.

This amendment was deemed to be hostile to the budget as presented and was ruled out of order by the Mayor.

AMENDMENT - MOVED Cr Chris Smith:

The inclusion of an additional point 11 that states:

"That Council in future is more transparent and clear in the way it communicates with ratepayers with regards to proposed rate changes."

This motion lapsed due to the lack of a seconder.

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council:

- 1. Having considered all submissions received, adopts the 2014-2015 Budget annexed to this resolution as Attachment 1 in accordance with Section 130 of the Local Government Act 1989 (the Act).**
- 2. Authorises the Chief Executive Officer to:**
 - a. Give public notice of this decision to adopt the 2014-2015 Budget, in accordance with Section 130(2) of the Act;**
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of the Act;

- c. Make available a copy of the adopted Budget at the Rae Street Office and the Apollo Bay Customer Service Centre for public inspection in accordance with section 130(9) of the Act; and*
- d. Thank persons making submissions to the budget in writing for their submission and advise of the outcome of the budget decision.*

3. Authorises the amount intended to be raised:

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| TOTAL | \$ 26,415,358 |

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4.2.1 Residential Land – Colac

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4.2.1.1 is vacant or used primarily for residential purposes; and

4.2.1.2 does not have the characteristics of:

- a) Rural Farm Land;**
- b) Holiday Rental Land; or**
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| <i>Commercial/Industrial- Balance of Shire</i> | <i>0.006044</i> |

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

- 4.4.1** *the respective objectives of each differential rate be those specified in Appendix B of the 2014-2015 Budget Document.*
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- 4.4.3** *the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Recommendation; and*
- 4.4.4** *the relevant:*
 - 4.4.4.1** *uses of;*
 - 4.4.4.2** *geographical locations of; and*
 - 4.4.4.3** *planning scheme zonings of; and*
 - 4.4.4.4** *types of buildings on the respective types or classes of land be those identified in Appendix B of the 2013-2014 Budget Document.*
- 4.4.5** *that the Residential Colac East, Colac West and Elliminyt rate in dollar be set to 92.5% of the Residential Colac rate for 2014/2015 financial year, rising to 100% of the Residential Colac rate for the 2015/2016 financial year.*

- 5.** *Authorises a Municipal Charge be declared for the period commencing 1 July 2014 to 30 June 2015 to cover some of the administrative costs of the*

Council.

5.1 The Municipal Charge be the sum of \$171 per annum for each rateable property in respect of which a municipal charge can be levied.

6. Authorises the following Annual Service (Waste Management) Charges:

6.1 An annual service (waste management) charge of \$272 per annum be declared for:

6.1.1 all land used primarily for residential or commercial purposes; or

6.1.2 other land in respect of which a weekly waste collection and disposal service is provided, for the period 1 July 2014 to 30 June 2015.

6.2 An annual service (waste management) charge of \$180 per annum be declared for:

6.2.1 all land used primarily for residential or commercial purposes; or

6.2.2 other land in respect of which a fortnightly waste collection and disposal service is provided, for the period 1 July 2014 to 30 June 2015.

7. Authorises a Special Charge of \$0.20 per hectare will be declared on those properties located within the Aire River Drainage Scheme for the period 1 July 2014 to 30 June 2015.

8. Authorises a Special Charge for the Tirrengower drainage works previously declared by Council be fixed at \$2.50 per hectare for the period 1 July 2014 to 30 June 2015.

9. Declares that it be recorded that Council requires any person to pay interest at the maximum rate fixed under section 2 of the Penalty Interest Rates Act 1983 as the rate set out in accordance with section 172(2) of the Act on any amounts of rates and charges which:

9.1 that person is liable to pay; and

9.2 have not been paid by the date specified for their payment.

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

CARRIED 4 : 2

DIVISION called by Cr Frank Buchanan

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM142506-7 COUNCIL PLAN 2013-2017 REVIEW

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

MOVED Cr Brian Crook seconded Cr Frank Buchanan

That Council adopts the revised Council Plan 2013-2017 and the Strategic Resource Plan 2014-2015 to 2017-2018.

CARRIED 4 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM142506-8 2014-2015 COMMUNITY FUNDING PROGRAM

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

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

1. *Subject to the adoption of the 2014/15 Council Budget, approves the recommendation from the Grants/Community Funding Advisory Committee for grants from the 2014/15 Community Funding Program, total expenditure under each of the funding categories as follows:*

a. COPACC ASSISTANCE:

| | |
|--|----------------|
| <i>Colac Imperials Football Netball Club</i> | <i>\$ 645</i> |
| <i>Colac West Primary School</i> | <i>\$ 960</i> |
| <i>FReeZA – Battle of the Bands 2014</i> | <i>\$1,409</i> |
| <i>FReeZA – Cool Awards 2014</i> | <i>\$ 951</i> |
| <i>FReeZA – Fast Track</i> | <i>\$1,240</i> |

b. SMALL EQUIPMENT & TRAINING:

| | |
|---|----------------|
| <i>Apollo Bay Little Athletics Club</i> | <i>\$1,000</i> |
| <i>Apollo Bay Netball Club</i> | <i>\$ 270</i> |
| <i>Apollo Bay Radio Inc</i> | <i>\$1,000</i> |
| <i>Carlisle River Community Group</i> | <i>\$ 300</i> |
| <i>City United Cricket Club</i> | <i>\$ 809</i> |
| <i>Colac Budgerigar Society</i> | <i>\$ 225</i> |
| <i>Colac & District Pastoral & Agricultural Society</i> | <i>\$ 585</i> |
| <i>Colac Cycling Club Inc</i> | <i>\$1,000</i> |
| <i>Colac Imperials Football Netball Club</i> | <i>\$ 680</i> |
| <i>Colac Pony Club Inc</i> | <i>\$1,000</i> |
| <i>Colac SES</i> | <i>\$1,000</i> |
| <i>Colac Summer Netball Association Inc</i> | <i>\$ 324</i> |
| <i>Colac Veterans Cycling Club Inc</i> | <i>\$ 520</i> |
| <i>Colac Woodturners & Woodworkers Guild</i> | <i>\$ 923</i> |
| <i>Community Hub Inc</i> | <i>\$ 804</i> |
| <i>Irrewarra Beeac Football Netball Club Inc</i> | <i>\$1,000</i> |
| <i>Irrewillipe Indoor Bowls Club</i> | <i>\$ 900</i> |
| <i>Kennett River Surf Life Saving Club</i> | <i>\$1,000</i> |
| <i>Larpent Indoor Bowls Club</i> | <i>\$1,000</i> |
| <i>Larpent Hall Committee</i> | <i>\$ 675</i> |
| <i>Otway Derby Dolls</i> | <i>\$ 938</i> |
| <i>South Colac Sports Club Inc</i> | <i>\$ 850</i> |
| <i>Victorian Field & Game Association Colac</i> | <i>\$ 923</i> |
| <i>Wye Kennett Sep Social & Sporting Club Inc</i> | <i>\$ 321</i> |
| <i>Wye River Surf Life Saving Club</i> | <i>\$ 995</i> |

C. COMMUNITY PROJECTS:

| | |
|---|----------------|
| <i>Apollo Bay Arts Inc</i> | \$1,200 |
| <i>Barongarook Hall & Tennis Reserve Committee</i> | \$ 810 |
| <i>Birregurra District Historical Centre Inc</i> | \$5,000 |
| <i>Colac & District Historical</i> | \$ 800 |
| <i>Colac & District Pastoral & Agricultural Society</i> | \$ 795 |
| <i>Corangamite Regional Library Colac</i> | \$4,650 |
| <i>Friends of the Botanic Gardens</i> | \$2,495 |
| <i>OCR FM</i> | \$3,745 |
| <i>Old Beechy Rail Trail Committee of Management</i> | \$3,000 |
| <i>Otway Districts Historical Society</i> | \$5,000 |
| <i>Red Rock & District Progress Association Inc</i> | \$ 900 |

d. RECREATIONAL FACILITIES:

| | |
|--|----------------|
| <i>Alvie Cricket Club</i> | \$5,000 |
| <i>Alvie Football Netball Club</i> | \$4,000 |
| <i>Beeac Community Centre Inc (Hall)</i> | \$1,250 |
| <i>Birregurra Bowling Club</i> | \$2,915 |
| <i>Birregurra Golf Club</i> | \$5,000 |
| <i>Birregurra Hall Committee</i> | \$1,420 |
| <i>Birregurra Rec Reserve Committee of Management</i> | \$5,000 |
| <i>Chapple Junction Public Hall</i> | \$ 555 |
| <i>Colac Baseball Club</i> | \$ 890 |
| <i>Colac Branch of CWA</i> | \$ 460 |
| <i>Colac Imperials Football Netball Club</i> | \$5,000 |
| <i>Colac Riding for Disabled</i> | \$5,000 |
| <i>Colac Tigers Football Netball Club Inc</i> | \$5,000 |
| <i>Cressy Recreation Reserve</i> | \$5,000 |
| <i>Elliminyt Public Hall</i> | \$1,452 |
| <i>Elliminyt Tennis Club Inc</i> | \$ 395 |
| <i>Glastonbury Community Services</i> | \$5,000 |
| <i>Irrewillipe Sports & Entertainment Complex</i> | \$1,500 |
| <i>Lake Colac Rowing Club</i> | \$5,000 |
| <i>Lions Club of Apollo Bay</i> | \$5,000 |
| <i>Rotary Club of Colac West</i> | \$5,000 |
| <i>Warrion Cricket Club Inc</i> | \$5,000 |
| <i>Warrion Public Hall Committee</i> | \$2,500 |
| <i>Warrion Recreation Res. Committee of Management</i> | \$ 800 |
| <i>Warrobie Recreation Reserve</i> | \$3,650 |

2. *Approves the recommendation that the remaining amount of \$4,795 from the COPACC hire assistance category be available to other events until 30 June 2015. Other events (subject to meeting the funding criteria) may be decided upon and funding allocated by officers, if the allocation does not exceed \$2,000. If a proposed allocation is over \$2,000, the decision is to be referred to a Council Workshop or briefing. If any monies still remain, this amount will be carried over into the 2015/16 Community Funding Program – COPACC Hire Assistance category.*

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

1. Subject to the adoption of the 2014/15 Council Budget, approves the recommendation from the Grants/Community Funding Advisory Committee for grants from the 2014/15 Community Funding Program, total expenditure under each of the funding categories as follows:

a. COPACC ASSISTANCE:

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|---------------------------------------|---------|
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b. SMALL EQUIPMENT & TRAINING:

| | |
|--|---------|
| Apollo Bay Little Athletics Club | \$1,000 |
| Apollo Bay Netball Club | \$ 270 |
| Apollo Bay Radio Inc | \$1,000 |
| Carlisle River Community Group | \$ 300 |
| City United Cricket Club | \$ 809 |
| Colac Budgerigar Society | \$ 225 |
| Colac & District Pastoral & Agricultural Society | \$ 585 |
| Colac Cycling Club Inc | \$1,000 |
| Colac Imperials Football Netball Club | \$ 680 |
| Colac Pony Club Inc | \$1,000 |
| Colac SES | \$1,000 |
| Colac Summer Netball Association Inc | \$ 324 |
| Colac Veterans Cycling Club Inc | \$ 520 |
| Colac Woodturners & Woodworkers Guild | \$ 923 |
| Community Hub Inc | \$ 804 |
| Irrewarra Beeac Football Netball Club Inc | \$1,000 |
| Irrewillipe Indoor Bowls Club | \$ 900 |
| Kennett River Surf Life Saving Club | \$1,000 |
| Larpent Indoor Bowls Club | \$1,000 |
| Larpent Hall Committee | \$ 675 |
| Otway Derby Dolls | \$ 938 |
| South Colac Sports Club Inc | \$ 850 |
| Victorian Field & Game Association Colac | \$ 923 |
| Wye Kennett Sep Social & Sporting Club Inc | \$ 321 |
| Wye River Surf Life Saving Club | \$ 995 |

c. COMMUNITY PROJECTS:

| | |
|--|---------|
| Apollo Bay Arts Inc | \$1,200 |
| Barongarook Hall & Tennis Reserve Committee | \$ 810 |
| Birregurra District Historical Centre Inc | \$5,000 |
| Colac & District Historical | \$ 800 |
| Colac & District Pastoral & Agricultural Society | \$ 795 |
| Corangamite Regional Library Colac | \$4,650 |
| Friends of the Botanic Gardens | \$2,495 |
| OCR FM | \$3,745 |
| Old Beechy Rail Trail Committee of Management | \$3,000 |
| Otway Districts Historical Society | \$5,000 |
| Red Rock & District Progress Association Inc | \$ 900 |

d. RECREATIONAL FACILITIES:

| | |
|--|----------------|
| <i>Alvie Cricket Club</i> | \$5,000 |
| <i>Alvie Football Netball Club</i> | \$4,000 |
| <i>Beeac Community Centre Inc (Hall)</i> | \$1,250 |
| <i>Birregurra Bowling Club</i> | \$2,915 |
| <i>Birregurra Golf Club</i> | \$5,000 |
| <i>Birregurra Hall Committee</i> | \$1,420 |
| <i>Birregurra Rec Reserve Committee of Management</i> | \$5,000 |
| <i>Chapple Junction Public Hall</i> | \$ 555 |
| <i>Colac Baseball Club</i> | \$ 890 |
| <i>Colac Branch of CWA</i> | \$ 460 |
| <i>Colac Imperials Football Netball Club</i> | \$5,000 |
| <i>Colac Riding for Disabled</i> | \$5,000 |
| <i>Colac Tigers Football Netball Club Inc</i> | \$5,000 |
| <i>Cressy Recreation Reserve</i> | \$5,000 |
| <i>Elliminyt Public Hall</i> | \$1,452 |
| <i>Elliminyt Tennis Club Inc</i> | \$ 395 |
| <i>Glastonbury Community Services</i> | \$5,000 |
| <i>Irrewillipe Sports & Entertainment Complex</i> | \$1,500 |
| <i>Lake Colac Rowing Club</i> | \$5,000 |
| <i>Lions Club of Apollo Bay</i> | \$5,000 |
| <i>Rotary Club of Colac West</i> | \$5,000 |
| <i>Warrion Cricket Club Inc</i> | \$5,000 |
| <i>Warrion Public Hall Committee</i> | \$2,500 |
| <i>Warrion Recreation Res. Committee of Management</i> | \$ 800 |
| <i>Warrobie Recreation Reserve</i> | \$3,650 |

2. *Approves the recommendation that the remaining amount of \$4,795 from the COPACC hire assistance category be available to other events until 30 June 2015. Other events (subject to meeting the funding criteria) may be decided upon and funding allocated by officers, if the allocation does not exceed \$2,000. If a proposed allocation is over \$2,000, the matter is to be referred to a Council meeting for a decision by a resolution of the Council. If any funds remain, this amount will be carried over into the 2015/16 Community Funding Program – COPACC Hire Assistance category.*

CARRIED 6 : 0

OM142506-9 FESTIVAL & EVENTS SUPPORT SCHEME 2014-2015

| | | | |
|-------------|--------------------------------|-----------|--------------|
| AUTHOR: | Emma Clark | ENDORSED: | Colin Hayman |
| DEPARTMENT: | Corporate & Community Services | FILE REF: | F11/3291 |

| | |
|----------------------------|---|
| Cr Delahunty: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | Member of Rotary Club sub-committee which is to receive funds |

| | |
|----------------------------|---|
| Cr Smith: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | Member of some of the events involved in the report. |

| | |
|----------------------------|---|
| Rob Small: | OM142506-9 Festival & Events Support Scheme 2014-2015 |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | 78B |
| Nature of Interest: | President of Rotary Club which is to receive funds |

Having declared a conflict of interest in this item, Crs Delahunty and Smith left the meeting at 7.27pm.

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

- Subject to the adoption of the 2014/2015 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 2014- 2015.***

| | <u>Event</u> | <u>Funding</u> | <u>Category</u> |
|-----|--|-----------------------|------------------------|
| 1. | <i>Colac Orchid Show</i> | <i>\$ 500</i> | <i>Bronze</i> |
| 2. | <i>Beeac Red Cross – 100 Years Celebration</i> | <i>\$ 750</i> | <i>Seed</i> |
| 3. | <i>Musical Evening at Carlisle River Autumn 2015</i> | <i>\$1,000</i> | <i>Bronze</i> |
| 4. | <i>Birregurra Primary School – 150th Year Celebration</i> | <i>\$1,000</i> | <i>Seed</i> |
| 5. | <i>Lavers Hill K-12 Vintage Handmade & Home-Grown Market</i> | <i>\$1,000</i> | <i>Bronze</i> |
| 6. | <i>Birregurra Autumn Garden Harvest Festival/Market</i> | <i>\$ 500</i> | <i>Seed</i> |
| 7. | <i>Old Beechy Rail Trail Run</i> | <i>\$ 500</i> | <i>Bronze</i> |
| 8. | <i>Good Friday Family Fun Day 2015</i> | <i>\$1,500</i> | <i>Silver</i> |
| 9. | <i>23rd Colac Garden & Lifestyle Expo</i> | <i>\$1,000</i> | <i>Bronze</i> |
| 10. | <i>Birregurra Primary School – Community Choir at Birregurra Festival</i> | <i>\$1,500</i> | <i>Silver</i> |

| | | | |
|-----|--|-----------------------|--------------------|
| 11. | Warrion Flower Show | \$1,000 | Bronze |
| 12. | The WKS Festival | \$1,000 | Bronze |
| 13. | Run Colac 2015 | \$1,000 | Bronze |
| 14. | Birregurra and Warncoort Easter Arts | \$1,500 | Silver |
| 15. | Apollo Bay Music Festival presents 3 stand alone events throughout 2014/2015 year | \$1,000 | Bronze |
| 16. | Otway Odyssey | \$2,000 | Silver |
| 17. | Otway Soup Fest | \$4,000 | Gold |
| 18. | Forrest Festival | \$2,000 | Silver |
| 19. | Forrest 6 Hour Enduro Event | \$2,000 | Silver |
| 20. | Colac City Band 68th Carols by Candlelight | \$5,000 | Gold |
| 21. | 150th Botanic Gardens Celebrations | \$5,000 | Gold |
| 22. | Gellibrand River Blues and Blueberry Festival | \$2,500 | Silver |
| 23. | Run Forrest – Half Marathon | \$2,500 | Silver |
| 24. | Amy's Gran Fondo 2014 | \$2,000 | Silver |
| 25. | Birregurra Festival & Art Show | \$7,500 | Platinum |
| 26. | Apollo Bay Seafood and Produce Festival | \$5,000 | Gold |
| 27. | Colac Kana Festival 2015 | \$7,500 | Platinum |
| 28. | <u>GOR Marathon 2015</u> | <u>\$5,000</u> | <u>Gold</u> |

TOTAL FUNDING **\$66,750**

2. Approves the recommendation for the remaining amount of \$8,250 to be held for new events that may arise throughout the 2014-2015 financial year, including but not limited to groups such as Naidoc and Refugee Week or additional funding for the Friends of the Botanic Gardens who are celebrating their 150th year in 2015. Event organisers will need to apply to the Events Officer with a detailed Event Plan, including details of external funding and in-kind support. The Events Officer will then present the proposal to Council at a workshop briefing for consideration.

MOTION - MOVED Cr Frank Buchanan seconded Cr Stephen Hart:

That Council:

1. Subject to the adoption of the 2014/2015 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 2014- 2015.

| | <u>Event</u> | <u>Funding</u> | <u>Category</u> |
|-----|--|----------------|-----------------|
| 1. | Colac Orchid Show | \$ 500 | Bronze |
| 2. | Beeac Red Cross – 100 Years Celebration | \$ 750 | Seed |
| 3. | Musical Evening at Carlisle River Autumn 2015 | \$1,000 | Bronze |
| 4. | Birregurra Primary School – 150 th Year Celebration | \$1,000 | Seed |
| 5. | Lavers Hill K-12 Vintage Handmade & Home-Grown Market | \$1,000 | Bronze |
| 6. | Birregurra Autumn Garden Harvest Festival/Market | \$ 500 | Seed |
| 7. | Old Beechy Rail Trail Run | \$ 500 | Bronze |
| 8. | Good Friday Family Fun Day 2015 | \$1,500 | Silver |
| 9. | 23 rd Colac Garden & Lifestyle Expo | \$1,000 | Bronze |
| 10. | Birregurra Primary School – Community Choir at Birregurra Festival | \$1,500 | Silver |

| | | | |
|-----|--|-----------------|--------------------|
| 11. | <i>Warrion Flower Show</i> | \$1,000 | <i>Bronze</i> |
| 12. | <i>The WKS Festival</i> | \$1,000 | <i>Bronze</i> |
| 13. | <i>Run Colac 2015</i> | \$1,000 | <i>Bronze</i> |
| 14. | <i>Birregurra and Warncoort Easter Arts</i> | \$1,500 | <i>Silver</i> |
| 15. | <i>Apollo Bay Music Festival presents 3 stand alone events throughout 2014/2015 year</i> | \$1,000 | <i>Bronze</i> |
| 16. | <i>Otway Odyssey</i> | \$2,000 | <i>Silver</i> |
| 17. | <i>Otway Soup Fest</i> | \$4,000 | <i>Gold</i> |
| 18. | <i>Forrest Festival</i> | \$2,000 | <i>Silver</i> |
| 19. | <i>Forrest 6 Hour Enduro Event</i> | \$2,000 | <i>Silver</i> |
| 20. | <i>Colac City Band 68th Carols by Candlelight</i> | \$5,000 | <i>Gold</i> |
| 21. | <i>150th Botanic Gardens Celebrations</i> | \$5,000 | <i>Gold</i> |
| 22. | <i>Gellibrand River Blues and Blueberry Festival</i> | \$2,500 | <i>Silver</i> |
| 23. | <i>Run Forrest – Half Marathon</i> | \$2,500 | <i>Silver</i> |
| 24. | <i>Amy’s Gran Fondo 2014</i> | \$2,000 | <i>Silver</i> |
| 25. | <i>Birregurra Festival & Art Show</i> | \$7,500 | <i>Platinum</i> |
| 26. | <i>Apollo Bay Seafood and Produce Festival</i> | \$5,000 | <i>Gold</i> |
| 27. | <i>Colac Kana Festival 2015</i> | \$7,500 | <i>Platinum</i> |
| 28. | <u><i>GOR Marathon 2015</i></u> | <u>\$5,000</u> | <u><i>Gold</i></u> |
| | TOTAL FUNDING | \$66,750 | |

2. *Approves the recommendation that the remaining amounts from the Festival and Events Support Scheme be available to other festivals and events until June 2015. Other events may be decided upon and funding allocated by officers if the allocation does not exceed \$2,000. If a proposed allocation is over \$2,000, the matter is to be referred to a Council meeting for a decision. If any funds remain, this amount will be carried over into the 2015-2016 Festival and Events Support Scheme program.*

CARRIED 4 : 0

Crs Delahunty and Smith returned to the meeting at 7.32pm.

INFRASTRUCTURE AND SERVICES

| ITEM | |
|---------------------------|---|
| <u>OM142506-10</u> | <u>BLUEWATER FITNESS CENTRE REDEVELOPMENT PROJECT - PROGRESS REPORTING</u> |
| <u>OM142506-11</u> | <u>ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL</u> |

**OM142506-10 BLUEWATER FITNESS CENTRE REDEVELOPMENT PROJECT -
PROGRESS REPORTING**

| | | | |
|-------------|------------------------------|-----------|--------------|
| AUTHOR: | Adam Lehmann | ENDORSED: | Phil Corluka |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F13/7721 |

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council receives the attached monthly status report for the Blue Water Redevelopment Project covering the period to 1 May 2014 to 31 May 2014 for information.

CARRIED 6 : 0

OM142506-11 ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL

| | | | |
|--------------------|---------------------------|------------------|--------------|
| AUTHOR: | Adam Lehmann | ENDORSED: | Phil Corluka |
| DEPARTMENT: | Infrastructure & Services | FILE REF: | F13/7721 |

MOVED Cr Michael Delahunty seconded Cr Stephen Hart

That Council, acting under clause 3 of Schedule 10 of the Local Government Act 1989:

- 1. Resolves that the statutory procedures be commenced to discontinue that part of Government Road abutting Lot 1 LP 200881, Parish of Whoorel;***
- 2. Now directs the public notice of the proposed road discontinuance be given under sections 207A and 223 of the Local Government Act 1989 allowing anyone to make a submission in relation to the proposed road discontinuance***
- 3. To receive a further report should any submissions be received in relation to the proposed road discontinuance; and in the event that no submissions are received:***
 - a. Directs that a notice, pursuant to the provisions of clause 3(a) of Schedule 10 of the Local Government Act 1989, be published in the Victoria Government Gazette;***
 - b. That any easements, rights or interests required to be created or saved over the Government Road by any authority be done so and not be affected by the road discontinuance;***
 - c. That the Department of Environment and Primary Industries be advised in writing upon gazettal of the road discontinuance;***
 - d. That the Department of Environment and Primary Industries be advised that, should the discontinued Government Road be sold to the registered proprietor of 505 Rifle Butts Road it must be consolidated with Lot 1 LP200881, Parish of Whoorel.***

CARRIED 6 : 0

SUSTAINABLE PLANNING AND DEVELOPMENT

| ITEM | |
|---------------------------|--|
| <u>OM142506-12</u> | <u>2014/2015 SMALL TOWN IMPROVEMENT PROGRAM (STIP) ALLOCATIONS</u> |
| <u>OM142506-13</u> | <u>COLAC OTWAY BUSHFIRE PLANNING PROJECT – SUBMISSIONS (DEFERRED)</u> |
| <u>OM142506-14</u> | <u>PLANNING SCHEME AMENDMENT C74 (APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW IMPLEMENTATION) - CONSIDERATION OF SUBMISSIONS</u> |
| <u>OM142506-15</u> | <u>PLANNING SCHEME AMENDMENT C77 - HERITAGE AUDIT IMPLEMENTATION</u> |

OM142506-13 COLAC OTWAY BUSHFIRE PLANNING PROJECT - SUBMISSIONS

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

THIS REPORT WAS WITHDRAWN PRIOR TO THE COUNCIL MEETING AND DEFERRED TO A FUTURE COUNCIL MEETING

| | |
|-----------------------|---|
| Cr Hart: | OM142506-13 Colac Otway Bushfire Planning Project - Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owens a property in Lavers Hill and a property near Lavers Hill which are covered in this report. The property near Lavers Hill is one of a group of properties that may have been re-zoned to "Rural Living" subject to this report. |

Having declared a conflict of interest in this item, Cr Hart left the meeting at 7.48pm while the General Manager Sustainable Planning & Development explained to Council why this item had been deferred.

Cr Hart returned to the meeting at 7.55pm.

OM142506-14 PLANNING SCHEME AMENDMENT C74 (APOLLO BAY SETTLEMENT BOUNDARY & URBAN DESIGN REVIEW IMPLEMENTATION) - CONSIDERATION OF SUBMISSIONS

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Don Lewis | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/4500 |

| | |
|-----------------------|--|
| Cr Delahunty: | OM142506-14 Planning Scheme Amendment C74 (Apollo Bay Settlement Boundary & Urban Design Review Implementation) – Consideration of Submissions |
| Nature of Disclosure: | Direct |
| Nature of Interest: | Owns property in Apollo Bay |

Having declared a conflict of interest in this item, Cr Delahunty left the meeting at 7.56pm.

MOVED Cr Frank Buchanan seconded Cr Stephen Hart

That Council:

- 1. Supports submissions 1, 3, 8 and 9 to Amendment C74*
- 2. Does not support (in part or fully) submissions 2, 4, 5, 6 and 7 to Amendment C74*
- 3. Refers all submissions to Amendment C74 to an independent planning panel.*

CARRIED 4 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

Cr Delahunty returned to the meeting at 8.01pm.

**OM142506-15 PLANNING SCHEME AMENDMENT C77 - HERITAGE AUDIT
IMPLEMENTATION**

| | | | |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR: | Gemma Browning | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/5717 |

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council resolves to request the Minister for Planning to exercise the power under section 20A of the Planning and Environment Act 1987 to exempt himself from notice and prepare, adopt and approve Amendment C77.

CARRIED 6 : 0

GENERAL BUSINESS

| ITEM | |
|---------------------------|--|
| <u>OM142506-16</u> | <u>ASSEMBLY OF COUNCILLORS</u> |
| <u>OM142506-17</u> | <u>MINUTES FROM YOUTH COUNCIL MEETINGS</u> |
| <u>OM142506-18</u> | <u>MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE</u> |

OM142506-16 ASSEMBLY OF COUNCILLORS

| | | | |
|-------------|---------------|-----------|-----------|
| AUTHOR: | Rhonda Deigan | ENDORSED: | Rob Small |
| DEPARTMENT: | Executive | FILE REF: | F13/6530 |

MOVED Cr Stephen Hart seconded Cr Frank Buchanan

That Council notes the Assembly of Councillors reports for:

- ***Friends of the Colac Botanic Gardens*** ***8 May 2014***
- ***Colac Livestock Selling Centre Advisory Committee*** ***9 May 2014***
- ***Councillor Workshop*** ***21 May 2014***
- ***Councillor Briefing Session*** ***28 May 2014***
- ***Councillor Workshop*** ***4 June 2014***
- ***Central Reserve Advisory Committee*** ***4 June 2014***
- ***Councillor Workshop*** ***11 June 2014***
- ***Festival & Events Support Scheme Advisory Committee*** ***11 June 2014***
- ***Community Funding Program Advisory Committee*** ***11 June 2014.***

CARRIED 6 : 0

OM142506-17 MINUTES FROM YOUTH COUNCIL MEETINGS

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

MOVED Cr Frank Buchanan seconded Cr Stephen Hart

That Council notes the minutes arising from Youth Council meeting held on 12 May 2014 and 26 May 2014.

CARRIED 6 : 0

OM142506-17 MINUTES FROM YOUTH COUNCIL MEETINGS

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

MOVED Cr Frank Buchanan seconded Cr Stephen Hart

That Council notes the minutes arising from Youth Council meeting held on 12 May 2014 and 26 May 2014.

CARRIED 6 : 0

OM142506-18 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

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

MOVED Cr Stephen Hart seconded Cr Frank Buchanan

That Council notes the Minutes of the Old Beechy Rail Trail Committee for 7 April 2014.

CARRIED 6 : 0

NOTICES OF MOTION

| ITEM |
|---|
| OM142506-19 <u>COUNCIL BORROWINGS</u> |

OM142506-19 COUNCIL BORROWINGS (CR STEPHEN HART)**Recommendation**

That Council consider the contents of this Notice of Motion.

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:

That Council:

- 1. Resolves that, apart from debt approved in budgets before this resolution was adopted, Council does not agree to any further increase in debt, unless supported by a robust and feasible business plan with a demonstrated significant economic, environmental and/or social benefit.**
- 2. Instructs that the Chief Executive Officer is to ensure that no contract or other proposal is considered where it is dependent on Council borrowing more funds, unless in exceptional circumstances including, but not limited to, liquidity issues, special charge schemes or natural disasters.**
- 3. Directs that this instruction is to continue until such time as this resolution is expressly rescinded by a subsequent resolution.**

AMENDMENT - MOVED Cr Frank Buchanan seconded Cr Brian Crook:

That points 2 and 3 of the motion be removed.

LOST 2 : 4

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook, Cr Frank Buchanan

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

AMENDMENT - MOVED Cr Chris Smith:

That where the motion refers to the borrowing of funds or increasing of debt, that the words "or taking of funds from reserves other than what they were established for" be included.

The amendment lapsed due to the lack of a seconder.

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:

That Council:

- 1. Resolves that, apart from debt approved in budgets before this resolution was adopted, Council does not agree to any further increase in debt, unless supported by a robust and feasible business plan with a demonstrated significant economic, environmental and/or social benefit.**
- 2. Instructs that the Chief Executive Officer is to ensure that no contract or other proposal is considered where it is dependent on Council borrowing more funds, unless in exceptional circumstances including, but not limited to, liquidity issues, special charge schemes or natural disasters.**
- 3. Directs that this instruction is to continue until such time as this resolution is**

expressly rescinded by a subsequent resolution.

CARRIED 4 : 2

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Lyn Russell, Cr Michael Delahunty

Against the Motion: Cr Brian Crook, Cr Frank Buchanan

REPORTS FROM DELEGATES TO OTHER BODIES

| ITEM | |
|--------------------|--|
| OM142506-20 | REPORT FROM DELEGATE - MUNICIPAL ASSOCIATION OF VICTORIA (MAV) STATE COUNCIL MEETING OF 16 MAY 2014 |

**OM142506-20 REPORT FROM DELEGATE - MUNICIPAL ASSOCIATION OF
VICTORIA (MAV) STATE COUNCIL MEETING OF 16 MAY 2014**

MOVED Cr Stephen Hart seconded Cr Frank Buchanan

***That Council notes the report from the Council's Municipal Association of Victoria
Delegate regarding the State Council meeting held on 16 May 2014.***

CARRIED 6 : 0

IN COMMITTEE

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan that:
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 |
|---|--|--------------------------------|
| Minutes of In-Committee Council Meeting held on 28 May 2014 | 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) |
| Confidential Item for Consideration - Councillor Briefings/Meetings - CEO Recruitment Process | 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) |
| Contract 1413 - Annual Supply of Concrete Works | this matter deals with contractual matters | Section 89 (2) (d) |
| Appointment of Chief Executive Officer | 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 6 : 0

Council took a ten minute break from 8.40pm to 8.50pm prior to the commencement of the in-committee meeting.

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 8.55 pm

CONFIRMED AND SIGNED at the meeting held on 23 JULY 2014

.....*Lyn E Russell*.....**MAYOR**