

COLAC OTWAY SHIRE COUNCIL ORDINARY MEETING OF COUNCIL

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC Meeting Rooms on 22 April 2015 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 Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer
Colin Hayman, General Manager, Corporate & Community Services
Phil Corluka, General Manager, Infrastructure & Services
Doug McNeill, A/General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

APOLOGIES

Nil

3. DECLARATION OF INTEREST

Nil

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

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

(The Mayor reflected on the significance of the 100 year anniversary of Anzac Day)

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.

5. QUESTION TIME

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.

Questions submitted in writing

James Judd

1. For how long has this Council been aware of a proposal to develop mega councils based on water catchment areas when we are aware this municipality is split between two main water catchment areas? This can be explained by the fact Colac Otway Shire is in both the G21 group of Councils and Great South West group of Councils

Response:

The reference to the creation of larger municipal areas relates to comments made by one individual and reported in the Weekly Times on 8 April 2015. Council has previously been advised that the current State Government has ruled out any changes to local government boundaries and I am unaware of any change to this position.

2. How does Council justify its claims that the pensioner rates concession is on all charges when you specify on rates, not rates and charges? Any increase on this concession will only be on State accepted CPI under 3% not your advised average increase of 4.9%. This means pensioners will be further out of pocket again.

Response:

I refer Mr Judd to the answer given to his very similar question to Council in February 2015:

'Eligible pensioner concession card holders are able to apply for a rebate against the rates levied on their principal place of residence. The Victorian Government gazettes a rebate amount for this purpose each year.

Council will continue to apply pensioner rebates at the level gazetted by the Victorian Government for all eligible ratepayers who apply for the rebate.'

The level of the pensioner rebate is set by the Victorian Government independent of the rate set by Council. The amount for 2015 will be known when the Victorian Budget is released on May 5 2015.

3. Why is nothing mentioned about municipal charge as on all rateable property this is a charge? This was a charge of \$171.00 in 2014-2015 rates. So if you have not included in your estimate of charges, the claimed increase of 4.9% is not actual. In past years, this charge has always been included with estimating any change in rates and charges plus when will the fire service levy be known as this is also part of Council's rate notices?

Response:

The advertised 4.9% increase includes all rates and charges. It includes the municipal charge. Individually the municipal charge moves from \$171 to \$178 – an increase of 4.1%

The fire service levy is not a Council charge, but a Victorian Government charge which Councils are forced by legislation to collect for the state. As such this charge is not included in Council's budget documentation. The figures for 2015-16 will not be released until the Victorian Budget becomes public on May 5 2015.

4. Why only one Special Council meeting at 1.00pm on 10 June 2015 when two big items up for discussion and acceptance? OM152204-10 Council Plan 2013-2017 Review and OM152204-13 Draft Budget 2015-2016. Not separate meetings to deal with each item. Prior to last year, these matters were dealt with at separate meetings on the one day held at least one hour apart with the option not to hold one if no submissions made. Plus as well as the 10 of June being the 2nd Wednesday and the scheduled date to hold a council workshop, this will have to be rearranged to another day if any want to address Councillors on matters on both items.

Response:

It would not be Council's normal practice to hold two separate Special Council meetings on the one day. The scheduling of presentations for the Councillor workshop on 10 June 2015 will take into consideration the Special Council meeting scheduled for that day.

Questions from the floor

Dieter Wessner – Colac

1. With reference to an article that appeared in last week's Colac Herald regarding library consultation, when will the consultation with library users take place and will there be any advertisements placed in the local paper?

Response:

The General Manager for Corporate and Community Services advised that the first stage of the library consultation involved talking to users who only used the library

annex. The next stage of the consultation process will involve the wider community and will be advertised in the Colac Herald. Community members will be invited to complete a survey or to meet individually with the consultants.

2. Will you brief your customer service staff about this consultation process?

Response:

The General Manager for Corporate and Community Services advised that when the consultation details are known, advertisements will be placed in local papers and customer service staff will be informed of the process involved.

Simon Arundell – Bungador

1. With reference to previous responses given in relation to the saleyards, does Council realise that galvanising will not protect posts from cattle excrement and why, with the use of woodchips in the yards, has there been no attempt to prevent rust in cattle yards?

Response:

The General Manger for Infrastructure and Services advised that all the steelwork in the saleyards has been galvanised and there has been no evidence of deterioration over the years. The use of woodchips for flooring was considered the most cost effective and viable option.

2. How many years of knowledge does Mr Corluka have with regard to saleyards?

Response:

The Mayor ruled this question out of order.

3. Has Mr Corluka spoken to other municipal saleyard operators to find out how they protect their steelwork against corrosion?

Response:

The General Manager for Infrastructure and Services advised that they had been in contact with other saleyard operators regarding the best environment for protecting saleyard assets. With respect to the previous question, the General Manager for Infrastructure and Services advised that he had extensive experience of working with steelwork.

Dieter Wessner – Colac

1. Will the 50+ Plan be available for individuals, or will it only be available at the library, customer service and online?

Response:

The General Manager for Corporate and Community Services advised that it will be available at Council offices, the libraries and online. Hard copies will also be available.

Simon Arundell – Bungador

1. Has Council considered what is going to happen to Murray Street with the merging of four lanes into two at Colac when the Princes Highway duplication project is complete?

Response:

The General Manager for Infrastructure and Services advised that it was a Vic Roads project and that there would be opportunity for the community to hear more about their plans at a community information session being held tomorrow evening.

2. Are you going to leave such an important decision for this community in the hands of Vic Roads to make?

Response:

The Mayor advised that Council had made strong representation to Vic Roads on this matter and had advocated strenuously on behalf of this community for a satisfactory outcome.

Dieter Wessner – Colac

1. Where will the meeting be held?

Response:

The General Manager for Infrastructure and Services advised that the Vic Roads community drop in session was to be held at COPACC on 23 April 2015 from 3.00pm to 7.00pm.

Simon Arundell – Bungador

1. What input has Council had into the project?

Response:

The CEO advised that late last year Council had adopted a position on the preferred design for Murray Street and a copy of that report would be sent to Mr Arundell.

2. With respect to the proposed 4.9% rate increase, what is the CPI increase for this year?

Response:

The General Manager for Corporate and Community Services advised that it was close to 2%.

6. **TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS**

These responses will not be read out but will be included in the minutes of this meeting.

Sherryl Smith – Wye River

1. When does Council intend to complete the Harrington Memorial Park project, including revegetation, pathways, making the driveway wheelchair accessible and installation of flora and fauna signage as included in the original application and when it is completed, what level of maintenance can we expect on the park?

Response:

The construction and landscaping works for the Harrington Memorial Park Redevelopment Project have been completed in accordance with the project scope. Council is currently undertaking research regarding interpretive signage which will be installed once complete.

Council will continue to maintain the park in accordance with the appropriate levels of service for a neighbourhood park which includes mowing, BBQ cleaning and clean-up of debris when required.

7. **PETITIONS/JOINT LETTERS (if required)**

Nil

8. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 25/03/15.

MOVED Cr Brian Crook seconded Cr Stephen Hart that Council confirm the above minutes.

CARRIED 7 : 0

As per Governance Local Law No 4, clause 34:

34. Objection to Confirmation of Minutes

- (1) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (2) Except where sub-clause (1) applies, no vote shall be recorded against a motion to adopt the minutes.

9. PRESENTATION OF REPORTS

Before I move into the consideration of reports tonight Councillors, I would like to take a moment to make a few comments.

Firstly, with regard to meeting procedure, I intend to introduce each report and then invite questions from Councillors to officers. Once that is completed, I will then call for a motion. This will then be debated as per the usual processes. Once the debate is complete and all Councillors have had an opportunity to share their views, I will call for a vote, both for and against and then once that has occurred by a show of hands, I will declare the result.

Secondly, we have 20 items for consideration before us today, most of which have been the subject of discussion and community engagement or which are soon to be released for public consultation. In order to ensure a considered process, I intend to exercise my right as Chair under Clause 49 (2) of the Local Law to limit the number of questions to two per Councillor per item.

Finally, at the last Planning Committee meeting there appeared to be some confusion about the requirements of the Local Government Act and Council's Local Law regarding the procedure required for voting. I want to reiterate that both the Local Government Act and Local Law clearly outline that can only occur by a show of hands. This is true also in relation to divisions. If you do not raise your hand, the minutes will record that you have abstained from voting.

With regard to abstaining from voting, I want to quote the Department of Planning and Community Development who have advised that:

".....not participating in decisions taken by Council is an abrogation of a Councillor's responsibility to represent the community. Abstentions also serve to undermine the role of Councils in providing governance and leadership through effective decision making....."

OM152204-1

CEO'S PROGRESS REPORT TO COUNCIL

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F11/3291

Original Recommendation(s)

That Council notes the CEO's Progress Report to Council.

MOTION - MOVED Cr Michael Delahunty seconded Cr Lyn Russell:

That Council:

- 1. Notes the CEO's Progress Report to Council.***
- 2. Requests that a copy of the Asbestos Register is sent to relevant CFA brigades noting the buildings containing asbestos that lie within their brigade area.***

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

152204-2

TIGER RAIL TRAIL FEASIBILITY STUDY

AUTHOR:	Ian Seuren	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F14/821

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

- 1. Adopts the Tiger Rail Trail Feasibility Study.***
- 2. Acknowledges in adopting the study that the proposed section from Barwon Downs to Birregurra is not considered feasible at this point in time and should not be progressed.***
- 3. Agrees that it does not develop a trail through private land, including land owned by Barwon Water and leased to adjoining landowners, without prior landowner/lessee consent in writing, received without coercion or duress.***
- 4. Notes that in the absence of support from affected landowners, does not undertake any further work in extending the Tiger Rail Trail from Forrest to Barwon Downs.***

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

- 1. Adopts the Tiger Rail Trail Feasibility Study.***
- 2. Acknowledges in adopting the study that the proposed section from Barwon Downs to Birregurra is not considered feasible at this point in time and should not be progressed.***
- 3. Agrees that it does not develop a trail through private land, including land owned by Barwon Water and leased to adjoining landowners, without prior landowner/lessee consent in writing, received without coercion or duress.***
- 4. Notes that in the absence of support from affected landowners, does not undertake any further work in extending the Tiger Rail Trail from Forrest to Barwon Downs.***
- 5. Expresses our thanks to the organisations and individuals who provided input.***
- 6. Forwards copies of the study to Barwon Water and Department of Environment, Land, Water and Planning for consideration by the proposed Forrest Mountain Bike Trails Advisory Group.***

CARRIED: 6 : 0**Abstained: Cr Smith**

DIVISION called by Cr Stephen Hart

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

Abstained: Cr Chris Smith

CARRIED 6 : 0

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4, Councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

OM152204-3

**DRAFT COROROOKE OPEN SPACE LANDSCAPE
MASTER PLAN**

AUTHOR:	Ian Seuren	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F14/821

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council endorses the draft Cororooke Open Space Landscape Master Plan to be placed on public exhibition in accordance with Council's Community Engagement Policy 2010, from Monday 27 April 2015 until Wednesday 10 June 2015.

CARRIED 6 : 0

Abstained: Cr Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4, Councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

DIVISION called by Cr Chris Smith

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

Against the Motion: Nil

CARRIED 7 : 0

OM152204-4

THE 50+ PLAN

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F13/6507

MOVED Cr Brian Crook seconded Cr Lyn Russell***That Council:***

- 1. Endorses that The 50+ Plan be placed on public exhibition, in accordance with Council's Community Engagement Policy 2010, from Friday 24 April 2015 until Monday 8 June 2015.***
- 2. Signs the Age-friendly Victoria Partnership and Leadership Declaration.***
- 3. Endorses the formation of an older person's advisory group thereby empowering older people to drive local age-friendly outcomes.***

CARRIED 5 : 2

OM152204-5**ACCESS EQUITY AND INCLUSION PLAN**

AUTHOR:	Greg Fletcher	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F13/6507

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council endorses that the Access Equity and Inclusion Plan be placed on public exhibition, in accordance with Council's Community Engagement Policy 2010, from Friday 24 April 2015 until Monday 8 June 2015.

CARRIED 5 : 2

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM152204-6 UPDATE S6 INSTRUMENT OF DELEGATION - COUNCIL TO MEMBERS OF STAFF

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

Original Recommendation(s)

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

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

MOTION - MOVED Cr Chris Smith:

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

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

4. ***The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that may from time to time be adopted.***
5. ***That any changes to the 8 metre height rule in the Instrument of Delegation be reinstated.***

The motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft:

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

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

CARRIED 6 : 1

DIVISION called by Cr Terry Woodcroft

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

OM152204-7 AUTHORISATION OF OFFICER (PLANNING AND ENVIRONMENT ACT)

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

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

- 1. Appoints Strategic Planner Suzanne Barker as an authorised officer pursuant to the Planning and Environment Act 1987.***
- 2. Notes that the Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.***
- 3. Delegates to the Chief Executive Officer authority to sign and place under Council Seal the Instrument of Appointment and Authorisation.***

CARRIED 6 : 1

DIVISION called by Cr Terry Woodcroft

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

OM152204-8 REVIEW OF COUNCIL POLICIES

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

MOVED Cr Stephen Hart seconded Cr Michael Delahunty

That Council adopts the following revised policies:

- ***Policy No 7.3 Risk Management Policy***
- ***Policy No 16.1 Internal Audit Policy***
- ***Policy No 16.2 Fraud Prevention and Control Policy.***

CARRIED 7 : 0

OM152204-9**REVIEW OF COUNCIL'S INFORMATION PRIVACY POLICY**

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

MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That Council adopts the revised Policy No. 18.2 – Information Privacy.

CARRIED 7 : 0

OM152204-10

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 Terry Woodcroft

That Council:

- 1. Endorses the proposed revised Council Plan 2015-2019 including a draft Strategic Resource Plan for the purposes of sections 125 and 126 of the Local Government Act 1989***
- 2. Considers and hears submissions received in respect of the revised Council Plan 2015-2019 and draft Strategic Resource Plan, in accordance with section 223 of the Local Government Act 1989, at a special Council Meeting to be held on Wednesday 10 June 2015 at 1.00 pm at COPACC.***
- 3. Notes that written submissions will be accepted for a 5 week period closing 5:00pm Friday 29 May 2015.***
- 4. Authorises the General Manager Corporate Services to give public notice, in accordance with section 223 of the Local Government Act 1989, that Council has prepared a revised Council Plan 2015-2019 and draft Strategic Resource Plan, and pursuant to section 223 (3) to carry out the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act***
- 5. Considers for adoption the revised Council Plan 2015-2019 Strategic Resource Plan at the Ordinary Council meeting on Wednesday 24 June 2015 at 4.00 pm at COPACC, after consideration of any submissions received by the Council at its Meeting on Wednesday 10 June 2015.***

CARRIED 5 : 2

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

**OM152204-11 OPERATIONAL PLAN THIRD QUARTER PERFORMANCE
REPORT JANUARY - MARCH 2015**

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

MOVED Cr Brian Crook seconded Cr Lyn Russell

That Council receives the 2014/2015 Operational Plan Third Quarter Performance Report for the three months ending 31 March 2015.

CARRIED 5 : 2

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM152204-12

**THIRD QUARTER FINANCIAL PERFORMANCE REPORT
2014-15**

AUTHOR:	Ashley Roberts	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Lyn Russell seconded Cr Terry Woodcroft

That Council receives and notes the forecast results and budget allocations contained in the third quarter financial performance report for 2014-2015.

CARRIED 7 : 0

DIVISION called by Cr Stephen Hart

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

Against the Motion: Nil

CARRIED 7 : 0

OM152204-13

DRAFT BUDGET 2015/2016

AUTHOR:	Ashley Roberts	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council:

- 1. Endorses the proposed budget 2015/16 for the financial year (Attachments 1&2) for the purposes of Section 127 of the Local Government Act 1989.***
- 2. Pursuant to Section 223 (1)(b) of the Local Government Act 1989 determines that Council will consider, and if requested, hear any submissions received in relation to the proposed budget 2015/16, on Wednesday, 10 June 2015 at 1.00 pm at COPACC.***
- 3. Notes that written submissions will be accepted for a five week period closing 5:00pm Friday, 29 May 2015.***
- 4. Authorises the General Manager Corporate and Community Services to give public notice, in accordance with Sections 129 and 223 of the Local Government Act 1989 that Council has prepared a proposed budget for the 2015-16 year, and pursuant to section 223 (3) to carry out the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act.***
- 5. Considers for adoption the proposed budget 2015/16 at the Council Meeting on Wednesday, 24 June 2015 at 4.00 pm at COPACC, after consideration of any submissions received by Council at its Meeting on Wednesday, 10 June 2015.***

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

**OM152204-14 BLUEWATER FITNESS CENTRE REDEVELOPMENT
PROJECT - PROGRESS REPORT**

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

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council notes the monthly status report for the Blue Water Fitness Centre Redevelopment Project covering the period to 1 March 2015 to 31 March 2015.

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

OM152204-15

**LAKE COLAC CO-ORDINATING COMMITTEE -
EXPRESSIONS OF INTEREST FOR COMMUNITY
REPRESENTATIVES**

AUTHOR:	Katrina Kehoe	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	11/96426

MOVED Cr Lyn Russell seconded Cr Michael Delahunty

That Council:

- 1. Endorse the appointment of all 6 applicants as local community representatives to the Lake Colac Co-ordinating Committee, for a period of 3 years.***
- 2. Endorse the amended Terms of Reference for the Committee which have been changed to reflect the increase in number of the local community representatives.***
- 3. Acknowledge that should any of the community representatives resign during the 3 year period, a replacement will not be sought unless the local community representative numbers fall below 4.***

CARRIED 7 : 0

OM152204-16 ASSEMBLY OF COUNCILLORS

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F14/6031

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council notes the Assembly of Councillors reports for:

- ***Friends of Colac Botanic Gardens*** ***12 March 2015***
- ***Councillor Briefing*** ***18 March 2015***
- ***Councillor Briefing*** ***25 March 2015***
- ***Councillor Briefing*** ***1 April 2015***
- ***Councillor Briefing*** ***8 April 2015***
- ***Councillor Briefing*** ***15 April 2015.***

CARRIED 7 : 0

**OM152204-17 MINUTES OF COLAC COMMUNITY LIBRARY AND
LEARNING CENTRE JOINT COMMITTEE**

AUTHOR:	Colin Hayman	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	11/96218

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council notes the minutes of the Colac Community Library and Learning Centre (CCLLC) Joint Committee for 5 November 2014.

CARRIED 7 : 0

OM152204-18**MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE**

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

MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That Council notes the Minutes of the Old Beechy Rail Trail Committee for 2 February 2015.

CARRIED 7 : 0

OM152204-19**MINUTES FROM YOUTH COUNCIL MEETINGS**

AUTHOR:	Maree Redmond	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	11/96640

MOVED Cr Lyn Russell seconded Cr Stephen Hart

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

- 1 December 2014***
- 16 March 2015.***

CARRIED 7 : 0

**OM152204-20 REPORT FROM DELEGATE TO OTHER BODIES - AUDIT
COMMITTEE MINUTES**

MOVED Cr Michael Delahunty seconded Cr Stephen Hart

***That Council receives for information the unconfirmed summary minutes of the Colac
Otway Shire Audit Committee Meeting dated 18 March 2015.***

CARRIED 7 : 0

IN COMMITTEE

MOVED Cr Stephen Hart seconded Cr Lyn Russell that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed at 6.38pm 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 25 March 2015	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)

CARRIED 6 : 0

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4, Councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

Cr Chris Smith left the meeting at 6.44pm

OUT OF COMMITTEE

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

CARRIED 6 : 0

The Meeting Was Declared Closed at 6.46pm

CONFIRMED AND SIGNED at the meeting held on 27 MAY 2015


.....MAYOR

