

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the COPACC, Gellibrand Street Colac on 28 March 2012 at 3.00 pm.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

Cr Stephen Hart (Mayor)
Cr Frank Buchanan
Cr Brian Crook
Cr Stuart Hart
Cr Geoff Higgins
Cr Lyn Russell
Cr Chris Smith

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

Part: Brett Exelby, Manager, Finance & Customer Services

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

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

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

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

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

An audio recording of this meeting is being made for the purpose of ensuring the minutes of the meeting are accurate. In some circumstances the recording may be disclosed, such as

where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982. It is an offence to make an unauthorised recording of the meeting.

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

1. Questions received in writing prior to the meeting (subject to attendance and time),
2. Questions from the floor.

5. QUESTION TIME

Questions Received in Writing Prior to the Meeting

James Judd

Should a Code Red Day be declared on a day Council proposes to hold a Council meeting away from Colac, will this be changed to another location or called off without giving notice of the change?

Response

If a Code Red Day was declared within the Colac Otway Shire, Council would most likely cancel the meeting given that senior staff would be involved in staffing the Municipal Emergency Management Centre. In that event, the meeting would be rescheduled and urgent notices would be sent to notify citizens of this.

When Council places a public notice in the paper with wrong street name and number given, why is it not required to place another advertisement with the correct details quoted?

Response

Council mistakenly printed the address of Bluewater Fitness Centre instead of the Colac Community Library and Learning Centre in a recent advertisement. We apologise for this error. Council will not repeat the advertisement because it is not considered to be a prudent use of ratepayer dollars. Instead, Bluewater Fitness Centre staff will redirect any visitors who arrive at the fitness centre looking for the library.

When will council carry out a check on the placing of all road intersection signs? If these are away from the intersection or unable to be seen from all roads, move them to the intersection so they are able to be seen from all roads.

Response

Council installs and monitors road signage in accordance with the Standards specified in the Road Management Plan. Council would welcome feedback on specific locations to review and members of the general public can lodge a request through Council's Customer Service to investigate particular sites.

Since it used to be a requirement on Councils that public notices were published in two separate newspapers one a local newspaper, one a widely distributed capital city newspaper, why is this not still a requirement on Councils?

Response

It has not been a requirement for Councils to publish in two separate newspapers. Council is required under the Local Government Act to give public notice. For Colac Otway, Council advertises in the Colac Herald for any public notices and other newspapers and newsletters where appropriate.

When will Council give an undertaking to advise people when it changes its method of raising accounts not issue accounts on a new system without giving advice of changes? This follows a recent change to due date on some monthly accounts by advancing due date by three weeks requiring payment in well under 2 weeks. So if you do not finish details on how accounts are issued up to seven days after account period, payment can be due in advance of any account being received.

Response

Council has not changed its methods of invoicing. Invoices are produced from Council's corporate system (Civica Authority), which has been in use since 2009. There is no requirement for Council to advise debtors when administrative systems are changed or amended and to do so would be totally impractical.

As explained in a letter to Mr Judd dated 15 March 2012, the due date for sundry debtor accounts is pre set within Civica Authority to be the end of the month of the issue of an invoice. This has not changed.

To assist sundry debtors pay their accounts, Council provides a direct debit payment option for those who wish to pay by this option, with deductions made on the 10th of the month (as explained to Mr Judd in a letter dated 19 August 2011).

The 10th of the month is not a due date – it is simply the date on which deductions are made that will be allocated against a sundry debtor's account.

All sundry debtor accounts are issued as promptly as possible. If the timing of the issue of the invoice does not fit in with the direct debit payment option, the debtor can elect to pay by a more convenient option or a later time before the end of the month.

What are the food regulations in relation to burning cigarettes in take away food premises while food is being served? If there are any please make sure all food dispensing businesses are made aware of these. It is no encouragement to try a food premises when people with a burning cigarette walk out after purchasing food.

Response

Smoking is not permitted in enclosed workplaces, enclosed restaurants and cafes. (Tobacco Act 1987 No 81). Council officers inspect premises to confirm compliance with the Act.

Re election Caretaker Period, item OM122803-4 P43. Under the pre-election period caretaker policy it states that it will be published on council's website. If the website is acceptable it must also be published in the press available within the Council's total area. This notice is a must prior to the start of the caretaker period. P45 implementation not acceptable. Must include publication in press available with the entire shire.

Response

As indicated, once adopted the Policy will be available on Council's website. A press release can also be prepared as to the review of the policy.

Attachment 2 P74: Lease and License. Why does the Council vary its address between lease contracts when on some it is only a PO Box number then on others it is a street number?

Response

The lease and licence was prepared by an external party. The Council's address is either 2-6 Rae Street or PO Box 283. Either is appropriate.

Mr Gerard Barrow – Sacred Heart Primary School

Why is the footpath along Hart St, between Dean Court and Howarth St, such a low priority in comparison to the footpath along Queen St between Pound Road and Harris Road?

Response

Queen Street, from Harris Road to Pound Road is virtually a direct link from the significant and expanding residential development of the Scanlon Estate to the new secondary school campus, Bluewater Fitness Centre and new library, and deserves to be Primary footpath. This footpath section continues as primary footpath right into Colac CBD and to other community facilities.

Allotments in the vicinity of Hart St. / Howarth St. and further north along Hart St. to Mahoney Court are larger, resulting in a reduced housing density. Furthermore, residential development along the south side of Harris Rd between Howarth and Spring Streets is prevented by the presence of the golf course. It is therefore expected that the current and longer term demand for a footpath along Hart St. will be less than for the strategic link along Queen St. It is still deemed appropriate for this footpath section to be of secondary standard.

Hart Street, between Pound Road and Hearn Street, has been nominated to have a local standard footpath due to the fact that Borwick, Campbell, Dowling and Gravesend Streets all run parallel to Hart Street, and all will have a local standard footpath which commuters may choose to follow. Effectively the demand for a footpath between Hearn Street and Pound Road, in the vicinity of Hart Street, can be spread across five (5) footpaths. It is deemed appropriate that the footpath section along Hart Street between Hearn Street and Pound Road remains as local standard.

In reality, the difference in construction standard between the Primary footpath along Queen Street and the Secondary footpath along Hart Street is not that great. The footpath itself will be constructed to the same standard and width. Differences occur though in terms of lighting, treatments provided at road crossings and in methods of funding. The strategic link along Queen Street is regarded as a high priority which Council is prepared to fund without requiring a contribution from abutting land owners.

Questions Received Verbally at the Meeting

John Richards – Apollo Bay

In relation to tourism development in rural and farm zones, is the Colac Otway Shire Council giving consideration to joining with, or has joined with, the Corangamite Shire in its action to change the planning regulations?

Has Council considered that such changes could write into the planning regulations the green credentials of the Shire, not simply by stopping development but by developing policies, regulations and standards that establish a statewide benchmark for the very best ecological sensitive developments in the natural landscape?

Response

The General Manager, Sustainable Planning & Development, advised that in relation to developments along the Great Ocean Road, Council has concerns with respect to protecting the pristine nature of the landscape which is strongly supported by the Colac Otway community. There are still opportunities for tourism to develop. What this Council has done in terms of the rural activity zones that you are referring to is to write to the Minister advising that Council feels that the current restrictions are too restrictive and this is the approach that Council has taken at this stage.

Gerard Barrow – Sacred Heart Primary School

With a reference to a letter received from Neil Allen in relation to research conducted by council on the usage of Queen Street and Hart Street footpaths, or that area, what research has been conducted and what were the results of that research in relation to the usage of the two areas where there are no footpaths? As my observations would support my submission that both areas are worthy of being considered a priority for a footpath.

Response

The General Manager, Infrastructure & Services, advised that staff had conducted research on the base population in the town and the future growth areas. They have also looked at the relationship between the various services, and schools in particular, and they have modeled the paths of travel for pedestrians along those lines and that is a key requirement in determining what the strategic level of a footpath is. The final construction of a footpath in Hart Street at a later stage will be of a similar standard to the strategic footpath planned for Queen Street.

So it is just an estimation of figures and not actual usage then?

Response

The General Manager, Infrastructure & Services explained that officers looked at the long term potential usage of the footpaths into the future and that is how the strategic footpath network was developed. Council needs to look at the potential growth and the predicted population that will feed into the footpath network.

Bill Gross – Apollo Bay

With reference to current Colac Otway Shire employment costs, why can't there be a reduction in employment and not a rise in rates? Will Council consider reducing staff numbers rather than raising rates?

Response

The CEO stated that the underlying issues behind the employment costs being referred were not adequately explained. This includes the extent to which Cosworks staffs' wages are being costed, either as a capital charge or an operational cost. This fluctuates from year to year depending on where the workload sits. The staff

numbers have not increased significantly and there has been tight control over staff numbers. We need to meet the rising needs of the community against a relatively fixed position in terms of rates and we are extremely conscious of the ability of the community to bear those rates. A number of staff positions are fully funded by Government grants. Management has tried very hard to maintain existing numbers which has led to pressure on staff as a result of trying to do that whilst still trying to meet a high level of demand for our services from the community.

Are you able to explain why there are more staff in the planning department when there are less planning applications being processed?

Response

The CEO advised that while the number of planning staff had increased, the amount of expenditure on consultants has decreased.

With reference to the closure today of the Apollo Bay Transfer Station could the Shire look at informing residents in future when the tip is going to be closed?

Response

The General Manager, Infrastructure & Services advised that there had been an attempt to inform the community. While it had been too late to place a notice in the Apollo Bay Newsheet, emails had been sent to groups advising of the closure. Staff had also posted flyers in the windows of Apollo Bay businesses.

6. DECLARATION OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 22/02/12.**

MOVED Cr Lyn Russell seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM122803-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM122803-2 2010/2011 COLAC OTWAY SHIRE EMPLOYEE COSTS

Corporate and Community Services

- OM122803-3 OLD BEECHY RAIL TRAIL LICENCE AGREEMENT 2012
- OM122803-4 PRE-ELECTION CARETAKER POLICY
- OM122803-5 LEASE WITH OTWAY HEALTH AND COMMUNITY SERVICES
- OM122803-6 APOLLO BAY TRAILS FEASIBILITY STUDY
- OM122803-7 APOLLO BAY AQUATIC CENTRE FEASIBILITY STUDY
- OM122803-8 SOUTH WEST LOCAL LEARNING AND EMPLOYMENT NETWORK –
LOCAL GOVERNMENT REPRESENTATIVE
- OM122803-9 DISCONTINUANCE & TRANSFER OF PART OF YAUGHER ROAD,
FORREST

Infrastructure and Services

- OM122803-10 COLAC - ELLIMINYT COMMUTER FOOTPATH STRATEGY
- OM122803-11 ROAD MANAGEMENT COMPLIANCE REPORT

Sustainable Planning and Development

- OM122803-12 BIRREGURRA NEIGHBOURHOOD CHARACTER STUDY - DRAFT
REPORT
- OM122803-13 COLAC MARKETING STRATEGY

General Business

- OM122803-14 ASSEMBLY OF COUNCILLORS

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CHIEF EXECUTIVE OFFICER</u></p> <p><u>OM122803-1 CEO'S PROGRESS REPORT TO COUNCIL</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council notes the CEO's Progress Report to Council.</i></p>	<p>Cr Brian Crook Cr Stuart Hart</p>	
<p><u>OM122803-2 2010/2011 COLAC OTWAY SHIRE EMPLOYEE COSTS</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council notes the 2010/2011 Colac Otway Shire Employee Cost report for information.</i></p>		<p>Cr Chris Smith</p>

MOVED Cr Stuart Hart seconded Cr Brian Crook that recommendations to items listed in the Consent Calendar, with the exception of item OM122803-2 2010/2011 Colac Otway Shire Employee Costs, be adopted.

CARRIED 7 : 0

OM122803-2 2010/2011 COLAC OTWAY SHIRE EMPLOYEE COSTS

MOTION - MOVED Cr Chris Smith
That Council:

- 1. Notes the 2010/2011 Colac Otway Shire Employee Cost report for information.**
- 2. Investigates why employee costs have increased out of control since 2008.**
- 3. Investigates how employee costs can be significantly reduced.**

Motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Brian Crook seconded Cr Lyn Russell

That Council notes the 2010/2011 Colac Otway Shire Employee Cost report for information.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CORPORATE AND COMMUNITY SERVICES</u> <u>OM122803-3 OLD BEECHY RAIL TRAIL LICENCE AGREEMENT 2012</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council signs and seals the licence between V/Line Pty Ltd and Colac Otway Shire Council for licence of Land Occupancy (Beechy Line Rail Trail) at the Colac Railway Station Yard for a licence fee of \$1 and a term being that date upon which the Regional Infrastructure Lease is terminated (3 May 2017).</i></p>	Cr Chris Smith	
<p><u>OM122803-4 PRE-ELECTION CARETAKER POLICY</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopts the revised Pre-Election Caretaker Policy No 18.4.</i></p>		
<p><u>OM122803-5 LEASE WITH OTWAY HEALTH AND COMMUNITY SERVICES</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Signs and seals the Agreement to Lease and Redevelopment Licence related to the lease at 6 Pengilley Avenue Apollo Bay with Otway Health and Community Services.</i> <i>2. Signs and seals the Lease and Licence related to 6 Pengilley Avenue Apollo Bay with Otway Health and Community Services, for a period of 15 years, effective from the date of the issuing of a certificate of practical completion for the library works.</i> 	Cr Brian Crook	

<p><u>OM122803-6</u> <u>APOLLO BAY TRAILS FEASIBILITY STUDY</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopts the Apollo Bay Trails Feasibility Study.</i></p>	<p>Cr Chris Smith Cr Lyn Russell</p>	
<p><u>OM122803-7</u> <u>APOLLO BAY AQUATIC CENTRE FEASIBILITY STUDY</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Resolves that due to the capital cost and ongoing operational subsidy required from Council, the Apollo Bay Aquatic Centre is not feasible unless it is funded by grants and/or loans and Council is prepared to make a commitment to the necessary ongoing operational costs.</i> <i>2. Resolves not to undertake any further investigations into the development of the Apollo Bay Aquatic Centre unless clear funding options are identified.</i> <i>3. Consider allocating additional resources in future budgets to provide greater access to recreation facilities for the Apollo Bay community.</i> 		<p>Cr Chris Smith</p>
<p><u>OM122803-8</u> <u>SOUTH WEST LOCAL LEARNING AND EMPLOYMENT NETWORK - LOCAL GOVERNMENT REPRESENTATIVE</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council nominates Cr..... to replace Cr Crook as a Board Member on the South West Local Learning and Employment Network until the 26 October 2012.</i></p>		<p>Cr Brian Crook</p>

<p><u>OM122803-9 DISCONTINUANCE & TRANSFER OF PART OF YAUGHER ROAD, FORREST</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Commences statutory procedures pursuant to clause 3, schedule 10 of the Local Government Act 1989 to discontinue a triangular shaped portion of the Yaugher Road road reserve of up to 7,100 metres sq in area and transfer this portion of land to the owner of the abutting property (2 Yaugher Road, Forrest).</i> <i>2. Considers any submissions received, at the Council meeting to be held on 27 June 2012.</i> 		
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MOVED Cr Geoff Higgins seconded Cr Stuart Hart that recommendations to items listed in the Consent Calendar, with the exception of items OM122803-7 Apollo Bay Aquatic Centre Feasibility Study and OM122803-8 South West Local Learning and Employment Network - Local Government Representative, be adopted.

CARRIED 7 : 0

OM122803-7 APOLLO BAY AQUATIC CENTRE FEASIBILITY STUDY

MOTION - MOVED Cr Chris Smith

That Council:

- 1. Resolves that due to the current financial position of Council, the capital cost and ongoing operational subsidy required from Council, the Apollo Bay Aquatic Centre is not feasible unless it is funded by grants and/or loans and Council is prepared to make a commitment to the necessary ongoing operational costs.***
- 2. Resolves to undertake further investigations into the development of the Apollo Bay Aquatic Centre with the community of Apollo Bay.***
- 3. Consider allocating additional resources in future budgets to provide greater access to recreation facilities for the Apollo Bay community.***

Motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Lyn Russell seconded Cr Stuart Hart**That Council:**

1. **Resolves that due to the capital cost and ongoing operational subsidy required from Council, the Apollo Bay Aquatic Centre is not feasible unless it is funded by grants and/or loans and Council is prepared to make a commitment to the necessary ongoing operational costs.**
2. **Resolves not to undertake any further investigations into the development of the Apollo Bay Aquatic Centre unless clear funding options are identified.**
3. **Consider allocating additional resources in future budgets to provide greater access to recreation facilities for the Apollo Bay community.**
4. **Will continue discussions about the proposed indoor heated pool and associated infrastructure at the Harbour with the Apollo Bay Aquatic Committee, Regional Development Victoria, Department of Transport, Department of Planning and Community Development, Tourism Victoria and Department of Sustainability and Environment.**

AMENDMENT - MOVED Cr Chris Smith seconded Cr Geoff Higgins

That the wording in point four of the proposed motion be changed from “at the Harbour” to “at Apollo Bay”.

CARRIED 7 : 0

MOTION - MOVED Cr Lyn Russell seconded Cr Stuart Hart**That Council:**

1. **Resolves that due to the capital cost and ongoing operational subsidy required from Council, the Apollo Bay Aquatic Centre is not feasible unless it is funded by grants and/or loans and Council is prepared to make a commitment to the necessary ongoing operational costs.**
2. **Resolves not to undertake any further investigations into the development of the Apollo Bay Aquatic Centre unless clear funding options are identified.**
3. **Consider allocating additional resources in future budgets to provide greater access to recreation facilities for the Apollo Bay community.**
4. **Will continue discussions about the proposed indoor heated pool and associated infrastructure at Apollo Bay with the Apollo Bay Aquatic Committee, Regional Development Victoria, Department of Transport, Department of Planning and Community Development, Tourism Victoria and Department of Sustainability and Environment.**

CARRIED 7 : 0

**OM122803-8 SOUTH WEST LOCAL LEARNING AND EMPLOYMENT NETWORK -
LOCAL GOVERNMENT REPRESENTATIVE**

MOTION - MOVED Cr Brian Crook seconded Cr Lyn Russell

That Council nominates Cr Stuart Hart to replace Cr Crook as a Board Member on the South West Local Learning and Employment Network until the 26 October 2012.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>INFRASTRUCTURE AND SERVICES</u></p> <p><u>OM122803-10 COLAC - ELLIMINYT COMMUTER FOOTPATH STRATEGY</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Adopts the Colac-Elliminyt Commuter Footpath Strategy, including the standards shown in the Strategy.</i> <i>2. Refers the works shown in the Works Program of the Strategy to its long term Capital Works program, for consideration, prioritization and funding, based on increased funding for new and up-grade footpath works from \$121,000 to \$214,880, per year over the next 10 years.</i> <i>3. Makes provision for extension of the Secondary and Local footpath network through Special Charge Schemes, and referral to Council's Capital Works Program.</i> <i>4. Council's Infrastructure and Services Department to prepare a business case for the current Council budget process increasing the renewal expenditure on footpaths from \$325,000 per annum to \$396,000 annually.</i> 		Cr Chris Smith
<p><u>OM122803-11 ROAD MANAGEMENT COMPLIANCE REPORT</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receives the Road Management Plan Compliance Report for July to September 2011 for information.</i></p>	Cr Chris Smith	

MOVED Cr Lyn Russell seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar, with the exception of item OM122803-10 Colac - Elliminyt Commuter Footpath Strategy, be adopted.

CARRIED 7 : 0

OM122803-10 COLAC - ELLIMINYT COMMUTER FOOTPATH STRATEGY

MOTION - MOVED Cr Brian Crook seconded Cr Stuart Hart

That Council:

- 1. Adopts the Colac-Elliminyt Commuter Footpath Strategy, including the standards shown in the Strategy.***
- 2. Refers the works shown in the Works Program of the Strategy to its long term Capital Works program, for consideration, prioritization and funding, based on increased funding for new and up-grade footpath works from \$121,000 to \$214,880, per year over the next 10 years.***
- 3. Makes provision for extension of the Secondary and Local footpath network through Special Charge Schemes, and referral to Council's Capital Works Program.***
- 4. Council's Infrastructure and Services Department to prepare a business case for the current Council budget process increasing the renewal expenditure on footpaths from \$325,000 per annum to \$396,000 annually.***

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

CONSENT CALENDAR**OFFICERS' REPORT**

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W = Withdrawal

ITEM	D	W
<p><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></p> <p><u>OM122803-12 BIRREGURRA NEIGHBOURHOOD CHARACTER STUDY - DRAFT REPORT</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receives the draft Birregurra Neighbourhood Character Study and endorses the document for public consultation for a period of 6 weeks.</i></p>	<p>Cr Chris Smith Cr Lyn Russell Cr Brian Crook</p>	
<p><u>OM122803-13 COLAC MARKETING STRATEGY</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Adopts the Colac Marketing Strategy.</i> <i>2. Endorses further work to be undertaken to develop a new Colac brand.</i> 		<p>Cr Chris Smith</p>

MOVED Cr Brian Crook seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar, with the exception of item OM122803-13 Colac Marketing Strategy, be adopted.

CARRIED 7 : 0

OM122803-13 COLAC MARKETING STRATEGY***MOTION - MOVED Cr Chris Smith***

That Council endorses that further work by our staff with relevant community groups be undertaken to develop a new Colac Marketing Strategy and potential Colac brand.

Motion lapsed due to lack of a seconder.

MOTION - MOVED Cr Geoff Higgins seconded Cr Stuart Hart

That Council scraps the Colac Marketing Strategy.

LOST 2 : 5

DIVISION called by Cr Chris Smith

For the Motion: Cr Geoff Higgins, Cr Stuart Hart

Against the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Stephen Hart, Cr Lyn Russell

MOTION - MOVED Cr Brian Crook seconded Cr Lyn Russell

That Council:

- 1. Adopts the Colac Marketing Strategy.***
- 2. Endorses further work to be undertaken to develop a new Colac brand.***

CARRIED 4 : 3

DIVISION called by Cr Geoff Higgins

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

Against the Motion: Cr Geoff Higgins, Cr Chris Smith, Cr Stuart Hart

CONSENT CALENDAR**OFFICERS' REPORT**

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ITEM	D	W
<p><u>GENERAL BUSINESS</u></p> <p><u>OM122803-14 ASSEMBLY OF COUNCILLORS</u></p> <p>Department: General Business</p> <p><u>Recommendation(s)</u></p> <p><i>That Council notes the Assembly of Councillors reports for:</i></p> <ul style="list-style-type: none"> • <i>Friends of Colac Botanic Gardens - 8 February 2012</i> • <i>Saleyards Advisory Sub-Committee - 20 February 2012</i> • <i>Councillor Briefing Session - 22 February 2012</i> • <i>Colac Aerodrome Committee - 1 March 2012</i> • <i>Friends of Botanic Gardens - 8 March 2012</i> • <i>Councillor Workshop - 14 March 2012</i> 		

MOVED Cr Lyn Russell seconded Cr Geoff Higgins that recommendations to item OM122803-14 Assembly Of Councillors, as listed in the Consent Calendar, be adopted.

CARRIED 7 : 0

IN COMMITTEE

Recommendation

Moved Cr Lyn Russell seconded Cr Geoff Higgins that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Confidential Items for Consideration - Memo to Councillors	this matter may prejudice the Council or any person	Section 89 (2) (h)
Proposed Elderly Citizens Village - Lions Club Birregurra	this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (d) (h)
Contract Approval Contract 1204 - Sinclair Street South Construction	this matter deals with contractual matters	Section 89 (2) (d)
Benchmarking/Performance Indicators	this matter may prejudice the Council or any person	Section 89 (2) (h)
Bruce Street Landfill Environmental Monitoring - Update	this matter deals with contractual matters; AND this matter deals with legal advice	Section 89 (2) (d) (f)
Saleyards Roofing	this matter deals with contractual matters	Section 89 (2) (d)

MOTION - MOVED Cr Frank Buchanan seconded Cr Lyn Russell

That item OM122803-18 Benchmarking/Performance Indicators be withdrawn from the In-Committee agenda to come back in open Council at a future meeting.

CARRIED 7 : 0

Mayor withdrew original motion

MOTION - MOVED Cr Frank Buchanan seconded Cr Lyn Russell

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

SUBJECT	REASON	SECTION OF ACT
Confidential Items for Consideration - Memo to Councillors	this matter may prejudice the Council or any person	Section 89 (2) (h)
Proposed Elderly Citizens Village - Lions Club Birregurra	this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (d) (h)
Contract Approval Contract 1204 - Sinclair Street South Construction	this matter deals with contractual matters	Section 89 (2) (d)

Bruce Street Landfill Environmental Monitoring - Update	this matter deals with contractual matters; AND this matter deals with legal advice	Section 89 (2) (d) (f)
Saleyards Roofing	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 7 : 0

OUT OF COMMITTEE

MOVED Cr Lyn Russell seconded Cr Stuart Hart that the meeting move out of committee.

CARRIED 7 : 0

The Meeting Was Declared Closed at 6:02pm

CONFIRMED AND SIGNED at the meeting held on 26 APRIL 2012

.....**MAYOR**

