

**MINUTES** of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC, Gellibrand Street Colac on 23 May 2012 at 3.00 pm.

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**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  
Doug McNeil, Acting General Manager, Sustainable Planning & Development  
Maree Redmond, Executive Officer

**3. APOLOGIES**

Jack Green, General Manager, Sustainable Planning & Development

**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 - Colac

1. What portion of rates is needed to pay the cost of restoring infrastructure, public utilities and signage as a result of vandalism of shire property?

**Response:**

**Approximately 0.16% of rates and municipal charges are expended annually on responding to vandalism of Council property.**

**Please note that this answer is only an approximate. It is very difficult to give an exact answer as it would take countless hours to track down each and every job and decide if it was vandalism or just wear and tear.**

2. When will priority ranking of projects mean something in relation to when they will actually be done, not subject to continual revision and delays for something else to jump in priority and may never be done?

**Response:**

**Priority ranking of projects is carried out in a robust, analytical manner and provides guidance regarding highest priority projects for Councillor consideration.**

**Many projects are carried out from the priority list annually, while some with lower priority in one year may gain higher priority in the following year because risk rating or other factors see them being reclassified.**

**The priority list can be seen as a ten year program and this allows better long term planning.**

3. Why is there no uniform requirement as to when agendas are provided. With some last work day of a week before a meeting. This would be possible to only be morning of a meeting if called on another day.

**Response:**

***This question has previously been answered. Special Council meeting agendas are prepared as soon as possible, but is dependent on when the meeting is called and the background information that is required to prepare the reports.***

***Under the Local Law an agenda for a special council meeting must be served on every Councillor at least 24 hours (including at least 1 working day) before the meeting.***

4. How much money is spent per year to hire outside bodies to make reports to Council. Some contain blatant errors in dates. So how much else is accurate and not just spin.

**Response:**

***We don't have a figure available and will not respond to unsubstantiated claims.***

5. Adoption of Colac CBD and Entrance Project. Please explain the claim on Page 65 in the first two lines of background. Another blunder: the project commenced late in 2012 after \$75,000 funding was received from RDV.

Since we are not midway into 2012 now. When will items be checked to make sure dates quoted are correct.

It is impossible to adopt something that has not commenced.

**Response:**

***Noted.***

6. In regard to the report Australia Day 2013. In view of the claim public safety: water on page 36 is a requirement when Australia Day Events are held. How do you explain Apollo Bay is acceptable for Australia Day 2013 Events. Since for many years severe water restrictions have applied over all summer months in Apollo Bay.

**Response:**

***Council works with the local community groups and ensures that all guidelines with respect to public safety are adhered to.***

**Questions Received Verbally at the Meeting**

Nil

## 6. DECLARATION OF INTEREST

Cr Crook:	Agenda Item OM122305-16
Nature of Disclosure:	Direct Interest

Cr Crook:	Agenda Item OM122305-17
Nature of Disclosure:	Direct Interest

Cr Crook:	Agenda Item OM122305-18
Nature of Disclosure:	Direct Interest

## 7. CONFIRMATION OF MINUTES

- Special Council Meeting held on 18/04/12
- Ordinary Council Meeting held on 26/04/12
- Special Council Meeting held at 1:00 pm on 9/05/12
- Special Council Meeting held at 2:00 pm on 9/05/12

***MOVED Cr Geoff Higgins seconded Cr Lyn Russell that Council confirm the following minutes:***

- Special Council Meeting held on 18/04/12
- Ordinary Council Meeting held on 26/04/12 subject to the correction of Report OM122604-7 on 26 April 2012 which should read "Motion - Moved Cr Chris Smith that Council receives the third quarter financial performance report 2011-2012 and notes the Council's deteriorating financial position".  
(Note: this motion lapsed due to want of a seconder)
- Special Council Meeting held at 1:00 pm on 9/05/12
- Special Council Meeting held at 2:00 pm on 9/05/12

**CARRIED 7 : 0**

## **OFFICERS' REPORTS**

### **Chief Executive Officer**

- OM122305-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM122305-2 SEPTEMBER 2012 COUNCIL MEETING DATE

### **Corporate and Community Services**

- OM122305-3 COLAC OTWAY SHIRE AUSTRALIA DAY CELEBRATIONS 2013
- OM122305-4 COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE AND JOINT USE AGREEMENT
- OM122305-5 COUNCIL COMMITMENT TO CORANGAMITE REGIONAL LIBRARY CORPORATION

### **Infrastructure and Services**

- OM122305-6 SUBMISSION: WASTE POLICY REVIEW DISCUSSION PAPER - DEPARTMENT OF SUSTAINABILITY & ENVIRONMENT (DSE)
- OM122305-7 ROAD DISCONTINUANCE - 1505 OLD BEECH FOREST ROAD, BEECH FOREST

### **Sustainable Planning and Development**

- OM122305-8 ADOPTION OF COLAC CBD AND ENTRANCES PROJECT
- OM122305-9 PLANNING SCHEME AMENDMENT C65 - CONSIDERATION OF SUBMISSIONS
- OM122305-10 INTERIM GREAT OCEAN ROAD TOURISM BOARD

### **General Business**

- OM122305-11 ASSEMBLY OF COUNCILLORS
- OM122305-12 OTHER COMMITTEE MINUTES
- OM122305-13 MINUTES OF COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE
- OM122305-14 MINUTES OLD BEECHY RAIL TRAIL COMMITTEE MEETING
- OM122305-15 CLIMATE RESILIENT COMMUNITIES GRANT

### **Notices of Motion**

- OM122305-16 HEAVY VEHICLE TRANSPORT ROUTE REPORT
- OM122305-17 HEAVY VEHICLE TRANSPORT ROUTE
- OM122305-18 HEAVY VEHICLE ROUTE OPTIONS

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>OM122305-1 CEO'S PROGRESS REPORT TO COUNCIL</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council notes the CEO's Progress Report to Council.</i></p>	Cr Brian Crook	
<p><b><u>OM122305-2 SEPTEMBER 2012 COUNCIL MEETING DATE</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council reschedules the date of its 2012 September Ordinary Council meeting from 26 September 2012 to 19 September 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay.</i></p>		Cr Stuart Hart

***MOVED Cr Brian Crook seconded Cr Stuart Hart that recommendations to items listed in the Consent Calendar, with the exception of item OM122305-2 - September 2012 Council Meeting Date, be adopted.***

**CARRIED 7 : 0**

**OM122305-2 SEPTEMBER 2012 COUNCIL MEETING DATE**

***MOVED Cr Brian Crook seconded Cr Lyn Russell***

***That Council reschedules the date of its 2012 September Ordinary Council meeting from 26 September 2012 to 19 September 2012 at 3.00pm, at Apollo Bay Senior Citizen's Centre, Apollo Bay.***

**LOST 3 : 4**

**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM122305-3 COLAC OTWAY SHIRE AUSTRALIA DAY CELEBRATIONS 2013</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council endorses the recommendation by the Australia Day Advisory Committee to hold the 2013 Australia Day event in Apollo Bay.</i></p>	<p>Cr Chris Smith</p> <p>Cr Lyn Russell</p>	
<p><b><u>OM122305-4 COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE AND JOINT USE AGREEMENT</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Approves the changes to the Development and Joint Use Agreement and the Terms of Reference for the Colac Community Library and Learning Centre Joint Committee.</i></li> <li><i>2. Consults with the Colac Secondary College with respect to writing to the Minister of Education seeking endorsement of the changes to the Joint Use Agreement and Terms of Reference.</i></li> </ol>	<p>Cr Stephen Hart</p>	

<b>OM122305-5</b>	<b><u>COUNCIL COMMITMENT TO CORANGAMITE REGIONAL LIBRARY CORPORATION</u></b>	<b>Cr Stephen Hart</b>	
Department: Corporate and Community Services			
<b><u>Recommendation(s)</u></b>			
<b><i>That Council;</i></b>			
<b><i>1. Notes the updated report on the Corangamite Regional Library Corporation and the discussions at Warrnambool City Council on their future library service</i></b> <b><i>2. Reaffirms its commitment to the Corangamite Regional Library Corporation.</i></b>			

***MOVED Cr Lyn Russell seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 7 : 0***



CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>INFRASTRUCTURE AND SERVICES</u></b></p> <p><b><u>OM122305-6 SUBMISSION: WASTE POLICY REVIEW DISCUSSION PAPER - DEPARTMENT OF SUSTAINABILITY &amp; ENVIRONMENT (DSE)</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council notes the submission on the State Government's Waste Policy Review Discussion Paper, and endorses the officers actions in forwarding the submission on Council's behalf.</i></p>	Cr Brian Crook	
<p><b><u>OM122305-7 ROAD DISCONTINUANCE - 1505 OLD BEECH FOREST ROAD, BEECH FOREST</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Resolves to discontinue that portion of road designated R1 shown hatched on Plan of Subdivision PS627750J, and affect the discontinuance by notice published in the Victoria Government Gazette.</i></li> <li><i>2. Responds to all persons whom made a submission to advise them of Council's decision.</i></li> </ol>		

**MOVED** Cr Geoff Higgins seconded Cr Brian Crook that recommendations to items listed in the Consent Calendar be adopted.

**CARRIED 7 : 0**

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p><b><u>OM122305-8 ADOPTION OF COLAC CBD AND ENTRANCES PROJECT</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Adopts the Final Colac CBD &amp; Entrances Project Report May 2012 and associated Colac CBD &amp; Entrances Project Report - Implementation Plan May 2012.</i></b></li> <li><b><i>2. Requests authorisation from the State Planning Minister to prepare and exhibit an amendment to the Colac Otway Planning Scheme to implement the planning related outcomes of the project.</i></b></li> <li><b><i>3. Refers recommendations of the Final Project report, including capital works proposals to future budget processes for consideration, and inclusion in the 10 year capital works and major projects plan.</i></b></li> <li><b><i>4. Seeks, as a priority, to identify funding which can enable the commencement of detailed designs for priority precincts and infrastructure works identified in the Final Project report, and to commence the preparation of an Urban Forest Strategy.</i></b></li> </ol>		Cr Chris Smith
<p><b><u>OM122305-9 PLANNING SCHEME AMENDMENT C65 - CONSIDERATION OF SUBMISSIONS</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Notes Submissions 1 – 4 from the referral authorities/agencies with respect to Planning Scheme Amendment C65.</i></b></li> </ol>		

<p>2. <b>Not supports Submissions 5 and 6 with respect to Planning Scheme Amendment C65.</b></p> <p>3. <b>Splits Amendment C65 into two parts as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Part 1 – land bound by Cawood Street, MacLachlan Street, Murray Street and Great Ocean Road, and</b></li> <li>• <b>Part 2 – balance of the amendment.</b></li> </ul> <p>4. <b>Adopts Amendment C65 Part 2.</b></p> <p>5. <b>Requests the Minister for Planning to appoint an independent planning panel to hear submissions in regard to Amendment C65 Part 1 and approve Amendment C65 Part 2.</b></p>		
<p><b><u>OM122305-10 INTERIM GREAT OCEAN ROAD TOURISM BOARD</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b>That Council:</b></p> <p>1. <b>Endorses the Interim Great Ocean Road Tourism Board and to appoint the Manager of Economic Development and Tourism as Colac Otway Shire's representative to the Board.</b></p> <p>2. <b>Writes to the Chief Executive of Tourism Victoria to advise of this decision and that that the Regional Tourism Board should be:</b></p> <ul style="list-style-type: none"> <li>• <b>Representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding.</b></li> <li>• <b>Supported by a long term State Government funding agreement.</b></li> <li>• <b>Sustainable without unduly increasing the burden on local government.</b></li> <li>• <b>Led by a Chief Executive appointed through an independent open recruitment process.</b></li> </ul>		<p><b>Cr Lyn Russell</b></p>

**MOVED Cr Stuart Hart seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar, with the exception of items OM122305-8 - Adoption Of Colac CBD And Entrances Project and OM122305-10 - Interim Great Ocean Road Tourism Board, be adopted.**

**CARRIED 7 : 0**

**OM122305-8 ADOPTION OF COLAC CBD AND ENTRANCES PROJECT****Original Recommendation(s)****That Council:**

1. ***Adopts the Final Colac CBD & Entrances Project Report May 2012 and associated Colac CBD & Entrances Project Report - Implementation Plan May 2012.***
2. ***Requests authorisation from the State Planning Minister to prepare and exhibit an amendment to the Colac Otway Planning Scheme to implement the planning related outcomes of the project.***
3. ***Refers recommendations of the Final Project report, including capital works proposals to future budget processes for consideration, and inclusion in the 10 year capital works and major projects plan.***
4. ***Seeks, as a priority, to identify funding which can enable the commencement of detailed designs for priority precincts and infrastructure works identified in the Final Project report, and to commence the preparation of an Urban Forest Strategy.***

**MOTION - MOVED Cr Chris Smith seconded Cr Geoff Higgins that Council does not adopt the final Colac CBD & Entrances Project Report May 2012 and associated Colac CBD Entrances Project Report – Implementation Plan 2012, until the longer term future route of the Princes Hwy through or around Colac is determined.**

**LOST 3: 4**

**MOTION - MOVED Cr Brian Crook seconded Cr Lyn Russell that Council:**

1. ***Adopts the Final Colac CBD & Entrances Project Report May 2012 and associated Colac CBD & Entrances Project Report - Implementation Plan May 2012.***
2. ***Requests authorisation from the State Planning Minister to prepare and exhibit an amendment to the Colac Otway Planning Scheme to implement the planning related outcomes of the project.***
3. ***Refers recommendations of the Final Project report, including capital works proposals to future budget processes for consideration, and inclusion in the 10 year capital works and major projects plan.***
4. ***Seeks, as a priority, to identify funding which can enable the commencement of detailed designs for priority precincts and infrastructure works identified in the Final Project report, and to commence the preparation of an Urban Forest Strategy.***

**CARRIED 4 : 3**

**DIVISION called by Cr Chris Smith**

**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**

**OM122305-10 INTERIM GREAT OCEAN ROAD TOURISM BOARD****Recommendation(s)*****That Council:***

1. ***Endorses the Interim Great Ocean Road Tourism Board and to appoint the Manager of Economic Development and Tourism as Colac Otway Shire's representative to the Board.***
2. ***Writes to the Chief Executive of Tourism Victoria to advise of this decision and that that the Regional Tourism Board should be:***
  - ***Representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding.***
  - ***Supported by a long term State Government funding agreement.***
  - ***Sustainable without unduly increasing the burden on local government.***
  - ***Led by a Chief Executive appointed through an independent open recruitment process.***

***MOTION MOVED Cr Lyn Russell seconded Cr Brian Crook that Council:***

1. ***Endorses the Interim Great Ocean Road Tourism Board and to appoint the Manager of Economic Development and Tourism as Colac Otway Shire's representative to the Board.***
2. ***Writes to the Chief Executive of Tourism Victoria to advise of this decision and that that the Regional Tourism Board should be:***
  - ***Representative of not only the tourism industry through skills based appointees but also of the local governments that would provide a major proportion of the funding.***
  - ***Supported by a long term State Government funding agreement.***
  - ***Sustainable without unduly increasing the burden on local government.***
  - ***Led by a Chief Executive appointed through an independent open recruitment process.***
3. ***Will also seek a commitment from the State Government that during the term of the Interim Board that all funds designated for the marketing of the Great Ocean Road Region that have been "frozen" during the process undergone over the past two years be released to the Interim Board for the purpose of regional marketing.***

**CARRIED 7 : 0**

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>GENERAL BUSINESS</u></b></p> <p><b><u>OM122305-11 ASSEMBLY OF COUNCILLORS</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council notes the Assembly of Councillors reports for:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Colac Road Hierarchy Heavy Vehicle Meeting - 17 April 2012</i></b></li> <li>• <b><i>Australia Day Advisory Committee Meeting - 18 April 2012</i></b></li> <li>• <b><i>Councillor Workshop - 9 May 2012</i></b></li> </ul>		
<p><b><u>OM122305-12 OTHER COMMITTEE MINUTES</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council notes the minutes from:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Colac Aerodrome Committee held on 12 April 2012</i></b></li> </ul>		
<p><b><u>OM122305-13 MINUTES OF COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council notes the minutes of the Colac Community Library and Learning Centre (CLLC) Joint Committee for:</i></b></p>	<p><b>Cr Stephen Hart</b>  <b>Cr Chris Smith</b></p>	

<ul style="list-style-type: none"> <li>- 31 August 2010</li> <li>- 15 September 2010</li> <li>- 13 October 2010</li> <li>- 27 October 2010</li> <li>- 10 November 2010</li> <li>- 30 November 2010</li> <li>- 9 February 2011</li> <li>- 9 March 2011</li> <li>- 8 June 2011</li> <li>- 10 August 2011</li> <li>- 14 September 2011</li> <li>- 12 October 2011</li> </ul>		
<p><b><u>OM122305-14 MINUTES OLD BEECHY RAIL TRAIL COMMITTEE MEETING</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council notes the Minutes and Executive Officer Report of the Old Beechy Rail Trail Committee for 6 February 2012.</i></p>		
<p><b><u>OM122305-15 CLIMATE RESILIENT COMMUNITIES GRANT</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council authorises the Chief Executive Officer to sign and seal the attached deed of agreement to the Department of Sustainability and Environment.</i></p>		<p><b>Cr Lyn Russell</b></p>

**MOVED** Cr Geoff Higgins seconded Cr Brian Crook that recommendations to items listed in the Consent Calendar, with the exception of items OM122305-15 - Climate Resilient Communities Grant, be adopted.

**CARRIED 7 : 0**

**OM122305-15 CLIMATE RESILIENT COMMUNITIES GRANT****Original Recommendation(s)**

*That Council authorises the Chief Executive Officer to sign and seal the attached deed of agreement to the Department of Sustainability and Environment.*

***MOTION - MOVED Cr Lyn Russell seconded Cr Brian Crook that Council authorises the Chief Executive Officer to sign and seal the deed of agreement to the Department of Sustainability and Environment tabled at the Council Meeting held on 23 May 2012.***

**CARRIED 7 : 0**



**CONSENT CALENDAR**

**OFFICERS' REPORT**

D = Discussion  
W = Withdrawal

ITEM	D	W
<p><b><u>NOTICES OF MOTION</u></b></p> <p><b><u>OM122305-16 HEAVY VEHICLE TRANSPORT ROUTE REPORT</u></b></p> <p>Department: Notices of Motion</p> <p><b><u>Recommendation</u></b></p> <p><i>That Council consider the contents of this Notice of Motion.</i></p>		
<p><b><u>OM122305-17 HEAVY VEHICLE TRANSPORT ROUTE</u></b></p> <p>Department: Notices of Motion</p> <p><b><u>Recommendation</u></b></p> <p><i>That Council consider the contents of this Notice of Motion.</i></p>		
<p><b><u>OM122305-18 HEAVY VEHICLE ROUTE OPTIONS</u></b></p> <p>Department: Notices of Motion</p> <p><b><u>Recommendation</u></b></p> <p><i>That Council consider the contents of this Notice of Motion.</i></p>		

**Recommendation**  
that recommendations to items listed in the Consent Calendar, with the exception of items ....., be adopted.

Cr Crook:	Agenda Item OM122305-16
Nature of Disclosure:	Direct Interest

Cr Crook:	Agenda Item OM122305-17
Nature of Disclosure:	Direct Interest

Cr Crook:	Agenda Item OM122305-18
Nature of Disclosure:	Direct Interest

**Due to a conflict of interest Cr Brian Crook left Council Chambers at 4:10 PM**

**OM122305-16 HEAVY VEHICLE TRANSPORT ROUTE REPORT**

**ORIGINAL RECOMMENDATION:**

***That Council consider the contents of this Notice of Motion.***

***MOVED Cr Stuart Hart seconded Cr Geoff Higgins***

***That Council notes:***

- 1. That it has a report on possible heavy vehicle transport routes for Colac.***
- 2. That the report has been provided to the Community Reference Group but withheld from ratepayers and other members of the public.***
- 3. That it is committed to being open and transparent and expresses its concern that the document has been withheld from its ratepayer's and the general public.***
- 4. That it resolves to immediately release the report to the public and instructs the Council Chief Executive Officer to take all reasonable steps to disclose the report to any interested person.***
- 5. That releasing the report does not mean that Council necessarily agrees with all or any of the listed options, these will be the subject of a separate Council resolution.***

**CARRIED 4 : 2**

***DIVISION called by Cr Stuart Hart***

***For the Motion: Cr Geoff Higgins, Cr Chris Smith, Cr Stuart Hart, Cr Stephen Hart***

***Against the Motion: Cr Frank Buchanan, Cr Lyn Russell***

**OM122305-17 HEAVY VEHICLE TRANSPORT ROUTE****Original Recommendation(s)**

*That Council consider the contents of this Notice of Motion.*

**Original Notice of Motion**

*That Council notes:*

1. *That it has a report on possible heavy vehicle transport routes for Colac.*
2. *That it does not accept any short term options and instructs that no more Council time is spent investigating short term options.*
3. *That Council does not accept any alternative routes to Murray Street where the alternative routes are in residential areas and/or close to any school.*
4. *Council instructs the Chief Executive Officer to bring a report to Council regarding potential heavy vehicle transport routes that are consistent with the points listed above.*

**MOTION - MOVED Cr Stuart Hart seconded Cr Geoff Higgins that Council notes:**

1. *That it has a report on possible heavy vehicle transport routes for Colac.*
2. *That it does not accept any short term options and instructs that no more Council time is spent investigating short term options.*
3. *That Council does not accept any alternative routes to Murray Street where the alternative routes are in residential areas and/or close to any school.*

**AMENDMENT - MOVED Cr Frank Buchanan seconded Cr Lyn Russell that Council notes:**

1. *That it does not accept any short term options and instructs that no more Council, Community Reference Group or Consultant's time is spent investigating short term options.*
2. *That Council instructs the Consultant to investigate three long term Heavy Vehicle Routes.*
3. *They are:*
  - a. *North of Lake Colac*
  - b. *Across Lake Colac*
  - c. *South of Colac (Outer South)*

**LOST 2 : 4**

**DIVISION called by Cr Frank Buchanan**

**For the Amendment: Cr Frank Buchanan, Cr Lyn Russell**

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

**AMENDMENT - MOVED Cr Chris Smith seconded Cr Lyn Russell that Council notes:**

- 1. That it has a report on possible heavy vehicle transport routes for Colac.**
- 2. That it does not accept any short term options and instructs that no more Council time is spent investigating short term options.**

**CARRIED 4 : 2**

**DIVISION called by Cr Lyn Russell**

**For the Amendment: Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell, Cr Stephen Hart**

**Against the Motion: Cr Geoff Higgins, Cr Stuart Hart**

**MOTION - MOVED Cr Chris Smith seconded Cr Lyn Russell that Council notes that Council does not accept any alternative routes to Murray Street where the alternative routes are in residential areas and/or close to any school.**

**CARRIED 5 : 1**

**Point 4 of the original Notice of Motion was withdrawn.**

**OM122305-18 HEAVY VEHICLE ROUTE OPTIONS**

**This matter was withdrawn.**

Cr Brian Crook returned to Council Chambers at 4:58 PM

**URGENT BUSINESS - MOVED Cr Brian Crook seconded Cr Stuart Hart that Council consider a Matter of Urgent Business with respect to TAFE funding.**

**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**

**MATTER OF URGENCY - MOVED Cr Brian Crook seconded Cr Stuart Hart that Council:**

- 1. Write to the Premier, Minister for Higher Education, Minister for Regional Development and local member Terry Mulder to express our strong opposition to the proposed cuts to TAFE funding due to the potential negative impact of this measure on our secondary school students and training opportunities for our community.**
- 2. Calls on the State Government to restore funding to the TAFE sector in order to maintain existing levels of service provision, and seeks a meeting to discuss our specific concerns.**

**AMENDMENT - MOVED Cr Chris Smith that Council:**

- 1. Write to the Premier, Minister for Higher Education, Minister for Regional Development and local member Terry Mulder to express our strong concerns with the proposed cuts to TAFE funding due to the potential negative impact of this measure on our secondary school students and training opportunities for our community.**
- 2. Calls on the State Government to explain the cuts to the TAFE sector, and seeks a meeting to discuss our specific concerns.**

**MOTION lapsed due to lack of a seconder.**

**MOTION - MOVED Cr Brian Crook seconded Cr Stuart Hart that Council:**

- 1. Write to the Premier, Minister for Higher Education, Minister for Regional Development and local member Terry Mulder to express our strong opposition to the proposed cuts to TAFE funding due to the potential negative impact of this measure on our secondary school students and training opportunities for our community.**
- 2. Calls on the State Government to restore funding to the TAFE sector in order to maintain existing levels of service provision, and seeks a meeting to discuss our specific concerns.**

**CARRIED 6 : 1**

***DIVISION called by Cr Brian Crook***

***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***

**IN COMMITTEE**

**Recommendation**

***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:***

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
Confidential Items for Consideration - Memo to Councillors	this matter deals with legal advice	Section 89 (2) (f)
Contract Approval Contract 1211 - Supply & Delivery Of Bituminous Products	this matter deals with contractual matters	Section 89 (2) (d)

***MOVED Cr Lyn Russell seconded Cr Stuart Hart 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"***

**CARRIED 7 : 0**

**OUT OF COMMITTEE**

***MOVED Cr Lyn Russell seconded Cr Geoff Higgins that the meeting move out of committee.***

**CARRIED 7 : 0**

*The Meeting Was Declared Closed at 5.27 pm*

**CONFIRMED AND SIGNED** at the meeting held on 27 JUNE 2012

*SLR*

.....MAYOR

