

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC, Gellibrand Street Colac on 28 November 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 Lyn Russell (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Mick McCrickard
Cr Chris Smith
Cr Terry Woodcroft

Jack Green, A/Chief Executive Officer
Colin Hayman, General Manager, Corporate & Community Services
Neil Allen, General Manager, Infrastructure & Services
Doug McNeill, A/General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

3. APOLOGIES

Rob Small, Chief Executive Officer

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 is the maximum number of years a Councillor can serve as Mayor?
2. What is the maximum number of consecutive terms a person can serve as Mayor?
3. What is the maximum number of times a Councillor can revolve between the top offices on Council?

Response:

Under the Local Government Act 1989, there is no limit on the maximum number of years or maximum number of terms a Councillor can serve as Mayor. There is also no limit on how often a Councillor can be appointed to either the Mayor or Deputy Mayor positions.

4. Are wood burning fires still being encouraged in the urban area of Colac now serviced with gas and electricity?

Response:

Wood burning fires as a form of heating are not being "encouraged", however given that there is no law limiting their use, residents are free to decide their own method of heating.

5. Works Services - When will Council tenders/contracts that call for the removal of services include a requirement that works not to commence prior to a no work break unless restored in full before a break?

Response:

This question is unclear. Officers are unable to answer the Question.

6. No Notice Given. When will Council give advance notice in public notices in advance of starting roadworks and footpath planned works prior to commencement to enable people to have advance warnings and plan to avoid any area affected? Not find an area blocked off. It is a disgrace that businesses and others have no knowledge in advance of works that have a direct impact on them.

Response:

Council places public notices in the local print media advising of upcoming road works where changed traffic conditions will be in effect. Notifications are distributed directly to adjoining properties prior to the commencement of planned footpath and/or kerb and channel works. Council officer contact numbers are provided for any residents or business owners that have concerns or special requirements during the planned works.

7. Since many have the idea they save Council money by not putting out bins on a regular basis, under the garbage collection contracts entered into by Council:
- a. Do Council pay contractors
 - i. According to properties on a collection round?
 - ii. Number of collection stops made?
 - iii. Amount of actual garbage collected?

Response:

Kerbside collection contractors are paid for according to the properties on a collection round.

8. Under what authority are Council permitted to disclose the identity of a person who lodges an objection to a party the cause of an objection? If I am abused anymore, Council can expect an objection about its behaviour.

Response:

It is not Council's practice to disclose personal information.

Questions Received Verbally at the Meeting

Nil

6. DECLARATION OF INTEREST

Colin Hayman:	OM122811-6 Defined Benefit Superannuation Liability
Nature of Disclosure:	Indirect

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 24/10/12
- Statutory Council Meeting held on the 7/11/12.

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

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM122811-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM122811-2 OATH OF OFFICE
- OM122811-3 APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT PLAN PROJECT COMMITTEE

Corporate and Community Services

- OM122811-4 FORREST MEN'S SHED
- OM122811-5 ASSIGNATION OF LEASE - BOTANIC CAFE
- OM122811-6 DEFINED BENEFIT SUPERANNUATION LIABILITY
- OM122811-7 FINANCIAL INFORMATION 2011/2012
- OM122811-8 NAMING OF UNNAMED ROAD AS "ROWS LANE" BARONGAROOK WEST

Infrastructure and Services

- OM122811-9 DECLARATION OF ROAD AS UNUSED - ROAD ABUTTING 190 SPRINGS ROAD, YEO
- OM122811-10 WATSONS ACCESS BRIDGE - RE-EVALUATION OF LOAD LIMIT
- OM122811-11 PROPOSED LEASE AGREEMENT – 5 BEECH FOREST LAVERS HILL ROAD, BEECH FOREST
- OM122811-12 WYE RIVER PARKING - MORLEY AVENUE, WYE RIVER

Sustainable Planning and Development

- OM122811-13 COLAC MARKETING BRAND
- OM122811-14 REGIONAL DEVELOPMENT AUSTRALIA FUND (RDAF)

General Business

- OM122811-15 MINUTES OF COLAC COMMUNITY LIBRARY AND LEARNING CENTRE JOINT COMMITTEE
- OM122811-16 ASSEMBLY OF COUNCILLORS

Notices of Motion

- OM122811-17 NOTICE OF MOTION - APOLLO BAY AIRFIELD LICENCE AGREEMENT

CHIEF EXECUTIVE OFFICER

ITEM	
<u>OM122811-1</u>	<u>CEO's Progress Report to Council</u>
<u>OM122811-2</u>	<u>Oath of Office</u>
<u>OM122811-3</u>	<u>Apollo Bay Indoor Pool Business Development Plan Project Committee</u>

OM122811-1

CEO'S PROGRESS REPORT TO COUNCIL

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

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

CARRIED 7 : 0

OM122811-2 OATH OF OFFICE

AUTHOR:	Rob Small	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F12/7416

MOVED Cr Michael Delahunty seconded Cr Stephen Hart

That Council note that Cr Brian Crook, Cr Michael Delahunty, Cr Stephen Hart, Cr Michael McCrickard, Cr Lynette Russell, Cr Chris Smith and Cr Terrence Woodcroft have taken the Oath of Office in accordance with section 63 of the Local Government Act 1989.

CARRIED 7 : 0

OM122811-3

**APOLLO BAY INDOOR POOL BUSINESS DEVELOPMENT
PLAN PROJECT COMMITTEE**

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/2991

Original Recommendation(s)

That Council nominates Cr..... as the Committee Member to the Apollo Bay Indoor Pool Business Development Plan Project Committee.

MOVED Cr Brian Crook seconded Cr Mick McCrickard

That Council nominates Cr Stephen Hart as the Committee Member to the Apollo Bay Aquatic Centre (ABAC) Committee.

CARRIED 7 : 0

CORPORATE AND COMMUNITY SERVICES

ITEM	
<u>OM122811-4</u>	<u>Forrest Men's Shed</u>
<u>OM122811-5</u>	<u>Assignment Of Lease - Botanic Cafe</u>
<u>OM122811-6</u>	<u>Defined Benefit Superannuation Liability</u>
<u>OM122811-7</u>	<u>Financial Information 2011/2012</u>
<u>OM122811-8</u>	<u>Naming Of Unnamed Road As "Rows Lane" Barongarook West</u>

OM122811-4**FORREST MEN'S SHED**

AUTHOR:	Colin Hayman	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/4548

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council:

- 1. Resolves to enter into a Licence for use of part of the Forrest Depot site fronting 6 Blundy Street with the Forrest Men's Shed Inc.***
- 2. Resolves that the Licence commences on 1 January 2013 for a period of seven years with two rights of renewal at a rental of \$1 a year.***

CARRIED 7 : 0

OM122811-5

ASSIGNATION OF LEASE - BOTANIC CAFE

AUTHOR:	Paul Carmichael	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3473

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

1. **Agrees to the current lease for the operation of the Botanic Cafe being assigned from Otway Community College Inc to St Laurence Community Services subject to:**
 - **the completion of the transfer of Otway Community College Inc. to St Laurence Community Services; and**
 - **St Laurence confirming that they will continue to operate the Botanic Café in the same manner as OCC. The purpose to provide vocations and skills training to people with various disabilities.**
2. **Lodges a Transfer of Lease document with the Department of Sustainability & Environment (DSE) seeking Ministerial consent to the proposed lease assignment.**
3. **Signs and seals the Transfer of lease document to be lodged with DSE.**
4. **Proceeds to have the Botanic Café lease assigned from Otway Community College Inc to St Laurence Community Services Inc.**
5. **Signs and seals all relevant documents related to the lease assignment.**

MOTION - MOVED Cr Chris Smith seconded Cr Brian Crook**That Council:**

1. **Agrees to the current lease for the operation of the Botanic Cafe being assigned from Otway Community College Inc to St Laurence Community Services subject to:**
 - **the completion of the transfer of Otway Community College Inc. to St Laurence Community Services; and**
 - **St Laurence confirming that they will continue to operate the Botanic Café in the same manner as OCC. The purpose to provide vocations and skills training to people with various disabilities.**
2. **Lodges a Transfer of Lease document with the Department of Sustainability & Environment (DSE) seeking Ministerial consent to the proposed lease assignment.**

3. *Signs and seals the Transfer of lease document to be lodged with DSE.*
4. *Proceeds to have the Botanic Café lease assigned from Otway Community College Inc to St Laurence Community Services Inc.*
5. *Signs and seals all relevant documents related to the lease assignment.*
6. *Acknowledges that in the previous lease between the Colac Otway Shire and Otway Community College, there was provision for the Friends of Colac Botanic Gardens, this was mistakenly left out of the current lease.*
7. *Informs St Laurence of this oversight.*

LOST 2 : 5

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Michael Delahunty

Against the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

1. *Agrees to the current lease for the operation of the Botanic Cafe being assigned from Otway Community College Inc to St Laurence Community Services subject to:*
 - *the completion of the transfer of Otway Community College Inc. to St Laurence Community Services; and*
 - *St Laurence confirming that they will continue to operate the Botanic Café in the same manner as OCC. The purpose to provide vocations and skills training to people with various disabilities.*
2. *Lodges a Transfer of Lease document with the Department of Sustainability & Environment (DSE) seeking Ministerial consent to the proposed lease assignment.*
3. *Signs and seals the Transfer of lease document to be lodged with DSE.*
4. *Proceeds to have the Botanic Café lease assigned from Otway Community College Inc to St Laurence Community Services Inc.*
5. *Signs and seals all relevant documents related to the lease assignment.*

CARRIED 7 : 0

OM122811-6**DEFINED BENEFIT SUPERANNUATION LIABILITY**

AUTHOR:	Colin Hayman	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	CLF11/8

Colin Hayman:	OM122811-6 Defined Benefit Superannuation Liability
Nature of Disclosure:	Indirect

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Receives this updated report on Defined Benefits Superannuation Liability.***
- 2. Agrees to an immediate payment of \$700,000 from Council's Plant Replacement Reserve towards Council's Defined Benefit Superannuation liability.***

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM122811-7

FINANCIAL INFORMATION 2011/2012

AUTHOR:	Colin Hayman	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/4663

Original Recommendation(s)

That Council notes the Financial Information 2011/2012 report.

MOTION - MOVED Cr Chris Smith seconded Cr Michael Delahunty

That Council:

- 1. Notes the Financial Information 2011/2012 report.**
- 2. Requests a full report on all employee costs outlining the changes each year since 2004/2005 to EFT, areas employed, employee costs and banding changes.**

LOST 2 : 5

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Michael Delahunty

Against the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty

That Council:

- 1. Notes the Financial Information 2011/2012 report.**
- 2. Considers releasing the report contained in the forthcoming Audit Committee agenda about employee costs once the December 2012 Audit Committee meeting has been held.**

CARRIED 6 : 1

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Chris Smith

INFRASTRUCTURE AND SERVICES

ITEM	
<u>OM122811-09</u>	<u>Declaration of Road as Unused - Road Abutting 190 Springs Road, Yeo</u>
<u>OM122811-10</u>	<u>Watsons Access Bridge - Re-evaluation of load limit</u>
<u>OM122811-11</u>	<u>Proposed Lease Agreement – 5 Beech Forest Lavers Hill Road, Beech Forest</u>
<u>OM122811-12</u>	<u>Wye River Parking - Morley Avenue, Wye River</u>

OM122811-8

NAMING OF UNNAMED ROAD AS "ROWS LANE" BARONGAROOK WEST

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

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

- 1. Commences statutory procedures pursuant to clause 5, Schedule 10 of the Local Government Act 1989 to name the unnamed road reserve located between 125 Ackerleys Road West and 1160 Irrewillpe Road, Barongarook West as "Rows Lane".***
- 2. Considers any submissions that are received at the Council meeting to be held on 23 January 2013 at COPACC at 3.00 pm.***

MOVED Cr Brian Crook seconded Cr Stephen Hart***That Council:***

- 1. Commences statutory procedures pursuant to clause 5, Schedule 10 of the Local Government Act 1989 to name the unnamed road reserve located between 125 Ackerleys Road West and 1160 Irrewillpe Road, Barongarook West as "Rows Lane".***
- 2. Considers any submissions that are received at the Council meeting to be held on 23 January 2013 at COPACC at 5.00 pm.***

Cr Mick McCrickard left the meeting at 4.30pm.**CARRIED 6 : 0**

OM122811-9

**DECLARATION OF ROAD AS UNUSED - ROAD ABUTTING
190 SPRINGS ROAD, YEO**

AUTHOR:	Clive Brooker	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/4290

MOVED Cr Brian Crook seconded Cr Michael Delahunty

That Council:

1. In accordance with section 223 of the Local Government Act 1989 and subject to an eight week notification period undertakes the following:

- a) Gives public notice of its intention to declare the section of road described as the unused road east of Crown Allotment 81, Parish of Yeo and east of the southern part of Lot 2, PS333357, Parish of Yeo as unused.***
- b) If no objections are received and subject to Council complying with its statutory requirements instructs the Chief Executive Officer to advise the Department of Sustainability and Environment of Council's formal consent.***
- c) If objections are received, holds a Special Council Meeting on 13 February at 1:00pm in COPACC to consider the objections. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their objections and will be advertised in the local media.***
- d) If required, makes a final decision following preparation of a report by the General Manager Infrastructure and Services based on the recommendations of the Special Council Meeting to the following Council meeting.***

CARRIED 6 : 0

**OM122811-10 WATSONS ACCESS BRIDGE - RE-EVALUATION OF LOAD
LIMIT**

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

- 1. Retains the existing 5-tonne load limit on Watsons Access Bridge and continues to manage the structure in accordance with Council's Road Management Plan.***
- 2. Subject to the proper assessments for safety, continues to issue permits on an as needs basis to transport operators whom require access over the bridge with vehicles with a gross mass in excess of the posted load limit.***
- 3. Continues to review the long term Bridge Renewal Programme to ensure that it is reflective of priority and available funding.***
- 4. Instructs the Chief Executive Officer to write to the Minister of Roads, the Hon. Terry Mulder, MP seeking a commitment to extend the Country Roads and Bridges Initiative beyond 2014/15.***

CARRIED 6 : 0

Cr Mick McCrickard returned to the meeting at 4.35pm.

OM122811-11

**PROPOSED LEASE AGREEMENT – 5 BEECH FOREST LAVERS
HILL ROAD, BEECH FOREST**

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95690

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Agrees in principle to the terms and conditions of the draft Lease Agreement.***
- 2. Gives notice of intention to enter into this Agreement and invite submissions in accordance with section 223 of the Local Government Act 1989 to the proposal to enter into a lease.***
- 3. If no objections are received and subject to Council complying with its legal requirements and the applicant receiving statutory planning and/or building approvals where applicable, enters into a Lease with Flow FM for use of part the building and site at 5 Beech Forest Laviers Hill Road, Beech Forest for the purposes of installing radio broadcast equipment.***
- 4. If objections are received, holds a Special Council Meeting on 13 February 2013 at 1:00pm in COPACC to consider any objections. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their objections and will be advertised in the local media.***
- 5. If required, makes a final decision following preparation of a report by the General Manager Infrastructure and Services based on the recommendations of the Special Council Meeting to the following Council meeting.***

CARRIED 7 : 0

OM122811-12 WYE RIVER PARKING - MORLEY AVENUE, WYE RIVER

AUTHOR:	John Wilson	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council:

- 1. Endorses the decision to establish a 'No Stopping' zone generally along the ocean side of Morley Avenue, Wye River, south of the hotel.***
- 2. Supports a review be carried out of the operation of the 'No Stopping' zone, with regards to its effectiveness, at the end of the summer period.***

CARRIED 7 : 0

Cr Terry Woodcroft left the meeting at 4.38pm.

SUSTAINABLE PLANNING AND DEVELOPMENT

ITEM	
<u>OM122811-13</u>	<u>Colac Marketing Brand</u>
<u>OM122811-14</u>	<u>Regional Development Australia Fund (RDAF)</u>

OM122811-13

COLAC MARKETING BRAND

AUTHOR:	Michael Swanson	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	11/95806

Original Recommendation(s)

That Council adopts 'Colac – Life, your way' as the new Colac Marketing Brand.

MOTION - MOVED Cr Chris Smith:

That Council releases "Colac – Life, your way" as the potential new Colac Marketing Brand for community consultation for a minimum of six weeks.

This motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Brian Crook seconded Cr Mick McCrickard

That Council adopts 'Colac – Life, your way' as the new Colac Marketing Brand.

Cr Terry Woodcroft returned to the meeting at 4.41pm.

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM122811-14

REGIONAL DEVELOPMENT AUSTRALIA FUND (RDAF)

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	11/96461

Original Recommendation(s)

That Council applies for RDAF funding consideration through the Eol process for the CBD and Entrances Project in Round 3 and the Central Reserve Grandstand Redevelopment in Round 4.

MOVED Cr Brian Crook

That Council applies for RDAF funding consideration through the Eol process for the CBD and Entrances Project in Round 3 and the Central Reserve Grandstand Redevelopment in Round 4.

This motion lapsed due to the lack of a seconder.

Cr Delahunty requested that the motion be split into two separate parts. The Mayor, Cr Russell, agreed to the request.

MOTION - MOVED Cr Michael Delahunty seconded Cr Brian Crook

That Council applies for RDAF funding consideration through the Eol process for the CBD and Entrances Project in Round 3.

AMENDMENT - MOVED Cr Chris Smith

That Council:

1. *Applies for RDAF funding consideration through the Eol process for the CBD and Entrances Project in Round 3.*
2. *Only proceeds with the application if it is successful in getting funding through the Putting Locals First Program.*

This motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Michael Delahunty seconded Cr Brian Crook

That Council applies for RDAF funding consideration through the Eol process for the CBD and Entrances Project in Round 3.

CARRIED 5 : 2

DIVISION called by Cr Brian Crook

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

MOTION - MOVED Cr Michael Delahunty seconded Cr Brian Crook

That Council applies for RDAF funding consideration through the EoI process for the Central Reserve Grandstand Redevelopment in Round 4.

CARRIED 7 : 0

GENERAL BUSINESS

ITEM	
<u>OM122811-15</u>	<u>Minutes of Colac Community Library and Learning Centre Joint Committee</u>
<u>OM122811-16</u>	<u>Assembly of Councillors</u>

OM122811-15

**MINUTES OF COLAC COMMUNITY LIBRARY AND
LEARNING CENTRE JOINT COMMITTEE**

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

MOTION - 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 15 August 2012.

CARRIED: 7 : 0

OM122811-16 ASSEMBLY OF COUNCILLORS

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

MOVED Cr Stephen Hart seconded Cr Mick McCrickard

That Council notes the Assembly of Councillors reports for:

- ***Friends of Colac Botanic Gardens*** 11 October 2012
- ***Colac Livestock Selling Centre*** 19 October 2012
- ***Councillor Briefing Session*** 24 October 2012
- ***Councillor Induction Workshop*** 30 & 31 October 2012
- ***Pre Statutory Meeting Workshop*** 31 October 2012
- ***Councillor Briefing Session*** 7 November 2012
- ***Friends of Colac Botanic Gardens Meeting*** 8 November 2012
- ***Councillor Workshop*** 14 November 2012
- ***Australia Day Advisory Committee Meeting*** 14 November 2012

CARRIED 7 : 0

NOTICES OF MOTION

ITEM

OM122811-17 Notice of Motion - Apollo Bay Airfield Licence Agreement (Cr Chris Smith)

OM122811-18 NOTICE OF MOTION - APOLLO BAY AIRFIELD LICENCE AGREEMENT (CR CHRIS SMITH)**Recommendation**

That Council consider the contents of this Notice of Motion.

MOTION - MOVED Cr Chris Smith seconded Cr Michael Delahunty

1. *That the two current operators at the Apollo Bay airfield be offered the opportunity to enter into either a three year OR a 3+3+3 licence agreement.*
2. *That the licence SCHEDULE and LICENCE CONDITIONS shall be the same for both operators as the previous licence granted to Apollo Bay Aviation with the commencement date of 1 November 2009 with the following exceptions:*
 - a. *The licence fee rate will be \$3.00/m2 for the first year of the agreement*
 - b. *The annual increase in fees will be in line with the Consumer Price Index (CPI)*
 - c. *That in the case of a 3+3+3 year licence, the licence will continue each three years unless:*
 - i. *There is a breach of the Schedule or Licence Conditions*
 - ii. *Council identifies through an Apollo Bay Airfield Management Plan that there is reason to terminate or alter the licence.*

CARRIED: 7 : 0

IN COMMITTEE

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

SUBJECT	REASON	SECTION OF ACT
Contract 1238 - Retail Electricity & Associated Services (Procurement Australia Tender 1606/0104)	This Matter Deals With Contractual Matters	Section 89 (2) (D)
2013 Colac Otway Shire Australia Day Awards	this matter may prejudice the Council or any person	Section 89 (2) (h)
Plant and Fleet Assets	this matter deals with personnel matters; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (h)

CARRIED 7 : 0

Cr Chris Smith left the meeting at 5.37pm.

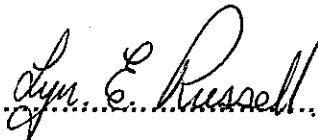
OUT OF COMMITTEE

MOVED Cr Brian Crook seconded Cr Stephen Hart that the meeting move out of committee.

CARRIED 6 : 0

The Meeting Was Declared Closed at 5.45 pm

CONFIRMED AND SIGNED at the meeting held on 19 DECEMBER 2012 .

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