

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at the COPACC, Gellibrand Street Colac on 19 December 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

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

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 descendants here today.

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

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

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

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. When will Council make sure answers to questions are based on facts, not be denied within one day of being given as not factual by a Council officer?

Response:

All questions provided by Council are based on fact.

Questions Received Verbally at the Meeting

Malcolm Gardiner – Kewarren

1. With reference to the report on Acid sulfate Soils and Boundary Creek, who provided the background information upon which the report and the contract brief in the attachments are based?

Response:

The Mayor advised that the report was written by Manager Environment & Community Safety, Stewart Anderson. The report was written based on the information available.

2. Who provided the information to the officer?

Response:

The Mayor advised that the question would be taken on notice with a response to be sent to Mr Gardiner.

Lyn Foster – Colac

Ms Foster made a general statement about the value of the Colac Library Annex to the community and the importance of maintaining existing operating hours.

Paul David Cross – Colac

1. Surely the new Council will not ignore the success of the Colac Library Annexe, with high attendance figures, by starting the process of cutting operating hours and limiting access to the Annexe?

Response:

The Mayor advised that this item was to be debated during the Council meeting today.

2. Are there any Councillors here today with any issues or concerns regarding health services and facilities within the Colac Otway Shire?

Response:

Due to potential conflict of interests arising from this question, the Mayor advised that the question would be taken on notice and asked that any Councillor wishing to answer this question should do so directly to Mr Cross.

3. Is it not true that Council spent a great deal of money on refurbishing the old library for its own use and by purchasing the old Home Hardware building, for no specific purpose? Is it also not true that Council could sell the building to raise money to pay the defined benefits superannuation debt rather than by cutting hours at a successful library?

Response:

The CEO stated that the purchase of the Home Hardware site was a direct strategy to provide for future expansion in this precinct which would also include a park and ride facility to cater for any increased rail services.

4. So the building will not be used for office expansion?

Response:

The CEO stated that there were no plans to use the building for office expansion.

Vivienne Wheeler – Colac

1. With reference to the Colac Library Annexe, would Council be prepared to have a public meeting with annexe users?

Response:

The Mayor stated that Council would have no problem with holding a public meeting, subject to the outcome of discussions on that matter today.

6. DECLARATION OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 28/11/12.

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM121912-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM121912-2 COUNCILLOR SUPPORT POLICY
- OM121912-3 COUNCILLOR CODE OF CONDUCT
- OM121912-4 COUNCILLOR AND MAYORAL ALLOWANCES

Corporate and Community Services

- OM121912-5 S86 COMMITTEE MEMBERSHIP
- OM121912-6 COLAC LIBRARY ANNEXE
- OM121912-7 ANALYSIS OF EMPLOYEE COSTS
- OM121912-8 PLANT AND FLEET ASSETS

Infrastructure and Services

- OM121912-9 APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT - ADOPTION
- OM121912-10 COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE
- OM121912-11 ROAD MANAGEMENT COMPLIANCE REPORT
- OM121912-12 CHRISTMAS LIGHTS AND DECORATIONS
- OM121912-13 SUBMISSION ON DRAFT VICTORIAN WASTE AND RESOURCE RECOVERY POLICY
- OM121912-14 ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL

Sustainable Planning and Development

- OM121912-15 ACID SULFATE SOILS AND BOUNDARY CREEK
- OM121912-16 LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER

General Business

- OM121912-17 ASSEMBLY OF COUNCILLORS
- OM121912-18 MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE

CHIEF EXECUTIVE OFFICER

ITEM	
OM121912-1	CEO'S PROGRESS REPORT TO COUNCIL
OM121912-2	COUNCILLOR SUPPORT POLICY
OM121912-3	COUNCILLOR CODE OF CONDUCT
OM121912-4	COUNCILLOR AND MAYORAL ALLOWANCES

OM121912-1

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

OM121912-2

COUNCILLOR SUPPORT POLICY

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	11/96037

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council adopts the revised Councillor Support Policy No 18.5.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

***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

OM121912-3

COUNCILLOR CODE OF CONDUCT

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	11/96037

Original Recommendation(s)

1. *That Council adopts the Colac Otway Shire Councillor Code of Conduct.*
2. *That all Councillors sign the Councillor Code of Conduct at the Council Meeting on 19 December 2012.*

MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft
That the Colac Otway Shire Councillor Code of Conduct be deferred to a Council Workshop with a view to considering the matter at the 27 February 2013 Council meeting.

CARRIED 7 : 0

OM121912-4

COUNCILLOR AND MAYORAL ALLOWANCES

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	F11/3291

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

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:
 - a) Mayoral Allowance - \$-----
 - b) Councillor Allowance - \$-----
2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.

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

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:
 - a) Mayoral Allowance - \$36,000
 - b) Councillor Allowance - \$12,000
2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.

This motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Chris Smith seconded Cr Michael Delahunty:**That Council:**

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:
 - a) Mayoral Allowance - \$45,000
 - b) Councillor Allowance - \$15,000
2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.

LOST 2 : 5

DIVISION called by Cr Michael Delahunty**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 Terry Woodcroft:****That Council:**

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:

a) Mayoral Allowance	-	\$65,000
b) Councillor Allowance	-	\$21,480

2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.

Cr Hart requested that his earlier motion be withdrawn and that the motion be split into two separate parts. The Mayor, Cr Russell, agreed to the request.

MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft:**That Council:**

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:

a) Councillor Allowance	-	\$21,480
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2. Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.

CARRIED 4 : 3**DIVISION called by Cr Chris Smith****For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft****Against the Motion: Cr Chris Smith, Cr Mick McCrickard, Cr Michael Delahunty****MOTION - MOVED Cr Brian Crook:****That Council:**

1. Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in

accordance with section 74 and section 223 of the Local Government Act 1989:

a) *Mayoral Allowance - \$69,325*

2. *Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.*

The motion lapsed due to the lack of a seconder

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

1. *Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:*

a) *Mayoral Allowance - \$67,000*

2. *Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.*

LOST 1 : 6

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook

Against the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Lyn Russell, Cr Mick McCrickard, Cr Terry Woodcroft, Cr Michael Delahunty

MOTION - MOVED Cr Terry Woodcroft seconded Cr Mick McCrickard:

That Council:

1. *Gives public notice of its intention to determine at the 28 March 2013 Council meeting the following Mayoral and Councillor allowances from 1 May 2013 in accordance with section 74 and section 223 of the Local Government Act 1989:*

a) *Mayoral Allowance - \$65,000*

2. *Considers any submissions that are received at a Special Council Meeting to be held on Wednesday 13 March 2013 at COPACC at 1.00 pm.*

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

CORPORATE AND COMMUNITY SERVICES

ITEM	
OM121912-5	S86 COMMITTEE MEMBERSHIP
OM121912-6	COLAC LIBRARY ANNEXE
OM121912-7	ANALYSIS OF EMPLOYEE COSTS
OM121912-8	PLANT AND FLEET ASSETS

OM121912-5

S86 COMMITTEE MEMBERSHIP

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

MOVED Cr Stephen Hart seconded Cr Michael Delahunty

That Council:

- Pursuant to section 86 of the Local Government Act 1989, resolves to appoint the following nominated members to the Swan Marsh Hall and Tennis Reserve, Cororooke Hall and Warrion Hall Committees of Management until 19 December 2015:***

<i>Swan Marsh Hall & Tennis Reserve</i>	<i>Michael Melville, Bret Ryan, Jeff Douma, John Janssen, Kevin Boyd, Fiona Castle, Tabitha Black, Michael Everett</i>
<i>Cororooke Hall</i>	<i>Rod Stephenson, Helene Bell, Lucy Darcy, Patricia Boylan, Geoff Vagg, Cam DeLorenzo, Peter Neal</i>
<i>Warrion Hall</i>	<i>Colin Bayne, Tony Mahoney, Lynette Facey, Peter Facey, Cathy Mahoney, Pat Issett</i>

- In accordance with section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary conflict of interest return in accordance with this section.***
- Advises the Committee that a copy of minutes of meetings held be forwarded to Council for its record after each meeting and that a Treasurer's Report be provided on an annual basis.***

CARRIED 7 : 0

OM121912-6

COLAC LIBRARY ANNEXE

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/6096

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

- 1. Reduces the opening hours of the Colac Library Annexe from 22 to 15 hours from 1 July 2013 with the 15 hours to be spread over three days between Monday to Friday.**
- 2. Requests the Corangamite Regional Library Corporation to undertake a review of the spread of the opening hours at the Annexe to enable a reduction to 15 hours over three days.**
- 3. Allocates the funds saved from reducing the hours at the Colac Library Annexe of approx. \$15,700 as a contribution towards the Council's proportion of the balance of the Corangamite Regional Library Corporation's Defined Benefits Liability.**

MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that Council refers the issue of the Colac Library Annexe to a Council workshop with a report to be presented to a future Council meeting.

CARRIED 7 : 0

OM121912-7

ANALYSIS OF EMPLOYEE COSTS

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

Original Recommendation(s)

That Council notes the information provided on the analysis of employee costs.

Cr McCrickard left the meeting at 4.36pm and returned at 4.40pm.

Cr Woodcroft left the meeting at 4.51pm and returned at 4.56pm.

MOTION - MOVED Cr Stephen Hart seconded Cr Michael Delahunty:

That Council:

1. *Notes with concern the significant increase in employee numbers and associated costs in recent years.*
2. *As an initial measure, instructs the Chief Executive Officer to immediately institute a cap on Equivalent Full Time (EFT) staff numbers so there is no further increase unless there is an explicit Council resolution approving the increase before it occurs.*
3. *In calculating the EFT staff number, the Chief Executive Officer is to ensure that staff hired via an employment agency on a contractual basis or similar arrangement are included in the calculation.*
4. *Will further consider the matter in the lead up to the next Council budget.*

CARRIED 4 : 3

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Terry Woodcroft, Cr Michael Delahunty

Against the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Mick McCrickard

MOTION - MOVED Cr Stephen Hart seconded Cr Chris Smith:

That Council:

1. *Notes with concern that employee costs have significantly exceeded the approved budget over a number of years.*
2. *Calls on Council to table a report at the January 2013 Ordinary meeting detailing the actual employee costs for the six months ending 31/12/12 compared to the 2012-2013 budget.*
3. *Calls for the report to detail what steps Council will take to ensure that employee costs for the current financial year will be kept within the budget, if the report shows that they are currently running over budget.*

CARRIED 7 : 0

OM121912-8 PLANT AND FLEET ASSETS

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	CLF11/160

Original Recommendation(s)

That Council notes the recommendations with respect to Plant and Fleet Assets.

(a) Plant & Machinery listing

It is recommended that a stock take is undertaken of the items contained within the Plant Asset listing to ensure that all of the items are required.

Further, any items identified as surplus to requirements are to be disposed of in accordance with the Local Government Act 1989.

(b) Light Fleet Operations

It is recommended that the Light Fleet Operations budget be reviewed to ensure that all costs are included and that the hire rates allocated for light fleet are reviewed on an annual basis to ensure that the fleet operations is cost neutral and that the Plant Replacement Reserve is at the required level.

(c) Light Fleet Vehicles Policy

It is recommended that the Light Fleet Vehicles Policy is reviewed in April 2013, following the completion of the next annual data calculations.

(d) Major Plant Operations

It is recommended that the major plant operations budget be reviewed to ensure that all costs are included and that the hire rates allocated for heavy plant are reviewed on an annual basis to ensure that the level of the major plant operations is cost neutral and that the Plant Replacement Reserve is at the required level.

(e) Minor Plant

It is recommended that the minor plant be recognised as a component of Council's plant management processes and where appropriate plant hire rates are established to ensure that the level of the minor plant operations is cost neutral and that the Plant Replacement Reserve is at the required level.

(f) 10 year Plant replacement Program

It is recommended that the 10 year Plant Replacement Programme is updated on an annual basis as part of the annual budget process. The Plant Replacement Programme is to include all forms of plant.

(g) 10 year Financial Summary

It is recommended that a 10 year Financial Summary for Plant and Fleet Operational Income & Expenditure and Plant Replacement Reserve is developed as part of the annual budget process.

(h) Plant Replacement Reserve Funds

The following transactions are undertaken:

- A. that an amount of \$250,000 is retained in the Plant Replacement Reserve with respect to the Central Reserve Project and it is not repaid from the Council's operations budgets.**
- B. that an amount of \$700,000 is transferred from the Plant Replacement Reserve and paid to Vision Super to reduce the Defined Benefits Liability.**

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

- 1. Notes the report with respect to Plant and Fleet Assets was considered by Council at the In-Committee meeting held on 28 November 2012.**
- 2. Varies recommendation (h) in the Plant and Fleet Assets report to:
"A. that an amount of \$250,000 is transferred from the Plant Replacement Reserve with respect to the Central Reserve Project and it is not repaid from the Council's operations budget"**

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

INFRASTRUCTURE AND SERVICES

ITEM	
<u>OM121912-9</u>	<u>APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT - ADOPTION</u>
<u>OM121912-10</u>	<u>COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE</u>
<u>OM121912-11</u>	<u>ROAD MANAGEMENT COMPLIANCE REPORT</u>
<u>OM121912-12</u>	<u>CHRISTMAS LIGHTS AND DECORATIONS</u>
<u>OM121912-13</u>	<u>SUBMISSION ON DRAFT VICTORIAN WASTE AND RESOURCE RECOVERY POLICY</u>
<u>OM121912-14</u>	<u>ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL</u>

OM121912-9

**APOLLO BAY DRAINAGE STRATEGY - FINAL REPORT -
ADOPTION**

AUTHOR:	Ronan Corcoran	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

MOVED Cr Michael Delahunty seconded Cr Mick McCrickard

That Council:

- 1. Adopts the Apollo Bay Drainage Strategy based on a total of \$3.8 million dollars worth of capital investment in drainage.***
- 2. Refers the identified improvement works to Council's 10 year capital works & major projects programme for prioritisation.***
- 3. Prepares a Funding Proposal Report for consideration by Council which assesses options on how the identified capital improvement costs could be met.***

CARRIED 7 : 0

OM121912-10 COLAC LIVESTOCK SELLING CENTRE ADVISORY COMMITTEE

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

Original Recommendation(s)

That Council:

- 1. Advertises for a community member to join the Colac Livestock Selling Centre Advisory Committee, based on a 6 week notification period.***
- 2. Receives a further report with recommendations on the preferred candidate for appointment to the Advisory Committee.***
- 3. Endorses the Terms of Reference for the Colac Livestock Selling Centre Advisory Committee.***

MOTION - MOVED Cr Chris Smith seconded Cr Terry Woodcroft:

That Council:

- 1. Advertises for two community members to join the Colac Livestock Selling Centre Advisory Committee, based on a 6 week notification period.***
- 2. Receives a further report with recommendations on the preferred candidates for appointment to the Advisory Committee.***
- 3. Endorses the Terms of Reference for the Colac Livestock Selling Centre Advisory Committee.***

CARRIED 7 : 0

OM121912-11**ROAD MANAGEMENT COMPLIANCE REPORT**

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95454

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council receives the Road Management Plan Compliance Report for the period April to June 2012 for information.

CARRIED 6 : 1

OM121912-12**CHRISTMAS LIGHTS AND DECORATIONS**

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F12/438

MOVED Cr Brian Crook seconded Cr Mick McCrickard

That Council considers, as part of the 2013-2014 budget process, \$10,000 per annum to provide an annual recurrent budget for the provision and installation of Christmas decorations and lighting across the Shire.

CARRIED 7 : 0

OM121912-13

**SUBMISSION ON DRAFT VICTORIAN WASTE AND
RESOURCE RECOVERY POLICY**

AUTHOR:	Ranjani Jha	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/759

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council:

- 1. Notes and endorses the submission on the "State Government Draft Victorian Waste and Resource Recovery Policy".***
- 2. Provides any further comments to the Draft Victorian Waste and Resource Recovery Policy for further forwarding to the DSE.***

CARRIED 7 : 0

OM121912-14

ROAD CLOSURE - 505 RIFLE BUTTS ROAD, WHOOREL

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/759

MOVED Cr Terry Woodcroft seconded Cr Stephen Hart

That Council:

- 1. Agrees to the road exchange/deviation, subject to no net disadvantage to Council.***
- 2. Subject to further consultation with the proponent, makes application to the Department of Sustainability and Environment (DSE) to obtain Ministerial consent to the road exchange/deviation.***
- 3. Subject to Ministerial approval being received, commences statutory procedures to exchange/deviate the unmade Government Road abutting Lot 1 LP200881, Parish of Whoorel in accordance with the road deviation diagram contained within this report, pursuant to section 207B(2A) and Schedule 10 clause 2(2)(b) of the Local Government Act 1989 (the 'Act') and in accordance with section 223 of the Act, public notice of the proposed road deviation/exchange be given in local newspapers circulating in the area, subject to a 6 week submission period.***

CARRIED 7 : 0

SUSTAINABLE PLANNING AND DEVELOPMENT

ITEM	
<u>OM121912-15</u>	<u>ACID SULFATE SOILS AND BOUNDARY CREEK</u>
<u>OM121912-16</u>	<u>LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER</u>

OM121912-15

ACID SULFATE SOILS AND BOUNDARY CREEK

AUTHOR:	Stewart Anderson	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Michael Delahunty

That Council:

- 1. Acknowledges the actions taken in accordance with resolutions of the Council Meeting held on 27 June 2012 regarding Acid Sulfate Soils and Boundary Creek; and***
- 2. Formally receives the information gathered from the Environmental Protection Authority, Southern Rural Water and the Corangamite Inland Acid Sulfate Soils Steering Committee.***

AMENDMENT - MOVED Cr Chris Smith seconded Cr Stephen Hart that the following point be added:

- 3. Acknowledges that further work is required to comply with Council's wishes regarding the Acid Sulfate Soils issue at Boundary Creek.***

CARRIED 7 : 0

MOVED Cr Brian Crook seconded Cr Michael Delahunty

That Council:

- 1. Acknowledges the actions taken in accordance with resolutions of the Council Meeting held on 27 June 2012 regarding Acid Sulfate Soils and Boundary Creek; and***
- 2. Formally receives the information gathered from the Environmental Protection Authority, Southern Rural Water and the Corangamite Inland Acid Sulfate Soils Steering Committee.***
- 3. Acknowledges that further work is required to comply with Council's wishes regarding the Acid Sulfate Soils issue at Boundary Creek.***

CARRIED 7 : 0

OM121912-16

LANDHOLDER CONCERNS ALONG THE EAST BARWON RIVER

AUTHOR:	Stewart Anderson	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/3291

Recommendation(s)

That Council writes to the ten landholders along the East Barwon River explaining the rate charges for their properties and how the issues associated with the river frontage are addressed.

This motion lapsed due to the lack of a mover and a seconder.

GENERAL BUSINESS

ITEM	
<u>OM121912-17</u>	<u>ASSEMBLY OF COUNCILLORS</u>
<u>OM121912-18</u>	<u>MINUTES OF THE OLD BEECHY RAIL TRAIL COMMITTEE</u>

OM121912-17 ASSEMBLY OF COUNCILLORS

AUTHOR:	Rhonda Deigan	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	CLF11/6

MOVED Cr Stephen Hart seconded Cr Brian Crook

That Council notes the Assembly of Councillors reports for:

- ***Colac Aerodrome Committee Meeting*** ***5 September 2012***
- ***Councillor Workshop*** ***21 November 2012***
- ***Councillor Briefing Session*** ***28 November 2012***

CARRIED 7 : 0

OM121912-18**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 Stephen Hart

That Council notes the Minutes and Executive Officer Report of the Old Beechy Rail Trail Committee for 1 October 2012.

CARRIED 7 : 0

IN COMMITTEE

MOTION - MOVED Cr Michael Delahunty seconded Cr Mick McCrickard:

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
Otway Community College	this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (d) (h)
Contract 1245 - Livestock Scanning Services	this matter deals with contractual matters	Section 89 (2) (d)
Report from Delegate to Other Bodies - Audit Committee Minutes	this matter deals with personnel matters; AND this matter deals with contractual matters; AND this matter deals with legal advice; AND this matter may prejudice the Council or any person	Section 89 (2) (a) (d) (f) (h)

CARRIED 7 : 0

OUT OF COMMITTEE

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

CARRIED 7 : 0

The Meeting Was Declared Closed at 6.50pm

CONFIRMED AND SIGNED at the meeting held on 23 JANUARY 2013

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

