

**Colac Otway
SHIRE**

MINUTES

MEETING OF SPECIAL COUNCIL

OF THE

COLAC-OTWAY SHIRE

COUNCIL

13 JUNE 2012

at 1:00 PM

COPACC Meeting Rooms

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. 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.

_COLAC-OTWAY SHIRE SPECIAL COUNCIL MEETING

13 JUNE 2012

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MINUTES of the MEETING OF SPECIAL COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL held at the COPACC Meeting Rooms on 13 June 2012 at 1.00 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 (from 1.06 pm)
Cr Geoff Higgins
Cr Lyn Russell
Cr Chris Smith

Rob Small, Chief Executive Officer
Colin Hayman, General Manager, Corporate and Community Services
Neil Allen, General Manager, Infrastructure and Services
Jack Green, General Manager, Sustainable Planning and Development
Brett Exelby, Manager Finance & Customer Service
Rhonda Deigan, Executive Officer

3. APOLOGIES

Cr Stuart Hart (until 1.06pm)

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.

I ask that we all show respect to each other and respect for the office of an elected representative.

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As the sole purpose of the Special Meeting is to consider submissions on the Budget, all questions asked today must relate to the agenda item.

5. **QUESTIONS**
Nil

6. **DECLARATION OF INTEREST**
Nil

OFFICERS' REPORTS

Corporate and Community Services

SC121306-1 CONSIDERATION OF SUBMISSIONS TO THE 2012-2013 DRAFT
BUDGET

Rob Small
Chief Executive Officer

SC121306-1

**CONSIDERATION OF SUBMISSIONS TO THE 2012-2013
DRAFT BUDGET**

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	CLF11/19

Purpose

The purpose of this report is to consider submissions under section 223 of the *Local Government Act 1989* in relation to any proposal contained in the budget proposed for 2012-2013.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

On Wednesday 18 April 2012, Council resolved to give notice of preparation of the proposed 2012-2013 budget, including proposed rates and charges for the year, and invited submissions on the budget in accordance with Section 129 of the *Local Government Act 1989*.

At the Special Council Meeting held on 18 April 2012 it was resolved:

That Council:

3. ***Calls for written submissions in accordance with Section 223 of the Local Government Act 1989 on the proposals contained in the 2012-2013 budget. Written submissions will be accepted for a 6 week period until 5:00pm Friday 1 June 2012.***
4. ***Hears any person who wishes to be heard (either personally or by a person acting on their behalf) in support of a submission received in relation to the proposed budget at a Special Council Meeting on Wednesday 13 June 2012 at 1:00 pm.***

As part of the statutory process to adopt the 2012-2013 Budget, the Council is required to consider submissions received on the Budget.

At the close off time for submissions being 5.00 pm on Friday 1 June 2012, five (5) submissions had been received relating to the 2012-2013 Draft Budget.

Under Section 223(1)(d) of the Local Government Act 1989:

- (d) *the Council or special committee responsible for making the decision must—*
- (i) *consider all the submissions made under this section and any report made under paragraph (c);*

Of the five (5) submissions received there were:

- Three (3) letters supporting activities relating to the roofing of the Colac Livestock Selling Centre;
- One (1) letter requesting a feasibility study is conducted on an extension to the Tiger Rail Trail; and
- One (1) letter seeming to raise a questions concerning rates and valuations.

There were no requests received to provide a person with the opportunity to be heard in support of any submission.

Council Plan / Other Strategies / Policy

Leadership and Governance

Council will fulfil its leadership, statutory and legal obligations to its community and staff in a way that is: fair, ethical, inclusive, sustainable, financially responsible and meets the needs and practical aspirations of current and future generations.

The 2012-2013 Budget has been prepared in line with the Council Plan and is guided by priorities outlined in key strategic documents - the Council Plan and Strategic Resource Plan.

The 2012-2013 Budget reflects Council's commitment to achieving progress against Council's Key Result Areas:

- Leadership and Governance
- Physical Infrastructure and Assets
- Land Use and Development
- Environmental Management
- Economic Development
- Community Health and Wellbeing

The 2012-2013 Draft Budget was prepared in accordance with the requirements of the *Local Government Act 1989*.

The Budget is a critical planning and resource tool of Council and is vital to the ongoing operational and financial viability of Council. It sets out the expected income and expenditure both operational and capital for the coming year and also incorporates Council's rating strategy.

Issues / Options

Submission 1 – Stewart Dove Pty Ltd

The submission is a letter of support for the proposed roofing of the Colac Livestock Selling Centre, which included a list of perceived benefits in completing the proposed works.

Officer's Comment

As the submission is a letter of support for a particular project included within the proposed 2012-2013 Budget, no comment or proposed action is provided.

Submission 2 – Charles Stewart

The submission is a letter of support for the proposed roofing of the Colac Livestock Selling Centre, which included a list of perceived advantages in completing the proposed works.

Officer's Comment

As the submission is a letter of support for a particular project included within the proposed 2012-2013 Budget no comment or proposed action is provided.

Submission 3 – Colac Associated Agents

The submission is a letter of support for the proposed roofing of the Colac Livestock Selling Centre.

Officer's Comment

As the submission is a letter of support for a particular project included within the proposed 2012-2013 Budget no comment or proposed action is provided.

Submission 4

The submission was a letter seeking support for a feasibility study to extend the Tiger Rail Trail from Barwon Downs to Birregurra.

Officer's Comment

The letter, although not a formal submission, has been treated as a submission requesting that funds are allocated to a feasibility study to assess the extension of the Tiger Rail Trail from Barwon Downs to Birregurra.

As part of the 2012-2013 budget process a budget business case was developed to undertake a Tiger Trail Feasibility Study. The value of this project was estimated at \$100,000 with a possibility of \$50,000 grant funding. The net cost to Council being \$50,000.

The project was assessed along with 311 other budget proposals and was ultimately not included in the 2012-2013 Budget. The project will be further considered in future years.

Submission 5

The submission posed the following question.

“What is the average revaluation increase/decrease on what the increased rate percentage has been set for the 2012/2013 Council year.”

Officer's Comment

The submission is unclear in what issue it is seeking further information on. In order to ensure that the submission is addressed, information relating to the average revaluation increase/decrease and the average increase in rates and charges per assessment has been provided.

The average revaluation increase/decrease for 2012 per rating category is displayed below.

Type of Property	2011-2012 \$	2012-2013 \$	Valuation Change %
Residential – Colac, Colac East, Colac West, Elliminyt	999,849,500	1,034,264,000	3.44%
Residential – Balance Shire	1,823,549,436	1,941,319,000	6.46%
Rural - Farm	1,729,500,500	1,745,398,000	0.92%
Holiday Rental	206,845,000	216,915,000	4.87%
Commercial/Industrial – Colac, Colac East, Colac West, Elliminyt	231,187,000	247,330,000	6.98%
Commercial/Industrial – Balance of Shire	170,440,000	173,016,000	1.51%
Total	5,161,371,436	5,358,242,000	3.81%

The increase in average rates and charges per assessment for the 2012-2013 period is 6.33% or an increase of \$94 (equivalent to \$1.80 per week).

Proposal

The Council notes the submissions received.

Financial and Other Resource Implications

There are no additional financial or resource implications arising from this report.

Risk Management & Compliance Issues

Local Government Act 1989:

- Section 127 - "Council must prepare a Budget"
- Section 129 - "Public Notice"
- Section 130 - "Adoption of Budget or Revised Budget"
- Section 223 - "Right to make submission"

Local Government (Finance and Reporting) Regulations 2004:

- Regulation 8
- Regulation 9

Environmental and Climate Change Considerations

Not applicable.

Community Engagement

In releasing the budget for public consideration, Council encourages comments and submissions on the elements contained within the Budget document.

Section 223 of *the Act* requires that the Budget be available for comment for a period of at least four (4) weeks. A consultation period of six (6) weeks was provided to enable the community the opportunity to comment on the Budget.

The timelines proposed for approval 'in principle' of the 2012-2013 Annual Budget, public consultation, consideration of submissions and adoption of the 2012-2013 Annual Budget at the Council meeting on 27 June 2012 are consistent with most councils.

Implementation

The submissions provided will be considered alongside Council's 2012-2013 Budget.

Conclusion

The submissions and letters of support provided by the community on elements of the 2012-2013 Budget have been appreciatively received. It is gratifying to once again have input from the community into the budget process, with the 2011-2012 Budget having received no public submissions.

Officer's comments have been provided where possible on each of the issues raised.

Attachments

Nil

Resolution

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council having considered the written submissions refer all submissions for further consideration to the Ordinary meeting of Council to be held on Wednesday 27 June 2012, as part of Council's deliberations in adopting the 2012-2013 annual budget.

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Stuart Hart

The Meeting Was Declared Closed at 1.12pm

CONFIRMED AND SIGNED at the meeting held on 27 JUNE 2012

SLP

.....MAYOR

