

<p style="text-align: center;">COLAC OTWAY SHIRE COUNCIL ORDINARY MEETING OF COUNCIL</p>

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at Senior Citizens Centre, Apollo Bay on 25 February 2015 at 4.00pm.

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 Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer
Carmen Lawrence, A/General Manager, Corporate & Community Services
Phil Corluka, General Manager, Infrastructure & Services
Doug McNeill, A/General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

3. APOLOGIES

Colin Hayman

3. DECLARATION OF INTEREST

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989, direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), ie:

- a) direct financial interest
- b) indirect interest by close association
- c) indirect interest that is an indirect financial interest
- d) indirect interest because of conflicting duties
- e) indirect interest because of receipt of an applicable gift
- f) indirect interest as a consequence of becoming an interested party
- g) indirect interest as a result of impact on residential amenity
- h) conflicting personal interest.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

Cr Woodcroft:	OM152502-8 & OM152502-18 Contract 1510 Supply & fitting of tyres & batteries (MAV)
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	One of the local suppliers involved in contract 1510 is a sponsor for a community group that Cr Woodcroft manages

Crs Russell and Hart flagged a potential conflict of interest in item OM152505-10 Planning Scheme Review.

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the traditional 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.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. 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

Tim Cobb – Apollo Bay Sailing Club

1. The single portaloos at the Apollo Bay Boat ramp is grossly inadequate. Public toilet provision is clearly a Colac Otway Shire responsibility. Will the Council commit to providing decent toilet/shower facilities at the boat ramp by 30 November 2015 in time for next summer please? If not, then why not?

Response:

It is unlikely that new toilet/shower facilities will be provided at the Apollo Bay Harbour before next summer. As the Sailing Club is aware, Council has been working hard in recent years to finalise plans for redevelopment of the Harbour precinct, including provision for new sailing club facilities which would include showers and toilets. Unfortunately these plans have not yet been finalised, with a final Development Plan for the harbour to be developed following the current planning scheme amendment process. Council does not support providing new permanent toilet facilities at the sailing club site until an integrated plan for the harbour is agreed upon.

Until the development plans are finalised Council will continue to manage the temporary toilet facilities at Apollo Bay harbour with a view to ensuring the facilities are as clean as possible for the public.

Questions from the floor

Yvonne Francis – Apollo Bay

1. What is the availability of low cost public housing for people who pay rates in Apollo Bay? Does Council have a planning policy to control subdivisions for houses on land in dangerous fire prone situations?

Response:

The General Manager for Sustainable Planning and Development advised that Council did not have any policies with respect to the provision of low cost housing. It is the responsibility of the State Government to provide low cost public housing and there is no provision within existing planning processes for Council to impose any conditions within subdivisions for any low cost housing to be provided.

With respect to planning in fire prone areas, the State Government has provisions in all planning schemes and they were updated last year. There is a Bushfire Management Overlay that applies to properties in areas of high fire risk. That overlay triggers planning permit requirements for most developments including houses, and ensures the safety of future residents are taken into consideration.

Sr Pat O'Brien – Apollo Bay

1. Would it be possible to have an extra pedestrian crossing at the V/Line departure and receiving area to protect travellers during the busy summer months? Is there any reason why there are no signs indicating the possibility of passing lanes on the road between Skenes Creek and Forrest?

Response:

The General Manager for Infrastructure and Services advised that as there is already a pedestrian crossing within 200 metres of where the bus stops, there are no plans for Vic Roads to install an additional crossing.

With respect to signage for passing lanes, Council will continue to advocate to Vic Roads for the installation of passing lanes and appropriate signage.

Brian Dwyer – Apollo Bay

1. Given that Apollo Bay Radio has no dispute with Otway Community Radio over their rights to operate and, with the support of the Apollo Bay community, would Council consider supporting Apollo Bay Radio's submission for an FM radio licence?

Response:

The Mayor stated that this matter is outside the jurisdiction of Council so it unable to assist with this request.

The CEO advised that as this is outside Council's jurisdiction, Council is not able to determine a position on this issue.

Tim Cobb – Apollo Bay

1. Would it be possible to provide some demountable buildings at the Apollo Bay Harbour to increase the number of toilet and shower facilities available for the public?

Response:

The General Manager for Infrastructure and Services advised that the Port of Apollo Bay is managed by Council on behalf of the State Government. The suggestion of increasing the number of facilities available at the harbour will be taken on board.

Sheryl Smith – Wye River

1. In relation to the report on Harrington Memorial Park Multi-Use Recreation Facility, given the identified need for community support and involvement in this project, why is there no mention of the survey undertaken by Rob Small, which showed that 70% of respondents supported a composting toilet and basketball ring, and a petition signed by 140 people also supporting those two things?

Response:

The CEO stated that the report referred to by Ms Smith was prepared in response to a Notice of Motion and as such she was satisfied with the content of the report in that it detailed the management of the project by Council. The

report contains sufficient information for Council to consider the issue and was not meant to provide a complete history of the project.

Peter Jacobs – Separation Creek

1. Why has Council abandoned the idea of a S86 Committee of Management to oversee the management of Harrington Memorial Park.

Response:

The Mayor advised that the Wye River community would need to demonstrate that it could work together cohesively if it was to manage the park.

The CEO stated that a report would be presented to Council at its 25 March 2015 meeting that would outline a range of options with respect to the future management of Harrington Memorial Park.

Tony Webber – Apollo Bay

1. With respect to a report being prepared on the dredging of Apollo Bay Harbour, will it look at the possibility of opening the walls to get the sand to flow through as a solution to the sand building up in the harbour?

Response:

The General Manager for Infrastructure and Services stated that there is provision for the walls to be opened as part of its discharge licence for the harbour and an investigation would be undertaken to explore all discharge options.

2. When do you expect to have a report on the rezoning of the Apollo Bay Harbour.

Response:

The General Manager for Sustainable Planning and Development advised that the report had been received and that Council had 28 days in which to make it available to the public.

3. Cr Smith didn't sit at the table at the last Council meeting here in November, he is not sitting at the table again, is there any reason for that?

Response:

The Mayor stated that Cr Smith would need to answer that, there is provision made at the table that contains paperwork that Cr Smith could have as a benefit to him at the meeting, so only he could answer that.

Cr Smith responded that the Geelong Council is currently investigating bullying and that is one of the reasons that he was not sitting at the table because of a similar issue at the Colac Otway Shire.

Yvonne Francis – Apollo Bay

1. Would the Colac Otway Shire Council consider funding research into the apparent dryness of the earth's crust in the Otways, Apollo Bay and along the coast?

Response:

The CEO stated that Council already makes a significant contribution towards sustainability issues. There is no intention to fund research as groundwater and environmental issues are the responsibility of State and Federal agencies.

2. Could the Colac Otway Shire Council, as the third tier of government, with its greater local knowledge, offer advice to the State and Federal Government regarding the dryness in the Otways?

Response:

The CEO advised that Council could not provide advice on that matter as it lacked the scientific information required.

Caroline Wren – Apollo Bay

1. Could Council confirm that it is not willing to support the Apollo Bay Radio in its application for an FM Radio Licence?

Response:

The Mayor confirmed that as the matter is outside the jurisdiction of Council, it would not be providing support to Apollo Bay Radio's application for a licence.

6. TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

These responses will not be read out but will be included in the minutes of this meeting.

Simon Arundell - Bungador

1. Could you please provide the total cost of using woodchips over the period of a year, including regular maintenance and the replacement of poles versus the cost of using the bitumen emulsion.

Response:

The approximate cost of installing woodchips in all 114 undercover pens at the Colac Regional Saleyards is estimated at \$80,000 (45 pens currently have woodchips). This figure is based on the known costs to install woodchips following the 6 month trial period. The woodchip trial period indicated that, on average, each pen would need replacement of woodchips every 12 months (the new roof has significantly improved the expected life of the woodchips). The ongoing woodchip replacement cost is estimated to be less than the initial installation cost.

The use of bitumen emulsion to protect the saleyard floor area and steel posts has been investigated. Discussions with EDI Downer have identified a bitumen product which can be utilised on the floor and steel posts; however, there is no evidence to support the bitumen product being able to provide any addition protection beyond the galvanising which currently exists on all the steel work. Galvanising of steel is the most proven method of protecting from steel deterioration in extreme environments.

EDI Downer can supply the bitumen product but have no method of applying it at the saleyards. Current estimates for council to arrange labour to install the bitumen product are in excess of the cost of installing woodchips. EDI Downer also indicated there is no evidence of use of bitumen products in saleyard environments.

The use of soft flooring (woodchips) at the Colac Regional Saleyards will be implemented as budget becomes available. All areas of the livestock sale industry (buyers, sellers, agents, etc.) fully support the use of woodchip soft flooring and strongly recommend immediate implementation.

2. Can you advise the cost of the consultant?

Response:

The Pascoe Street Car Park project in Apollo Bay has incurred \$28,650 on Engineering Design and \$19,649 on Project Management consultants to date.

7. PETITIONS/JOINT LETTERS (if required)

Nil

8. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on the 28/01/15.

MOVED Cr Lyn Russell seconded Cr Stephen Hart that Council confirm the above minutes.

CARRIED 7 : 0

As per Governance Local Law No 4, clause 34:

34. Objection to Confirmation of Minutes

- (1) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (2) Except where sub-clause (1) applies, no vote shall be recorded against a motion to adopt the minutes.

OM152502-1**CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F11/3291

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

CARRIED 7 : 0

OM152502-2**2015-2016 COMMUNITY FUNDING PROGRAM**

AUTHOR:	Jodie Fincham	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Lyn Russell

That Council:

- 1. Endorses the revised 2015/2016 Council Community Funding Program guidelines and application forms.***
- 2. Commences implementation of Council's Community Funding Program in accordance with:***
 - a. The revised guidelines and application forms including the proposed processes and timelines, and***
 - b. The proposed funding levels:***

<i>Recreation Facilities</i>	<i>\$95,000</i>
<i>Community Projects</i>	<i>\$40,000</i>
<i>COPACC Assistance</i>	<i>\$10,000.</i>

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM152502-3 FESTIVAL AND EVENTS SUPPORT SCHEME 2015-2016

AUTHOR:	Emma Clark	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council:

- 1. Endorses the revised 2015/2016 Festival and Events Support Scheme (Option 2) which includes the proposed changes:***
 - 3 Sponsorship categories;***
 - Maximum amount of sponsorship available is \$5,000; and***
 - Sponsorship funding will be provided for 2 years, therefore the event will not need to apply annually for funding (subject to Council budget approval).***
- 2. Commences implementation of Council's Festival and Events Support Scheme in accordance with:***
 - a. The revised guidelines and application forms including the proposed processes and timelines, and***
 - b. The proposed funding level of \$75,000.***

AMENDMENT - MOVED Cr Chris Smith seconded Cr Stephen Hart:

That a third point be added as follows:

- 3. That in this scheme commercial events be excluded.***

LOST 2 : 5

DIVISION called by Cr Chris Smith

For the Motion: Cr Chris Smith, Cr Stephen Hart

Against the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan

MOTION - MOVED Cr Terry Woodcroft seconded Cr Chris Smith:

That this item be deferred to the next Council meeting.

As Cr Woodcroft had moved the original motion before Council, this motion was ruled out of order by the Mayor.

MOTION - MOVED Cr Stephen Hart seconded Cr Chris Smith:

That item OM152502-3 Festival & Events Support Scheme 2015-2016 lay on the table until the 25 March 2015 Council meeting.

LOST 3 : 4

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Michael Delahunty, Cr Frank Buchanan

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council:

- 1. Endorses the revised 2015/2016 Festival and Events Support Scheme (Option 2) which includes the proposed changes:**
 - 3 Sponsorship categories;**
 - Maximum amount of sponsorship available is \$5,000; and**
 - Sponsorship funding will be provided for 2 years, therefore the event will not need to apply annually for funding (subject to Council budget approval).**
- 2. Commences implementation of Council's Festival and Events Support Scheme in accordance with:**
 - a. The revised guidelines and application forms including the proposed processes and timelines, and**
 - b. The proposed funding level of \$75,000.**

CARRIED 4 : 3

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Frank Buchanan

Against the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Michael Delahunty

**OM152502-4 HARRINGTON MEMORIAL PARK REDEVELOPMENT
PROJECT**

AUTHOR:	Ian Seuren	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F12/8785

Original Recommendation(s)

That Council notes the report on the Harrington Memorial Park Redevelopment Project.

MOTION - MOVED Cr Chris Smith:

That Council requests that the CEO investigates and provides an appropriate officer report to open Council by March 2015 which details the differences between the works that have occurred at Harrington Park in 2012 to 2014 compared to the previously approved plans that were outlined to the community in December 2012.

The motion lapsed due to the lack of a seconder.

MOTION - MOVED Cr Michael Delahunty seconded Cr Brian Crook:

That Council notes the report on the Harrington Memorial Park Redevelopment Project.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM152502-5 HALF YEAR REVIEW FINANCIAL PERFORMANCE REPORT

AUTHOR:	Ashley Roberts	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council receives and notes the forecast results and budget allocations contained in the half year review financial performance report for 2014-2015.

CARRIED 7 : 0

**OM152502-6 CONTRACT 1301 - CLEANING OF BUILDINGS,
PUBLIC CONVENIENCES AND BARBECUES -
OPTION TO EXTEND CONTRACT**

AUTHOR:	Andrew Kavanagh	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/96582

MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That Council extends the contract period of Contract 1301 – Cleaning of Buildings, Public Convenience and Barbecues for a further 12 months from 1 July 2015 until 30 June 2016 in accordance with the Contract.

CARRIED 7 : 0

**OM152502-7 CONTRACT 1431 - ORGANICS MOBILE BINS SUPPLY,
DISTRIBUTION & RECOVERY SERVICES**

AUTHOR:	Andrew Kavanagh	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	F11/3291

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council:

- 1. Awards Contract 1431 for Organics Mobile Bins Supply, Distribution and Recovery Service to Trident Plastic (SA) Pty Ltd at its tendered Schedule of Rates:***
 - a. for a one (1) year period with no extension for the initial rollout of new organic bins and recovery of old organics bins (voluntary); and***
 - b. for five (5) years with a five (5) year option to extend at the discretion of Council for the on-going supply of new bins (for replacement or new services) and spare parts.***
- 2. Delegates to the Chief Executive Officer authority to sign and place under Council seal the contract documents following award of Contract 1431.***

CARRIED 7 : 0

OM152502-8 CONTRACT 1510 - SUPPLY & FITTING OF TYRES & BATTERIES (MAV)

AUTHOR:	Andrew Kavanagh	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/96582

Cr Woodcroft:	OM152502-8 & OM152502-18 Contract 1510 Supply & fitting of tyres & batteries (MAV)
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	One of the local suppliers involved in contract 1510 is a sponsor for a community group that Cr Woodcroft manages

Having declared a conflict of interest in this item, Cr Woodcroft left the meeting at 5.52pm.

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council:

- 1. Awards Contract 1510 – Supply & Fitting of Tyres & Batteries (Tender NPN1.14) to the following companies at the schedule of prices submitted.***

***Bridgestone Australia
Beaurepaires
Toyo Tyre & Rubber Australia Ltd
Tyremax Pty Ltd
Tyrepower Limited
Tyres 4 U
Yokohama Tyre Australia Pty Ltd***

- 2. Delegates to the Chief Executive Officer authority to sign and/or place under Council seal contract documents following award of Contract 1510.***

CARRIED 6 : 0

Cr Woodcroft returned to the meeting at 5.56pm.

**OM152502-9 BLUEWATER FITNESS CENTRE REDEVELOPMENT
PROJECT - PROGRESS REPORT**

AUTHOR:	Adam Lehmann	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	F13/7721

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council notes the monthly status report for the Blue Water Fitness Centre Redevelopment Project covering the period to 1 January 2015 to 31 January 2015.

CARRIED 6 : 1

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith

OM152502-10

PLANNING SCHEME REVIEW

AUTHOR:	Blaithin Butler	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/9336

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

1. ***Notes the findings of the Planning Scheme Review 2015.***
2. ***Reports the findings of the Planning Scheme Review 2015 to the Minister for Planning without delay, as required by section 12B of the Planning and Environment Act 1987.***
3. ***Develops a strategic planning work program based on the findings of the Planning Scheme Review 2015.***
4. ***Uses the Review to support its advocacy for changes to State Government planning provisions that would streamline planning controls within the Shire.***

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

1. ***Notes the findings of the Planning Scheme Review 2015.***
2. ***Delays reporting the findings of the Planning Scheme Review 2015 to the Minister for Planning.***
3. ***Develops a strategic planning review containing genuine reform actions to measurably improve the planning process for our ratepayers.***
4. ***Uses the Review to support its advocacy for changes to State Government planning provisions that would streamline planning controls within the Shire.***

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 Terry Woodcroft, Cr Frank Buchanan***

MOTION - MOVED Cr Stephen Hart seconded Cr Terry Woodcroft:

That Council:

- 1. Notes the findings of the Planning Scheme Review 2015.**
- 2. Reports the findings of the Planning Scheme Review 2015 to the Minister for Planning without delay, as required by section 12B of the Planning and Environment Act 1987.**
- 3. Develops a strategic planning work program based on the findings of the Planning Scheme Review 2015.**
- 4. Uses the Review to support its advocacy for changes to State Government planning provisions that would streamline planning controls within the Shire.**

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

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

Against the Motion: Cr Chris Smith, Cr Michael Delahunty

OM152502-11 ASSEMBLY OF COUNCILLORS

AUTHOR:	Rhonda Deigan	ENDORSED:	Sue Wilkinson
DEPARTMENT:	Executive	FILE REF:	F14/6031

MOVED Cr Stephen Hart seconded Cr Lyn Russell

That Council notes the Assembly of Councillors reports for:

- ***Councillor Workshop*** ***21 January 2015***
- ***Councillor Briefing Session*** ***28 January 2015***
- ***Councillor Workshop*** ***4 February 2015***
- ***Councillor Workshop*** ***11 February 2015***

CARRIED 7 : 0

OM152502-12 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 Lyn Russell

That Council notes the Minutes of the Old Beechy Rail Trail Committee for 1 December 2014.

CARRIED 7 : 0

**OM152502-13 ITEM FOR SIGNING & SEALING - STOCK UNDERPASS -
ADAMS ROAD, BARONGAROOK WEST**

AUTHOR:	Paula Gardiner	ENDORSED:	Phil Corluka
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95455

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council delegate the Chief Executive Officer to sign and seal the Stock Underpass Agreement between Colac Otway Shire Council, L D, J H & S D Scott Pty Ltd and L D Scott for a stock underpass under Adams Road, Barongarook West.

CARRIED 7 : 0

**OM152502-14 ITEM FOR SIGNING & SEALING - LEASE TO STATE
EMERGENCY SERVICES (SES) - SHED AT PART 87 WILSON STREET,
COLAC**

AUTHOR:	Paul Carmichael	ENDORSED:	Carmen Lawrence
DEPARTMENT:	Corporate & Community Services	FILE REF:	F11/3291

MOVED Cr Lyn Russell seconded Cr Terry Woodcroft

That Council endorses the proposed lease with the State Emergency Service for the shed it currently occupies at part 87 Wilson Street, Colac and delegates the Chief Executive Officer to sign and seal the document.

CARRIED 7 : 0

OM152502-15 BLUEWATER FITNESS CENTRE (CR MICHAEL DELAHUNTY)

RECOMMENDATION:

That Council consider the contents of this Notice of Motion.

As per Clause 59 of the Governance Local Law No 4 2014, Cr Delahunty sought leave to move a revised Notice of Motion in two separate parts. The Mayor agreed to this request.

MOTION - MOVED Cr Michael Delahunty seconded Cr Chris Smith:

That Council requests the CEO provide a report to Council that outlines possible management options for Bluewater Fitness Centre and any associated processes for implementation.

LOST 3 : 4

DIVISION called by Cr Stephen Hart

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

Against the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Frank Buchanan

Cr Delahunty withdrew his intention to put forward a second motion.

IN COMMITTEE

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

SUBJECT	REASON	SECTION OF ACT
Minutes of In-Committee Council Meeting held on 28 January 2015	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
Contract 1301 - Cleaning of Buildings, Public Conveniences and Barbecues - Option to Extend Contract	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1431 - Organics Mobile Bins Supply, Distribution & Recovery Services	this matter deals with contractual matters	Section 89 (2) (d)
Contract 1510 - Supply & Fitting of Tyres & Batteries	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 7 : 0

Cr Smith left the meeting at 7.10pm

OUT OF COMMITTEE

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

CARRIED 6 : 0

The Meeting Was Declared Closed at 7.18pm

CONFIRMED AND SIGNED at the meeting held on 25 MARCH 2015

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

