



ORDINARY COUNCIL MEETING

**MINUTES**

WEDNESDAY 25 JULY 2018

AT 4PM

COPACC

Next Council Meeting: 22 August 2018  
Beeac Recreation Reserve Hall

## COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

25 JULY 2018

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## COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

MINUTES of the **ORDINARY COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at  
COPACC on 25 July 2018 at 4pm

### MINUTES

#### 1. I DECLARE THIS MEETING OPEN

##### 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 Kate Hanson  
Cr Stephen Hart  
Cr Joe McCracken (Mayor)  
Cr Chris Potter  
Cr Jason Schram  
Cr Chris Smith

Peter Brown, Chief Executive  
Errol Lawrence, General Manager, Corporate Services  
Tony McGann, General Manager, Infrastructure & Leisure Services  
Gareth Smith, General Manager, Development & Community Services  
Sarah McKew, Manager, Governance & Customer Service  
Lyndal McLean, Governance Coordinator  
Dora Novak, Strategic Planner  
Simon Clarke, Strategic Planning & Major Projects Coordinator  
Doug McNeill, Manager, Planning, Building & Health  
Kristy Cochrane, Infrastructure Services Coordinator  
Sarah Osborne, Acting Communications Coordinator  
Leanne Warrener, Acting Executive Officer, Infrastructure & Leisure Services  
Glen Bernoth, Acting Communications Officer  
Suzanne Barker, Contractor  
Ian Seuren, Manager, Arts & Leisure  
Buddhima Edi, Asset Systems Engineer  
Nick Moloney, COPACC Technical Officer  
Suzanne Barker, Contractor  
Frank Castles, Acting Manager, Services & Operations  
Mark McLennan, Contracts Administrator



### **3. APOLOGIES**

Cr Terry Woodcroft

### **4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY**

I would like to start this evening by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of 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.

### **5. QUESTION TIME**

A maximum of 30 minutes is allowed for question time. To ensure that each member of the gallery has the opportunity to ask questions, it may be necessary to allow a maximum of two questions from each person in the first instance. Once everyone has had an opportunity to ask their initial questions, and if time permits, the Mayor will invite further questions.

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. Question time is not a forum for public debate or statements.

### **QUESTIONS RECEIVED IN WRITING PRIOR TO THE MEETING**

**James Judd**

- 1. When will Council officers advise promptly any name change of meetings, when a false claim is made about the type of meeting to be held, not provide advice weeks after a meeting held?**

***Response from General Manager, Corporate Services***

The Special Committee Meeting held on 2 May 2018 was incorrectly called the Special Council Meeting in a letter to Mr Judd acknowledging his submission. This error was made in the response letter; the meeting was advertised correctly as a Special Committee Meeting.



2. Will the Colac Otway Shire Council consider the need to provide another library in the Colac region, long prior to the expiry of the lease at the Queen Street location of CCLC, owned by the education department?

*Response from General Manager, Infrastructure & Leisure Services*

The agreement for use of the Colac Community Library and Learning Centre has an initial term of 30 years with a further term of 20 years. As a result, Council has no plans to investigate the need to provide another library in the Colac region at this point in time.

3. What was the usage increase of the Bluewater gymnasium during the first two weeks of operating 24/7? How much use was made out of manned hours and costs to provide this extra service? Plus are there any increased legal, insurance and other obligations on Council for operating a facility with no staff on duty?

*Response from General Manager, Infrastructure & Leisure Services*

The Bluewater 24/7 gym operations officially opened to the public on Friday 29 June. As at 18 July 2018, 347 members have been inducted to use the 24/7 gym. In the same period, we've had 72 new members sign up at Bluewater. A number of the new memberships are Platinum family memberships which mean that the actual number of new members is significantly greater than 72. In the first 19 days, we've also experienced 662 visits out of normal operating hours, equating to approximately 35 visits per day. The cost to convert to 24/7 operations was approximately \$30,000.

4. Due to a new sign advising of works on south side of highway west of Reviver Driver site, does the Colac Otway Shire Council have any details about the Colac to South Australian border Princes Highway upgrade to commence in 2021? Plus how will it affect all properties west of the Colac High School site to the Shire's western border? Plus will this also include removal in total of the centre strip and bicycle lanes and parking places along Murray Street in Colac, since many permits only issued on condition parking places provided? The only way for the Colac Otway Shire Council to avoid these problems is a very rapid planning and construction of a ring road or bypass road of Colac to be usable prior to any works to upgrade the Princes Highway to the South Australian border.

*Response from General Manager, Infrastructure & Leisure Services*

Council is in regular conversation with VicRoads in regard to works being undertaken throughout the shire. This includes the proposed works being undertaken between Colac and the South Australian border within our shire, however at this stage full details of the works are still being developed by VicRoads. How properties west of the high school site will be affected is as yet unknown. Council has requested a number of issues be considered for improvements under the funding including the Blue Church Intersection. It is understood that works under this funding won't affect the Colac CBD.

**Leigh Barrett, Secretary - Colac Otway Ratepayers and Residents Association**

- 1. Has the Colac Otway Shire filed proceedings with the Supreme Court against DWP Suters architects in an attempt to recover 1 million dollars in relation to the failed floor in the Bluewater Stadium? If yes when and where will it take place? If no when will proceedings be filed?**

***Response from Chief Executive***

In relation to this matter, Council released a statement following its Closed Session Ordinary Council meeting on 28 March 2018:

*“At its March meeting Colac Otway Shire Council resolved to take legal action against DWP Suters, the Architect, and BDH Constructions, the builder of the Bluewater project. The legal action relates to issues concerning the design and construction of the Bluewater project and involves a sum in excess of one million dollars.”*

Accordingly, Council has proceeded with legal action; we commenced proceedings. We do not have a hearing date or know where it will be held and further to that, I would suggest that while the matter is before the court it is unwise to comment unduly on this matter.

- 2. How does council perceive public opinion of its business ethics in setting 2 senior participants of the Bluewater re-development project, DWP Suters and BDH Constructions against one another in the attempt to place blame on someone for the failed floor, having failed to find fault with the installers of the maple floor Aura Sports Floors and refusing to release the independent report at a cost of \$30,000 that ratepayers paid for?**

***Response from Chief Executive***

Again, while the matter is before the courts, I believe it would be unwise to comment unduly on the matter. Council has made a resolution which I will follow.

- 3. Would you agree or disagree that it would have been in the public interest to release the independent report to the public first and then look at legal action?**

***Response from Chief Executive***

I don't have a view on what Council has already done or not done in this instance. From what I have seen, I believe Council has at all times tried to act in the public interest.

- 4. Will the Colac Otway Shire sue Bill McDonald for defamation in his statement in the Colac Herald on July 9 where he is quoted as saying in relation to the Mooleric Road Quarry “there is no way on earth would I ever go near that Shire again, and I do tell others the same thing”?**



***Response from Chief Executive***

Mr McDonald is clearly unhappy with Council. He has the right to make comments of this nature if he so wishes. Colac Otway Shire has no plans to sue Bill McDonald for defamation.

5. Will the Colac Otway Shire apologise both in writing and publicly to Aura Sports Floors for publicly stating that they were responsible for the failure of the floor that they installed (when they were not responsible for its failure). These statements by former CEO Sue Wilkinson and former General Manager for Infrastructure and Leisure Services Ingrid Bishop are recorded in Council minutes.

***Response from Chief Executive***

As stated in the question, the statement attributed are to former officers of this Council. I would personally be quite happy to meet with Aura Sports Floors if they request such a meeting and I would be prepared to discuss any issues they may have.

**QUESTIONS RECEIVED VERBALLY AT THE MEETING**

**Yvonne Francis, Apollo Bay**

I think everybody is fully aware that Local Government authorities are not directly responsible for main roads such as the Great Ocean Road, however the Colac Otway Shire is looked upon by Victoria as the boots on the ground and the source of information about local events. Clearly the Great Ocean Road is threatened by rising sea levels and flinging sand at it from the harbour won't last long at all. I would respectfully like to know when is the Colac Otway Shire going to call an appropriate consultation with the community to begin planning an alternative route that is so critical the people of Skenes Creek, Marengo, the township of Apollo Bay itself and in fact, all businesses that derive profit from the coastal tourist trade?

***Response from the Mayor***

Your question was when are we going to call a meeting?

Yes, with the intention of looking forward to appropriate information coming up from local authority to those who really do have responsibility for such a very important road.

***Response from the Mayor***

Are you aware of the meeting on 1 August being held at the Surf Life Club in Apollo Bay? I am going to be attending that but to answer your question about whether we are holding a separate meeting or not, I don't think Council has any intention of holding a separate meeting.

**Yes, and the intention of that meeting?**

***Response from the Mayor***

That is being organised by the State member, from what I understand, with regard to what you eluded to before being the impact on erosion there.



**My point is that it is a greater matter than simply just erosion. Everyone can see it's happening – it is no surprise – but I think as this Local Government authority is the boots on the ground and looked upon as the source of local information, I really think it is up to the Council to make some effort to really get people discussing what we should pass on to the appropriate authorities as a community opinion.**

***Response from the Mayor***

I agree with you and I appreciate your point. Colac Otway Shire has been quite active in working with the Great Ocean Road Taskforce which takes into account not just Colac Otway but all the way along the Great Ocean Road, viewing it as an integrated approach rather than just from Colac Otway's point of view. It is an important approach we have taken.

***Response from General Manager, Development & Community Services***

It is worth raising that Council is undertaking a Tourism, Parking and Traffic Strategy at the moment which looks across all the tourism routes, particularly the Great Ocean Road and there is some further public consultation happening on that in two weeks' time. We can make sure that you get that information.

**I have taken part in that but that's parking. I am talking here about the route.**

***Response from General Manager, Development & Community Services***

It is tourism, traffic and parking so it's also the circuit and likes as well. You could certainly raise those sorts of issues through there without doubt. I would love to hear that and talk about the different alternate routes and the risk of actual closures and how we address that as well.

**Tony Webber, Otway Forum**

- 1. Binns Road is in a very bad way at the moment. The logging company that's working the Aire Valley plantation is using log trucks on the road and there's tourists and some locals are taking their children to school and they are having nasty encounters with the trucks on the road. Is the logging company paying any rates or fees to the Colac Otway Shire?**

***Response from General Manager, Corporate Services***

I can take that on notice and check whether they are.

***Response from Cr Jason Schram***

I raised this through Council six weeks ago on behalf of Bluey Andrews and there were several responses. I would have thought our Infrastructure department would be aware of that.

***Response from General Manager, Infrastructure & Leisure Services***

I can't recall what the particulars were in relation to rates being paid. We will take that on notice and give the exact details to Mr Webber.

2. If it was declared, or if the Shire would help get Binns Road declared a tourist road – I have spoken to VicRoads about that – then there is a possibility of getting it sealed through funding from VicRoads. I am asking if the Council is prepared to lobby because there is a lot of tourists using it now with the Redwoods and the two waterfalls. There are also locals using it more than they used to. So if it was a bit like Turtons Track or the lighthouse road which were both sealed, I think that would solve the problem. Apparently the road is of quite good construction – the base of the road – so sealing it might not be a really expensive operation. Would the Council consider asking the State Government if they would declare it a tourist road because it is being used by quite a lot of tourists?

*Response from the Mayor*

We are certainly happy to consider that. As a group of Councillors we haven't had an opportunity to talk about it from that particular point of view but we are certainly happy to consider it.

Lorraine Biddle, Skenes Creek

I am not too sure if this is the correct forum to address this issue but we are here today regarding a petition to erect bollards at Surf Avenue, Skenes Creek. I am pretty happy if you say sit down and we will discuss this later when it comes up through the agenda. We are the owners of 61 Great Ocean Road and I am not particularly happy with the communication between the Council and ourselves regarding this. Yesterday my sister went and picked up the mail from the Apollo Bay post office and we had a letter there from the Council stating that there was a petition to put bollards at the end of Surf Avenue. This letter was written approximately seven days ago but apparently this issue was raised at your last Council meeting but nobody from the Council had bothered to inform us or come to see us, but according to your own agenda there are pictures here – I have no idea on what dates they were taken – but there are pictures; somebody was down at Skenes Creek.

I just want to put my family's point across that it is ridiculous to even consider putting bollards on this area. Number one, it restricts our access to our farming property which is approximately 100 acres. It is quite obvious that you didn't bother to take the picture of our loading race and that sort of stuff that is in the property. There is a picture of the shed but you don't put a picture of the race that is paramount to us running our farming from there. Apparently we are disrupting the peace and the quiet of the street. Believe me, this is a farming property; we probably go up and down that street maybe once a week, if that. At the moment the gate is locked. It has been locked I think for about four or five weeks, but I am happy to get you the information because I went and bought some chain and I bought a lock to lock it.

So this area where you or the person putting the petition together is contemplating to put bollards has an easement for power, which runs right through 61 Great Ocean Road. When the fires were on, it was the point where everyone was going to go to get away from the bushfires that were coming towards Apollo Bay because we have 100 acres of cleared land. The person who I am imagining has put this petition together is actually running two businesses from that address. One is an Airbnb and the other is a massage business. If anyone is affecting the peace and the quiet of the street, I would consider it is the person who is putting this petition together.

*Response from the Mayor*

Was there a question that you would like to raise?



The question is why weren't we treated with more consideration from the Colac Otway Shire? Why do I get a letter yesterday in the mail and the meeting is today and it's on your agenda today? Given the fact that the post doesn't arrive every day, why do I have less than five business days to address this issue?

***Response from Chief Executive***

Clearly we have made an error; you should have been contacted and had the matter discussed with you as the principal person concerned with it. We are well aware of that. Councillors have raised this issue as part of the agenda and part of this will be addressed tonight.

**It was raised with you last Council meeting, I believe.**

***Response from Chief Executive***

I beg your pardon, but I am not aware of that.

**I was told by your officers that it was. Yes, you definitely have made a gross error of judgement against us.**

**Scott Stewart, Birregurra**

- 1. The current shortage of rock material is now even being acknowledged by the State Government, who has this month made public the dire state of our stone resource. Why is Council taking MCG to VCAT when it was the Council that approved the permit and has been advised by the Planning Minister's department Council could have left this alone and the objector, Mrs Beach, to take it to VCAT at her own cost, or is she just the Governor in Council?**

***Response from General Manager, Development & Community Services***

The advice that we have is that it is more appropriate for Council to get clarification around the actual groundwater management plan and whether we need authority to approve in its current form. That is independent advice that we have had – that it is in the best interest of the community for the Shire to do that.

**So your legal from lawyers that come to the Shire – that the ratepayers have to pay for – you will abide by that and pay their consultancy fees instead of listening to the Minister?**

***Response from General Manager, Development & Community Services***

When we seek advice we seek it from various areas, including the department that represents the Minister as well. Legal advice is one avenue for us and you don't necessarily always have to take that direction. We have listened to DELWP as well. What DEWLP have done in the advice it has given to the quarry is an assessment of the risk around all those different options as well. They have just confirmed they are the options; they haven't analysed the risk around that and that is the role that Council has taken on behalf of its community.

**Yes I understand all that, but I think you've missed my point, Gareth. The Planning Minister's office advice is free. We should cease wasting ratepayers' money lining legal fraternity pockets**



when we can take on the own Minister's advice and even if it has to be sought further, it doesn't cost the ratepayers any money, but the channels you wish to go down could put the ratepayers at jeopardy of more costs. It's alright for you guys, you know – we'll just jack the rates up another 13 or 14 percent to cover everybody to make it look good on paper, but anybody here in private business can relate to that.

*Response from the Mayor*

I will take that as a statement.

2. How can Shire merely shift the blame to MCG whilst clearly misleading the public in seeking a declaration from VCAT while it lodges an application for a full hearing? Dates have been set for this hearing that could cost ratepayers hundreds of thousands of dollars more. Why didn't Council simply approach the Planning Minister to review the conditions on the permit, given that the yield trigger they already had approved and recommended by Council and their own experts, Southern Rural Water, Professor John Webb; isn't that why we engaged them? Do you have a monetary figure for the ratepayers of the cost spent on this application to date as you continue to spend additional ratepayer funds to challenge the decision you made yourselves? Millions of dollars have been spent on this project now, all at the ratepayers' expense and now you are prepared to sacrifice more money.

*Response from General Manager, Development & Community Services*

I wouldn't be able to confirm any costs for this planning application. Obviously it has gone on for several years – a long period of time. No doubt there are significant costs for all parties including Council but I wouldn't be able to give a definitive cost. To respond to another part of your question regarding contact to the Minister, one of the options that we are seriously looking at at the moment is exploring the Minister's advice directly regarding amendment of permits or the application of the groundwater management plan and its content. We agreed with Mr McDonald that we would do that and it is something we are still pursuing.

**OK, you are pursuing that but you are continually spending ratepayers' money on more legal advice. Is that smart business? I look to the Councillors to step in here. There is a free service from the government and you continue to blow ratepayers' money.**

*Response from the Chief Executive*

This is a very complex issue that has been going on for a very long time. The Council, in issuing the permit as it did, should not have issued the permit in the way that it did for the groundwater management plan. We have an issue that needs to be rectified. The State Government advice that was tendered to you gave a number of different options that could be followed. It made no statements about which of those options were preferable, what the risks of those options were and any sort of elaboration. There were just three simple responses. What we sought was a much more comprehensive review of the options that were available. Our legal advice and my review of that advice shows that the least risk to this Council and to all the parties involved is to undertake the process that we are proposing to take which is to have the planning permit revert to what was agreed upon or determined by the advisory panel via the Minister. Once we have established that position then we can move to something else. We did offer MCG an alternative method of doing this that would have involved them in minimal cost and would have had a response that sorted this out in perhaps one or two or three days. For their own reasons MCG determined not to follow that process.

Just on that note, MCG is still waiting for confirmation that you would agree to turn it back when it's turned around again. They are still waiting for that confirmation.

*Response from the Chief Executive*

We need to determine whether that's a wise move for this Council to go down and there needs to be full information.

OK, I understand and this is all at the recommendation of Maddocks lawyers who represent the Shire that the Shire are paying. Don't you get any more sound economic and bullet-proof advice than from the Planning Minister, which then would be ticked off from the Governor in Council or free to the ratepayers? Of course Maddocks lawyers are going to recommend this or that because they make money out of it. I am here to try and save money for the ratepayers. You cannot question the Governor in Council and the Planning Minister; how secure is that? Is that not more secure than Maddocks? If they lose they still get paid; it still costs the ratepayer. You guys need to wake up a little bit.

*Response from the Mayor*

I take that as a statement.

That is a statement. Everybody needs to be told the truth, the facts, what's out there. This is a very complex issue and it's been going on now since 2008, which is 11 years. It's very complex and there's a lot in it. There are people hiding behind bits and pieces but the worst part is there are people hiding behind pieces and making lots of money out of it all at the ratepayers' expense and it's got to stop. Can anybody do it in private business? No. We'd be out on our ear in two minutes but it's OK, the Shire can do it; we'll just jack the rates up next year to cover the cost. You've got to be accountable for it.

In closing, if the objectors didn't raise this amendment, we wouldn't be standing here having this conversation today and we wouldn't have already spent tens of thousands on legal advice. It was only on the back of one manipulation – or I should say slightly changing an amendment – that brought this to the table. If it hadn't been picked up, we wouldn't have been here and we wouldn't have had to pay any lawyers.

Suzanne Barker left the meeting at 4.17pm.  
Suzanne Barker returned to the meeting at 4.28pm.  
Ian Seuren attended the meeting at 4.29pm.  
Kristy Cochrane left the meeting at 4.33pm.  
Nick Moloney attended the meeting at 4.34pm.  
Frank Castles attended the meeting at 4.37pm.  
Leanne Warrener left the meeting at 4.38pm.

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

Nil



**7. PETITIONS/JOINT LETTERS**

A petition for the sealing or gatsealing of Forest Street South between Belvedere Drive and Water Basin Road, Elliminyt has been received from a community member. The petition contained 88 signatures.

A report responding to the petition will be tabled at the Ordinary Council meeting to be held on 22 August 2018.

**8. DECLARATIONS OF INTEREST**

Cr McCracken	<b>OM182507-7</b>
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78B
Nature of Interest:	I am an employee of Trinity College Colac, who have a financial interest in the drainage scheme.

**9. CONFIRMATION OF MINUTES**

- Ordinary Council Meeting held on 27 June 2018.
- Special Council Meeting held on 11 July 2018.

**RESOLUTION**

**MOVED Cr Stephen Hart seconded Cr Kate Hanson**

**That Council confirm the minutes from the Ordinary Council Meeting held on 27 June 2018.**

**CARRIED 6 : 0**

**RESOLUTION**

**MOVED Cr Stephen Hart seconded Cr Kate Hanson**

**That Council confirm the minutes from the Special Council Meeting held on 11 July 2018.**

**CARRIED 5 : 1**



ORDINARY COUNCIL MEETING  
**PROPOSED DEVELOPMENT PLAN FOR SINCLAIR,  
 HEARN & ARMSTRONG STREETS, COLAC**  
 OM182507-1

<b>LOCATION / ADDRESS</b>	Sinclair, Hearn & Armstrong Street, Colac	<b>GENERAL MANAGER</b>	Gareth Smith
<b>OFFICER</b>	Simon Clarke	<b>DIVISION</b>	Development & Community Services
<b>TRIM FILE</b>	F18/5352	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Draft Development Plan 2. Guidance Plan		
<b>PURPOSE</b>	To endorse the proposed Development Plan prepared for Sinclair, Hearn and Armstrong Streets, Colac for Informal Community Engagement		

## RESOLUTION

*MOVED Cr Chris Potter seconded Cr Stephen Hart*

*That Council:*

- 1. Endorse the draft Development Plan for Sinclair, Hearn and Armstrong Streets, Colac for the purposes of informal community engagement.*
- 2. Support exhibition of the draft Development Plan for 6 weeks.*
- 3. Requests that the results of the informal engagement are reported to Council prior to endorsement of a final Development Plan for Sinclair, Hearn and Armstrong Streets, Colac.*

*CARRIED 5 : 1*

*DIVISION*

*For the motion: Cr Jason Schram, Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken*

*Against the motion: Cr Chris Smith*

ORDINARY COUNCIL MEETING  
**COLAC STORMWATER DEVELOPMENT STRATEGY**  
OM182507-2

<b>LOCATION / ADDRESS</b>	Colac	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Jeremy Rudd	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F15/10336	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Colac Stormwater Development Strategy Engeny_RevB_July		
<b>PURPOSE</b>	Council to endorse it going out on public exhibition for comment		

## RESOLUTION

*MOVED Cr Chris Potter seconded Cr Kate Hanson*

*That Council:*

- a) Endorses the draft Colac Stormwater Development Strategy to be placed on public exhibition for six weeks in accordance with Council's Community Engagement Policy.*
- b) Following the close of the public consultation period, considers submissions at a future meeting, and if considered appropriate, amends the Strategy.*

*CARRIED 6 : 0*

Simon Clarke left the meeting at 5.00pm.

Simo Clarke returned to the meeting at 5.01pm.



ORDINARY COUNCIL MEETING  
**COLAC 2050 GROWTH PLAN AND  
 PLANNING SCHEME AMENDMENT**

OM182507-3

<b>LOCATION / ADDRESS</b>	Township of Colac	<b>GENERAL MANAGER</b>	Gareth Smith
<b>OFFICER</b>	Doug McNeill	<b>DIVISION</b>	Development & Community Services
<b>TRIM FILE</b>	F14/5665	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Colac 2050 - Colac Framework Plan Current Oct 2017</li> <li>2. Colac 2050 Growth Plan Exhibition Version 12 July 2018</li> <li>3. Planning Scheme Amendment Colac 2050 Growth Plan Explanatory Report for Council</li> </ol>		
<b>PURPOSE</b>	To seek a Council resolution to endorse the Exhibition Version of the Colac 2050 Growth Plan, and commence a public exhibition process of the Growth Plan and Planning Scheme Amendment		

## RECOMMENDATION

*That Council resolve to:*

- 1. Endorse the Exhibition Version of the Colac 2050 Growth Plan as the basis for further community engagement.*
- 2. Authorise officers to prepare Planning Scheme Amendment documents to amend the Municipal Strategic Statement of the Colac Otway Planning Scheme to implement policy outcomes of the Colac 2050 Growth Plan generally consistent with the Explanatory Report.*
- 3. Request authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to implement policy changes to the Planning Scheme to reflect the key Growth Plan outcomes.*
- 4. Place the Exhibition Version of the Colac 2050 Growth Plan and Planning Scheme Amendment on public exhibition for a period of 6 weeks.*
- 5. Authorise Council officers to make minor amendments to the Exhibition Version of the Growth Plan and Amendment documents prior to exhibition that do not change its intent.*



**ALTERNATIVE MOTION**

**MOVED Cr Jason Schram seconded Cr Chris Smith**

**That Council resolve to:**

1. *Put the Exhibition Version of the Colac 2050 Growth Plan out for further community engagement.*
2. *Authorise officers to prepare Planning Scheme Amendment documents to amend the Municipal Strategic Statement of the Colac Otway Planning Scheme to implement policy outcomes of the Colac 2050 Growth Plan generally consistent with the Explanatory Report.*
3. *Request authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to implement policy changes to the Planning Scheme to reflect the key Growth Plan outcomes.*
4. *Place the Exhibition Version of the Colac 2050 Growth Plan and Planning Scheme Amendment on public exhibition for a period of 6 weeks.*
5. *Authorise Council officers to make minor amendments to the Exhibition Version of the Growth Plan and Amendment documents prior to exhibition that do not change its intent.*

**CARRIED 5 : 1**

**DIVISION**

**For the Motion: Cr Jason Schram, Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken**

**Against the Motion: Cr Chris Smith**

Suzanne Barker left the meeting at 5.16pm.

Doug McNeill left the meeting at 5.16pm.

Simon Clarke left the meeting at 5.16pm.

Dora Novak left the meeting at 5.16pm.

ORDINARY COUNCIL MEETING  
**PETITION TO ERECT BOLLARDS  
SURF AVENUE, SKENES CREEK**

OM182507-4

<b>LOCATION / ADDRESS</b>	Surf Avenue, Skenes Creek	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Kristy Cochrane	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F17/8952	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To respond to the petition tabled at the June Council Meeting requesting Council consider the erection of bollards at the end of Surf Avenue, Skenes Creek.		

## RECOMMENDATION

*That Council:*

- 1) Writes to the owner of the property at 61 Great Ocean Road and advises them that they are required to install a stop on their gate to prevent the gate from opening on to the road reserve of Surf Avenue, Skenes Creek.*
- 2) Writes to the petitioners advising that Council will not be erecting bollards in Surf Avenue, Skenes Creek as it would not be appropriate to restrict the residents at 61 Great Ocean Road, Skenes Creek access to their frontage on Surf Avenue.*

### ALTERNATIVE MOTION

*MOVED Cr Jason Schram seconded Cr Chris Potter*

*That Council writes to the petitioners advising that Council will not be erecting bollards in Surf Avenue, Skenes Creek as it would not be appropriate to restrict the residents at 61 Great Ocean Road, Skenes Creek access to their frontage on Surf Avenue.*

**CARRIED 6 : 0**

**Glen Bernoth left the meeting at 5.31pm.  
Buddhima Edi left the meeting at 5.31pm.  
Nick Moloney left the meeting at 5.31pm.**

**The meeting adjourned for a short break at 5.31pm.  
The meeting resumed at 5.38pm.**



ORDINARY COUNCIL MEETING  
**BLUEWATER LEISURE CENTRE  
JOINT USE AGREEMENT**

OM182507-5

<b>LOCATION / ADDRESS</b>	118-134 Hearn Street, Colac	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Ian Seuren	<b>DEPARTMENT</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F17/6538	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To re-consider the Community Joint Use Agreement for the Bluewater Leisure Centre		

## RESOLUTION

*MOVED Cr Jason Schram seconded Cr Chris Potter*

*That Council:*

- 1. Endorses the Bluewater Community Joint Use Agreement between Council, the Department of Education and Training and the Colac Secondary College for an initial term of 30 years and a further term of 10 years.*
- 2. Authorises the Chief Executive to place under the Common Seal of Council the Bluewater Leisure Centre Community Joint Use Agreement.*
- 3. Authorises the Chief Executive to perform all functions and exercise all powers of the Principal within the terms of the Agreement.*
- 4. Agrees to make the key operational clauses within the Community Joint Use Agreement relating to community use of the facility available to the public, as approved by the Department of Education and Training.*

**CARRIED 6 : 0**

ORDINARY COUNCIL MEETING  
**ADOPTION OF 2018 MUNICIPAL  
REVALUATION**

OM182507-6

<b>LOCATION / ADDRESS</b>	Shire wide	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Paul Carmichael	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F17/2105	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To adopt the 2018 revaluation of all properties within the Shire for municipal rating purposes.		

## RESOLUTION

*MOVED Cr Chris Potter seconded Cr Kate Hanson*

*That Council adopt the valuations returned as the 2018 revaluation of properties within the Shire for rating purposes for the 2018-19 financial year.*

*CARRIED 5 : 1*

*DIVISION*

*For the Motion: Cr Jason Schram, Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken*

*Against the Motion: Cr Chris Smith*



ORDINARY COUNCIL MEETING

## FINALISATION OF SPECIAL CHARGE SCHEME - HEARN AND ARMSTRONG STREETS, COLAC - DRAINAGE

OM182507-7

<b>LOCATION / ADDRESS</b>	Hearn & Armstrong Streets, Colac	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Kristy Cochrane	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F17/8260	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To finalise the Special Charge Scheme for the purpose of drainage construction. The Project is a drainage line from the corner of Hearn Street and Armstrong Streets to the north boundary of 142 Armstrong Street to the north west corner of the Trinity College property.		

Having declared a conflict of interest, Cr Joe McCracken adjourned from the meeting at 6.00pm and did not take part in debate nor vote on the matter.

Cr Jason Schram (Deputy Mayor) chaired the meeting for the remainder of this item.

Cr McCracken	<b>OM182507-7</b>
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78B
Nature of Interest:	I am an employee of Trinity College Colac, who have a financial interest in the drainage scheme.

### RECOMMENDATION

**MOVED** Cr Chris Potter seconded Cr Kate Hanson

**That Council:**

1. **Adopts the Special Charge Scheme costs for the construction of a common drainage line along the easement on the north boundary of 142 Armstrong Street and associated works in Armstrong Street and in the Trinity College, with a final cost of**

**a. The final scheme cost being           \$28,145**



b. Council apportionment \$ 9,372

c. Property owners apportionment \$18,773

2. Authorises officers to commence collection of money owed through the Special Charge Scheme by notifying affected property owners of the final costs levied against the properties within the scheme boundary based on the Property Owners apportionment costs of \$18,773 distributed as follows:

3.

Property Address	Property Description	Cost
119-243 Hart ST	LOT 14 LP58025	\$11,910.44
206 Hearn ST	LOT 5 LP58025	\$785.02
208 Hearn ST	LOT 6 LP58025	\$767.86
210 Hearn ST	LOT 7 LP58025	\$767.86
212 Hearn ST	LOT 8 LP58025	\$767.86
214 Hearn ST	LOT 9 LP58025	\$767.86
216 Hearn ST	LOT 10 LP58025	\$763.11
142 Armstrong ST	LOT 11 LP58025	\$747.50
144 Armstrong ST	LOT 12 LP58025	\$747.50
146 Armstrong ST	LOT 13 LP58025	\$747.98

CARRIED 4 : 0

DIVISION

For the Motion: Cr Stephen Hart, Cr Kate Hanson, Cr Chris Potter, Cr Jason Schram

Against the Motion: Nil

Abstain: Cr Chris Smith

Mark McLennan left the meeting at 5.59pm.

Mark McLennan returned to the meeting at 6.04pm.

Cr Joe McCracken returned to the meeting at 6.09pm and resumed the Chair.

ORDINARY COUNCIL MEETING  
**ROADS ADVISORY COMMITTEE –  
TERMS OF REFERENCE**

OM182507-8

<b>LOCATION / ADDRESS</b>	Whole of Municipality	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Jeremy Rudd	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F18/7513	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. COS Roads Advisory Committee - Terms of Reference Draft V2		
<b>PURPOSE</b>	To set out the Terms of Reference for the Colac Otway Shire Roads Advisory Committee		

## RECOMMENDATION

*That Council:*

1. *Endorse the attached draft for the Roads Advisory Committee Terms of Reference.*
2. *Authorise Council Chief Executive to conduct an expression of interest process for community representation on the Roads Advisory Committee.*

## ALTERNATIVE MOTION

*MOVED Cr Chris Smith seconded Cr Stephen Hart*

*That Council:*

1. *Endorse the attached draft for the Roads Advisory Committee Terms of Reference with the change that all Councillors be appointed to the committee.*
2. *Authorise Council Chief Executive to conduct an expression of interest process for community representation on the Roads Advisory Committee.*

*LOST 2 : 4*

## DIVISION

*For the Motion: Cr Stephen Hart, Cr Chris Smith*

*Against the Motion: Cr Chris Potter, Cr Jason Schram, Cr Joe McCracken, Cr Kate Hanson*

**RECOMMENDATION**

**MOVED Cr Stephen Hart seconded Cr Jason Schram**

**That Council:**

- 1. Endorse the attached draft for the Roads Advisory Committee Terms of Reference.**
- 2. Authorise Council Chief Executive to conduct an expression of interest process for community representation on the Roads Advisory Committee.**

**AMENDMENT**

**MOVED Cr Chris Smith**

**To add a new point 2, which reads:**

**That all Councillors are invited to attend the Roads Advisory Committee meetings.**

**This amendment was not accepted by the Mayor under clause 88(4) of Governance Local Law 4.**

**RESOLUTION**

**MOVED Cr Stephen Hart seconded Cr Jason Schram**

**That Council:**

- 1. Endorse the attached draft for the Roads Advisory Committee Terms of Reference.**
- 2. Authorise Council Chief Executive to conduct an expression of interest process for community representation on the Roads Advisory Committee.**

**CARRIED 5 : 1**

**DIVISION**

**For the Motion: Cr Jason Schram, Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken**

**Against the Motion: Cr Chris Smith**

**Frank Castles left the meeting at 6.24pm.**



ORDINARY COUNCIL MEETING  
**IRREWARRA AIRCRAFT HANGERS COLAC  
 AIRFIELD – 235 MCKAYS ROAD IRREWARRA**  
 OM182507-9

<b>LOCATION / ADDRESS</b>	235 McKays Road Irrewarra	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Mark McLennan	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	11/96006	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Irrewarra Hanger lease with insurance 2. 235 McKays Road Irrewarra - Aerodrome Hangars Valuation 2016		
<b>PURPOSE</b>	To seek Council's endorsement of Lease arrangement.		

## RESOLUTION

*MOVED Cr Chris Smith seconded Cr Jason Schram*

*That Council:*

- Enters into a lease with each hangar tenant as described in the table below, along with the terms provided.*

Hanger	Tenant	Square Meter	Term	Option	Rent PA (excl GST)	Public Liability	CPI%
1	Michael Murray	124	10 yrs	2 x 10 yrs	\$ 520.80	\$20M	Annually
2	Les Facer	242	10 yrs	2 x 10 yrs	\$ 1,016.40	\$20M	Annually
3	Gordon Wilson	120	10 yrs	2 x 10 yrs	\$ 504.00	\$20M	Annually
4	Bruce Atkinson	120	10 yrs	2 x 10 yrs	\$ 504.00	\$20M	Annually
5	T&A Miller Fam Trust	120	10 yrs	2 x 10 yrs	\$ 504.00	\$20M	Annually
6	W.M.Flynn	120	10 yrs	2 x 10 yrs	\$ 504.00	\$20M	Annually
7	Everett Medwell	108	10 yrs	2 x 10 yrs	\$ 453.60	\$20M	Annually
8	Cirrus SR20 Partnership	219	10 yrs	2 x 10 yrs	\$ 919.80	\$20M	Annually
9	Whennan & Rotaru	198	10 yrs	2 x 10 yrs	\$ 831.60	\$20M	Annually
10	Darryle Clee	198	10 yrs	2 x 10 yrs	\$ 831.60	\$20M	Annually
11	Ross Higgins	201	10 yrs	2 x 10 yrs	\$ 844.20	\$20M	Annually
12	Brendan Reidy	225	10 yrs	2 x 10 yrs	\$ 945.00	\$20M	Annually
13	COS	193	10 yrs	2 x 10 yrs	\$ 810.60	\$20M	Annually
14	BJ Smith	228	10 yrs	2 x 10 yrs	\$ 957.60	\$20M	Annually
15	Callahan	120	10 yrs	2 x 10 yrs	\$ 504.00	\$20M	Annually
16	Peter Smith	225	10 yrs	2 x 10 yrs	\$ 945.00	\$20M	Annually
17	Helen Adams	225	10 yrs	2 x 10 yrs	\$ 945.00	\$20M	Annually
18	Norm Tan	182	10 yrs	2 x 10 yrs	\$ 764.40	\$20M	Annually
<b>TOTAL</b>					<b>\$ 13,305.60</b>		

2. *Authorises Council officers to give public notice of the proposed lease in accordance with sections 190 and 223 of the Act for a period of four weeks.*
3. *Determines that a 'Committee of Council' in accordance with the Local Government Act 1989 will hear any persons who in their written submissions under section 223 of the Act have requested that they be heard in support of their submission.*
4. *In the event that no submissions are received, resolves to grant the lease on the terms set out in this recommendation and authorises the Chief Executive or delegate to complete all administrative processes necessary to execute the lease on behalf of Council.*
5. *Authorises the Chief Executive to execute all necessary documents in order to effect any Transfer or Assignment of lease throughout the term of the lease.*

*CARRIED 6 : 0*

Gareth Smith left the meeting at 6.35pm.

Gareth Smith returned to the meeting at 6.41pm.



ORDINARY COUNCIL MEETING  
**WATER RETARDATION BASIN 60  
 IRREWILLIPE RD, ELLIMINYT –  
 RENEWAL EXISTING LEASE**

OM182507-10

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Tony McGann
<b>OFFICER</b>	Mark McLennan	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F11/5066	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. 60 Irrewillipe Road Elliminyt - final Lease 27 6 18 2. 60 Irrewillipe Road Elliminyt Valuation		
<b>PURPOSE</b>	Lease renewal with conditions		

## RECOMMENDATION

*That Council:*

- Enters into a new Lease Agreement with Beryl Gamble for a period of 1 year commencing within 14 days of Council adopting the recommendation, subject to, and conditional upon the terms and conditions (together with special conditions) as detailed in the attached draft lease, particularised as follows:*

*Term                    1 year*  
*Agreement           Lease*  
*Rent:                    \$1,226.50 including GST per year*  
*Utilities:               All to be paid by lessee*  
*Rent Reviews        Not applicable*

- Authorises the Chief Executive or delegate to complete all administrative processes to execute the lease on behalf of Council.*

**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith seconded Cr Stephen Hart**

**That Council:**

1. **Enters into a new Lease Agreement with Beryl Gamble for a period of 1 year commencing on 1 November 2018, subject to, and conditional upon the terms and conditions (together with special conditions) as detailed in the attached draft lease, particularised as follows:**

**Term**            1 year  
**Agreement**    Lease  
**Rent:**            \$1,226.50 including GST per year  
**Utilities:**      All to be paid by lessee  
**Rent Reviews** Not applicable

2. **Authorises the Chief Executive or delegate to complete all administrative processes to execute the lease on behalf of Council.**

**CARRIED 6 : 0**

The meeting adjourned for a short break at 7.01pm.  
The meeting resumed at 7.08pm.

ORDINARY COUNCIL MEETING  
**UPDATE TO COUNCIL TO COUNCIL STAFF  
 INSTRUMENT OF DELEGATION**

OM182507-11

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Errol Lawrence	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F18/6770	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Council to Council Staff Instrument of Delegation		
<b>PURPOSE</b>	Updated legislative changes affecting Council's powers, duties and functions.		

## RESOLUTION

*MOVED Cr Chris Potter seconded Cr Kate Hanson*

*That Council, in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the tabled Instrument of Delegation, resolves that:*

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the tabled Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.*
- 2. The Chief Executive is authorised to affix the Common Seal to the Instrument. The Instrument comes into force immediately the Common Seal of Council is affixed.*
- 3. The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that may from time to time be adopted.*

**CARRIED 4 : 2**

**DIVISION**

*For the motion: Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson, Cr Joe McCracken*

*Against the motion: Cr Chris Smith, Cr Jason Schram*



ORDINARY COUNCIL MEETING  
**NOTICE OF MOTION –  
PUBLIC FEEDBACK ON AMPHITHEATRE**  
OM182507-12

<b>COUNCILLOR</b>	Jason Schram
<b>ATTACHMENTS</b>	1. Notice of Motion 280 – Public Feedback on Amphitheatre – Cr Jason Schram 2. Notice of Motion – Public Feedback on Amphitheatre – Councillor Comment – Cr Jason Schram

## RECOMMENDATION

*That Council:*

- 1. Goes out for public consultation for a period of six weeks via survey both online and hard copy to seek feedback on the idea that Council investigate the funding and building of an amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area in Colac, with the possibility of incorporating the findings into Lake Colac Foreshore Masterplan or other future masterplans, for example, COPACC.*
- 2. Invites public submissions for a period of six weeks on the idea of an amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area of Colac.*
- 3. Incorporates into the survey questions relating to the idea of an arts and market precinct along the lake foreshore and the removal of the fire track infrastructure but leaving the bitumen hardstand for all weather access.*
- 4. Present the submissions and findings back to a Council briefing within 4 weeks of the survey and submissions closing and make the findings available to the public via the Council website and via hard copies.*

## ALTERNATIVE MOTION

*MOVED Cr Jason Schram*

*That Council:*

- 1. Goes out for public consultation for a period of six weeks via survey both online and hard copy to seek feedback on the idea that Council investigate the funding and building of an*

*amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area in Colac, with the possibility of incorporating the findings into Lake Colac Foreshore Masterplan or other future masterplans, for example, COPACC.*

2. *Invites public submissions for a period of six weeks on the idea of an amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area of Colac.*
3. *Incorporates into the survey questions relating to the idea of an arts and market precinct along the lake foreshore and the relocation of the fire track infrastructure but leaving the bitumen hardstand for all weather access.*
4. *Present the submissions and findings back to a Council briefing within 4 weeks of the survey and submissions closing and to the next Ordinary Council meeting after that briefing and make the findings available to the public via the Council website and via hard copies.*

#### AMENDMENT

*MOVED Cr Stephen Hart*

*Add point 5 which reads:*

5. *Notes it supports the Lake Colac Foreshore Master Plan (2016-2026), which was adopted by Council on 22 June 2016, notwithstanding the preceding points.*

*This amendment was considered out of order and was not accepted by the Mayor.*

#### ALTERNATIVE MOTION

*MOVED Cr Jason Schram seconded Cr Chris Smith*

*That Council:*

1. *Goes out for public consultation for a period of six weeks via survey both online and hard copy to seek feedback on the idea that Council investigate the funding and building of an amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area in Colac, with the possibility of incorporating the findings into Lake Colac Foreshore Masterplan or other future masterplans, for example, COPACC.*
2. *Invites public submissions for a period of six weeks on the idea of an amphitheatre sound shell on the north bank of the botanical gardens facing out towards Lake Colac or any other area of Colac.*
3. *Incorporates into the survey questions relating to the idea of an arts and market precinct along the lake foreshore and the relocation of the fire track infrastructure but leaving the bitumen hardstand for all weather access.*
4. *Present the submissions and findings back to a Council briefing within 4 weeks of the*

*survey and submissions closing and to the next Ordinary Council meeting after that briefing and make the findings available to the public via the Council website and via hard copies.*

**CARRIED 4 : 2**

**DIVISION**

*For the Motion: Cr Chris Smith, Cr Kate Hanson, Cr Joe McCracken, Cr Jason Schram*

*Against the Motion: Cr Stephen Hart, Cr Chris Potter*



ORDINARY COUNCIL MEETING  
**ASSEMBLY OF COUNCILLORS**  
OM182507-13

<b>LOCATION / ADDRESS</b>	Whole of Municipality	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Sarah McKew	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F18/7487	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. Assembly of Councillors - Lake Colac Advisory Committee - 19 June 2018</li><li>2. Assembly of Councillors - Council Meeting Preparation - 27 June 2018</li><li>3. Assembly of Councillors - Colac Regional Saleyards Advisory Committee Meeting - 20180629</li><li>4. Assembly of Councillors - Councillor Briefing - 4 July 2018</li></ol>		
<b>PURPOSE</b>	To report the Assemblies of Councillors.		

## REPORTING

1. *The Assemblies of Councillors are reported herewith.*

*The Local Government Act 1989 does not require a Council decision.*

*Cr Chris Smith requested that his opposition to this item be noted.*

## CLOSED SESSION

### RESOLUTION

*MOVED Cr Kate Hanson seconded Cr Chris Potter*

*That pursuant to the provisions of Section 89 (2) of the Local Government Act, the meeting be closed to the public at 8.01pm and Council move into Closed Session in order to deal with:*

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
<i>Minutes of the Closed Session Council Meeting held on 23 May 2018 and minutes of the Closed Session Council Meeting held on 27 June 2018.</i>	this matter deals with contractual matters; AND this matter may prejudice the Council or any person; AND this matter deals with personnel matters.	Section 89 (2) (a), (d) & (h)
<i>Contracts for Retail Electricity, Natural Gas and Associated Services - Procurement Australia.</i>	this matter deals with contractual matters.	Section 89 (2) (d)

*CARRIED 6 : 0*

*The meeting was declared closed at 8.06pm*

**CONFIRMED AND SIGNED** at the meeting held on 22 AUGUST 2018

  
.....MAYOR