



ORDINARY COUNCIL MEETING

MINUTES

WEDNESDAY 27 MARCH 2019

AT 4PM

COPACC

Next Council Meeting: 24 April 2019

COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

27 MARCH 2019

TABLE OF CONTENTS

OPENING PRAYER.....	3
PRESENT	3
APOLOGIES & LEAVE OF ABSENCE	3
WELCOME AND ACKNOWLEDGEMENT OF COUNTRY	4
QUESTION TIME	4
TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS	9
PETITIONS/JOINT LETTERS	10
DECLARATIONS OF INTEREST	11
CONFIRMATION OF MINUTES.....	10

OFFICER REPORTS

OM192703-1	COLAC OTWAY SHIRE ECONOMIC DEVELOPMENT STRATEGY.....	11
OM192703-2	G21 REGIONAL HOCKEY STRATEGY	12
OM192703-3	CONTRACT 1909 - THREE YEAR SUPPLY AND DELIVERY OF CRUSHED ROCK.....	14
OM192703-4	CONTRACT 1910 - EXTERNAL PLANT HIRE	18
OM192703-5	CONTRACT 1920 - SUPPLY AND INSTALLATION OF WYE RIVER AND SEPARATION CREEK PITS AND PIPES DRAINAGE WORKS.....	20
OM192703-6	CONTRACT 1922 - BRIDGE WORKS PROGRAM 2018/19.....	22
OM192703-7	CONTRACT 1929 - APOLLO BAY HARBOUR CAR PARK	23
OM192703-8	AUDIT COMMITTEE MINUTES - 5 DECEMBER 2018.....	24
OM192703-9	OLD BEECHY RAIL TRAIL MINUTES AND ASSEMBLY OF COUNCILLORS NOTES.....	25

COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at
COPACC on 27 March 2019 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 Brian Crook
Cr Kate Hanson
Cr Stephen Hart
Cr Joe McCracken
Cr Chris Potter
Cr Jason Schram (Mayor)
Cr Chris Smith

Peter Brown, Chief Executive
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Ian Seuren, General Manager, Development & Community Services
Sarah McKew, Manager, Governance & Communications
Lyndal McLean, Governance Coordinator
Frank Castles, Manager, Services & Operations
Alison Martin, Communications Coordinator
Gary Warrener, Manager, Economic Development & Events
Jane Preston-Smith, Executive Officer, Development & Community Services
Darren Graham, Business Coordinator, Services & Operations
Paul Jane, Acting Manager, Arts & Leisure

3. APOLOGIES & LEAVE OF ABSENCE

Nil

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, Colac

- 1. Due to the impact of fires and internet failures in the region that the Victorian Desalination Plant is located in, what certainty does the Colac Otway Shire Council have that Barwon Water will be able to keep up water supplies to areas in this Shire supplied by them should desalination plant production be reduced?**

Response from General Manager, Development & Community Services

Council is satisfied that Barwon Water currently has enough supply options to keep water flowing even if the desalination plant was off line. However, work needs to continue in order to maintain security into the future and Council is satisfied that Barwon Water is planning for this effectively.

2. What certainty of supply of electrical power can Colac Otway Shire Council give to all residents and businesses in this municipality since a major windfarm producer in this shire has stated that turbines only operate in a 79km/h wind-speed range? So with sustained strong winds or low wind speeds no production. Range only 11km/h to 90km/h.

Response from General Manager, Development & Community Services

This question should be directed to Powercor as the supplier of electricity to this region. Electricity generated by the Mt Gellibrand wind farm is fed directly into the grid to support power from other sources. Properties in the Colac Otway Shire do not solely rely on wind farm power for their electricity.

3. Is the extension of the centre strip on Murray Street, Colac, down to Armstrong Street still in the Council's long term planning for Murray Street or has this been abandoned and the community not been advised?

Response from General Manager, Development & Community Services

Streetscape improvements in Murray Street between Armstrong Street and Corangamite Street, including extension of the median strip with street tree planting, is one of many improvements contained in Council's adopted Colac CBD & Entrances Strategy. The highest priority works arising from this strategy were to upgrade the section of Murray Street east of Corangamite Street and this was completed in 2018. The Strategy is a long term one, with beautification works to occur over a long period of time. Murray Street West remains a priority, and Council will be seeking funding from government organisations to enable it to proceed when funding programs are announced.

4. If we had a long period without heavy rain would a heavy dust storm impact on the electrical production from solar panels installed by Council at various locations? Would any impact only last during the dust storm or would the solar panels have to be taken offline then cleaned prior to being returned to again produce electrical power?

Response from General Manager, Development & Community Services

A large dust storm could potentially impact on the efficiency of the energy production of the solar panels on Council's facilities both during and after the event. Even without a dust storm the panels get dirty and require cleaning every few years to maintain optimum efficiency. Accordingly if the panels were covered with dust after a dust storm, they would need to be cleaned, but the panels would not need to be removed in order to do so.

5. If people walking on grounds at the Memorial Square compacts the ground and is killing the trees, how can the Colac Otway Shire Council explain that running of machinery for hours to cut grass on a regular basis at Memorial Square does not also compact the ground and is contributing to killing trees when machinery is used even when [the] ground [is] wet.

Response from General Manager, Infrastructure & Leisure Services

Council does not believe that people walking in Memorial Square is killing trees. It is necessary to operate equipment in Memorial Square to maintain the area for public use. Council has inspections of the Memorial Square trees carried out by an independent qualified arborist on an annual basis.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

Terry Fletcher, Colac

1. My question refers to a decision by Council to change the Crown boundary and amend the 2050 framework plan put forward by the jury and supported by the Council officers. We are in agreement with the original, well thought-out plan. We did not make a submission as the address listed on the agenda was incorrect. It lists it as Colac-Lavers Hill Road, Florence Road and Forrest Street South – no mention of Friends Road. This particular address listed is on the other side of Barongarook Creek. Was Council aware that changing the city boundary to include Friends Road effected several properties, not just the Scanlan property, and in doing so at the last minute denied these land holders natural justice and the right to respond before a final decision was taken by Council, ie. did the Council actually know where Friends Road was on the map?

Response from General Manager, Development & Community Services

Certainly from a Council officer point of view, we understood that there were more properties than just the Scanlan's property that was included in that revised town boundary and typically town boundaries do run by roads rather than properties, so officers were certainly aware. In terms of land owners having an opportunity to be part of the process, officers will certainly welcome a meeting with any effected land owners and work through how they can submit to the process. There will be a panel consideration of Colac 2050 in the next month or so and we'd certainly help land owners work through the technicalities of submitting to the process.

2. That really doesn't address the problem of natural justice because there was no chance to respond to such a finite decision when everybody else has had lots of chances to do it. Why bother with a jury? Why bother with the Council officers and then override this decision?

Response from General Manager, Development & Community Services

In response to your question Mr Fletcher, I think it's important to note that we are part-way through the process and I think that you make some really good points. Certainly this is not the end of the process; submissions will be referred to a panel who will consider submissions and any objections and then that comes back to Council for a further decision. There is still an opportunity for effected land owners to be involved in the process

Marjorie Hamilton, Colac

1. Have you finalised the acquisition of land known as the High School Land – yes or no?

Response from General Manager, Development & Community Services

The simple answer is no, we haven't finalised.

2. In the letter dated 18 December 2018 from yourself, you stated the Department of Treasury and Finance was processing Council's request. You also stated that the Minister for Education was to approve the sale of land. The land in question, of course we all know, is 4.6 hectares in addition to 2.5 hectares already given to Council as public open space. We're not interested in the Colac High School building. It was agreed, by Council, to purchase the 4.6 hectares for \$280,000. This would be a total of 6.5 hectares for open space sport and recreational land. Also for Council to purchase a further hectare known as the Bus Park. This was to be formalised in early – early – 2019 but to date nothing has been advertised or presented. Could you inform of where you are at and what do you call early 2019?

Response from General Manager, Development & Community Services

There is no doubt that we are disappointed with how slowly this is processing. We've been in constant contact with the Victorian Schools Building Authority who is processing the acquisition. As late as this morning, I received feedback that the brief has been written by the bureaucrats and it's with the Minister at the moment. We'll continue to advocate to our elected members to progress it as fast as we can but we are certainly disappointed that it hasn't been finalised yet.

3. It would appear that you have the money in the budget for the Yacht Club, Sea Scouts, Rowing Club, Central Reserve, South Colac Reserve, Velodrome, Western Oval - new lights and new facilities. All these premises have existing buildings and could obtain their infrastructure to be repaired or whatever by government grants. Can Council budget for the High School land in 2019 and have land available for a sporting facility in 2020? Or, this is a bit below the belt, this one: is Council bidding time so that they can acquire the land by adverse possession and transform the land for residential development?

Response from the Mayor

No, you can't adverse possess government property – and the Council certainly couldn't do it – and the agreement that we have to purchase it for that low price of \$280,000 is conditional that it is used for public open space/recreational purposes. If the Council were to acquire it and then decide to rezone it residential, we would then have to pay, probably, a million dollars to the government for purchasing it for residential purposes. So, no. A lot of the sporting organisations you mentioned have master plans and have put in for grants and are quite good at improving their facilities. I certainly don't want to knock anyone but the baseballers haven't been great at putting in for grants and even when they have had assistance, they still struggle to put in for grants and things. Obviously, looking to the future, we are trying to get this High School site. Council will develop a master plan at some stage and I think we've got money aside, possibly, in the upcoming budget to do such a thing. Hopefully it will have some fields in it that might be a baseball field – I don't want to pre-empt anything – that will go out for public comment and hopefully we can acquire this land

so that something can be done in the 2019/20 year. Certainly encourage all the baseballers – and I'll certainly go and see them personally myself – to apply for any upcoming grants that can satisfy upgrading the facilities that they currently use in case a new facility isn't forthcoming in the next two, three, four, five or six years.

I can see where you're coming from but please don't think that I'm all for baseball. There's soccer, there's all sorts of other sporting facilities that do need grounds and also to put money – which you commented on just a while ago about grants – it would be very foolish for the Braves Baseball Club to alter their facilities or improve their facilities, costing a lot of money when there's the possibility – and what they want is – to go to the High School land and not on a rubbish tip.

Response from the Mayor

I agree.

Leigh Barrett, Colac

When is the matter of the Pennyroyal Hall going to come before Council?

Response from the Chief Executive

The issue of the Pennyroyal Hall is a complex one, as I previously stated, and we're endeavouring to have a further meeting with the Committee. I'm not going to predict when it will come to Council. We need to sit down with the Committee and work out a mutually agreeable approach. I want to take something to Council that is good for the Pennyroyal Hall Committee and good for Council. If we can't do that, it will come up here and face the problems that it has faced in the past, so I think it is worth putting some effort into it. The Mayor and I have attended a meeting with the Committee. We've endeavoured to get another meeting which I believe is going to be next week. We'll continue to work to achieve a solution.

Alan Davis, Colac

1. The first question that I wanted to ask, along with one of my neighbours, is we would like to know if Council was going to have a hard rubbish collection at any stage?

Response from General Manager, Infrastructure & Leisure Services

At this stage, Council has no plans to introduce a hard rubbish collection but it's an issue that Council could consider at a future time.

2. This concerns the lights when getting across Murray Street. It's all right going east-west. When you've got to get across – I went down and timed it up at McDonald's corner (corner Grant and Murray Streets) – you're battling to have ten seconds and the other corners aren't much better, except down at Queen Street when it might be a couple of extra seconds. Another thing is that the signage at McDonald's corner is not very adequate because it could be the same as Queen Street where there was a definite right-hand turn

because some people get over on the left and turn right and that's not good for somebody behind.

Response from General Manager, Infrastructure & Leisure Services

Council does have a meeting scheduled for a Briefing session with VicRoads in the next two or three weeks. I think the issue is an important one and it's one that we'll discuss with VicRoads that day.

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

Tony Webber, Otway Forum

- 1 My question relates to the Youth Club: the Youth Committee in 2004 attempted to sell the Youth Club ground. It was prevented two days before it happened. Now we're looking for a solution to stop that happening again because at the moment the Youth Club Committee could just sell the land. It's a valuable public resource so we were thinking that maybe a Public Use Zone be created for the grounds of the Youth Club and that may prevent it being sold. Is this possible and how much would it cost?

The Apollo Bay Youth Club site is privately owned – as such it would not be appropriate to rezone it to a Public Use Zone. Only publicly owned land is included in that zone. The pending Apollo Bay Community Infrastructure Plan will examine the future need for social and community facilities in Apollo Bay, and will consider the potential future use of the Youth Club building as part of that process. That Plan would assist Council and the community to make any decision about whether to pursue opportunities for the land to become publicly owned. It is not possible to restrict the Youth Club from seeking to sell the land – that is their prerogative.

2. The second question relates to Binns Road. Now, you've got funding to seal that. There are triple axle log trucks using that road and people who know about triple axle log trucks say that in the summer, in hot weather on the sharp bends, those trucks will tear-up the asphalt. They're suggesting that the asphalt needs to be made very secure, if that's possible. An alternative is to take it along Seaview Road and onto Turtons Track so when they're climbing up the hill, they don't damage the road so much. Will you consider that as a possibility – both of those?

Response from General Manager, Infrastructure & Leisure Services

We were successful in attracting about \$500,000 in State Government funding to construct and seal the northernmost part – from memory, about two kilometres – of Binns Road and those works are due to start any day. In terms of whether there is alternative access for logging trucks to get out to the main road, I will take that on notice and contact you to expand on some of those ideas.

Response: Your concern about tri-axle trucks on winding roads is real and this needs to be managed. However depending on the specific location of the coup being harvested, it may be counterproductive to request logging companies to travel a further distance and hence cause damage to a greater length of road. Our strategy for dealing with this issue is to work with the logging companies and form maintenance agreements with them so that they're contributing

to rectifying the damage they cause, either through cash or undertaking maintenance themselves to our standards.

7. PETITIONS/JOINT LETTERS

Nil

8. DECLARATIONS OF INTEREST

Nil

9. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 27 February 2019.

RESOLUTION

MOVED Cr Chris Potter, seconded Cr Kate Hanson

That Council confirm the above minutes.

CARRIED 7 : 0

ORDINARY COUNCIL MEETING

COLAC OTWAY SHIRE ECONOMIC DEVELOPMENT STRATEGY

OM192703-1

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Ian Seuren
OFFICER	Gary Warrener	DIVISION	Development & Community Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. Colac Otway Economic Development Strategy2. Colac Otway Economic Development Strategy - Implementation Plan3. Colac Otway Economic Development Strategy Submissions Register Table - FINAL		
PURPOSE	Seek Council's endorsement of the Colac Otway Shire Economic Development Strategy.		

RESOLUTION

MOVED Cr Brian Crook, seconded Cr Chris Potter

That Council adopts the Colac Otway Shire Economic Development Strategy.

CARRIED 6 : 1

DIVISION

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

Against the motion: Cr Chris Smith

Jeremy Rudd arrived at the meeting at 4:31pm

Buddhima Edi arrived at the meeting at 4:33pm

Gary Warrener left the meeting at 4:43pm

ORDINARY COUNCIL MEETING
G21 REGIONAL HOCKEY STRATEGY
 OM192703-2

LOCATION / ADDRESS	Various	GENERAL MANAGER	Tony McGann
OFFICER	Paul Jane	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7466	CONFIDENTIAL	No
ATTACHMENTS	1. G21 Regional Hockey Strategy - Final 2019 2. G21 Regional Hockey Strategy - Public Exhibition Comments 2018		
PURPOSE	To seek endorsement of the G21 Regional Hockey Strategy		

Cr Joe McCracken	OM192703-2
Nature of Disclosure:	Indirect Interest
Type of Interest:	Section 78B
Nature of Interest:	I am employed by Trinity College Colac who may receive extra revenue as a result of this strategy being endorsed. Section 78B Conflicting duties.

Having declared a conflict of interest, Cr Joe McCracken adjourned from the meeting at 5:00pm and did not take part in debate nor vote on the matter.

RECOMMENDATION

That Council endorses the 2019 G21 Regional Hockey Strategy.

ALTERNATIVE MOTION

MOVED Cr Chris Smith

That Council defers this item to allow for comment from the local hockey community.

LAPSED due to no seconder

ALTERNATIVE MOTION

MOVED Cr Jason Schram, seconded Cr Chris Smith

That Council:

- 1. endorses the 2019 G21 Regional Hockey Strategy.**
- 2. recommends to G21 that facility access be lifted from low to high in the priority list for the Colac Otway Shire.**

CARRIED 4 : 2

For the motion: Cr Chris Smith, Cr Chris Potter, Cr Kate Hanson, Cr Jason Schram

Against the motion: Cr Stephen Hart, Cr Brian Crook

Jane Preston-Smith left the meeting at 4:45pm

Kerim Sijercic arrived at the meeting at 4:48pm

Paul Jane left the meeting at 5:10pm

Cr McCracken returned to the meeting at 5:10pm

The meeting adjourned for a short break at 5:11pm

The meeting resumed at 5:17pm

ORDINARY COUNCIL MEETING

CONTRACT 1909 - THREE YEAR SUPPLY AND DELIVERY OF CRUSHED ROCK

OM192703-3

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Darren Graham	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To gain Council approval for crushed rock materials supply for road construction and maintenance works		

RECOMMENDATION

That Council:

- 1. Awards Contract 1909 – Three Year Supply and Delivery of Crushed Rock, to the following tenderers at the prices referred to in the confidentially distributed document pertaining to this contract :*
 - a) Boral Construction Materials*
 - b) Coragulac Quarries*
 - c) Derham Transport Pty Ltd*
 - d) Frank R Russell*
 - e) Hoare Bros Pty Ltd*
 - f) Holcim Australia Pty Ltd*
 - g) Local Mix Quarries*
 - h) Melis & Sons*
- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1909.*

MOTION

That Items 3 to 7 as listed in the agenda be moved en bloc, allowing questions for Items 3 to 7 during question time.

CARRIED 6 : 1

DIVISION

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

Against the motion: Cr Chris Smith

ALTERNATIVE MOTION

MOVED *Cr Chris Potter, seconded Cr Joe McCracken*

That Council awards the following contracts:

1.

1.1 *Contract 1909 – Three Year Supply and Delivery of Crushed Rock, to the following tenderers at the prices referred to in the confidentially distributed document pertaining to this contract:*

- a) Boral Construction Materials*
- b) Coragulac Quarries*
- c) Derham Transport Pty Ltd*
- d) Frank R Russell*
- e) Hoare Bros Pty Ltd*
- f) Holcim Australia Pty Ltd*
- g) Local Mix Quarries*
- h) Melis & Sons;*

and

1.2 *Authorises the Chief Executive to sign the contracts following award of Contract 1909.*

2.

2.1 *Contract 1910 – External Plant Hire, for a period of 3 years, to the following tenderers at the prices referred to in the confidentially distributed document pertaining to this contract:*

- a) Altro Holdings Pty Ltd TA Orange Hire*
- b) Aquatech Civil and Plumbing Pty Ltd*
- c) Bartlett's Environmental*
- d) Bitu-mill (Road Maintenance) Pty Ltd*

- e) *Brooks Hire Service Pty Ltd*
- f) *Coates Hire*
- g) *Colac Landscape Supplies*
- h) *Conplant Pty Ltd*
- i) *Egans Plant Hire Pty Ltd*
- j) *Environmental Services Group Pty Ltd*
- k) *Evans Earth Moving*
- l) *Gellibrand River Tree Fern Nursery Pty Ltd*
- m) *Glenn Higgins Excavations*
- n) *Hoare Bros Pty Ltd*
- o) *Luxton Plant*
- p) *McNaughton Excavations*
- q) *Melis & Sons*
- r) *Millers Civil Contractors Pty Ltd*
- s) *Otway Civil*
- t) *Porter Plant*
- u) *R. Slater & Sons Pty Ltd*
- v) *Richardsons Transport (Vic) Pty Ltd*
- w) *RSP Environmental Services*
- x) *The Mining Pty Ltd*
- y) *Wazza & Co Pty Ltd;*
- and*

2.2 *Authorises the Chief Executive to sign the contracts following award of Contract 1910.*

3.

3.1 *Contract No 1920 - Supply and Installation of Wye River and Separation Creek Pits and Pipes Drainage Works A, B, C.1, D, E to Keystone Civil Holdings Pty Ltd; and*

3.2 *Authorises the Chief Executive to sign the contracts following award of Contract 1920; and*

3.3 *Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

4.

4.1 *Contract 1922 - 2018/2019 Bridge Work Program to DC Projects Pty Ltd at the lump sum price referred to in the confidentially distributed document pertaining to this contract; and*

4.2 *Authorises the Chief Executive to sign the contracts following award of Contract 1922; and*

4.3 *Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

5.

5.1 *Contract 1929 - Apollo Bay Harbour Car Park to Bitu-mill (Civil) Pty Ltd at the lump sum price referred to in the confidentially distributed document pertaining to this contract; and*

5.2 *Authorises the Chief Executive to sign the contracts following award of Contract 1929; and*

5.3 *Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

CARRIED 6 : 1

DIVISION

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

Against the motion: Cr Chris Smith

Errol Lawrence left the meeting at 5:31pm

Frank Castles left the meeting at 5:32pm

Jeremy Rudd left the meeting at 5:32pm

Kerim Sijercic left the meeting at 5:32pm

Darren Graham left the meeting at 5:32pm

ORDINARY COUNCIL MEETING
CONTRACT 1910 - EXTERNAL PLANT HIRE
OM192703-4

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Tony McGann
OFFICER	Darren Graham	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	For Council to approve external plant hire to assist our fleet in completing road construction and maintenance works		

RECOMMENDATION

That Council:

1. *Awards Contract 1910 – External Plant Hire, for a period of 3 years, to the following tenderers at the prices referred to in the confidentially distributed document pertaining to this contract:*
 - a) *Altro Holdings Pty Ltd TA Orange Hire*
 - b) *Aquatech Civil and Plumbing Pty Ltd*
 - c) *Bartlett's Environmental*
 - d) *Bitu-mill (Road Maintenance) Pty Ltd*
 - e) *Brooks Hire Service Pty Ltd*
 - f) *Coates Hire*
 - g) *Colac Landscape Supplies*
 - h) *Conplant Pty Ltd*
 - i) *Egans Plant Hire Pty Ltd*
 - j) *Environmental Services Group Pty Ltd*
 - k) *Evans Earth Moving*
 - l) *Gellibrand River Tree Fern Nursery Pty Ltd*
 - m) *Glenn Higgins Excavations*
 - n) *Hoare Bros Pty Ltd*

- o) Luxton Plant*
- p) McNaughton Excavations*
- q) Melis & Sons*
- r) Millers Civil Contractors Pty Ltd*
- s) Otway Civil*
- t) Porter Plant*
- u) R. Slater & Sons Pty Ltd*
- v) Richardsons Transport (Vic) Pty Ltd*
- w) RSP Environmental Services*
- x) The Mining Pty Ltd*
- y) Wazza & Co Pty Ltd*

2. Authorises the Chief Executive to sign the contracts following award of Contract 1910.

This Item was considered en bloc with Items 3, 5, 6 and 7 on the agenda. Please refer to the Alternative Motion under Item 3 for the Resolution.

ORDINARY COUNCIL MEETING

CONTRACT 1920 - SUPPLY AND INSTALLATION OF WYE RIVER AND SEPARATION CREEK PITS AND PIPES DRAINAGE WORKS

OM192703-5

LOCATION / ADDRESS	Wye River and Separation Creek	GENERAL MANAGER	Tony McGann
OFFICER	Frank Castles	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - 201903202. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Schedule of Drawings - 201903203. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Detailed Design - 201903204. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Schedule of Drawings - 201903205. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Detailed Layout Plan - 201903206. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Drainage Typical - 201903207. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Drainage Typical 2 - 201903208. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Drainage Long Sections - 201903209. Wye River and Separation Creek Stormwater Management System - Drainage Upgrade - Pit Schedule - 20190320		
PURPOSE	For Council to approve the supply and installation of pits and pipes drainage works in Wye River and Separation Creek		

RECOMMENDATION

That Council:

1. Awards Contract No 1920 - Supply and Installation of Wye River and Separation Creek Pits

and Pipes Drainage Works A, B, C.1, D, E to Keystone Civil Holdings Pty Ltd.

- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1920.**

This Item was considered en bloc with Items 3, 4, 6 and 7 on the agenda. Please refer to the Alternative Motion under Item 3 for the Resolution.

ORDINARY COUNCIL MEETING

CONTRACT 1922 - BRIDGE WORKS PROGRAM 2018/19

OM192703-6

LOCATION / ADDRESS	Shire Wide	GENERAL MANAGER	Tony McGann
OFFICER	Dale Barrow	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To award the bridge works program		

RECOMMENDATION

That Council:

- 1. Awards Contract 1922, 2018/2019 Bridge Work Program, at the lump sum price referred to in the confidentially distributed document pertaining to this contract.*
- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1922.*
- 3. Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

This Item was considered en bloc with Items 3, 4, 5 and 7 on the agenda. Please refer to the Alternative Motion under Item 3 for the Resolution.

ORDINARY COUNCIL MEETING

CONTRACT 1929 - APOLLO BAY HARBOUR CAR PARK

OM192703-7

LOCATION / ADDRESS	Apollo Bay Harbour	GENERAL MANAGER	Tony McGann
OFFICER	Frank Castles	DIVISION	Infrastructure & Leisure Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	1. Port of Apollo Bay - Boat Ramp and Carpark - Design Options - Harbour Car Park		
PURPOSE	To seek Council approval for the construction of the Apollo Bay Harbour Car Park		

RECOMMENDATION

That Council:

- 1. Awards Contract 1929 - Apollo Bay Harbour Car Park, at the lump sum price referred to in the confidentially distributed document pertaining to this contract.*
- 2. Authorises the Chief Executive to sign the contracts following award of Contract 1929.*
- 3. Requests that the Chief Executive ensures the contract price is listed on Council's website once steps listed in point 2 have been completed.*

This Item was considered en bloc with Items 3, 4, 5 and 6 on the agenda. Please refer to the Alternative Motion under Item 3 for the Resolution.

ORDINARY COUNCIL MEETING

AUDIT COMMITTEE MINUTES – 5 DECEMBER 2018

OM192703-8

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DIVISION	Corporate Services
TRIM FILE	F18/7487	CONFIDENTIAL	No
ATTACHMENTS	1. Audit Committee Meeting - Signed Minutes - 5 December 2018		
PURPOSE	To receive for information the Colac Otway Shire Audit Committee minutes dated 5 December 2018.		

RESOLUTION

MOVED Cr Stephen Hart, seconded Cr Joe McCracken

That Council receives for information the Colac Otway Shire Audit Committee minutes dated 5 December 2018.

CARRIED 7 : 0

ORDINARY COUNCIL MEETING

OLD BEECHY RAIL TRAIL MINUTES AND ASSEMBLY OF COUNCILLORS NOTES

OM192703-9

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Lyndal McLean	DIVISION	Corporate Services
TRIM FILE	F18/6814	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. Old Beechy Rail Trail Committee - Meeting Minutes with attachments - 2019 5 February - Confirmed2. Assembly of Councillors - Pre Council Meeting Preparation - 27 February 20193. Assembly of Councillors - Councillor Briefing - 06 March 20194. Assembly of Councillors - Councillor Briefing - 13 March 2019		
PURPOSE	To report the Minutes of the Old Beechy Rail Trail and report the Assemblies of Councillors.		

REPORTING

1. *The Assemblies of Councillors are reported herewith.*
2. *The minutes of the Old Beechy Rail Trail Committee for 5 February 2019 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 Stephen Hart, seconded Cr Brian Crook

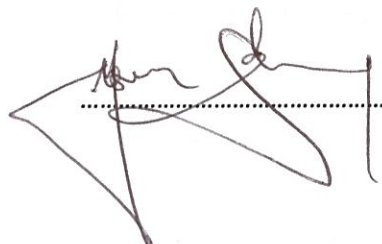
That pursuant to the provisions of Section 89 (2) of the Local Government Act, the meeting be closed to the public at 5:35pm and Council move into Closed Session in order to deal with:

SUBJECT	REASON	SECTION OF ACT
<i>Minutes of the Closed Session Council Meeting held on 30 January 2019</i> <i>and</i> <i>Minutes of the Closed Session Council Meeting held on 27 February 2019</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>Bluewater Legal Issues</i>	this matter deals with contractual matters	Section 89 (2) (d)

CARRIED 7 : 0

The meeting was declared closed at 5:51pm

CONFIRMED AND SIGNED at the meeting held on 24 APRIL 2019


.....MAYOR