



Colac Otway
SHIRE

COUNCIL MEETING

MINUTES

Wednesday 28 July 2021

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac

Next Council Meeting: 25 August 2021



COLAC OTWAY SHIRE COUNCIL MEETING

Wednesday 28 July 2021

TABLE OF CONTENTS

1 Declaration of Opening of Meeting	3
2 Present.....	3
3 Apologies and Leaves of Absence	4
4 Welcome and Acknowledgement of Country.....	4
5 Question Time	4
6 Tabling of Responses to Questions Taken On Notice at Previous Meeting	8
7 Petitions / Joint Letters.....	10
8 Declarations of Interest	10
9 Confirmation of Minutes	10
10 Officer Reports.....	11
10.1 Draft Community Vision 2050 and Draft Council Plan 2021-2025 (incorporating the Municipal Health and Wellbeing Plan)	11
10.2 Draft Colac West Development Plan	12
10.3 Call for Submissions Committee meeting: Bruce Street Residential Project Submissions ...	14
10.4 Bluewater 2021/2022 Childcare Fees Review	15
10.5 2021 Community Satisfaction Survey	17
10.6 Colac Otway Shire Resource Recovery and Waste Management Strategy	19
10.7 Contract 2129 - Kerbside Bin Procurement (Glass Bin)	20
10.8 Rates Assistance to Community Groups Policy.....	21
10.9 Asset Accounting Policy	22
10.10 2021 Revaluation - Adoption of Valuations.....	23
10.11 Update S5 Instrument of Delegation - Council to CEO	24
10.12 S18 Instrument of Sub-Delegation under the Environment Protection Act 2017	25
10.13 Report of Informal Meetings of Councillors	26

COLAC OTWAY SHIRE COUNCIL MEETING

MINUTES of the **COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held by videoconference on
Wednesday 28 July 2021 at 4:00 PM.

MINUTES

1 DECLARATION OF OPENING OF MEETING

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 (Mayor)
Cr Graham Costin (Deputy Mayor)
Cr Jamie Bell
Cr Stephen Hart
Cr Joe McCracken
Cr Chris Potter
Cr Margaret White

Peter Brown, Chief Executive
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Environment & Infrastructure
Ian Seuren, General Manager, Development & Community Services
Marlo Emmitt, Manager, Governance & Communications
Lyndal McLean, Governance Coordinator
Tamzin McLennan, Manager, Healthy, Active Communities
Mark McLennan, Strategic Property Coordinator
Melanie Duvé, Corporate Planning & Reporting Officer
Paul Carmichael, Revenue Coordinator
Amanda Barber, Manager, Financial Services
Cameron Duthie, Manager, Services & Operations
Doug McNeill, Manager, Planning, Building & Health
Ben McLaughlin, Coordinator, Procurement & Tenders
Nicholas Welsh, Senior Accountant
James Myatt, Manager, Economy & Business
Simon Clarke, Strategic Planning and Major Projects Coordinator

3 APOLOGIES AND LEAVES OF ABSENCE

Nil

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past, present and emerging and welcomes any descendants here today.

RECORDING AND PUBLICATION OF MEETINGS

Please note: This Council meeting was recorded with the exception of matters identified as confidential items. This included the public participation sections of the meetings. However, matters identified as confidential items were not live streamed or recorded.

As soon as practicable following the open Council meeting, the recording will be accessible on Council's website. Audio recordings are also taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy. Audio recordings will be retained by Council for a period of four years.

As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of Council Meetings are permitted without specific approval by resolution of the relevant Council Meeting.

5 QUESTION TIME

QUESTIONS RECEIVED IN WRITING PRIOR TO THE MEETING

Moira Deeming, Taylors Hill

1. Under Victorian law, is it legal for Local Government Councils to provide sex based/targeted services and facilities separately to gender identity based/targeted services and facilities? If not, why not? For example, can we legally put signs on a set of public toilets declaring that one is for biological males (including males with an intersex condition), one is for biological females (including biological females with an intersex condition) and one is for people with transgender identities (of any biological sex)? If not, why not?

Response from General Manager, Environment & Infrastructure

Council is not aware of any law which prevents gender specific signage. The design of future public facilities will benefit from the current thinking regarding equity and gender neutrality.

James Judd, Colac

1. Instead of the Colac Otway Shire Council using money and much officers time to look at what it wants in the future, that it often cannot afford unless large amounts of money are received first from other bodies, but put at least equal time and money into fixing what it has and making sure they are kept in proper condition to give the service that are supposed to be provide at all times, not keep neglecting spending money to upgrade infrastructure (ie) drains, footpaths and

safe sight lines on all roads or advocate to the responsible authority to keep sight lines clear at all times since many roads are managed parts by various authorities.

Response from General Manager, Environment & Infrastructure

Council does not neglect to undertake repairs, maintenance and renewal works on all of its assets. Indeed, a large proportion of the annual budget is allocated to these tasks, with only a small percentage allocated to new or upgraded assets. Council is bound by its legislative obligations under the *Road Management Act* to ensure the road environment is safe in accordance with prescribed intervention levels and response times outlined in the Colac Otway Shire Road Management Plan 2021. Council's compliance with the Road Management Plan sits at over 90%. Officers regularly advocate to Regional Roads Victoria for road safety and condition improvements and we collect data on road use and undertake Road Safety Audits throughout the year to support our efforts.

2. Does the Colac Otway Shire Council have Public Liability Insurance to cover the public when using the coin in the slot barbeques installed by the Council at locations in this Shire should they malfunction and cause injury to persons or damage to property? If so, what is the cover and what is covered?

Response from General Manager, Corporate Services

Yes, Council has Public Liability Insurance cover of \$600m. This covers personal injury, damage to property and products liability caused by an occurrence in connection with Colac Otway Shire. This covers any possibility of claims of negligence against Council.

3. Will the Colac Otway Shire Council please advise the community on recycling of plastic items since a south west council has come out and advised people that not all markings that look like a recycling symbol actually indicate this. But some are only a resin code that also advise of the organisations who can assist in knowing what is recyclable when some of these bodies are also in this municipality?

Response from General Manager, Environment & Infrastructure

Yes we will. We intend to increase our efforts to educate our community on all aspects of waste management and the classification of recycling material will be part of this work.

4. With all the talk about reducing greenhouse gases being added to the atmosphere by the Colac Otway Shire Council how long before the use of coin in the slot barbeques in public parks that the Council put in are prohibited or restrictions placed on what is allowed to be cooked using the barbeques as all cooking gives off some fumes.

Response from General Manager, Environment & Infrastructure

Council has no plans to control the type of food that is cooked on the BBQs.

5. Prior to the Council announcing a proposal for more buildings on some blocks to ease the housing crisis, what consideration for an urgent infrastructure upgrade did officers take into account? The drainage system needs a very urgent upgrade as many of the drains are unable to handle run-off after a short heavy rain storm. All extra buildings in an area will increase the speed of run-off. Plus, very much extra water supply will be needed to cater with the increased demand. Also a much larger sewerage system will be needed to cater for the increased demand

on the system. The roads will be far more dangerous as far more vehicles will be required to park on roadsides. The time taken for garbage collections will be increased because of more bins being put out for collection and access to bins could be blocked by vehicles parked on roadsides. There would be far more pressure on Council to provide many more parks so people could exercise or do other activities out of doors as limited space would be provided near place of abode.

Response from General Manager, Environment & Infrastructure

The demand for infrastructure and service upgrades will inevitably increase as Colac's population continues to grow. Council periodically undertakes reviews of the need for these upgrades, and plans for them to occur as required. This often requires advocacy for supporting State and Federal grants. Council will be undertaking strategic planning in 2021/22 year for the rezoning of growth areas identified in Colac 2050 to examine what infrastructure upgrades (for both physical and community infrastructure) are required due to demand arising from these rezoned areas. Council will also be placing requirements on developers to make payments for developer contributions that assist in funding these upgrades. Developers are required to install drainage infrastructure within subdivisions to control the flow of stormwater in flood conditions, and the Colac Stormwater Development Plan gives guidance on the location and type of major stormwater infrastructure which will be required across Colac's growth areas. Things such as stormwater retention and treatment systems. In addition Council will be undertaking a full system condition audit in 2022/23 (so that's the condition of the drains) which will guide annual expenditure for repairs, maintenance and upgrades. In respect of sewerage, Barwon Water has a responsibility to upgrade its sewerage network and treatment facilities to respond to growth as it occurs.

Meredith Kefford, Clifton Hill

1. I want to know why Colac Otway Shire is not part of VECO - the Victorian Energy Collaboration: veco.org.au. It's the largest emissions reduction project ever undertaken by the local government sector in Australia. By using renewable energy it'll be saving 260,000 tonnes of carbon emissions from entering the atmosphere. What is Colac Otway's plan to reduce greenhouse gas emissions and act on climate change?

Response from General Manager, Environment & Infrastructure

Colac Otway Shire was one of the first regional Councils to be deemed 'carbon neutral' in its own operations. Council currently obtains green energy and purchases carbon emissions offsets and this enables Council to be carbon neutral. The Victoria Energy Collaboration is a great initiative and offers Councils a renewable energy contract. However, these contracts are long term contracts (up to 10 years) that may preclude Councils from buying locally produced renewable energy in the future.

Colac Otway Shire implemented a range of measures to reduce its carbon footprint as well as generate its own power from solar panels. Council will continue to explore opportunities to further reduce its carbon emission. Over the next several months we will be working on our 2022 Environment Strategy, we encourage you to provide feedback during the public consultation phase.

Nassar Kotb, Forrest

1. The Council has taken a leadership role when it formally opposed "the use of seismic testing to look for oil and gas in the Otway Basin."

The Council has a great opportunity to continue with its leadership for the protection of the environment through facilitating the institution of a new environmentally as well as economically beneficial to mitigate carbon emissions, and thus climate change, through policy and voluntary markets by creating interest in a rapidly growing aquatic farming sector of seaweed.

Seaweed farms release carbon that maybe buried in sediments or exported to the deep sea, therefore acting as a CO2 sink. The crop can also be used, in total or in part, for biofuel production, with a potential CO2 mitigation capacity, in terms of avoided emissions from fossil fuels. Seaweed aquaculture can also help reduce the emissions from agriculture, by improving soil quality substituting synthetic fertiliser and when included in cattle feed, lowering methane emissions from cattle. Seaweed aquaculture contributes to climate change adaptation by damping wave energy and protecting shorelines, and by elevating pH and supplying oxygen to the waters, thereby locally reducing the effects of ocean acidification and de-oxygenation.

Seaweed offsetting is not the sole solution to climate change, but it provides an invaluable tool for a more sustainable future.

Would the Council explore the potential and possibilities of “seaweed cultivation/farming” in the Shire’s coastal area?

Response from General Manager, Environment & Infrastructure

Council is pleased to learn a little about the benefits of seaweed farming and would certainly be interested in supporting the concept with suitable organisations who are in the business of turning these ideas into reality.

Prabha Kutty, Colac

1. Whilst commending the work put in by members of the community panel for the 2050 community vision, I do have one question regarding the process and Council's brief given to the panel.

Given its importance towards the successful realisation of the 2050 community vision, why is it that neither the community survey nor Council's remit to the community panel included a request to consider the suitability and effectiveness of Council's current governance structure and rules?

Response from General Manager Development & Community Services

As with any deliberative process, the amount of time we had to spend with our deliberative panel was finite. Council chose to ask the panel to focus on the areas it saw as the biggest challenges facing the organisation and our community going forward, being at a high level, considering our limited resources and capacity to service growing community demand. In particular, Council asked the panel to focus on three particular issues of the environment, housing, and our assets and services. These three areas are deep and complex, and took up all the time the panel had allocated.

2. Whilst complementing council on the improved ratings in the 2020 Customer Satisfaction Survey, I would like to ask whether council does undertake an analysis of the reasons for areas of poor ratings and develop strategies to improve it and if so whether the changes from last year can be attributed to the change in strategies implemented from the previous year?

As examples I refer to the consistent low ratings across the years from residents at Apollo Bay as well as ratings for Planning and Building.

Response from Chief Executive

In my time here we have reviewed the survey report and produced an action plan to address the areas of most significant concern. Improvements in several services including waste management, sealed and unsealed roads over the past 12 months, can be attributed to a stronger focus on education around waste management practices within the community, stronger advocacy of sealed roads for which Regional Roads Victoria are responsible for and they take up most of the roads that people complain about and improved processes for assessing works needed on unsealed roads.

The focus from the 2021 Community Satisfaction Survey results will be to continue working with the Apollo Bay and surrounds community and continuing to implement improvements with planning and building services. It's important to note these improvements can take some time and work that we started three years ago is probably only now being felt by the community, particularly in the area of roads and services at Apollo Bay. And they're not immediately reflected in the following year's survey results.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

Any person wishing to participate in public question time was requested to register their intention to do so by contacting the Shire prior to 5:00pm on Monday 26 July 2021. No requests were received.

6 TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

Yvonne Francis, Apollo Bay

1. Because 131 Great Ocean Road, Apollo Bay, has been listed under the Aboriginal Cultural Heritage Act of Victoria, I ask is the Harbour or any other commercial property so listed? And situated on or near the sand dunes? And what assistance can Council offer property owners to make a feature of their listings to compensate for the development restrictions that are attached to such listings?

Response, General Manager Development & Community Services

Thank you for the questions. I might have to take that one on notice, if that's okay, and get back to you, Yvonne. There are a significant number of properties that are covered by Cultural Heritage considerations so we'll take that on notice and get a response to you.

Further response, General Manager Development & Community Services

It should be noted that Council is not responsible for designating areas of Aboriginal cultural heritage sensitivity, but is required to have regard to the provisions of the relevant legislation. In terms of the mapping of areas of cultural heritage sensitivity, of note is the fact that generally land within 200 metres of the high water mark of the coastal waters of Victoria or any sea within the limits of Victoria, or within 200m of a waterway or ancient lake, are areas of Aboriginal cultural heritage sensitivity, as is coastal Crown land. Whilst these examples provided relate to water bodies of some description, other specific areas are also designated as areas of cultural

heritage sensitivity, as are locations in which there have been specific finds (e.g. middens, artefacts etc.)

As you note, 131 Great Ocean Road is within an area of cultural heritage sensitivity. In response to your query, all of the foreshore area is also designated an area of cultural heritage sensitivity, including the harbour and other commercial properties along the Great Ocean Road. The map below shows the relevant areas shown hatched yellow:



As mentioned above, the legislation relating to Aboriginal heritage is not administered by Council. Council itself is also bound by provisions within the legislation, e.g. Council must also obtain a Cultural Heritage Management Plan (CHMP) if required when undertaking works or changing the use of land within a designated area, and may not issue a statutory authorisation (such as a planning permit) until an applicant has obtained approval for a CHMP if required.

There are no specific development restrictions imposed by Council on land within areas of cultural heritage sensitivity. There is, however, a requirement for landowners to ensure they comply with the relevant legislation, i.e. the Aboriginal Heritage Act and Aboriginal Heritage Regulations. Generally the requirements in a developed commercial area may be minor, as most sites have already been significantly disturbed and, if this is demonstrated, are not classed as sites that require CHMPs. The only additional requirement from Council on such sites, which is imposed on Council by the relevant legislation, is to ensure that cultural heritage matters are appropriately addressed before it grants any statutory authorisation (such as a planning permit). This is unlike other heritage restrictions, notably the Heritage Overlay in the planning scheme, where the significance of a building or precinct may result in a level of restriction on development.

I hope that this information is of assistance to you. Please do not hesitate to contact me if you require any further information.

2. **I would like to reiterate my thanks to Council for the assistance offered to residents of Montrose Avenue, Apollo Bay, with the problem of unrestrained cats and ask when can we expect a thorough cat strategy to be implemented for the whole town by Council, rather than dealing with various, several, scattered locations where actions have been implemented to protect biodiversity at great expense to the residents, or by persistent lobbying by the residents?**

Response, General Manager Environment & Infrastructure

Thank you for the question. We are in the process of reviewing our domestic animal management plan – this year – and that may go some way to addressing Ms Francis' concerns. What I might do though, is – to some extent – take the question on notice, and our staff will make contact after the meeting.

Further response, Manager Services & Operations

I thank you for acknowledging the great work that our Community Safety team undertake, we are pleased that our staff are offering assistance to residents of Montrose Avenue, Apollo Bay.

Nevertheless, we acknowledge that part of the Shire may have a feral & semi wild cat issue that requires addressing. Council is in the process of developing a 'Domestic Animal Management Plan', this plan is required to be implemented by 2022. However, we anticipate a draft of this plan to be available for public consultation in around September of this year. We would be delighted to get your feedback on the plan, but more specifically around managing of stray cats within the Shire.

Meanwhile, Council officers will continue to provide an ad-hoc trapping program as resident's request. A Community Safety Officer (Animal Management Officer) will visit you later this week (as previously planned) to discuss a cat trapping program, as well a possible strategy for managing feral cats within the vicinity.

7 PETITIONS / JOINT LETTERS

Nil

8 DECLARATIONS OF INTEREST

Nil

9 CONFIRMATION OF MINUTES

- Council Meeting held on 24 June 2021.

RESOLUTION

MOVED Cr Joe McCracken, SECONDED Cr Graham Costin

That Council confirm the minutes of the Council Meeting held on 24 June 2021.

CARRIED 7 : 0

Item: 10.1

Draft Community Vision 2050 and Draft Council Plan 2021-2025 (incorporating the Municipal Health and Wellbeing Plan)

OFFICER	Tamzin McLennan
GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services
ATTACHMENTS	<ol style="list-style-type: none">1. Draft Community Vision 2050 [10.1.1 - 8 pages]2. Draft Council Plan 2021-2025 [10.1.2 - 56 pages]3. Municipal Health and Wellbeing Plan MHWBP - Operational Action Plan - Draft [10.1.3 - 17 pages]
PURPOSE	To request Council's approval to put the draft Community Vision 2050 and draft Council Plan 2021-2025 (incorporating the Municipal Health and Wellbeing Plan) on public exhibition.

RESOLUTION

MOVED Cr Joe McCracken, SECONDED Cr Margaret White

That Council:

1. *Approves the draft Community Vision 2050 and draft Council Plan 2021-2025 (incorporating the Municipal Health and Wellbeing Plan) for release for public exhibition for a minimum period of six weeks.*
2. *Notes it will receive a report to the October 2021 Council meeting to consider any feedback and adopt the final Community Vision 2050 and Council Plan 2021-2025.*

CARRIED 7 : 0

Ben McLaughlin attended the meeting at 4:21pm.
Tamzin McLennan left the meeting at 4:30pm.

Item: 10.2

Draft Colac West Development Plan

OFFICER	Simon Clarke
GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services
ATTACHMENTS	<ol style="list-style-type: none">1. Colac West Development Plan August Exhibition Version [10.2.1 - 1 page]2. Guidance Plan to accompany the Development Plan for Colac West version 24 June [10.2.2 - 15 pages]
PURPOSE	To consider the proposed Development Plan prepared for Colac West for Informal Community Engagement.

RECOMMENDATION

That Council:

1. *Endorses the draft Development Plan for Colac West for the purposes of public exhibition.*
2. *Supports exhibition of the draft Development Plan for 4 weeks, and informs adjoining residents of such by a letter drop and/or express post.*
3. *Notes that an accompanying Shared Infrastructure Plan being prepared in conjunction with the draft Plan will be finalised following the Council resolution and be exhibited with the draft Development Plan.*
4. *Requests that the results of the public exhibition process are reported to Council prior to endorsement of a final Development Plan for Colac West.*

REVISED OFFICER RECOMMENDATION

MOVED Cr Chris Potter, SECONDED Cr Joe McCracken

That Council:

1. *Endorses the draft Development Plan for Colac West for the purposes of public exhibition, with an amendment to the court bowl off Rifle Butts Road to include a dashed notation on the plan indicating a potential road and/or pathway connection to the north from the end of the court bowl to the proposed Moore Street extension to be further investigated.*
2. *Supports exhibition of the draft Development Plan for 4 weeks, and informs adjoining residents and adjoining ratepayers of such by a letter drop and/or express post.*

3. *Notes that an accompanying Shared Infrastructure Plan being prepared in conjunction with the draft Plan will be finalised following the Council resolution and be exhibited with the draft Development Plan.*
4. *Requests that the results of the public exhibition process are reported to Council prior to endorsement of a final Development Plan for Colac West.*

CARRIED 7 : 0

James Myatt attended the meeting at 4:32pm.

Simon Clarke left the meeting at 4:38pm.

Item: 10.3

Call for Submissions Committee meeting: Bruce Street Residential Project Submissions

OFFICER	Ben McLaughlin
GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services
ATTACHMENTS	Nil
PURPOSE	For Council to call a Submissions Committee meeting for 1 September 2021.

RESOLUTION

MOVED Cr Chris Potter, SECONDED Cr Margaret White

Cr Jamie Bell left the meeting at 4:38pm; returned at 4:39pm.

That Council:

- 1. Schedules a Submissions Committee meeting to be held on 1 September 2021, commencing at 4pm at COPACC, Colac, to hear any submissions made pursuant to sections 189 and 223 of the Local Government Act 1989.*
- 2. Notes that in the event no submissions are received, the Submissions Committee meeting will not be required.*

CARRIED 7 : 0

Mark McLennan left the meeting at 4:44pm.

Item: 10.4

Bluewater 2021/2022 Childcare Fees Review

OFFICER	Lucy Moloney
GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services
ATTACHMENTS	Nil
PURPOSE	For Council to review proposed amendments to the Bluewater Childcare Fees for the 2021/2022 financial year.

RESOLUTION

MOVED Cr Margaret White, SECONDED Cr Chris Potter

Cr Jamie Bell left the meeting at 4:45pm; returned at 4:46pm.

That Council:

- 1. Revoke the fees and charges for the Bluewater Leisure Centre Childcare Service adopted at the Council Meeting on 24 June 2021.*
- 2. Adopt the 2021/2022 revised fees and charges for the Bluewater Leisure Centre Childcare Service as follows:*

Name	Fees 20/21	% increase	Proposed Fees 21/22
Member			
Member - Child 1 hr (per hour)	\$6.50	9.38%	\$7.00
Member – Additional Child (per hour)	-	-	\$6.30
10 Multi Visit Pass (Visit per Hour)	\$57.40	9.8%	\$63.00
30 Multi Visit Pass (Visit per Hour)	\$161.00	10.9%	\$178.50
Non-Member			
Non-Member - Child 1 hr	\$13.00	4.62%	\$13.60
Non Member – Additional Child (per hour)	-	-	\$12.25

10 Multi Visit Pass (Visit per Hour)	\$110.00	17.45%	\$129.20
30 Multi Visit Pass (Visit per Hour)	\$308.00	19.20%	\$367.20

CARRIED 7:0

Ben McLaughlin left the meeting at 4:45pm.

Doug McNeill left the meeting at 4:45pm.

James Myatt left the meeting at 4:46pm.

Melanie Duvé attended the meeting at 4:46pm.

Item: 10.5

2021 Community Satisfaction Survey

OFFICER	Melanie Duve
CHIEF EXECUTIVE	Peter Brown
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Community Satisfaction Survey Report - Core Questions 2021 - JWS Research [10.5.1 - 95 pages]2. Community Satisfaction Survey Report - Tailored Question 2021 - JWS Research [10.5.2 - 8 pages]
PURPOSE	To provide Council with the 2021 Community Satisfaction Survey (CSS) results.

RECOMMENDATION

That Council notes the 2021 Community Satisfaction Survey Results.

ALTERNATIVE MOTION

MOVED Cr Graham Costin, SECONDED Cr Margaret White

That Council:

- 1. is very pleased to note the significant eight-point improvement in the Overall Performance results in its 2021 Community Satisfaction Survey;*
- 2. thanks the CEO, Mr Peter Brown, and his staff for their efforts to achieve this improved result;*
- 3. acknowledges:*
 - i. the low Overall Performance scores of Apollo Bay and Surrounds residents (page 14); and*
 - ii. the low Performing Service Areas of building, planning and unsealed roads (page 20);*
- 4. requests a Councillor Briefing report in October 2021 outlining the actions that have been, or will be, undertaken to address the lower scoring demographic, geographic and service performance areas.*

LOST 2 : 5

DIVISION

For the motion: Cr Margaret White, Cr Graham Costin

Against the motion: Cr Jamie Bell, Cr Joe McCracken, Cr Chris Potter, Cr Stephen Hart, Cr Kate Hanson

RESOLUTION

MOVED Cr Joe McCracken, SECONDED Cr Stephen Hart

That Council notes the 2021 Community Satisfaction Survey Results.

CARRIED 7 : 0

Tony McGann left the meeting at 4:51pm; returned at 4:54pm.

Paul Carmichael attended the meeting at 4:54pm.

Melanie Duvé left the meeting at 5:04pm.

Item: 10.6

Colac Otway Shire Resource Recovery and Waste Management Strategy

OFFICER	Cameron Duthie – Manager Services and Operations
GENERAL MANAGER	Tony McGann
DIVISION	Environment & Infrastructure
ATTACHMENTS	<ol style="list-style-type: none">1. Waste- Management- Strategy- Doc-2021-2030 DRAFT V 3 [10.6.1 - 40 pages]2. Waste- Management- Strategy- Doc-2021-2030 SUMMARY DRAFT [10.6.2 - 11 pages]3. Waste- Management- Strategy- Doc-2021-2030 PLAN V 2 DRAFT [10.6.3 - 7 pages]
PURPOSE	To seek Council endorsement of the Colac Otway Shire Resource Recovery and Waste Management Strategy (RR&WMS) following community feedback.

RESOLUTION

MOVED Cr Graham Costin, SECONDED Cr Chris Potter

That Council:

- 1. Notes the feedback supplied from the community during the consultation phase of the Resource Recovery and Waste Management Strategy.*
- 2. Adopts the Colac Otway Shire Resource Recovery and Waste Management Strategy 2021 – 2030, summary and implementation plan as attached to this report.*

CARRIED 7 : 0

Item: 10.7

Contract 2129 - Kerbside Bin Procurement (Glass Bin)

OFFICER	Cameron Duthie
GENERAL MANAGER	Tony McGann
DIVISION	Environment & Infrastructure
ATTACHMENTS	Nil
PURPOSE	Council approval is required to award Contract 2129 – Supply of Mobile Garbage Bins (MGB's) for the provision of the Colac Otway Shire glass collection service.

RESOLUTION

MOVED Cr Graham Costin, SECONDED Cr Stephen Hart

That Council:

- 1. Awards Contract 2129 – Mobile Garbage Bin Supply 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 the awarding of Contract 2129 – Supply of Mobile Garbage Bin.*
- 3. Authorises the Chief Executive Officer to perform all roles of the Principal.*
- 4. 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 7 : 0

Item: 10.8

Rates Assistance to Community Groups Policy

OFFICER	Paul Carmichael
GENERAL MANAGER	Errol Lawrence
DIVISION	Corporate Services
ATTACHMENTS	<ol style="list-style-type: none">1. Draft Council Policy - Rates assistance to community groups [10.8.1 - 3 pages]2. Draft Operational Procedure - Rates assistance for Community groups [10.8.2 - 3 pages]
PURPOSE	To present the reviewed Council Policy 11.1 – Rates Assistance to Community Groups to Council for consideration and advertising for public comment.

RECOMMENDATION

That Council:

1. *Endorses the draft Rates Assistance to Community Groups policy as amended.*
2. *Authorises the draft policy be released for public comment for a period of six weeks commencing on Monday, 2 August 2021, in accordance with the requirements of Council's Community Engagement Policy.*

REVISED OFFICER RECOMMENDATION

MOVED Cr Chris Potter, SECONDED Cr Graham Costin

That Council:

1. *Endorses the draft Rates Assistance to Community Groups policy as amended with the following addition under the heading 'Statement of Policy':
'All applications will be assessed on their merits as it is acknowledged that applicants may not meet all of the principles/criteria. Therefore, a flexible approach will be taken in regard to provision of the required information.'*
2. *Authorises the draft policy be released for public comment for a period of six weeks commencing on Monday, 2 August 2021, in accordance with the requirements of Council's Community Engagement Policy.*

CARRIED 7 : 0

Item: 10.9

Asset Accounting Policy

OFFICER	Nicholas Welsh
GENERAL MANAGER	Errol Lawrence
DIVISION	Corporate Services
ATTACHMENTS	1. Draft Asset Accounting Policy [10.9.1 - 9 pages]
PURPOSE	To review and approve the Asset Accounting Policy

RESOLUTION

MOVED Cr Joe McCracken, SECONDED Cr Jamie Bell

Cr Jamie Bell left the meeting at 5:13pm; returned at 5:14pm.

Cr Jamie Bell left the meeting at 5:15pm; returned at 5:16pm.

That Council:

- 1. Rescinds 16.6 - Asset Capitalisation Policy;*
- 2. Rescinds 16.7 - Asset Valuation and Revaluation Policy; and*
- 3. Adopts the Asset Accounting Policy.*

CARRIED 7 : 0

Item: 10.10

2021 Revaluation - Adoption of Valuations

OFFICER	Paul Carmichael
GENERAL MANAGER	Errol Lawrence
DIVISION	Corporate Services
ATTACHMENTS	1. General Valuation Report from VG [10.10.1 - 1 page]
PURPOSE	The purpose of this report is to adopt the 2021 general revaluation of all properties within the Colac Otway Shire.

RESOLUTION

MOVED Cr Chris Potter, SECONDED Cr Margaret White

That Council adopts the valuations contained in the 2021 general valuation for the purpose of levying general rates for the 2021-22 financial year.

CARRIED 7 : 0

Paul Carmichael left the meeting at 5:17pm.

Nicholas Welsh left the meeting at 5:17pm.

Amanda Barber left the meeting at 5:18pm.

Item: 10.11

Update S5 Instrument of Delegation - Council to CEO

OFFICER	Errol Lawrence
GENERAL MANAGER	Errol Lawrence
DIVISION	Corporate Services
ATTACHMENTS	<ol style="list-style-type: none">1. S5 Instrument of Delegation Council to Chief Executive Officer 28 July 2021 [10.11.1 - 2 pages]2. Signed S5 Instrument of Delegation - Council to CEO - 28 June 2021 [10.11.2 - 2 pages]
PURPOSE	Update to the S5 Instrument of Delegation to the Chief Executive Officer.

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Chris Potter

Cr Jamie Bell left the meeting at 5:20pm; returned at 5:21pm.

That Council, in exercise of the powers conferred by section 11(1) of the Local Government Act 2020 (the Act) and all other powers enabling it, delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation, AND declares that:

1. *this Instrument of Delegation is authorised by a Resolution of Council passed on 28 July 2021;*
2. *the delegation*
 - 2.1 *comes into force immediately the common seal of Council is affixed to this Instrument of Delegation and that the Chief Executive Officer is authorised to affix the Common Seal to the Instrument;*
 - 2.2 *is subject to any conditions and limitations set out in the Schedule;*
 - 2.3 *must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and*
 - 2.4 *remains in force until Council resolves to vary or revoke it.*

CARRIED 7 : 0

Item: 10.12

S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

OFFICER	Maree Powell
GENERAL MANAGER	Errol Lawrence
DIVISION	Corporate Services
ATTACHMENTS	1. S18 Instrument of Sub Delegation under the Environment Protection Act 2017 [10.12.1 - 4 pages]
PURPOSE	To review Council's S18 Instrument of Delegation to members of Council staff for the <i>Environment Protection Act 2017</i>

RESOLUTION

MOVED Cr Chris Potter, **SECONDED** Cr Jamie Bell

That Council in exercise of the power conferred by section 437(2) of the Environment Protection Act 2017 (the Act) and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, 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 Officer 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 7 : 0

Cameron Duthie left the meeting at 5:25pm.

Item: 10.13

Report of Informal Meetings of Councillors

OFFICER	Lyndal McLean
CHIEF EXECUTIVE	Peter Brown
DIVISION	Corporate Services
ATTACHMENTS	<ol style="list-style-type: none"> 1. Informal Meeting of Councillors - Councillor Briefing - 16 June 2021 CB 20210616 [10.13.1 - 2 pages] 2. Informal Meeting of Councillors - Councillor Briefing - 24 June 2021 CB 20210624 [10.13.2 - 2 pages] 3. Informal Meeting of Councillors - Council Preparation Meeting - 24 June 2021 OCM 20210624 [10.13.3 - 2 pages] 4. Informal Meeting of Councillors - Councillor Briefing - 30 June 2021 CB 20210630 [10.13.4 - 2 pages] 5. Informal Meeting of Councillors - Councillor Briefing - 7 July 2021 CB 20210707 [10.13.5 - 2 pages] 6. Informal Meeting of Councillors Record - City Deals Executive Steering Committee - 20210713 [10.13.6 - 1 page] 7. Informal Meeting of Councillors - Councillor Briefing - 14 July 2021 CB 20210714 [10.13.7 - 3 pages]
PURPOSE	To report the Informal Meetings of Councillors.

REPORTING

The Informal Meetings of Councillors are reported herewith:

• Councillor Briefing	16 June 2021
• Councillor Briefing	24 June 2021
• Council Meeting Preparation	24 June 2021
• Councillor Briefing	30 June 2021
• Councillor Briefing	7 July 2021
• City Deals Executive Steering Committee	13 July 2021
• Councillor Briefing	14 July 2021

The Colac Otway Shire Governance Rules do not require a decision.

The meeting was declared closed at 5:24pm.

CONFIRMED AND SIGNED at the meeting held on 25 August 2021



.....MAYOR