



**ORDINARY COUNCIL MEETING**

# **MINUTES**

**WEDNESDAY 24 MAY 2017**

**AT 6PM**

**COPACC**

**Next Council Meeting: 28 June 2017  
Apollo Bay Senior Citizens Centre**

## COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

24 MAY 2017

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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 24 May 2017 at 6pm.

### 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  
Cr Chris Potter (Mayor)  
Cr Jason Schram  
Cr Chris Smith  
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer  
Trevor Olsson, Acting General Manager, Corporate Services  
Tony McGann, General Manager, Infrastructure & Leisure Services  
Gareth Smith, General Manager, Development & Community Services  
Jenny Wood, Manager, Governance & Customer Service  
Sarah McKew, Governance Officer  
Lyndal McLean, Administrative Relief Staff  
Andrew Kavanagh, Contract Governance Coordinator  
Jade Thomas, Strategic Property Coordinator  
Tamzin McLennan, Public Relations Coordinator  
Ian Seuren, Manager Arts & Leisure  
Greg Fletcher, Manager Community Services  
Gary Warrener, Manager Economic Development & Tourism  
Vige Satkunarajah, Acting Manager Planning, Building & Health  
Suzanne Barker, Strategic Planning Consultant

### 3. APOLOGIES

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.

#### **BEHAVIOUR**

Before we move on to Public Question Time, I would like to remind all Councillors of our obligations under the Councillor Code of Conduct and Local Law 4 which regulates the proceedings at Council Meetings.

As I have said previously, I have high expectations of Councillors and expect us to work together and with the organisation for our community.

Towards this, it is my expectation that all Councillors exhibit exemplary conduct at all times during tonight's meeting. This means that you will behave in a professional manner throughout and that you will treat each other with courtesy and respect, even if there is disagreement.

I want to be clear that I will not tolerate any form of personal acrimony or insult, grandstanding, unnecessary interruptions or unreasonable or impolite language.

Nor will I tolerate any behaviour or comments that are disrespectful towards our professional officers.

#### **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. What is the total annual cost to the Shire of operating Tourism Information Centres in this Shire? Plus what is the measurable dollars returned to this Shire for this outlay. How much actual employment is provided in this Shire for providing these services? If it was not for the unpaid staff, could these VIC's continue to operate in this Shire? Plus how many staff operate as unpaid staff in services of this Shire under name of this Council eg meals on wheels, VIC's etc.?

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

Total cost of operating the Colac and Apollo Bay Visitor Information Centres (VICs) is \$513,391.

#### **Could VICs operate without volunteers?**

Yes they could operate without volunteers however there would be an impact to the service the VICs provide, unless there was an increase in paid staff.

#### **How many volunteers in the Shire?**

The number of volunteers annually can vary greatly. Council estimates that we have over 250 volunteers that directly support Council services to the community.

There are of course significant more number of volunteers providing significant benefits to the community.

2. What will the pensioner rebate be for the 2017-2018 rate year on the following:
  - a) Rebate on Council rates and charges
  - b) Rebate on FSL charged on rate notices "a State Government charge".Plus why no extra green waste collections prior to start of fire season for 2017-2018, since none listed on calendars for 2017-2018 sent out.

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

We have not been advised by the State Government what the pensioner rebate will be on Council rate and charges or the Fire Services Property Levy.

There is a proposal for an additional organic waste collection in the 2017/18 budget. This is not yet in the calendar as the budget will still need to be adopted.

3. When is Council going to make certain an answer is given to the community about when traffic lights will be installed and operational at the corner of Armstrong Street and Murray Street in Colac?

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

Council is not the responsible road authority for the installation of traffic lights at this intersection or any other, but we do take these safety issues very seriously. As VicRoads are the responsible road authority for traffic lights, we have made their South West Regional office aware of your concerns. We do note that Council has a history of discussing this intersection with VicRoads and as recently as July 2016 we sought advice and received written advice from them that they had no plans to carry out this project. We again raised the subject during a face to face meeting in September 2016, however, this intersection is still not considered a high priority by VicRoads for the installation of traffic signals.

4. **Since not all Council charges are subject to the 2% state government rate cap, what certainty will Council give to all ratepayers and the general community that any increased or changed charges exempt from the state rate cap will not change during the 2017-2018 budget year?**

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

Council sets the fees and charges schedule and these won't change unless Council undertakes a revised budget process pursuant to section 128.

5. **Does the Colac Otway Shire Council now support the push by G21 to have a bypass route around Colac settled within 10 years' time?**

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

Council will consider a formal response to the draft Transport Strategy next month.

As has been highlighted many times if a bypass were to be contemplated, planning and delivery would be the responsibility of the State Government. In addition, VicRoads has formally advised does not have any current intentions or funds to undertake planning for consideration of a bypass. VicRoads has consistently advised that they are responsible for determining whether a future bypass of Colac is required — and for any planning or investigation into any likely route should one be required.

Council's position is that responsibility for arterial road planning lies with the State Government and that in the event that the State Government did decide to pursue analysis or planning on this issue, it would welcome the opportunity to participate in these discussions as a stakeholder. Further, before any planning or route-determination occurs, it is critical that the State conduct detailed economic analysis to understand the impact that any changes might have on local businesses, jobs and industry.



6. Were any of the Wye River and Separation Creek properties listed among those with overdue rates included in those that were revalued to NAV after the fires? If so, on what basis have the overdue rates been calculated? Is it:
- a) on values at actual time classified; or
  - b) on original rating classification,
- since the claim \$138,000 if on capital improved valuation would be vastly reduced on NAV that is only 5% of improved capital value, ie. if improved capital value used for full time. \$138,000 = \$6,900 on NAV.

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

The only properties revalued due to the fire were properties that had dwellings destroyed. These properties had their Capital Improved Value reduced to the amount of their Site Value (not Nett Annual Value).

Owners of these properties received the 100% rates waiver of the 2015-16 rates and charges as provided for by Council as part of its bushfire rates assistance package. As a result they were not required to pay any rates for 2015-16.

Any of these properties that had overdue rates from before 2015-16 were still required to pay the rates that were outstanding. The amended valuation had no bearing on the amount of rates outstanding from previous financial years as rates for previous years are based on the valuation that applied at the time.

**Phil Lawson**

1. Last year I lodged complaints about the conditions in wet months on the Western end of the Heathfield Reserve. A corridor running for 70 metres from the Reserve boundary had the cattle knee deep in mud and if they entered the machinery wheel ruts they were down to their torso.

To address the problem if Nathan Telford is awarded the Lease:

- On page 173 in the Agenda, in the text, a stock track of approx 20 metres is called for.
- On page 176 there is a fencing diagram and the text states a minimum of 30 metres.
- The diagram on page 176 depicts the stock track in blue and it is approximately 80 metres in length in the diagram.

If Nathan Telford is awarded the Lease will a stock track of 70 metres be required in the terms of the Lease agreement?

Also will there be a requirement that the stock track be constructed before cattle are moved through that area in wet months?

On page 171 of the Agenda, 2nd last paragraph there is the description of an informal agreement with the Telford family to use the Reserve. The Telford family have not



**complied with the conditions of that agreement. Why has this not been taken into account in determining the Councils preferred Leaseholder?**

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

The draft lease would require the recommended tenant to install a stock track of 20 metres long or more to manage pugging.

The Lessee is granted 28 days to install a stock track from the lease start date.

The current arrangement hasn't stipulated in writing, verbally or otherwise terms or conditions of use, therefore no breaches can occur or be referenced in the Report.

- 2. On page 169 of the May Agenda is the header page for the Heathfield Lease. The Map on this page is different from that at the beginning of the April Agenda. The new map is the same as in the Pony Club submission and accurately depicts the area that the Pony Club wishes to Lease. The new map excludes the area that Landcare have had plantings. An area of approx 2 hectares and is between the river and the Northern fence line. Now both applicants for the Lease are applying for exactly the same area of land. Inside the existing fence line and an area less than 11.52 hectares.**

**On page 170 in the Executive Summary, Quote: "The Pony Club's application excludes 2 hectares which in turn would increase Councils maintenance expense to approx \$3700 per annum. As the Header page makes clear in text and map the 2 hectares is not being offered for Lease to Nathan Telford. Therefore why has this inaccurate statement against the Pony Club submission been included in the report?"**

**At the bottom of page 180 of the Agenda [in the attachments] is a 3 point advice from the CRG. One being: that the Lease agreement should include an option for community use.....**

**Why was this advice not included in the Officers Report; either in the CRG summary on page 171 or under "Social and Cultural Implications"?**

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

Since the deferral of the April Report, Council has taken the opportunity to correct the 'Leased Area' in the aerial map provided so that it accurately reflects the fenced or leased area available for lease. The property hasn't been surveyed therefore the map provided on the report is an approximate visual representation of the Leased area and may not be 100% accurate. In addition, the hectares for lease are an approximate and have been advertised as such from the EOI advertisement and the Council Report.

The two submissions received are different based on the Leased area requested for Lease. The plan submitted by the Pony Club excludes a 2 hectare section of the land to the east of the Costerman Terrace access for the purpose public usage, Council would be required to maintain this area. The planted area to the north, mentioned in Mr Lawson's

question, is outside of the fenced/leased area and is not offered for lease. No incorrect statements have been made regarding the Pony Club submission.

The recommendation in the May 2017 report is based on the Council resolution from February 2014, which stated:

*That Council accepts the recommendation of the Heathfield Estate Reserve Community Reference Group to commence the process of establishing a lease agreement to use the reserve for grazing purposes.*

The text of a report can contain many options, opinions and recommendations; Officers should act on the Council resolution, and have done so.

#### **QUESTIONS RECEIVED VERBALLY AT THE MEETING**

##### **Mr Kevin Ross**

**On the question of infrastructure at Heathfield Estate, is it a requirement to have a toilet constructed on the property? If so, where would it be located and what cost?**

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

In terms of the recommendation that is before Council tonight for the land to be used for grazing purposes, a toilet would not be required.

**There are a number of commitments to spending money. Is it normal practice to seek a guarantee or a bank undertaking of indemnity that they can cover the cost of these, because the costs seem quite significant?**

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

In terms of the option that is being recommended to Council tonight, which is that the land be leased to Mr Telford for grazing purposes, the amount of infrastructure investment that is seen to be required we would regard as quite minor, and we would expect that that would be constructed within 28 days.

**The Pony Club are committing to fences, establishing walking tracks, work on the drainage canal. Should you seek a guarantee for the funding for these works?**

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

I think that if Council were to resolve in that direction tonight, then we would take a look at what infrastructure was being proposed and we would set in place mechanisms to ensure that it was.

##### **Mr Simon Arundell, Bungador**

**Why are you getting involved in a Public Health and Wellbeing Plan when a myriad of government departments already handle this?**



***Response from the Mayor***

It is a legislative requirement that we compile a Municipal Health and Wellbeing Plan.

This plan, could it simply be we will assist Colac Area Health wherever possible, and in fine print after it, we will do nothing to help it, because it's not our affair? Can it be that simple? How many millions is it going to cost the rate payers?

***Response from the Mayor***

Your comments are noted, Mr Arundell.

I have one more question. I see we've spent something like \$13.5 million on the basketball court. How many millions over budget was that project?

***Response from the Mayor***

We take that on notice and I will supply you with a written answer.

**Mr Dieter Wessner, Colac**

On page 66 of the Agenda you are stating Mayor and Councillor remuneration for the next twelve months. Why is the superannuation not included in the actual cost for each Councillor's remuneration?

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

Under Section 74, the ministerial allowances are set and under Section 73B of the Act, the legislated amount of superannuation is also stated. The legislated amount for superannuation is quite separate to the ministerial allowances.

**Mr Phil Lawson**

Can I give these photos that I've got of cows 60 metres out from the western boundary knee deep in mud to Mr McGann?

***Response from the Mayor***

Yes, he has those.

Since the Pony Club will be trying to follow farming best practice, which mean that we wish Nathan Telford's cattle to share the reserve, but in a way that makes the construction of a hard track at the western end redundant, will Councillors, in addressing the Heathfield Reserve lease, take into account the benefits for recreation the reserve development and the application of best farming practice when they make a decision on the lease?

The Pony Club lease application is only for the land outside the Landcare fenced area. Mr McGann has said that we are excluding land other than the Landcare fenced area, or are you including land for Nathan Telford in the Landcare fenced area?



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

My understanding of the Pony Club expression of interest that was submitted is that from the point of the access lane off Costerman Terrace, there was essentially a line drawn in a north-westerly direction. The portion east of that line the Pony Club did not require. My understanding is that was an area of around two hectares in size.

**Can I give two sheets to Mr McGann?**

***Response from the Mayor***

Mr Lawson, we will take your letters.

**Ian Seuren left the meeting at 6.15pm and returned to the meeting at 6.18pm**

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

Nil

**7. PETITIONS/JOINT LETTERS**

A petition containing 30 signatures has been received from a community member, indicating community support for the awarding of the Heathfield Estate lease to Applicant 1 (Nathan Telford), and not grant the lease to the Applicant 2 (The Apollo Bay Pony Club).

A report regarding the Heathfield Estate Lease will be considered as part of this Ordinary Council meeting's agenda.

**8. DECLARATION OF INTEREST**

|                            |   |
|----------------------------|---|
| Cr Schram:                 | <b>OM172405-2</b>                                       |
| Nature of Disclosure:      | Indirect Interest                                       |
| Type of Indirect Interest: | 78  |
| Nature of Interest:        | Relatives own land adjoining the proposed walking track |

**9. CONFIRMATION OF MINUTES**

- **Ordinary Council Meeting held on 26 April 2017.**

***RESOLUTION***

***MOVED Cr Kate Hanson seconded Cr Joe McCracken***

***That Council confirm the above minutes.***

**CARRIED 6 : 1**

**DIVISION**

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

***Against the Motion: Cr Chris Smith***

ORDINARY COUNCIL MEETING  
**PUBLIC EXHIBITION – DRAFT MUNICIPAL PUBLIC  
HEALTH AND WELLBEING PLAN 2017-2021**  
OM172405-1

|                    |  |                 |                                  |
|--------------------|--|-----------------|----------------------------------|
| LOCATION / ADDRESS | Shire  | GENERAL MANAGER | Gareth Smith                     |
| OFFICER            | Greg Fletcher  | DEPARTMENT      | Development & Community Services |
| TRIM FILE          | F16/2131   | CONFIDENTIAL    | No                               |
| ATTACHMENTS        | 1. Draft Municipal Public Health and Wellbeing Plan 2017 - 2021 - Council Meeting 24 May 2017  |                 |                                  |
| PURPOSE            | To consider the endorsement of the draft Municipal Public Health and Wellbeing Plan 2017-2021 and release for public exhibition to seek community feedback |                 |                                  |

## ORIGINAL RECOMMENDATION

*That Council:*

- 1. Endorses the draft Colac Otway Shire Municipal Public Health and Wellbeing Plan for the purpose of Section 26 of the Public Health and Wellbeing Act 2008.*
- 2. Authorises the Chief Executive Officer to give public notice that Council has prepared a draft Colac Otway Shire Municipal Public Health and Wellbeing Plan.*
- 3. Appoints a Committee comprising of all Councillors and chaired by the Mayor to meet on Wednesday 12 July, 2017, and hear any persons who in their written submissions have requested that they be heard in support of their submission.*
- 4. Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions.*
- 5. Notes that written submissions will be accepted for a 5 week period closing 5:00pm Friday 30 June 2017.*
- 6. Considers for adoption the Colac Otway Shire Municipal Public Health and Wellbeing Plan at the Ordinary Council meeting on Wednesday 26 July 2017 at 4.00 pm at Colac, after consideration of any submissions received by the Council at its Special Committee Meeting on Wednesday 12 July 2017.*



**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith**

*That Council do not support or accept the draft Municipal Public Health and Wellbeing Plan for 2017-2021.*

*Motion lapsed due to no seconder*

**RESOLUTION**

**MOVED Cr Kate Hanson seconded Cr Terry Woodcroft**

**That Council:**

- 1. Endorses the draft Colac Otway Shire Municipal Public Health and Wellbeing Plan for the purpose of Section 26 of the Public Health and Wellbeing Act 2008.*
- 2. Authorises the Chief Executive Officer to give public notice that Council has prepared a draft Colac Otway Shire Municipal Public Health and Wellbeing Plan.*
- 3. Appoints a Committee comprising of all Councillors and chaired by the Mayor to meet on Wednesday 12 July, 2017, and hear any persons who in their written submissions have requested that they be heard in support of their submission.*
- 4. Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions.*
- 5. Notes that written submissions will be accepted for a 5 week period closing 5:00pm Friday 30 June 2017.*
- 6. Considers for adoption the Colac Otway Shire Municipal Public Health and Wellbeing Plan at the Ordinary Council meeting on Wednesday 26 July 2017 at 4.00 pm at Colac, after consideration of any submissions received by the Council at its Special Committee Meeting on Wednesday 12 July 2017.*

**CARRIED 5 : 2**

**DIVISION**

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

**Against the Motion: Cr Chris Smith, Cr Joe McCracken**

Suzanne Barker attended the meeting at 6.45pm

Vige Satkunarajah attended the meeting at 6.45pm

Greg Fletcher left the meeting at 6.54pm

Gareth Smith left the meeting at 6.54pm

ORDINARY COUNCIL MEETING

# JOINT LETTER RESPONSE - COLAC TO COROROOKE SHARED PATH PROPOSAL

OM172405-2

|                           |   |                        |                                   |
|---------------------------|---|------------------------|-----------------------------------|
| <b>LOCATION / ADDRESS</b> | Colac to Cororooke  | <b>GENERAL MANAGER</b> | Tony McGann                       |
| <b>OFFICER</b>            | Ian Seuren  | <b>DEPARTMENT</b>      | Infrastructure & Leisure Services |
| <b>TRIM FILE</b>          | F16/6697  | <b>CONFIDENTIAL</b>    | No                                |
| <b>ATTACHMENTS</b>        | Nil   |                        |                                   |
| <b>PURPOSE</b>            | To respond to a joint letter requesting Council consideration for a feasibility study investigating a shared path from Colac to Cororooke in the development of the new Council Plan and Health and Wellbeing Plan. |                        |                                   |

Having declared a conflict of interest, Cr Jason Schram left Council Chambers at 6.55pm

|                            |   |
|----------------------------|---|
| Cr Schram:                 | OM172405-2  |
| Nature of Disclosure:      | Indirect Interest                                       |
| Type of Indirect Interest: | 78  |
| Nature of Interest:        | Relatives own land adjoining the proposed walking track |

## RESOLUTION

***MOVED Cr Terry Woodcroft seconded Cr Kate Hanson***

***That Council:***

- 1. Notes the joint letter received regarding a feasibility study for the proposed Colac to Cororooke Shared Path.***
- 2. Considers the development of a feasibility study for the proposed Colac to Cororooke Shared Path in the development of the Council Plan 2017-2021 and Municipal Health and Wellbeing Plan 2017-2021.***
- 3. Supports the community in investigating external funding opportunities to undertake a feasibility study for the Colac to Cororooke Shared Path.***
- 4. Writes to the joint letter writers advising of the actions which Council will be undertaking regarding their requests.***

**CARRIED 6 : 0**

**Gareth Smith returned to the meeting at 6.56pm**

**Cr Jason Schram returned to Council Chambers at 7.00pm**



ORDINARY COUNCIL MEETING  
**DRAFT MEMORIAL SQUARE MASTER PLAN**  
OM172405-3

|                           |   |                        |                                   |
|---------------------------|---|------------------------|-----------------------------------|
| <b>LOCATION / ADDRESS</b> | 43-117 Murray Street  | <b>GENERAL MANAGER</b> | Tony McGann                       |
| <b>OFFICER</b>            | Nicole Frampton   | <b>DEPARTMENT</b>      | Infrastructure & Leisure Services |
| <b>TRIM FILE</b>          | F15/8139  | <b>CONFIDENTIAL</b>    | No                                |
| <b>ATTACHMENTS</b>        | <ol style="list-style-type: none"><li>1. Colac Memorial Square Master Plan Report - Draft</li><li>2. Colac Memorial Square Master Plan - Draft Key Directions Plan</li><li>3. Colac Memorial Square Master Plan - Draft Playspace Layout</li><li>4. Colac Memorial Square Master Plan - Supporting Documentation Draft Report</li></ol> |                        |                                   |
| <b>PURPOSE</b>            | To present the draft Memorial Square Master Plan for endorsement by Council in order to commence public exhibition in accordance with Council's Community Engagement Policy 2013.   |                        |                                   |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Endorses the draft Colac Memorial Square Master Plan and supporting documents and releases them for public exhibition in accordance with Council's Community Engagement Policy 2013, from Monday 29 May 2017 to Monday 10 July 2017.*

## ALTERNATIVE MOTION

*MOVED Cr Jason Schram seconded Cr Chris Smith*

*That Council:*

1. *Amends the draft Colac Memorial Square Master Plan and supporting documents to change the reference relating to "upgrading the existing public toilets" to become "construction of new amenities" in accordance with the Colac CBD and Entrances Project (May 2012), inclusive of amended costings; and*
2. *Subject to this change, endorses the draft Colac Memorial Square Master Plan and supporting documents and releases them for public exhibition in accordance with Council's Community Engagement Policy 2013, from Monday 5 June 2017 to Monday 17 July 2017.*

**CARRIED 7 : 0**

ORDINARY COUNCIL MEETING  
**HEATHFIELD ESTATE LEASE**  
OM172405-4

|                    |  |                 |                                   |
|--------------------|--|-----------------|-----------------------------------|
| LOCATION / ADDRESS | Heathfield Estate                                | GENERAL MANAGER | Tony McGann                       |
| OFFICER            | Jade Thomas                                      | DEPARTMENT      | Infrastructure & Leisure Services |
| TRIM FILE          | F16/6696   | CONFIDENTIAL    | No                                |
| ATTACHMENTS        | 1. D14 12300 Minutes OM20140226                  |                 |                                   |
| PURPOSE            | Seek endorsement to enter into a Lease Agreement |                 |                                   |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Enters into an Agreement with Nathan Telford to Lease 20 Ocean Park Drive, Marengo with the following terms:*

|                       |                               |
|-----------------------|-------------------------------|
| Agreement Type        | Lease Agreement               |
| Rent                  | \$3,300 per annum (incl. GST) |
| Lease Term            | 3 years                       |
| Further Term          | Nil                           |
| Rent Review Type      | Plus annual CPI% increase     |
| Permitted Use         | Grazing and or Fodder         |
| Maintenance/Utilities | 100% tenant                   |

2. *Authorises the Chief Executive Officer or delegate to execute the Lease on behalf of Council.*

## ALTERNATIVE MOTION

*MOVED Cr Terry Woodcroft seconded Cr Jason Schram*

*That Council:*

1. *Enters into an Agreement with Nathan Telford to Lease 20 Ocean Park Drive, Marengo with the following terms:*



|                       |                               |
|-----------------------|-------------------------------|
| Agreement Type        | Lease Agreement               |
| Rent                  | \$3,300 per annum (incl. GST) |
| Lease Term            | 3 years                       |
| Further Term          | Nil                           |
| Rent Review Type      | Plus annual CPI% increase     |
| Permitted Use         | Grazing and or Fodder         |
| Maintenance/Utilities | 100% tenant                   |

2. *Authorises the Chief Executive Officer or delegate to execute the Lease on behalf of Council.*
3. *Requests the CEO to utilise the gross rent received, excluding GST, on public open space upgrade projects in the Apollo Bay or Marengo area and that such funds may be made available to other land managers, such as Otway Coast Committee, provided it is used to improve public open space whether or not the site is owned by Council. If such funds are unused in any financial year they are to be reserved for use in future years for the same purpose.*

**CARRIED 6 : 0**

**DIVISION**

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

*Abstain: Cr Chris Smith*

Jade Thomas left the meeting at 7.24pm



ORDINARY COUNCIL MEETING  
**COLAC 2050 GROWTH PLAN –  
 BACKGROUND REPORT AND ENGAGEMENT**  
 OM172405-5

|                           |   |                        |                                  |
|---------------------------|---|------------------------|----------------------------------|
| <b>LOCATION / ADDRESS</b> | Colac township  | <b>GENERAL MANAGER</b> | Gareth Smith                     |
| <b>OFFICER</b>            | Suzanne Barker  | <b>DEPARTMENT</b>      | Development & Community Services |
| <b>TRIM FILE</b>          | F16/6696  | <b>CONFIDENTIAL</b>    | No                               |
| <b>ATTACHMENTS</b>        | 1. Colac Framework Plan May 2017.pdf<br>2. Colac 2050 Background Report May 2017 Final      |                        |                                  |
| <b>PURPOSE</b>            | To seek Council's approval for community engagement for the Colac 2050 Growth Plan project. |                        |                                  |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Endorses the release of the Colac 2050 Growth Plan Background Report for consultation with the community, subject to potential minor amendments.*
2. *Notes that written submissions will be accepted for a 6 week period regarding how the community want Colac to grow.*
3. *Endorses the community engagement plan for consultation on the Colac 2050 Growth Plan Background Report.*

## ALTERNATIVE MOTION

*MOVED Cr Joe McCracken seconded Cr Terry Woodcroft*

*That Council:*

1. *Endorses the release of the Colac 2050 Growth Plan Background Report for consultation with the community, subject to potential minor amendments.*
2. *Notes that written submissions will be accepted for a 6 week period regarding how the community want Colac to grow.*

3. *Endorses the community engagement plan for consultation on the Colac 2050 Growth Plan Background Report.*
4. *Prepares a short, plain-English summary to compliment the consultation process.*

**CARRIED 5 : 2**

**DIVISION**

*For the Motion: Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter*

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

Ian Seuren left the meeting at 7.36pm

Suzanne Barker left the meeting at 7.54pm

The meeting was adjourned for a short break at 7.54pm

ORDINARY COUNCIL MEETING

## PROJECT CONTROL GROUP TERMS OF REFERENCE APOLLO BAY HARBOUR PRECINCT EXPRESSION OF INTEREST PROCESS

OM172405-6

|                           |   |                        |                                     |
|---------------------------|---|------------------------|-------------------------------------|
| <b>LOCATION / ADDRESS</b> | Apollo Bay Harbour<br>Precinct  | <b>GENERAL MANAGER</b> | Gareth Smith                        |
| <b>OFFICER</b>            | Vige Satkunarajah   | <b>DEPARTMENT</b>      | Development &<br>Community Services |
| <b>TRIM FILE</b>          | F16/6696  | <b>CONFIDENTIAL</b>    | No                                  |
| <b>ATTACHMENTS</b>        | 1. Revised terms of Reference for the Apollo Bay Harbour<br>Precinct Expression of Interest   |                        |                                     |
| <b>PURPOSE</b>            | Seek Council's endorsement of the revised Terms of Reference, the<br>additional community representative and the extension of the<br>Project Control Group until 31 December 2018 |                        |                                     |

The meeting resumed at 8.03pm

### RESOLUTION

*MOVED Cr Terry Woodcroft seconded Cr Joe McCracken*

*That Council:*

1. *Endorses the attached revised Terms of Reference for the Project Control Group for the Apollo Bay Harbour Precinct Expression of Interest Process.*
2. *Endorses the appointment of Mr Andrew Orchard as an additional Community Representative to the Project Control Group.*
3. *Extends the term of the Project Control Group until 30 June 2019 with the revised Terms of Reference.*

**CARRIED 6 : 1**

#### DIVISION

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

*Against the Motion: Cr Chris Smith*

Daniel Fogarty attended the meeting at 8.08pm



ORDINARY COUNCIL MEETING  
**EOI TO HOST**  
**2018 AUSTRALIA DAY CELEBRATIONS**  
OM172405-7

|                    |   |                 |                                  |
|--------------------|---|-----------------|----------------------------------|
| LOCATION / ADDRESS | Colac   | GENERAL MANAGER | Gareth Smith                     |
| OFFICER            | Hege Eier   | DEPARTMENT      | Development & Community Services |
| TRIM FILE          | F17/1914  | CONFIDENTIAL    | No                               |
| ATTACHMENTS        | Nil   |                 |                                  |
| PURPOSE            | To seek Council's endorsement of the recommendation to hold the official Colac Otway Shire Australia Day celebrations in Colac on 26 January 2018 |                 |                                  |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Endorses holding the official 2018 Colac Otway Shire Australia Day event in Colac on 26 January 2018.*
2. *The Council Event team engage community groups and clubs to form a Colac Australia Day 2018 Committee.*

## ALTERNATIVE MOTION

*MOVED Cr Jason Schram seconded Cr Joe McCracken*

*That Council:*

1. *Endorses holding the official 2018 Colac Otway Shire Australia Day event in Colac on 26 January 2018.*
2. *The Council Event team engage community groups and clubs to form a Colac Australia Day 2018 Committee and report back to Council for consideration in September 2017.*

**CARRIED 7 : 0**

ORDINARY COUNCIL MEETING  
**RATES DEBT RECOVERY –  
WYE RIVER & SEPARATION CREEK**  
OM172405-8

|                           |   |                        |                    |
|---------------------------|---|------------------------|--------------------|
| <b>LOCATION / ADDRESS</b> | Wye River – Separation Creek  | <b>GENERAL MANAGER</b> | Trevor Olsson      |
| <b>OFFICER</b>            | Daniel Fogarty  | <b>DEPARTMENT</b>      | Corporate Services |
| <b>TRIM FILE</b>          | F16/6696  | <b>CONFIDENTIAL</b>    | No                 |
| <b>ATTACHMENTS</b>        | Nil   |                        |                    |
| <b>PURPOSE</b>            | To consider the recommencement of normal debt recovery arrangements for rate payers with unpaid rates in Wye River and Separation Creek |                        |                    |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Having previously deferred debt recovery action for property owners in Wye River and Separation Creek with rates arrears until 1 March 2017 authorises the re-establishment of normal debt recovery arrangements for all ratepayers.*

## ALTERNATIVE MOTION

*MOVED Cr Kate Hanson seconded Cr Joe McCracken*

*That Council:*

1. *Having previously deferred debt recovery action for property owners in Wye River and Separation Creek with rates arrears until 1 March 2017 authorises the re-establishment of normal debt recovery arrangements for all ratepayers.*
2. *Formally advise via phone call where possible, followed by a letter, property owners in Wye River and Separation Creek with rates arrears that their matter may be referred to an external agency for debt recovery after 28 days without further notice.*

**CARRIED 5 : 1**

***DIVISION***

***For the Motion: Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter***

***Against the motion: Cr Jason Schram***

***Abstain: Cr Chris Smith***

**Daniel Fogarty left the meeting at 8.37pm**



ORDINARY COUNCIL MEETING  
**PROPOSED MEETING DATES 2017  
(JULY - DECEMBER)**

OM172405-9

|                    |   |                 |                    |
|--------------------|---|-----------------|--------------------|
| LOCATION / ADDRESS | Whole of Municipality   | GENERAL MANAGER | Trevor Olsson      |
| OFFICER            | Jenny Wood  | DEPARTMENT      | Corporate Services |
| TRIM FILE          | F16/6678  | CONFIDENTIAL    | No                 |
| ATTACHMENTS        | Nil   |                 |                    |
| PURPOSE            | To confirm the schedule of Council Meeting dates from July to December 2017 |                 |                    |

**ORIGINAL RECOMMENDATION**

*That Council:*

1. *Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:*

*Wednesday 26 July 2017 – 4.00 pm COPACC  
Wednesday 23 August 2017 – 4.00 pm COPACC  
Wednesday 27 September 2017 – 4.00 pm Forrest  
Wednesday 25 October 2017 – 4.00 pm COPACC  
Wednesday 22 November 2017 – 4.00 pm COPACC  
Wednesday 13 December 2017 – 4.00 pm COPACC*

2. *Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:*

*Wednesday 12 July 2017 – 4 pm COPACC  
Wednesday 9 August 2017 – 4 pm COPACC  
Wednesday 13 September 2017 – 4 pm COPACC  
Wednesday 11 October 2017 – 4 pm COPACC  
Wednesday 8 November 2017 – 4 pm COPACC  
Wednesday 6 December 2017 – 4 pm COPACC*

**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith**

**That Council:**

1. Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:

Wednesday 26 July 2017 – 6.00 pm COPACC  
Wednesday 23 August 2017 – 6.00 pm COPACC  
Wednesday 27 September 2017 – 6.00 pm Forrest  
Wednesday 25 October 2017 – 6.00 pm COPACC  
Wednesday 22 November 2017 – 6.00 pm COPACC  
Wednesday 13 December 2017 – 6.00 pm COPACC

2. Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:

Wednesday 12 July 2017 – 6 pm COPACC  
Wednesday 9 August 2017 – 6 pm COPACC  
Wednesday 13 September 2017 – 6 pm COPACC  
Wednesday 11 October 2017 – 6 pm COPACC  
Wednesday 8 November 2017 – 6 pm COPACC  
Wednesday 6 December 2017 – 6 pm COPACC

*Motion lapsed due to no seconder*

**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith**

**That Council:**

1. Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:

Wednesday 26 July 2017 – 6.00 pm COPACC  
Wednesday 23 August 2017 – 6.00 pm COPACC  
Wednesday 27 September 2017 – 6.00 pm Forrest  
Wednesday 25 October 2017 – 6.00 pm COPACC  
Wednesday 22 November 2017 – 6.00 pm COPACC  
Wednesday 13 December 2017 – 6.00 pm COPACC

2. Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:

Wednesday 12 July 2017 – 4 pm COPACC  
Wednesday 9 August 2017 – 4 pm COPACC  
Wednesday 13 September 2017 – 4 pm COPACC

Wednesday 11 October 2017 – 4 pm COPACC  
Wednesday 8 November 2017 – 4 pm COPACC  
Wednesday 6 December 2017 – 4 pm COPACC

*Motion lapsed due to no seconder*

#### **ALTERNATIVE MOTION**

*MOVED Cr Jason Schram seconded Cr Chris Smith*

*That Council:*

1. *Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:*

Wednesday 26 July 2017 – 5.00 pm COPACC  
Wednesday 23 August 2017 – 5.00 pm COPACC  
Wednesday 27 September 2017 – 5.00 pm Forrest  
Wednesday 25 October 2017 – 5.00 pm COPACC  
Wednesday 22 November 2017 – 5.00 pm COPACC  
Wednesday 13 December 2017 – 5.00 pm COPACC

2. *Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:*

Wednesday 12 July 2017 – 5 pm COPACC  
Wednesday 9 August 2017 – 5 pm COPACC  
Wednesday 13 September 2017 – 5 pm COPACC  
Wednesday 11 October 2017 – 5 pm COPACC  
Wednesday 8 November 2017 – 5 pm COPACC  
Wednesday 6 December 2017 – 5 pm COPACC

**LOST 3 : 4**

#### **DIVISION**

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

*Against the Motion: Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Chris Potter*

#### **ALTERNATIVE MOTION**

*MOVED Cr Chris Smith seconded Cr Jason Schram*

*That Council:*

1. *Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:*



Wednesday 26 July 2017 – 5.00 pm COPACC  
Wednesday 23 August 2017 – 5.00 pm COPACC  
Wednesday 27 September 2017 – 5.00 pm Forrest  
Wednesday 25 October 2017 – 5.00 pm COPACC  
Wednesday 22 November 2017 – 5.00 pm COPACC  
Wednesday 13 December 2017 – 5.00 pm COPACC

2. Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:

Wednesday 12 July 2017 – 4 pm COPACC  
Wednesday 9 August 2017 – 4 pm COPACC  
Wednesday 13 September 2017 – 4 pm COPACC  
Wednesday 11 October 2017 – 4 pm COPACC  
Wednesday 8 November 2017 – 4 pm COPACC  
Wednesday 6 December 2017 – 4 pm COPACC

#### PROCEDURAL MOTION

MOVED Cr Stephen Hart

That the previous motion be split and heard as two separate motions.

CARRIED 7 : 0

#### ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Jason Schram

That Council:

Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:

Wednesday 26 July 2017 – 5.00 pm COPACC  
Wednesday 23 August 2017 – 5.00 pm COPACC  
Wednesday 27 September 2017 – 5.00 pm Forrest  
Wednesday 25 October 2017 – 5.00 pm COPACC  
Wednesday 22 November 2017 – 5.00 pm COPACC  
Wednesday 13 December 2017 – 5.00 pm COPACC

LOST 3 : 4

#### DIVISION

For the motion: Cr Joe McCracken, Cr Chris Smith, Cr Jason Schram

Against the motion: Cr Stephen Hart, Cr Chris Potter, Cr Terry Woodcroft, Cr Kate Hanson

**ALTERNATIVE MOTION**

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

**That Council:**

**Confirms the meetings dates, times and venues for Planning Committee meetings for the remainder of 2017 as:**

Wednesday 12 July 2017 – 4 pm COPACC  
Wednesday 9 August 2017 – 4 pm COPACC  
Wednesday 13 September 2017 – 4 pm COPACC  
Wednesday 11 October 2017 – 4 pm COPACC  
Wednesday 8 November 2017 – 4 pm COPACC  
Wednesday 6 December 2017 – 4 pm COPACC

**CARRIED 7 : 0**

**DIVISION**

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

**ALTERNATIVE MOTION**

**MOVED** Cr Stephen Hart seconded Cr Terry Woodcroft

**That Council:**

**Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:**

Wednesday 26 July 2017 – 4.00 pm COPACC  
Wednesday 23 August 2017 – 4.00 pm COPACC  
Wednesday 27 September 2017 – 4.00 pm Forrest  
Wednesday 25 October 2017 – 4.00 pm COPACC  
Wednesday 22 November 2017 – 4.00 pm COPACC  
Wednesday 13 December 2017 – 4.00 pm COPACC

**PROCEDURAL MOTION**

**MOVED** Cr Joe McCracken

**That the motion be put.**

**CARRIED 5 : 2**

**DIVISION**

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

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

**ALTERNATIVE MOTION**

*MOVED Cr Stephen Hart seconded Cr Terry Woodcroft*

*That Council:*

*Confirms the Ordinary Council meeting dates, times and venues for Ordinary Council meetings for the remainder of 2017 as:*

*Wednesday 26 July 2017 – 4.00 pm COPACC  
Wednesday 23 August 2017 – 4.00 pm COPACC  
Wednesday 27 September 2017 – 4.00 pm Forrest  
Wednesday 25 October 2017 – 4.00 pm COPACC  
Wednesday 22 November 2017 – 4.00 pm COPACC  
Wednesday 13 December 2017 – 4.00 pm COPACC*

**CARRIED 4 : 3**

**DIVISION**

*For the motion: Cr Stephen Hart, Cr Kate Hanson , Cr Terry Woodcroft , Cr Chris Potter*

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

**Gary Warrener left the meeting at 9.04pm**



ORDINARY COUNCIL MEETING  
**COUNCILLOR AND MAYORAL ALLOWANCES**  
OM172405-10

|                           |   |                        |                    |
|---------------------------|---|------------------------|--------------------|
| <b>LOCATION / ADDRESS</b> | Whole of Municipality   | <b>GENERAL MANAGER</b> | Trevor Olsson      |
| <b>OFFICER</b>            | Jenny Wood  | <b>DEPARTMENT</b>      | Corporate Services |
| <b>TRIM FILE</b>          | F16/6678  | <b>CONFIDENTIAL</b>    | No                 |
| <b>ATTACHMENTS</b>        | Nil   |                        |                    |
| <b>PURPOSE</b>            | To consider adoption of Mayoral and Councillors allowances following the 2016 Local Government election and public consultation |                        |                    |

### ORIGINAL RECOMMENDATION

*That Council:*

1. *Sets the following Mayoral and Councillor allowances in accordance with section 74 of the Local Government Act 1989:*

- |     |                      |            |
|-----|----------------------|------------|
| (a) | Mayoral Allowance    | - \$71,748 |
| (b) | Councillor Allowance | - \$23,709 |

### ALTERNATIVE MOTION

*MOVED Cr Chris Smith*

*That Council:*

1. *Sets the following Mayoral and Councillor allowances in accordance with section 74 of the Local Government Act 1989:*

- |     |                      |            |
|-----|----------------------|------------|
| (a) | Mayoral Allowance    | - \$45,000 |
| (b) | Councillor Allowance | - \$15,000 |

*Motion lapsed due to no seconder*

**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith**

**That Council:**

1. **Sets the following Mayoral and Councillor allowances in accordance with section 74 of the Local Government Act 1989:**

- (a) **Mayoral Allowance - \$36,000**
- (b) **Councillor Allowance - \$12,000**

**Motion lapsed due to no seconder**

**ALTERNATIVE MOTION**

**MOVED Cr Chris Smith**

**That Council:**

1. **Sets the following Mayoral and Councillor allowances in accordance with section 74 of the Local Government Act 1989:**

- (a) **Mayoral Allowance - \$71,748 where the Mayor does not receive a Mayoral car, but puts in for travel like all other Councillors**
- (b) **Councillor Allowance - \$23,709**

**Motion lapsed due to no seconder**

**RESOLUTION**

**MOVED Cr Terry Woodcroft seconded Cr Kate Hanson**

**That Council:**

1. **Sets the following Mayoral and Councillor allowances in accordance with section 74 of the Local Government Act 1989:**

- (a) **Mayoral Allowance - \$71,748**
- (b) **Councillor Allowance - \$23,709**

**CARRIED 6 : 1**

**DIVISION**

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

**Against the Motion: Cr Chris Smith**

**ORDINARY COUNCIL MEETING**  
**UPDATE INSTRUMENT OF DELEGATION - COUNCIL**  
**TO CEO AND COUNCIL TO COUNCIL STAFF**  
**OM172405-11**

|                           |   |                        |                    |
|---------------------------|---|------------------------|--------------------|
| <b>LOCATION / ADDRESS</b> | Whole of Municipality   | <b>GENERAL MANAGER</b> | Trevor Olsson      |
| <b>OFFICER</b>            | Jenny Wood  | <b>DEPARTMENT</b>      | Corporate Services |
| <b>TRIM FILE</b>          | 11/96474  | <b>CONFIDENTIAL</b>    | No                 |
| <b>ATTACHMENTS</b>        | 1. Council to Chief Executive Officer Delegation<br>2. Council to Council Staff Delegation        |                        |                    |
| <b>PURPOSE</b>            | To endorse the revised Instrument of Delegation (Council to the CEO and Council to Council Staff) |                        |                    |

### ORIGINAL RECOMMENDATION

*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. That Council delegates to the Chief Executive Officer its powers, functions and duties including a financial delegation limit of \$400,000.*
- 2. 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.*
- 3. 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.*
- 4. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer and members of Council staff are revoked.*
- 5. 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.*



#### **ALTERNATIVE MOTION**

**MOVED** Cr Stephen Hart seconded Cr Joe McCracken

1. *That Council delegates to the Chief Executive Officer its powers, functions and duties including a financial delegation limit of \$400,000.*
2. *Council amends the Schedule to the Instrument of Delegation to the Chief Executive Officer by adding the following; "4.11 Initiate new borrowings"*
3. *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.*
4. *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.*
5. *On the coming into force of the Instrument all previous delegations to the Chief Executive Officer and members of Council staff are revoked.*
6. *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.*
7. *Under the Planning and Environment Act 1987, amend the delegation in relation to waiver of car parking where the proposed use and/or development: Does not provide the required amount of car parking spaces pursuant to Clause 52.06 of the Colac Otway Planning Scheme, where the number of spaces being waived/reduced exceeds five (5).*

**CARRIED 5 : 2**

#### **DIVISION**

**For the Motion:** Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter

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

ORDINARY COUNCIL MEETING  
**CONSIDERATION OF CONTRACTS**  
OM172405-12

|                           |   |                        |                    |
|---------------------------|---|------------------------|--------------------|
| <b>LOCATION / ADDRESS</b> | Whole of Municipality   | <b>GENERAL MANAGER</b> | Trevor Olsson      |
| <b>OFFICER</b>            | Andrew Kavanagh   | <b>DEPARTMENT</b>      | Corporate Services |
| <b>TRIM FILE</b>          | F17/2677  | <b>CONFIDENTIAL</b>    | No                 |
| <b>ATTACHMENTS</b>        | Nil   |                        |                    |
| <b>PURPOSE</b>            | To accept the standing offers of a panel of suppliers for Contract 1708 - Road Signs, Road & Pedestrian Lighting and Associated Products (Procurement Australia) and Contract 1709 - Provision of Recruitment Training and Associated Services (Procurement Australia). |                        |                    |

## RESOLUTION

*MOVED Cr Terry Woodcroft seconded Cr Stephen Hart*

*That Council:*

1. *Awards Contract 1708 (Procurement Australia Contract 1909-0327) – Provision of Road Signs, Road and Pedestrian Lighting and Associated Services to the following tenderers at their tendered schedule of rates for the period 1 October 2016 to 30 September 2019, with the option of two (2) x 12 month extensions:*

*Barrier Signs  
Danthonia Designs  
DeNeeffe Signs Pty Ltd  
GE Lighting Australia Pty Ltd*

2. *Awards Contract 1709 (Procurement Australia Contract 1912/0618) – Provision of Recruitment, Training and Associated Services to the following tenderers at their tendered schedule of rates for the period 1 January 2017 to 31 December 2018, with the option of two (2) x 12 month extensions.*

*Category 1 – Executive Recruitment*

- *Allstaff Australia*
- *People@Work*

- *Hoban Recruitment*
- *Recruitment Solutions Group*
- *Charterhouse*
- *GBS Recruitment*
- *Drake International*
- *Hays Recruitment*
- *McArthur*
- *Horner Recruitment*
- *RNTT t/as Excel Recruitment*
- *Design & Build Recruitment*
- *Anzuk Education*
- *Denovo Consulting*
- *ProQuest*
- *Randstad*
- *Slade Group*
- *Davidson*
- *CK Recruitment*
- *SACS Consulting Pty Ltd*
- *Morgan Consulting*
- *Catalyst Consulting & Events*
- *Michael Page*

**Category 2 – Permanent Recruitment**

- *People@Work*
- *Allstaff Australia*
- *Direct Recruitment*
- *Hoban Recruitment*
- *Recruitment Solutions Group*
- *Charterhouse*
- *GBS Recruitment*
- *Programmed Skilled*
- *Drake International*
- *Hays Recruitment*
- *McArthur*
- *Horner Recruitment*
- *RNTT t/as Excel Recruitment*
- *Design & Build Recruitment*
- *Inspired Staffing*
- *IntoWork Australia*
- *Tradewind*
- *Astrum Recruitment Pty Ltd*
- *Denovo Consulting*
- *Talent International*
- *ProQuest*
- *Randstad*
- *Slade Group*
- *Work Solution*
- *Anzuk Education*
- *SACS Consulting Pty Ltd*



- *CK Recruitment*
- *Morgan Consulting*
- *Catalyst Consulting & Events*
- *Michael Page*
- *Davidson*

**Category 3 – Temporary Recruitment**

- *Allstaff Australia*
- *Hoban Recruitment*
- *Charterhouse*
- *People@Work*
- *Drake International*
- *RNTT t/as Excel Recruitment*
- *CK Recruitment*
- *Catalyst Consulting & Events*
- *Clarius Group*
- *Randstad*
- *Recruitment Solutions Group*
- *GBS Recruitment*
- *Design & Build Recruitment*
- *IntoWork Australia*
- *Tradewind*
- *Astrum Recruitment Pty Ltd*
- *Michael Page*
- *Talent International*
- *ProQuest*
- *McArthur*
- *Enphatic Support Services*
- *Horner Recruitment*
- *Finite IT*
- *Programmed Skilled*
- *Slade Group*
- *ABC Childcare*
- *Inspired Staffing*
- *Work Solution*
- *Powerdata*
- *Hays Recruitment*
- *A Plus Labour Solutions*
- *Anzuk Education*
- *Direct Recruitment*
- *Rec Relief*
- *Morgan Consulting*

**Category 4 – Training, Learning and Professional Development Services**

- *Picks Group*
- *Drake International*
- *Productivity Matters*
- *Nepean Industry Edge Training*
- *Major Training*

- *BDO Industrial and Organisational Psychology Pty Ltd*
- *Preferred Training Network*
- *HiLogic*
- *Value Edge*
- *Converge International*
- *Human Synergistics*
- *Justitia*
- *Garside Consulting*
- *Horner Recruitment*
- *People@Work*
- *All Stars t/as Rod Catterall*
- *SSPI t/as Positive Intelligence*
- *ICS Training Group*
- *Lingford Consulting*
- *Inspirational Coaching*
- *Mark Moore*
- *Blue Vision Management Pty*
- *El Camino*

**Category 5 – e-Learning and Training Solutions**

- *Picks Group*
- *TAFE NSW – Northern Sydney*
- *Interact Learning Pty Ltd t/as e3Learning Solutions*
- *Learning Seat*
- *Major Training*
- *Productivity Matters*
- *Vocam*
- *Learning Hook*

**Category 6 – Mentoring and Coaching**

- *Drake International*
- *Horner Recruitment*
- *Clarius Group*
- *Value Edge*
- *Converge International*
- *Blue Visions Management Pty Ltd*
- *People@Work*
- *Test Grid*
- *Inspirational Coaching*
- *BDO Industrial and Organisational Psychology Pty Ltd*
- *WorkWare*
- *Randstad*
- *El Camino*
- *Jenny Clavio Consulting*
- *Garside Consulting*
- *Davidson*
- *SSPI t/as Positive Intelligence*
- *Evaluation Solution*
- *Searchlight Group*

- *Lingford Consulting*
- *Human Synergistics*

***Category 7 – Career Transitions Programs and HR Services***

- *Randstad*
- *Horner Recruitment*
- *Clarius Group*
- *Blue Visions Management Pty Ltd*
- *Drake International*
- *Davidson*
- *BDO Industrial and Organisational Psychology Pty Ltd*
- *WorkWare*
- *Converge International*
- *Garside Consulting*
- *Slade Group*
- *People@Work*
- *SSPI t/as Positive Intelligence*
- *Noted Careers*

***Category 8 – Psychometric Testing and Skills Assessments***

- *Revelian*
- *Drake International*
- *Veda*
- *Test Grid*
- *BDO Industrial and Organisational Psychology Pty Ltd*
- *Davidson*
- *SHL Australia*
- *Jenny Clavio Consulting*

***Category 9 – Unbundled Recruitment Services***

- *Hoban Recruitment*
- *People@Work*
- *Drake International*
- *Hays Recruitment*
- *Randstad*
- *Horner Recruitment*
- *Recruitment Solutions Group*
- *IntoWork Australia*
- *Denovo Consulting*
- *McArthur*
- *Morgan Consulting*
- *GBS Recruitment*
- *CK Recruitment*
- *Veda*
- *Slade Group*
- *Davidson*
- *Catalyst Consulting & Events*

***Category 10 – Employee Satisfaction and Organisational Survey Services***

- *Davidson*



- *Productivity Matters*
- *Horner Recruitment*
- *Drake International*
- *Evaluation Solution*
- *BDO Ind & Org Psychology*
- *Human Synergistics*

***Category 11 – Performance Appraisal Management Services***

- *Drake International*
- *Clarius Group*
- *CA Technology*
- *Test Grid*

***Category 12 – Police & Background Check/Fit to Work Solutions***

- *Veda*
- *Drake International*
- *Information Brokers Pty Ltd*

3. *Authorises the Chief Executive Officer to perform all functions and exercise all powers of the principal in accordance with the terms of the Contracts, including exercising the option to extend the Contracts at the conclusion of its original term where the Chief Executive Officer determines best value is achieved for Council.*

***CARRIED 6 : 1***

***DIVISION***

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

***Against the Motion: Cr Chris Smith***

**Andrew Kavanagh left the meeting at 9.47pm**

ORDINARY COUNCIL MEETING  
**ROAD MANAGEMENT PLAN REVIEW**  
OM172405-13

|                           |  |                        |                                   |
|---------------------------|--|------------------------|-----------------------------------|
| <b>LOCATION / ADDRESS</b> | Shire wide                               | <b>GENERAL MANAGER</b> | Tony McGann                       |
| <b>OFFICER</b>            | Jeremy Rudd                              | <b>DEPARTMENT</b>      | Infrastructure & Leisure Services |
| <b>TRIM FILE</b>          | F16/6696                                 | <b>CONFIDENTIAL</b>    | No                                |
| <b>ATTACHMENTS</b>        | Nil                                      |                        |                                   |
| <b>PURPOSE</b>            | To Ratify Council's Road Management Plan |                        |                                   |

## ORIGINAL RECOMMENDATION

*That Council:*

1. *Adopts the Road Management Plan without amendment and publish a notice to that effect.*
2. *Immediately commences a comprehensive review of the Road Management Plan including public consultation.*
3. *Considers a revised Plan incorporating the outcomes of the review no later than December 2017.*

## ALTERNATIVE MOTION

*MOVED Cr Chris Smith*

*That Council:*

1. *Adopts the Road Management Plan without amendment and publish a notice to that effect.*
2. *Immediately commences a comprehensive review of the Road Management Plan including public consultation.*
3. *Considers a revised Plan incorporating the outcomes of the review no later than December 2017.*
4. *Reinstigates a monthly Roads Committee meeting*

*Motion lapsed due to no seconder*

**RESOLUTION**

***MOVED Cr Stephen Hart seconded Cr Terry Woodcroft***

***That Council:***

- 1. Adopts the Road Management Plan without amendment and publish a notice to that effect.***
- 2. Immediately commences a comprehensive review of the Road Management Plan including public consultation.***
- 3. Considers a revised Plan incorporating the outcomes of the review no later than December 2017.***

**CARRIED 6 : 1**

**DIVISION**

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

***Against the Motion: Cr Chris Smith***



ORDINARY COUNCIL MEETING  
**PROPOSAL TO DISCONTINUE A ROAD**  
OM172405-14

|                    |   |                 |                                   |
|--------------------|---|-----------------|-----------------------------------|
| LOCATION / ADDRESS | 4825 Great Ocean Road Wongarra  | GENERAL MANAGER | Tony McGann                       |
| OFFICER            | Clive Brooker   | DEPARTMENT      | Infrastructure & Leisure Services |
| TRIM FILE          | F16/6118  | CONFIDENTIAL    | No                                |
| ATTACHMENTS        | Nil   |                 |                                   |
| PURPOSE            | To consider the proposal to discontinue an unused road and thereby enable the Department of Environment, Land Water & Planning to sell the resulting parcel to the proponent. |                 |                                   |

### ORIGINAL RECOMMENDATION

*That Council:*

- 1. Approves commencement of the statutory procedures to discontinue the unused road described as the Government Road within Crown Allotment 30A, on title plan TP618130E, Parish of Wongarra pursuant to section 12 of the Road Management Act 2004.*
- 2. Appoint a committee comprising all Councillors and chaired by the Mayor in accordance with section 223 (1) (b) (i) of the Act, to meet on a date to be determined, and 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.*
- 3. Notes that written submissions will be accepted for a six week period closing at 4.00pm 14 July 2017.*
- 4. Notes that in the event that no submissions are received, authorises the Chief Executive Officer, or her delegate, to do all things required to discontinue the unused road described as the Government Road within Crown Allotment 30A, on title plan TP618130E, Parish of Wongarra.*

**ALTERNATIVE MOTION**

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

**That Council:**

1. *Approves commencement of the statutory procedures to discontinue the unused road described as the Government Road within Crown Allotment 30A, on title plan TP618130E, Parish of Wongarra pursuant to section 12 of the Road Management Act 2004.*
2. *Appoint a committee comprising all Councillors and chaired by the Mayor in accordance with section 223 (1) (b) (i) of the Act, to meet on a date to be determined, and 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.*
3. *Notes that written submissions will be accepted for a six week period closing at 4.00pm 14 July 2017.*
4. *Notes that in the event that no submissions are received, authorises the Chief Executive Officer, or her delegate, to do all things required to discontinue the unused road described as the Government Road within Crown Allotment 30A, on title plan TP618130E, Parish of Wongarra.*
5. *Requires all land holders adjacent to the unmade road, in its entire length, be notified in writing of this proposal.*

**CARRIED 7 : 0**



ORDINARY COUNCIL MEETING  
**OLD BEECHY RAIL TRAIL COMMITTEE**  
**APPOINTMENT OF COMMITTEE MEMBER**  
 OM172405-15

|                           |  |                        |                                   |
|---------------------------|--|------------------------|-----------------------------------|
| <b>LOCATION / ADDRESS</b> | Old Beechy Rail Trail  | <b>GENERAL MANAGER</b> | Tony McGann                       |
| <b>OFFICER</b>            | Nicole Frampton  | <b>DEPARTMENT</b>      | Infrastructure & Leisure Services |
| <b>TRIM FILE</b>          | 11/96660   | <b>CONFIDENTIAL</b>    | No                                |
| <b>ATTACHMENTS</b>        | Nil  |                        |                                   |
| <b>PURPOSE</b>            | To consider the appointment of a member to the Old Beechy Rail Trail Committee of Management under Section 86 of the Local Government Act 1989 as a Special Committee to Council and to act in accordance with the rules and conditions of appointment adopted by Council, for the purposes of managing the Old Beechy Rail Trail development. |                        |                                   |

## RESOLUTION

*MOVED Cr Terry Woodcroft seconded Cr Joe McCracken*

*That Council:*

1. *Pursuant to Section 86 of the Local Government Act 1989, appoints Cyril Marriner to the Old Beechy Rail Trail Committee until 14 December 2019.*
2. *In accordance with Section 81 sub-section (2) sub-section (a) of the Local Government Act 1989, resolves to exempt members of the Committee from being required to submit a primary or ordinary register of interest return in accordance with this section.*

**CARRIED 7 : 0**



ORDINARY COUNCIL MEETING  
**OLD BEECHY RAIL TRAIL MINUTES AND  
 ASSEMBLY OF COUNCILLORS NOTES**  
 OM172405-16

|                           |  |                        |                    |
|---------------------------|--|------------------------|--------------------|
| <b>LOCATION / ADDRESS</b> | Whole of Municipality  | <b>GENERAL MANAGER</b> | Trevor Olsson      |
| <b>OFFICER</b>            | Jenny Wood   | <b>DEPARTMENT</b>      | Corporate Services |
| <b>TRIM FILE</b>          | F16/6678   | <b>CONFIDENTIAL</b>    | No                 |
| <b>ATTACHMENTS</b>        | 1. Meeting Minutes - Old Beechy Rail Trail Committee - 6 February 2017 - confirmed<br>2. Assembly of Councillors - Councillor Briefing - 12 April 2017<br>3. Assembly of Councillors - Councillor Briefing - 19 April 2017<br>4. Assembly of Councillors - Councillor Briefing - 26 April 2017<br>5. Assembly of Councillors - Colac Regional Saleyards Advisory Committee - 20170428<br>6. Assembly of Councillors - Councillor Briefing - 3 May 2017<br>7. Assembly of Councillors Record - Central Reserve Advisory Committee 20170509<br>8. Assembly of Councillors - Lake Colac Coordinating Committee - 9 May 2017<br>9. Assembly of Councillors - Councillor Briefing - 10 May 2017 |                        |                    |
| <b>PURPOSE</b>            | To note the minutes of the Old Beechy Rail Trail Committee and to note the Assemblies of Councillors.  |                        |                    |

## RESOLUTION

**MOVED** Cr Joe McCracken seconded Cr Jason Schram

**That Council:**

1. **Notes the Minutes of the Old Beechy Rail Trail Committee for 6 February 2017.**
2. **Notes the Assembly of Councillors reports for:**
  - **Councillor Briefing** **12 April 2017**
  - **Councillor Briefing** **19 April 2017**
  - **Councillor Briefing** **26 April 2017**

- *Colac Saleyards Advisory Committee*      *28 April 2017*
- *Councillor Briefing*      *3 May 2017*
- *Central Reserve Advisory Committee*      *3 May 2017*
- *Lake Colac Co-ordinating Committee*      *9 May 2017*
- *Councillor Briefing*      *10 May 2017*

***CARRIED 6 : 1***

***DIVISION***

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

***Against the Motion: Cr Chris Smith***

## IN COMMITTEE

### RESOLUTION

**MOVED** Cr Kate Hanson seconded Cr Terry Woodcroft

*That pursuant to the provisions of Section 89 (2) of the Local Government Act, the meeting be closed to the public at 10.07pm and Council move "In Committee" in order to deal with:*

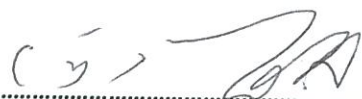
| <b>SUBJECT</b>   | <b>REASON</b>  | <b>SECTION OF ACT</b>    |
|--|--|--------------------------|
| <b>Minutes of the In Committee Council Meeting held on 26 April 2017</b> | this matter deals with contractual matters; AND this matter may prejudice the Council or any person. | Section 89 (2) (d) & (h) |
| <b>Bluewater Grandstand</b>  | this matter may prejudice the Council or any person.   | Section 89 (2) (h)       |

**CARRIED 7 : 0**

The meeting was re-opened to the public at 10.18pm.

*The Meeting Was Declared Closed at 10.18pm*

**CONFIRMED AND SIGNED** at the meeting held on 28 JUNE 2017

  
.....MAYOR