

MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the Cressy Bowling Club, Cressy on 25 August 2010 at 3.00 pm.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

Cr Lyn Russell (Mayor)
Cr Frank Buchanan
Cr Brian Crook
Cr Stephen Hart
Cr Stuart Hart
Cr Geoff Higgins
Cr Chris Smith

Rob Small, Chief Executive Officer

Colin Hayman, General Manager, Corporate & Community Services
Neil Allen, General Manager, Infrastructure & Services
Jack Green, General Manager, Sustainable Planning & Development
Rhonda Deigan, Executive Officer

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

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

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.'

Thank you, now question time. 30 minutes is allowed for question time.

I remind you that you must ask a question, if you do not have a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time)
2. Questions from the floor

5. QUESTION TIME

Questions Received in Writing Prior to the Meeting

Mr James Judd – Colac

1. What is the correct population of Colac and its residential area?

This must be updated on a regular basis at least after each census is completed. At present your welcome to Colac sign on the highway in Colac West states 11,000. Yet in your minutes to Colac "Council Meeting" 28/7/10 under item OM102807-2 "Great South Coast Regional Strategic Plan" it is reported as 12,000 on page 10 of attachment 1.

Response:

The current population figures that Council has for Colac is 11,093. This figure is provided by ID Profile, who collect and summarise ABS data for Councils and other organisations.

There are reasons for the variation in the two population figures you have highlighted. Council is frequently required to respond to, or participate, in a number of projects, submissions and strategic documents that will have projected population figures used as a part of the process. These population figures are usually 'projected estimates' which are often based on the most recent official census data with more recent growth figures, such as building approvals, factored in. These figures may vary depending on the purpose for which they are intended to be used e.g. if the purpose is for future based strategic planning they may be more aspirational than the more conservative estimate that may be used for a financial assessment.

In the case of the Great South Coast Regional Strategic Plan, this is a cross regional project which Council is participating in with the other municipalities in the region along with Regional Development Victoria and is intended to provide a forward looking perspective of the future of this region with a view to attracting significant government grants over time. The figures you have quoted in that document have been based on the most recent Department of Planning and Community Development data, which is the data that is considered as being the most acceptable/credible by most government agencies, along with some more aspirational inputs.

In the case of signage at the entrance of townships, as in the case of the "Welcome to Colac" sign that you have identified, the population figure is intended to give a guide

to visitors of the approximate size of the town/city that is being entered and these figures are usually based on the most recent Census Data. As these figures are not intended to be an actual accurate representation of the actual number of residents that live in the town on any particular day (but are intended simply for indicative purposes as previously outlined) the population figure on the sign is usually only updated when there has been a significant increase or decrease in the population of the town in question. Any more frequent updating of the sign is not considered to be a productive use of the community's resources given the more general purpose of the sign.

2. Why are residents and businesses required to promptly remove advertising signs when no longer provided?

Vic Rail still advertise a service available in Colac that ceased being provided as soon as the goods loop was removed. The sign is at the entrance to the old goods sheds and specifies open hours 7.00am to 3.30pm Monday to Friday.

Response:

Advertising signs most often require planning permits. When permits are issued, they are subject to a 15 year expiry condition required by the Planning Scheme, or under limited circumstances where special conditions exist, a shorter expiry is given. Land owners being requested to remove advertising signs are usually asked to do so after it is determined that they have been erected without the required planning permit. Council does not have the jurisdiction to require signage to be removed that contains outdated information – this is the responsibility of the land owner. As the sign is on private land there are no local laws issues.

Council officers have followed the matter up with V Line to advise of Mr Judd's concerns and have been advised that Railway land comes under the jurisdiction of VicTrack. If Mr Judd wishes to take the matter further he should make direct contact with VicTrack and Council would be happy to provide the contact number to Mr Judd.

3. Organics Collection: In question 3 "New collection system garbage" Council meeting 28/7/10. You refused to answer why due to "health reasons" these will not be collected per week. Also any green waste contains a quantity of water and when packed together very excessive heat builds up and can burst into fire. If these have to remain for 2 weeks it could very easily dry out and when hot burst into fire before being collected. This is extremely dangerous when stored near any building.

Response:

The original Green Waste divided bin (120litre organic waste capacity) was collected on a weekly basis because the bin did not have the capacity to be collected on a fortnightly basis. The collection cycle was not based on health reasons.

The new waste system being introduced by Council, which includes "240Lt Green Organics collection" on a fortnightly collection cycle, has been developed after a Best Value Review by Council, which incorporated community consultation, and is in line with "Best Practice" principles of Sustainability Victoria and the State Governments "Towards Zero Waste Strategy". The majority of organic waste material recovered throughout Victoria is in the form of garden organics (51%), compared to food

organics which makes up only 5% of the total, and is not considered a health hazard or a potential fire threat when collected in an Organics waste bin.

The Sustainability Victoria Websites states for Green Organics;

- **Of the 79 local governments, 53 different green organics collection services were offered across 45 councils. Of these, 24 were regular council provided collection (i.e. weekly, fortnightly or monthly) while 16 local governments also provided an optional user pays fortnightly collection.**
- **250,650 tonnes of green organics were collected from kerbside services, an increase of nearly 4,500 tonnes, or 1.8% compared to 2006-07.**
- **On average, 166 kg of green organics were collected per household annually (48 kg per person).**
- **Fortnightly services were the most common (70%); yielding on average 248 kg per household annually for a regular council service.**

Colac Otway Shire Organics fortnightly waste collection is consistent with a range of Councils throughout Victoria, the State Governments Best Practice Guidelines and is not a health or safety hazard.

4. When will Council require safe speed zones apply to all roads throughout Colac and not only special area only?

At present many roads have at least 60kmph zones in built up residential areas.

50kmph zones only apply in some of the commercial zones.

40kmph for limited times per day in some school zones.

50kmph should apply throughout all built up residential streets and 40kmph apply to school zones.

It often takes people trying to enter a road at least 5 minutes just to enter a road and double that if requiring to cross a road to enter a traffic lane.

Pedestrians can often wait up to 15 minutes to find a gap in movements and cross a road.

Response:

Speed zones in Victoria are set and administered by VicRoads across the State of Victoria. Council may at times apply to VicRoads in relation to a review of speed zones for specific locations. In relation to speed zones up to 60Km, I advise as follows;

- **60 kph generally applies to main arterial routes and collector streets within the township or urban areas.**
- **50 kph is the maximum speed limit in all urban areas unless otherwise signed and the 50 kph speed limit applies to the large majority of streets in the townships within the municipality.**
- **40 kph speed zones are generally located around school areas and high density shopping areas.**

Council reviews specific speed zones from time to time, when circumstances change, however, Council's speed limits are consistent with the speed limits implemented throughout Victoria and as such Council has complied with its responsibility to provide safe speed zones throughout the municipality.

5. Will Council ever enter into an arrangement with "Centrelink" that will enable recipients of benefits to have funds deducted per payment towards Council rates and charges?

Response:

The arrangement being referred to is "Centrepay". The facility provides for Centrelink recipients to have deductions made directly from their benefit and remitted to Council by Centrelink.

Council has previously investigated the system and did not pursue it due to software changes that were required.

Since Council now has a new Finance system further investigations can take place as to the system, how it works and the benefits that it may provide.

The Rates Notice stock for 2010-11 has been arranged without reference to Centrepay but there is no reason not to look at implementing it for 2011-12.

6. It has been reported to me that we are not allowed to wrap food scraps in paper before putting them in the bin.

This is a very bad health hazard and will encourage a plague of mice/rats and flies due to the offensive odour of food scraps that are allowed to be exposed to air.

Our bin will be impossible to keep clean from one collection.

Response:

Food Scraps are allowed to be wrapped in newspaper before being put in the Organics bin. Plastic is not allowed.

Questions Received Verbally at the Meeting

Dieter Wessner – FOCL

In the determination of office space, are passage ways, storage and toilet areas included in the measurements?

Response:

The CEO advised that those areas are taken into account in determining the size of the office space.

If this is correct will that result in a reduction in the size of the Library Annex from 100sqm to 82.39sqm?

Response:

The CEO advised that while Council had discussed options for the layout of the library annex, the preferred layout has not yet been decided. Council expects to talk to the community soon on the desired layout and size of the library annex.

Has a building permit for the alterations to the library building been lodged, and if so, when?

Response:

The CEO advised that a building permit will not be lodged until the layout had been decided.

Robert Missen – Beeac

In light of the findings of the Bushfire Royal Commission and the need to prepare for the upcoming bushfire season, will Colac Otway Shire fall in line with the Golden Plains Shire and other shires, in bringing in fire restrictions in line with seasonal conditions?

Response:

The General Manager for Sustainable Planning & Development advised that the fire restriction period will be reviewed in line with issues raised by the community.

Don Robertson – Beeac Progress Association

Will Council consider providing insurance for the Youth Program in Beeac in particular for programs held outside of the recreation reserve?

The CEO agreed that this is an important issue for the youth of Beeac and that he had previously sought DSE coverage based around a drop in centre at the recreation reserve. The Council is now in the process of looking at other options to provide insurance for the program for events held away from the reserve and hopes to be able to provide a response within three weeks.

Dorothy Warrender – Cressy

Who is responsible for the signs on the Hamilton Highway? The Cressy Hotel has been closed for some time and the sign is still up.

The General Manager for Infrastructure & Services advised that he will inform Vic Roads, as the relevant authority, of this issue.

What can be done about the new drain in New Station Street, Cressy, which is useless and it, together with the culvert, is now blocked?

The General Manager for Infrastructure & Services advised that he would take this question on notice and following an investigation into this matter, report back to Mrs Warrender.

Are residents in the rural parts of the shire under the same fire restrictions as those in Colac where they are only permitted to burn off on Friday and Saturday?

The General Manager for Sustainable Planning & Development advised that he would take this question on notice and following an investigation into this matter, report back to Mrs Warrender.

Does the Shire realise that all the trellises have broken down around the playground area?

The General Manager for Infrastructure & Services advised that he would take this question on notice and following an investigation into this matter, report back to Mrs Warrender.

6. DECLARATION OF INTEREST

Cr Higgins:	OM102508-9 Grant Agreement – Regional Infrastructure Development Fund – Port of Apollo Bay Main Breakwater Upgrade
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	77B
Nature of Interest:	Possible tenderer for this project.

Cr Stephen Hart:	OM102508-13 Contract Approval (MAV Tender FU1510) Contract No 1016 – Bulk fuel Purchase, Fuel Card Purchases, Supply of Lubricants (In-Committee Item)
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78A
Nature of Interest:	Owns shares in a company (listed on the stock exchange) that operates some fuel outlets for a company that has tendered for this contract

7. CONFIRMATION OF MINUTES

- **Ordinary Council Meeting held on the 28/07/10.**

MOVED Cr Brian Crook seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Chief Executive Officer

- OM102508-1 CEO'S PROGRESS REPORT TO COUNCIL
- OM102508-2 CORANGAMITE REGIONAL LIBRARY CORPORATION - REQUEST FOR EXTENSION TO LEASE
- OM102508-3 CORANGAMITE REGIONAL LIBRARY CORPORATION 2010/2011 BUDGET

Corporate and Community Services

- OM102508-4 VICTORIAN LOCAL GOVERNMENT SERVICES REPORT (ESSENTIAL SERVICES COMMISSION)
- OM102508-5 AUTHORISATION OF OFFICERS (PLANNING AND ENVIRONMENT ACT)
- OM102508-6 NAMING OF ROAD IN BEECH FOREST AS "CLIFF YOUNG DRIVE" AND PARK AS "CLIFF YOUNG PARK"
- OM102508-7 REVIEW OF COUNCIL POLICIES

Infrastructure and Services

- OM102508-8 ROAD MANAGEMENT PLAN COMPLIANCE REPORT
- OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE
- OM102508-10 REGIONAL ASSET MANAGEMENT SERVICES PROGRAM

Sustainable Planning and Development

- OM102508-11 AMENDMENT C58 - KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLANS
- OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT OCEAN ROAD REGION

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CHIEF EXECUTIVE OFFICER</u> <u>OM102508-1</u> <u>CEO'S PROGRESS REPORT TO COUNCIL</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Notes the CEO's Progress Report to Council; and</i> 2. <i>Authorises the CEO to forgive Optus the "make good" provisions of its lease for 6 Blundy Street Forrest</i> 	<p>CR STEPHEN HART</p> <p>CR BRIAN CROOK</p> <p>CR CHRIS SMITH</p>	
<p><u>OM102508-2</u> <u>CORANGAMITE REGIONAL LIBRARY CORPORATION - REQUEST FOR EXTENSION TO LEASE</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Authorises the CEO to inform the Board of the CRLC that Council will not extend the lease of the existing Colac Library building to CRLC until December 2011;</i> 2. <i>Authorises the CEO to inform CRLC that Council consider it appropriate for CRLC to relocate to an alternative site in Colac, and will work with them to achieve a suitable alternative location;</i> 3. <i>Agrees that if the move is unable to be achieved by January 1 2011, Council will extend CRLC's lease on a month by month basis until suitable accommodation is found.</i> 		<p>CR STEPHEN HART</p>

<p><u>OM102508-3 CORANGAMITE REGIONAL LIBRARY CORPORATION 2010/2011 BUDGET</u></p> <p>Department: Executive</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receive the report on the Corangamite Regional Library Corporation 2010/2011 Budget.</i></p>		<p>CR STEPHEN HART</p>
---	--	---------------------------------------

MOVED Cr Stuart Hart seconded Cr Brian Crook that recommendations to item OM102508-1 CEO's Progress Report to Council, as listed in the Consent Calendar be adopted.

CARRIED 7 : 0

OM102508-2 CORANGAMITE REGIONAL LIBRARY CORPORATION - REQUEST FOR EXTENSION TO LEASE

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan that:

Council agrees that it will extend the Corangamite Regional Library Corporation lease on a month by month basis.

CARRIED 7: 0

OM102508-3 CORANGAMITE REGIONAL LIBRARY CORPORATION 2010/2011 BUDGET

MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that Council:

1. notes that:

a) approval of the CRLC's budget has been delayed due to Warrnambool Council's initial refusal to approve their full contributions to the CRLC's budget; and

b) the CRLC Board is due to meet on 26 August 2010 to approve its 2010/2011 budget.

2. instructs the Council's CEO to call a special meeting as soon as possible, if the CRLC fails to adopt a budget by the 31 August 2010, to consider Council's response.

CARRIED 7: 0

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>CORPORATE AND COMMUNITY SERVICES</u></p> <p><u>OM102508-4 VICTORIAN LOCAL GOVERNMENT SERVICES REPORT (ESSENTIAL SERVICES COMMISSION)</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receive the report on the Essential Services Commission's review of Local Government Performance Reporting.</i></p>		
<p><u>OM102508-5 AUTHORISATION OF OFFICERS (PLANNING AND ENVIRONMENT ACT)</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>1. That Council appoints</i></p> <ul style="list-style-type: none"> - <i>Anne Sorensen</i> - <i>Don Lewis</i> - <i>Helen Evans</i> - <i>Grant Jansen</i> - <i>Paul Marsden</i> - <i>Carl Menze</i> - <i>Ros Snaauw</i> - <i>Ian Williams</i> - <i>Celestina Giuliano</i> - <i>Heidi Robinson</i> - <i>Kevin Young</i> - <i>Simon Howland</i> - <i>Wendie Fox</i> - <i>Jack Green</i> - <i>Doug McNeill</i> - <i>Graeme Murphy</i> - <i>John Postma</i> - <i>Stewart Anderson</i> <p><i>as authorised officers pursuant to the Planning and Environment Act 1987.</i></p>		CR CHRIS SMITH

<p>2. <i>The Instruments of Appointment and Authorisation come into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.</i></p> <p>3. <i>The Instruments of Appointment and Authorisation be sealed.</i></p>		
<p><u>OM102508-6 NAMING OF ROAD IN BEECH FOREST AS "CLIFF YOUNG DRIVE" AND PARK AS "CLIFF YOUNG PARK"</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council approves:</i></p> <p>1. <i>The service road at the front of the Beech Forest Public Hall be named ‘Cliff Young Drive’ in accordance with the provisions of clause 5, schedule 10 of the Local Government Act 1989;</i></p> <p>2. <i>The vacant Council owned land located immediately to the west of the Beech Forest Public Hall, being 2-4 Main Rd, Beech Forest, be named ‘Cliff Young Park’;</i></p> <p>3. <i>Council’s resolution be published in the Government Gazette; and</i></p> <p>4. <i>Street name signs and appropriate park signage be arranged and erected.</i></p>	<p>CR CHRIS SMITH</p>	
<p><u>OM102508-7 REVIEW OF COUNCIL POLICIES</u></p> <p>Department: Corporate and Community Services</p> <p><u>Recommendation(s)</u></p> <p><i>That Council adopt the following revised policies:</i></p> <p>6.1 <i>Landscaping Sponsorship Policy</i></p> <p>9.1 <i>Off Loading of Livestock at the Colac Livestock Selling Centre Policy</i></p> <p>12.2 <i>Skate Park Events and Hire Policy</i></p> <p>12.3 <i>Playground and Skate Park Maintenance and Improvement Policy</i></p> <p>12.4 <i>Plaques and Memorials in Colac Botanic Gardens Policy</i></p> <p>18.5 <i>Councillor Support Policy</i></p>		<p>CR STEPHEN HART</p>

MOVED Cr Stephen Hart seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar, with the exception of items OM102508-5 Authorisation of Officers (Planning & Environment Act) and OM102508-7 Review of Council Policies, be adopted.

CARRIED 7 : 0

OM102508-5 AUTHORITY OF OFFICERS (PLANNING AND ENVIRONMENT ACT)

MOTION - MOVED Cr Chris Smith seconded Cr Frank Buchanan that:

- 1. That Council appoints**
 - **Anne Sorensen**
 - **Don Lewis**
 - **Helen Evans**
 - **Grant Jansen**
 - **Paul Marsden**
 - **Carl Menze**
 - **Ros Snaauw**
 - **Ian Williams**
 - **Celestina Giuliano**
 - **Heidi Robinson**
 - **Kevin Young**
 - **Simon Howland**
 - **Wendie Fox**
 - **Jack Green**
 - **Doug McNeill**
 - **Graeme Murphy**
 - **John Postma**
 - **Stewart Anderson**

as authorised officers pursuant to the Planning and Environment Act 1987.

- 2. The Instruments of Appointment and Authorisation come into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.**
- 3. The Instruments of Appointment and Authorisation be sealed.**

CARRIED 7: 0

OM102508-7 REVIEW OF COUNCIL POLICIES

MOTION - MOVED Cr Stephen Hart seconded Cr Frank Buchanan that:

Council adopt the following revised policies:

6.1 Landscaping Sponsorship Policy

9.1 Off Loading of Livestock at the Colac Livestock Selling Centre Policy

12.2 Skate Park Events and Hire Policy

12.3 Playground and Skate Park Maintenance and Improvement Policy

12.4 Plaques and Memorials in Colac Botanic Gardens Policy

18.5 Councillor Support Policy

subject to an alteration being made to Policy 18.5 Councillor Support Policy at 4.4 that, "Travel must be undertaken by the shortest practical route".

CARRIED 7: 0

CONSENT CALENDAROFFICERS' REPORT

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>INFRASTRUCTURE AND SERVICES</u> <u>OM102508-8 ROAD MANAGEMENT PLAN COMPLIANCE REPORT</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Note and receive the Road Management Plan Compliance Report; and</i> <i>2. Endorse the attached Road and Footpath Compliance Reports for the period January to June 2010 as achieving compliance with the Road Management Plan.</i> 		
<p><u>OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Note the contents of the Report;</i> <i>2. Endorse the actions of the CEO in signing the Grant Agreement with the Regional Infrastructure Development Fund (RIDF) for an amount of \$540,000 (excluding GST) for the Port of Apollo Bay Main Breakwater Upgrade Works; and</i> <i>3. Commence tendering for the project.</i> 		CR STEPHEN HART
<p><u>OM102508-10 REGIONAL ASSET MANAGEMENT SERVICES PROGRAM</u></p> <p>Department: Infrastructure</p> <p><u>Recommendation(s)</u></p> <p><i>That Council receives the Regional Asset Management Services Program Report for information.</i></p>		

MOVED Cr Brian Crook seconded Cr Geoff Higgins that recommendations to items listed in the Consent Calendar, with the exception of item OM102508-9 Grant Agreement - Regional Infrastructure Development Fund - Port Of Apollo Bay Main Breakwater Upgrade, be adopted.

CARRIED 7 : 0

OM102508-9 GRANT AGREEMENT - REGIONAL INFRASTRUCTURE DEVELOPMENT FUND - PORT OF APOLLO BAY MAIN BREAKWATER UPGRADE

Cr Higgins:	OM102508-9 Grant Agreement – Regional Infrastructure Development Fund – Port of Apollo Bay Main Breakwater Upgrade
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	77B
Nature of Interest:	Possible tenderer for this project.

Having cited a conflict of interest in this item, Cr Geoff Higgins left the meeting at 3.51pm.

MOTION - MOVED Cr Stephen Hart seconded Cr Brian Crook:

That Council:

1. **Note the contents of the Report;**
2. **Endorse the actions of the CEO in signing the Grant Agreement with the Regional Infrastructure Development Fund (RIDF) for an amount of \$540,000 (excluding GST) for the Port of Apollo Bay Main Breakwater Upgrade Works; and**
3. **Commence tendering for the project.**

CARRIED 6: 0

Cr Geoff Higgins returned to the meeting at 3.52pm.

CONSENT CALENDAR**OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<p><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></p> <p><u>OM102508-11 AMENDMENT C58 - KENNETT RIVER, WYE RIVER AND SEPARATION CREEK STRUCTURE PLANS</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council request the Minister for Planning to appoint an independent panel to consider all submissions to Amendment C58 to the Colac Otway Planning Scheme.</i></p>	CR BRIAN CROOK	
<p><u>OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM ACTION PLAN IN THE GREAT OCEAN ROAD REGION</u></p> <p>Department: Sustainable Planning and Development</p> <p><u>Recommendation(s)</u></p> <p><i>That Council:</i></p> <p><i>1. Submit a response to the Lightfoot Report and the Regional Tourism Action Plan that:</i></p> <ul style="list-style-type: none"> <i>• Recognises the contribution and advice of OT but differs in its recommendations.</i> <i>• Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).</i> <i>• Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.</i> 		CR STEPHEN HART

<ul style="list-style-type: none"> • <i>Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and nominates, Mike Barrow, Manager Economic Development as the Shire's representative.</i> • <i>Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.</i> • <i>Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.</i> <p>2. Places on the Agenda of the Implementation Committee the following points:</p> <ul style="list-style-type: none"> • <i>A clear Memorandum of Understanding be developed with all stakeholders that outlines accountability requirements of the RTB.</i> • <i>Regional industry and local government representation along with skills based appointed board members on the RTB.</i> • <i>An independent process to appoint skills based board members to provide fair and open access to all interested parties.</i> • <i>Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.</i> • <i>Clear, consistent and regular reporting to industry and local government stakeholders.</i> • <i>An appropriate operational structure below the RTB that is relevant and action orientated.</i> • <i>A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.</i> • <i>Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.</i> <p>3. Advise Otway Tourism of the above resolution.</p>		
---	--	--

MOVED Cr Brian Crook seconded Cr Stephen Hart that recommendations to item listed in the Consent Calendar, OM102508-11 Amendment C58 - Kennett River, Wye River And Separation Creek Structure Plans, be adopted.

CARRIED 7 : 0

**OM102508-12 COLAC OTWAY SHIRE SUBMISSION TO TOURISM VICTORIA
REGARDING IMPLEMENTATION OF THE REGIONAL TOURISM
ACTION PLAN IN THE GREAT OCEAN ROAD REGION**

MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that Council:

- 1. Submit a response to the Lightfoot Report and the Regional Tourism Action Plan that is generally supportive of the points made in the Otways Tourism's submission. In particular, that Council agrees in principle to the current Geelong Otway Tourism Board only being responsible for Geelong and Bellarine Peninsula with a separate Regional Tourism Board responsible for the Great Ocean Road subject to consideration by the Implementation Committee of the Regional Tourism Action Plan;**
- 2. Notes that the precise structure needs to be considered as part of the process; and**
- 3. Advise Otway Tourism of the above resolution.**

LOST 3 : 4

DIVISION called by Cr Geoff Higgins

**For the Motion: Cr Geoff Higgins, Cr Stephen Hart, Cr Stuart Hart
Against the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell**

MOTION - MOVED Cr Frank Buchanan seconded Cr Brian Crook that Council:

- 1. Submit a response to the Lightfoot Report and the Regional Tourism Action Plan that:**
 - Recognises the contribution and advice of OT but differs in its recommendations.**
 - Supports product differentiation and the need for separate marketing campaigns for separate product sub regions but recommends the Great Ocean Road region be maintained as a whole region with one Regional Tourism Board (RTB).**
 - Recommends that all current structures and assets such as those incorporated by GOT are given full credit and consideration while keeping an open mind to the best arrangements in the new structure that benefit the tourism industry in the Colac Otway Shire.**
 - Stipulates the importance of both Colac Otway Shire and local industry representation on the Implementation Committee and the new RTB, and**

- nominates, Mike Barrow, Manager Economic Development as the Shire's representative.*
- *Argues through representation on the Implementation Committee that the new RTB and any operational structures associated with the RTB should be created bearing in mind the limited resources available. Rural councils such as Colac Otway Shire have limited budgets to contribute to industry development.*
 - *Requests that both the Implementation Committee and the new RTB should bear in mind the dispersed nature of the tourism industry in the Great Ocean Road Region and that meetings should be rotated between venues and makes use of teleconferencing and videoconferencing technologies to reduce the need for long distance travel to attend meetings.*
2. *Places on the Agenda of the Implementation Committee the following points:*
- *A clear Memorandum of Understanding be developed with all stakeholders that outlines accountability requirements of the RTB.*
 - *Regional industry and local government representation along with skills based appointed board members on the RTB.*
 - *An independent process to appoint skills based board members to provide fair and open access to all interested parties.*
 - *Regular performance based evaluation by key stakeholders against a Strategic Plan and KPIs.*
 - *Clear, consistent and regular reporting to industry and local government stakeholders.*
 - *An appropriate operational structure below the RTB that is relevant and action orientated.*
 - *A clearly articulated strategy to ensure equity in accessibility for local government, local operators and industry representatives.*
 - *Minimisation of the layers of administration and duplication of roles to bring greater efficiency and better communication.*
3. *Advise Otway Tourism of the above resolution.*

CARRIED 4 : 3

DIVISION called by Cr Geoff Higgins

**For the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell
Against the Motion: Cr Geoff Higgins, Cr Stephen Hart, Cr Stuart Hart**

IN COMMITTEE

MOVED Cr Stephen Hart seconded Cr Brian Crook that the Council Code of Conduct report be considered as an Urgent Item of Council Business and that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:

SUBJECT	REASON	SECTION OF ACT
Contract Approval (Mav Tender Fu1510) Contract 1016 - Bulk Fuel Purchase, Fuel Card Purchases, Supply Of Lubricants	this matter deals with contractual matters	Section 89 (2) (d)
Contract No. 1011 – Annual Supply Of Concrete Works	this matter deals with contractual matters	Section 89 (2) (d)
Urgent Item of Council Business – Councillor Code of Conduct	this matter deals with personnel matters and this matter may prejudice the Council or any person	Section 89 (2) (a) and (h)
CEO's Remuneration Review	this matter deals with personnel matters	Section 89 (2) (a)

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook, Cr Geoff Higgins, Cr Frank Buchanan, Cr Stephen Hart, Cr Lyn Russell

Against the Motion: Cr Chris Smith, Cr Stuart Hart

Cr Chris Smith left at 5.20pm during the In-Committee Meeting.

OUT OF COMMITTEE

MOVED Cr Stephen Hart seconded Cr Brian Crook that the meeting move out of committee.

CARRIED 6 : 0

The Meeting Was Declared Closed at 5.52 pm

CONFIRMED AND SIGNED at the meeting held on 22 SEPTEMBER 2010

.....**MAYOR**

