

# Minutes

## Ordinary Meeting of Council

Bethanga Memorial Hall

Tuesday 7 October 2014

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This information is available in alternative formats on request

<b>MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE BETHANGA MEMORIAL HALL ON TUESDAY 7 OCTOBER 2014 COMMENCING AT 10.00 AM.</b>
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## **1 Opening Prayer**

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

## **2 Councillor and Officer presence at the meeting**

**Present:** Crs Fraser OAM, Wortmann, Gadd, Joyce and Scales

<b>In Attendance:</b>	<b>Title:</b>
J Phelps	Chief Executive Officer
J Heritage	Director Technical Services
J Shannon	Director Community and Corporate Services
K Green	Acting Executive Assistant

## **3 Apologies and granting of leave of absence**

Nil

## **4 Declaration of pecuniary interest and/or conflict**

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

Cr Joyce declared an Indirect Interest – Close Association in relation to Item 21.1 (Towong Grandstand Restoration Project) advising that he has a personal association with an employee of the proposed contractor.

## **5 Confirmation of minutes**

Ordinary Meeting of 2 September 2014 and Special Meeting of Council 16 September 2014.

**CR GADD  
CR WORTMANN**

**THAT THE MINUTES OF THE ORDINARY MEETING OF 2 SEPTEMBER 2014 AND  
THE SPECIAL MEETING OF 16 SEPTEMBER 2014, AS CIRCULATED, BE  
CONFIRMED.**

**CARRIED**

## **6 Petitions, joint letters and declarations**

Nil

## 7 Assembly of Councillors

A written record of the Assemblies of Councillors from 19 August to 23 September 2014 is included at Appendix 1. Noted an amendment to be added to the Councillor workshops on September 2 and 16, 2014 to include Cr Gadd as present.

<p><b>CR JOYCE</b> <b>CR SCALES</b></p> <p><b>THAT;</b></p> <p><b>1. THE RECORDS OF THE SEPTEMBER 2 AND 16, 2014 WORKSHOPS BE AMENDED TO SHOW CR GADD WAS PRESENT; AND</b></p> <p><b>2. THE INFORMATION BE NOTED.</b></p> <p style="text-align: right;"><b>CARRIED</b></p>
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## 8 Open Forum

NAME	TOPIC
Mr Jim Jeffreys President, Bethanga Fire Brigade	<p>Fire inspection follow-up.</p> <p>Garbage collection – sought clarification on expected implementation date of new service</p> <p>Commended Council on Kurrajong Gap Road improvements.</p> <p>Commended Council on grass cutting/general maintenance of township.</p>
Mr Richard Wright	<p>Youth Council - suggested Council investigate the possibility of establishing a Youth Council.</p> <p>Bethanga Recreational Reserve BMX track - progressing well.</p> <p>Dog issues in Bethanga</p> <p>Defibrillator - Bethanga community is raising funds</p> <p>Peninsula Men's Shed - has assisted in the development of a community garden.</p> <p>Bethanga Hall Roof – advised Council a new roof is required.</p>

Mrs Judi Maynard	Enquired as to whether Council will be conducting community information/consultation sessions as these had been well received in the past.  Reported that the bitumen at the Cnr Toohey Rd and Mahon Street is being washed away and needs attention.
Ron Evans	Monthly finance report – sought clarification on unspent grant income and Bushfire Management Overlay expenditure.

## 9 Organisational improvement

### 9.1 Finance Report as at 31 August 2014 (DCCS)

#### Disclosure of Interests (S.80C):

This report was prepared by Mr Blair Phillips, Manager Finance.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

#### OPERATING RESULT

	Note	Aug-14 (Actual) \$'000	Aug-14 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %
Income	1	1,419	7,660	2,872	10,455	(7,583)	-73%
Expenditure	2	673	527	1,398	1,979	(581)	-29%
Surplus		746	7,133	1,474	8,476	(7,002)	-83%

Table 1: Operating Result

#### Note 1:

Council had budgeted for rates and charges (\$7 million) to be raised in August. These have been raised in September. The grant for the Tallangatta Integrated Community Centre (\$0.5 million) was budgeted to be received in August, but has not yet been received.

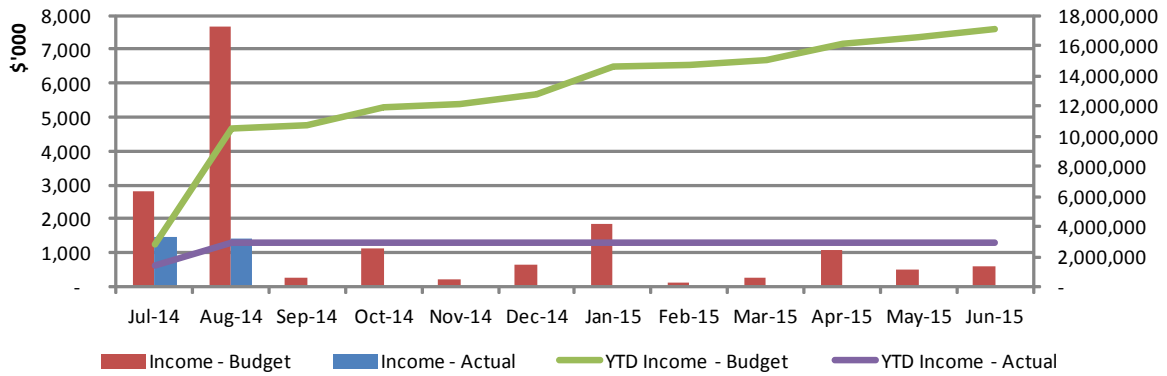
#### Note 2:

The expenditure variance is primarily due to the timing of expenditure in various Economic Development projects (\$90,000), various Community Development projects (\$77,000) and State Emergency Service contributions of \$65,000.

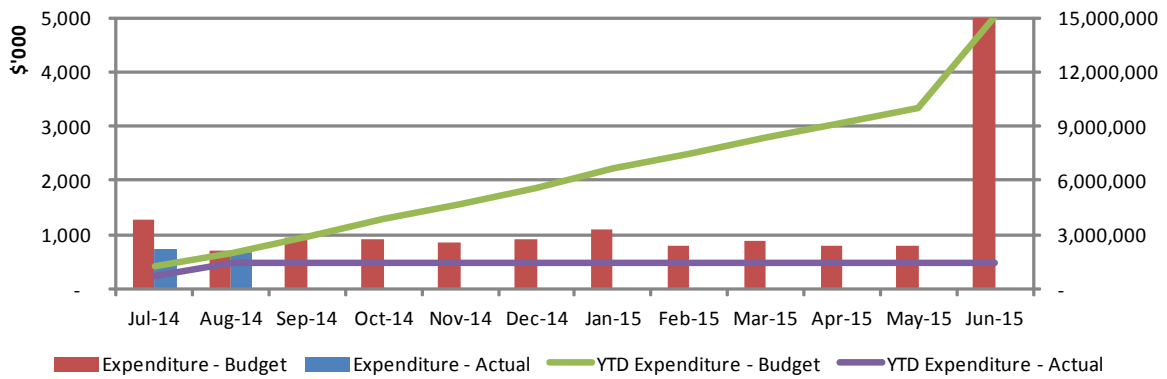


*Operating  
Result*

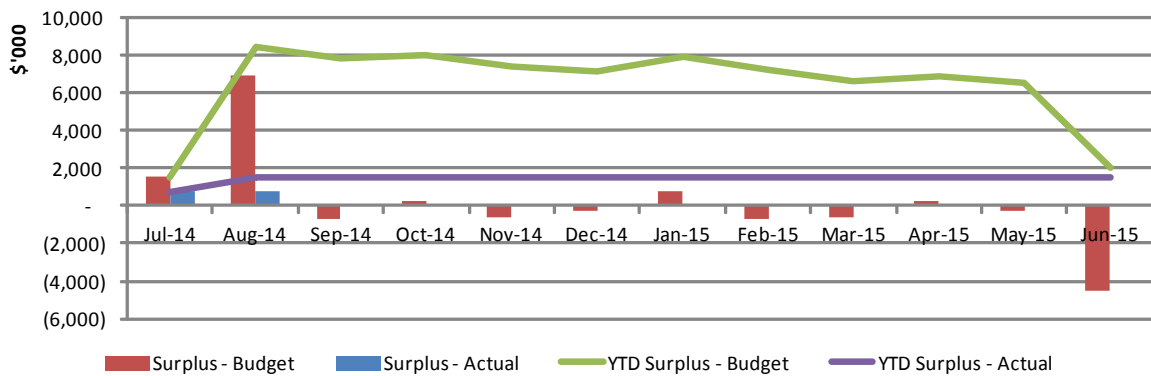
**Income**



**Expenditure**



**Operating Surplus**



**Grant Income**

	Note	Aug-14 (Actual)	YTD (Actual)	YTD (Budget)	YTD (Variance)	12 Month (Budget)
		\$'000	\$'000	\$'000	\$'000	\$'000
Recurring		987	2,039	2,185	(146)	6,295
Non-Competitive		3	6	6	-	37
Competitive	1	142	181	956	(775)	1,973
<b>Total</b>		<b>1,132</b>	<b>2,226</b>	<b>3,147</b>	<b>(921)</b>	<b>8,305</b>

Table 2: Grant Income

Note 1:

Council is yet to receive the grant for the Tallangatta Integrated Community Centre (\$450,000) budgeted in August.

*Grants received Year-to-Date (YTD) are shown in the following table:*

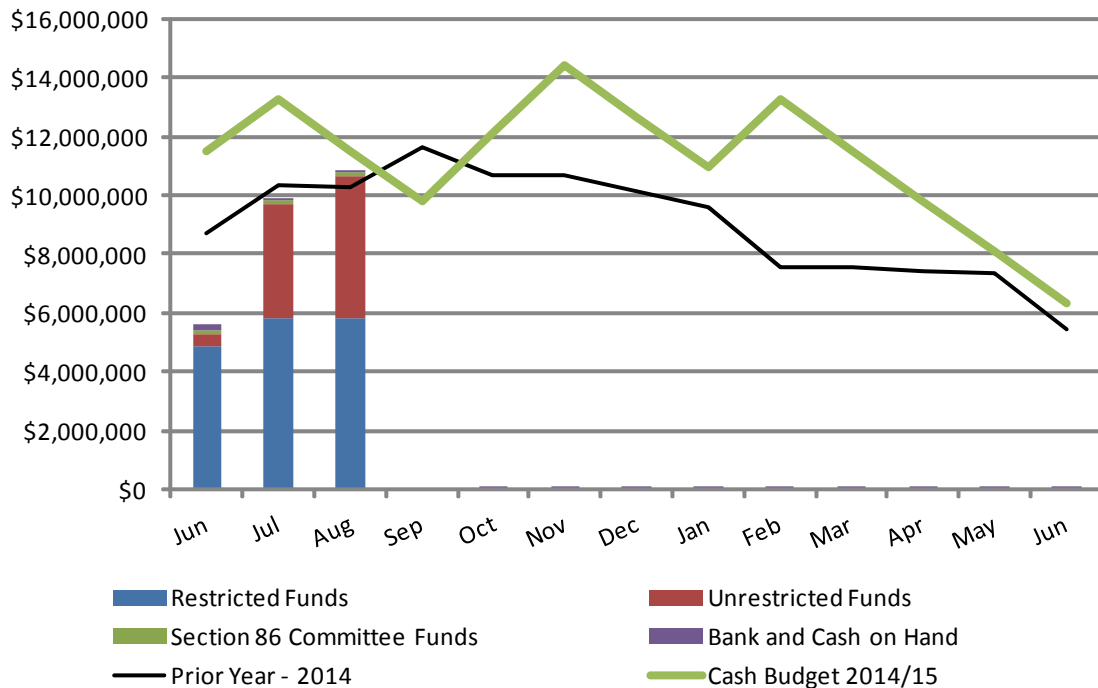
	\$'000
Recurring	
Country Roads and Bridges	1,000
VGC General Purpose Funding	572
VGC Local Roads Funding	343
Corryong Pre School	32
Maternal and Child Health	23
Tallangatta Pre School	19
Berringa Pre School	16
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
State Emergency Service Mitta	7
<b>Total Recurring Grants</b>	<b>2,038</b>
Competitive and Non-Competitive	
Tallangatta Multi-sport Precinct	68
Magorra Park (DSE)	50
Cudgewa Multi Purpose Facility (DSE)	23
L2P Program	23
Tallangatta Neighbourhood House	10
Community Access	6
Freeza Funding	6
Comm Health & Wellbeing	2
<b>Total Competitive and Non-Competitive Grants</b>	<b>188</b>
<b>Total Grants Received</b>	<b>2,226</b>

## CASH POSITION

### *Cash on Hand*

The cash position moved during the month as detailed below:

	Current Month	Prior Month	Variance	
	Aug-14	Jul-14	\$	%
	\$	\$	\$	%
Unexpended Grants	4,788,998	4,779,364	9,634	0.2%
Provisions and reserves	1,034,999	1,037,019	(2,020)	-0.2%
<b>Restricted Funds</b>	<b>5,823,997</b>	<b>5,816,383</b>	<b>7,614</b>	<b>0.1%</b>
Unrestricted Funds	4,827,016	3,876,770	950,246	24.5%
Section 86 Committee Funds	124,679	124,679	-	0.0%
<b>Total Investments</b>	<b>10,775,692</b>	<b>9,817,832</b>	<b>957,860</b>	<b>9.8%</b>
Bank and Cash on Hand	975	975	-	0.0%
<b>Total Cash</b>	<b>10,776,667</b>	<b>9,818,807</b>	<b>957,860</b>	<b>9.8%</b>
Average Interest Rate	4.02%	4.06%		



### Restricted Funds

	\$'000
Unexpended Grants	
Country Roads and Bridges	1,342
Tallangatta Integrated Community Centre	1,265
LG Infrastructure Projects	1,179
Magorra Park (DSE)	232
Library	93
Local Gov Business Collaboration (A Maclean)	62
Tallangatta Neighbourhood House	62
Upper Murray 2030 Vision	59
Community Access	58
Municipal Emergency Response Program	50
Flood Recovery (Community projects)	47
Children Services Review	45
Towong Racecourse (DSE)	45
Our Valley Our Future	45
Flood Recovery Officer	44
Cudgewa Rec Reserve	42
Weed Project	36
L2P Program	23
Improving Liveability of Older People	19
The Narrows Project	13
Bushfire Management Overlay	13
Freeza Funding	11
Caravan Park Masterplan	3
Fire Access Track Maintenance	2
<b>Total Unexpended Grants</b>	<b>4,789</b>
Provisions and Reserves	
Long Service Leave	802
Landfill Rehabilitation	232
<b>Total Provisions and Reserves</b>	<b>1,034</b>
<b>Total Restricted Funds</b>	<b>5,823</b>

**Investments**

Investments were made up of the following at the month end:

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
17/06/2014	Term Deposit	CommInvest (CBA)	1,000,000	3.50%	90 Days	A1+	17/09/2014
22/07/2014	Term Deposit	NAB	2,000,000	3.58%	180 Days	A1+	20/01/2015
11/09/2014	Term Deposit	Bank of Queensland	1,000,000	3.50%	181 Days	A2	11/03/2015
12/09/2014	Term Deposit	ING Bank	1,000,000	3.50%	180 Days	A2	11/03/2015
26/03/2014	Term Deposit	WAW	800,668	3.55%	90 Days		26/09/2014
N/A	Online Saver	ANZ	3,217,593	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	135,588	4.68%	N/A		N/A
<b>Total Investments</b>			<b>8,153,849</b>				

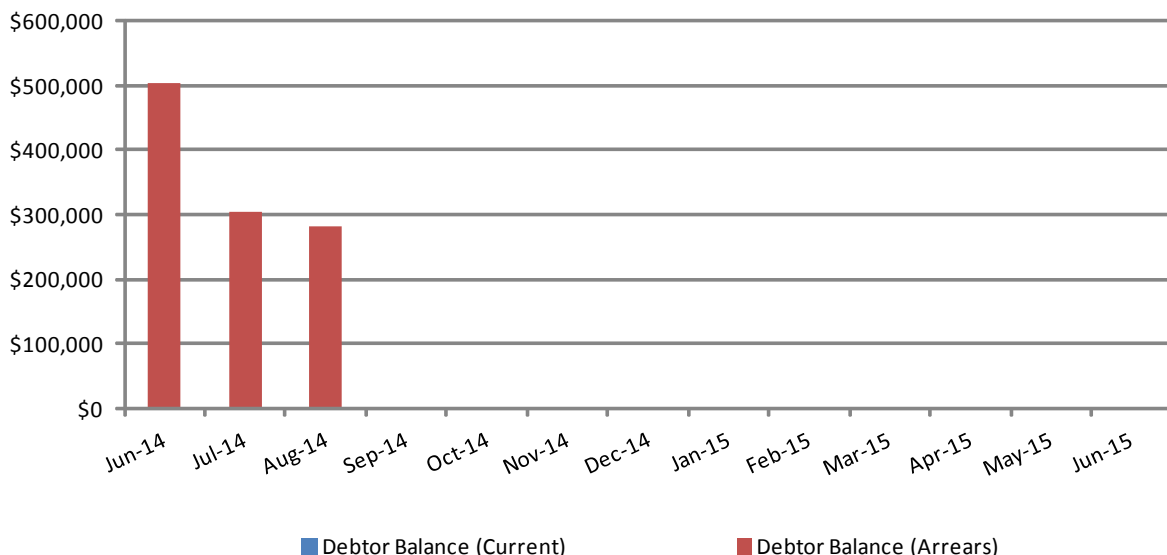
Table 4: Investments at month end

**RECEIVABLES**

*Rates, Municipal Charge, Waste Management Charge and Waste Collection Charge*

The breakdown of rates received for the current month and year-to-date is shown in the following table and graph:

Rates, charges and FSPL Debtors	Amount	Received	% Collected	Received	Collected	Balance
	\$	Aug-14	Aug-14	YTD	YTD	Outstanding
	\$	\$	%	\$	\$	\$
Levied 2014/15	-	-	0.0%	-	0.0%	-
Arrears prior to 2014/15	502,975	23,877	4.7%	221,264	44.0%	281,710
<b>Total Charges</b>		<b>23,877</b>		<b>221,264</b>		<b>281,710</b>

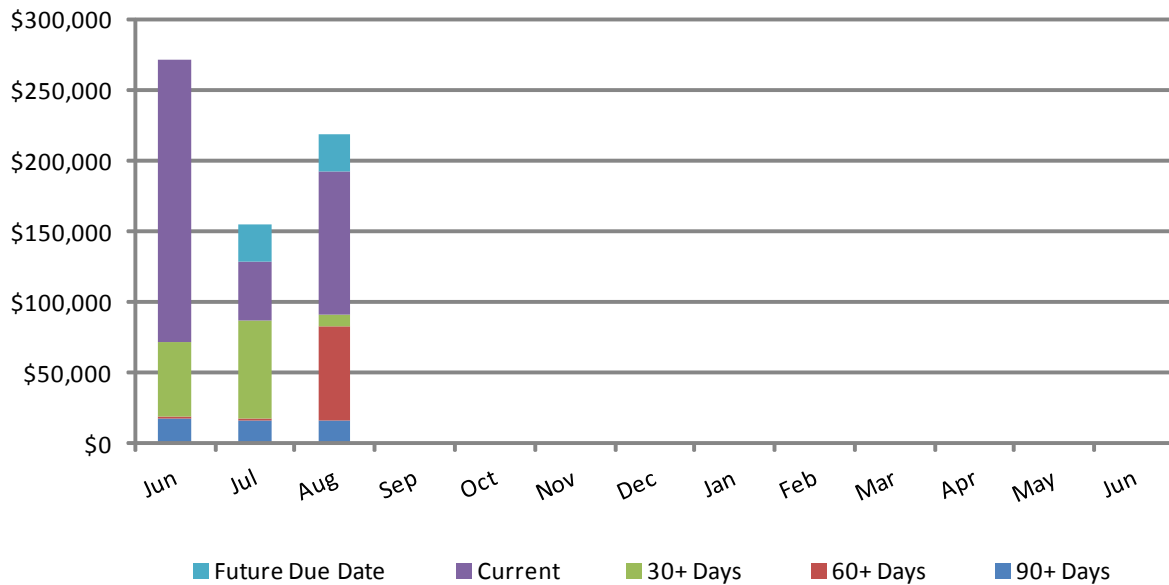


Rates and charges for 2014/15 will be levied in September 2014.

*Sundry Debtors*

The Sundry Debtors outstanding at month end and the movement from the prior month is shown below:

Sundry Debtors	Future Due Date	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
<b>August 2014</b>	25,953	100,886	8,297	67,238	16,141	218,515
<b>July 2014</b>	25,953	42,742	69,418	341	16,723	155,177
<b>Movement</b>	-	58,145	(61,121)	66,897	(582)	63,338



Significant debtors (>\$1,000) with ageing of greater than 90 days are as follows:

Debtor	Amount	Description	RO	Notes
Debtor 18925	\$3,500	Community Group Loan	JS	The long term binding payment agreement has not yet been signed but making payments within terms. Paying \$500 per annum. \$500 received June 2014.
Debtor 17007	\$2,950	Infringement Notice	JS	Debt undergoing review.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	JS	Debt undergoing review.

Table 6: Significant debtors > 90 days

## LOCAL ROADS

### *Local Roads and Bridges Capital Works*

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
402 Survey and Design		161	-	(161)	50,000
410 Road Construction		15,555	-	(15,555)	365,000
413 Storm Damage		-	-	-	-
416 Sealing		41,749	-	(41,749)	25,000
417 Resealing		-	-	-	675,000
420 Drainage Construction		1,838	-	(1,838)	30,000
421 Digouts		-	-	-	878,128
422 Resheeting		9,305	-	(9,305)	230,000
432 Footpaths		5,361	-	(5,361)	254,596
433 Kerb and Channel		1,167	-	(1,167)	166,504
442 Guardrails		-	-	-	16,000
450 Bridge Construction		58,481	-	(58,481)	1,054,926
<b>Total</b>		<b>133,617</b>	<b>-</b>	<b>133,617</b>	<b>3,745,154</b>

Table 7: Local Roads & Bridges – Capital Works (YTD)

### *Local Roads and Bridges Maintenance*

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
301 Inspections		105	-	(105)	-
302 Survey and Design		19	5,000	4,981	10,000
304 Pavement Maintenance		11,571	37,500	25,929	150,000
306 Grading		43,110	76,666	33,556	460,000
308 Shoulder Maintenance		15,408	16,666	1,258	100,000
310 Drainage Maintenance		14,496	28,334	13,838	170,000
324 General Roadside Maintenance		13,051	12,500	(551)	75,000
330 F/Path Maintenance		449	-	(449)	8,000
331 K and C Maintenance		-	-	-	5,000
334 Roadside Treatments		-	-	-	15,000
336 Signs Maintenance		937	2,000	1,063	16,000
338 Linemarking		-	-	-	10,000
340 Guideposts		1,430	1,166	(264)	7,000
342 Guardrail		583	-	(583)	5,000
346 Bridge Maintenance		1,241	4,764	3,523	28,584
<b>Total</b>		<b>102,400</b>	<b>184,596</b>	<b>82,196</b>	<b>1,059,584</b>

Table 8: Local Roads & Bridges - Maintenance (YTD)

**CR GADD  
CR SCALES**

**THAT THE FINANCE REPORT BE NOTED.**

**CARRIED**

## **9.2 Action Sheet Reports (06/05/0010-EA)**

Items requiring action from the 2 September 2014 ordinary meeting and the 16 September special meeting of Council are attached at Appendix 2.

**CR JOYCE  
CR SCALES**

**THAT THE REPORT BE NOTED.**

**CARRIED**

## **9.3 Council Plan Priorities (07/05/0022-DCCS)**

The monthly updates on the 2013-2017 Council Plan priorities are attached at Appendix 3 for information.

**CR GADD  
CR WORTMANN**

**THAT THE REPORT BE NOTED.**

**CARRIED**

## **9.4 Performance Reporting Graphs (DCCS)**

The Performance Reporting Graphs are attached at Appendix 4 for information.

**CR WORTMANN  
CR JOYCE**

**THAT THE REPORT BE NOTED.**

**CARRIED**



## **10 Community wellbeing**

The Community Wellbeing report is presented every second month. The next report is due in November 2014.

## **11 Asset management**

### **11.1 Works Schedule (DTS)**

The works scheduled for the period 30 August to 12 September 2014 is attached at Appendix 5 for information.

**CR SCALES  
CR WORTMANN**

**THAT THE REPORT BE NOTED.**

**CARRIED**

## **12 Land-use planning**

### **12.1 Section 173 Agreement – Wayne Robert McClinchie and Karyn Lesley Healy and Towong Shire Council (P128800-MP)**

Planning Permit 2014/012 provided consent for the use and development of Crown Allotment 12, Section 1, Parish of Colac Colac for the purpose of a dwelling. Condition 7 of the Planning Permit required a Section 173 Agreement to be registered on the Title of the land.

The Agreement indicates that the owner of Crown Allotment 12, Section 1, Parish of Colac Colac is required to maintain the access road to the satisfaction of the Responsible Authority (Council).

The Agreement as attached at Appendix 6 has now been drafted in accordance with the Planning Permit and needs to be signed and sealed.

**CR WORTMANN  
CR JOYCE**

**THAT THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL THE SECTION 173 AGREEMENT RELATING TO LAND KNOWN AS CROWN ALLOTMENT 12, SECTION 1, PARISH OF COLAC COLAC WHICH HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2014/012.**

**CARRIED**

### **13 Environmental sustainability**

No report.

### **14 Economic and tourism development**

The Economic Development report is presented every second month. The next report is due in November 2014.

### **15 Councillor reports**

#### **15.1 Timber Towns (Cr Gadd)**

A verbal report will be given at the meeting. (Supporting documents attached at Appendix 7.)

#### **15.2 North East Waste Resource Recovery Regional Forum (Cr Joyce)**

Verbal report

#### **15.3 Our Valley Our Future Tertiary Studies Information Evening (Cr Wortmann)**

Verbal report

#### **15.4 Municipal Emergency Management Planning (Cr Fraser OAM)**

Verbal report

#### **15.5 Deputy Premier's Regional Growth Fund Dinner (Cr Fraser OAM)**

Verbal report

**15.6 Sport and Recreation Victoria Annual Regional Achievement Dinner (Cr Fraser OAM)**

Verbal report

**15.7 ACSUM Working Party (Cr Fraser OAM)**

Verbal report

**15.8 Henty Field Days (Cr Fraser OAM)**

Verbal report

**15.9 Wyeeboo Recreation Reserve Project Steeting Committee (Cr Fraser OAM)**

Verbal report

**15.10 Victorian Election Candidates Meeting (Cr Fraser OAM)**

Verbal report

**CR GADD  
CR JOYCE**

**THAT THE REPORTS BE NOTED.**

**CARRIED**

**16 Urgent business**

**CR JOYCE  
CR WORTMANN**

**THAT ONE ITEM OF URGENT BUSINESS IN RELATION TO THE COLAC COLAC CARAVAN PARK BE ADMITTED AND CONSIDERED AS A CONFIDENTIAL ITEM AT SECTION 21 OF THE AGENDA.**

**CARRIED**

## **17 Committee minutes**

### **17.1 MAV State Council Meeting**

The Municipal Association of Victoria's State Council meeting is to be held on Friday, 24 October 2014. Cr Mary Fraser OAM is unable to attend and has nominated Cr David Wortmann as her proxy. According to the MAV articles of association, a formal nomination must be passed at an ordinary meeting of Council.

**CR GADD  
CR SCALES**

**THAT CR WORTMANN BE APPOINTED AS PROXY FOR CR JOYCE FOR THE MAV STATE COUNCIL MEETING SCHEDULED FOR 24 OCTOBER 2014.**

**CARRIED**

## **18 Occupational health and safety**

### **18.1 OHS Committee (06/04/0212-DCCS)**

The unconfirmed minutes of the meeting held on 4 September 2014 are attached at Appendix 8 for information.

**CR GADD  
CR JOYCE**

**THAT THE UNCONFIRMED MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 4 SEPTEMBER 2014 BE NOTED.**

**CARRIED**

## **19 Council policies (10/01/0007-CEO)**

The following policies were tabled for review at the 5 August 2014 Council meeting and are presented at Appendix 9 for adoption. **Please note that recommended changes are shown in red.**

- Community use of Council Meeting Spaces and Facilities (DCCS)
- Debt Collection (AA)
- Young Person Award (EA)
- Workplace Bullying and harassment (DCCS)

The Street Stalls and Raffles Policy was tabled for review at the 2 September 2014 Council meeting and is presented at Appendix 10 for adoption. **Please note that recommended changes are shown in red.**

- Street Stalls and Raffles (DCCS)

**CR JOYCE  
CR WORTMANN**

**THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:**

- **COMMUNITY USE OF COUNCIL MEETING SPACES AND FACILITIES**
- **DEBT COLLECTION**
- **YOUNG PERSON AWARD**
- **WORKPLACE BULLYING AND HARASSMENT**
- **STREET STALLS AND RAFFLES**

**CARRIED**

The following policies are attached at Appendix 11 for review. Councillors are requested to provide feedback on the policies to the Responsible Officer by 11 November 2014.

- Fraud and Corrupt conduct (CEO)
- Fraud, Corrupt Conduct and Conflict of Interest Reporting Procedure (DCCS)
- Protected Disclosure (DCCS)
- Social Media (DCCS)

## **20 Sealing of documents**

No documents require sealing.

## **21 Confidential**

In accordance with S77(2) information is 'confidential information' if:

(a) the information was provided to the Council or a special committee in relation to a matter considered by the Council or special committee at a meeting closed to members of the public and the Council or special committee has not passed a resolution that the information is not confidential; or

(b) the information has been designated as confidential information by a resolution of the Council or a special committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or special committee has not passed a resolution that the information is not confidential; or

(c) subject to sub-section (3), the information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential.

In accordance with Section 89(2) and 89(3) of the Local Government Act 1989,

(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

(3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting

**CR GADD  
CR JOYCE**

**THAT THE MEETING BE CLOSED TO THE PUBLIC THE TIME BEING 10.45 AM TO CONSIDER INFORMATION CONSIDERED UNDER SECTION 89(2)(d) OF THE LOCAL GOVERNMENT ACT TO BE CONFIDENTIAL.**

**CARRIED**

**CR JOYCE  
CR SCALES**

**THAT THE MEETING BE REOPENED TO THE PUBLIC THE TIME BEING 10.53 AM.**

**CARRIED**

### **21.1 Towong Grandstand Restoration Project (02/08/0096-DCCS)**

**CR WORTMANN  
CR GADD**

**THAT COUNCIL:**

- 1. REQUEST THE TOWONG TURF CLUB MEET ANY ADDITIONAL COSTS (ABOVE THE VALUE OF \$230,370) OF THE PROJECT;**
- 2. SUBJECT TO AGREEMENT FROM THE TOWONG TURF CLUB:
  - A. ACCEPT THE QUOTATION RECEIVED FROM CENTRO HOME AND OFFICE MAINTENANCE FOR THE TOWONG GRANDSTAND RESTORATION PROJECT (\$186,500 + GST); AND**
  - B. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO SIGN AND SEAL THE CONTRACT FOR THE TOWONG GRANDSTAND RESTORATION PROJECT WITH CENTRO HOME AND OFFICE MAINTENANCE.****

**CARRIED**



## 21.2 Colac Colac Caravan Park (08/01/0084-CEO)

**CR JOYCE  
CR SCALES**

**THAT:**

- 1. COUNCIL APPROVE THE CONSENT TO SECURITY AND RIGHT OF ENTRY TO LEASED PREMISES SUBJECT TO THE AMENDMENT OF ITEM 1 OF SCHEDULE 1; AND**
- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL THE CONSENT TO SECURITY AND RIGHT OF ENTRY TO LEASED PREMISES DOCUMENT.**

**CARRIED**

There being no further business the meeting closed at 10.58am.

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**Cr Mary Fraser OAM 11 November 2014**