



Colac Otway
SHIRE

COUNCIL MEETING

MINUTES

Wednesday 14 December 2022

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac

Next Council Meeting: 22 February 2022



COLAC OTWAY SHIRE COUNCIL MEETING

Wednesday 14 December 2022

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COLAC OTWAY SHIRE COUNCIL MEETING

MINUTES of the **COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at COPACC on
Wednesday 14 December 2022 at 4:00 PM.

MINUTES

1 DECLARATION OF OPENING OF MEETING

OPENING PRAYER

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

AMEN

2 PRESENT

Cr Chris Potter (Mayor)
Cr Jamie Bell
Cr Graham Costin
Cr Kate Hanson
Cr Stephen Hart
Cr Margaret White

Anne Howard, Chief Executive Officer
Andrew Tenni, General Manager Corporate Services
Ian Seuren, General Manager Community and Economy
Frank Castles, City Deals Project Director
Marlo Emmitt, Manager Governance and Communications
Lyndal McLean, Coordinator Council Business

3 APOLOGIES AND LEAVE OF ABSENCE

Cr Joe McCracken

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Kate Hanson

That Council accepts Cr Joe McCracken's apology for the 14 December 2022 Council meeting.

CARRIED 6 : 0

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

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

RECORDING AND PUBLICATION OF MEETINGS

Please note: All Council meetings will be live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

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

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

This meeting was livestreamed to the public via Council's YouTube channel (search Colac Otway Shire Council at www.youtube.com).

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. Question time is not a forum for public debate or statements.

QUESTIONS RECEIVED IN WRITING PRIOR TO THE MEETING

James Judd

1. **Why did the Colac Otway Shire Council, when it issued the glass only bins, not state facts about what was to be put in this bin? You should have stated 'glass containers only' not 'glass only' since all glass is glass. So by the instructions any [glass] is permitted. To say 'no lids only' says as long as no lids put in this bin, all glass can go in there. Not all glass containers have plastic or solid lids. Do not forget some people put jam into bottles or jars without solid lids. Some people still produce their own jams, sauces and chutneys and bottle them.**

Response from General Manager Infrastructure and Operations

When Council rolled out the fourth glass only bin, a comprehensive educational flyer was attached to each purple bin, informing residents on what types of glass is accepted in the new

purple glass bins. All lids from the glass bottles and jar can be placed in the yellow recycle bin for recycling. A copy of the purple bin flyer that was attached to each bin explaining what glass is accepted in the purple bin, is available on request. Please note the Council Goodsort App also explains what goes in each bin.

- 2. When the Colac Otway Shire Council accepts cash in lieu of land from property developers, why does it not spend this money promptly in providing open space in a region accessible from that land site? Not a distance away or when transport is required to access the land provided. We have a need for open space as soon as an area is opened up and occupied.**

Response from General Manager Community and Economy

When Council accepts cash in lieu of land from property developers, it goes into a Public Open Space Reserve. The reserve is divided into geographic areas which enables Council to expend money from the reserve in the general area where the developer contributions came from. It can take some years for the Public Open Space Reserve to accumulate enough money to purchase new and/or develop existing public open space.

Funds are typically spent at a time when they are needed, and the timing can dependent on:

- When an appropriate area for future or existing open space is ready for development.
- When an area of land is identified and/or available for purchase.
- The need to develop masterplans for the relevant open space to ensure it meets the needs of the community members who will use it.

- 3. When will the Colac Otway Shire Council use proper English when it puts notices in the press, not claim 'everyone is welcome to attend the meeting', then add 'only those requested to speak are permitted to participate in the meeting'? Since everyone who attends a meeting is a participant in the meeting, even if they never requested to speak. So you must state 'only those who had requested to speak are allowed to speak at the meeting'.**

Response from Manager Governance and Communications

Thank you for your feedback Mr Judd. We are happy to review the wording for future notices.

- 4. As unlikely that it would ever happen but it could happen sometime in the future, does the Colac Otway Shire Council have a fall back available, if, when a casual vacancy exists between Council elections, you discover that none of the defeated candidates at the prior Council elections are now able to accept the office as a Councillor? So a countback of the previous election results would result in no one appointed to fill a vacancy. No one elected and serving as a Member of Parliament or deceased is able to hold office, when only a few Council terms back a candidate at an election died during the term of that Council and a casual vacancy was filled on a countback after their death.**

Response from Manager Governance and Communications

If an extraordinary vacancy cannot be filled by a countback, the election manager must notify the Chief Executive Officer of the Council and a by-election must be held to fill the extraordinary vacancy.

5. Why did the Colac Otway Shire Council give a definite undertaking in writing that it would fix the footpath outside the Council operated baby health centre in Queen Street, Colac during the 2021-22 financial year then fail to do anything? Now we are over five months into the next financial year with nothing done. You were advised of the cracked and very dangerous holes in sections of this footpath long ago that could call bad falls. You need to do a visual check and not rely on machinery feedback.

Response from General Manager Infrastructure and Operations

Council replaced 4.5 m length of footpath on Queen Street, adjacent to the Maternal Health Care Centre, in the 2021-22 financial year.

Additionally the Colac Otway Shire completed other minor repairs to the footpath in Queen Street.

All of the footpath in Queen Street is now within specification of Council Road Management Plan.

Lyn Russell

At the request of parents who contacted me because of the state that COPACC was in, on Saturday after the contracted cleaners had cleaned floors including the carpets, I wish to submit the following questions to be tabled and answered at the Council Meeting on Wednesday, 12 December 2022.

Rise Dance Academy had booked the venue for Saturday afternoon with 100 plus children participating and their parents, friends and relatives attending.

1. The officer that signed off on the cleaning of COPACC on Saturday morning – did they check bookings for the venue first and will they take responsibility for the mess?
2. Will the Council apologize to Rise Dance Academy's Chloe and Luke Gibson for the condition that COPACC was in when they had hired the venue for the Rise Dance Academy Concert?
3. Will Council thank the parents who manned the mops to mop up the floors so 100 plus children could have a safe environment for their concert?
4. Why did the General Manager (who was playing cricket) not arrange extra staff to help the one staff who was left to clean up the mess, taping down carpet on her hands and knees and got saturated while still attending her other duties on the day?
5. Will or did the Council express appreciation to that staff member (who didn't complain, didn't blame anyone but kept working her butt off to make the area safe so the concert could go ahead) and make sure that staff member is supported and thanked.
6. Will the Council not charge Rise Dance Academy for cleaning or hire fee?
7. What will the Council do to prevent such an embarrassing situation occurring again?

Response from General Manager Community and Economy

In response to the series of questions, Council provides the following response. Officers were well aware of the bookings scheduled for COPACC on the weekend of the 2, 3 and 4 December 2022 and communicated this to Council's cleaning contractor. Council's cleaning contractor was scheduled to undertake the steam cleaning of COPACC floors on Sunday, 4 December 2022 when there were no scheduled bookings of the facility. Unfortunately the carpet cleaning was mistakenly undertaken on the morning of 3 December 2022, which impacted the hirer of the facility. Council has had discussions with its cleaning contractor to ensure that this issue doesn't occur again.

The COPACC staff member on duty, along with another Council staff member and with the assistance of parents associated with the hirer, were able to rectify the issue to ensure the performance could continue. Council has expressed its appreciation to all staff and others involved in assisting on the day, particularly our COPACC officer who worked tirelessly to ensure the performance could go ahead.

Council has apologised to Rise Dance Academy for the impact this issue had on their use of the facility, and is in discussions with the hirer regarding hire fees and will determine a relevant charge taking into considerations the issues experienced.

Council would like to take the opportunity to encourage members of the public that have concerns to raise these through with Council. Council is committed to providing excellent service to our community. Submitting a complaint is a way to let us know that you are dissatisfied with the quality of an action taken, decision made, or service provided by Colac Otway Shire or its contractor, or a delay or failure in providing a service, taking action, or making a decision by an agency or its contractor.

Assessing complaints and understanding customer experiences is an important way of assisting Council to improve our services in the future.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

Alan Billing

- 1. On page eight of today's agenda is a cost benefit analysis of the Visitor Information Centre. Has the Bluewater [Leisure Centre] operations been subjected to the same cost benefit analysis and what was the result and would Council be prepared to provide the community with the same cost benefit analysis of all its services including the \$26,000 paid to a dodgy overseas carbon offset scheme?**

Response from General Manager Community and Economy

In regards to Bluewater [Leisure Centre], prior to COVID, we had looked at the cost per usage which was around three dollars per visit. In regards to other services, we haven't undertaken that level of assessment. What we have done at Bluewater [Leisure Centre] as well, is undertaken a business plan to look at opportunities to increase visitation while making the facility more efficient. In terms of the other question around carbon offsets, I will pass that to the Chief Executive Officer to make a comment.

Response from Chief Executive Officer

Thank you Mr Billing, for your interest in the carbon offsets. That matter was addressed in the Chamber and it had a supporting report attached to the item when Council considered it and that would be the extent of the information that we have available.

Brendan Stahl

- 1. Sometime back, months ago, I had a conversation with Councillor Hanson and she mentioned she'd be interested in the reintroduction of the Garden Awards. Has there been any decision on this at all?**

Response from Chief Executive Officer

I don't think I'm in a position to answer as I wasn't privy to the conversation, so I'm not sure.

Response from Councillor Hanson

I can't remember the conversation but I know there was a group interested and maybe that was the conversation we were having. I know there was somebody out at Birregurra who was interested but not as far as Council getting it up again.

Right, so you weren't looking at it as a Council thing?

Response from Councillor Hanson

No. I can't quite recall the conversation but I definitely know I was chatting to someone out at Birregurra who was interested in potentially starting it up again.

- 2. Why don't the Colac Otway Shire [Council] advertise and promote this area with television ads, as does neighbouring councils like; Corangamite, Warrnambool, Hamilton and the Grampians?**

Response from General Manager Community and Economy

It's a really good question Mr Stahl. Advertising on television is quite expensive and what you'll find is that the advertising is done at a local level so it's [specific] to that region. You're essentially advertising to your own community and maybe slightly further. It doesn't go into Melbourne markets or into other markets. That's one of the key reasons why we don't use that medium [television advertising] at this point in time.

- 3. When the Council officer Andrew Hodges phoned myself, and I presumed he phoned others which I know he did, how many stated that they are willing to volunteer at the Visitor Information Centre as there only needed to be 28 people to volunteer to open the centre seven days a week?**

Response from General Manager Community and Economy

In regards to the petition a number of people did provide contact details that were interested in volunteering and we have tried to make contact with the 33 signatories that provided their phone number. We spoke to 25; five said they no longer wish to volunteer, 12 would consider volunteering less than once a week, eight would consider volunteering once a week or more.

I actually counted 55 that left their contact details so obviously not everybody was contacted. I'd just like to make another comment too. At one stage in my 14 years of volunteering at the Visitor Information Centre, the coordinator Debbie Frizon was unwell and I opened and closed that Centre myself obtaining the key from the [Colac] Police Station.

Response from Mayor

Thanks Mr Stahl. I remember that arrangement.

Charles Stephenson

1. Good afternoon my name's Charles Stephenson. I have ahead of me here your statement about volunteers opening the [Visitor] Information Centre. Now it states here that the [Visitor] Information Centre was first opened and run by volunteers very efficiently. Why can't that happen again when Council states that they need a period of time to require recruitment and training of staff? The volunteers would know more about Colac and district, probably forgot more about Colac and district and the history, than any of your trained staff will ever know.

Now we have a Council here in front of us that were elected by the rate payers to look after the rate payers, not the establishment.

Response from Mayor

Thank you, I heard your question Mr Stephenson.

Well as far as I'm concerned a tip truck couldn't cart the rubbish that's in here, thank you.

Elizabeth Ryan

1. I have a question about the Public Transport Victoria bus timetable for Colac to Lorne and would like to know what Colac Otway Shire [Council] would be doing for this upcoming period timetable? If they're going to be able to promote it for us please?

Response from Chief Executive Officer

Thank you Ms Ryan for your question. I'm going to take that one on notice because Public Transport Victoria is a State Government responsibility. We're happy to take that question, see what we can find out and come back to you.

Thank you, we're just pre-empting that they don't promote it early enough, because it starts this Friday.

2. My second question is regarding the Surf Coast Shire's proposed reduction of the speed limit on the Cape Otway Road to 80 kilometres per hour, from Moriac Township to Salt Creek Lane, which is the Shire boundary, which was eloquently put in the Colac Herald today but didn't actually mention it was to the Colac Otway Shire boundary. It's 30 kilometres of road that'll be 80 kilometres per hour in this proposal and I've actually sent emails about it, thank you.

Response from Mayor

Did you have a specific question or were you just bringing it to our attention again?

I'd like to know what Colac Otway Shire Council was going to do about it please, from your perspective, and what's going to happen to Conns Lane and Cape Otway Road with that impact and how people are going to then get to Apollo Bay, et cetera.

Response from Chief Executive Officer

Thanks Ms Ryan. I have seen the subject line of the email but I haven't had a chance to open it and we have an acting General Manager in that area today and Mr Castle also hasn't [seen it]. We'll come back to you as quickly as we can in writing.

This survey closes on the 18 [December] so we won't have much time.

Response from Chief Executive Officer

I haven't read the email yet so can't respond.

Kane Leersen

1. **The Visitor Information Centre obviously represents a unique history with a clear connection to our community. The community element obviously introduces a complex political element for the Shire to deal with. Out of curiosity, just chatting to Alan Billing, before the project you've been a critical driver in the project over the years. Do you support from your perspective, a collaborative approach to our energising the space with private and public interests?**

If we broaden our perspective and consider visitor information centres across Australia and New Zealand, there's a strong precedence of privatised involvement. Is there any legislation that inhibits a privatised element from being associated with a visitor information centre within the Otway Shire under Colac Otway Shire bylaws?

Response from Chief Executive Officer

I appreciate your questions Mr Leersen but they're probably, timing wise, a little bit premature because Council will be discussing this very thing. Officers have made a recommendation that recognises private enterprise and other entities as being potentially part of the way forward but we don't want to pre-empt what Council's debate and decision might be, so I'd rather not go any further into our position.

That's fine. We'll wait to see the outcome of the debate.

6 PETITIONS / JOINT LETTERS

Nil

7 DECLARATIONS OF INTEREST

Nil

8 CONFIRMATION OF MINUTES

- Council meeting held on 23 November 2022

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Kate Hanson

That Council confirm the minutes of the Council meeting held on 23 November 2022.

CARRIED 6 : 0

Item: 9.1

Petition - Visitor Information Centre

OFFICER	James Myatt
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy
ATTACHMENTS	Nil

RECOMMENDATION

That Council:

1. *Notes the petition received from members of the community seeking the opening of the Colac Visitor Information Centre seven days per week.*
2. *Acknowledges the community support in originally building the facility and providing volunteer support over many years.*
3. *Continues to operate the Colac Visitor Information Centre two days per week, being a Friday and Saturday.*
4. *Commits to undertake a Colac Visitor Servicing Review in the first half of 2023 and provide a report to a future Council meeting informed by:*
 - a. *Engagement with external organisations interested in delivery of visitor services from the Colac Visitor Information Centre.*
 - b. *Community consultation regarding potential options for delivery of visitor serving in Colac.*

RESOLUTION

MOVED Cr Graham Costin, SECONDED Cr Kate Hanson

That Council:

- 1. Notes the petition received from members of the community seeking the opening of the Colac Visitor Information Centre seven days per week.*
- 2. Acknowledges the community support in originally building the facility and providing volunteer support over many years.*
- 3. Opens Colac Visitor Information Centre seven days a week from 19 December 2022 to 31 January 2023 excluding Christmas Day, before reviewing opening hours for the remainder of the year.*
- 4. Commits to commence a Visitor Servicing Review in the first quarter of 2023 and provide a report to a future Council meeting that explores partnerships with external agencies including private sector parties to deliver visitor services at one or both of Council's two visitor information centres, and includes the outcomes of community consultations.*

CARRIED 6 : 0

Item: 9.2

Project budget adjustments and cash reserve transfers

OFFICER	Anne Howard
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

RESOLUTION

MOVED Cr Margaret White, SECONDED Cr Kate Hanson

That Council:

- 1. Approves the new projects as presented in Tables 1 and 2 of this report, at a total cost to Council of \$150,000 (exc. GST).*
- 2. Approves the project budget adjustments in Table 3 of this report, with a net result of unallocated funds of \$150,000 (exc. GST).*

CARRIED 6 : 0

Item: 9.3

Contract 2302 Sportsground Lighting at Elliminyt Recreation Reserve (Design and Construct) - Tender Award

OFFICER	Paula Gardiner
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy
ATTACHMENTS	Nil

RESOLUTION

MOVED Cr Margaret White, SECONDED Cr Kate Hanson

That Council:

- 1. Awards Contract 2302 – Design and Construct Elliminyt Sportsground Lighting Upgrade, based on the revised scope of the project which removes the perimeter pathway lighting, to P & V Newell Electrical Contractors Pty Ltd for a total contract value of \$375,070 (exclusive of GST).*
- 2. Authorises the Chief Executive Officer to sign the contracts following award of Contract 2302 Design and Construct Elliminyt Sportsground Lighting Upgrade.*
- 3. Authorises the Chief Executive Officer to perform all roles of the Principal.*
- 4. Authorises the General Manager Infrastructure and Operations as the Superintendent for Contract 2302 including managing variations in accordance with the contract conditions.*
- 5. Notes that unsuccessful tenderers will be advised of this decision and the relevant contract details will be published on Council's website.*

CARRIED 6 : 0

Item: 9.4

Lake Colac Foreshore Basketball Facilities

OFFICER	Ian Seuren
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy
ATTACHMENTS	Nil

RECOMMENDATION

That Council:

- 1. Provides in-principle support for the installation of a basketball backboard and minor surface works on the Lake Colac Foreshore at the west end of the Country Fire Authority running track.*
- 2. Notes that the proposed installation of a basketball backboard is broadly consistent with the Lake Colac Foreshore Master Plan 2016-2026, which identifies the area as a location for a future playspace.*
- 3. Notes that this in-principle support does not imply or give support for any statutory approvals that may be required, and that any required approvals and/or consents will be required to be obtained by the project proponents.*
- 4. Notes that Council is not a financial contributor to the project however the installed facility will become Council's asset.*

RESOLUTION

MOVED Cr Kate Hanson, SECONDED Cr Margaret White

That Council:

- 1. Provides in-principle support for the installation of a basketball backboard and minor surface works on the Lake Colac Foreshore at the west end of the Country Fire Authority running track.*
- 2. Notes that the proposed installation of a basketball backboard is broadly consistent with the Lake Colac Foreshore Master Plan 2016-2026, which identifies the area as a location for a future playspace.*
- 3. Notes that this in-principle support does not imply or give support for any statutory approvals that may be required, and that any required approvals and/or consents will be required to be obtained by the project proponents.*
- 4. Notes that Council is not a financial contributor to the project however the installed facility will become Council's asset.*
- 5. Notes that an installation of a basketball ring in this location will in no way prevent the future relocation of the CFA running track if and when funds become available to undertake such a project.*

CARRIED 6 : 0

Item: 9.5

Appointments to Committees and external organisations and rescheduling of March 2023 Council meeting

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

RECOMMENDATION

That Council:

- Appoints Councillors to committees and external organisations as outlined below:*

Committee name	Councillor Representative/s
Committees Established by Council/Colac Otway Shire	
Audit and Risk Committee	Cr Margaret White and Cr Kate Hanson
Central Reserve Advisory Committee	Cr Chris Potter
Colac Municipal Aerodrome Advisory Committee	Cr Jamie Bell
Colac Regional Saleyards Advisory Committee	Cr Jamie Bell
Friends of the Colac Botanic Gardens Advisory Committee	Cr Margaret White
Lake Colac Coordinating Committee	Cr Graham Costin and Cr Jamie Bell
COPACC Trust	Cr Margaret White
Mooleric Road Quarry Consultative Committee	Cr Jamie Bell
Ondit Quarry Consultative Committee	Cr Jamie Bell
Port of Apollo Bay Consultative Committee	Cr Chris Potter
Weeds Consultative Committee	Cr Jamie Bell
External Committees and other bodies	
Australian Local Government Association (ALGA)	Cr Kate Hanson Cr Graham Costin (sub representative)
RoadSafe Otway	Cr Chris Potter

Committee name	Councillor Representative/s
G21 Region Alliance (Board)	Cr Chris Potter
Municipal Association of Victoria	Cr Stephen Hart Cr Kate Hanson (sub representative)
Rural Councils of Victoria	Cr Kate Hanson Cr Chris Potter (sub representative)
Rural Financial Counselling Service Vic – Wimmera Southwest (RFC)	Cr Kate Hanson
SouthWest Victoria Alliance (Board)	Cr Chris Potter
Timber Towns Victoria Committee	Cr Chris Potter
G21 Pillar Membership – Culture and Economic Development	Cr Kate Hanson
G21 Pillar Membership – Health and Wellbeing	Cr Margaret White
G21 Pillar Membership – Sustainability	Cr Stephen Hart
G21 Pillar Membership – Managing Growth Advisory Group	Cr Graham Costin

2. *Notes that all Councillors are appointed to the Planning Committee, Submissions Committee and Chief Executive Officer Employment Matters Advisory Committee as set out in their respective Terms of Reference.*
3. *Notes that there is no proposed change to the current appointment (Cr Stephen Hart) to the Geelong Regional Library Corporation.*
4. *Endorses the Chief Executive Officer as the nominated Council Officer on the boards of G21 Region Alliance and SouthWest Victoria Alliance.*
5. *Resolves to change the date of the March 2023 Council meeting from Wednesday 22 March to Wednesday 29 March 2023 and notes that the commencement time of 4pm remains unchanged.*

The recommendation was revised as detailed below.

RESOLUTION

MOVED Cr Stephen Hart, **SECONDED** Cr Graham Costin

That Council:

- 1. Appoints Councillors to committees and external organisations as outlined below:**

Committee name	Councillor Representative/s
Audit and Risk Committee	Cr Margaret White and Cr Kate Hanson
G21 Region Alliance (Board)	Cr Chris Potter
SouthWest Victoria Alliance (Board)	Cr Chris Potter

- 2. Notes that all Councillors are appointed to the Planning Committee, Submissions Committee and Chief Executive Officer Employment Matters Advisory Committee as set out in their respective Terms of Reference.**
- 3. Notes that other Councillor appointments from 24 November 2021 Council meeting and G21 Pillars from 27 July 2022 Council meeting will remain in place until Council determines new appointments.**
- 4. Considers appointments to other committees at the February 2023 Council meeting.**
- 5. Endorses the Chief Executive Officer as the nominated Council Officer on the boards of G21 Region Alliance and SouthWest Victoria Alliance.**
- 6. Resolves to change the date of the March 2023 Council meeting from Wednesday 22 March to Wednesday 29 March 2023 and notes that the commencement time of 4pm remains unchanged.**

CARRIED 6 : 0

Item: 9.6
Community Asset Committee Appointments and Progress Report

OFFICER	Janine Johnstone
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	Nil

RECOMMENDATION

That Council:

- Appoints the following members to Community Asset Committees as listed and advised 28 November 2022:*

<p>Alvie Recreation Reserve Purpose – to manage the Alvie Recreation Reserve</p>	<p>Peter Delahunty Damien Fleming John Miller Noel McKay Barry Parker Neil Cook Peter Holland</p>
<p>Barongarook Hall and Tennis Purpose – to manage the Barongarook Hall and Tennis Courts</p>	<p>Tim Fifis Cathy Thompson Melissa Smith Daryl Langdon Matt Daniels</p>

<p>Beech Forest Hall Purpose – To manage the Beech Forest Hall</p>	<p>Jacqueline Langley Scott McAllester Rob Henry Natalie Murray Anthony Zappeli Jacqueline Zappeli Simon Williamson Linda Perkins</p>
<p>Beech Forest Recreation Reserve Purpose - To manage the Beech Forest Recreation Reserve</p>	<p>Jacqueline Langley Rory Harrington</p>
<p>Birregurra Public Hall Purpose – To manage the Birregurra Public Hall</p>	<p>Desma Hutchinson Simon Oldfield Chris Barter Fiona Branschied Vicki Jeffrey Linda McCormack</p>
<p>Carlisle River Recreation Reserve Purpose – To manage the Carlisle River Recreation Reserve</p>	<p>Owen Lucas Karen Lucas Paul Hodgson</p>
<p>Chapple Vale Public Hall Purpose – To manage the Chapple Vale Public Hall</p>	<p>Alistair Macdonald Emma Ferrari Jo Macdonald</p>
<p>Cororooke Hall Purpose – To manage the Cororooke Hall</p>	<p>Rod Stephenson Lucy Darcy Caroline Grist Wayne Burnett Neil Cook Kerrie Thackeray Ann Duryea Geoff Robinson Joanne Becroft</p>

<p>Cressy Hall Purpose – To manage the Cressy Hall</p>	<p>Ashley Nelson Jan Nelson Murray Horne Brad Nelson Don Potter Ross Alexander Ian Mowat Stephen Turner Paul Lamont</p>
<p>Eurack Public Hall and Tennis Reserve Purpose – To manage the Eurack Public Hall and Tennis Reserve</p>	<p>Barbara Paine Gerald Paine John Carew Jeff Johnson Raelene Johnson Dan Wood Kaylene Wood Shirley Carew</p>
<p>Irrewillipe Hall and Reserve Purpose – To manage the Irrewillipe Hall and Recreation Reserve</p>	<p>Don Henderson Tim Ryan Chris Ambrose Tony Cirillo Matthias Weiss John Ladhams Kevin McNabb Jim (James) Carson Phil Riches Gayle Johnson</p>
<p>Kennett River Tennis Reserve Purpose – To manage the Kennett River Tennis Reserve</p>	<p>Heather Noble Tim Rothman Elenore Lannigan Geoff Quinn Franck Morin Murray Rogers Karen Hutchings</p>

<p>Larpent Hall Purpose – To manage the Larpent Hall</p>	<p>Alistair Harris Helen Ezard Ken Ezard James Boyd Phil Harris Lachlan Sutherland Michael Lenehan Geoff Turner</p>
<p>Lavers Hill Hall Purpose – To manage the Lavers Hill Hall</p>	<p>Kim Robertson Virginia Atkins Bob Atkins Ellen Rayner</p>
<p>Pirron Yallock Recreation Reserve Purpose – To manage the Pirron Yallock Recreation Reserve</p>	<p>Kevin Boyd Elaine Menzies Paul Castle Fiona Castle</p>
<p>Stonyford Hall Purpose – To manage the Stonyford Hall</p>	<p>Paul Wilson James Reynolds Kelly Reynolds</p>
<p>Swan Marsh Hall & Tennis Reserve Purpose – To manage the Swan Marsh Hall and Tennis Reserve</p>	<p>Fiona Castle Michael Everett John Janssens</p>
<p>Warncoort Tennis Reserve Purpose – To manage the Warncoort Tennis Reserve</p>	<p>Brent Harwood Jody Middleton Stephen Sells Jane Harwood</p>

<p>Warrion Public Hall Purpose – to manage the Warrion Public Hall</p>	<p>Tony Mahoney Peter Facey Lesley Inglis Lynette Facey Graeme Inglis Colin Bayne Alex Siminiew Peter Ponton Andrew Kerr Kathy Mahoney Charlotte Henry Merilyn Sutherland Isabelle Chant Barbara Hallyburton Belinda Donovan Tamara Bateman Tom Alston Helen Breen</p>
<p>Yeo Recreation Reserve To manage the Yeo Recreation Reserve</p>	<p>Lochlan Veale Simon Dewar Hayley Dewar Chris Parker Chris Pearson Diana Veale Kathryn Pearson Matt Gibson Jemma Gibson</p>
<p>Apollo Bay Senior Citizens Centre Purpose – to manage the Apollo Bay Senior Citizens Centre</p>	<p>Sally Forrester Stephanie Goodlet Talisha McCann Jade Forest</p>

2. *Notes that Council officers will undertake necessary administrative actions to dissolve the Barwon Downs Hall Community Asset Committee.*
3. *Notes that officers are currently undertaking a review of Community Asset Committee governance models and will report this information to a Councillor Briefing in early 2023.*
4. *Ceases the implementation of Council's decision of 18 April 2018 regarding the transition of Community Asset Committees to become Incorporated Associations and or sign management agreements, while Council undertakes the current review of Community Asset Committee governance models.*

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Graham Costin

That Council:

- 1. Appoints the following members to Community Asset Committees as listed and advised 28 November 2022:**

<p>Alvie Recreation Reserve Purpose – to manage the Alvie Recreation Reserve</p>	<p>Peter Delahunty Damien Fleming John Miller Noel McKay Barry Parker Neil Cook Peter Holland</p>
<p>Barongarook Hall and Tennis Purpose – to manage the Barongarook Hall and Tennis Courts</p>	<p>Tim Fifis Cathy Thompson Melissa Smith Daryl Langdon Matt Daniels</p>
<p>Beech Forest Hall Purpose – To manage the Beech Forest Hall</p>	<p>Jacqueline Langley Scott McAllester Rob Henry Natalie Murray Anthony Zappeili Jacqueline Zappeili Simon Williamson Linda Perkins</p>
<p>Beech Forest Recreation Reserve Purpose - To manage the Beech Forest Recreation Reserve</p>	<p>Jacqueline Langley Rory Harrington Justin Robbins</p>
<p>Birregurra Public Hall Purpose – To manage the Birregurra Public Hall</p>	<p>Desma Hutchinson Simon Oldfield Chris Barter Fiona Branschied Vicki Jeffrey Linda McCormack</p>
<p>Carlisle River Recreation Reserve Purpose – To manage the Carlisle River Recreation Reserve</p>	<p>Owen Lucas Karen Lucas Paul Hodgson</p>

<p>Chapple Vale Public Hall Purpose – To manage the Chapple Vale Public Hall</p>	<p>Alistair Macdonald Emma Ferrari Jo Macdonald</p>
<p>Cororooke Hall Purpose – To manage the Cororooke Hall</p>	<p>Rod Stephenson Lucy Darcy Caroline Grist Wayne Burnett Neil Cook Kerrie Thackeray Ann Duryea Geoff Robinson Joanne Becroft</p>
<p>Cressy Hall Purpose – To manage the Cressy Hall</p>	<p>Ashley Nelson Jan Nelson Murray Horne Brad Nelson Don Potter Ross Alexander Ian Mowat Stephen Turner Paul Lamont</p>
<p>Eurack Public Hall and Tennis Reserve Purpose – To manage the Eurack Public Hall and Tennis Reserve</p>	<p>Barbara Paine Gerald Paine John Carew Jeff Johnson Raelene Johnson Dan Wood Kaylene Wood Shirley Carew</p>
<p>Irrewillipe Hall and Reserve Purpose – To manage the Irrewillipe Hall and Recreation Reserve</p>	<p>Don Henderson Tim Ryan Chris Ambrose Tony Cirillo Matthias Weiss John Ladhams Kevin McNabb Jim (James) Carson Phil Riches Gayle Johnson</p>

<p>Kennett River Tennis Reserve Purpose – To manage the Kennett River Tennis Reserve</p>	<p>Heather Noble Tim Rothman Elenore Lannigan Geoff Quinn Franck Morin Murray Rogers Karen Hutchings</p>
<p>Larpent Hall Purpose – To manage the Larpent Hall</p>	<p>Alistair Harris Helen Ezard Ken Ezard James Boyd Phil Harris Lachlan Sutherland Michael Lenehan Geoff Turner</p>
<p>Lavers Hill Hall Purpose – To manage the Lavers Hill Hall</p>	<p>Kim Robertson Virginia Atkins Bob Atkins Ellen Rayner Douglas Byrt Tracy Brauer Roz O’Loughlin Helen Chambers</p>
<p>Pirron Yallock Recreation Reserve Purpose – To manage the Pirron Yallock Recreation Reserve</p>	<p>Kevin Boyd Elaine Menzies Paul Castle Fiona Castle</p>
<p>Stonyford Hall Purpose – To manage the Stonyford Hall</p>	<p>Paul Wilson James Reynolds Kelly Reynolds</p>
<p>Swan Marsh Hall & Tennis Reserve Purpose – To manage the Swan Marsh Hall and Tennis Reserve</p>	<p>Fiona Castle Michael Everett John Janssens</p>
<p>Warncoort Tennis Reserve Purpose – To manage the Warncoort Tennis Reserve</p>	<p>Brent Harwood Jody Middleton Stephen Sells Jane Harwood</p>

<p>Warrion Public Hall Purpose – to manage the Warrion Public Hall</p>	<p>Tony Mahoney Peter Facey Lesley Inglis Lynette Facey Graeme Inglis Colin Bayne Alex Siminiew Peter Ponton Andrew Kerr Kathy Mahoney Charlotte Henry Merylyn Sutherland Isabelle Chant Barbara Hallyburton Belinda Donovan Tamara Bateman Tom Alston Helen Breen</p>
<p>Yeo Recreation Reserve To manage the Yeo Recreation Reserve</p>	<p>Lochlan Veale Simon Dewar Hayley Dewar Chris Parker Chris Pearson Diana Veale Kathryn Pearson Matt Gibson Jemma Gibson</p>
<p>Apollo Bay Senior Citizens Centre Purpose – to manage the Apollo Bay Senior Citizens Centre</p>	<p>Sally Forrester Stephanie Goodlet Talisha McCann Jade Forest</p>

2. *Notes that Council officers will undertake necessary administrative actions to dissolve the Barwon Downs Hall Community Asset Committee.*
3. *Notes that officers are currently undertaking a review of Community Asset Committee governance models and will report this information to a Councillor Briefing in early 2023.*
4. *Ceases the implementation of Council's decision of 18 April 2018 regarding the transition of Community Asset Committees to become Incorporated Associations and or sign management agreements, while Council undertakes the current review of Community Asset Committee governance models.*

CARRIED 6 : 0

Item: 9.7

Assessment of Audit and Risk Committee Performance

OFFICER	Natasha Skurka
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	1. Annual Assessment of the Audit and Risk Committee Survey 2022 [9.7.2 - 6 pages]

RESOLUTION

MOVED Cr Margaret White, SECONDED Cr Graham Costin

That Council notes the results of the Audit and Risk Committee's annual assessment of its performance against the Audit and Risk Committee Charter, in accordance with section 54(4) of the Local Government Act 2020.

CARRIED 6 : 0

Item: 9.8

Authorisation of Officers under the Planning and Environment Act 1987 - Stefanie Riches and Prudence Ferlazzo

OFFICER	Janine Johnstone
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Instrument of Appointment and Authorisation Prudence Ferlazzo Planning Environment [9.8.1 - 1 page]2. Instrument of Appointment and Authorisation Stefanie Riches Planning Environment [9.8.2 - 1 page]

RESOLUTION

MOVED Cr Kate Hanson, SECONDED Cr Jamie Bell

That Council:

- 1. Appoints Stefanie Riches and Prudence Ferlazzo as authorised officers pursuant to section 147(4) of the Planning and Environment Act 1987.*
- 2. Authorises the use of the common seal in accordance with Colac Otway Shire's Governance Local Law No 4 – 2020.*
- 3. Notes that the Instrument of Appointment and Authorisation (Instrument) comes 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.*

CARRIED 6 : 0

Item: 9.9

Report of Informal Meetings of Councillors

OFFICER	Lyndal McLean
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none"> 1. Informal Meeting of Councillors - Councillor Briefing - 16 November 2022 - CB 20221116 [9.9.1 - 2 pages] 2. Informal Meeting of Councillors - Council Meeting - 23 November 2022 - CM 20221123 [9.9.2 - 2 pages] 3. Informal Meeting of Councillors - Draft Environmental Sustainability Strategy 2023-2033 Workshop - 3 [9.9.3 - 2 pages]
PURPOSE	To report the Informal Meetings of Councillors

REPORTING

The Informal Meetings of Councillors are reported herewith.

- | | |
|---|-------------------------|
| 1. Councillor Briefing | 16 November 2022 |
| 2. Council Meeting Preparation | 23 November 2022 |
| 3. Councillor Environment Workshop | 30 November 2022 |

The Colac Otway Shire Governance Rules does not require a Council decision.

The meeting was declared closed at 5.08pm.

CONFIRMED AND SIGNED at the meeting held on 22 February 2023.



.....**MAYOR**

Responses to questions taken on notice - 23 November 2022 Council meeting

Mr Wes Hawkett

1. My question is directed to the CEO. Five months ago at the deputation to you and the former Mayor, I discussed the sign over the bridge at the Barongarook Creek. The Apex sign that built and installed that bridge. To date no indication as to whether that sign will be replaced or anything else. No communication from the Council whatsoever. What is the situation now?

Response from the Chief Executive Officer

Thank you, I do recall making an inquiry about the sign but I am not aware of actually where the sign was located so I'll have to take that on notice and write back to you.

Further Response from General Manager Infrastructure and Operations

Further to a recent conversation with officers, Council is arranging for a sign to be made for installation at the pedestrian bridge across the Barongarook Creek nearest the Lake Colac Caravan Park. The sign will include the wording 'Built and Installed by Apex Colac' together with the logo of Apex Australia. Once the proof of the sign is received by Council, we will arrange for you to confirm and approve the sign design and layout, following which the sign will be installed. We thank you for your patience, and for your assistance in resolving this matter.