

Council Meeting Minutes

UNSCHEDULED COUNCIL MEETING

10 March 2026 at 12.30pm

COPACC Meeting Rooms 1 & 2

COLAC OTWAY SHIRE UNSCHEDULED COUNCIL MEETING

Tuesday 10 March 2026

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COLAC OTWAY SHIRE UNSCHEDULED COUNCIL MEETING

MINUTES of the *UNSCHEDULED COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at COPACC on Tuesday 10 March 2026 at 12:30 PM.

MINUTES

1 DECLARATION OF OPENING

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 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present.

RECORDING AND PUBLICATION OF MEETINGS

Please note: 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.

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

3 MEETING ADMINISTRATION

3.1 Present

Cr Jason Schram (Mayor)
Cr Phil Howard (Deputy Mayor)
Cr Chris Potter
Cr Zoe Hudgell
Cr Charlie Buchanan
Cr Mick McCrickard
Cr Chrissy De Deugd

Andrew Tenni, Chief Executive Officer
Emma Lowes, General Manager Corporate Services
Doug McNeill, General Manager Infrastructure and Environment
Anita Craven, Executive Officer Governance
Matilda Hardy-Smith, Coordinator Council Business

3.2 Apologies

Ian Seuren, General Manager Community and Economy

3.3 Confirmation of Minutes

RESOLUTION

Moved Cr Hudgell, Seconded Cr McCrickard

That Council confirm the minutes of the Council Meeting held on 24 February 2026.

CARRIED 7 : 0

3.4 Declarations of Interest

Cr Hudgell	General	Item 2.1 of the Closed Session Agenda: COPACC Lease – Preferred Operator and Engagement	Business owned by Councillor (Red Door) is a major user group of the facility.
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Cr Hudgell declared a Conflict of Interest pursuant to Section 127 of the Local Government Act 2020 and left the meeting at 12.32pm. Cr Hudgell did not return to the meeting.

PROCEDURAL MOTION

Moved Cr Potter, Seconded Cr McCrickard

That Council allows public question time at todays Unscheduled Meeting.

VOTE 3 : 3 (tied)

CASTING VOTE: Mayor in favour

CARRIED 4 : 3

<i>For</i>	<i>Against</i>
<i>Cr Schram</i>	<i>Cr Schram</i>
<i>Cr Potter</i>	<i>Cr Buchanan</i>
<i>Cr McCrickard</i>	<i>Cr Howard</i>
<i>Cr De Deugd</i>	

QUESTION TIME

Elizabeth Ryan

As a member of the public, I am really concerned that this process has failed the pub test in community consultation. The direct impact on our local community is unacceptable. The direct impact on our local community is unacceptable from schools and/or clubs who have discovered that they no longer can afford to use or have access to our community arts facility and cultural facilities.

1. My question is what happens to the community's input and why wasn't it considered in this decision?

Response Mayor Cr Schram

Councillors have this decision before them today, no decision has been made on the on the future operations, so I cannot answer that question yet. Thank you.

CLOSED SESSION

RESOLUTION

Moved Cr Potter, Seconded Cr McCrickard

That pursuant to the provisions of Section 66 of the Local Government Act 2020, the meeting be closed to the public and Council move into Closed Session in order to deal with:

SUBJECT	REASON	SECTION OF ACT
<i>Minutes of the Closed Session Unscheduled Council Meeting held on 26 August 2025</i>	This matter deals with confidential meeting information, being records of meetings closed to the public under section 66 (2)(a)	Section 3(1)(h)
<i>COPACC Lease: Preferred Operator and Engagement</i>	This matter deals with Council business information, being information that would prejudice the Councils position in commercial negotiations if prematurely released.	Section 3(1)(a)

CARRIED 6 : 0

The meeting was closed to the public at 12.37pm and Council moved into a Closed Session.

RE OPENING OF MEETING TO THE PUBLIC

The meeting was reopened to the public at 12.53pm.

Moved Cr Potter, Seconded Cr McCrickard

That Council makes the resolution from the Closed Session Council Meeting public.

CARRIED 6 : 0

RESOLUTION – ITEM 2.1 OF CLOSED SESSION AGENDA

COPACC LEASE: PREFERRED OPERATOR AND ENGAGEMENT

Moved Cr Howard, Seconded Cr De Deugd

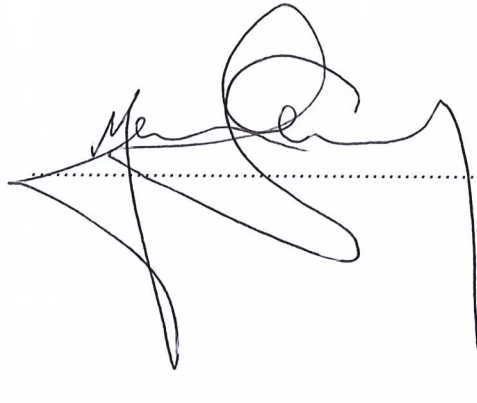
That Council:

- 1. Notes that the Colac Otway Performing Arts and Cultural Centre (COPACC) is forecast to cost Council \$425,605 to operate in the 2025-26 financial year.*
- 2. Notes that an EOI was advertised in July 2025 to secure a tenant to operate COPACC.*
- 3. Notes that the EOI process has been completed, and that:*
 - a. The preferred operator is an experienced venue company that has an extensive history of revitalising and activating venues.*
 - b. The negotiated lease terms with the preferred operator would significantly reduce the cost to Council of operating COPACC and achieve objectives of retaining cinema operations whilst increasing the level of community use and activation of the centre.*
- 4. Endorses IVG Global Pty Ltd as the preferred operator for the issue of a lease of COPACC with the following key terms:*
 - a. Lease of the operational areas of COPACC, including the cinema, auditorium, meeting and function spaces (including civic hall), foyer, all associated utility areas, kitchens, toilets/amenities, dressing rooms, back-of-house areas, storage spaces, and office/administrative rooms and excluding the Historical Centre tenancy.*
 - b. Purpose of the lease is to operate and activate COPACC through cinema, performing arts, community and commercial venue use.*
 - c. Initial lease term of three years, with two further terms of three years each (3 + 3 + 3).*

- d. IVG Global Pty Ltd would be responsible for programming and day-to-day operations.*
 - e. Council retains access to the Centre for meeting use one day each week at no cost and would benefit from a 50% reduction of the facility hire rate applicable to other users for use of the Centre outside these times.*
 - f. Council would subsidise any operational loss incurred by IVG Global Ltd in Year 1 to a maximum of \$275,000 and a maximum of \$125,950 in Year 2, without subsidy in subsequent years.*
 - g. Council would receive 40% of any operational profit, with an additional 20% of profit held in a reserve by Council for expenditure on future renewal or capital requirements of the Centre.*
 - h. IVG Global Pty Ltd would be responsible for operational outgoings and day-to-day operating costs including utilities and minor building maintenance.*
 - i. Council retains responsibility for building ownership and major maintenance and renewal obligations.*
- 5. Resolves to commence a four-week community engagement process on the proposed lease terms, in accordance with section 115 of the Local Government Act 2020.*
 - 6. Notes that any submissions received through the community engagement process will be heard at the Hearing of Submissions Committee Meeting on 14 April 2026.*
 - 7. Notes that a report will be presented to the April Council Meeting for Council to consider entering into the proposed lease with IVG Global Pty Ltd for operation of COPACC.*
 - 8. Notes that subject to a final report being presented to Council with a draft Lease, reference checks of the preferred operator will be completed.*
 - 9. Resolves that the resolution for this matter will be made public and is considered no longer confidential, at the conclusion of this Closed Session.*

The meeting was declared closed at 12.59pm

CONFIRMED AND SIGNED at the meeting held on 24 March 2026.

.....**MAYOR**