



Council Meeting Minutes

23 September 2025 at 1pm

COPACC Meeting Rooms 1 & 2

COLAC OTWAY SHIRE COUNCIL MEETING

Tuesday 23 September 2025

TABLE OF CONTENTS

1	Declaration of Opening of Meeting.....	4
2	Acknowledgement of Country	4
3	Meeting Administration.....	5
3.1	Present	5
3.2	Apologies and Leaves of Absence	5
3.3	Confirmation of Minutes	5
3.4	Declarations of Interest	5
4	Question Time.....	6
5	Petitions / Joint Letters.....	9
6	Planning Authority and Responsible Authority Decisions.....	10
7	Items for Decision	10
7.1	Project Budget Adjustments and Cash Reserve Transfers	10
7.2	Review of Footpath Strategies for Colac and Apollo Bay.....	11
7.3	Australia Day 2026 Expression of Interest.....	12
7.4	Membership of SouthWest Victorian Regional Alliance	13
7.5	Proposal to enter into a Lease with U3A - 55-59 Hesse Street, Colac	14
7.6	Proposal to enter into a lease with Scouts Victoria - Log Cabin Colac.....	15
7.7	Corio Bay Sports Treatment Clinic - Exercise option request and novation of Lease - 118 - 134 Hearn Street Colac.....	16
7.8	Deed of Renewal of Lease - Amplitel - 49-51 Great Ocean Road Lavers Hill	18
7.9	Review of Instrument of Delegation - Planning Committee.....	19
7.10	Community Asset Committee - Update to Members	20
7.11	Appointment of Audit and Risk Committee Chair and Re-appointment of Independent Member	21
8	Items for Noting.....	22

8.1	Audit and Risk Committee Bi-annual Report	22
8.2	Audit and Risk Committee Meeting - Confirmed Minutes - 21 August 2025 - Unconfirmed Minutes - 11 September 2025	23
8.3	Report of Informal Meetings of Councillors	24
	Close of meeting	25

COLAC OTWAY SHIRE COUNCIL MEETING

MINUTES of the **COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at
COPACC on Tuesday 23 September 2025 at 1:00 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 ACKNOWLEDGEMENT OF COUNTRY

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

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.

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
Martin Cutter, Acting General Manager Corporate Services
Doug McNeill, General Manager Infrastructure and Environment
Ian Seuren, General Manager Community and Economy
Steven O'Dowd, Manager Customer and Communications
Anita Craven, Executive Officer Governance
Matilda Hardy-Smith, Coordinator Council Business

3.2 Apologies and Leaves of Absence

Nil

3.3 Confirmation of Minutes

RESOLUTION

Moved Cr Potter, Seconded Cr McCrickard

That Council confirm the minutes of the Council Meeting held on 26 August 2025.

CARRIED 7 : 0

3.4 Declarations of Interest

Cr Howard	General	Item 7.2 – Review of Footpath Strategies for Colac and Apollo Bay	Lives in Noel Street – one of the streets mentioned within the strategy.
Ian Seuren	General	Item 7.2 – Review of Footpath Strategies for Colac and Apollo Bay	Lives near Bella Street – one of the streets mentioned within the strategy

4 QUESTION TIME

A maximum of 30 minutes was allowed for question time.

QUESTIONS RECEIVED IN WRITING PRIOR TO THE MEETING

James Judd

1. As the fourth year since the Council signed a contract with the operators of the holiday park is fast approaching, is this Council able to give an definitive guarantee that renewable electricity will actually be deliverable to Colac in advance of that date?

Response from General Manager Community and Economy

The commencement date of the Lake Colac Holiday Park lease was 1 January 2024. Therefore, the tenant will need to meet the requirement regarding the use of renewal energy as stipulated in the lease by 31 December 2026. Ensuring that the lessee meets this requirement, along with all other clauses in the lease, will be dealt with as part of the management of the lease.

Elizabeth Ryan

1. Could Council please provide an update on the proposed safety works for Conns Lane/Cape Otway Road, Birregurra?

Response from General Manager Infrastructure and Environment

The signs related to change in speed limits in Conns Lane and Cape Otway Road have been ordered from a supplier and will be installed as soon as they are received. We expect this to be within the next fortnight.

Graham Costin

The following proposed footpath links in Apollo Bay will provide strategic pedestrian connections between the recreation reserve, campground, shopping centre, Barham River mouth, Pt Bunbury Walk, and the harbour precinct. These paths already experience significantly higher pedestrian and traffic volumes than Noel Street, yet unlike Noel St are not currently classified as Priority 1.

We respectfully request that Council reclassify the following Apollo Bay footpaths as Priority 1:

- Cartwright Street – Noel Street to Nelson Street
- Cartwright Street – Gambier Street to Noel Street
- Gambier Street – Cartwright Street to Sylvester Street (Great Ocean Road)

Given their strategic location and high usage, upgrading the classification of these footpaths will more quickly improve safety, accessibility, and amenity for both residents and visitors.

1. Will Council reclassify the above footpaths as Priority 1 in recognition of the higher pedestrian and traffic volumes in these streets and their critical role in linking community, recreation, camping and commercial precincts in Apollo Bay?

Response from General Manager Infrastructure & Environment

The classification methodology used in undertaking the review prioritised footpaths that provide direct access to the Great Ocean Road, as they provide important linkages to key amenities such as childcare, health facilities and shops whilst addressing pedestrian risk due to traffic flow. This is the primary reason why Noel Street was given higher priority than Cartwright Street.

QUESTIONS RECEIVED VERBALLY AT THE MEETING

Tony Webber

1. Mr first question relates to last meeting where I asked about the 196 kilometres mark from Melbourne on the Great Ocean Road. Now, Mr. Singh rang me about it and I wasn't at home and then I rang him back and left a message and I haven't heard anything since. Could I have an update on what's happening?

Response General Manager Infrastructure and Environment

Through you Mayor, I will take this on notice and get Mr Singh to give you a call back following this meeting.

2. The second question is on the footpath strategy. I've been requested by people in Murray Square to ask if they could be put on the list, because there is a lot of elderly people there and, Murray Square doesn't have a proper footpath situation. So, could that happen?

Response Mayor Cr Schram

We've got that strategy before us to make a vote on today and there can be an alternative motion, but we can't sort of determine that until we get to that item.

3. There are also problems with the Sand road. I don't know if anyone's been aware of that and I think it needs regular maintenance rather than occasional maintenance. So, can that also be considered?

Response General Manager Infrastructure and Environment

Sand Road has been in a poor condition for some months and we're well aware of that. It obviously is an important road that services the community in Glenn Air as well as the campground. There is some cultural heritage areas underneath the road and council requires a permit from Eastern Maar to be able to undertake maintenance works. Council's engaged a consultant to do an assessment of those values and we lodged an application with EMAC, and we are hoping to be able to get approval to undertake those works shortly.

4. The top of Montrose Avenue is quite a busy road. Maybe that could be put on the list for the next road to be upgraded in Apollo Bay because it's from the industrial state,

the tip. A lot of people and large vehicles use that road. Maybe that could go on a priority list for the next road upgrades.

This was interpreted as a statement which was noted by Council; therefore, no response was provided.

Elizabeth Ryan

1. My question relates to the submission meeting which I attended a couple of weeks ago. There were no questions asked from you to the gallery. There was so much to learn, especially about for me Meredith Park, and I think I'd like to suggest that the public is more considered, that could council then consider that submissions be shared with the public and reopen to further input, prior to council voting on those matters?

Response Mayor Cr Schram

The submissions meeting is an opportunity for the public to speak to their submissions. So we can hear them, and they can better explain it. It's not a question-and-answer forum.

Response General Manager Community and Economy

If we use Meredith Park as an example, so council's gone out for community engagement and part of the community engagement process is the submissions committee meeting, like the Mayor said, where people can talk to their submission.

We then collect and analyse all the submissions and the feedback that we get through the survey and then bring that to council through a council report where we'll provide that assessment through that council report. That's the process. The Submissions Committee meeting is just one part of the consultation process if that makes sense, and then we'll analyse and provide an overarching report to Councillors.

2. My other question relates to Item 7.2 of today's agenda, the review of footpath strategies. I'd like to encourage council to consider that included part of this new road safety strategy that's happening at the moment. I think that is integral to the strategy. My two questions relate to other inclusions that should have been considered in the review of the strategies.

There's your nature strip policy; I think that the footpath and nature strips go hand in hand. So that would be handy that they were together.

And also, a document, I know it's very old, but I found it and it was dated June 2004 and it's called safer roads. It's a local road safety initiative looking out for pedestrians. I think it was put together by road safe groups. I think that would be helpful.

My other question then goes on to relate to the road safety strategy. I learned about it through the Colac Herald last week. I then downloaded it from the website and now I've looked at it again today and there's a poll and a survey which I was totally unaware of. Just want to know what changed and why it wasn't up there initially, please. And will the public be notified?

Response General Manager Infrastructure and Environment

I'm happy to follow up and query whether that was there initially or not but certainly would encourage any member of the community who's interested in making any form of comment about priority safety issues to go on to that web page and to register what you think of the important safety issues are.

5 PETITIONS / JOINT LETTERS

Nil reports.

6 PLANNING AUTHORITY / RESPONSIBLE AUTHORITY DECISIONS

Nil reports.

Item: 7.1

Project Budget Adjustments and Cash Reserve Transfers

OFFICER	Mikael Blyth
GENERAL MANAGER	Doug McNeill
DIVISION	Infrastructure and Environment
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That Council approves the funding in Table 1 for initiation of new projects at a total net cost to Council of \$590,000.

CARRIED 7 : 0

Item: 7.2

Review of Footpath Strategies for Colac and Apollo Bay

OFFICER	Kanishka Gunasekara
GENERAL MANAGER	Doug McNeill
DIVISION	Infrastructure and Environment
ATTACHMENTS	1. Footpath Strategy Review 2025 - Final [7.2.1 - 9 pages]

Cr Howard declared a conflict of interest pursuant to Section 127 of the Local Government Act 2020 and left the meeting at 1.19pm, returning at 1.28pm when discussion on the item concluded.

Cr Howard	General	Item 7.2 – Review of Footpath Strategies for Colac and Apollo Bay	Lives in Noel Street – one of the streets mentioned within the strategy.
-----------	---------	---	--

The following motion was presented to Council as a Revised Officer Recommendation, which ultimately became the resolution.

RESOLUTION

Moved Cr Potter, Seconded Cr McCrickard

That Council:

- 1. Endorses the completed review of current footpath strategies for Colac and Apollo Bay (Attachment 1) with a change to Armstrong Street Colac to be a priority 1.*
- 2. Notes that the change to Armstrong Street Colac to priority 1 was due to an administrative error in Attachment 1.*
- 3. Notes that the outcome of the review is a prioritised list of future footpath connections for Colac and Apollo Bay, to be considered for funding in future budget processes*

CARRIED 6 : 0

Item: 7.3

Australia Day 2026 Expression of Interest

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

RESOLUTION

Moved Cr Hudgell, Seconded Cr Howard

That Council:

- 1. Notes the submissions received to the Expression of Interest (EOI) process undertaken for the delivery of the Australia Day 2026 event.*
- 2. Approves for the Australia Day 2026 event to be a community-led event at the Cressy Aerodrome.*
- 3. Authorises officers to work with the event organiser to support planning and delivery, including Council's civic program.*

CARRIED 7 : 0

Item: 7.4

Membership of SouthWest Victorian Regional Alliance

CHIEF EXECUTIVE OFFICER Andrew Tenni

DIVISION Executive

ATTACHMENTS Nil

RESOLUTION

Moved Cr Howard, Seconded Cr Hudgell

That Council:

- 1. Does not enter into a new MOU and commit as a member Council of the SouthWest Victoria Alliance for a further three-year period.*
- 2. Notes that participation in the SouthWest Victoria Alliance will be considered ceased from 5 September 2025.*
- 3. Notes a pro-rated amount for the year to date be paid to the SouthWest Victoria Alliance in the amount of \$5,000.*

CARRIED 5 : 2

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

Item: 7.5

Proposal to enter into a Lease with U3A - 55–59 Hesse Street, Colac

OFFICER	David Butterfield
GENERAL MANAGER	Martin Cutter
DIVISION	Corporate Services
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Hudgell, Seconded Cr McCrickard

That Council:

1. Approves entering into a Lease with U3A Colac Otway Incorporated for the premises located at 55–59 Hesse Street, Colac, subject to the following terms:
 - a. Commencement on or after 1 October 2025.
 - b. Term of the Lease is three years.
 - c. Lease rental fee \$150 per annum (including GST) to be invoiced annually.
 - d. Lease fee will be reviewed annually at 3.4 % fixed.
 - e. Maintenance as per maintenance matrix attached to draft Lease.
 - f. Tenant to hold Public Liability Insurance in the amount of \$20 million for any one claim.
2. Authorises the Chief Executive Officer to execute the Lease pursuant to this Resolution.
3. Notes that entering into this lease will void the existing Memorandum of Understanding between Colac Kanyana Senior Citizens Centre, U3A Colac Otway Incorporated and Council.
4. Notes that post execution of this Lease, the terms of the Lease will be made publicly available on Councils Lease and Licence Register.

CARRIED 7 : 0

Item: 7.6

Proposal to enter into a lease with Scouts Victoria - Log Cabin Colac

OFFICER	David Butterfield
GENERAL MANAGER	Martin Cutter
DIVISION	Corporate Services
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That Council:

1. Approves entering into a Lease with Scouts Victoria for the premises known as "Scouts Log Cabin" located at 100(a) Dennis Street Colac, subject to the following terms:
 - a. Commencement on or after 1 October 2025.
 - b. Term of the Lease is three years.
 - c. Lease fee \$150.00 per annum (including GST) to be invoiced yearly.
 - d. Lease fee will be reviewed by CPI annually.
 - e. Scouts Victoria to provide a Building Improvement Master Plan.
 - f. Tenant to hold Public Liability Insurance in the amount of \$20 million for any one claim.
2. Authorises the Chief Executive Officer to execute the Lease pursuant to this Resolution.
3. Notes that post execution of this Lease, the terms of the Lease will be made publicly available on Councils Lease and Licence Register.

CARRIED 7 : 0

Item: 7.7

Corio Bay Sports Treatment Clinic - Exercise option request and novation of Lease - 118 - 134 Hearn Street Colac

OFFICER	David Butterfield
GENERAL MANAGER	Martin Cutter
DIVISION	Corporate Services
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Hudgell, Seconded Cr McCrickard

That Council:

- 1. Acknowledges the formal request from the tenant, Corio Bay Sports Treatment Clinic, to exercise the first two-year option under the lease agreement dated 11 July 2022 for the use of consulting rooms at Bluewater Leisure Centre, Colac.*
- 2. Acknowledges the formal request from Corio Bay Sports Treatment Clinic to transfer the balance of the Lease to Colac Physio Pty Ltd.*
- 3. Approves the request to exercise the first two-year option under the lease agreement dated 11 July 2022 for the use of consulting rooms at Bluewater Leisure Centre, Colac.*
- 4. Approves the request from Corio Bay Sports Treatment Clinic to transfer the balance of the lease to Colac Physio Pty Ltd.*
- 5. Authorises the Chief Executive Officer to execute documents to vary the lease agreement to reflect the tenant's exercising of the first two-year option, extending the lease.*
- 6. Authorises the Chief Executive Officer to execute the necessary documentation transfer the balance of the lease to Colac Physio Pty Ltd, subject to satisfactory documentation and compliance with lease terms.*

7. *Notes that the terms and conditions of the lease will remain unchanged as part of the novation process.*

CARRIED 7 : 0

Item: 7.8

Deed of Renewal of Lease - Amplitel - 49-51 Great Ocean Road Lavers Hill

OFFICER	David Butterfield
GENERAL MANAGER	Martin Cutter
DIVISION	Corporate Services
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Howard, Seconded Cr McCrickard

That Council:

- 1. Notes that Amplitel Pty Ltd has submitted a Deed of Renewal of Lease to Council for 49–51 Great Ocean Road, Lavers Hill.*
- 2. Approves the renewal of the lease for the term 14 December 2025 to 13 December 2030 for a communication tower at 49-51 Great Ocean Road, Lavers Hill.*
- 3. Authorises the Chief Executive Officer to execute the Deed of Renewal of Lease.*

CARRIED 7 : 0

Item: 7.9

Review of Instrument of Delegation - Planning Committee

OFFICER	Belinda Rocka
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	1. For Council Resolution Planning Committee Delegation and Terms of Reference [7.9.1 - 4 pages]

RESOLUTION

Moved Cr Howard, Seconded Cr Potter

That Council:

- 1. Notes the requirement under section 11(7) of the Local Government Act 2020 (LGA 2020), to review the delegation made to the 'Planning Committee of Council', within 12 months after a general election.*
- 2. Approves the revised Planning Committee Instrument of Delegation (Attachment 1).*
- 3. Authorises the use of the common seal in accordance with Colac Otway Shire's Governance Local Law No 4 – 2020.*
- 4. Revokes the Instrument of Delegation dated 3 November 2021 to the 'Planning Committee of Council', on the day the new Instrument comes into force.*

CARRIED 7 : 0

Item: 7.10

Community Asset Committee - Update to Members

OFFICER	Belinda Rocka
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That Council:

- 1. Revokes membership for Kathy Mahoney of the Warrion Public Hall Community Asset Committee*
- 2. Council acknowledges the significant contribution Kathy made to the success of the Warrion Flower Show and the Warrion community.*
- 3. Adds membership for Justine McCarthy, Bernice Jenkins, Mark Rosevear, Sarah Chant, Tim Hannah and William Facey to the Warrion Public Hall Community Asset Committee.*

CARRIED 7 : 0

Item: 7.11

Appointment of Audit and Risk Committee Chair and Re-appointment of Independent Member

OFFICER	Belinda Rocka
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	Nil

RESOLUTION

Moved Cr Howard, Seconded Cr Potter

That Council:

- 1. Appoints John Gavens as the Chairperson of the Audit and Risk Committee for a period of twelve months, commencing on 1 October 2025.*
- 2. Reappoints John Sutherland as an Independent Audit and Risk Committee member for a further three years, commencing on 1 December 2025.*
- 3. Thanks Melissa Field for her contribution as Chair of the Colac Otway Shire Audit and Risk Committee for the past two years.*

CARRIED 7 : 0

Item: 8.1

Audit and Risk Committee Bi-annual Report

OFFICER	Anita Craven
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	1. Biannual Report from Audit and Risk Committee - 16 September 2025 [8.1.1 - 9 pages]

RESOLUTION

Moved Cr Howard, Seconded Cr McCrickard

That Council:

- 1. Receives for information, the Colac Otway Shire Audit and Risk Committee Biannual Report, dated 16 September 2025.*
- 2. Acknowledges the Audit and Risk Committee Chair and independent members for their efforts and commitment to Colac Otway Shire Council.*

CARRIED 7 : 0

Item: 8.2

**Audit and Risk Committee Meeting - Confirmed
Minutes - 21 August 2025 - Unconfirmed Minutes - 11
September 2025**

OFFICER	Belinda Rocka
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Confirmed Minutes - Audit and Risk Committee Meeting - 21 August 2025 [8.2.1 - 32 pages]2. Unconfirmed Minutes - Audit and Risk Committee Meeting - 11 September 2025 [8.2.2 - 7 pages]

RESOLUTION

Moved Cr Howard, Seconded Cr Potter

That Council receives for information the Colac Otway Shire Audit and Risk Committee confirmed minutes dated 21 August 2025 and unconfirmed minutes dated 11 September 2025.

CARRIED 7 : 0

Item: 8.3

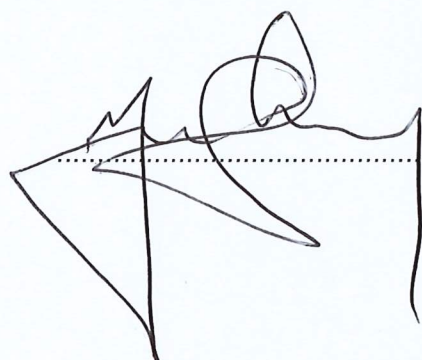
Report of Informal Meetings of Councillors

OFFICER	Council Business
CHIEF EXECUTIVE OFFICER	Andrew Tenni
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Informal Meeting of Councillors - Pre council meeting 26 August 2025 [8.3.1 - 3 pages]2. Informal Meeting of Councillors - Councillor Briefing 2 September 2025 [8.3.2 - 3 pages]3. Informal Meeting of Councillors - Councillor Briefing 9 September 2025 [8.3.3 - 2 pages]4. Informal Meeting of Councillors - Councillor briefing 16 September 2025 [8.3.4 - 2 pages]5. Informal Meeting of Councillors - Pre Planning and Submissions Committee 16 September 2025 [8.3.5 - 2 pages]

This item did not require a formal resolution of Council.

The meeting was declared closed at 2.09pm

CONFIRMED AND SIGNED at the meeting held on 14 October 2025.

.....**MAYOR**