



Colac Otway
SHIRE

SUBMISSIONS COMMITTEE MEETING

AGENDA

Wednesday 3 May 2023

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE SUBMISSIONS COMMITTEE MEETING

Wednesday 3 May 2023

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COLAC OTWAY SHIRE SUBMISSIONS COMMITTEE MEETING

NOTICE is hereby given that the next **SUBMISSIONS COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 3 May 2023 at 4:00 PM.

AGENDA

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 PRESENT

3 APOLOGIES AND LEAVE OF ABSENCE

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY AND REASON FOR MEETING

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

RECORDING AND PUBLICATION OF MEETINGS

Please note: All Submissions Committee meetings 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 Submissions Committee 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 Submissions Committee meeting, the live stream recording will be accessible on Council's website. Recordings are also taken to facilitate the preparation of the minutes of open Council and Planning Committee 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 meetings will be permitted without specific approval by resolution of the relevant meeting.

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

The sole purpose of this Submissions Committee meeting is to hear persons who indicated they wish to speak in support of their written submissions to the Hall Street, Cressy part road closure.

5 DECLARATIONS OF INTEREST

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

6 CONFIRMATION OF MINUTES

- **Submissions Committee meeting held on 16 November 2022.**

RECOMMENDATION

That the Submissions Committee confirm the minutes of the Submissions Committee meeting held on 16 November 2022.

7 VERBAL SUBMISSIONS

The Mayor is to read out the names of the people who have confirmed they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A limit of 5 minutes will apply.

Item: 8.1

Hall Street Cressy - Part Road Closure - Submissions Report

OFFICER	Mark McLennan
GENERAL MANAGER	Andrew Tenni
DIVISION	Corporate Services
ATTACHMENTS	<ol style="list-style-type: none">1. Council Web Site Advertisement - Notice of Intention to Close Part Road - Hall Street Cressy [8.1.1 - 2 pages]2. Flyer - Cressy Community Information Session - Part Hall Street Cressy Closure - 20230320 [8.1.2 - 1 page]

1. PURPOSE

To provide a report to Council on the submissions received in response to the Notice of Intention to Close Road (part) Hall Street Cressy.

2. EXECUTIVE SUMMARY

On the 22 February 2023, Council Resolved to enter into the Statutory Process to close part of the road known as Hall Street Cressy. A Notice of Intention to Close the Road was advertised in the Colac Herald and on Council's website on the 24 February 2023, seeking submissions from interested parties that wish to make their view on the proposed closure known to Council. The notice called for submissions to be received prior to 2pm on Friday 14 April 2023.

A 'drop-in' information session was held by Council on 30 March 2023 at the Cressy Hall. A number of Residents attended the session.

In response to the notice, seven submissions have been received by Council. The submissions contained one request to be heard. Council officers contacted other submitters to confirm that there was an option to speak to the submission at a Submissions Hearing. As at the time of preparation of this Report, a total of two submitters have asked to be heard.

3. RECOMMENDATION

That the Submissions Committee:

- 1. Acknowledges the submissions received.*
- 2. Thanks the submitters for their contribution to the submission process.*
- 3. Having heard all persons wishing to speak to their submissions, recommends that Council consider all submissions at a future Council meeting.*

4. KEY INFORMATION

Submissions received are attached and summarised as follows:

Submission 1

This Submission supports the part road closure; a summary is as follows:

- a) No access restrictions to other properties.
- b) Private ownership of historical buildings.
- c) Unwanted behaviour of visitors passing by the former hotel.
- d) A desire for privacy.
- e) Proposal to install a “viewing board” with historical information.
- f) Satisfaction with the current proposal of part closure.

This Submitter has asked to be heard in a public Submissions Hearing.

Submission 2

This Submission is not in support of the part road closure; a summary is as follows:

- a) Satisfaction with the way the street is currently.
- b) The possibility that the part road closure may restrict fire truck access.
- c) A request to make the road in the road reserve.

This Submitter has not asked to be heard

Submission 3

This Submission is not in support of the part road closure; a summary is as follows:

- a) Road ‘provides only safe and legal place to ride on a surfaced area ‘
- b) ‘Is a heritage overlay and changing the road would change the whole landscape.’
- c) The ability of others to use the area.

This Submitter has not asked to be heard.

Submission 4

This Submission is not in support of the part road closure; a summary is as follows:

- a) ‘This historical site needs to be preserved and remain visible.’

This Submitter has not asked to be heard.

Submission 5

This Submission contains suggestions; a summary is as follows:

- a) Suggests that the 'road reserve to be a footpath so people can take photographs of the old hotel.'
- b) Refers to the History Discovery Trail in the township of Cressy as an important factor.

This Submitter has not asked to be heard.

Submission 6

This submission is not in support of the part road closure; a summary is as follows:

- a) There have not been issues with Hall Street in the past.
- b) 'As Cressy CFA Captain, I have concerns about fire vehicle access and therefore safety of my crews and community'.
- c) Suggests that an all-weather road is needed.
- d) Advises that the fire brigade have a new large vehicle on order and the current proposal will not allow the vehicle access.
- e) Offers to consult with the Colac Otway Shire about suggested changes.
- f) Refers to new development in Hall Street that may require large trucks to reverse out.
- g) Hall Street is a place where grain trucks can turn around.

This Submitter has asked to be heard

Submission 7

This Submission is not in support of the part road closure; a summary is as follows:

- a) Would like to see no change at all.
- b) Is used by residents for leisure purposes.
- c) Asks questions about who paid for construction of the road.
- d) Asks questions about the current former hotels owner's knowledge.
- e) Remarks that large trucks would have difficulty turning around in Cressy.
- f) Would prefer other options in Council report.

This Submitter has not asked to be heard.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

Council decisions are made after consultation with the community in accordance with Colac Otway Shire Council's Community Engagement Policy.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

Sections 12 of the Road Management Act 2004 and 206 of the Local Government Act 1989.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

There were no environmental or sustainability implications identified by Council officers or in any submission.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

A Notice of Intention to Close Part Road process was advertised in the Colac Herald and On Council's Website on the 'seeking submissions from interested parties' page. The process ran for six weeks. A drop-in Information Session took place on 30 March 2023 at the Cressy Hall. A number of residents attended the meeting and discussed the proposal with Council Officers.

Public Transparency (s58 LGA 2020)

Council's decision-making process is transparent. Information identifying individual submitters has been redacted from this report.

Alignment to Plans and Strategies

Not Applicable.

Financial Management (s101 Local Government Act 2020)

Not Applicable.

Service Performance (s106 Local Government Act 2020)

Not Applicable.

Risk Assessment

Not Applicable.

Communication/Implementation

Any Resolution made by Council will be publicised on Colac Otway Shire Councils official website.

Human Rights Charter

The writer has considered the issues raised in the Human Rights Charter and is satisfied that by redacting information that would identify any individual submitter, no person's human rights have been diminished by this report.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Notice of Intention to close part road - Hall Street, Cressy

Colac Otway Shire Council hereby gives notice of its intention to close part of the road known as Hall Street, Cressy as detailed in the map on this page.

CRESSY COMMUNITY DROP-IN INFORMATION SESSION

Council will be holding a drop-in information session for community members regarding its intention to close part of Hall Street, Cressy. Come along to ask questions and speak to Council officers about this proposal.

When: Thursday 30 March

Time: Drop-in any time between 4pm and 5.30pm

Where: Cressy Hall, 41 Yarima Road

Council invites written submissions from members of the public as to the intention to close part of the road (public consultation). Submissions must be lodged prior to 2pm on 14 April 2023 via:





There will be an opportunity for any person wishing to speak to their written submission at a meeting of the Submissions Committee scheduled to be held on Wednesday 3 May.

- Email to inq@colacotway.vic.gov.au or

- Mail to the attention of the Chief Executive Officer, Colac Otway Shire Council, Post Office Box 283, Colac VIC 3250.



LEGEND

EXISTING	
	PROPERTY BORY OF 5 HALL STREET
	ROAD RESERVE
PROPOSED	
	NEW COURT BOWL 1
	NEW COURT BOWL 2



Cressy Community Drop-in Information Session

Colac Otway Shire Council will be holding a drop-in information session for Cressy community members regarding its intention to close part of **Hall Street, Cressy**.

When: Thursday 30 March

Time: Drop-in any time between 4pm and 5.30pm

Where: Cressy Hall, 41 Yarima Road Cressy

For further information, please call Council on 5232 9400.



