



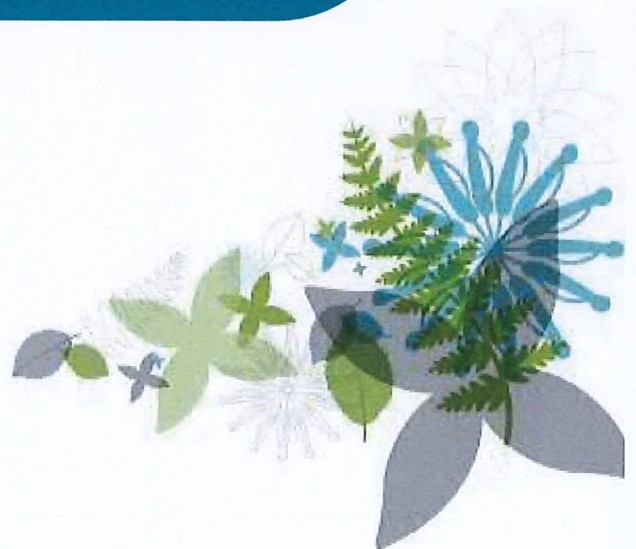
Colac Otway  
SHIRE

UNSCHEDULED COUNCIL MEETING

MINUTES

Wednesday 14 August 2024

at 4:30PM



# COLAC OTWAY SHIRE UNSCHEDULED COUNCIL MEETING

Wednesday 14 August 2024

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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 Wednesday 14 August 2024 at 4:30 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 PRESENT

Cr Max Arnott  
Cr Graham Costin  
Cr Tosh-Jake Finnigan  
Cr Kate Hanson  
Cr Stephen Hart  
Cr Chris Potter

Anne Howard, Chief Executive Officer  
Steven O'Dowd, Acting General Manager Corporate Services  
Doug McNeill, General Manager Infrastructure and Operations  
Ian Seuren, General Manager Community and Economy  
Mike Summerell, Executive Officer Governance and Business Improvement  
Matilda Hardy-Smith, Coordinator Council Business  
Dianne Cornish, Council Business Officer  
Kendrea Pope, Manager Governance  
Christine Ferguson, State Government Appointed Monitor

#### 3 APOLOGIES

Cr Margaret White (Mayor)

#### 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: 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](http://www.youtube.com)).

The sole purpose of this Unscheduled Council meeting is to consider the following agenda items:

- PP139/2023-1 – 173 Hart Street Colac – Use and Development of a Childcare Centre
- Project Budget Adjustments and Cash Reserve Transfer – End of June 2023-24
- Draft Lake Colac Path Feasibility Study
- Colac Visitor Servicing Review
- Lake Colac Holiday Park Lease
- Advocacy and Priority Projects
- Award of Contract 2426 – Strachan Street Reconstruction
- Award of Contract 2418 – Landslip Rehabilitation Works
- Instrument of Appointment and Authorisation – Planning and Environment Act 1987 – Thomas Milverton.

## 5 QUESTION TIME

A maximum of 15 minutes is allowed for question time. At every Special Council Meeting a public question time will be held to enable any member of the public to question Council but only on items directly related to the Agenda today (Clause 100). Questions that are more general in nature can either be submitted to Council in writing or asked at the next Ordinary Council Meeting.

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. Once everyone has had an opportunity to ask their initial questions, and if time permits, the Mayor will invite further questions.

Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. Question time is not a forum for public debate or statements.

## QUESTIONS RECEIVED IN WRITING PRIOR TO THE MEETING

Jason Schram

I believe these questions are relevant as it relates to an unscheduled meeting.

1. Why has the Council had 9 unscheduled meetings since February last year with apparently no urgent items that couldn't wait until a scheduled meeting as voted on by the council?
2. As having so many unscheduled meetings makes it hard for the public to attend, who authorised the meetings and is it to rush through items before the new Council is elected?

*Response from Kendrea Pope, Senior Governance Advisor.*

*Council has a significant volume of important business to conduct both throughout its term and also equally importantly in the leadup to the upcoming caretaker period and unscheduled Council meetings have been called both throughout the Council term and as is noted by Mr Schram recently in this calendar year in order to deal with a range of substantial matters of business including both major statutory planning decisions funding opportunities for which we've had very short notice Grant applications and major items for decision which were deferred from previous meetings that business has not been able to be managed within existing agendas and the timeframes which are set for Council meetings as articulated in the governance rules both the previous governance rules and the new governance rules that apply and if those meetings were not scheduled there would be a substantial volume of unfinished Business at the end of this Council term.*

## QUESTIONS RECEIVED VERBALLY AT THE MEETING

Andrew Wright

Mayor and Councillors, my question is to the CEO. My understanding is there have been two businesses that have been interested in running the VIC on a commercial volunteer basis –

1. Have these businesses been afforded the opportunity to express an interest in doing so and if not why not because surely you can't make a decision on something if you don't have the total picture or the full information it would appear to me that the process has been rushed?

*Response from Chief Executive Officer:*

*Thanks Mr Wright through the acting chair I'm happy to respond so we did receive some unsolicited expressions of interest in effect but Council has not yet resolved what it's view about the future of the Colac visitor service from that VIC building might be if Council wants to understand the opportunity to have someone other than itself operate that then good governance would say we should actually prepare something put that out so that everyone has an equal opportunity to respond I think that that is the most appropriate way to do that so the people who've already shown interest I would hope that if Council does decide to do that that they show interest through that process where everything they there's something for them to respond to and it can be properly assessed against other interested parties rather than just responding to things in an ad hoc nature when others haven't had that opportunity.*

**Alan Billings**

Thank you, Councillors, for the opportunity to put a couple of questions

Now clearly the recommendations will have to go to Council, so I guess there's no decisions made at this point well it was interesting to hear that the CEO was said that we were going that the council was going to make decisions before it went out to for any other consideration the uh there's certainly some recommendations here that Council have the opportunity to make today. If I could also raise a concern about the use of the unscheduled meeting, I noted the chair indicated that we have 15 minutes a normal council meeting would give question time 30 minutes, so we've been cut down. I did notice that Council staff response was also quite verbose and time has disappeared.

1. Have Councillors workshopped this report and are Councillors aware of any additional information that not that does not appear in this report?

***Response from Chief Executive Officer:***

*Through the chair Mr Billings, so I'll just circle back to your earlier comment and I'm sorry that you're disappointed that this unscheduled meeting includes the VIC that was actually to respond to some of the submissions that were received from Council in relation to it where there was a request that this actual decision be made in Colac so, it was deferred from July's meeting in Apollo Bay and brought to the first opportunity which is this unscheduled meeting. The Councillors haven't Workshop the report that is the officers report, officers have prepared that and that is officers recommendation Etc. But Councillors have certainly had an opportunity to ask questions of officers to seek information about certain things to make sure that we're providing information that Councillors feel they need to make the decision and we have had a discussion at a briefing session around the various options that are now attached to the report to make sure that officers were presenting information that's relevant to what Councils wanted to consider there's no secret information that I'm aware of that isn't in the discussion paper that's been circulated or in the report and its attachments today.*

**Alan Billings**

I wasn't suggesting that there was anything secret but having looked at the recommendation if I was sitting in the chair as a Councillor which I have done in the past I would send that report back for more detail the proposition that you go to a volunteer service great but who in fact sets the business plan do the volunteers have enough autonomy to do that on themselves are they able to excuse me are they able to go to private commercial operations and say will you partner with us what are the powers and the obligations of a volunteer operated facility and that that that information's not there.

***Response from Chief Executive Officer:***

*I take that as a comment.*

**Alan Billings**

Yes, just a comment rather than a question. Yeah, there there's a lot more detail required, and I would have thought councils would have sort it they probably will I hope they do.

**6 DECLARATIONS OF INTEREST**

Cr Hart	Item 7.6 – Advocacy and Priority Projects	General	The Lavers Hill Path, if built, would have great proximity to place of residence. It may be perceived as a direct conflict.
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**APPOINTMENT OF TEMPORARY CHAIR**

*Cr Margaret White (Mayor) was an apology for this meeting. The meeting was opened by Chief Executive Officer, Anne Howard.*

**RESOLUTION**

*Moved Cr Hart, Seconded Cr Finnigan*

*That council appoint Cr Hanson to be temporary chair for this unscheduled council meeting.*

**CARRIED 6 : 0**

Item: 7.1

**PP139/2023-1 – 173 Hart Street COLAC – Use and  
Development of a Childcare Centre**

<b>OFFICER</b>	Vikram Kumar
<b>CHIEF EXECUTIVE OFFICER</b>	Anne Howard
<b>DIVISION</b>	Planning and Strategic Focus
<b>ATTACHMENTS</b>	Nil

*This item was not included in the agenda and is scheduled to be presented at the 28 August 2024 Council Meeting.*



Item: 7.2

## Project Budget Adjustments and Cash Reserve Transfers - for end June 2023-24

<b>OFFICER</b>	Paula Gardiner
<b>CHIEF EXECUTIVE OFFICER</b>	Anne Howard
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. Attachment 1 - EoFY Capital Projects - Completed Projects Report [7.2.1 - 1 page]</li><li>2. Attachment 2 - EoFY Capital Projects - Carry Forward Report [7.2.2 - 3 pages]</li><li>3. Attachment 3 - EoFY Operational Projects - Completed Projects Report [7.2.3 - 1 page]</li><li>4. Attachment 4 - EoFY Operational Projects - Carry Forward Report [7.2.4 - 2 pages]</li></ol>

### RESOLUTION

*Moved Cr Arnott, Seconded Cr Costin*

*That Council:*

- 1. Approves the new projects as presented in Tables 1 and 2 of this report, at a total net cost to Council of \$10,000 funded from the Unallocated Discretionary Fund.*
- 2. Approves the project budget adjustments in Table 3a.*
- 3. Approves the project budget adjustments in Table 3b.*
- 4. Notes the projects identified for closure in Attachment 1 – Capital Project Closures and Attachment 3 – Operational Project Closures.*
- 5. Notes the projects identified for carry forward to 2024-25 in Attachment 2 – Capital Project Carry Forward 2023-24 and Attachment 4 – Operational Project Carry Forward 2023-24.*

**CARRIED 6 : 0**

Item: 7.3

## Draft Lake Colac Path Feasibility Study

OFFICER	Jarrold Woff
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy
ATTACHMENTS	1. Draft Lake Colac Perimeter Path Feasibility Study [7.3.1 - 100 pages]

### RESOLUTION

*Moved Cr Hart, Seconded Cr Potter*

*That Council:*

- 1. Notes the Draft Lake Colac Perimeter Path Feasibility Study (Attachment 1) has been developed following engagement with a range of landowners and stakeholders.*
- 2. Endorses the Draft Lake Colac Perimeter Path Feasibility Study (Attachment 1) to be placed on public exhibition for a minimum of six weeks in the first six months of 2025 for the purpose of inviting submissions.*
- 3. Provides the opportunity for any person wishing to speak to their written submission to be heard, or a nominated representative to speak to their submission on behalf of the person, at a Submissions Committee meeting prior to Council considering the final report.*
- 4. Notes that it is intended that the final report will be presented for adoption at a future Council Meeting.*

**CARRIED 6 : 0**

Item: 7.4

## Colac Visitor Servicing Review

OFFICER	James Myatt
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy
ATTACHMENTS	<ol style="list-style-type: none"><li>Attachment 1 - Discussion Paper - Colac Visitor Servicing Review - May 2024 [7.4.1 - 42 pages]</li><li>Attachment 2 - Colac Visitor Servicing Review - Options Analysis [7.4.2 - 5 pages]</li></ol>

### REVISED OFFICER RECOMMENDATION

*That Council:*

- Notes the findings presented in the Discussion Paper – Colac Visitor Servicing Review (Attachment 1) and thanks local businesses and community for their feedback following the public exhibition process.*
- Notes the strategic objective of Council's visitor servicing function is to stimulate the local economy through increasing visitor spend, length of stay and seasonal/geographic dispersal.*
- Notes that there are a range of visitor servicing options available to Council as outlined in the Colac Visitor Servicing Review – Options Analysis (Attachment 2).*
- Notes that Great Ocean Road Regional Tourism is undertaking work to increase focus on Colac including the development of an enhanced website presence and greater focus on Colac based promotional campaigns in collaboration with local businesses, and this addresses one matter raised through several submissions.*
- Determines to operate the Colac Visitor Information Centre via a volunteer-operated model, with no paid staff rostered at the centre (as outlined in Option 2b of Attachment 2) at an estimated cost to Council of \$50,000 per annum.*
- Notes that officers will recruit a volunteer coordinator (part-time) at an estimated cost to Council of \$25,000 per annum and commence an Expression of Interest process to establish the pool of volunteers interested in operating the Colac Visitor Information Centre as soon as possible.*
- Agrees that if a volunteer-operated model cannot be established to support opening the Colac Visitor Information Centre for a minimum of four days (being Friday to Monday, 10am*

to 4pm) by 1 July 2025, a report will be brought to Council before the end September 2025 to consider the matter further.

8. Continues to operate the Colac Visitor Information Centre with paid staff until 30 June 2025 or once the volunteer-operated model commences, whichever is the sooner.
9. Upon commencement of the volunteer-operated model, allocates funds (pro-rata for the financial year) to alternate visitor servicing initiatives including:
  - a. Business Partnering – \$15,000
  - b. Colac tourism product development initiatives eg: business case/concept design to support future funding applications – \$25,000
  - c. Staff resources to support Colac tourism development – \$50,000

## ALTERNATIVE MOTION

*Moved Cr Potter, Seconded Cr Arnott*

*That Council:*

1. Notes the findings presented in the Discussion Paper – Colac Visitor Servicing Review (Attachment 1) and thanks local businesses and community for their feedback following the public exhibition process.
2. Notes the strategic objective of Council's visitor servicing function is to stimulate the local economy though increasing visitor spend, length of stay and seasonal/geographic dispersal.
3. Notes that there are a range of visitor servicing options available to Council as outlined in the Colac Visitor Servicing Review – Options Analysis (Attachment 2).
4. Notes that Great Ocean Road Regional Tourism is undertaking work to increase focus on Colac including the development of an enhanced website presence and greater focus on Colac based promotional campaigns in collaboration with local businesses, and this addresses one matter raised through several submissions.
5. Determines to undertake an Expression of Interest process to invite submissions for a lease for a VIC operator with the following minimum requirements:
  - a. Mandatory conditions:
    - i. Open at least 5 days per week, including weekends (other than Christmas Day).
    - ii. Opening hours minimum 10am to 4pm.
    - iii. Equitable advertising access for all businesses in municipality.
    - iv. Participate in training/product awareness – at least 1 day per quarter.
    - v. No cost to Council beyond its landlord responsibilities.
  - b. Desirable conditions:
    - i. Incorporation of a volunteer program to enable community members to support visitor servicing
6. Agrees that the Expression of Interest process will commence as soon as practicable after the 28 October 2024 to enable the newly-elected Council to consider submissions as early as possible in its term.

7. Continues to operate in the interim, Colac Visitor Information Centre with paid staff until 30 June 2025 under the current operating arrangements.
8. Introduce the following alternate visitor servicing initiatives as soon as Council ceases to directly operate the Colac Visitor Information Centre:
  - a. Business Partnering – \$15,000
  - b. Colac tourism product development initiatives eg: business case/concept design to support future funding applications – \$25,000

## AMENDMENT MOTION

Moved Cr Hart, Seconded Cr Costin

That council amend point 7 to read:

That Council continues to operate the Colac Visitor Information Centre with paid staff until 16 August 2024 under the current operating arrangements.

LOST 2 : 4

For	Against
Cr Hart	Cr Potter
Cr Costin	Cr Hanson
	Cr Finnigan
	Cr Arnott

## AMENDMENT MOTION

Moved Cr Finnigan, Seconded Cr Hart

That Council amends points 5, 6 and 7 of the motion as follows:

5. Determines to undertake an Expression of Interest process to invite submissions for a lease for a VIC operator with the following minimum requirements:

a) Mandatory conditions:

- i. Open at least 5 days per week, including weekends (other than Christmas Day).
- ii. Opening hours minimum 10am to 4pm.
- iii. Equitable advertising access for all businesses in municipality.
- iv. Participate in training/product awareness – at least 1 day per quarter.
- v. No cost to Council beyond its landlord responsibilities.
- vi. Incorporation of a volunteer program to enable community members to support visitor servicing

6. Notes that officers will recruit a volunteer coordinator (part-time) at an estimated cost to Council of \$25,000 per annum and commence an Expression of Interest process to establish the pool of volunteers interested in operating the Colac Visitor Information Centre as soon as possible.

7. Continues to operate in the interim, Colac Visitor Information Centre with paid staff until 30 June 2025 under the current operating arrangements, with provision for volunteers to supplement the current staffing arrangements, with volunteer rostering to be done by volunteers and forwarded to the relevant manager.

LOST 2 : 4

For	Against
Cr Finnigan	Cr Costin
Cr Hart	Cr Potter
	Cr Hanson
	Cr Arnott

## RESOLUTION

Moved Cr Potter, Seconded Cr Arnott

That Council:

1. Notes the findings presented in the Discussion Paper – Colac Visitor Servicing Review (Attachment 1) and thanks local businesses and community for their feedback following the public exhibition process.
2. Notes the strategic objective of Council’s visitor servicing function is to stimulate the local economy though increasing visitor spend, length of stay and seasonal/geographic dispersal.
3. Notes that there are a range of visitor servicing options available to Council as outlined in the Colac Visitor Servicing Review – Options Analysis (Attachment 2).
4. Notes that Great Ocean Road Regional Tourism is undertaking work to increase focus on Colac including the development of an enhanced website presence and greater focus on Colac based promotional campaigns in collaboration with local businesses, and this addresses one matter raised through several submissions.
5. Determines to undertake an Expression of Interest process to invite submissions for a lease for a VIC operator with the following minimum requirements:
  - a. Mandatory conditions:
    - i. Open at least 5 days per week, including weekends (other than Christmas Day).
    - ii. Opening hours minimum 10am to 4pm.
    - iii. Equitable advertising access for all businesses in municipality.
    - iv. Participate in training/product awareness – at least 1 day per quarter.
    - v. No cost to Council beyond its landlord responsibilities.
  - b. Desirable conditions:
    - i. Incorporation of a volunteer program to enable community members to support visitor servicing

6. *Agrees that the Expression of Interest process will commence as soon as practicable after the 28 October 2024 to enable the newly-elected Council to consider submissions as early as possible in its term.*
7. *Continues to operate in the interim, Colac Visitor Information Centre with paid staff until 30 June 2025 under the current operating arrangements.*
8. *Introduce the following alternate visitor servicing initiatives as soon as Council ceases to directly operate the Colac Visitor Information Centre:*
  - a. *Business Partnering – \$15,000*
  - b. *Colac tourism product development initiatives eg: business case/concept design to support future funding applications – \$25,000*

**CARRIED 4 : 2**

<i>For</i>	<i>Against</i>
<i>Cr Potter</i>	<i>Cr Hart</i>
<i>Cr Arnott</i>	<i>Cr Costin</i>
<i>Cr Finnigan</i>	
<i>Cr Hanson</i>	

Item: 7.5

## Lake Colac Holiday Park Lease

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

### RECOMMENDATION

**That Council:**

1. *Notes that its lease agreement with BelgraviaPRO for the Lake Colac Holiday Park, which commenced on 1 January 2024, details the infrastructure to be delivered by the lessee through co-contributions with Council funding up to \$500,000 and the lessee funding at least \$515,000 (figures exclude GST).*
2. *Supports a variation to the lease to amend the 'Further Portion Works' in Schedule 3, Special Condition 13(a) to be:*
  - a. *Worker/Visitor accommodation – installation of at least 6 ensuite studio rooms*
  - b. *Shed replacement*
  - c. *Dump Point*
  - d. *Other Infrastructure*
3. *Notes the variation delivers improved long-term infrastructure which will become Council's asset at the end of the lease.*
4. *Authorises the Chief Executive Officer to execute the lease agreement variation on behalf of Council.*
5. *Notes that being a Crown land lease, the variation will be submitted for Ministerial approval after execution by Council and BelgraviaPRO.*



## AMENDMENT MOTION

Moved Cr Costin, Seconded Cr Finnigan

That Council adds an additional requirement that:

*BelgraviaPRO detail the procurement methodology as part of the project plan to be submitted in accordance with Special Condition 14 of the lease agreement to enable officers to assess value for money outcomes and establish hold points and payment milestones.*

CARRIED 4 : 2

For	Against
Cr Hart	Cr Potter
Cr Costin	Cr Arnott
Cr Hanson	
Cr Finnigan	

## AMENDMENT MOTION

Moved Cr Hart, Seconded Cr Finnigan

That Council adopt the officer's recommendation with the addition of the following words to point 2 (c):

*"That is to be accessible for public use during reasonable hours at a reasonable fee."*

CARRIED 6 : 0

## RESOLUTION

Moved Cr Arnott, Seconded Cr Potter

That Council:

1. Notes that its lease agreement with BelgraviaPRO for the Lake Colac Holiday Park, which commenced on 1 January 2024, details the infrastructure to be delivered by the lessee through co-contributions with Council funding up to \$500,000 and the lessee funding at least \$515,000 (figures exclude GST).
2. Supports a variation to the lease to amend the 'Further Portion Works' in Schedule 3, Special Condition 13(a) to be:
  - A. Worker/Visitor accommodation – installation of at least 6 ensuite studio rooms
  - B. Shed replacement
  - C. Dump Point (That is to be accessible for public use during reasonable hours at a reasonable fee.)
  - D. Other Infrastructure

3. *Notes the variation delivers improved long-term infrastructure which will become Council's asset at the end of the lease.*
4. *Authorises the Chief Executive Officer to execute the lease agreement variation on behalf of Council.*
5. *Notes that being a Crown land lease, the variation will be submitted for Ministerial approval after execution by Council and BelgraviaPRO.*
6. *BelgraviaPRO detail the procurement methodology as part of the project plan to be submitted in accordance with Special Condition 14 of the lease agreement to enable officers to assess value for money outcomes and establish hold points and payment milestones*

**CARRIED 6 : 0**

Item: 7.6  
**Advocacy and Priority Projects**

<b>CHIEF EXECUTIVE OFFICER</b>	Anne Howard
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	1. Colac Otway Shire Advocacy Framework and Advocacy Priorities - August 2024 [7.6.1 - 13 pages]

*Cr Hart declared a conflict of interest pursuant to Section 127 of the Local Government Act 2020 and left the meeting at 6.35pm, returning at 6.53pm after the discussion on the item concluded.*

Cr Hart	Item 7.6: Advocacy and Priority Projects	General	The Lavers Hill Path, if built, would have great proximity to place of residence. It may be perceived as a direct conflict.
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**RECOMMENDATION**

*Moved Cr Finnigan, Seconded Cr Potter*

**That Council:**

1. *Adopts the updated advocacy framework and advocacy priorities (as detailed in Attachment 1).*
2. *Notes that approach for each project or initiative, including specific advocacy collateral, will be developed to support priorities after adoption of the updated priority lists.*

## AMENDMENT MOTION

*Moved Cr Costin, Seconded Cr Arnott*

*That Council:*

- 1. That Council removes the words "and land tax" in table 1 attachment 1 and,*
- 2. Seeks an Officers report on the benefits and risk associated with the Victorian Government's land tax regime.*

**LOST 1 : 4**

<i>For</i>	<i>Against</i>
<i>Cr Costin</i>	<i>Cr Potter</i>
	<i>Cr Hanson</i>
	<i>Cr Finnigan</i>
	<i>Cr Arnott</i>

## RESOLUTION

*Moved Cr Finnigan, Seconded Cr Potter*

*That Council:*

- 1. Adopts the updated advocacy framework and advocacy priorities (as detailed in Attachment 1).*
- 2. Notes that approach for each project or initiative, including specific advocacy collateral, will be developed to support priorities after adoption of the updated priority lists.*

**CARRIED 5 : 0**

Item: 7.7

## Award of Contract 2426 - Strachan Street Reconstruction

OFFICER	Matthew Skewes
GENERAL MANAGER	Doug McNeill
DIVISION	Infrastructure and Operations
ATTACHMENTS	Nil

### RESOLUTION

*Moved Cr Arnott, Seconded Cr Potter*

*That Council:*

- 1. Awards Contract 2426 – Strachan Street Reconstruction (Main Street to Barry Street) Birregurra to Tenderer 3 (as per the confidential attachment to this report) for the lump sum price of \$636,171.25 (excluding GST).*
- 2. Authorises the Chief Executive Officer to execute the contract documents on behalf of Council.*
- 3. Authorises the Chief Executive Officer to perform all roles of the Principal.*
- 4. Nominates the General Manager Community and Economy to the role of Superintendent for the contract, including managing variations in accordance with the contract conditions.*
- 5. Notes that unsuccessful tenderers will be advised of the outcome of the tender process and the successful tenderer and contract price will be listed on Council’s website.*

**CARRIED 6 : 0**

Item: 7.8

## Award of Contract 2418 - Landslip Rehabilitation Works

OFFICER	Kanishka Gunasekara
GENERAL MANAGER	Doug McNeill
DIVISION	Infrastructure and Operations
ATTACHMENTS	Nil

### RESOLUTION

*Moved Cr Hart, Seconded Cr Arnott*

*That Council:*

- 1. Awards Contract 2418 – Landslip Rehabilitation – Various sites to the following (as per the confidential attachment to this report):*
  - Separable Portion A (Binns Road) to Tender 7 for a lump sum of \$229,015.00 ex GST*
  - Separable Portion B (The Boulevard) to Tender 4 for a lump sum of \$76,397.00 ex GST*
  - Separable Portion C (Harrington St) to Tender 4 for a lump sum of \$28,538.00 ex GST*
  - Separable Portion D (Ocean Rd) to Tender 4 for a lump sum of \$121,397.00 ex GST (Noting this is the Old Ocean Road)*
  - Separable Portion E (Sunnyside Rd) to Tender 7 for a lump sum of \$68,777.00 ex GST*
- 2. Authorises the Chief Executive Officer to execute the contract documents on behalf of the Council.*
- 3. Authorises the Chief Executive Officer to perform all roles of the principal.*
- 4. Appoints the General Manager Community and Economy to the role of superintendent for the contracts, including managing variations in accordance with the contract conditions.*
- 5. Notes that unsuccessful tenderers will be advised of the outcome of the tender process and the successful tenderers and contract prices will be listed on Council's website.*

**CARRIED 6 : 0**

Item: 7.9

**Instrument of Appointment and Authorisation - Planning  
and Environment Act 1987 - Thomas Milverton**

<b>OFFICER</b>	Belinda Rocka
<b>CHIEF EXECUTIVE OFFICER</b>	Anne Howard
<b>DIVISION</b>	Executive
<b>ATTACHMENTS</b>	1. S 11 A Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - Thomas ~ 14 [7.9.1 - 1 page]

**RESOLUTION**

*Moved Cr Potter, Seconded Cr Arnott*

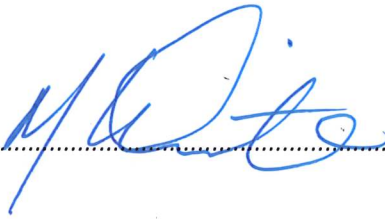
*That Council:*

- 1. Appoints Thomas Milverton as an Authorised Officer pursuant to section 147(4) of the Planning and Environment Act 1987 (refer Attachment 1).*
- 2. Authorises the use of the common seal in accordance with Colac Otway Shire Council's Governance Local Law No 4 – 2020.*
- 3. Notes that the Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the instruments and remain in force until Council determines to vary or revoke them.*

**CARRIED 6 : 0**

*The meeting was declared closed at 7.08pm*

**CONFIRMED AND SIGNED** at the meeting held on 28 August 2024.

A handwritten signature in blue ink, appearing to be 'M. D. O.', written over a horizontal dotted line.

**MAYOR**