

Questions Submitted in Writing – Ordinary Council Meeting – 25 November 2020

James Judd, Colac

- 1. While the Colac Otway Shire Council sometimes makes decisions that will not be put into effect for decades forward what certainty can Council give that Minutes with reference to these matters will be retained intact until a decision not to be proceed or the matter is finalised, not be destroyed 5 years after a decision made to introduce a plan, ie:**
 - a). Colac 2050 Growth Plan;**
 - b). Extension centre strip in Murray Street in Colac down to Armstrong Street when talk was about that this would be a long term plan by Council over decades;**
 - c). Eventual improvements to the comfort station at Memorial Square in Colac**

Response from Acting Governance Manager / Chief Executive

Council retains full records of Council meetings as per the requirements for the management of public records under the Public Records Act 1973, which stipulates that these records are retained permanently. Resolutions from each meeting are kept in a resolutions register so that they can be tracked. The newly completed and incomplete resolutions/items are reported to Executive Management Team on a monthly basis. There is also a register of all Council Plans & Strategies, it is reviewed annually with progress made and the status of the strategy or plan and reported to the Executive Management Team.

- 2. Since the Colac Otway Shire Council has moved the end that most community events are held at Memorial Square in Colac, when does the Council propose to construct a comfort station at the east end of the Square or does this depend on receipt of outside funds before it is considered, as many people are complaining about lack of facilities?**

Response from General Manager / Chief Executive

The Memorial Square masterplan identified that the eastern end of the park is best suited to accommodating event activities. Recommended improvements to support this included; formalising a staging area and three phase power. Toilets were not proposed at the eastern end of the reserve.

Council is currently preparing designs for the replacement of the toilets at the western end and has looked at a range of location options within the reserve as part of this process. The eastern end was not supported for a number of reasons including; impacts to traffic and parking, proximity to the facilities at Hesse Street Comfort Station and being too far from key permanent destinations such as the playspace and shopping precinct. The new toilets will include more cubicles to cater to demand from visitors and it is expected that the additional needs generated by events will be catered to with the provision of portable, temporary toilets as required.

The new Memorial Square toilet design will be placed on public exhibition in the coming months and external funding will be sought once construction costs are known.

- 3. When the Local Government Act 2020 is fully introduced will the option to pay rates and charges by instalments remain in force.**

Response from General Manager / Chief Executive

Yes, there will be no change to rating provisions and payment options. The provisions in the Local Government Act 1989 still apply. Following the State Governments review of the rating system, that is yet to be released, it is not anticipated there will be any changes to payment options.

4. **As there were more votes returned at the 2020 council elections than the 2016 elections, as the conditions changed relating to who is required to vote at these council elections was different to council elections since prior to amalgamation was there any increase in total of invalid votes returned in 2020 over those at the 2016 elections? Plus, has there been any increase in number of failure to vote notices to be issued or sent out for the 2020 elections?**

Response from Acting Governance Manager / Chief Executive

The VEC has released a Media release on Friday 13 November stating:

“The average voter turnout of 81.4% was a significant improvement on the 2016 average turnout of 72.1% and marks the highest turnout rate ever recorded for local council elections in the State (previously 75.1% in 2005).

Voters not only turned out at a higher rate; more of them voted formally. The average rate of informal ballot papers across the State was 4.7%, a significant decline from 6.3% in 2016 (5.3% in 2012)”.

The VEC will provide the Council with the formal election report in April 2021 where the Colac Otway Shires’ election statistics and comparative ballot count and informal votes are provided. The VEC commences failure to vote activity from December 2020 so as yet there are no figures to inform a response at this stage.

5. **Since production of the Colac 2050 Growth Plan and it’s acceptance by Council what investigation has been carried out to make sure areas earmarked for development will be available in time to introduce that Plan on time? Plus, what certainty yet exists that all funds required to upgrade all drainage systems prior to the due date to introduce the Plan on time will be available so that we do not have regular flood events every few years?**

When some rain events last for weeks with very high flows in valleys do not claim drainage up to standard to take a once in 100 year event when Council has admitted this is only one chance in one hundred of happening each year when the prior major flood event to isolate Colac was only a decade ago with no major drainage upgrade works since. Any extension of the sewerage system reduces land available to hold run-off and increases the speed of stream rises.

Response from General Manager, Development & Community Services

Council has undertaken a range of actions since the adoption of the Colac 2050 Growth Plan, aimed at making land available for development. A Development Plan for land adjacent to the former Colac High School is being prepared, and when finalised early in 2021 will facilitate subdivision of that land. Officers have also worked with some land owners in growth areas to guide the technical investigations required to support future rezoning applications. An application for grant funding has been made to the Victorian Planning Authority to enable the commencement of a Precinct Structure Plan for the Colac West residential growth area, and work has commenced on the preparation of a Development Plan to guide future industrial development at J Barrys Road in East Colac. Stormwater drainage infrastructure will be required to be installed by developers as land is further subdivided to ensure that new development does not contribute further to existing flooding, and upgrades will aim over time to reduce the extent of flooding in accordance with Council’s adopted Colac Stormwater Development Strategy. These requirements are enforced through conditions of planning permit and through new planning controls when land is rezoned.

Response from General Manager, Environment & Infrastructure

It is anticipated that most of the funding of drainage works for new land development projects will be provided by the developer, not by Council. Hence Council does not need to plan to fund these works. The Colac Stormwater Development Plan did, however, highlight some existing drainage problems and the funding of solutions to these will be considered by Council when forming the Long Term Financial Plan.

In relation to rainfall events it is not anticipated that events will or do last for weeks and it should be noted that the longer the storm, the less intense the rainfall, in general. Urban stormwater drainage systems are designed to

work in two stages. Stage 1 is a piped system which is designed to manage a storm which would occur every 5 to 10 years, on average. Stage 2 takes over when the pipes are unable to cope with the stormwater flow and this is achieved by overland flow, either along roadways, open land or along creeks. This overland system should be designed for a storm which has a 1% probability of occurring in any year. It should be noted that such a storm can occur more than once in a year or each year for several years in a row, but generally doesn't. The occurrence is random.

Jordana Langridge, Cororooke

- 1. What is the Colac Otway Shire Council's responsibility and oversight of the implementation of 'Smart City' technology roll-out, including facial recognition surveillance cameras and the securing of private company telecommunications antenna devices to public utility light poles throughout Colac Otway Shire?**

Response from General Manager, Infrastructure & Environment

As far as is known at this time Council does not have responsibility in this area. Council has not been approached by any other parties in relation to this and is not aware of any plans to introduce this technology in Colac Otway Shire.

Tim Cobb, Skenes Creek

- 1. Apollo Bay Rec Reserve: At the June Council Meeting, Councillors requested that the CEO write to DELWP and the relevant Minister regarding the need for the community to be consulted on the future management arrangements for Apollo Bay's Rec Reserve during the process of setting up the Great Ocean Road Authority. Despite this the GORCPA is now upon us with no community views on this matter being sought.**

(Attached: A copy of the notice of motion from the June meeting which explains why AB Rec Reserve is so important to our community and why the GORCPA is unlikely to give appropriate focus to our Rec Reserve management; and, a copy of the relevant section from the minutes of the June meeting highlighting Councils decisions).

- a) Will the CEO share any response he received from DELWP or the Minister with Councillors and the community?**

Response from Chief Executive

Yes, copy of the letter is attached.

- b) Will the CEO commit to seek community feedback during the Community Infrastructure Plan process specifically on "Should Apollo Bay Rec Reserve be managed by the GORCPA or Colac Otway Shire in future"**

Response from General Manager, Development & Community Services

Council's understanding is that the Great Ocean Road Coast and Parks Authority is continuing to engage with the community about the future development and management of the Apollo Bay Recreation Reserve. This is being partly facilitated through the development of the Reserve Master Plan.

As the future management of the reserve is a specific management issue, the development of the Community Infrastructure Plan is not considered the most appropriate process to consider management issues.

2. **Apollo Bay High View Trail: Some years ago the Shire completed a study on the Apollo Bay High View trail which established its feasibility, economic viability and cost of completion.**

a) **Will the Shire apply for funding to complete the trail under the current Building Better Regions Fund program?**

b) **If further/updated studies are needed, will the Shire apply for funds to complete those studies under the BBRF program?**

Response from General Manager Development and Community Services

Council is currently determining which project/s it submits to the Building Better Regions Fund (BBRF), with preference given to Council's current priority projects and potential to provide the matching contribution required. Council supported the Apollo Bay Trails Feasibility Study in 2013, with the Highview Trail considered a potential trail for development. Whilst this project is not a priority project of Council, the feasibility study did identify the benefits associated with the proposed trail. Further work is required to ensure that the project is 'funding ready', however much of this work would not lend itself to an application to the BBRF. Council officers are currently working with the local community to progress the project.

Carol Wilmlink, Apollo Bay

1. **If the 66 place kindergarten facility at the Apollo Bay P-12 College site is being fully funded by the Victorian School Building Authority, and Federal Government funding of \$1m will enable the development of a fully integrated Early Years Hub including childcare, what funds are being supplied by Colac Otway Shire towards this project?**

Responses from General Manager, Development & Community Services

\$500,000.

2. **If Councils only contribution is to be "offset by the sale of the current kindergarten property", I question the economics of this sale if Council soon has to purchase other property in Apollo Bay to remedy the need for more essential parking for two of our major community buildings in Apollo Bay, i.e. Otway/Great Ocean Road Health and the Senior Citizens Centre (soon to be Community Centre)?**

Council is making a significant contribution to the new early year's facilities in Apollo Bay which is proposed to be offset via the sale of the existing kindergarten. This is still a significant contribution as Council could have ultimately determined to sell the facility and use the proceeds for other purposes.

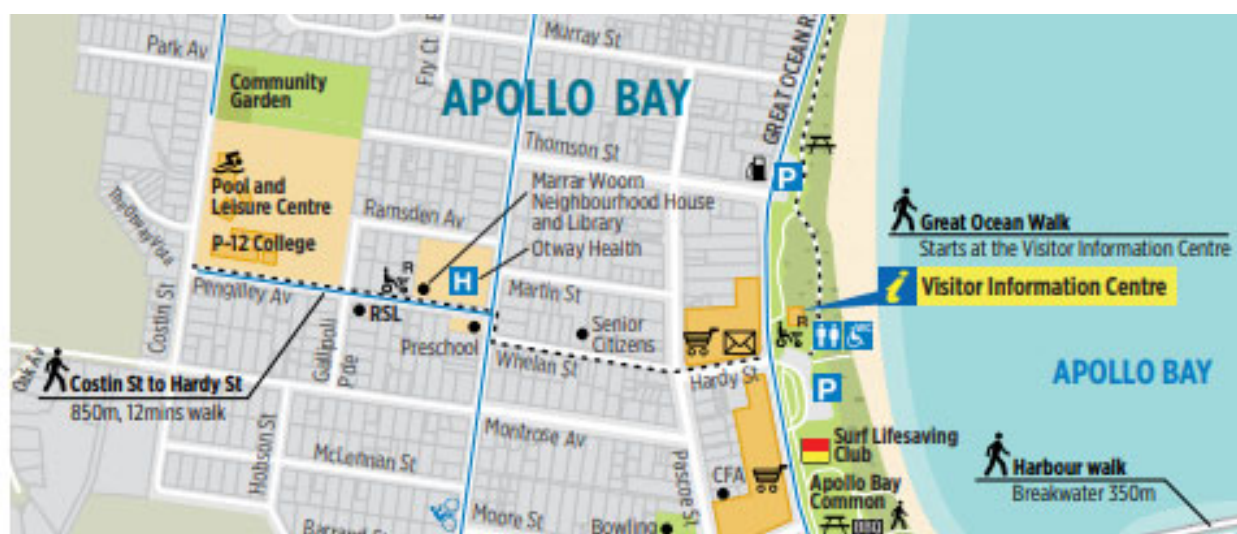
3. **Should current parking problems of Otway Health and the Senior Citizens Centre be overcome by converting the current Preschool site into much needed parking space for these two community activities? The preschool is located between both these buildings (see map below). Otway Health has minimal parking onsite, and the Senior Citizens has space for three cars, is situated in a narrow street with parking on both sides, and insufficient space for two cars to pass safely. How can 3 parking spaces accommodate 'community' activities?**

Council understands that car parking is an ongoing challenge for much of the Apollo Bay township. The new Kindergarten/Maternal and Child Health facility will include off-street car parking at its new site which is

anticipated to alleviate some of the parking issues in the precinct which are currently intensified by the kindergarten.

4. Recent work has been done on our Senior Citizens building, so many local groups will be looking forward to being able to access and enjoy this facility – especially after this last year of ‘isolation’. I know our U3A group will be happy to be able to meet and enjoy activities together. The Senior Citizens is owned by Council, so I’m asking you where will we all park?

As stated in a previous response, the new Kindergarten/Maternal and Child Health facility will include off-street car parking at its new site which is anticipated to alleviate some of the parking issues in the precinct which are currently intensified by the kindergarten. It is anticipated that this will create additional car parking spaces for uses of the Apollo Bay Community Centre.



5. I believe the preschool was originally financed by the community. Can Council return it to the community for their continued use, by finding alternate funds (rates?) to assist in building this vital Apollo Bay Early Years Hub?

The 2020/21 budget was an extremely challenging budget to construct due to the impact of COVID-19 on the community and the organisation. Council did consider a number of avenues of contributing to the Maternal and Child Health component of the Kindergarten development however ultimately determined that the most feasible and sustainable way was through the sale of the existing kindergarten facility.



Hon Lily D'Ambrosio MP

Minister for Energy, Environment and Climate Change
Minister for Solar Homes

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Mr Peter Brown
Chief Executive
Colac Otway Shire
PO Box 283
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Ref: MIN072545



Dear Mr Brown

MANAGEMENT OF THE APOLLO BAY RECREATION RESERVE

Thank you for your email of 8 July 2020 regarding the Apollo Bay Recreation Reserve and its future management under the Great Ocean Road Coast and Parks Authority.

The Apollo Bay Recreation Reserve, like many other recreation reserves on coastal Crown land in the region, serves a dual role as an important community sporting venue whilst also providing visitor accommodation critical to the township's economy.

The recreation reserve is Crown land, administered under the *Crown Land (Reserves) Act 1978*, and the appointed committee of management is the Otway Coastal Committee. The committee of management for the recreation reserve will be transferred to Great Ocean Road Coast and Parks Authority by 1 December 2020 (including all staff, assets and liabilities) as specified in the *Great Ocean Road and Environs Act 2020*.

The Victorian Government is committed to delivering the management reforms outlined in the Great Ocean Road Action Plan, the directions of which have been widely consulted upon and received significant support. The creation of a single land management body for coastal Crown land from Torquay to Warrnambool was identified as a key initiative of the Action Plan, resolving the complex fragmented land management responsibilities along the coast that is impeding a holistic approach to management of this special part of the state.

The Authority established by the new Act is strongly aligned to that advocated for by the Colac Otway Shire (e.g. in its submission of 19 April 2018 on the Great Ocean Road Issue Paper and in a Mayor's media release dated 3 August 2018).

A key foundation for the work of the Authority, as enshrined in legislation (Section 48(3)(g)), is to "*engage with local communities in the development of public land management plans and policies that are of particular relevance to those local communities*". Balancing the needs of multiple user groups on Crown land reserves will require effective engagement between the Authority, user groups, the community and both state and local government.

Regarding the immediate desire to consult the community outlined in your email, I understand that Colac Otway Shire is currently developing a community infrastructure plan, and that community sporting clubs are developing a master plan for the recreation reserve.

I have asked that the Great Ocean Road Management Reform team meet with Council to ensure that the government's objectives in setting up the Authority, and the obligations of the Authority that are enshrined in legislation, are reflected in both key documents. Well considered plans that articulate the community's desires for the recreation reserve will inform the Authority's future management of the site.

If you have any questions, please don't hesitate to contact Ms Colleen White, Regional Director Barwon South West, on [Redacted].

Yours sincerely



Hon Lily D'Ambrosio MP
Minister for Energy, Environment and Climate Change
Minister for Solar Homes

04 / 10 / 2020

Cc:

The Hon Martin Pakula, Minister for Tourism, Sport and Major Events;
The Hon Jaala Pulford MP, Member for Western Victoria Region;
The Hon Gayle Tierney MP, Member for Western Victoria Region;
Mr Stuart Grimley MP, Member for Western Victoria Region;
Ms Beverley McArthur MP, Member for Western Victoria Region;
Mr Andy Meddick MP, Member for Western Victoria Region;
Mr Richard Riordan MP, Member for Polwarth.