

Questions Submitted in Writing – Ordinary Council Meeting – 16 September 2020

Mark Hanlon, Irrewarra (resubmitted)

Meredith Park has a history of mismanagement which has seen a rise in undesirable people misusing the facilities. People come to camp, but go on to stay for extended periods, some for over 12 months. These people invariably leave much hard waste when they finally leave, so even when they go, their legacy remains, as the community must pick up the cost of cleaning up.

The community has already paid for the nominated Council officers who are failing in their management of this facility. In recent years, criminal gangs have operated from this location as they get to know local movements then rob them.

1. Are the Council aware that the toilet facility recently built is flawed in its design for where it is situated?
2. Are Council aware that the toilet paper is being driven by the wind out of the toilet block and then blown around camping ground and into surrounding farmland?

Response from General Manager, Infrastructure & Leisure Services

It is acknowledged that at the time the toilet amenities at Meredith Park were being planned, community members raised concerns about the prevailing winds that come from the south over Lake Colac and asked that this be considered in the design response. Despite efforts by Council to install a facility that met a range of functional and operational criteria, the unit that was selected and the way in which it has been oriented (to face the Lake) did not mitigate the issue of wind, which places pressure on the door fixtures and blows toilet paper onto the floors and into the surrounding area. A cost-effective modification has been identified to help resolve the situation, involving a perforated mesh screen and strip affixed to the front of the toilets and the base of the walls. These works have been allocated to Building Renewal Program and will be implemented in 2021/22.

James Judd, Colac

1. Due to the short time between sending out rates and charges by the Colac Otway Shire Council before the first instalment on 2020-2021 rates and charges is payable will the Colac Otway Shire Council extend the due date until after the next pension due dates one week later (1 – 10 – 2020)? Aged Disability and Veterans Affairs then still qualify to pay by instalments.

When for years rate notices used to be sent out in early August every year, with this very short notice no chance is given to dispute a valuation and charges prior to making payment and having account amended, while you claim the amount must be paid as claimed even if an objection lodged.

Response from General Manager, Corporate Services

The due date for the 1st instalment (ie. 30 September) is prescribed by legislation, so it cannot be extended by Colac Otway Shire. Council is legislated to ensure rate notices are issued a minimum of 14 days before the 1st instalment date.

As has been our practice for many years, we are happy to put accounts on instalments after 30 September if requested to do so by the ratepayer. Any pensioner (or anyone else) that cannot pay the 1st instalment amount by 30 September should therefore ring Council and request they be put on instalments.

With regard to the time allowed for lodging valuation objections, the two month period to do so commences from the date of issue of the rates notice. Therefore, ratepayers are not given less time to lodge valuation objections.

2. **Since no mention is made about the rate penalty interest rate is on late payments in the 2020-2021 rate notice, what is the percentage and from when will it accrue on outstanding amounts? Is it only on outstanding amounts owing at 31 December 2020 from that date, or, is it backdated on all amounts due on prior dates from when original due date fell since any rates mentioned are far above ruling commercial lending rates for general lending when this will retard recovery from the pandemic set back?**

Response from General Manager, Corporate Services

Page 2 of the rates provides information about the charging of penalty interest, including the rate to be charged. The interest rate charged is 10% as prescribed by the Penalties Interest Act and is charged as per the Local Government Act. This rate is higher than commercial lending rates as its legislated purpose is to apply a penalty to those not meeting statutory payment obligations.

Council has previously decided not to charge interest on arrears to 31 December 2020. This decision will be reviewed at that time.

In relation to 2020/21 rates and charges, interest will not be applied until after 15 February 2021 on unpaid lump sum amounts and 28 February 2021 for unpaid third instalments.

3. **How can the Colac Otway Shire Council justify being part of a group of Councils that participate in the annual survey of opinions of Council provided services when this is not a valid report as it deliberately excludes a number in the community from ever being allowed to make comment?**

While there is no guarantee all contacted do not have a common interest only when the whole municipality is judged as having the same views of about 2% of the population? The survey should be open and allowed to make comments if they wish, not only ones with one type of contact available.

There is a significant group in the community that complain about being branded as having the same views of a very minor portion of the population also complain they are never given an opportunity to state their views even with available the contact source used plus we do not know if the number contacted is actual different people or just phone numbers as many have multiple phone numbers.

Response from Chief Executive

The Community Satisfaction Survey (CSS) is managed by Local Government Victoria, which is responsible for selecting the consultancy to develop the questions and carry out the survey.

The CSS offers councils a low-cost mechanism for gaining insights on community perceptions of performance and ensures compliance with the *Local Government (Planning and Reporting) Regulations 2014*.

As per advice from the consulting firm conducting the survey, 400 people are interviewed at random and this number is considered statistically significant. A series of questions are asked at the beginning of the survey to determine if the person is eligible to be interviewed (non-council staff, over 18 years of age, already been interviewed).

I appreciate that not all agree with this approach however it provides valuable benchmarking data across the sector. As an aside to the CSS, community members are able to contact Council at any time with feedback.

4. In view of the VEC notice in the papers that ballot papers must be received back by 6.00pm on Friday 23 October 2020 for this year's Council elections, plus the Friday being a public holiday in this state as a result of an order issued by the State Premier that the Friday prior to the AFL Grand Final must be a Public Holiday in this State, when will the Colac Otway Shire Council correct this notice issued and state the actual closing time for ballots to be returned by?

Response from Chief Executive

Local Government elections are conducted by the Victorian Electoral Commission (VEC) independently of Council. The notice to which you have referred was published by the VEC and as such, any queries regarding its content should be directed to the VEC either via its website at www.vec.vic.gov.au or by phone on 131 832.

5. If the Colac Growth Plan is to go ahead, what guarantee has the Colac Otway Shire Council have that will be able to provide that needed to provide needed open space and playing fields under this plan without the need to amend the plan boundaries and obtain the much needed funds to develop same so they are usable by the time the Plan is to be introduced?

Response from General Manager, Development & Community Services

The areas designated for future residential growth are substantial and provide more than adequate opportunities for provision of open space that services the needs of future population growth.

Graham Costin, Skenes Creek

Live streaming of Ordinary Council Meetings from Apollo Bay

1. At its 26 August meeting, Council officers reported:

"As the Chief Health Officer's Restrictions don't allow for the physical attendance of community members at Council meetings, Council is required to livestream Council meetings. Experience has demonstrated that the internet capabilities at the Apollo Bay meeting venue cannot be relied upon to meet this legislated requirement."

In response, the Council resolution stated:

"That Council ... 3. commits to take all reasonable steps to hold a minimum of two regular monthly Council meetings in Apollo Bay in the calendar year 2021."

Given it may still be some time before the public can attend Council meetings, will Council please advise:

- (i) What steps is Council taking, or proposing to take, to upgrade the internet capabilities at the Apollo Bay Council meeting venue to make it sufficiently reliable for live streaming of Council meetings?

Responses from General Manager, Corporate Services

Council is progressing through activation of a Business NBN internet service for the Council meeting venue in Apollo Bay. Currently no internet service exists at this venue.

- (ii) What steps is Council taking, or proposing to take, to ensure its occupational health and safety requirements can be met at the Apollo Bay Council meeting venue?

Over the last six months, Council has reviewed how the venue in Apollo Bay is used for meeting purposes.

(iii) When Council expects the above steps to be completed and it has the capability to live stream a Council meeting from the Apollo Bay Council meeting venue?

Council is currently in the planning stage for audio visual options at the Apollo Bay Council meeting venue. There are various community needs at this venue and Council needs to ensure community groups are not impacted by any changes to the venue.

2. Social distancing and outdoor seating – will Council help?

It's likely that Victoria will soon move to Step 3 of its COVID-19 Recovery Roadmap and people will be encouraged to spend more time outdoors. Stage 3 removes restrictions on travel and allows hospitality businesses to open for predominately outdoor seated service. When this happens, Apollo Bay will no doubt see an immediate influx of holiday home returnees and other visitors desperate for piece of clean beach and a good coffee.

The influx will provide a much-needed boost for our traders and their staff. However, seating density rules will limit the number of customers that can be seated in existing outdoor areas. Our cafes, restaurants and hotels will need more outdoor space to accommodate a viable number of customers.

Council can easily provide that extra space needed by closing off our main street parallel parking spaces and installing plastic crash barriers outside those businesses who want to participate (at no cost to traders of course). The businesses could then spread out their outdoor seating and install flower boxes and sun umbrellas if they wanted.

The Geelong Chamber of Commerce has proposed a similar approach in Geelong. Lorne have adopted this approach as a permanent solution to footpath congestion along some sections of their main street.

Will Council act quickly in this way to help our hospitality businesses return to viable trading numbers as soon as possible?



Response from General Manager, Development & Community Services

Council officers are working with the Apollo Bay Chamber of Commerce to further engage the community to determine its appetite for reducing car parking and/or trialling the one-way closure of the Great Ocean Road. There are a number of issues that need to be considered however Council is supportive of engaging the community to find solutions to support hospitality businesses. Car parking in Apollo Bay is already limited during peak times and balance is required in supporting hospitality businesses as well as other businesses in the central business area.

John Gorman, Bob Knowles, Markus Knolle, Graham Costin and Tim Cobb, the founding members of Action for Apollo Bay Alliance

Agenda Item 10.12 Notice of Motion – Action for Apollo Bay & Coast Committee

1. In early 2018, the Action for Apollo Bay Alliance was formed by the members listed above. It was established as a non-political alliance of local community organisations to speak with one voice in support of economic infrastructure projects that would benefit Greater Apollo Bay and hinterlands.

The Alliance currently comprises the Chamber of Commerce, Harbour User Group, Skenes Ck Association and Otway Coast Committee. The Alliance intends to expand its membership over time in consultation with Council.

In early 2018, the Alliance identified three long-standing infrastructure projects as its priorities:

1. Harbour Redevelopment and Improvement
2. Apollo Bay Skenes Creek Coastal Trail
3. Coastal erosion mitigation

The Alliance lobbied Federal and State politicians, government agencies and Council to progress these projects. In mid-2018, the Alliance and Council agreed to meet monthly to exchange information and jointly advocate for these priority projects. The joint advocacy was proved incredibly successful with the late-2018 announcement of Geelong City Deal grants for the Harbour and Trail projects.

Given the success of the joint advocacy, the Alliance was very surprised by that Motion 10.12 was tabled to replace the working arrangement with a new and much larger committee with an apparently different objective. The Officer Comment notes the current Alliance-Council collaboration is working effectively, and so it is unclear what this major change in direction is intended to achieve.

The Alliance is not only surprised but particularly disappointed there has been no consultation whatsoever with key stakeholders or the community. It considers this proposal a contravention of Council Policy 2.5 Community Engagement - *“(Council) Decisions will take into account of ... input from community engagement.”*

Given the lack of a clear objective and lack of consultation will Council dismiss this Motion, or otherwise defer consideration until stakeholder and community engagement has taken place?

Response from Chief Executive Officer

As this item is to be considered by Council at its September meeting, it would be inappropriate to comment.

David Walsh, Elliminyt

1. I would like to notify the Colac Otway Shire Councillors that for some reason we had trouble with the sound volume at your televised August Ordinary Council Meeting. The sound was very low and very hard to hear what was being said. My wife made a phone call to the Council Offices about 4.55 to notify of the problem we were experiencing and to see whether a message could be passed to the sound person responsible for the live stream. This did not resolve the issue.

We have not had a problem of this kind with the previous meetings we have watched and we even tried watching on 3 different devices to see whether we could improve the volume but there was no difference in the sound level.

Hoping the sound will be at an acceptable level for this meeting.

Response from General Manager, Corporate Services

Thank you for taking the time to provide this feedback to Council, as well as your attempts to alert Council to your poor audio experience during the meeting.

New audio visual equipment was installed and tested prior to the Council meeting with no audio issues reported during this testing phase. This equipment was installed to remove an additional floor microphone from the Council Chamber that had been causing audio issues including echo feeding back throughout the virtual meeting.

Council officers are constantly aiming to improve this virtual Council meeting experience for the community and apologise for any poor experiences while various improvements are implemented. Audio visual experts will be engaged in an attempt to further improve the experience.

Matt Armstrong, Apollo Bay

1. **I note that officers have recommended that Council grant \$2850 to Southern Otways Sustainable for an Energy Efficiency Webinar for residents. Firstly, thank you to Council and staff for the support and secondly, can we have a clarification to the recommendation?**

While our application had two parts, the recommended grant does not match either component. This leaves a question mark over officers' intentions as to how this money is to be expended.

The two elements of the application were integral to the whole project objective. Either way we will have to re-design the project and in that case it would be very helpful to know which parts of the project the Council Officers think the \$2,850 should support.

Response from General Manager, Development & Community Services

As stated in the Community Grants report in the agenda for the September 2020 Ordinary Council Meeting, Round 2 of the Community Grants Program was significantly oversubscribed meaning some projects deemed eligible for funding fell below the funding cut-off line after scoring. As stated in the guidelines, if applicants received funding in Round 1 of the Community Grants Program, this was taken into consideration to maximise the spread of funding across community groups and locations.

Another consideration was the community outreach of each element of the applications. It was the evaluation panel's view that the Stage 1 element of the application (webinars) would experience the largest community outreach and could be delivered independently of Stage 2. Further the recommended amount of \$2,850 covers all costs included in the application towards delivery of the webinar.