

Questions Submitted in Writing – Council Meeting – 27 October 2021

James Judd, Colac

1. **As we are persistently told the drainage scheme in Colac is up to standard to take a once in 100 year storm. When were the last three times Colac had no road access to the outside world since this has happened multiple times in the past during the existence of the Colac Otway Shire Council? Plus, at times, a major road through Colac has been blocked multiple times within one year due to flooding at the same location. Colac West is ever at risk of being isolated from Colac due to flooding as no good quality road alternative exists. This is now a major farm and industrial supply area.**

Response from General Manager, Environment & Infrastructure

We acknowledge the flooding issue at Deans Creek Road, which is occurring annually on average. Designs are currently being prepared for upgrades to minimise the flood risk on this route. Although flooding does occur from time to time on Deans Creek Road, there are alternative routes, including Cants Road, which provide access and ensure that Colac West is not isolated during times of flood. It should also be noted that whilst new areas are designed to cater for a 1 in 100 year rain event with overland flow paths, this has not always been the case, especially with the very old drainage systems in Colac Otway or where no formal drainage systems exist.

2. **In what year did Councils change their financial year to fall in line with the Australian Financial year instead of that used by major financial institutions from 1 October until 30 September following? I can still remember when Council rate notices were called Council's Christmas present as they always arrived about Christmas time.**

Response from General Manager, Corporate Services

Version No. 30 of the *Local Government Act 1989* legislated alteration of the financial year, resulting in a shortened financial year 1 October 1994 through 30 June 1995. Since then, the Local Government End of Financial Year has been 1 July through 30 June.

3. **By demanding matters that are supposed to be made available to the public for comment can only be accessed online or by use of the QR code, also online, is of dubious quality in sections of this Shire, plus the QR code cannot be accessed by some mobile phones now in use. The use of these methods can be deliberate discrimination against some in the community. With anti-discrimination laws in this state and nation with very heavy fines if broken. Plus this Shire has been claiming for years it is a non-discriminating Council.**

Response from Manager Governance & Communications

Council is happy to provide printed copies of documents 'made available for public comment' to any community member who makes that request.

4. **When will the Colac Otway Shire Council again provide and distribute the quarterly newsletter on Council activities in this Shire, not rely on everyone having access to papers or electronic methods that Council uses to put out notices? People are very annoyed when Council officers take the community to task for not doing things the correct way while you refuse to have regular contact with community members with the only reliable method of informing people. Plus a lot of people who live in this Shire do not work or spend much of [their] business hours in this Shire.**

Response from Manager Governance & Communications

Council currently publishes a weekly 'Community News' notice in the Colac Herald, Apollo Bay News and Otway Light, along with notices also placed in the monthly publications of the Cressy Pioneer, Birregurra Mail and Forrest Post.

The 'Community News' is also published each Friday on Council's website and shared via social media.

Council news and operations are regularly posted on Facebook (to 6,800 followers) and Instagram (1,350 followers). Council also uses this platform to share posts from other local organisations such as Colac Area Health, Great Ocean Road Health and various government agencies.

In addition to regular notices and communication on social media, Council issues media releases to a wide range of local and state media outlets, including radio. The Mayor and Council officers are regularly interviewed on local AM and FM radio stations and the Mayor or CEO are often interviewed by ABC Radio regarding topics of interest to the wider community.

Any person may also subscribe to the 'Latest News' page on Council's website which features media releases issued by Colac Otway Shire Council. It is the intention of Council's Communications Department to develop a regular e-News service which will be emailed to subscribers.

While Council appreciates the quarterly newsletter was a means of regular contact to all Colac Otway ratepayers, the pace of today's news and information often meant that information published in the newsletter was redundant or no longer current by the time it landed in letterboxes. As such, regular notices in local small town newsletters and the Colac Herald were deemed better value for money, in that local publications are supported, and information is communicated in a timely fashion.

5. **Why does the Colac Otway Shire Council now claim that concrete footpaths must be constructed in accordance with VicRoads standards since the Victoria State Government split VicRoads over one year ago? VicRoads now has no construction responsibility outside urban Melbourne. Plus all of this Shire is outside urban Melbourne.**

Response from General Manager, Environment & Infrastructure

We are unsure where the 'VicRoads standards' reference has been made in relation to footpath construction. Council uses the Infrastructure Design Manual (IDM) to inform construction standards for footpaths. The IDM is a widely used, joint initiative of Victorian rural and regional Councils and provides standard construction drawings for a range of civil infrastructure works.

Jason Schram, Colac

1. **In the Council Plan under Council's Advocacy priorities, why does Council not have included sewerage connection to Colac West industrial estate that it approved for subdivision 15 years ago yet can't be built on because of no sewerage connection?**

Response from General Manager, Development & Community Services

The land within the Colac West industrial estate can be built on, however the lack of sewerage connection does limit its potential for the type of development that can occur. Council has been working with Barwon Water to extend the sewerage connection further to the west, with works to facilitate sewer connection identified in Barwon Water's forward capital works program in the short term.

It is anticipated that Council will further consider and refine its advocacy priorities in coming months.

2. **Under the same plan and advocacy why is there no mention of finding a permanent water source for Lake Colac?**

Response from General Manager, Development & Community Services

A permanent water source for Lake Colac, outside of rainfall and subsequent run-off, is a wonderful aspiration however at this point in time there are no realistic or feasible options for Council to advocate for. In regards to

advocacy it is important to advocate for an identified solution. It should be noted that Lake Colac water levels are the highest they have been in many years which is reflecting greater use of the lake for water sports.

3. Where does finalising the purchase and implementation of a plan for the former Colac High School site fit into Council's plan?

Response from General Manager, Development & Community Services

Council has recently acquired 2.4ha of the former Colac High School site, and is close to finalising the purchase of the additional 2ha of the site from the Victorian Government. This should be completed by the end of the 2021 calendar year. The design of the new Colac Specialist School on the southern portion of the site, which is currently underway, will determine if there will be any additional land that might be available to be acquired by Council.

Following the acquisition of the land, Council will then prepare a master plan for the site inclusive of a thorough community engagement process to determine its future use.

4. As the EOI process has concluded for the Bruce Street site and considering in 2005 Council sold the land for \$1.3 million what is the value that Council expects to get from the sale of this site some 15 years later?

Response from General Manager, Development & Community Services

Council is currently considering Expressions of Interest for the sale of 36-52 Bruce Street Colac. Therefore, it would not be reasonable for Council to advise or speculate on the expected value of the site at this point in the process.

5. If the financial plan indicates future cash shortages what is Council's plan to cut its biggest expense in Employee Costs?

Response from General Manager, Corporate Services

Council's Financial Plan is based on a Service Planning model. The model is determined by a business as usual level of service delivery. Through a planned schedule of service reviews, levels of service will be further scrutinised. This, along with the current work being done on the Workforce Plan, for completion later in the year, will serve to further inform the Financial Plan regarding the human resource necessary to deliver services to the Colac Otway community.

As detailed in the Financial Plan, there is a commitment of providing \$250,000 recurrent operating savings annually over the life of the Financial Plan. It has not yet been specifically identified what will make up those recurrent savings, and it will vary from year to year as they are identified.

6. If Council is facing a financial woe in the future why does it not consider developing the Bruce St site themselves to generate another source of income other than rates?

Response from General Manager, Development & Community Services

This is an option available to Council and was considered earlier in the year prior to the Council resolution to seek Expressions of Interest for private development of the land. To date, it has been considered that the land development sector is best placed to develop the land rather than Council itself. Councils typically act as developer when there is market failure in a location. This is not the case in this instance, with strong interest from the private sector in developing land in Colac. Again, Council would be in a position to review the approach it takes to sale of the land when it considers proposals evaluated from the Expression of Interest process, to ensure that Council receives best value from the land.

Nasser Kotb, Forrest

It seems that the practice of offering an “alternative” motion before discussing the actual topic, needs to be changed. It is an illogical practice and wreaks of wastefulness on many levels. Unless the person moving the “alternative motion and the one seconding it are prepared to pay for the cost of officers’ report preparation, the practice should be made redundant. Alternative motion should not be allowed before the actual report discussed and voted out. Then it is healthy to provide an alternative motion. But the current practice is sickening.

- 1. Would the Council address this loophole and amend the policy/procedure to reflect a healthier way of handling issues?**

Response from Manager Governance & Communications

A response was provided to this question at the 22 September 2021 Council meeting, being that the Governance Rules do not oblige Council or Delegated Committees to adopt officer recommendations, nor debate or discuss them prior to moving a motion.

The Council response to the question “When was the last “carbon emission” audit conducted by Council?” in September 2021 is a non-answer; just a contradictory babbling; “Council uses the services of an independent environmental scorekeeper to track its emissions. As part of Council’s carbon neutral claim for 2020-2021, Council is currently undertaking an emissions inventory verification according to national standards”.

- 2.1 When was the last “carbon emission” audit conducted by Council?**

Response from General Manager, Environment & Infrastructure

Council completes a carbon emissions inventory annually at the conclusion of the financial year, and has done so since 2010, utilising the services of an independent scorekeeper.

Council's emissions figures for the 2020-21 financial year will be published in Council's Annual Report, which will be released next month.

The previously published emissions profile for 2019-20 financial year (as reflected in Council's Annual Report) stated that Council had produced 3,605 tonnes of CO2 emissions associated with its corporate carbon emissions.

- 2.2 What was the outcome? Please provide actual figures or the actual consultant’s report (the referral last month to the annual report was a farce)?**

Response from General Manager, Environment & Infrastructure

As stated, Council's precise emissions as captured by the independent scorekeeper will be published in November in Council's annual report

- 2.3 When would the current audit be completed and results made public?**

Response from General Manager, Environment & Infrastructure

As stated, Council's emissions profile for 2020-21 will be made publicly available in November. In addition to this, Council is also undertaking a carbon emissions inventory verification, which is in relation to Council achieving carbon neutral status for the 2020-21 financial year and ensuring the purchase of the required, appropriately accredited carbon offsets.

Tim Cobb, Skenes Creek

- 1. Can you tell me why my submission on rate relief for community groups referenced in the email [received] on 20th September is not included and addressed in the council report?**

Response from General Manager, Corporate Services

The report was initially prepared for the September 2021 Council meeting, so was already written when Mr Cobb's late submission was received. It was withdrawn from the September Council meeting to allow another associated issue to be considered. Once that matter was finalised, the report was transferred to the October meeting. Unfortunately, Mr Cobb's submission was overlooked in that process and we apologise for that. Comments in response to the issues raised by Mr Cobb will be provided by the General Manager, Corporate Services when the item is considered.

- 2. Is the four yearly financial hardship review much too stringent requiring clubs to be at risk of not surviving before relief is provided? It's only a small number of clubs and the sums involved in loosening the criteria would be small for the council.**

Having been treasurer of a number of clubs over the years it is prudent to try to build some funds in reserve so that the club can survive when unforeseen events occur - could be a pandemic, a roof blow off, or a new requirement to provide disabled or separate male/female facilities.

It seems to me that this proposal penalises prudent clubs and encourages organisations to live hand to mouth which is not good. It will over time lead to a number of clubs folding and/or going cap in hand to council for urgent funds.

Response from General Manager, Corporate Services

The policy proposes that a community group would be given assistance for four years before being required to reapply. In that time it is hoped the club would prosper and become financially secure. It is considered appropriate that the need for financial assistance be periodically reviewed rather than being left as a forever entitlement.

- 3. Why will this policy of charging rates to clubs not in financial hardship not apply to all those clubs which operate on council land often in council maintained premises paying peppercorn rents?**

This policy only applies to the clubs which maintain their own facilities, pay a lease, their own utility bills and insurance and struggle a lot more than those on Council land.

Response from General Manager, Corporate Services

Not all community groups become liable for Council rates. The policy therefore seeks to provide assistance to those groups that are liable for Council rates if they require it. The Local Government Act allows for rates to be waived if the requirement to pay them causes financial hardship. Any rates assistance granted would provide some parity between the applicant and groups that are not liable for rates.

- 4. It is quite remarkable that almost all the clubs listed for this policy are in Apollo Bay. Is Council happy to accept that over time this policy will hit hard the community facilities in its second largest town.**

Response from General Manager, Corporate Services

The policy seeks to allow rates assistance to be provided to eligible community groups regardless of their location. It also seeks to create a process whereby they are required to re-apply every four years, rather than make an annual request. Council has taken the view that this support will hopefully provide a "leg-up" and in some small way assist to ensure the ongoing service they provide to the community.