



National Disability Award winner
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Surf Coast Shire Council Meeting

Tuesday, 22 August 2023 at 6pm

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CR PATTISON: Good evening and welcome, everyone, to our August Council meeting. I'm Mayor Liz Pattison and it's a pleasure to welcome members of the community into the chambers tonight.

This meeting is also being live streamed, so a big welcome to those tuning in online, and of course welcome to my fellow Councillors, including Councillor Schonfelder and Councillor Wellington, who will be joining us online tonight. Live captioning will accompany the live stream of this meeting and we hope that this assists those who maybe have hearing difficulties.

The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung people and the Gulidjan and Gadubanud peoples of the Maar nation. I would like to acknowledge that here in Torquay at the main Council office we are gathered on Wadawurrung country and I pay my respects to Elders past, present and emerging. The Wadawurrung people have nurtured and protected these lands and waterways for thousands of generations and I am so grateful for the opportunity to live and work in such a beautiful part of the world. We also wish to acknowledge the traditional owners of the lands on which each person is attending and acknowledge any Aboriginal people who are viewing the meeting tonight.

Now in its twelfth year, the Surf Coast Arts Trail was held earlier this month and it was an amazing event. I really enjoyed going to Ashmore Arts and seeing what they had on offer there, but there were lots of other places and thousands of happy and inspired people attended the different sites. There were nearly 60 venues across the shire - I know Rose attended lots of them, Councillor Hodge, as did many of our Councillors - and, yes, the 2023 trail is being hailed as one of the best, with a fantastic atmosphere, diverse range of works on show, and lots and lots of positive feedback.

Another exciting upcoming arts opportunity is the Surf Coast Shire Community Calendar Competition. It's a wonderful opportunity for local artists to gain greater exposure by having their work featured in our community calendar. A judging panel will select its 12 favourite works across the four categories of child, youth, open 2D, and open 3D, while a People's Choice vote will determine the piece that will be on the front cover. The 13 winning artists will receive a \$300 cash prize and artist acknowledgment in the calendar. So if you're interested, entries close on Friday, 15 September at 5pm. And with our region rated among Australia's biggest creative hotspots, we recognise arts as a serious economic driver for us and our community.

And now we move on to our agenda for tonight. So let's get underway. For the process, our Council meetings operate according to our adopted

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Governance Rules, which include the following procedures. During the meeting, the mover of a motion or an amendment may speak for a maximum of 5 minutes to open the debate and then a further 2 minutes to make a closing statement. Any other Councillor, including the seconder, may speak to a motion for no more than 3 minutes.

I ask that members of the gallery avoid using mobile phones during the meeting as this can be distracting for Councillors as well as other members of the gallery. I also note that any unauthorised recording of the meeting is prohibited under our Governance Rules. However, you can access a copy of the official recording on our website after the meeting.

I now will recite the pledge as a sign of our commitment: "As Councillors we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment".

Apologies - Councillors, we have an apology from Councillor Gazzard for tonight's meeting. Can I please have a mover and a seconder? Moved by Councillor Stapleton and seconded by Councillor Bodsworth. All those in favour - and the motion is carried unanimously.

Can I please have a mover and a seconder to confirm the minutes of the Council meeting held on 25 July 2023, the Special Council Meeting for Hearing Submissions held on 1 August 2023, and the Special Council Meeting held on 8 August 2023? Moved by Councillor Allen and seconded by Councillor Hodge. All those in favour - and the motion is carried unanimously.

Are there any leave of absence requests from Councillors? No. And declaration of conflicts of interest - if a Councillor or an officer has a conflict of interest, they must declare it now and do so again just prior to the item being discussed. The Councillor and/or the officer will be requested to leave the chambers, or for those online they will be placed into a virtual waiting room, while the matter is being considered. Once the matter is resolved, the Councillor or the officer will be able to return to the meeting. Are there any declarations of conflicts of interest for tonight's meeting agenda? No?

Are there any presentations from Councillors for tonight's meeting? No. And we have no submissions for this meeting.

So the next item is our public question time. So members of the public who wish to ask a question to Council are able to submit their written question in accordance with Council's Governance Rules. We have five community

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members that have put forward questions and we have 10 - so, yes, 5 people and there's 10 questions in total to work through tonight. So if you're here and you've put forward a question, when I get to you, I'll ask you to come up and you can read out your question and then we will respond to you.

So Ian Stewart - are you here to read your question? No. I'll read Ian's question out then. Ian may be watching online. "Haven Torquay will be a 12-unit residence that will support people from the local area who have long-term mental health and wellbeing concerns to live independently in the community. It is funded by Homes Victoria as part of the \$5.3 billion Big Housing Build. Residents will receive 24/7 support from qualified and experienced community mental health practitioners from Mind Australia, one of the largest providers of community-managed psychosocial services in Australia. As Council has been made aware of this development recently, has Council discussed this and does it have a position on the development?"

So, Ian, thanks for that question. The Planning Scheme includes several exemptions for various types of social and affordable housing proposals across Victoria. In this instance, Community Care Accommodation that is funded by the government department does not require a planning permit if it meets certain conditions. So Councillors are aware of the development and this advice.

We understand that some residents have concerns and we also are aware of the need for different types of accommodation for people to live in the community. Council hasn't considered a report on this and doesn't have a formal position, given that we have no role in this project.

Ian has another question: "Mind Australia are advising that they are exempt from the requirements of the Stretton Estate 173 Agreement and MCP that are incumbents on the title which were subject to the original subdivision. Can you please advise if Council is aware of this exemption?" And this is an operational matter, so I'm going to pass it to our Acting CEO, Gail Gatt, to respond to.

MS GAIL GATT: Thank you. Thanks, Mayor Pattison, and thanks, Ian, for your question. Land in the Stretton Estate is affected by two section 173 agreements. The first agreement relates to the supply of recycled water, while the second agreement prohibits lots that are less than 1000 metres squared from being further subdivided or used for more than one dwelling or from the keeping of certain animals on the land. There are no exemptions within either agreement. However, officers think that it's likely the proposal is not contrary to any of these requirements.

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The MCP, or Memorandum of Common Provisions, on the title prescribes building envelope requirements and required setbacks from the property boundaries for any development on the site. This will be considered by the building surveyor who will issue the building permit for the land.

CR PATTISON: We now move on to Mark Matthews' question. Mark, are you here to read your question? No. I'll read out Mark's question. It's regarding Developer Interactions Register and the Planning Application 21/0333. "As ratepayers, we must have the highest level of trust in our elected local government officials. Why has the Surf Coast Shire not developed a transparent, detailed and publicly accessible register of all interactions it has with developers, as recommended by the Local Government Inspectorate in 2021? Regarding planning application 21/0333 for the proposed retirement village on Cypress Lane, is the Council able to provide a comprehensive and detailed register of all the interactions they have had with the developers and their representatives?"

Thanks for your question, Mark. Given that this is an operational matter that Councillors are making a decision on tonight, I'll pass that on to our Acting CEO, Ms Gatt, to respond to this one.

MS GAIL GATT: Thanks, Mayor, and thanks, Mark, for your really important question. We are aware of the inspectorate's recommendations relating to Councillors' interactions with developers and that includes keeping a register of interactions between Councillors and developers. Whilst we haven't developed a register as such as yet, we advise Councillors to not meet with developers individually to discuss proposals. And in the case of this application, Councillor officers have a record of their meetings with the retirement village applicant.

Whilst there is no legal requirement to implement a public register, we note the benefits of such and the organisation is currently exploring this in the form of a public register policy which would align with the Inspectorate's recommendations, so it's a piece of work that we are looking at.

CR PATTISON: And now for the second question: "I notice that the matter of the sale of public land formalises the actual submission of Planning Permit Application 21/0333 for the proposed mega retirement village on Cypress Lane has not yet been voted on by Council and is not on the agenda for tonight. What is holding this up? What else needs to be done? Surely, tonight's vote on the Planning Permit Application will have an undue influence on the vote to sell the land when that eventually happens. Why have these been kept separate?" And once again, sorry, I'll pass that on to Ms Gail Gatt.

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MS GAIL GATT: Thank you, Mayor. The determination of planning permit for the development will affect consideration of the proposed sale of land and so it is not appropriate for Council officers to pre-empt the Council's decision on the planning permit. Therefore, pending tonight's vote, the report on the proposed sale of land will be presented at the next Council meeting.

CR PATTISON: Thank you. Jeannie Ward, are you present to - great. If you can come up here and read. Thank you so much for coming. We appreciate you coming to read your question out.

MS JEANNIE WARD: So my name is Jeannie Ward. I'm a resident of Jan Juc and I'm also representing 3228, the Residents Association Committee tonight, and I'll be talking about or asking questions on Cypress Lane. So according to the Statement of Planning Policy for the Surf Coast Shire that was produced as part of the DAL process and endorsed by the Surf Coast Shire, Cypress Lane is designed as an area of Minimal Change. Page 50 of the SPP states that the Minimal Change areas are generally existing low-density residential areas located on the outskirts of Torquay and Jan Juc. These areas will be retained to provide a transition between the urban and rural landscapes. Also stated on page 52 is the "development in minimal change areas is low rise on larger lots". My first question is: how does the proposed development conform with the spirit of the actual language of the SPP?

CR PATTISON: Thanks for your question, Jeannie. Once again, because it's about a matter tonight, I'll pass it on to our Acting CEO.

MS GAIL GATT: Thanks, Mayor. Thanks, Jeannie, for coming in, great to see you, and thanks for your question. Look, the application for the planning permit has been assessed against the Statement of Planning Policy and the details of the assessment, I'm sure you're aware, is found in the report which Councillors will consider tonight.

And, look, I acknowledge your concerns around density and minimal change areas. I think it's just important to understand or to note that the DAL doesn't specifically discourage or preclude development and it doesn't set out any prescriptive measures of density, height, scale, setbacks, et cetera. But the consideration - all of those matters have been considered in the report that the Councillors will be considering tonight and it does examine those matters and the matters of scale and development on the site and setbacks and vegetation and it does consider that they are in keeping with the character envisaged by the DAL.

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MS JEANNIE WARD: Thank you. My second question is what assurances can the Surf Coast Shire give residents that future planning applications won't ignore the SPP, and I guess that's given that the first question we're kind of challenging that there is a discrepancy in the SPP and this planning that's occurring on Cypress Lane.

CR PATTISON: Thank you. Once again, I'll pass it on to our Acting CEO.

MS GAIL GATT: Thanks again for that question. Look, in relation to your second query, I can confirm Council is required to consider the Statement of Planning Policy in all planning applications covered by the policy, so each application is considered on its merits and all need to consider the Statement of Planning Policy. Thank you.

CR PATTISON: Thank you. Darren Noyes-Brown - yes, thanks, Jeannie. Darren Noyes-Brown? No, I'll read out Darren's question. It's once again relating to Cypress Lane and a Register of Interactions with Developers. "It is my understanding that the Statement of Planning Policy that resulted from the Surf Coast DAL process sits at the top of the planning hierarchy and has a purpose of determining how development is to occur in the declared areas for the next 50 years. The proposal at Cypress Lane is located in the SPP's Minimal Change area and comprises a density of 29.9 dwellings per hectare, but the neighbouring properties to the west in Jetti and Piper Lanes comprise only 1.8 properties per hectare. The proposal includes a number of two-storey villas and a 62 metre by 56 metre three-storey building comprising of 44 apartments, seminar space, dining area and lounge, salon, offices and basement car park, gym and pool. 10 of the 12 properties on Jetti Lane immediately west of the site are single story and only two of them are two storey. My question is how does the density, height and type of use of the proposal meet the requirements of the Minimal Change area in the Statement of Planning Policy, which requires development to be "low rise on larger lots", "fit in with the existing coastal character of the area" and "minimise visual bulk"? I'll pass that on to Gail Gatt.

MS GAIL GATT: Thanks, Mayor Pattison. Look, thanks, Darren. You're probably watching tonight, hopefully.

Just in answer to your question, and it's similar to Jeannie's question as previously stated, the assessment of the application consider the requirements of the Statement of Planning Policy and as I said previously, the policy does not prescribe density requirements or set height limits or prevent uses that are otherwise permissible under the zone of the land, and as mentioned previously as well, the report does consider the proposed scale, setbacks and retention of

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vegetation and considers that they're in keeping with the character envisaged by the Statement of Planning Policy and this is thoroughly prosecuted in the report. So hopefully you've had a read of the report tonight.

CR PATTISON: And to Darren's second question: "I have asked senior Council representatives about the involvement of property developers involved in Cypress Lane and the stormwater discharging into the Karaaf from North Torquay, but I have not received clear and direct answers to these questions. With respect to the article in the Age on 13 August 2023 about Councils not having a register of Council's interactions with property developers, despite the Local Government Inspectorate advising them to do so, can the Council please establish a register of Council's interactions with property developers and housing developers and publish it every six months? Once again, to you.

MS GAIL GATT: Yes. Thanks again, Darren, for your second question. Look, I note your comments relating to the Karaaf and officers will touch base with you directly to follow up on that.

In response to your question regarding the public register, as I previously mentioned, Council is currently doing a piece of work around that. We don't have a register, but have public record requirements associated with the application and while there's no legal requirement to implement a public register, we note the benefits and the organisation is currently exploring this in the form of a public register policy.

CR PATTISON: Thanks, Darren. We now move on to Britt Oellering. Britt, are you here tonight? No? I'll read that question. It's in relation to the proposed high-density retirement village on low-density residential land in Cypress Lane. "The agenda report states that this development will contribute to affordable housing options. I'd like to ask how this is measured as being affordable. I have not seen any prices for the purchase of these apartments/units noted and I also noticed that none of the Councillors asked the representatives for the developer about the cost at a Special Council Meeting in May. There are also fees, service charges and many other associated costs involved with this model of housing which would need to be taken into account to determine how affordable this housing is. There are other retirement developments in Torquay and nearby towns to allow for price comparison, as well as information via REIV on median house prices in Torquay and I cannot understand how this can be offered as an affordable housing option if there are no prices and costs disclosed for this particular development. I'd like to know how it was determined that this housing is considered affordable. And I'll pass that to our Acting CEO.

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MS GAIL GATT: Thanks, Mayor Pattison, and thanks, Britt, for your question, and housing affordability, as we know, you know, is a really important issue not only in Surf Coast, but across the state and the country.

Look, it's considered that the retirement village will contribute to housing diversity within the municipality and offer wider housing choices for residents, contributing to affordable housing options. By adding to the variety of housing choices within Torquay as well as adding to total housing supply in response to demand, it is considered that the proposal would provide improved access to affordable residential accommodation, which is acknowledged and needed at a state and national level.

CR PATTISON: And to the second question: "Would this development be a lifestyle choice rather than a need for affordable accommodation? This isn't an aged care facility, nor does it have medical facilities. I've linked the Consumer Affairs Victoria website. It explains that living in a retirement village is a lifestyle choice and not a financial decision. It's not explained as being an affordable housing option. In particular, entering a retirement village should be seen as a lifestyle decision, not an investment to make money. Some people presume they are making a capital investment when they buy into a retirement village and expect their investment to increase in value over time, just like other property investments. This is not usually the case. You can face substantial costs when you leave a village. Often the resident and the village owner share any capital gain on the property or the owner may take all capital gain. You could be required to pay significant fees and charges when you leave a village. Some may continue until your unit is sold." So the question is around would this development be a lifestyle choice rather than affordable accommodation?

MS GAIL GATT: Yes. Thanks, Mayor Pattison. Look, in answering that question, I just refer to my previous answer, which hopefully has explained how we believe the proposal has the potential to contribute to affordable housing options. For some people, the decision to live in a retirement village may be a lifestyle choice and in making such a choice, people may make their existing residence available for sale or rent and this is the effect that increasing housing supply and diversity can have on the overall housing market and contribute in that way.

CR PATTISON: Thank you. That brings our public question time to an end, so we'll now move on to the next item on our agenda, which is the petitions. So we received a petition titled LGBTQIA+ Advisory Committee and this petition has 25 signatures. Do I have a mover of a motion? Councillor Bodsworth.

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CR HODGE: I'm happy to second.

CR PATTISON: And seconded by Councillor Hodge. Did you want to speak to the motion and is it as per the recommendation?

CR BODSWORTH: As per the recommendation, thanks, Mayor - just to formally accept the petition.

CR PATTISON: Councillor Hodge, would you like to speak?

CR HODGE: Just looking forward to the officers' report next month and accept the petition tonight.

CR PATTISON: Would any other Councillors like to speak? Councillor Wellington.

CR WELLINGTON: I just have a question, Mayor Stapleton.

CR PATTISON: Mayor Pattison.

CR WELLINGTON: Seven of the nine Councillors on this Council have already signed a public pledge that they'll support the development of an advisory committee of this nature. That includes, I think, everybody except me and Paul Barker, me and Councillor Barker.

I just wondered if that fact - where that sort of places Council in going through the motions of considering this and whether or not that will be sort of formally declared. I'm not sure that it's - I think you have to go searching for that information. I'm not sure how many Councillors actually disclosed that pledge at the time they ran for Council, so I just wonder if that will be incorporated in the officers' report and properly declared to the community and what it means for Council even debating this issue.

CR PATTISON: Thanks, Councillor Wellington. The motion is to receive the petition, but I'll pass the question around the disclosure of those other items you've raised with our Acting CEO.

MS GAIL GATT: Yes, thank you, Councillor Wellington. Look, my understanding is that conflict of interest matters for Councillors are a matter for themselves to declare, so I think it would be a matter for each Councillor, but I would call on perhaps our GM of Strategy & Effectiveness if you wanted to elaborate on that at all.

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OFFICER: Yeah, through you, Mayor Pattison, without being able to kind of foreshadow what the responding report will be from officers, that might be a matter for Councillors to consider when the matter does come back to the chamber.

CR PATTISON: Thank you. Did you want to speak to the motion, Councillor Wellington?

CR WELLINGTON: Oh, no, just really if that issue could be addressed and reported, it would be helpful. I do think transparency is a commitment of this Council and that, you know, I - I mean, those pledges were made before the last election, so I guess people were elected on the basis of the pledges, but whether the pledges were declared I don't know. I'd just like debate to be meaningful and real, not pre-determined, and I think there's an issue with this. But I guess we'll wait and see what the report shows.

CR PATTISON: Thank you. Would any other Councillor - Councillor Barker.

CR BARKER: Thanks, Mayor. I have concerns that Communism is being wrapped in the rainbow flag and is slowly infiltrating the shire, leading to the misappropriation of public funds that we as a Council have involuntarily taken from you the community through residents, ratepayers and visitors to the Surf Coast. If people want to form an advisory committee on any subject, I'm happy for them to do so. I look forward to the report when it comes to Council outlining the costs and power of this committee.

I acknowledge there are members of our community who generally fit in the rainbow community. However, many do not subscribe to the political movement that has adopted this emblem. I'll not be supporting the motion due to the petition not confirming to the Governance Rules. It will be interesting to see which Councillors who've previously used the Governance Rules to support their point of view will now ignore the Governance Rules to support their point of view.

CR PATTISON: Would any other Councillor wish to speak? We will now put the motion to the vote. All those in favour. All those opposed. And the motion is carried 7-1.

We have not received any notice of motion for this meeting, so we now move on to our reports. Our first report is 4.1, Planning Permit Application 21/0333 - Use and Development of a Retirement Village. The purpose of this report is to determine a position on Planning Permit Application 21/0333 for the use and development of a retirement village, removal of native vegetation

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and removing a reservation from land under Section 24A of the Subdivisions Act 1988. I also wish to advise Councillors that as there is a statutory requirement to make a decision on this matter, if the first motion moved - it's a bit of a tongue twister that one - is lost and there is no foreshadowed alternate motion, I will call for another motion in accordance with Governance Rule 31.13. Do I have a mover of a motion? Councillor Allen - is it as per the recommendation?

CR ALLEN: As per the recommendation, Mayor.

MAYOR PATTISON: And do I have a seconder. Councillor Barker. Would you like to speak to the motion, Councillor Allen?

CR ALLEN: Thanks, Mayor. Thank you. The motion refers to Planning Application 21/0333, which seeks approval for the use and development of a retirement village in a low-density residential zone permissible with a planning permit, the removal of native reservation and removing a reservation from land under section 24A of the Subdivisions Act 1988.

The officers' report contained in the meeting papers is based on the most recently amended plans submitted to the Council on 1 February 2023. The proposal provides a total of 196 independent living units comprising 120 detached single-storey independent living units and 3 apartments comprising - buildings comprising 16 one-bedroom apartments and 60 two-bedroom apartments.

Councillors, we live in a country classified as a free enterprise mixed economy, where market forces largely determine how resources are allocated. Government can and does intervene to control some but not all conditions. For example, if a price is set, you cannot then control the quantity that would be supplied at that price.

The State Government has intervened in the Torquay residential land market through the DAL process by setting a township boundary. It then becomes very difficult, given that we live in a population growth area, to also control density. I make the observation that retirement villages typically have a denser footprint than other residential developments.

The land detailed in the report came onto the market for private sale and was purchased by the developer. The land has no registered restrictions. The developer first submitted a Planning Permit Application for a retirement village to the Council in 2021. The site is ideally located in close proximity - that is,

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walking distance - to services and facilities, including bus services, a supermarket, medical centre and recreational reserves. The proposal is, in my view, consistent with the current development along the western side of the Surf Coast Highway.

As a result of community concerns expressed through emails to us, the hearing of submissions process with eight speakers, and from matters raised by Councillors at briefings, the developer has worked with the Planning Department to address many of the issues raised. For example, the matter of stormwater runoff into Deep Creek, the officers sought and presented two separate reports to address our concerns. The developer agreed to landscaped swale drains throughout the site to collect and treat stormwater, which will then be conveyed for further treatment within a bio retention system and then into the outlet of Deep Creek. Timber bridges are proposed over the swale systems and wetlands to provide vehicle and pedestrian access.

The developer has submitted a concept landscape plan, which provides for the planting of trees throughout the common areas, courtyards and along the internal road network. In the design, the village also has generous boundary setbacks.

The design plans include recycled water, no gas, solar panels, and star ratings of 7 for each independent living unit and 7.2 for apartment buildings. Pedestrian gates and pathways are proposed to the east of the vehicle access gates, allowing walking access for the wider community.

There are detailed permit approval conditions. The time constraint does not allow me to mention all of those tonight, but they are in the detailed officers' report. They range from a DAL plan, fire hydrant locations, points of access and egress, vegetation removal notification of permit conditions, and native vegetation offsets.

Our own internal referrals from the engineering and environment departments are comprehensive and contain conditions to be met by the developer. Councillors, we must be very careful not to place these conditions in jeopardy. The officers have been diligent working with the developer to make changes in response to the community's concerns.

CR BODSWORTH: Mayor - excuse me, Councillor Allen - I'd like to move an extension of time for 2 minutes, if that would suffice for Councillor Allen.

CR ALLEN: Thanks, Councillor Bodsworth.

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CR PATTISON: Yes, that's fine. It's an important matter, so I'm happy for Councillor Allen to continue.

CR ALLEN: Thank you. The developer has also made a significant concession through negotiations with our officers, that of the clubhouse. The clubhouse was four storeys in the original proposal. It is now part three-storey built form and part two, with an additional alteration to the orientation of the complex from east to west is now north to south. This proposed change limits the extent to which it will be viewed by residents from the general residential zone on the southern part of Deep Creek. Plus the vegetation that is planned to be planted over time will grow.

Councillors, considering the provisions of our Planning Scheme and those of the Planning & Environment Act 1987, I can see no defensible grounds for refusal of this permit. Thank you.

CR PATTISON: Thank you. Councillor Barker, would you like to speak?

CR BARKER: Thanks, Mayor. I want to support this recommendation as I think the landowners should be able to do what they want with their land as many other landowners in the area. However, the process that has led to this point fails to appropriately consider the history of the site. Local residents paid for the construction of Cypress Lane. In hindsight, maybe they shouldn't have gifted this road to Council, but who could have foreseen what was going to happen? Then we need to consider property rights. The original owners of the relevant land had a great vision for its use, low-density residential.

The sale of this land to eventually fall into the current ownership now gives the current owners the opportunity to do what they want with it, subject to planning constraints. Everyone that contributed to the land transition to the current owners can claim some ownership of where we are today.

Continuing on the property rights theme, at the moment we have neighbouring residents in the chamber at the moment who live to the west of the proposed development that live in a rural lifestyle, including burning off wood. Should the proposed development go ahead, given we have consistent west or sou'westerly winds, will this rural lifestyle be affected?

With regards to the modification of the design that Councillor Allen sort of closed on, there's a motte-and-bailey effect. So if you come in with a grandiose idea and then scale it back a bit, it makes it more appealing or more acceptable and I think this is an element of that.

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Then we have the traffic concerns. While VicRoads doesn't have any objections to the traffic implications of this development, I have concerns that the outcome from this will cause traffic problems in the future.

I know many of the local residents are mortified that this development is where it is. I know there is significant demand for this type of housing, albeit the ownership issues noted previously. I know there are loopholes in the planning regulations that facilitate high-density housing in areas of general lower densities such as this. You can thank the State Government for those loopholes.

I think the ideas floated by public question time around a register for Councillors meeting with developers has merit where elected Councillors are prone to corruption, but to be consistent, would residents be comfortable having a register to record their interactions with a Councillor also?

I'm happy to hear the views of other Councillors and will make my decision based on the engagement that I've had with the community that has been since last year now, the information before us and what we're about to hear from other Councillors.

CR PATTISON: Thank you.

CR BARKER: One little bit, I'm quite torn - it's only a few seconds. I'm quite torn. We need to increase supply of housing to combat the cost of living crisis and if I vote on this application, it will be because of the regulatory framework that we are in and not because I have disregard for the community concern. That is all.

CR PATTISON: Thank you. Councillor Stapleton?

CR STAPLETON: Thank you. Firstly, thank you to everyone in the community who has engaged on this proposal and provided feedback for us to consider. It really is a difficult one to make a decision on, so I do appreciate all the questions that people have asked as this has helped us in turn to ask appropriate questions of our planners and officers.

I've got to say I didn't come on to Council with a view that we needed more dense development, but here we find ourselves in the middle of a housing crisis with an ageing population and with a lack of diverse accommodation options for people in our community. As Councillors, we have an obligation to make decisions that are in the best interests of the whole community for the longer term.

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Many who have objected to this application have pointed to the low-density residential zoning that applies to this area, which of course is correct. However, the Planning Scheme explicitly allows for retirement villages in the low-density zone. I appreciate that a retirement village is not to everyone's liking and I understand why some people have objected, but it is important to provide a range of housing choices. I've also been approached by older residents asking me what Council is doing to provide more options for them to downsize from their large family homes.

Someone else suggested that people who want to live in a retirement village should move to Geelong. Many elderly residents don't have the capacity to maintain large blocks as they age. Imagine living in Torquay your whole life and then being told to move to Geelong when you need to downsize.

One of the strengths of retirement villages is that they provide a sense of community for their residents. This allows elderly people to enjoy companionship and share an active lifestyle with others instead of living alone and feeling isolated. We know that loneliness is a significant concern for health and wellbeing as people age.

I know that some objectors have said they're not opposed to retirement villages, but they are concerned about its location. Yet the proposed development sits on the Surf Coast Highway. It's within easy walking distance of medical facilities, shops, public transport, parks and pathways. These are all significant considerations when assessing the merits of this application.

In Torquay, the number of people aged 65 plus is expected to double in the next 15 years, with a forecast gap of 340 dwellings needed to accommodate this age group by 2036 if the current trend continues. So are we better off approving 196 new houses on individual lots which cover more land, or consolidating 196 units into one large retirement village? That's just a question for people to think about.

Finally, and I'm really ending here, so just a fraction more time, based on the evidence and information that has been presented to us, I can't see legitimate grounds to reject this application. So I am concerned that if Council refuses it now, there is a real risk that the developer would take this to VCAT and potentially lead to an outcome that is less desirable for our community.

Planning officers have worked hard for the past two years to negotiate changes to the application, including reduced heights, greater setbacks, and have suggested many conditions in the permit, such as 24-hour pedestrian access to

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Deep Creek, removal of the tennis court, and more appropriate fencing, just as some examples, which could all potentially be changed or lost if Council does not resolve to accept this application tonight in its current form. Thank you.

CR PATTISON: Thank you. Would any other Councillors like to speak to the motion? Councillor Bodsworth?

CR BODSWORTH: Thanks, Mayor. Firstly, I'd like to thank the Councillors who've spoken so far. Really great points have been made. I'd also like to thank members of the community who've engaged in this process.

So for me, having considered all relevant factors, including community feedback, I am inclined to support the granting of a planning permit as recommended in the report with the permit conditions as listed. I want to share with you some of my reasons for supporting that recommendation, some of which are repeating what I've heard so far, but I'll keep going.

The proposed use is permissible under the Surf Coast Planning Scheme requiring a planning permit and there are sufficient grounds detailed in the report for me to support the recommendation. Conversely, I'm not satisfied that there is sufficient grounds for refusal of a permit, all things considered. To me, there is a clear need and we've seen this week the release of intergenerational report that makes it clear that over the next generation people in the over 65 age group will double in population and over 85s will triple.

I'm satisfied with the level of protection of environmental values and proposed environmental performance of the development, as Councillor Allen outlined, and I appreciate the effort that's been made to investigate and report on those environmental and sustainability issues.

I'd expect the development to have a significant visual impact in the short term until planting is established. I appreciate the retention of trees that's outlined in the report. Any development on the site would have a significant visual impact, whether that's a retirement village or large homes without buildings like some of the ones nearby. I do appreciate the proposed permit conditions around built form, scale, siting, site coverage and vegetation, but I do appreciate that it's a big change from the present-day landscape. I also appreciate that this is a contentious proposal and I appreciate the heartfelt and carefully thought out public submissions we've heard.

A key point to me is that the site can enable a significant number of people to live within an easy walk or ride of shops, public transport, parks and the

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beach, schools, medical facilities, restaurants and sport and recreation facilities. That proximity and accessibility is a major benefit of the proposal. I think it's important for Torquay and other towns' social, environmental and financial vitality and sustainability for development to be consolidated in central areas at higher density and within easy walking and riding distance of facilities and services.

Boosting housing supply via increased density in central areas is also a key principle being applied at all levels of government. A decision to reject this application would run contrary to that important principle. I believe the proposed development is conducive to happy, healthy and sustainable living, and that will do me. Thanks for your time.

CR PATTISON: Thank you. Any other Councillors? Councillor Wellington?

CR WELLINGTON: Yes, I've got a few questions - yes, I've got a few questions before I start, if you don't mind. In the report, the community raised issues about the potential for the development to be subdivided and sold off in the future if it doesn't continue as a retirement villages and the officers have said well, that couldn't happen, which I understand subdivision wouldn't be possible, but I just wondered - I recently stayed at a resort in Queensland, actually, a very similar sort of - it feels exactly the feel of this and it was - all the units are privately owned, although the land is not subdivided, and it's just used as a commercial holiday resort really and I just wondered what would stop that happening here?

CR PATTISON: Thank you, Councillor Wellington. I'll pass that question on.

CR WELLINGTON: So the question is could it be individually owned without subdivision of the land? The officers only addressed the issue of subdivision.

CR PATTISON: Thank you for that question. I'll pass that on to our Acting CEO.

MS GAIL GATT: Thank you, Councillor Wellington. Because of the technical nature of the question, I think I'll just refer to our GM, Placemaking & Environment.

MR CHRIS PIKE: Yes. Through you, Mayor, so I think the change of use would trigger a requirement for a permit to be then considered on its merits in that instance.

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CR PATTISON: Thank you. Did you have a follow-up question, Councillor Wellington?

CR WELLINGTON: I've got a number of questions, if you don't mind. I just wondered about site coverage requirements on low-density residential land. I couldn't find them in the Planning Scheme and I just wonder if there are any fine site coverage requirements on this land or whether the only specification is about the number of dwellings per hectare, which is obviously in the Planning Scheme. So is there a percent - you know, there's talk in the report about site coverage being 38% or 40% or something like that. I just wondered is there any specification in the Planning Scheme for site coverage requirements?

CR PATTISON: I'll pass that on to our GM, Placemaking and Environment.

MR CHRIS PIKE: No, to the best of my knowledge, there isn't a requirement in the Planning Scheme around site coverage on this land.

CR WELLINGTON: Thank you. My next question is whether we know why so many excess car parking spaces are proposed. It's very unusual to get excess car parking in a planning proposal. I just wondered why that might be the case.

CR PATTISON: I'll pass that question on to our GM, Placemaking & Environment.

MR CHRIS PIKE: Through you, Mayor, no, I can't answer that question, simply that just that was what was put forward by the applicant and therefore that number of spaces was considered and assessed.

CR PATTISON: Thank you. I think we'll leave the questions there, Councillor Wellington. That's already three questions.

CR WELLINGTON: I've got another couple of really important questions, Mayor Stapleton - I mean, Mayor Pattison.

CR PATTISON: We do have in our Governance Rules a requirement for Councillors to take all reasonable measures to seek questions of officers prior to a Council meeting. It's clearly written in the Governance Rules.

CR WELLINGTON: Well, it's up to you as to whether you enforce that, Mayor Pattison, but --

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CR PATTISON: One more question, Councillor Wellington. One more question is fine.

CR WELLINGTON: My next question - I've got two. It's a quick one, when will Cypress Lane be considered by Council?

CR PATTISON: That will be coming to our - depending on the outcome of this meeting, that will be coming to the next Council meeting.

CR WELLINGTON: Thank you. And my last one is a really important one. A statement in the report says any contract for the sale of Cypress Lane will be conditional upon any permit not being amended through the VCAT processes. Does that mean that if objectors initiate VCAT review and VCAT approves the development with the exception of a minor change, like, you know, more car parks or less trees or more whatever that the sale of Cypress Lane would fall over? Is that what --

CR PATTISON: My understanding --

CR WELLINGTON: That's effectively what that says.

CR PATTISON: My understanding - I'll just pass that on to our General Manager, Placemaking & Environment. My understanding is that it was amended such that it was only that the applicant couldn't make a case to VCAT.

CR WELLINGTON: Well, it's not what it says, Mayor Pattison. If I can ask the General Manager to address that. It's not what it says. In the report it says any contract would be conditional upon any permit not being amended through VCAT processes.

MR CHRIS PIKE: Through you, Mayor, to give that proper consideration, I'd need to take that on notice.

CR PATTISON: Thank you. We'll take that one on notice, Councillor Wellington, and we can get back to you on that one. Would you like to speak to the motion?

CR WELLINGTON: Yes, I would. Look, I'm pretty astonished at what I've heard, I have to be honest. I'd like to thank the community - and I'll also flag that I'd like an extension of time if I run out, please, Mayor Pattison. I'd like to thank the community who have done a lot of work looking at the Planning

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Scheme and actually coming up with really good questions and that's not an easy thing to do and I really thank them for putting in that effort.

This is not a proposal for affordable housing, it makes me very cross to hear that, unless we define the term as affordable for people with very significant existing assets and that's not the common meaning of affordable housing. So diversity and increasing supply of expensive housing does not equate to housing affordability.

The proposal also isn't for aged care. There's an entirely separate regulatory regime for that. The comparison in the proposals in the officers' reports to retirement villages developed elsewhere, even within Torquay vicinity or elsewhere, is completely irrelevant. They were not subject to the SPP, the Statement of Planning Policy, which now forms part of the VPP, Victorian Planning Provisions, and its supposed to deliver stronger protections for the coast, including in relation to community expectations. This is its first test and no doubt it will go to VCAT.

The development of a retirement village in a low-residency residential zone can be permitted, of course, but should it be? The whole purpose of having a permit system is to consider whether something should be permitted.

I think the SPP should be given very high priority. It requires minimal change in the zone. Minimal change means minimal change. It's not limited to, as is right, developments such as private dwellings.

We're just in this approach saying, you know, you can permit it, so therefore it should be permitted as a high-density development. It just makes a mockery of the fact that a permit is required and we need to apply the SPP to permit-required developments.

Officers have selected site coverage as a priority assessment for site density. I don't agree with that. By my calculation under the zone, a maximum of approximately 33 as a right residential dwelling would be permitted in the zone. We're going to have almost 200. It's almost six times, or I think it's more than six times the permitted density of residential dwellings. That's because it's called a retirement village.

The SPP requires minimal change in the zone and the zone is about low-density, low-impact, very diverse developments, that's very clear, and I think this will be a real challenge at VCAT as to whether the SPP should be applied. A low-density zone requires low-rise on larger blocks. That doesn't just limit that to residential dwellings. So how can we - in the context of SPP

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that says minimal change, how on earth can we say a multi-storey apartment-style development such as this proposal --

SPEAKER: I'd like to move an extension of 2 minutes.

CR WELLINGTON: -- is permissible. Thanks, Mayor Pattison.

CR PATTISON: We've granted another 2 minutes. You can keep going, Councillor Wellington.

CR WELLINGTON: Thank you. The fact that it can be screened by trees doesn't reduce its density and doesn't make it minimal change. If screening can overcome development excesses, why does the Planning Scheme establish development limits at all?

I agree that density in Torquay will need to be increased if population growth is to continue when boundaries are fixed. That was never really clarified with the community through the SPP process and it was a concern of mine, one of the reasons, I think, why I was very concerned about that process.

I'm concerned about Deep Creek. I know that officers are satisfied with stormwater arrangements. I think we were satisfied in North Torquay. Generally it would be a disaster for the Karaaf. This doesn't land into the Karaaf, but I've got real concerns about it, but I won't go into them.

I think concessions by developers are generally tactical and shouldn't be seen as a positive in our assessment, as some Councillors have implied. We need to assess the proposal as it exists in front of us today and not sort of be persuaded by the fact that the developers appear to be being concessional to the community. I think that's almost always a tactical approach.

Landowners can't do what's right with their land and the whole Planning Scheme there which actually recognises the significant economic benefit of land development and the significant amenity impact of development that can also occur and that's why this needs to be strongly regulated.

I'd like to foreshadow a motion of rejection, but I know that, of course, that will not be approved because the outcome is clearly going to be in favour of this development.

Just in relation to the need for retirement villages, of course we need more accommodation for people who are getting older. We need more accommodation for everybody. It doesn't mean we just drop it in a rural residential zone which is meant to provide a buffer between residential

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development and rural zonings - sorry, a low-density residential zone, I should say. It's meant to provide that buffer. You know, we wouldn't put this retirement village - it's just incomprehensible to me that we could consider this appropriate in that zone.

CR PATTISON: Thank you, Councillor Wellington. That's the - you've just finished your extra 2 minutes, so we'll need to leave it there. Thank you.

CR WELLINGTON: I don't support it. Thank you.

CR PATTISON: Councillor Hodge, would you like to speak?

CR HODGE: Yes, thank you, Mayor. I suppose when I went back, and this was in the DAL and that's a big part of our lives in the last couple of years in this area and I went back and printed out the then Planning Minister Richard Wynne's statement and had a really good read of it and that evolved from the Spring Creek, where over 3,000 people put in submissions and this is what drove the DAL. So to me it's a document driven by the people and it's a very, very important document that's got to be followed, especially the way I think.

I won't be supporting the recommendation tonight because the DAL kept talking about - (applause) - the DAL kept talking about low-scale, low-rise, minimal visual bulk. This doesn't do it. We have - public consultation has been right through and remembering too not just the submitters I'm talking about, but the people I've talked to all through Torquay and Jan Juc, they're not against a retirement village, like Councillor Wellington said, but this is just too bulky. It's too big, right next to Deep Creek. We've learnt mistakes from the Karaaf. We've really got to be extremely careful.

But we always talk about amenity. We always talk about neighbourhood character. Well, why don't we look at the existing amenity and the existing neighbourhood character that's already there? And I think we should look at the local context and the cultural identity and sense of place that is already there.

So I can't vote for this recommendation and I agree that it should be low density and retain that space in the urban fringe. It's a lovely area. Look, we all know this development is going to happen on it, but I would hate to see this development on it. Over 190, not low-scale on this is just too much and it's always - I know Torquay is the growth node, but living here for so long, I think when can we actually be at peace with what we've got with existing amenity from the area here and, as I said, the existing neighbourhood.

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So I won't be supporting this. I have foreshadowed another motion, it was sent out to all Councillors, for a refusal and if this is lost tonight, I'll be putting that up to refuse the application.

CR PATTISON: Thank you. Councillor Schonfelder, yes, would you like to speak to the motion?

CR SCHONFELDER: Yes, please. I'd like to thank the members of the gallery for attending tonight and for many of them who have sent emails and contacted the different Councillors and have felt very passionate about this issue and the love they have for the environment and the amenity of Torquay I commend. I sadly couldn't attend in person because I've had a cold and flu and I am fortunately recovering.

I do concur with the sentiments expressed by Councillor Wellington and Councillor Hodge and also, in part, with Councillor Barker. What does concern me greatly is the fact that the residents of Jenni Lane and other residents nearby purchased properties in a low-density area on larger blocks under the assumption that the future area that we're discussing tonight would also be low density. They were under that impression.

Now, I admit I did vote for the in-principle sale of Cypress Lane and the reserve area. I voted in favour of that to be considered as a kind gesture towards (inaudible), the applicant and owner of the land, because I have advocated for larger open areas in the development and sadly I feel as though it has fallen short. I've been quite disappointed with the density level and the amount of units proposed.

I also recall hearing about the echidna and the wildlife in the area and the importance of Deep Creek and I campaigned to preserve local amenity in the Surf Coast and I did campaign to save Spring Creek and other people have come forward and said they also want Deep Creek saved as well.

And I do agree fully with Councillor Wellington with the concerns about the Karaaf and the fact that North Torquay seemed to have been allowed to have been developed and we've had great problems as a result of impacts on the Karaaf. I do support having aged care places in Torquay, but I'm worried that Torquay will become like Tweed Heads in New South Wales, where you have high density on the approach into the town and it changes the character of the town. Thank you, Mayor.

CR PATTISON: Thank you. Councillor Allen, have you got any closing remarks?

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CR ALLEN: Thanks, Mayor. I don't know if Councillor Wellington heard, but if the motion is lost, Councillor Hodge has foreshadowed an alternative motion.

Councillors, we've never suggested that this is an affordable housing option or that it's an aged care facility. What it does do is it increases the supply and mix of housing. On the Positive Ageing Advisory Committee one of the concerns that people have is in Torquay people will become asset rich and as they get closer to retirement, income challenged and what a pity if those people can't retire in place.

This is a proposal that will increase the supply and mix of housing to enable them to do that. It was never claimed to be affordable in the sense of low-priced housing, never been claimed to be that. But, as I said, it does increase the supply and mix of housing options. Thank you.

CR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And all those opposed. Okay. So it's a split vote 4-4, as we have one of our Councillors on leave.

So as Mayor and Chair of these meetings, I usually don't speak on matters that are being voted on. However, tonight we have an unprecedented outcome of a 4-4 split vote. In accordance with rule 40.4 of our Governance Rules, I will need to make a second vote.

As Chair, I have not participated in the debate. However, as other Councillors have now voted on this matter, I will briefly outline for my community the basis of my second vote as I want to assure you all that this is not a decision that I make lightly.

In making my decision around this motion tonight, I have reflected on my principles and values. I feel that it is important that as a leader in the community I make evidence-based decisions that meet the needs of my community. Officers have prepared a recommendation to grant the permit for the retirement village based on evidence and research as demonstrated through the comprehensive report that has been put forward with the publicly available agenda.

I know that there will be some in the community that will be personally disappointed by my decision to support this motion with my casting vote. I invite you to understand that I make this decision balancing the needs of the community and the environment and in the context of the limitations of our

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Planning Scheme. My second vote is in favour of the motion and therefore the motion is carried.

We now move on with the next item on our agenda, item 4.2, Creative Places Strategy 2023-2031. The purpose of this report is to seek Council's adoption of the Creative Places Strategy 2023-2031. Do I have a mover of a motion? Councillor Allen - is that as per the recommendation?

CR ALLEN: As per the recommendation, Mayor.

CR PATTISON: Thank you. And do I have a seconder? Councillor Stapleton. Would you like to speak to the motion, Councillor Allen?

CR ALLEN: Thank you, Mayor. It gives me a great deal of pleasure to move this motion. I am proud of the importance placed upon the Creative Places initiatives undertaken by this Council. If Council accepts this recommendation, the Creative Places Strategy 2023-2031 will be adopted. The adoption of the strategy will create an agreed work plan for the Council to deliver over the next eight years and, in doing so, place us in a strong position to progress arts and creativity, theme 6 of the Council plan.

It is a plan that balances reinvigorated ambition with the reality of the available resources from existing budgets and the future annual budget process. Additionally, it looks to give us a framework for seeking outside opportunities when they arise through grants and partnerships.

The strategy provides an overarching vision, goals and actions for implementation. It is based upon extensive community feedback. We received 114 responses from the targeted audience and in what must be a Council record, we received no negative feedback after the strategy was placed on public exhibition for four weeks, and I'm not surprised.

As a key element of both our mental and physical health, it is artistic creativity. This connection is recognised in this year's Edinburgh Fringe Festival as mental health is one of the key themes and we are very proud that the Anglesea players are performing *Shadows of Angels*, a locally written play, at the festival which is currently running.

Our major events, exhibitions, galleries, museums and artistic spaces not only add to residents' health through social connection and artistic pursuits and appreciation, but obviously also to our economic prosperity through employment and tourist expenditure. These are all very well documented in the strategy.

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Therefore, I wish to turn to examples in the Lorne ward in townships that are smaller and remoter, where underutilised resources have, with shire assistance, been repurposed to action this strategy. Firstly, in Deans Marsh, a little used sports facility was renovated and now is used as a place for artists to create, learn and exhibit. Deans Marsh Spark is a group of regional creative thinkers and art lovers who gather to support and appreciate the process of creating art in all its forms. The footy shed was saved and repurposed with the initial assistance of Heritage Victoria and then the shire. Its story and the people involved, for those who are interested, is told on the Deans Marsh Cottage website.

Secondly, in Lorne the Lorne Senior Citizens ceased in 2015. The building, with the support of the shire, has been redeveloped and Lorne Community Connect is now a hub for artistic endeavour. It is run and supported solely by a group of volunteers. It hosts community art and craft sessions, art and photographic exhibitions, performances and, most importantly, an artist-in-residence AIR program. Applications will soon be open for the third AIR to be awarded next year. AIR is sponsored by Mantra Lorne, a partnership with private enterprise supporting the arts in a small township, a model we shall look to expand, and a model that is identified in the strategy. Both in the case of Deans Marsh and Lorne, the success of these enterprises rests on the enthusiasm of volunteers, but with the adoption of the Creative Places Strategy, it is my hope that these groups will have a framework within which to succession plan.

Finally, I am concerned about the future of live musical performances and music composition. Venues are closing or are not prepared to support live music and the digital age - for example, Spotify - is making composition an industry in which to make a living and be properly rewarded is problematic. I hope that within the framework of this strategy we can monitor the health of musical performance and composition to see if in our own small way how we can continue to assist performers and composers, with a special shoutout to the Sound Doctors in Anglesea, which is fantastic, and other live musical venues throughout our shire. I think it's important that we do what we can to support them, but I would like us really to keep a very sharp eye on what is happening to performance and composition of music. Thank you.

CR PATTISON: Thank you. Councillor Stapleton, would you like to speak to the motion?

CR STAPLETON: Yes, thank you, just quickly. So arts and creatives play such an important role in our community and local economy, which was highlighted

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by our community panel when developing the community vision and prioritised by Council in development of our Council plan proposing greater investment and increased collaboration with the sector.

A significant arts and creative sector exists on the Surf Coast, consisting of talented people, organisations and communities who engage in a broad range of disciplines. Reflective of this, Surf Coast has been recognised as one of the top four creative hotspots in regional Australia.

Within this sector, we are home to visual artists, sculptors, writers, poets, playwrights, filmmakers, architects and designers of all types, new media artists, dancers, musicians and performers, so many creative people who each contribute to our identity and the beauty and uniqueness of our place and are to be celebrated and supported through the Creative Places Strategy.

I concur with what Councillor Allen has already said in relation to this item and lend my support to moving this strategy to support the arts and creative sector so that it can continue to prosper and thrive. Thank you.

CR PATTISON: Thank you. Would any other Councillors like to speak to the motion? Councillor Barker.

CR BARKER: A quick question - how much is it going to cost to implement this strategy?

CR PATTISON: I'll pass that on to our Acting CEO.

MS GAIL GATT: Thanks, Mayor Pattison. GM of Placemaking & environment, did you have a response for that one?

MR CHRIS PIKE: Sure. Through you, Madam Mayor, I point Councillors to paragraph 15 in the report which identifies that some of the actions to come to fruition would require additional resources and, wherever possible, we'd be seeking them through external funding opportunities. Fundamentally the strategy is founded on making the most of what we currently have, as opposed to relying in a major part on additional funding being supplied.

CR PATTISON: Did you wish to speak to the motion, Councillor Barker?

CR BARKER: Without a clearer idea of what it's going to cost us, I can't support it. Thank you.

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CR PATTISON: Would any other Councillors like to speak? Councillor Wellington?

CR WELLINGTON: Thank you, Mayor Pattison. Look, I'm a big supporter of the arts and I've seen the arts and the creative sort of sector really develop across the hinterland actually over time since I've been a Councillor. There's always been lots of individual people interested and talented in that region, but in more recent years that's become much more kind of systematic and supported and it's great to see the Shire Hall in Winchelsea, which was a place where arts and music were very much enjoyed and that was lost for three years when it was closed. It's now increasingly becoming, you know, a place where those sorts of activities are being supported and it's provided a really great focus for Winchelsea.

My issue with this - look, the strategy itself, I really strongly support this. I'm very disappointed at the lack of emphasis on the hinterland in it. If you look at page 116 in the report, we talk about the Surf Coast Shire and home to the world's most iconic surf locations, such as Bells Beach, and unique landscapes like Anglesea Heath and Great Otway National Park. There's hardly even a nod to the hinterland in that, other than on the map. And Deans Mash, as Councillor Allen said, and the Winchelsea area (inaudible), we've got lots of people doing fantastic creatives.

It's the first time I've ever seen the Surf Coast Shire described as 1.5 hours west of Melbourne. We are south-west, we are not west. That's Ballarat. I just find that - I wonder who wrote this, whether it was written by a consultant, I don't know. I think that the first real reference to Winchelsea or the Winchelsea Ward in the strategy comes many, many pages deep into it.

I'm also really questioning the definition of the creative sector and the creative economy. Under this plan, it includes industries and occupations that have potential for wealth and job creation through the exploitation of intellectual property. As a definition, that's bizarre to me. I work in health care. That would encompass the pharmaceutical industry. Surely it would encompass medical research. Surely we're not - it would encompass medical devices. Surely we're not saying that these are part of the creative industry as we mean it in this strategy. I don't know where that definition came from.

It talks about shoe manufacturing. Seriously, that's creative? Manufacturing, design might be. Creatives - they're not creatives, they're just churning out stuff that basically damages the environment mostly in the long run. Management advice and consulting is considered creative? I've been a consultant for two decades or more. That's not my creativity. I consult to the

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health industry. I'm creative with knitting and sewing at a very small local level, that's what I do.

But I don't think the definition is right. I think the preamble to this all should be changed to reflect where the Surf Coast Shire actually is, to reflect the hinterland as a big part of it.

Finally, the national trust and partnerships --

CR PATTISON: If you could wrap it up, Councillor, because you're now over time.

CR WELLINGTON: I will wrap it up - part of this strategy because Barwon Park is a huge element of the creative sector in the hinterland and, you know, activating that should be a part of the strategy.

So I love the sentiment of this, but not the way it's expressed. I think it's got some major (inaudible).

CR PATTISON: Thank you for that. We'll now move on. Would any other Councillors like to speak to the motion? Do you have any closing remarks, Councillor Allen?

CR ALLEN: No, just to say that I'm sorry I didn't mention Winchelsea, Councillor Wellington, but I didn't - I ran out of time and I knew that you would talk about what's been happening at Winchelsea, which is also great.

CR WELLINGTON: It's the strategy, Councillor Allen, not whether you spoke about it.

CR ALLEN: Yes, I know, I know.

CR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And all those opposed. And the motion is carried 7-1.

We now move on to Winchelsea Common - Future Use Project. The purpose of this report is for Council to consider endorsing the proposed project scope for the Winchelsea Common - Future Use Project and to note the process and community engagement. Do I have a mover of a motion? Councillor Schonfelder - is that as per the recommendation? It is. And do I have a seconder? Councillor Bodsworth. Councillor Schonfelder, would you like to speak to the motion?

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CR SCHONFELDER: Yes, please. When I stood in the last election, the most frequent question that I received was about the Winchelsea Common and so many people asked me when is the common going to be open? I can very proudly say that, in my opinion, the greatest achievement of our Council term is the opening of the Winchelsea Common. And I realise that DEECA, the Department of Energy, Environment and Climate Action, is the land manager and was instrumental in the opening of the Common and I know that Growing Winchelsea played a role as well as the Council as well.

So I look forward to endorsing this proposed project scope of works for the Common which includes the former Go Kart track area and it also includes a former rifle range in the Winchelsea (inaudible). I know that the Lions Club used to raise a lot of money when they had their meets and I know there are mixed theories on shooting, but shooting is an Olympic sport and I am someone who is concerned about drug use in our community and I believe that people who are involved in sport and good active pursuits (inaudible), that is something that we should all encourage.

I realise that the Common is an area that is actually contaminated with lead and I realise that the capacity for any development of the area is largely (inaudible). The environmental management plan of the Common has clear limitations and restrictions applied to the previously mentioned Go Kart area, which includes excavation and movement of contaminated soils. The site includes contaminated soil from across the Common which has been happening and cannot be impacted by new works. Any excavation or penetration of the surface and (inaudible) will be in breach of the Environmental Management Plan.

Due to the significant restriction of works that can be conducted within the site, officers are proposing to cancel what's the bike park and instead focus on project scope on improving amenity and community use within the allocated budget timeline and restriction. I'm a former mountain cyclist and I used to have a BMX bike when I was younger and I loved cycling, but I realise that there are also safety concerns having a bike park within the middle of the Common as far as parents being able to supervise their children and also with lighting as well. That's another issue.

The officers have completed due diligence on the proposed scope, including arborist advice in consistency with the Environment Management Plan, concept designs and costings. The proposed scope of works would be installed above ground built up and therefore will not penetrate the existing surface.

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In the report, it illustrates a crossover to be built for better access to the Common. It also advocates for signage as well and that's referred to as placemaking and I'd like there to be acknowledgment of First Nations history in the Common as well as the settler history as well and the fact that there was a rifle range and there were Go Karting activities there, as well as the type of fauna and flora that exists, including rare native Australian orchids.

I am a former member of the Geelong - Friends of the Geelong Gardens and I'm a keen gardener and I've actually attended garden sales at the Royal Botanical Gardens in Melbourne, so I do have an interest in botany and I'm very proud to say that in the Surf Coast Shire we have a lot of unique flora.

Amusingly, in one of the briefings from the Common a Council officer mentioned that she saw two lizards getting well acquainted at the Common and I realised that --

CR HODGE: Where is this going?

CR SCHONFELDER: -- when it comes to the fencing, people have expressed concerns about access for the fauna and modifications have been made for the fauna in the area.

So I welcome community input in relation to the future of the Common, which is something we should all be very proud of. Thank you, Mayor.

CR PATTISON: Thank you, Councillor Schonfelder. Councillor Bodsworth, would you like to speak?

CR BODSWORTH: Thanks, Mayor. I'll just speak particularly on the fact that the bike park proposal has been dropped, which I strongly support.

Look, to me there's two main issues at play here. One is the constraints related to the Environmental Management Plan, and the other one is what's the best fit for the site. To me a bike park was definitely not the best fit for this site. As much as I love bike parks and I'd love to think that Winchelsea will have a bike park, I'm sure that there is demand for a bike park out there in Winchelsea right now, but I'm sure that that will grow in the future and I look forward to helping with that if I can together with you all.

Points against a bike park to me I just want to run through quickly, which is isolation, the inability to dig, which is a fairly natural thing for particularly kids to do in bike parks. It's a very flat site, which creates drainage problems, and it also makes for a very strenuous bike park, which again, with the young user

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group, a really strenuous track doesn't tend to get used that much because it's too hard work. It's unlikely to provide a great rider experience and I believe it would be likely to fail, and to me, being passionate about bike parks, skate parks and other things like that, a failed bike park undermines public confidence in bike facilities as a good use of public land and money.

To me the standout quality of the place is its peacefulness and naturalness and the proposal to me makes good use of that peacefulness and naturalness. Again, I think a bike park - either it would not be very lively, which is I think more likely, or if it was a very lively bike park, to me it would risk distracting from that sense of peacefulness and naturalness and the peaceful enjoyment of that woodland.

I note also that there's a deadline of the end of 2023 for the work, so there is actually a deadline relating to DEECA. Finally, I think it's really important to liaise with the community on the materials choices here because I've noted that on the page that shows potential materials choices there's a few choices there that I think are not particularly suitable for that woodland setting, acknowledging it's not about what I think, but I think it's really important to check in with the community about those material choices and particularly the pictured concrete seat, the what to me is a fairly suburban style of crossover and removal of bollards.

So, yes, just stressing that I think it's important to check in with the community about the finer detail of those designs. But I strongly support the proposal. Thanks.

CR PATTISON: Thank you. Would any other Councillors like to speak to the motion? Councillor Wellington?

CR WELLINGTON: Thank you, Mayor Pattison. I think that from my perspective the reasons why the bike park hasn't gelled, if you like, are, you know, reasonably compelling. I agree with the comments that have been made about isolation and about the lead contamination. It does seem quite inconsistent to have a bike park in that sort of setting.

I think that a walking path and observation areas will be very much welcomed by the community. I think the community really values the Common and would like to have more opportunity to enjoy it and I've certainly (inaudible) about the lack of seating and in fact a very kind community member (inaudible) that was reflected on the basis of design. So I do support Councillor Bodsworth's comments about the need for community engagement about the design.

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It does seem to me ironic - unfortunately, I'm really disappointed in this process. This item is being debated at a Council meeting where we're also debating Council's community engagement policy and it says we have a documented commitment to community engagement and have had for over 10 years and we say the community has a high level of interest and that our new policy that we'll be debating shortly this evening aims to clarify and strengthen our ongoing commitment to engagement.

We haven't talked to the youth level in the community generally about a bike park and I think it's just - I don't know why that's happened and I think it shows a real lack of courtesy, to be quite frank, at an organisational level to actually just have put out a plan that was developed and supported by the community and then just come to Council and say, "We're not going to do that part of it anymore, we'll do something else."

You know, we could say, well, there was no opportunity to influence because it was just impossible to develop the bike park here, but how do we know what the community will be able to come up with if we don't even ask them? So I see that as very disappointing and I also see it as very disappointing that the outcome of the debate we're having at the moment, which obviously is going to be support the officers' recommendation, was actually pre-published on the Council's website before we debated it tonight. I stumbled on it a few days ago and I was told it was a miscommunication or misunderstanding. You know, it doesn't show a commitment to engagement, that's all I can say, and I think we have to do a lot, lot better.

I'd like to move an amendment to this motion. I'd like, if I may, Mayor Pattison --

CR PATTISON: If you can state your amendment.

CR WELLINGTON: Can I have the clock stopped while I put that forward? The amendment is "that we immediately initiate discussions with the Winchelsea community about the potential for a bike path or other similar scale recreation facility in Winchelsea, explore ideas with the community, in particular with Winchelsea Youth, and report back to Council on the outcomes of those discussions before March 2024".

CR PATTISON: Now, we'll just let governance put that on the screen, so if we can just have a moment and we'll let Governance put that on the screen so that Councillors can consider the amendment that's being put forward.

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CR SCHONFELDER: Mayor, as the mover of this item, I have to agree to the amendment.

CR PATTISON: Sorry, actually, Councillor Schonfelder, that's not how it goes. Because we've already debated the issue, we will need to ask for a seconder and then people can speak on it and vote on it. Because debate has already started, it's not up to a mover or a seconder to decide that one. So we'll just wait --

CR SCHONFELDER: Mayor, I just have a question and I thank Councillor Wellington for her amendment, but I just - I feel - a part of me does feel - I seek guidance from the CEO or governance in relation to this whether it is a separate issue because we're talking about the Common with this item --

CR PATTISON: Councillor Schonfelder, I think we're just going to wait for Governance to get it on the screen. Then we'll consider it and then we can respond to your question because our Governance Manager and our Acting CEO are currently working to get the amendment up. So if you can just pause for a moment, we'll let them put that on the screen so people can consider it and then we can work through questions.

Do you want five minutes, we can adjourn for five minutes?

SPEAKER: We've got it.

CR PATTISON: We've got it? I've been assured that we are 2 minutes away.

CR SCHONFELDER: Mayor, I'd just like to (inaudible) something, if I may. I can't actually see the amendment.

CR PATTISON: It's not up yet. So 2 more minutes, Councillor Schonfelder. They're still getting it up. That's why usually we seek Councillors, if they've got one, if they can get Governance know in advance, then this process can run a lot smoother. But we're just waiting for Governance to type it up so that it can be shown on the screen and Councillors can consider.

CR SCHONFELDER: I can't read the screen, Mayor, though.

CR PATTISON: No, it's not up yet. It's not up yet. Are you unable to view - no --

CR WELLINGTON: Mayor Pattison, I suggest that the officers just share their screen.

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CR PATTISON: They're typing it up so that they can have the exact words that you put forward, yes. They will share it. It's not available for you to see yet, Councillor Schonfelder. That's what I was trying to propose.

So it is now on the screen. Is everyone able to see the amendment that has been put up?

CR WELLINGTON: It's not quite the wording I proposed, Mayor Pattison, but it's adequate, "about the potential for a bike path in Winchelsea" because that could suggest that it's in the Common, which I agree it's not an appropriate location.

CR PATTISON: I'll just read it out, "immediately initiate discussion with the community around the potential for a bike path in Winchelsea and, in particular, explore with Winchelsea youth --

CR WELLINGTON: Options - specific options with Winchelsea youth.

CR PATTISON: "Explore options with Winchelsea youth and report back to Council by March 2024". So that's the motion that's been put forward. Do I have a seconder? Councillor Barker. Councillor Stapleton, would you like to speak to your amendment?

CR STAPLETON: No.

CR PATTISON: I mean Councillor Wellington, sorry.

CR WELLINGTON: Thank you.

CR PATTISON: Sorry.

CR WELLINGTON: That's alright. I do that myself many times and I understand it's not intentional.

So, look, this motion is about removing the bike path - or, you know, the issue is about removing the plans for the bike path and replacing it with a walking track. And as I said, I've got no particular personal objection to that at all, but I do feel very deeply worried about removing a bike path that's been sort of agreed with the community in a concept plan without any community discussion or consultation or pre-warning. It feels very, very discourteous to me.

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And I think that the Winchelsea youth, we've got - you know, we're in an isolated community, we've got a swimming pool over summer which is frequently raised in this Council, obviously developed by the community itself in Winchelsea and with, you know, a relatively low operating burden I would add. But we've got the traditional sports of basketball, netball, cricket, football. We've got - not even tennis, but we've got not a lot of other opportunities other than those that the community itself sort of generates and I think having something for people who don't - young people who don't participate in those sports is important and was part of the thinking around this.

So I think a motion or resolution of Council that just removes that without any commitment to actually pursue the original idea is really disappointing and particularly without the courtesy of consultation.

So I think that there's nothing sinister about this amendment. It is very easy to talk to the Winchelsea community. We should have done it before this resolution or this motion was put forward. We can easily commit to doing it tonight. I really, really encourage Councillors to consider the impact of what is being done, and particularly in the context of the outcome being presupposed by our officers and published on the web at least several days in advance of this decision even being debated, I think the whole situation is most unfortunate and I think we should do what we can to redress it and a commitment to consultation would be a very appropriate thing to do.

CR PATTISON: Thank you.

CR WELLINGTON: Thank you.

CR PATTISON: I think Councillor Barker seconded.

CR STAPLETON: I have some questions.

CR PATTISON: A question, certainly, yes.

CR STAPLETON: Three questions. One is, is it meant to be bike path or bike park? It says "bike path" at the moment. I'm assuming it's meant to be bike park.

CR WELLINGTON: Bike path.

CR PATTISON: Park, yes.

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CR WELLINGTON: Well, I was actually - to be honest, my original proposal was that it be of a - I think my original wording was that it be a similar scale recreation facility.

CR STAPLETON: Okay. So my second question was there's a couple of processes currently in play, including the social infrastructure planning and the community plan that the Winchelsea community is developing, and I'd just be interested to know from officers whether those two processes would be already incorporating that kind of consultation around recreational needs for the community or not.

CR PATTISON: I'll put that to our General Manager, Placemaking & environment.

CR WELLINGTON: Before you do, Mayor Pattison, if I could just point out --

CR PATTISON: No, you can't actually, Councillor Wellington. The question is related to officers.

CR WELLINGTON: It might help.

CR PATTISON: I understand that, but the question is to our General Manager, Placemaking & Environment. You've had your opportunity to speak.

MR CHRIS PIKE: Thanks for the question. Through you, Mayor, I've been receiving some advice as Councillors have been discussing this matter that we have a bike park being considered through the Community Initiatives panel that exists within Council, so a proposal has been put forward by young people, so it's young person driven, or young people driven, which provides a potential avenue for Council to consider the scoping of a site with the community, noting that it also responds to the information contained in the youth census about the importance of riding options for young people.

CR WELLINGTON: Can I ask a question, Mayor Pattison?

CR PATTISON: I think Councillor Stapleton had a follow-up - you said you had three questions?

CR STAPLETON: No.

CR PATTISON: That's it? Yes, Councillor Wellington.

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CR WELLINGTON: So my question is that all of the discussion to date in those areas would have been in the belief that there was a bike park already happening in Winchelsea already planned, so I guess my question is has the community been aware that Council has shelved this bike path before it actually came to Council. Are people aware of that and, if not, should we not consult with the community about this so that in their other consultations around this they actually understand the context of the currently proposed bike path being shelved? My question is do they know that the bike park - apart from it being on our website, has there been any discussion with the community about the bike park proposal being shelved?

CR PATTISON: Thank you. I'll pass that on to our General Manager, Placemaking & Environment.

MR CHRIS PIKE: Thanks for that question, Councillor Wellington. Through you, Mayor, so one of the purposes of the report was to advise the Council that the next step is that consultation or that communication in terms of the scope of the works and the limitations on the site. So that hasn't commenced yet and that would be taking place immediately following this report.

CR PATTISON: Thank you. Would any other Councillors like to speak around this amendment? Councillor Barker?

CR BARKER: Yes, thank you. It just makes sense to me to - to have the original Go Kart track and then transition it into a bike park or bike path, whatever you want to call it, it just makes sense to me. And in terms of the growth and development of Winchelsea, you've got an opportunity where every single residential property that is being built on is supplying anywhere from 20 to 40 cubic metres of dirt. So when it comes to supply of materials, we can built up, not disturb the existing ground and build a bike park that suits the community need, retains the similar use of the site all for a very low cost. And if history has shown us anything with regards to Bob Pettitt, you'll see that there's generally significant community interest to support the construction and I just think it makes sense. And additionally the --

CR STAPLETON: Point of order. Sorry, Mayor, can I just clarify, are we debating the --

CR PATTISON: Yes, I was going to let Councillor Barker continue. We're actually still on the amendment and so the amendment - the motion still stands around that it will be a path area and not a bike park and the amendment is to have consultation around a bike park in general in

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somewhere in Winchelsea, but not on this site because this motion actually says that there will be a path on this site.

CR BARKER: Yes, but the problem with this recommendation is it's very topdown. It's not community driven.

CR PATTISON: Yes, so the amendment that we're talking about is purely around immediately discussing with the Winchelsea youth around a bike park. That's what this current debate is on. We haven't gone back to the original motion. That's what you were clarifying?

CR STAPLETON: Yes, yes, yes. I assume there will be an opportunity for us to debate - to discuss --

CR PATTISON: Yes, for those that have not spoken to the motion - at the moment we're talking about the amendment.

CR BARKER: The amendment just makes sense to me.

CR PATTISON: Sure, okay. Would any other Councillors like to speak to the amendment before we put it to the vote? No? We now put the amendment to the vote - actually, Governance, could you put it back up just so people can see it prior to - then everyone knows exactly what they're voting on. So voting on the inclusion of this amendment. We'll put that to the vote. All those in favour. And all those opposed. Sorry, Councillor Schonfelder, I couldn't quite see - it's a bit hard, sorry, when it's shared. Were you opposed or for?

CR SCHONFELDER: I was for the amendment.

CR PATTISON: For, great, okay. So the amendment is carried.

We now move back to the substantive motion, including that amendment that Councillor Wellington put up. We've already heard from Councillor Schonfelder, Councillor Bodsworth, and Councillor Wellington.

CR WELLINGTON: Mayor Pattison, I think I had a little time left.

CR PATTISON: 30 seconds, sure. You can continue with your --

CR WELLINGTON: Thank you. Yes, I'd just like to finish by saying I'm very surprised that some Councillors voted against consultation in the context, I'm very pleased that enough Councillors voted for it, and I don't know who they

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were, but that will be in the minutes, because I just think it's a - look, how can you do harm by talking to people, especially when you have an organisational commitment to do that? It's just unbelievable I think that we wouldn't support this. I'm very glad that we're going to and thanks to the Councillors who supported it.

CR PATTISON: Thank you. Would any other Councillors like to speak?
Councillor Stapleton?

CR STAPLETON: Yes, just briefly on that, I guess I wasn't voting against consultation, I was voting against the amendment, because consultation is already built into the agenda report. It says that the communication period will run during September, which is actually sooner than March, so to me it didn't make sense. But there's no issue with it. I think that officers are already talking to the community about the potential for a bike park in a more suitable location, which is terrific.

I think Councillor Bodsworth said earlier that, you know, there's no doubt the need and support for a bike park in Winchelsea, which I completely support as well. I just - I feel like that process is underway and there is a communication period highlighted in the report. So that's all I wanted to add. Thank you.

CR PATTISON: Thank you. We'll now put the - oh, sorry, any closing remarks, Councillor Schonfelder?

CR SCHONFELDER: Yes, please, and I'd like to thank the Councillors who've spoken on this item. Just to reiterate that upgrade (inaudible) crossover, signage, interpretive signage, but also I would like to advocate to have Braille because I have a sister who's visually impaired and people who are blind or visually impaired, I believe that they have a right to be able to read signage. So I feel that we can be a leader in that area. Also, the collapsable bollards too, which are proposed.

When it comes to seating, I feel that there are people in Winchelsea who want beautiful seating like red gum seating. I think that's something that we could look at seriously because it just - I feel as though (inaudible) seating that Councillor Bodsworth was referring to, I think it is complementary to that setting.

The Common has been an issue that has gone on for a long time and I'd like to say that it is a pity, in my opinion, that the Go Kart track and the actual shooting range wasn't reopened elsewhere. So, sadly, the community misses

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out in that regard, but hopefully in the future that might be revisited. I urge my fellow Councillors to support this item. Thank you.

CR PATTISON: Thank you. We now put the motion to the vote. All those in favour. And opposed? And the motion is carried 7-1.

We now move on to item 4.4, Community Asset Committee Changes to Membership - Anderson Roadknight Reserve. The purpose of this report is to appoint new members to the Anderson Roadknight Reserve Community Asset Committee. Do we have a mover of a motion? Councillor Stapleton - as per the motion?

CR STAPLETON: Yes, as per the recommendation.

CR PATTISON: As per the recommendation. And a seconder? Councillor Hodge. Would you like to speak, Councillor Stapleton?

CR STAPLETON: Yes, just quickly, thank you. As a former member of the Anderson Roadknight Reserve Committee, I can speak from experience about the dedication and commitment of this group of people to achieve the best outcomes possible for the Aireys Inlet community and users of the hall facility. The recent Hooded Plover mural, which you can see on the front wall of the hall, is a terrific example of how this group collaborates and applies creativity and perseverance to deliver on projects for the betterment of the hall and reserve.

The proposed appointments of Rod Tucker and Kara Cheah will enhance the committee's range of skills and provide new perspectives and experience, which I know will be greatly valued. Kara is a parent from the Aireys Inlet Primary School, with one child already at the school and two more heading there in years to come, so she will provide important perspectives as a local parent and hopefully she's happy to contribute to the committee and be a voice for the school community for many years to come. She has also previously run exercise classes at the hall, so she has experience as a local user and a provider of services for the community.

Rod Tucker is also an Aireys Inlet local and brings great experience as a former electrical engineer and someone of international renown for his contributions to science and technology. He's an Emeritus Professor at Melbourne University, belongs to the Australian Academy of Science and the US National Academy of Engineering, so will bring significant expertise to our local committee.

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Now living the dream in Aireys Inlet, Rod enjoys using the hall for exercise classes, is a highly valued volunteer at the monthly Repair Cafe, now fixing things like coffee machines, and is also an active member of the local 3231 Community Garden. Anyone wanting to read more about Rod's fascinating career and history will find an excellent article about him in the last edition of News Angle.

No doubt both Rod and Kara will make outstanding contributions to the hall committee, so thanks for putting yourselves forward for these appointments and of course thanks to all our Community Asset Committee members, who volunteer so much time and skills to manage and improve these important assets for our community. Thank you.

CR PATTISON: Thank you, Councillor Hodge, did you want to speak?

CR HODGE: No, there's nothing else to say, but welcome to the volunteers into a very exciting community and they do a great job, so wish them all the best for the future.

CR PATTISON: Thank you. Any other Councillors? Councillor Bodsworth?

CR BODSWORTH: Just to note that in contrast to Anderson Roadknight Reserve, the Anglesea Memorial Hall does not have a Community Asset Committee and as part of the McMillan Street Precinct master planning, I hope that we can consider a community asset committee or similar for governance and management of the facilities in the precinct. Thank you.

CR PATTISON: Thank you. Do you have any closing statements?

CR STAPLETON: No, thank you.

CR PATTISON: No. I'll put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.5, SCS-017 Community Engagement Policy. The purpose of this report is for Council to consider adopting the Community Engagement Policy. Do we have a mover of a motion? Councillor Bodsworth - is it as per the recommendation?

CR BODSWORTH: Yes, thanks, Mayor.

CR PATTISON: And a seconder? Councillor Wellington, were you seconding that one?

CR WELLINGTON: Yes.

CR PATTISON: Yes. And Councillor Bodsworth, would you like to speak to that?

CR BODSWORTH: Thanks, Mayor. So a Community Engagement Policy is required under the Local Government Act, as explained in this report. Surf Coast Shire Council has had a policy for over 10 years. We have a very highly engaged community. We're all highly aware of that.

One thing that I've noticed about our community is that they're very sensitive to being - I don't want to use a rude word, but to being misled in any way or being convinced of things and being sold things that they're not convinced of themselves, so I think that's sort of a founding position of our community engagement mission is not to try and hoodwink anybody and also to be sure that what we're bringing to people are very convincing positions.

So I find the principles-based approach of this policy is very strong and it helps to guide that case-by-case approach that we bring to community engagement, which is important, so community engagement is always tailored to the circumstances.

We've seen in community feedback that there's a very strong interest, there are strong opinions, and I noted that there is a fairly high degree of cynicism and frustration around community engagement, which I'm sure is a common theme around community engagement across a lot of different agencies and sectors.

Regarding Local Government Act principle number 5, which is in the notes, there are words around people should be informed of ways in which the community engagement process will influence Council decision making. I think it's really important also for people to understand what other imperatives were considered. So often people will observe that the ideas and the suggestions that they've put forward didn't end up winning the day and they are often mystified to know why and to understand what other imperatives did win out, so I think it's very important that we help people to understand - if there are other strong imperatives in the work that we're doing that people can understand that and can try to understand why perhaps the strong things, the strong points that they made may not win the day in the end.

I also think that there's a dilemma that we all face around what people want versus what's the right thing to do and I think that that principle really came

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up with Cypress Lane, whichever side of that debate you're on. It illustrates the difficulty of what people want versus what's the right thing to do or what the evidence might suggest. I think that that comes up in lots of circumstances and it really underlines the importance of honesty and transparency in our engagement. That's all I'd like to say about it. I think that it's a good policy and that we should adopt it.

CR PATTISON: Thank you. Councillor Wellington, did you wish to speak to the motion?

CR WELLINGTON: Thank you. Yes, I do. Thanks. Look, I think we have a problem with engagement. I'm happy to support the policy because the policy is fairly innocuous, but underpinning this we have a problem. It's reflected in the 66 submissions we got, which is a lot on a policy. Most people don't bother too much about those sorts of things.

I don't think - I think the themes from the feedback suggest that the community is not confident in our implementation of engagement and, you know, I agree that there's a lot of improvement that's possible in that space. As a Council, we have to genuinely want to hear what the community has to say and I think the community believes that perhaps some of this is tokenistic what we do and I think there's some foundation in that scepticism.

If you go back to our Council plan, it proposes that we improve Council credibility as a trusted decision maker through meaningful engagement. The problem starts there. The objective engagement is not to improve our credibility, it's actually to improve the quality of our decision making. Well, we have to believe that in order to do it well. I believe we're approaching this really from the wrong perspective.

It's all about culture and I agree with Councillor Bodsworth there is a problem across the sector, it's not just us, but just because we benchmark okay with the rest of the sector doesn't mean that it's acceptable that people (inaudible) around engagement. You know, we have to do better and we have to improve our culture.

The first policy point we're committed to undertaking community engagement when it can enhance our decision making, there's a value judgment in that already. We make a decision as to whether the community can help our decision making before we even ask them and I don't see how we can do that. We should be consulting with the community, you know, right from the beginning about a bike path. Are we going to take away the bike path from the Common?

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Do we think it's a good idea, yes. Do we think the community can change that decision, you know, based on its merits? Probably no, but that shouldn't be the purpose of engagement. The purpose of engagement should be to show respect to the community and maybe they will come up with something that says we can do this without taking it away.

It's a bit late now for that, you know, but I think our premise is wrong. I think the scepticism about (inaudible) is genuine in the community and I think this Council is (inaudible) policy. We get talking points as Councillors now for some issues where if we're asked questions, we get suggested what we should say. That's not why the community elects us. They want to know what we think and they want to know (inaudible) and I don't think that as a Council we should be running this very targeted communication policy which is about trying to get a consistent message across the whole Council. I don't think that's what local government about.

I just want to finish on the deliberative engagement process. I'm not confident in it. I don't believe it's valid. I don't know how some issues like Indigenous reconciliation became a key strategy in our plan. It's obviously an important issue, primarily a state government issue. No-one in the community has spoken to me about it. I can understand how that got (inaudible). I think it got there because it was directed by Council, from Councillors.

CR PATTISON: Thank you, Councillor Wellington. You're now 15 seconds - nearly 15 seconds over, so I'll get you to finish up.

CR WELLINGTON: I have no problem with the policy, I'll support it, but I think the practice is what's important.

CR PATTISON: Thank you. Would any other Councillors like to speak? Councillor Barker?

CR BARKER: Laws are only as good as they're policed and when it comes to policy, I think they're only as relevant as how they are carried out and to me I think this is a joke. We need to have a community engagement policy, but it's been shown to me that community engagement means two-fifths of bugger all when it comes to community engagement. I won't be supporting the policy because I don't think the outcomes will be reflective of what the policy intends.

CR PATTISON: Would any other Councillors like to speak? Councillor Hodge?

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CR HODGE: Yes, just a few points. It's really obvious in this one how do we engage - no matter what we try, there are certain groups that don't want to or don't engage, especially your 19- to 24-year-olds. I mean, they don't usually speak to their parents, let alone wanting to come and talk to Council. How do we do that? We've tried Instagram, we've done that, it's just really hard, and they're a very special demographic because they're the leaders or the people that are going to continue on living here hopefully for many years to come.

I noticed a lot of people said via email and I know we started building on that with the Council plan, the people that put into the Council plan, those volunteers, and I know we notify them again if things happen. Surely we can start building up an email base of people that want to have emails - not everyone wants an email or an SMS, but to the people that do, and then there's no excuse to say at least we've tried to get there as far as we can.

There was one comment that sort of did make me sort of laugh and a bit upset - not upset at the same time, but "it's sad to see it's come to such a documented procedure of red tape and backside covering", and that wasn't my husband that wrote that, but when you read stuff like that, you just think no matter how you try - you know, other things are in the picture as well, like different planning matters, state laws, federal laws, but, I mean, as a local government, we give it a try. I think the cat curfew was out here on Saturday and up at Winch I think nearly every weekend there's some type of communication where people can look in the local paper or look on their media posts and try and get to something.

But we can only do so much. We've only got a limited budget to do it as well, but we can all do it better and we've seen it get better over the years. The officers have put in some really good ground working and sometimes working with the community can be very difficult. But if we can bring people along and they at least know of things - they don't have to be part of it, but as long as they know things, they can see that we've made a great effort of trying to get them involved, and I think the email one and how we can recruit the young ones in I think will be a mystery, but our youth team might help us. But overall, I think the policy is a working document that we'll work forward with in the future. Thank you.

CR PATTISON: Thank you. Councillor Allen?

CR ALLEN: Thanks, Mayor. You'll be disappointed if I don't say something about what I consider to be an inherent bias in our engagement processes. I mean, I look back to when I applied to be part of the Positive Ageing Advisory Committee. The forms that I had to fill out were almost equal in length to

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what I had to do to apply to become a principal. So we gear our engagement to people who are of a certain group within our community and I think it's a biased engagement and I've always maintained that we really should be present at markets, where we can engage a whole range of people, a whole range of ages and a whole range of people go past. To me that's where we should be, where we should be asking, where we should be engaging.

Now, I know there has to be - like with the creative spaces, we targeted a specific group to engage with. There are times when a bias is warranted, but I do believe that we do neglect a significant part of our constituency.

CR PATTISON: Thank you. Councillor Bodsworth, did you have any closing remarks?

CR BODSWORTH: I'd just like to thank the other Councillors for their comments on this topic and in relation to Councillor Allen's comments just then, I just want to note that we're now holding four Council meetings per year in the wards, which I think is a fantastic opportunity for community engagement. I'd like to encourage people to come to our next ward Council meeting, which is in Lorne, in September, I believe, isn't it?

CR PATTISON: That's right.

CR BODSWORTH: So, yes, great opportunity for people to come along and there's half an hour beforehand for people to talk to Councillors. So yes, overall, I think it's very true what people have said that we need to keep working on continuously improving our engagement. Very grateful to people who do engage and who help us make things better through community engagement, so yes, thank you, and yes, I commend this policy to you all.

CR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And opposed. And the motion is carried 7-1.

We now move on to 4.6, SCS-020 Community Bus Policy. The purpose of this report is to seek Council's adoption of the updated Community Bus Policy. Do I have a mover of a motion - Councillor Allen. Is that as per the motion?

CR ALLEN: As per the recommendation, Mayor.

CR PATTISON: The recommendation. And do I have a seconder? Councillor Bodsworth. Councillor Allen, would you like to speak to the motion?

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CR ALLEN: Yes, thank you, Mayor. My interest in the shire's Community Bus Policy was triggered prior to being elected to the Council when, as President of the Lorne Bowls Club, I tried to hire the Lorne community bus, shire bus. I gave up after being faced with a nine-page form to fill out and after I read the hire charges.

At that time the Lorne hospital community bus was available for hire. I photocopied my licence and filled out a one-page form. The cost was half that of the shire's bus.

I must acknowledge that since that time, the complexity of the form has been addressed, but it can still be improved.

After becoming a Councillor, I was appointed as the Council's representative on the Positive Ageing Advisory Committee. One of our tasks was to develop the Age Friendly Strategy 2020-2024 to be presented to the Council for adoption. Of the eight key focus areas, one is transportation.

We were interested in how an ageing resident at Deans Marsh could age in place if they wished to. One significant barrier is transportation, lack of a regular bus service, no taxi, and difficult to get an Uber, and the nearby community buses in Lorne and Winchelsea were costly and the bureaucratic barriers difficult to hurdle, placing transportation as a significant barrier to ageing in place.

Yet sitting in Lorne, Winchelsea, Anglesea and Torquay were community buses all significantly underutilised. In Torquay, where public transport and taxi options are available, why could this resource not be made available to the Deans Marsh community?

These questions triggered a request to review the bus policy to see if the buses were to be placed under the control of a local organisation, would the usage increase. What would be the terms of such an arrangement, and given the terms, would such an organisation take on the responsibility of the bus? Would relaxing the restrictive eligibility requirements lead to increased usage?

I believe that the adoption of the amended policy and the options before us provides the opportunity for the Council and community user groups to achieve increased bus usage, reducing operational costs to the shire and to help meet the transport needs of the individual communities.

In the package, individual hire is not one of the options currently available as part of the place-based trial. Officers will further investigate this eligible user category by exploring the impact of insurance to individual users and the impact of the requirement for hirers to have their own public liability insurance.

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I'm grateful to the officers for investigating this option as it was raised by other Councillors at our briefing.

As mentioned in the report, many in the fleet of buses are approaching their 10-year asset renewal replacement stage. If this trial is unsuccessful, then disposal of the buses will be a real option for the next Council. Deans Marsh and Lorne on the surface seem likely communities to embrace the trial and as organising groups will not be competing against a private provider, I believe more likely to succeed.

Finally, we have the framework for a trial and I thank the current officers who have navigated a complex departmental process to prepare the trial. It is now over to our communities. Thank you.

CR PATTISON: Thank you, Councillor Allen. Councillor Bodsworth, did you wish to speak?

CR BODSWORTH: I've got nothing to add to what Councillor Allen has said and I fully support what he said.

CR PATTISON: Do any other Councillors wish to speak? Councillor Barker?

CR BARKER: Thanks, Mayor. Thank you, Councillor Allen, for harking back to being elected in 2020 because soon after being elected myself in 2020, this majority of new Councillors supported a community bus that cost over \$60 per seat to ratepayers.

While I like the idea of a community bus, I don't think it's fair on hard-working ratepayers who are experiencing a cost of living crisis to fund something like this. If it were open to private or corporate sponsorship, then I'd fully support it.

I'll be interested to see the results from the community bus trial to come out just before the next Council elections, when the cost of living crisis will be in full swing and the community will be keen to see how we will be tightening our spending.

CR PATTISON: Do any other Councillors wish to speak? Councillor Wellington?

CR WELLINGTON: Thank you, Mayor. Yes, look, I support this policy. I might be misinterpreting it, but I don't see that it - we've already got the buses, or we've got four, and we've got the Bendigo community bus. The real issue I

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think is that they're underutilised and when trying to increase utilisation, we should actually improve efficiency.

I think there is a need for group transport in areas particularly the areas that are away from them or, you know, the sort of hinterland and more remote areas in the shire. But even for Torquay itself, there will be community groups that will be looking for group transport. It's clearly better than people using cars. It will benefit the environment and benefit community cohesion. So I can't really see a downside to actually reducing red tape in this context. I'm happy to support it and I'll be interested to see the outcome.

CR PATTISON: Councillor Allen, do you have any closing remarks?

CR ALLEN: Just to say to Councillor Barker that this trial should in fact, if it's successful, take the pressure off ratepayers, the very thing that you're advocating. So I'm confident that you'll support the motion because it does do that if it's successful. Thank you.

CR PATTISON: We now put the motion to the vote. All those in favour. And all those opposed. And the motion is carried 7-1. We now move on to --

CR ALLEN: If we could have a break, Mayor.

CR PATTISON: Oh, yes, certainly. Is there someone who wants to motion a move to suspend standing orders? Councillor Allen, and seconded by Councillor Wellington. So all those in favour. And that is actually carried unanimously. We will now have a break until 8.20. Is that enough for everybody? Yes, 8.20. We'll be back at 8.20. Thank you for those here and online. We'll see you at 8.20.

(Short break)

CR PATTISON: Welcome back, everybody. Thank you for that short break. Could I have a mover to resume standing orders? Councillor Hodge, and seconded by Councillor Allen. All those in favour? And the motion is carried unanimously.

We now move on to 4.7, Road Condition Audit. The purpose of this report is to present the findings of the 2022-23 Road Condition Audit to Council. Do I have a mover of a motion? Councillor Adrian - is that as per the recommendation - Councillor Schonfelder. It just takes me a moment to get back into the swing of things. Councillor Schonfelder. Thank you. And it's as

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per the recommendation? Yes. And a seconder, please? Councillor Allen. Would you like to speak to the motion, Councillor Schonfelder?

CR SCHONFELDER: Yes, please, Mayor. If Council accepts this recommendation acknowledging that during the 2022-23 financial year officers engaged a well-qualified consultant to undertake condition audits of Council's road network. These audits inform Council's asset renewal program.

Council undertakes condition audits every three years for its key asset classes, including roads. The audits are used to prioritise future renewal work as the basis for future asset modelling to establish Council's ongoing renewal allocation and to meet Council's financial reporting requirements.

The data received as part of the renewal audit on Council's unsealed road network shows no improvement in the road network, which will result in a decreasing Council's unsealed road renewal backlog. The data received as part of the renewal (inaudible) and Council's sealed road network shows that Council will need to address its focus on sealed road surface renewal in upcoming years.

Council undertakes condition audits of its entire road network every three years. The condition audit considers the condition of sealed roads, which is pavement and surface; unsealed roads; carpark, including with sealed and unsealed roads; kerbs including traffic control devices.

Council engage an independent contractor to undertake the audits based on a specification of work provided by Council. The specification is based on the Institute of Public Work Engineers Australia practice Note 9 - Condition Assessment & Asset Performance Guidelines. Audits are undertaken using a specialised vehicle using 360 degree cameras, specialised measuring instruments and for unsealed roads, separate deeping of gravel material is undertaken.

Roads are given an overall condition score on a 1 to 10 scale with scores of 8 or above being considered as requiring renewal. The 1 to 10 condition scores are made up of several criteria as follows - with sealed pavement sealed road, roughness; pavement cracking; rutting. Also with sealed road surface, the surface texture, binder/asphalt age, cracking and also patching.

Unsealed roads is gravel depth and/or re-sheet age; pavement material durability; profile; longitudinal drainage - that's a word I haven't said before, Mayor, so pardon my possible mispronunciation - once again rutting and also roughness.

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Now, we're in a period where we're hopefully exiting the pandemic and there is increased traffic volumes on our roads, so I am an advocate along with my colleagues to increase funding on roads due to the fact that the visitor economy is returning to normality and people now - I think fewer people are working from home, as opposed to when they were during the pandemic. So I assume the traffic volumes have increased. I encourage my colleagues to support this item.

I will also mention, Mayor, that there are spreadsheets and there is a lot of detailed analysis of the audit that the Council has available in relation to the officers making recommendations in relation to upgrading certain roads when it comes to the prioritisation of certain roads.

I would like to also make a comment that I've met surfers and I know surfers who surf (inaudible) if possible and they've actually advocated for some roads to remain unsealed because they want fewer surfers to compete with when it comes to surfing at different times. Thank you, Mayor.

CR PATTISON: Thank you. Councillor Allen, would you like to speak to the motion?

CR ALLEN: Yes, thank you, Mayor. This three-year audit provides a very sound basis for officers to prioritise roadworks, but Councillors, I believe our failing has been not to allocate sufficient resources to allow the officers to complete the job in this area. The major concerns that I hear in the Deans Marsh community is the state of those unsealed roads used by logging trucks. I believe that these roads should be audited more frequently than every three years.

Therefore, I'm very pleased to see included in the report an undertaking to review the Council's management of the unsealed road network by an external consultant during the 23-24 financial year and increased proactive grading of high-use gravel roads.

And finally, I'm pleased to see the continuance of what I believe has been a very successful trial of a hybrid gravel crushed rock mix for re-sheeting of unsealed roads in lieu of the previous practice of a 100% gravel re-sheeting. Thank you.

CR PATTISON: Would any other Councillors like to speak? Councillor Barker?

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CR BARKER: Thanks, Mayor. This audit just goes to show you that all this talk (inaudible) say about getting back to basics, or the four Rs, roads, rubbish, reducing rates is absolutely critical. If you scroll forward through to page 214 of the agenda, you'll see poor conditions increasing and good condition decreasing.

Life is all about tradeoffs. If you're happy to continue on the path of big government, big spending on non-essential costs and generally ignoring economic conditions we find ourselves in, expect to see future road condition audits showing more negative results.

CR PATTISON: Thank you. Councillor Schonfelder, do you have any closing remarks? Oh, Councillor Wellington.

CR WELLINGTON: Thanks, Mayor Pattison. There's a couple of things I'd like to say. Roads have been a very huge focus of mine from the beginning and unsealed roads particularly in the Winchelsea ward have been a huge issue for me as a Councillor, with tremendous community dissatisfaction.

I have to say that in the last couple of years, through advocacy and some of which I like to think I contributed to, we got an increased allocation of about - we went from about \$700,000 to about \$1 million a year in unsealed road maintenance I think over the last few years and I think that has made a difference because I haven't had as many - I certainly haven't had as many complaints about unsealed roads.

But I do still have repeated complaints about particular roads and I'm going to be interested, now I've got the data, which I only got I think this morning - well, it's morning time where I am in Europe at the moment, but I've only received it, you know, overnight sometime. I got the audit and the audit is actually really interesting. The surprising thing to me is it's been given to me in confidence. I don't understand how an audit like this could be considered confidential. I think it should be shared with the community. Everybody should be able to tap their road in and see what its condition rating is and then see whether they agree with it and if they don't agree with it, we should invoke our engagement policy and find out why. So that's a bit unusual for me but, you know, it's really helpful to have this information. It's obviously been something that's been done on a three-yearly basis, but we haven't - Council in the past has not had specific upcoming information, so I appreciate that.

I do think - there's a couple of things that worry me. One is that the recommendation is we note the audit and that's - we note the report on the

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audit. That's fine. That's uncontroversial. But then the outcome says if we accept the recommendation, we'll be acknowledging that officers engaged a suitably qualified consultant to undertake condition audits. I've got no idea who the consultant was or whether they were suitably qualified and by noting the audit I'm not acknowledging that. I assume it's correct, but I certainly haven't been able to do the verification myself to allow me to vote for that. So it's in the notes, it's not in the recommendation, but I'm not acknowledging that in supporting the recommendation. But I'm really pleased to note the audit.

I'm also a bit concerned that the officers' report says there's been a deterioration in sealed road pavements and surfaces, which I concede from the graphs, and I think those graphs show the actual area of road, as opposed to the length of road. I presume that's correct just from what I can read. There's been a deterioration in sealed roads and somewhat of an improvement in unsealed roads, but there's a suggestion there needs to be more investment in sealed roads. I would certainly agree with that.

There also needs to continue to be more investment in unsealed roads. We should not be looking at shifting resources from one marginally improving area to one marginally, you know, decreasing area of performance. So interesting to see it. I'll be advocating for this report to be made public and I'll be asking why officers have designated it confidential, what it relates to in the Local Government Act that could possibly make it confidential. Thank you.

CR PATTISON: Thank you. Councillor Hodge?

CR HODGE: Yes, just very quickly, one of the initiatives in the report, and I can say that I've experienced it and it's very good, is the trial of the hybrid gravel/crushed rock mix for re-sheeting of unsealed roads. During the arts weekend, I travelled a lot of back roads and one of them being Alton Road, a very high-use road, being on the corner of the Chocolaterie, and went down to one of the art places thinking, very cynically, that we just graded it for the arts trail. But after speaking to the moongate people, they were saying no, it's been down for a couple of months and it's absolutely fantastic. They reckon it's the best grading they've had on that road for years. So well done to the officers.

And also I travel along Ghazeepore Road I'd say nearly three to four times a week now and the improvement on that has been considerably noticed because it's such a heavily used road and for larger vehicles as well. So whatever they're using on this new hybrid stuff and the proactive grading of the high-use gravel roads seem to be working really well. So I congratulate

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the officers for identifying those and moving with it because it's really improved it.

CR PATTISON: That's great. Councillor Bodsworth?

CR BODSWORTH: Thanks, Mayor. I've just got a couple of comments. I echo my satisfaction with those points that Councillors Allen and Hodge have mentioned about the management review of Council's management of the unsealed road network during the 23-24 financial year. I think there's an opportunity there for us to just check that the maintenance and management practices that we're using are providing best value for money and best quality of results out on the roads, and ditto for the proactive grading and I agree that the shandy mix of material has been highly successful.

I can only suggest in relation to Councillor Wellington's comments about the full audit data, my misgiving about that being public would be really around it opening it up to a lot of subjective opinion on individual roads, whereas to me the beauty of this audit is that it's an objective assessment by an independent consultant. So personally I think that that provides us with a good footing that's benchmarked to a national standard, whereas opening it up to public review and comment brings with it, in my mind, a risk of a wide range of subjective opinions where we wouldn't really know what to do with them. So just suggesting that in response, but not particularly firmly because I'm interested in the details as well, but I'm glad that we've undertaken this and happy to note it.

CR PATTISON: Thank you. Councillor Schonfelder, do you have any closing remarks?

CR SCHONFELDER: All I'd like to say is thank my colleagues for their discussion. Thank you.

CR PATTISON: Thank you. We now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.8, Customer Experience Bi-Annual Report January to June 2023. The purpose of this report is to provide Council with the Bi-Annual Customer Experience update for January to June 2023. Do we have a mover of a motion? Councillor Barker - is that as per the recommendation?

CR BARKER: Yes, Mayor.

CR PATTISON: And seconded by Councillor Stapleton.

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CR PATTISON: Would you like to speak to the motion?

CR BARKER: Just briefly. There's definitely room for improvement. The appropriate allocation of resources can correct the failings noted, something to consider for next year's Budget. That is all.

CR PATTISON: Thank you. Councillor Stapleton?

CR STAPLETON: Thank you. So this report is simply for noting, but it's an important report to flag as it demonstrates Council's commitment to continuous improvement and learning. It's a biannual report that provides Council with valuable data around customer experiences and complements a reform program undertaken in recent years to improve the registering and management of customer requests via the CRM system.

Of course we want customers to have a positive experience when dealing with Council, but we know we don't always get it right and that people not only have a right to complain, but the process should make it easy for them to do so, be transparent and aim to ensure that complaints are handled fairly and objectively. Complaints also provide a valuable opportunity for Council to learn and improve the quality of our service delivery.

Relying on metrics that are widely used across industries provides us with a reliable understanding of customer experiences, expectations, satisfaction and the likelihood of positive feedback to peers about the service they received. In addition, Council has started a tailored customer insights program with customers who have contacted Council for various reasons, which allows staff to ask them relevant questions and gain valuable evidence-based understanding of their satisfaction which is drawn from direct interaction with Council.

Those who are interested in the detail can drill down on the data and the results in the report, but a couple of stats to highlight are that we had 18,559 customer requests through the CRM system in the first six months of this year, which is slightly more than the previous six-month period, and these were mostly in relation to waste management, civil works, parks and open space, design and traffic, environment and development. 93% of these requests were completed within the nominated timeframe.

During this period, we also had 1,754 complaints, of which 544 were for missed bins, 1,049 for infringement reviews, and 140 complaints investigated under the complaint handling policy, which was based on dissatisfaction with

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various issues such as quality, delay or failure of actions, decisions made and services provided by Council.

All these complaints provide valuable data, which Council has been able to use to make improvements across a range of services and programs.

It's important to note that Council also registered 71 compliments during this time in relation to different areas of Council services and decisions, but it is pleasing to see that road maintenance was one of the areas that we received the most compliments in, given that roads are often the first thing people will complain about.

Finally, I think it's worth noting that Council received a customer experience rating of 9.1 out of 10 from 3,283 respondents, which I see as a strong signal that most people who contact Council have a positive interaction. Of course there's always room for improvement and that's what this program is trying to achieve. Thank you.

CR PATTISON: Thank you. Would any other Councillors like to speak to the motion? Councillor Wellington?

CR WELLINGTON: Thank you very much. Look, this is an interesting report. Complaints provide one lens, if you like, on performance and it's interesting that most of these fall into the sort of, I guess, routine service category, things like waste collection and, you know, complaints about infringement notices and that sort of thing.

So it's interesting to have them. They never can be relied on in kind of a statistically significant way because people - you know, when I was a director of medical services in hospitals, people used to get more complaints one month and everyone would say, "That's great because more people are complaining and that's what we want." The next month they'd be down and they'd say, "Oh, that's good because we've had fewer complaints." So, you know, they're not statistically relevant, but it's useful data.

The issue that I'm really interested in is if you look at the community satisfaction discussion on point 22, this Council has had its community satisfaction survey available to it from the 2023 year for several weeks now and I'll just stop the clock at that point and ask the officers when the outcomes of that community satisfaction survey will be disclosed to the public because it's not on the web at the moment. So can I just ask that question, please?

CR PATTISON: I'll pass that one to our Acting CEO.

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MS GAIL GATT: Thanks, Councillor Wellington. I understand that Councillors have a copy of the satisfaction survey, so it has been distributed to Councillors, and then following the noting of this report tonight, we will be putting it up on the website. So it should go up after tonight. Thanks.

CR WELLINGTON: Okay, thanks for that very much because I think it's really important that that goes out. We've presented some fairly selective statistics there. We keep saying oh, we're better than most other Council - peer Councils. That's not the benchmark I want to be compared against.

I mean, to be quite honest, you know, 46% satisfaction with unsealed roads, that's more than half the people are dissatisfied, you know. That's not acceptable in anybody's books. It's been like that for many years and ever since I've been a Councillor, every year I've been raising that and not only that, but within the Winchelsea ward I think the satisfaction at the moment is around 30%. That means 2 out of 3 people are dissatisfied with unsealed roads.

So that is evidence-based data based on a survey of 600 people, it's a statistically significant number and it needs to be responded to and it needs to be public, so I'm glad it's going to be published, and it is another source of input. The third source of input is obviously feedback that individual Councillors receive and, you know, as I said, feedback on unsealed roads has been enormous for me over a decade, but in recent years it has reduced somewhat and I think that that probably reflects the audit results as well that we've actually made some improvements there.

So you sort of have to triangulate these data, you've got to look at that from various sources and complaints is one of them. I feel the customer survey data that we've got in this report reflects the skill of our customer service people (inaudible) when people contact Council, they get a very, very good skilled response from the people who answer the phones and at the front desk. I think they're excellent. Where people tend to run into problems is where they get a significant issue that they feel they can't get a response to and then they often feel that they're, you know, sort of gaslighted a bit or something. I get a lot of feedback on that.

So, yes, it's useful, interesting data and I'm happy to support that we note the data.

CR PATTISON: Thank you. Councillor Barker, do you have any closing remarks?

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CR BARKER: No, thanks, Mayor.

CR PATTISON: No. We now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.9, Councillor Gifts, Benefits and Hospitality Policy. The purpose of this report is for Council to consider adopting the reviewed SCS-018 Councillor Gifts, Benefits and Hospitality policy. Do I have a mover of a motion? Councillor Wellington. As per the recommendation?

CR WELLINGTON: Yes.

CR PATTISON: And do I have a seconder? Councillor Bodsworth. Would you like to speak to the motion, Councillor Wellington?

CR WELLINGTON: Very briefly. This is sort of an adjustment of the existing policy that we had. It is really critical that Councillors are not only not influenced in their decision making - you know, not sort of supported in their decision making by gifts or hospitality or benefits from people who would benefit from that decision making or their associates. I adopt the policy as a Councillor. I very rarely even accept a cup of coffee from anybody. If we go out for coffee with a resident to talk about something, I buy and I see that as being the best approach to not getting myself tangled up in this sort of problem.

There's been major problems with Casey Council, which has been reported in the operational standards reports, where we weren't just talking about cups of coffee or trivial sort of things, we were talking about large amounts of money. It is so critical that we're not only clean, but we are seen to be clean. So I think I would never accept a ticket to an event from somebody. There's an event in Winchelsea coming up, \$300 a ticket, but I'll give a bit of a boost for a fundraiser for rural health for the op shop redevelopment. It's a really important fundraiser for the community. I'll pay the \$300 myself. I don't think that sort of thing should be supported by Council at all. It's not Council's private business, but we can choose whether to support our communities in that way and, you know, I'm happy to do that.

So I personally take a very conservative view to this. I think the policy is robust. It's quite clear about what a gift, you know - beyond a token gift is or an offer is and I think it's pretty clear. Any Councillor that gets themselves into difficulty with this probably isn't putting their mind to the issue. Thank you.

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CR PATTISON: Thank you. Councillor Bodsworth, would you like to speak to the motion?

CR BODSWORTH: Just to agree with the things that Councillor Wellington said. I particularly find the gift test from the Victorian State Services Commission helpful and anything in this policy that helps me as a Councillor understand more about best practice is helpful to me and that's the beauty of the policy and I support it.

CR PATTISON: Would any other Councillors - Councillor Barker?

CR BARKER: A question.

CR PATTISON: Yes.

CR BARKER: The top of page 2, where it talks about receiving gifts, benefits and hospitality, "Any exceptions to this process must have the prior written approval" - it used to be the Mayor, now CEO. What was the catalyst for that change?

CR PATTISON: I'll pass that on to our Acting CEO.

MS GAIL GATT: Thanks, Councillor Barker. I'll just seek guidance from our GM, Strategy & Effectiveness, thanks.

OFFICER: Yes, no worries. Through you, Mayor Pattison, which page was it again, Councillor Barker?

CR BARKER: Page 2 of 10. Up the top it's got "Scope" and then "Receiving gifts, benefits and hospitality".

CR PATTISON: It's 2 of the policy.

CR BARKER: Of the policy, yes.

CR PATTISON: And on the actual agenda it's page 229, is that right?

CR BARKER: I've got 238 with the track changes.

CR PATTISON: Oh, the track changes version.

OFFICER: Yes, thank you. Just bear with me.

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CR BARKER: I can quickly speak if you want a bit more time.

OFFICER: Yes, if you could, yes.

CR BARKER: Yes, the only thing I'd note is that it's interesting to see that since we got elected, the token gifts value has doubled. So while inflation has happened, inflation of token gifts has monumentally increased. So other than that, it gives a little bit more flexibility, but nothing of significant value.

OFFICER: If I may take it on notice. I think a lot of the changes have been guided by benchmarking, but that one in particular I'd just like to check to make sure that it was guided by that as well.

CR PATTISON: Thank you, GM. Just to clarify, we're talking \$40 for the token gifts, just in case the community is concerned that it's an extravagant amount.

CR BARKER: It's doubled since we were elected.

CR PATTISON: But I just wanted to clarify that so that that was clear we were not talking a significant amount. Do any other Councillors wish to speak? No? Do you have any closing remarks, Councillor Wellington?

CR WELLINGTON: No, I don't - you know, at the end of the day, prior written approval of the Chief Executive Officer, I guess that should be qualified by "if practicable" because, you know, sometimes you end up at a meeting when there's a meal served that you weren't aware of and I'm not sure how that all works, but it's probably token anyway. But, you know, look, I think the intent and the need for the policy is clear, the intent of the policy is clear and I would suggest to any Councillor if you're thinking about accepting anything, be very, very cautious and this policy gives very good guidance.

CR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.10, Independent Audit and Risk Committee Member Fees. The purpose of this report is for Council to review and consider approving the Audit and Risk Committee Member Independent Fees. Do I have a mover of a motion? Councillor Wellington - is that as per the recommendation?

CR WELLINGTON: Yes.

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CR PATTISON: And a seconder? Councillor Bodsworth. Councillor Wellington, would you like to speak?

CR WELLINGTON: Thank you. Look, I think this is actually quite an important matter. We've got four external members who are all extremely skilled. I've actually been very keen for this to come to Council because I think it is a matter of maintaining that Audit and Risk Committee with people's real commitment and enjoyment and technical expertise that they bring. It's not an advisory - it's not the same sort of concept as a community advisory committee. People bring very specific technical skills.

The meetings usually take, I don't know, three hours or so, but there is a lot of preparation for those meetings, there's a large amount of reading, and you really have to read in great detail, considerable detail, and really be alert, you know, and there's a fair bit of thinking and thinking about issues in between meetings as well and we want those people to feel that they are valued and engaged.

So I don't have any - I know sometimes people look at it and say, gosh, you get one meeting and nearly \$1,000 to chair it, but the role of the Chair is demanding, really important. There's probably about 6, I don't know, 8, maybe even 10 hours of preparation and actual reading and meeting time in that \$950, so when you look at it on an hourly basis for very highly skilled professionals, you're probably looking at, you know, maybe \$900 an hour, something like that, which is modest, but reasonable in the context of local government and across the sector.

So I really strongly support this because I think this is an absolutely critical committee for our Council and we should be recognising the particular skills that are brought to the committee and the level of dependence and reliance that the Council has on it. Thank you.

CR PATTISON: Thank you. Councillor Bodsworth, would you like to speak?

CR BODSWORTH: I totally agree. I doubt that any Councillors would fail to recognise the things that Councillor Wellington has mentioned. We're really lucky to have the committed and expert people that we do on this committee. They're definitely not doing it for the money, but it's only fair that they're properly compensated for the large amount of time and the high level of concentration that, as Councillor Wellington said, is demanded by the agendas for these meetings and they're very expert people, highly experienced. When we recruited recently, the calibre of the applicants was amazing. So, yes, we're really lucky to have them.

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CR PATTISON: Would any other Councillors like to speak? Councillor Allen?

CR ALLEN: Thanks, Mayor. Look, I totally support what Councillors Wellington and Bodsworth have said. I also want to just note our appreciation of Councillors Wellington and Bodsworth for their contribution to this committee because they also have to read the same papers. They also have to make the same commitments. So I thank them for that.

CR HODGE: We get them cheap.

CR PATTISON: Councillor Barker?

CR BARKER: Yes, I'd just like to reiterate that I think it's good to see the payments getting closer to be commensurate with all the work that's performed by the independent members and the Chair.

CR PATTISON: Councillor Wellington, do you have any closing remarks?

CR WELLINGTON: Yes, I'd just like to thank Councillor Allen particularly for, you know, recognising the work. It is a lot of work of this committee, it's hundreds and hundreds of pages of very detailed performance information. It's a very challenging committee, but it's also a very rewarding committee because in dealing - like the people you're working with I find very stimulating and very knowledgeable about local government and about audit and so for me it's a learning opportunity as well as an opportunity to play some role as a Councillor. So I appreciate the comment from Councillor Allen. Thank you.

CR PATTISON: We'll now put the motion to a vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.11, Project Budget Adjustments and Cash Reserve Transfers - August 2023. This report is presented to Council for approval of proposed project budget adjustments and cash reserve transfers. Do we have a mover? Councillor Allen - as per the recommendation?

CR ALLEN: As per the recommendation, Mayor.

CR PATTISON: And a seconder? Councillor Barker. Would you like to speak, Councillor Allen?

CR WELLINGTON: Can I ask a question before we start, Mayor Pattison, please?

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CR PATTISON: Yes.

CR WELLINGTON: Yes, I just had a question about the pilot for soft plastics that was \$163,000 which is being transferred to another really priority project of the cockatoo management in Lorne, but I just wondered what happened to the pilot for soft plastics.

CR PATTISON: I'll put that to our Acting CEO - sorry, our General Manager, Placemaking & Environment.

MR CHRIS PIKE: Thanks for the question and through you, Mayor, so that - with the - I guess you could call it the collapse of the system for the retrieval of soft plastics from recycling of soft plastics, there isn't a market for that particular material at this point in time. So it's not a trial that was undertaken, it was money that was allocated for the potential rollout of a trial for soft plastic collection, yes. So it's not something that proceeded and was effectively sitting there with no prospect of a project to commence.

CR WELLINGTON: Thank you.

CR ALLEN: Thanks, Mayor. I want to comment on two items. Councillors, cockatoos are on the wing. They are making their way down the coast and attacking bins in Fairhaven and Aireys Inlet. For the past 10 years, the shire has battled the cockatoos, trialling two failed solutions.

Over the past 12 months, officers have been working with the residents of Lorne and a smaller working group to trial four different solutions. We have achieved promising results, with the initial plan to install the successful mechanisms on the landfill bins in Lorne.

It is extremely regrettable that the pilot for soft plastics cannot proceed in the short term, but it is a great opportunity to reallocate the \$163,900 to add to the existing \$150,000 to expand the scope of the rollout to include recycling and FOGO bins in Lorne. Our trial revealed that when the cockatoos were prevented from accessing the red bins, they turned their attention to the FOGO and recycling bins. Often visitors place incorrectly landfill waste in recycling bins, grist to the mill for our white feathered I hesitate to say friends.

The Lorne Men's Shed have been heavily invested in the problem and the trial over many years and I am grateful to Allan Walls and Gary Fenton for their efforts to make a plastic apron option available. Unfortunately, they have hit manufacturing difficulties in the short term, but I do want to acknowledge their

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commitment to a solution and that of Michael Anderson, a long-term resident of Lorne.

I'll make a brief reference to the Barwon River Adventure Play Space. The funds allocated in 2019, around \$590,000, are now inadequate for this project, caused by the obvious factors of COVID and inflation. The report recommends moving an additional \$230,000 from the open space reserve to allow the project to proceed. This leaves \$120,000 in the open space reserve for Winchelsea. I note that in recent times Winchelsea has done very well from the Council's resourcing decisions, but I don't begrudge a cent. Thank you.

CR PATTISON: Thank you. Councillor Barker, did you wish to speak? No. Would any other Councillors wish to speak? Councillor Bodsworth?

CR BODSWORTH: This is kind of almost like a little presentation, Mayor, but just in relation to the Anglesea Historical Society item there, I would just like to advise Councillors that Jan Morris, from the Anglesea Historical Society, was recently awarded an award of merit by the Royal Historical Society of Victoria for her long and passionate support of that Historical Society, so just to take the opportunity to point that out.

CR PATTISON: Thank you. Councillor Wellington?

CR WELLINGTON: Thank you. A soft plastic pilot - first of all, in relation to the kangaroos - kangaroos, cockatoos - I very much support whatever can be done to address them. I think we as a Council have a significant problem. It's very significant in Lorne with the rubbish foraging, but Winchelsea, it's a massive problem along the Barwon River and the damage they are doing to really significant and beautiful trees along that river is very, very worrying, as well as the litter and, you know, the damage to things like the bowling green and the netball courts or, you know, the schools - you know, the kind of rubberised courts that - they're really a far wide problem.

I believe in the past they've raised that for Winchelsea and we've always been told oh, there's not much you can do, you can't keep them in urban areas and we can't poison them, but there must be something - we must look again with a genuine sort of we've got to find a solution to this. Rather than just address the outcomes of the problem, we actually need to do something about the problem and work with the State Government department because they are a major sort of nuisance and hazard to community life really, you know, in both Winchelsea and Lorne.

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In relation to the pilot for soft plastics, it is really disappointing to see that that couldn't go ahead. I am increasingly concerned as a Councillor and as a community member about the impact of plastics on our health and environment. You know, there's now reports of some of the very micro components of plastic turning up in the organs of seafood. So I think it was on a program a little while back, there was talk about the hearts of whales actually having elements of micro plastics in them.

We as a society need to address this. We as a Council have an environmental emergency. To be honest, if we can't fix the Karaaf and we can't do something about plastics within this shire, like really do something substantial, you know, we've got a real opportunity.

I didn't support the Environmental Emergency Declaration because I didn't feel it fills its role, but I do think it's our role to properly manage the environment in our shire and I think there's a big opportunity we're missing.

I certainly support the Winchelsea Play Space and I would say to Councillor Allen there is a lot of catching up to do. So Winchelsea (inaudible) in the last few years, but there's an awful lot of catching up to do.

The other point - I'm in Denmark at the moment visiting family and the rubbish collection here, the waste collection, every bin is divided into two, so there's actually eight different categories and everything is separated and people are incredibly committed to it and there are processes for recycling, reusing and disposing of pretty much everything, but plastics is still a really huge problem and concern for the community here. And I think we can learn a lot from --

CR PATTISON: Thank you, Councillor Wellington, you've now gone over time. We'll leave it there. Councillor Allen, do you have any closing remarks?

CR ALLEN: No, thanks, Mayor.

CR PATTISON: We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.12, Conflict of Interest Records. The purpose of this report is to present conflict of interest records received since the previous Council meeting. Do we have a mover of a motion? Councillor Stapleton - is it as per the recommendation?

CR STAPLETON: Yes, thanks.

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CR PATTISON: And seconded by Councillor Barker. Would you like to speak, Councillor Stapleton?

CR STAPLETON: No, thank you, Mayor.

CR PATTISON: Would you like to speak, Councillor Barker? Would anybody like to speak? Councillor Wellington?

CR WELLINGTON: Thank you very much, Mayor. I would like to say that these reports give us - so they were published for a different reason originally, but they now give us quite an insight into the amount of time that this Council spends on briefings and I've raised this numerous times and I think there's a real problem. I haven't added up this month's statistics, but we've had multiple Councillor briefings, one, two, three, four briefings, one hearing of submissions debrief. I think we've had five briefings for one meeting which will be over (inaudible) hours. So no doubt we've got a ratio of three or four times the hours spent in briefings compared with public meetings.

I draw Councillors' attention to recommendation 22 of the Sandon report, which was that IBAC recommends to the Minister for Local Government to ensure that Local Government Victoria highlights the importance of open government and notes the limited circumstances in which it may be appropriate to hold pre-Council meetings immediately before a public Council meeting and makes clear that Councillors must not discuss the substance of agenda items in detail, reach agreements on Council agenda items in private and that briefings should involve the presentation of information only and that Local Government Victoria develops further guidance.

I believe we have - we and the sector as a whole have a significant credibility issue with the number of briefings that are being held in private and the way that in public there is a very strong appearance that decisions are already made and I think we should bite the bullet on this and review those briefings and come back with a report to Council to describe why we need so many briefings and why they can't be made public and perhaps to reform that system.

So that is my comment. I'm not going to move an amendment or anything because I know it would be pointless, but I would ask Councillors to consider that. It will be forced on us by government because they've basically committed to, you know, implementing this recommendation and I think that we should take the first step and commit to better governance ourselves. Thank you.



National Disability Award winner
Australian Human Rights Commission winner

Draft Transcript

CR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

There are no further items of business on our agenda tonight, so I now declare the meeting closed at 9.04pm. Thank you for those online and for those in the gallery. I appreciate your attendance and engagement. Good night, everybody.