

## Draft Transcript

### Surf Coast Shire Council Meeting

Tuesday, 26 September 2023 at 6pm

#### About This Document

This document contains a draft transcript only.

This draft transcript has been taken directly from the text of live captioning provided by The Captioning Studio and, as such, it may contain errors.

The transcript may also contain 'inaudibles' if there were occasions when audio quality was compromised during the event.

The Captioning Studio accepts no liability for any event or action resulting from this draft transcript.

The draft transcript must not be published without The Captioning Studio's written permission.

## Draft Transcript

MAYOR PATTISON: We will just wait for the word from Governance and then when we're ready to go ... we're on livestreaming? We're all good. Great. Awesome. Well, good evening, everybody, and welcome to our September Council Meeting. I'm Mayor Liz Pattison and it's a pleasure to welcome members of the community joining us tonight. This meeting is also being livestreamed so a big welcome to those tuning in online and of course welcome to my fellow Councillors, including Councillor Gazzard, who we have joining us online tonight.

Live captioning will accompany the livestreaming of this meeting and we hope this assists those who may have hearing difficulties. We also have microphones so if you could speak into those that would be helpful as well.

I would like to acknowledge that here in Lorne where we're meeting tonight we are gathered on the Gadubanud country of the Eastern Maar Nation and I pay my respects to their Elders past, present and emerging. The First People of this place nurtured and protected these lands and waterways for thousands of generations, and they continue to do so today. It makes me feel grateful for the opportunity to live and work in such a beautiful part of the world, and it's very evident today when we're sitting here today at Stribling Reserve, with the beautiful views outside. I would also like to pay my respects to any First Nations people who are joining us tonight, whether in person or online.

It's really exciting to be holding our meeting here at Stribling Reserve tonight. The Lorne ward continues to shine, and passionate community members are playing a starring role. We recently saw the Stribling Reserve redevelopment in the spotlight through Sustainability Victoria video. The video, which featured familiar local faces including Stribling Reserve Community Asset Committee Chair Peter Spring, highlighting the use of the recycled products in the decking and the beautiful terraced seated.

It was also great to see students contribute to a public art project titled Barracouta Sea Country. Artist Peter Day received seed funding from Council for the Lorne Foreshore project. A few weeks ago, the area was buzzing for the Amy's Gran Fondo. I attended a safer cycling workshop on the Friday as part of that event and there was a great momentum in the room as local leaders and traffic engineers explored ways to create safer cycling environments.

On road safety improvements that will be made locally, there's a shoulder-widening signage and line-marking improvements on a hazardous bend on the Erskine Falls Road in Lorne, and this is thanks to Federal Government funding. Down the road in Deans Marsh, the local streetscapers are making a difference. Community members will be implementing their priority projects starting with some street planting. Meanwhile, our Local Legends program acknowledges Dean Marsh's Victor Goldsztein for his incredible

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

volunteer service to organisations, including Deans Marsh Community Cottage Board, festival, community market and Community Asset Committee for the reserve and the hall. Deans Marsh Hall will host a Positive Ageing Month event on 12 October, with a screening of *The World At Her Feet*, a documentary about locally born and raised opera star Marjorie Lawrence. Lorne will also join the Positive Ageing Month celebrations and I encourage people to celebrate at various events and activities across the Shire. Details can be found on our website or you can pick up a calendar from local community houses.

Last but not least, it wouldn't be a meeting in Lorne without mentioning cockatoos. We understand locals' frustration about this ongoing issue. It's evident whenever you come to Lorne, unfortunately. But following the completion of a trial, we're starting fitting a combination of bin locks between November and April, and officers will be monitoring if the locks are effective at keeping the persistent cockatoos out. We'll also continue enforcement and education about when to put bins out on the kerb and roll out a summer campaign around the impacts of feeding cockatoos because obviously that's a big problem.

Now we move on to the process of our council meeting. For those that haven't tuned in before, Council meetings operate according to our adopted Governance Rules, which include the following procedures. During the meeting, the mover of a motion or an amendment may speak for a maximum of five minutes to open the debate and then a further two minutes to make a closing statement. Any other Councillor, including the seconder, may speak to a motion for no more than three 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 get a copy of the official recording on our website after the meeting.

We now have the pledge. It's a sign of our commitment. So I'll read that out. As Councillors, we carry out our responsibilities with dignity and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

Now we have some apologies for tonight's meeting. Can I please have a mover of an apology?

CR HODGE: I have one apology for Councillor Wellington, Councillor Barker and Councillor Bodsworth.

MAYOR PATTISON: Thank you. Do I have a seconder? Councillor Stapleton, thank you. And all those in favour? And the motion is carried unanimously.

## Draft Transcript

We now have confirmation of minutes. I've been advised that there was an error in the agenda and the wrong date is listed for this section. It's just out by one day. So the date of the minutes that we're being asked to confirm should actually be 22 August 2023. Can I please have a mover and a seconder to confirm the minutes of the Council Meeting held on Tuesday, 22 August 2023? Thank you, Councillor Schonfelder. And seconded by Councillor Allen. All those in favour? And the motion is carried unanimously.

Are there any leave of absence requests? No? Any declarations of conflicts of interest? No. And we have a couple of presentations. Councillor Allen, did you want to start?

CR ALLEN: Yes, thank you, Mayor. Councillors, on the evening of 1 September, in this room, an event called Regrass the Dolls House was held. Briefly, the Dolls House is an ex head teacher's residence at the Lorne School, built in 1905. Its design was modelled on a Swiss chalet and four were built in rural Victoria. The Lorne Bowls House is the only one remaining and it has State Heritage classification.

As with most classified buildings, the maintenance rests with the owners, and not being part of the school's entitlement, it is not maintained by the Education Department. The building is still used as part of the school's music program, as a band rehearsal and instrumental music lesson space.

Therefore, a group of four Victorian Certificate and Applied Learning, or VCAL, students, led by Thomas Wallace, a Year 12 student, decided to make the internal renovation of the Dolls House their major VCAL project. Their efforts culminated in a fundraising concert involving five different school bands with approximately 150 people in the audience in this room. Thomas said, "We wanted it to be a good community event and to see people enjoying themselves". The students raised from a variety of sources \$15,000 for the internal refurbishment. Congratulations, Thomas, to you and your group. (Applause). I've just had an update. It's at \$25,000, Thomas.

THOMAS WALLACE: Yes, if all that is pledged actually fully goes through, it's \$25,000.

CR ALLEN: Well, there we go. \$25,000. Well done. I also wish to acknowledge the great work undertaken by the Shire's Youth team, who supported Thomas and the VCAL team, with the State Government's FReeZA funding, which is an initiative to support safe youth-friendly events, our Youth team, with Jack Pearson and Damian O'Brien, facilitated the provision of staging equipment, catering and security so that every dollar raised went to the fundraising project, and I thank them for their excellent support of the students over quite a long period of time. Thank you.

MAYOR PATTISON: Thank you, Councillor Allen. Councillor Schonfelder, did you have a presentation?

## Draft Transcript

CR SCHONFELDER: Thank you, Mayor. On Sunday, 17th of September, Legacy Centennial Torch Relay took place in Geelong and I was honoured to participate, along with Bob Tyler, the former Torquay RSL President and a Vietnam veteran. It was an honour to be involved in memory of my grandfather's brother, who died - his name was Wallis Anderson - on the Western Front, along with my grandmother's cousin, Henry Sunderland.

I recall as a young boy being in Geelong and there was fundraising for Legacy and I remember a man there saying to me that Legacy provided him with everything with his upbringing, and it's something that I'll never forget. So I wish Legacy well.

Also, on this Friday is the National Police Remembrance Day and it's Blue Ribbon Day and it's on the 29th, and at 10 o'clock at St Kilda Road, I'll be attending the service. I know there's also a service happening at Bannockburn for people who want to attend, which is more convenient for them locally.

My father's cousin, Sergeant Russell Thompson, died on September 9th, 1987, aged 44, in the line of duty on Ballarat Road. And, as we know, Mayor, the Premier announced his retirement today and he said that the saddest day was when the four officers, police officers, died on the Eastern Freeway. So we note the wonderful work they give the police. Thank you.

MAYOR PATTISON: Thank you, Councillor Schonfelder. Our next item is submissions. We don't have any submissions for this meeting so we'll move on to public question time.

So members of the public who wish to ask a question to Council are able to submit their written questions in accordance with Council's Governance Rules and we have had eight community members submit questions, so we have a total of 15 to go through today. We're fortunate enough to have some people here to read their questions. If they are here, they'll come up and read them. Otherwise, I'll read the questions out or myself or Robyn or some of the officers will respond. So first up we have Tony Watts. Tony, did you want to come and read your question? There you go. Take a seat.

TONY WATTS: There we are. My first question concerns Council's obligation to protect heritage places in the Shire. In the agenda tonight, it says Surf Coast Shire has an obligation under the Surf Coast Planning Scheme and the Planning and Environment Act 1987 to protect places of heritage significance. Despite this obligation, over the past decade Council has failed to allocate sufficient funds to adequately protect the Council-owned heritage-listed Deans Marsh Hall. Instead, Council has allocated over a million dollars to develop a plan to demolish and replace this place of heritage significance. Why does council's obligations to protect places of heritage significance in

## Draft Transcript

the Shire not apply to this Council-owned place determined by this Council to have heritage significance?

MAYOR PATTISON: Thank you, Tony. I'll pass that one to our CEO Robyn to respond.

CEO ROBYN SEYMOUR: Hi, Tony. I'll just pull this forward so you can hear me. Thank you for your question. Council has a strong commitment to identifying and protecting places of heritage significance and has applied this to both private and public places. Tonight's report on heritage properties considers those places identified in previous studies as having potential heritage significance.

In relation to the Deans Marsh Hall, Council has worked closely with the community on the Deans Marsh Community Hub Facility Development Plan. Protecting and enhancing the social, environmental and heritage values and character of the reserve has been a key focus of that work. This has included the identification and assessment of the cultural and local heritage values of the reserve and its buildings to determine their aesthetic, historic and/or social significance. The existing hall was found to be so altered over many decades that it has no architectural heritage significance and the building has poor compliance with the relevant access and building codes. It was identified that the community hall does, though, have local significance and a rich history of being the focal point for community activities for Deans Marsh.

Through the redevelopment of the site an improved facility can be provided which will better serve the community and enrich the progress of this valued local engagement. But, having said that, to preserve the historic and social significance of the hall within the precinct, the design of the new building is intended to incorporate a number of the elements such as the form of the existing ceiling and roof and if possible reuse select elements of the existing hall. In this way, the redevelopment we hope will continue its significance as a key place for local activities.

MAYOR PATTISON: Did you want to read your second question, Tony?

TONY WATTS: Sure. It's based on the same premise, that Surf Coast Shire has an obligation to protect heritage places in the Shire. Council has released commissioned quantity surveyor costings for the demolition and replacement of the heritage-protected Deans Marsh Community Hall. By way of comparison, when will Council release the equivalent commissioned quantity surveyor costings for the proper repair and ongoing protection of the heritage Deans Marsh Community Hall?

MAYOR PATTISON: Thanks, Tony. I'll pass this back to our CEO.

CEO ROBYN SEYMOUR: In relation to the cost to replace what is there now, it is important to note that the proposed plan is to replace the building including the site

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

rectification works and drainage issues and ensure compliance with the National Construction Code for community buildings. The current building is not considered fit for purpose and will not address the needs and aspirations expressed by the community. However, we have asked our quantity surveyor to cost the works required for the replacement of the current - for the current building. We'll publish the exact comparison figure on our website when it comes through from the quantity surveyor. However, it's important to note that this is not the proposed direction of the project, which has been informed by the local community. So you will have both the costings.

MAYOR PATTISON: Thanks for coming.

TONY WATTS: I have a thousand other questions but I'm not allowed.

MAYOR PATTISON: Thanks, Tony. Is Anna McDowie here? Hi, Anna. Did you want to ask your question? Sorry, I've been corrected. You're 'McIldowie'. Apologies.

ANNA MCILDOWIE: Can you hear properly? So this isn't perfectly worded but you'll get my drift, I hope. Does the Council have a policy to support local independent businesses in the Shire? In particular, to preserve businesses owned and operated locally? For example, are big-name franchises like KFC or Subway discouraged from setting up in Lorne simply because of our small size? Large national or international companies could decide to set up here and operate at a loss for a long time, but during this time, local operators might be squeezed out. This could be a win for the companies but a loss for Lorne. I believe two new chain stores are coming to Lorne soon and am wondering if there is a slow creep towards more chains, franchises and corporations operating in Lorne. I fear that these corporations are just coming to the town to milk it for their own interests without any intention or desire to contribute to the community and its sustainability. Does the Council have a policy to encourage and support locally run, independent businesses run by people who are invested in the community and its long-term sustainability or on the flip side, a policy that requires corporations to be accountable to giving back to the communities they set up in?

MAYOR PATTISON: Thank you, Anna, for coming tonight and asking your question, and it's a really important topic that you've raised and I think it's something that is important to many people across many of our small community - like, across the Surf Coast, which has a number of small townships and communities. Council provides a range of support to local businesses and goal 3 of the economic development strategy outlines some of the support our team provides, including things such as start-up assistance, expansion assistance, promotion, delivery of target projected such as responsible cafes and securing events in off-peak seasons so that there's people coming through and enough visitation to keep the businesses sustainable.

The concept of a local business is a tricky one. A business's headquarters could be

## Draft Transcript

based outside of the Shire but their local stores, which often are run by locals and staffed by locals, so it's hard to quantify exactly, and I know that's not what your intention is - you're talking more the larger, multinational kind of KFCs - but I think it's hard to quantify exactly what a local business is. And independent businesses may have owners that live obviously outside the Shire. So Council doesn't have a specific policy to support local businesses at the exclusion of non-local businesses. For example, in Lorne when assisting customers with accommodation options, Council's visitor centre staff would equally promote Mantra or other individually owned accommodation businesses. So it's an interesting point that you raise and it's not something that we currently have a policy on. But we want to help our businesses to thrive across our communities. Thanks, Anna.

Mary Rose Yuncken?

MARY ROSE YUNCKEN: Good evening and thank you for visiting our beautiful Lorne.

MAYOR PATTISON: Thanks for having us.

MARY ROSE YUNCKEN: We thank the Council for the workshop earlier this year on the Lorne Neighbourhood Character Overlay. Our feedback was that people really value its principles, especially the retention of the tree cover and vegetation. But our concern was that the NCO is not being implemented. We know that discretion is exercised by Council officers involved in planning application decisions. When there are deviations from the NCO, for example, allowing greater site coverage in return for a deeper setback from the road, could these concessions be documented and tabulated please? We would like the public to be able to see which aspects of the NCO are being systematically applied in Lorne and which ones might be less frequently applied? Thank you.

MAYOR PATTISON: Thank you, Mary. I'll pass that question on to our CEO, Robyn.

CEO ROBYN SEYMOUR: Thanks for your question, Mary, and thanks for participating in the workshops we had earlier in the year and it's great to hear that they were of value. I guess to start with, it's really important to say that each planning application is different and is assessed on its own merits and in context with the site and the surroundings. But having said that, the Neighbourhood Character Overlay includes standards that should be met to achieve the objectives for the character of Lorne. However, alternative designs may be considered if Council is satisfied they meet the objectives. There is guidance in the Scheme for when this is appropriate. We do document the rationale for these decisions as part of the assessment of every application and we make these available to parties to the application. The feedback received as part of the coastal character workshops is being used in Council's review of our current Planning Scheme. And we're aiming to come back to community during November with a draft Planning Scheme row view report. So look out for that in our if

## Draft Transcript

November Council Meeting and we expect that this will include an acknowledgment that we need to do some further work to resolve the conflicts between bushfire management and retention of trees. We're also undertaking an analysis of the planning permit decisions in the coastal towns so we can review how we're applying the Planning Scheme, including the overlays, and we'll share this with communities once the work is complete, which I imagine would absolutely be of interest to the Friends of Lorne, so I guess we thank you for your participation, we hear what you've said and we are doing some work to really look at that particular issue.

MARY ROSE YUNCKEN: Thank you.

MAYOR PATTISON: Our next question is from Karan Dawson from Torquay and it's regarding the potential sale of land in Cypress Lane and Deep Creek. I don't think Karan is with us so I'll read Karan's question. Because it relates to a matter that's coming to Council shortly, our CEO will be responding to these questions. The first question is: has Council or any Council officers considered the legal ramifications or sought legal opinion of the sale of Cypress Lane and the common land leading down to Deep Creek to Casey and Abbott, should Council lose at VCAT?

CEO ROBYN SEYMOUR: Thank you for your questions, Karan. Hopefully you're online. Normally we accept two questions per person but because this is such a question of public interest, I'm really happy to respond to all your three questions.

MAYOR PATTISON: Sorry, yes, there's three questions from Karan.

CEO ROBYN SEYMOUR: In relation to the first question, yes, Council has obtained internal legal advice on the effect VCAT proceedings may have on the sale of the land. These effects are part of the content of the report being presented at the 3 October 2023 meeting.

MAYOR PATTISON: And I'll just read the next one. If Council proceed with this idea to sell to the developer and lose at VCAT, what will be the Council's legal predicament and how will you extract yourselves from the sale?

CEO ROBYN SEYMOUR: As mentioned, the report on the proposed sale of the land will be presented at the 3 October Council Meeting and released to the public on 28th of September 2023. In that report, it's noted that Council has the option to make a contract of sale conditional on permit 21/0333 not being amended as a consequence of the permit holder's application or submission to VCAT, with settlement to occur after the statutory appeal time frames and/or any relevant VCAT hearing decision date.

MAYOR PATTISON: And the third question: have Councillors or any Council officer conceived or considered the idea of taking from the developers of the proposed Cypress

## Draft Transcript

Lane lifestyle village a substantial bond, somewhere in the millions, for the remediation works that will be needed when the environmental disaster occurs at Cypress Lane and Deep Creek should this development proceed?

CEO ROBYN SEYMOUR: In considering the proposed development at the Council Meeting on 22 August 2023, an assessment of the impacts on Deep Creek was undertaken. The conditions were included to ensure the protection of Deep Creek during and after construction as well as ongoing monitoring. So there will be the ongoing monitoring. That was supported through the Council decision in August. A bond, as you've suggested, would not be appropriate planning condition under the legislation, so that's not something that we'll be seeking to achieve.

MAYOR PATTISON: The next question is from Swami Samadhijyoti Saraswati and I don't think Swami is here tonight? No. So I'll read Swami's question: your policy talks - sorry, it's in regard to the Fraud and Corruption Control Policy. Your policy talks of financial motivation but makes no mention of favourable alliances and/or reputational benefits with the Surf Coast Shire that enable fraudulent and corruption to occur with third parties as external fraud. Is this a loophole? I might just read the whole question. When fraudulence and corruption is hiding in plain sight, it's difficult to reset community structures, especially where there is a vested interest in the status quo and when misinformation persuades all channels. Does the Shire intend to make good all damage incurred in the event of fraudulence and corruption? I'll pass that on to our CEO.

CEO ROBYN SEYMOUR: Hi, Swami, and thanks for your questions. The Fraud and Corruption Control Policy outlines Council's commitment to zero tolerance for fraud and corruption. The policy includes a requirement that the organisation has a fraud and corruption control system. This is an internal system that is ready for implementation following Council's consideration of the policy tonight. The control system refers to third party due diligence and this will guide officers on better practice and approaches. Within the system and within our Governance Rules are measures to manage conflicts of interest and these are in line with sections 127, 128 and 129 of the Local Government Act. Both of these examples are important to ensure that our interactions and dealings are conducted in an ethical manner. In response to your second question, the appropriate action would be taken to investigate and report any allegations of fraud and corruption. I've asked our manager of integrity and governance to give you a call to talk to you about some of these technical aspects further. Thanks again, Swami, for your questions.

MAYOR PATTISON: Our next questions are from Mark Mathews of Torquay regarding the sale of Cypress Lane road reserve and public reserve number 3. Mark had said he was going to come but I can't see him so I'll read Mark's question. This question is for Mayor Pattison. Shortly after the 22 August Council Meeting, where Council voted to approve the 21/0333 planning permit for the 196-dwelling retirement village at Cypress

## Draft Transcript

Lane, it became known that 5 Jetti Lane had been purchased by Coombes Road developers, the applicant for the retirement village. Number 5 Jetti Lane is a one-acre, 400 square metre property that shares a common boundary that aligns perfectly with the clubhouse/apartment building in the retirement village. What is Mayor Pattison's view of this property purchase? If the original application also included this property in the application but also offered access to the retirement village via Jetti Lane, would she still have voted in favour of the planning permit?

Thanks for the question, Mark. Firstly, thank you for your concern and questions in relation to Cypress Lane. I'll start my answer by making the general point that the sale of property between parties is a private matter and not a process that Council can or should intervene. In the case of the application for the planning permit at Cypress Lane, the assessment was made based on the boundary of the subject site as defined in the application. This is a standard requirement for planning assessments. And to assess an application based on speculation about other sites would be unfair to all parties.

For this reason, given the property you've mentioned was not included in the subject site, this hasn't been part of the assessment and I think it's really important to think about the basis of which we made that assessment around that permit. But once again, given that in the next week or so we'll be considering further matters around Cypress Lane and the sale of the land, I think we can leave it there / but thank you for your question, Mark.

We now move on to our next question by Bo Carter from Torquay around the Climate Emergency Response Plan '21 to '31. I'll read out Bo's question. Council has purchased both battery storage systems and electric vehicles. Given that these batteries generally contain significant amounts of cobalt and the largest reserves are located in the Democratic Republic of Congo where the use of child labour in cobalt mining is rampant, does Council practice ethical consumerism when buying goods, particularly to prevent child labour as described? And his second question: also with regard to both battery storage systems and electric vehicles, could you describe how Council proposes to decommission and dispose of these batteries when they reach their end of life? I'll pass that one to our CEO.

CEO ROBYN SEYMOUR: Thank you for your thoughtful questions, Bo. As part of its procurement policy, Council is committed to purchasing goods, services and work that support Council's corporate strategies, aims and objectives, including but not limited to those resulted to sustainability, protection of the environment and social objectives. While the policy doesn't specifically state prevention of child labour, Council contract terms state that suppliers must obey regulations and local laws. This would include the Charter of Human Rights and Responsibilities Act of 2006 and the Modern Slavery Act of 2018.

## Draft Transcript

In relation to your second question, when the battery storage systems or electric vehicles reach the end of their productive life, Council will dispose of them responsibly using the latest available technologies for this purpose. We are aware that this is something that the State Government is working on but at present there isn't an issue we have confronted at this point with our vehicles or our other batteries. Generally Council's fleet is leased and so vehicles are returned to the supplier. Council's procurement policy states that we will strive to ensure that fair and ethically sourced practices are applied and that suppliers comply with socially responsible and ethical practices. But you raise a really good point and thank you for your question, Bo.

MAYOR PATTISON: We now move on to our last question, from Darren Noyes-Brown from Jan Juc around the Cypress Lane development in Torquay, and I'll read Darren's question. The Surf Coast Statement of Planning Policy says that the minimal change areas are generally existing, low-density residential areas located on the periphery of Jan Juc and these areas are to be retained as the transition between urban and rural areas. Does Council acknowledge that the Cypress Lane proposed development is located in a minimal change area? And question two: the provision of the low-density residential zone in the Planning Scheme say that a lot may be used for up to two dwellings. Does the Council acknowledge that 196 units proposed on the existing lots that will be consolidated into one lot cannot be considered to be low density? And once again this is a matter we're considering still at Council so our CEO will be responding.

CEO ROBYN SEYMOUR: Thank you, Darren, for your questions. The application for a planning permit concerning Cypress Lane development was considered at the Council Meeting on 22 August 2023 and the report presented sets out the merits of that assessment. In response to your specific questions, I might refer you to the specific parts in the report. So the report identifies at paragraph 73 that the Statement of Planning Policy shows the subject site as within the minimal change area. The report also outlines in paragraph 94 that the proposed land use definition for the development is a retirement village, which is distinct from the requirements for one or more dwellings in the zone. The report also notes the proposal is a relatively intense development in the context of the zone, at paragraph 115, but goes on to assess the proposal as being appropriate when balancing all considerations. The Notice of Decision has been subsequently appealed to VCAT, which is the appropriate forum to discuss and review the merits of the application, but thank you for your questions.

MAYOR PATTISON: That brings our public question to an end. So we hope we've been able to respond to and fill people in on the questions that they've put forward.

We now move on to petitions. We've received a petition. It's listed as Petition to Save MALO Coffee in Jan Juc. The purpose of this report is to receive the petition requesting that Council provide additional time extension to MALO's permit process so the business

## Draft Transcript

can remain open while a permanent planning permit is organised. As this petition has been presented to Council in a format which does not conform with Council's Governance Rules, if Council accepts this petition, it will also need to resolve to accept the petition in a non-conforming format. The petition consists of 1,617 signatures and a redacted copy was provided with the report in the agenda and Councillors were also provided with an unredacted copy of the petition. Do I have a mover of a motion?

CR HODGE: I'm happy to move.

MAYOR PATTISON: Thank you, Councillor Hodge. Is that as per the recommendation?

CR HODGE: Yes, thank you.

MAYOR PATTISON: And a seconder? Sorry. Councillor Gazzard. Thank you. Councillor Hodge, did you wish to speak?

CR HODGE: This is more of a procedural thing. We put the report on the table. The petition will go off to officers and come back with an answer in the next meeting or so. So looking forward to that.

MAYOR PATTISON: Thank you, Councillor Hodge. Councillor Gazzard, did you wish to speak?

CR GAZZARD: (Inaudible) hopefully the owners of MALO can get the (inaudible) done. Thanks.

MAYOR PATTISON: Thank you. That was very loud for us, so we're just correcting some sound if you're wondering why everyone kind of shuddered when you spoke, Kate. It wasn't the content. It was the volume in the room. I think we've got that sorted now. Would any other Councillors like --

CR GAZZARD: I'm relieved.

MAYOR PATTISON: No, it's not you. We'll get the sound sorted. We'll now put the motion to a vote. All those in favour? And the motion is carried unanimously.

We now move on to the reports, and our first report is the report for Council to note the Council Plan Progress Report end of year 2. Do I have a mover of a motion? Councillor Allen, is that as per the recommendation?

CR ALLEN: As per the recommendation.

MAYOR PATTISON: And seconded by Councillor Stapleton. Would you like to speak,

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

Councillor Allen?

CR ALLEN: Thank you, Mayor. I very much appreciate the relatively new format for the reporting of the seven themes and 19 strategies that form the Council plan. The report details what we have achieved, our progress and, importantly, what will slow down or stop us and why.

There is much to acknowledge in the report. However, I wish to focus on theme 6: Arts and Creativity. I believe that I am correct in saying that this is the first Council plan to have a dedicated theme for the arts and creative sectors, in itself a great achievement. In times of difficulty, we all value the contributions of the arts heritage and the creative sectors; For example, in the pandemic and the post-pandemic period of recovery, it is therefore important that in better times we do not neglect the sector. The Creative Places strategy was adopted earlier this year and this is a blueprint for our aim to be a flourishing, creative destination by 2031.

The blueprint highlights real achievements in the past two years. The Arts Trail, utilising 70 venues across the Shire and involving 200 artists, has grown from strength to strength over the last 10 years. For example, this year a Shire budget of \$20,000 translated into a return to the artists of \$230,000. The multiarts facility in Torquay benefitted from a \$300,000 fit-out for much-improved theatre and gallery spaces.

Now in its second year, develop a redesigned artist and creatives grant saw a 300% increase in applications, with eight applicants being successful, two in Winchelsea, No Through Road Collective, This Way to the Lake by Jane Bartier, Jenny Murray-Jones and Sylvia Maseyk, and My Winchelsea by Sam Whitaker and friends. And I might take the opportunity, seeing Anna McIldowie is here, to acknowledge that Simon was successful as one of the successful applications from In The Skies. The agreement this year on a memorandum of understanding for the Shire's Heritage Committee, consisting of representatives from the township historical societies, was an important step in formalising input to the Council on Heritage matters. The new Masterplan for the Australian National Surf Museum was recently completed and, most importantly, so was the completion of the significant assessment of the museum's collection. And I'd like to acknowledge the work of Matt Taylor and his team in progressing the arts and creative agenda. Interested residents will read the remainder of the Progress Report included in the meeting papers.

I wish to return to the influences that may slow down to a halt or indeed speed up the achievement of our goals. For example, progress in achieving some elements of our Reconciliation Plan will be determined by decisions rightly made by First Nations people. I believe the State Government is moving to centralise more government functions and is reducing areas of our influence. For example, the recently tabled Sandon report and the subsequent proposed changes to planning responsibilities, the move to increase

## Draft Transcript

densification in urban areas and the role of VCAT, will have significant implications for the next Council plan but I believe they will still impact progress in achieving parts of this plan.

The ability to have granny flats under 60 square metres without a permit will help the housing and accommodation problem with short-term progress but it will also impact, in my view, neighbourhood character. However, I believe that we may be able to make earlier progress in the housing area in the next 12 months than we had anticipated.

Finally, the transition to increased control over crown land and permit responsibilities shifts Council responsibilities to GORCAPA, the Great Ocean Road Coast and Parks Authority, much to the concern of many in our coastal communities. Thank you.

MAYOR PATTISON: Thank you. Councillor Stapleton, did you want to speak to the motion?

CR STAPLETON: I will speak, thank you. Sorry, I just need to move that a little closer. So this is a significant report and well worth a read if you're interested in finding out what Council has been working on to the past two years. We're halfway through our Council plan and this report provides an overview of progress that's been made towards the strategic outcomes that were identified at the beginning of this Council term. We obviously can't cover everything from the report in this short time slot but I'll provide a small snapshot and hopefully it's enough to entice you to read the report and dig a little deeper into our Council plan progress.

With the upcoming Referendum on a Voice to Parliament, it is timely to consider the progress that council has made, working with traditional owners on a path to reconciliation, building relationships with Wadawurrung and with the Gadubanud and Gulidjan peoples of the Eastern Maar.

I was disappointed personally to miss the Pilk Purriyn event in Torquay on 26 January this year, but from the feedback I've received, I know it was a very significant milestone event for our community. I loved the mural created by Wadawurrung woman Jenna Oldaker for Wurdi Baierr Stadium, which was unveiled on International Women's Day, and is a demonstration of how we are applying a First Nations lens to various activities to improve inclusivity and understanding.

But meaningful reconciliation requires more than events and artwork. Over the past two years, Council has developed policies, programs and practices to increase cultural awareness throughout the organisation and our community and to demonstrate our commitment to developing a greater understanding of traditional owner culture, which is reflected in our planning and in our decision making. Developing community infrastructure is obviously also a key priority of Council and we've been working with

## Draft Transcript

the community to deliver many projects, such as the upgrade of this wonderful Pavilion, also the redevelopment of Grant Pavilion in Torquay and a new bike park at Bob Pettitt Reserve in Jan Juc. Other projects underway or nearing completion include the Torquay scouts facility, the Anglesea Netball Pavilion, Winchelsea pool redevelopment, stage 2 of the Barwon River loop walk, and the Surf Coast hockey facility and, of course, there's the Surf Coast aquatic and health centre project, which has now been endorsed to go out to tender.

The Karaaf Wetlands have been a major focus and there's a mountain of work over the past two years to address the environmental challenges and develop a Work Plan. We've commenced a review of the Surf Coast Shire Planning Scheme and we continue to focus on improving access to affordable accommodation. We are progressing a tiny house trial to hopefully roll out before summer and we continue to deliver awesome events across the Surf Coast. Finally, and importantly, Council has maintained a positive financial position and has a 10-year financial plan in place to ensure we can continue to deliver services and facilities despite the challenging years that we know are ahead. Thank you.

MAYOR PATTISON: Thank you. Any other Councillors? Councillor Hodge?

CR HODGE: Thank you, Mayor. Firstly I'd like to thank Peter Spring for being here. He's the pin-up boy on page 65 of the report. Always lovely to see you, Pete. You're very hospitable so thank you very much.

I just wanted to talk very quickly on the improved access to local services and programs to keep people healthy and well, and sometimes those people are in the minority. You heard today we received a petition about a cafe. We received a petition last month on trying to establish an LGBTQI committee. Now, whether or not we want to go down that path - we have got an advisory committee on different abilities and also Positive Ageing - but what I want to focus from this Council plan is that we're already doing things - which I think will be in the report when we answer that petition - and that's to pursue a rainbow-ready roadmap, to further gender equality and inclusion because to be a healthy community, we've all got to be inclusive. I think it's really, really important that we do that.

With this Council plan, we had over 1200 people doing a survey, which is huge - we don't usually get that many people - and we had a panel of 35. It is fantastic to have young people in the crowd because we need to hear from them. They're coming up through the community. The next Council plan will probably start at the end of 2024, after the next election, but very early in 2025. So this is where Lorne has got to come together and really put in surveys, add to it, because the more feed-in we get, this is the blueprint that comes out of it and this is what we basically follow for the four years that we're in term. So it is really important.

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

I'd like to thank the officers that put it into this format. As Councillor Allen said, it's easy to read what we have done, where we're not doing as much or why, and that's the really important reason: why? I think being open and transparent of what we can do and what we mightn't be able to do to the community is really important. So I'm just saying thanks to the officers but also to the community that fed into the Council plan because it is the blueprint that we need more people to add to hopefully next time. Thank you.

MAYOR PATTISON: Thank you. We'll now put the motion to the vote. All those in favour? And the motion is carried unanimously. Oh, did you - sorry?

CR ALLEN: I was just going to say -

MAYOR PATTISON: Councillor Allen is supposed to have closing results so apologies. Would you like some closing remarks? We voted but you can still close it.

CR ALLEN: I want to talk about my hobby horse. I really want to stress again that I do believe that the processes that we undertake to create the plan don't take on the entire community, that the marginalised members of the community aren't involved. It's very much those people who are professional, super-literate who encourage with us in that process and I really do think we have to do more in the future to engage those marginalised members of our constituency. Thank you.

MAYOR PATTISON: Thank you. So we had already put that to the vote, Governance. Yes, we can move on to the next one. We've covered off all our bases.

So item 4.2, Climate Emergency Action Plans. The purpose of this report is to present a summary of the delivery of Council's Climate Emergency 21 to 23 Action Plan and to seek adoption of the Climate Emergency 23 to 25 Action Plan. Do we have a mover of a motion? Councillor Gazzard. Is that as per the recommendation?

CR GAZZARD: Yes.

MAYOR PATTISON: And do I have a seconder? Councillor Stapleton. Would you like to speak, Councillor Gazzard?

CR GAZZARD: Yes, please. Is my voice OK?

MAYOR PATTISON: All perfect. Sound is great. We've got that all under control.

CR GAZZARD: Sorry. I'm also sorry that I'm not in the room with you but I don't want to give you my germs. So I'm happy to move this motion as per the recommendation.

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

Thank you to the officers for preparing the report. I am proud of the work that this Council has done in the Climate Emergency Action space and am still very alarmed and anxious about what is going on in the world. We know that the effects of climate change are (inaudible) and rapid, and most species in the world (inaudible) what's going on. The recent figures include Antarctic sea ice hitting record low levels this winter, breaking the previous lowest record set in 2022, which is at one million square kilometres less ice than 30 years ago. NASA have since (inaudible) since measuring global temperatures in 1880, they've clocked July 2023 as the hottest month ever recorded in the global temperature record. We're seeing more heat stress, food insecurity, poor air quality and tick-borne illnesses, mosquito-borne viruses, extreme events, droughts, wildfires, terrestrial and marine heatwaves, cyclones and floods. Intergovernmental panel on climate change has found that climate change has already altered ecosystems all around the world. There's local species losses, increase in disease, mass mortality events of plants and animals, and we're continuing to see these extreme events due to human-induced climate change. It affects agriculture, forestry, fisheries and aquaculture, and currently half the world's population are experiencing severe water scarcity for at least one month of the year.

We know the effect that climate change has on health and wellbeing - not only physical health but mental health - and climate change has already harmed human health, particularly in women, children, the elderly, Indigenous people, low-income households and socially marginalised groups who are the most vulnerable, and we know that mental health challenges increase in warmer temperatures, additional trauma, loss of livelihood and comfort.

So our Climate Emergency Action Plan, we've got 67 actions on climate mitigation, adaption and mobilisation. 19% of those actions are completed. 70% have started and only 4% delayed or reprioritised. Some good figures - our non-landfill greenhouse gas emissions, we've reduced 2,140 tonnes of carbon dioxide, approximately 41%. We transitioned to 100% renewable electricity, which shows financial savings of \$173,000, so that's very exciting, especially in this climate. We've got our Climate Emergency grant stream, which is how we mobilise the community, and as a Council, we've achieved climate action carbon-neutral standard certification. So (inaudible) we need to continue being aggressive and urgent in this area but I'm happy with how we're progressing. So I hope you'll all vote for this. Thank you.

MAYOR PATTISON: Thank you. Councillor Stapleton, would you like to speak?

CR STAPLETON: Yes, thank you, just quickly. So our 10-year Climate Emergency Response Plan maps out the strategic vision for Council to coordinate climate action across the organisation and to build community Resilience so that we can all thrive in a changing climate. So the first part of this motion tonight is to acknowledge Council's progress over the past two years for the 2021 to 23 plan and the second part is to adopt

## Draft Transcript

an Action Plan for the next two years, which is the 2023 to 25 plan. There'll be ongoing Action Plans every two years to support this overarching vision of our 10-year plan. As we know from the United Nations RPPC report, we need urgent, deep and sustained reductions in greenhouse gas emissions. Looking back over the past two years, Council has laid a solid foundation for this, which Kate has just outlined. And there is so much more and I do encourage you to read the Action Plan results to appreciate the breadth of work that's been done and undertaken over the past two years.

Of course there is still much work to do, and the second attachment is the Action Plan for the next two years. Read this too. While consideration of climate is now embedded in Council's decision-making and budget processes, the focus now is to build momentum on climate action while using council's limited resources wisely. Each action in the report includes a description of the resources required for delivery and it's really encouraging to note that the majority of the Action Plan can be delivered within Council's existing resources. Obviously, further investment will increase our impact and Council will continue to advocate for strong climate action responses from all levels of government.

This plan also includes an enhanced focus on community outcomes over the next two years and the public consultation report reflects the deep care that our community has about the environment and climate change. There's clearly an appetite for Council to do more and adopting this plan tonight will ensure that we do. Of course, not everyone shares these views but I believe the environmental leadership shown by Surf Coast Shire Council is reflective of not only the expectations shared by most within our community but also globally. Whether you care for the natural environment, care for wildlife, care for people's health or care about the financial costs, it's imperative that we do everything within our power to address the immediate and long-term threats posed by climate change. Thank you.

MAYOR PATTISON: Thank you. Councillor Hodge?

CR HODGE: All these reports that we have interconnect somewhere, and with climate change we're seeing heavier rainfall in areas that can't cope with it with drainage. So we've got problems with drainage, and you'll see later on in the report too at Horseshoe Bend Road. This is a connecting road from Torquay to Armstrong Creek that is very well used. We had floods there that had never happened before and it actually washed more of the road away underneath. People think we're being very slow in trying to do this but the amount of damage that was done was higher than we ever anticipated, so we've got to start looking at and putting budgets towards roads and bridges, and when you look at what's coming up in the next couple of years with El Nino, it was only a few years ago when I was Mayor that Lorne was evacuated on Christmas Day. So we're going to be coming up into this as well. So we've got to make sure that all our climate change, our emergency services are well, that we have got a really good connection

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

because I have no doubt if this has been a very dry winter, which they're saying, that we're going to have concerns not only this summer but the following summer. And I know the people at Lorne are so well versed in this because it affects them so much but now we have to look right down the coast, and even in inner Torquay, there's grasslands near commercial areas that we've got to really look at as well. So it all interconnects and I know when you look at our Financial Statements, a lot of this money will be needed to be put forward to ensure that if anything happens, we're either well prepared or we're well prepared to actually pay to repair what's needed. Thank you, Mayor.

MAYOR PATTISON: Thank you. Councillor Allen?

CR ALLEN: The Council's Climate Emergency Response Plan is an overarching framework for the organisation's 10-year local actions to play our part in addressing a global problem. This report details what the Council has done and is doing. It's our report card, in a sense. It models effective grassroot actions that can be taken within our remit to help address what is a clear and ever-present danger to our living standards and future world stability. To those residents who think that that is a melodramatic statement or who believe, which is their right, in the minority scientific evidence, I simply say: follow the smart money. The corporate world through commercial decisions and investment capital look at the trend in superannuation investment into renewables, believe the science and the reality. Are we doing what we can within our control and our resource constraints? Are we encouraging residents to do the same? The report for the last two years found in attachment 1 detailing our 67 actions is positive, with 17% completed, 77% ongoing or soon to be completed, and only 4% unfunded, delayed or reconfigured. The installation of battery storage and solar panels on Council facilities, the 41% reduction in Council's non-landfill greenhouse gas emissions and the 100% transition to renewable electricity, saving the Council \$173,000, are all but three of the nine achievements listed. As Councillor Stapleton said, attachment 2 contains the proposed actions for 23-25 and I welcome the focus being placed upon planned strengthening and community outcomes delivered through already committed resources. And I thank those residents who responded to the community consultation, a summary of which can be found in attachment 3. Thank you.

MAYOR PATTISON: Thank you. Councillor Gazzard, do you have any closing remarks?

CR GAZZARD: Thank you to the other Councillors for speaking. I endorse these items. I think even in Surf Coast, where we live in such a beautiful place and we're seeing the effects of climate change (inaudible) erosion of our cliffs, we're seeing more dramatic heat extremes, health impacts that will affect particularly young people, like young children and the elderly, and we are the lucky ones who live in a very affluent area, we live in Australia, we're not at huge risk of - we're not a vulnerable population like many nations are, so it's our duty not only as a municipality but as citizens of the planet that we urgently act on our emissions and limit the effects of climate change. Thank you.

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

MAYOR PATTISON: Thank you. We will now put the matter to a vote. All those in favour? And the matter is carried unanimously. Thank you. We now move on to our Heritage Study, Stage 3. The purpose of this report is for Council to adopt the Heritage Study Stage 3 report. Do I have a mover of a motion? Councillor Allen. Is that as per the recommendation? Yes. And a seconder? Thank you. Councillor Schonfelder. Would you like to speak?

CR ALLEN: Thank you. Over the term of this Council, we have advocated in many fora for the retention of township character in our varying communities. The adoption of the Stage 3 Heritage Study, as with the previous three studies, is a small but important part in achieving this objective. The inclusion of a neighbourhood character overlay as part of the last Structure Plan completed in 2012 in the Lorne ward is another example, and if implemented to protect our heritage.

By accepting the recommendation, Heritage Study Stage 3 will form the basis for our future Planning Scheme amendment that helps to protect the assessed heritage assets. There are 22 properties in Birregurra, Inverleigh, Moriac, Mount Moriac, Paraparap and Winchelsea, all with addresses within the Shire, to be recommended for placement as local significance, and two sites for placement on the Victorian Heritage Inventory. Comprehensive details of each property listed are included in the meeting papers for interested residents. Letters and brochures were sent to the identified properties and local historical societies were contacted and feedback received. Following this process, a statement of significance was compiled containing information about what is significant and why it is significant. It's not always properties. For example, precincts, trees and cemeteries, as in the case in this study, can be listed. The next step will be the drafting of a Planning Scheme amendment and ministerial authorisation, after which a further period of public consultation will occur and a future Council Meeting will consider the amendments. Heritage listing can be controversial for a number of reasons. Not all property owners welcome a listing. That may place restrictions on the future development of their property without financial support to maintain the character of their asset. However, in recent times a heritage listing is valued as it adds character to the property and can add value at the time of sale.

As Councillors, we are aware of a dilemma in the Deans Marsh community where the recreation reserve has a local heritage overlay, a dilemma of local heritage which can encompass everything from how a building looks through to the role it plays within the community. The community is divided over retaining and rebuilding the hall or demolishing and redeveloping the facility with an attempt to incorporate heritage elements in the design. These conversations are difficult and decisions have to be made, and I understand how passionate residents are. For example, the loss of the Cumberland resort and the precinct around it is, I still regard, as the biggest and most upsetting loss in Lorne's post-war II history.

## Draft Transcript

We are still striving to maintain historical elements in the fishing cooperative redevelopment at Point Grey. Residents should play an active role in these discussions by helping to identify those things in the community that are of heritage significance and work with your local historical society by providing historical documents such as old maps, photographs, letters and stories that can enhance the accuracy and quality of Heritage Studies, thus making the case for their preservation. I thank all officers, landowners and historical societies that have given input into this study. Thank you.

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

CR SCHONFELDER: Yes, please, Mayor. I'd like to thank Dr David Rowe for his work with the Heritage Study and also architect Wendy Jacobs and a researcher Pam Jennings. Many of the different properties have high aesthetic attributes, including Clifford on Devon Road, which is a longstanding property owned by the Larkham family, who have for multi-generations contributed towards the CFA and also the Geelong Agricultural Society. Also on page 139 is Hildene, which is a beautiful property on the Barwon River, and other properties and buildings were part of the original Barwon Park, including the Wool Shed. I visited that personally myself and it's a beautiful building and of very high historic value. There's also a former station stall and I thought I'd remark that Mrs Elizabeth Austin used to actually stand on her balcony at Barwon Park and when she entertained guests, she used to say, "We own all the land you can see". There's also Ravenswood Estate, Moriac, and the homestead there, and a beautiful property on the corner of Cape Otway Road and Hendy Main Road called Wandala with a very beautiful garden. There's the Moriac post office store and dwelling and also the Moriac Uniting Church buildings, which was previously a Methodist church, that's got a very interesting saw-tooth configuration.

Also I must say on page 307 it shows - this property is already listed and has an overlay - but it's my great-great-grandfather's property Tasman at 755 Barrabool Road, Barrabool, and it's a very beautiful sandstone building that was built in 1867 but that building was included as an example of the type of architecture that was featured at Clifford.

Councillor Allen rightly purported about the precincts and the fact of with Mount Moriac the pine trees there were planted from seeds and the Catholic Church has also included it and Councillor Allen mentioned the cemetery at Mount Moriac. There is a grandstand at Winchelsea which is part of the Eastern Reserve with bricks that were designed by Walter Burley Griffin, so of very high architectural value. So I'm really happy and excited about this study and as a past volunteer at Barwon Park and also as a life member of the National Trust, and I share Councillor Allen and the Council's advocacy in relation to heritage and amenity in our very beautiful Shire. Thank you, Mayor.

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

MAYOR PATTISON: Thank you. Do you have any closing remarks, Councillor Allen?

CR ALLEN: No, thanks, Mayor.

MAYOR PATTISON: Now put the motion to the vote. All those in favour? And the motion is carried unanimously.

We now move on to item 4.4, Volunteering Policy. This report is presented for the Statement of Commitment to Volunteering, to be endorsed by Council and to seek the revocation - sorry, I don't use that word very often; I should have read my notes more clearly beforehand, shouldn't I - of SCS047 Volunteering Policy. Do we have a mover?

CR ALLEN: As per the recommendation.

MAYOR PATTISON: And a seconder? Councillor Hodge. Would you like to speak, Councillor Allen?

CR ALLEN: Thank you, Mayor. I have the highest regard for people who volunteer their time and expertise in our community for the benefit of others. I support the statement of commitment, noting that it replaces the existing policy SCS047, and it endorses a volunteering statement of commitment on behalf of the Council. Firstly, the policy adopts best practice for the management of internal Council volunteers. Examples are community members who serve on the Positive Ageing and All Abilities Advisory Committees, Community Asset Committees, and who volunteer in visitor information centres and kindergartens. They fall under the responsibility of the CEO and through the managers of the various divisions, the organisation monitors the effectiveness of these committees and we will do provide support, if needed, to the volunteers.

The organisation also has an internal volunteer management policy and procedure which sits under the Volunteering Statement of Commitment. This gives guidance to staff supervising volunteers to ensure that the Council provides a safe working environment for volunteers. Volunteers undergo the same organisational safety induction processes as staff, determined by their role and work environment. Volunteer health and wellbeing is a priority and is a shared responsibility between supervisors and volunteers.

These operational policies and procedures clearly identify volunteering as a partnership and at no time should volunteers feel exploited or overwhelmed by their role. Secondly, external volunteers - from my experience, volunteers have a genuine desire to serve the community. They are generally positive and passionate people who have time flexibility and a strong work ethic. They in turn benefit from gaining a sense of purpose and inclusion, which in my view leads to improved health outcomes. Although there

## Draft Transcript

may be some people here who disagree with that statement.

As a Council, we help facilitate volunteering through, for example, our community development initiatives and the Small Grants program. In our townships, service, cultural and sporting organisations rely upon volunteers to flourish. With the approach of the bushfire season, we should all be mindful and appreciative of the commitment of the volunteers of the CFA and the SES. The Volunteering Statement of Commitment is a visible statement of our support to these volunteers within our communities, and I endorse it.

However, as an organisation, we must be aware of the challenges associated with volunteering, and I believe that these need to be recognised and I would like to see future recognition of this need in the statement. The reality is that in most communities, the minority volunteer, and the willing person can be overburdened, which can cause stress if not monitored and managed. We also have, sadly, the tall poppy syndrome, and often those who volunteer can be criticised, particularly now on social media, by a small minority without due cause and through ignorance and ill intent. Both we as a community and as an organisation should be mindful of this reality and, as I have said, I believe in the future there should be recognition of this in the statement. There are some simple things that we can all do. We know our community and those who are heavily committed as volunteers, and as we are aware of the extent of their commitment, we should simply keep a watchful eye and seek assistance if we are concerned. Perhaps honest conversations if we have concerns. The Council will continue to further support clubs through the provision of training such as mental health first aid training, leadership skill building and governance and by providing access to grant programs available for such training.

However, making organisations aware of the various supports available could be a commitment from the Council. In conclusion, I acknowledge the work and commitment of those who volunteer in our community and I sincerely thank them. Thank you.

MAYOR PATTISON: Thank you. Councillor Hodge?

CR HODGE: Yes, thank you, and of course we all know the great work volunteers do right across the Shire but it was interesting to see that 21% of the population report that they do some type of volunteering, which is actually higher than the state average and the G21 region. So I think that speaks volumes of what people want to give back to the community. It dropped off a lot of course with COVID and the numbers are slowly getting back up again and it's really important that people reconnect because they've actually dropped away for those two or so years of uncertainty.

But with our visitor information centre, our advisory committees, our kindergartens, we've got 197 volunteers and the work that they do is amazing, and what we tried to

## Draft Transcript

work out is how much is that worth. It's over \$365,000. So that's how important not only to connect communities but to actually have a quantitative estimate of what they do do and how much it saves Council. One thing I will mention because we're in Lorne tonight is the Lorne Men's Shed booklet, which I brought on one of the best community nights here, and that's a warts and all story of what volunteers sometimes have to go through to work with Council, work with groups, work with community. So to me this is one of the best books I've had a look at that could be used as a reference for other big groups starting up or trying to get volunteers in. Congratulation - Gary Fenton, the author, was here earlier and I said his book is great. So, Pete, could you pass on our thanks for that. Because we know the work that they're doing and they drive Council- you know, the volunteers for the cockatoos and what they're trying to do with bins. Not only are they out and about and busy but they are improving other people's lives. And it could be the simple act of a smile or when they go into a Community House or the children being looked after at Magic Music Mornings and things like that and it's all about connecting community. And this 21% of the population - I would really like to see that a little bit higher - and how we can do that is make volunteers feel really welcome, appreciated and really thank them for the work they do. So hopefully more volunteers will come back when we're fully over coughs and colds. I know Councillor Gazzard has got COVID now. So it's still a worry. So thank you to the volunteers, thank you to the officers who put this information together, and let's work with our volunteers to make sure that they're looked after and they do rewarding work and are feeling really well in themselves.

MAYOR PATTISON: Thank you. Councillor Stapleton?

CR STAPLETON: Thank you, Mayor. I think that the proposed Statement of Commitment to Volunteering really captures the essence and the heart of why people volunteer, as well as recognising the value and importance of volunteering to our community. It's simple but meaningful and can be used in a variety of ways to communicate the importance of volunteers. Of course people can read it for themselves but I know some don't always get to our Council agenda. So I will take this opportunity to share it with you. Don't worry, it's fairly short and concise.

So this is the Surf Coast Shire Council Statement of Commitment to Volunteering: Council recognises volunteering is an integral part of a thriving community; volunteering drives wellbeing, collaboration and resilience. It is a nexus between Council and community. It connects people from different backgrounds and provides commonality, belonging and purpose. It forges a pathway to new opportunities, equity and inclusion. Council recognises the power of volunteering. Volunteers get a power of work done for the benefit of their communities. They make essential contributions to community projects, events and programs, helping resources go further. Council in turn supports volunteers and unites with them, with the shared goal to make positive change. Council aligns with Volunteering Australia's national standards of volunteering involvement and

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

commits to supporting volunteers, volunteer groups and volunteering programs in the community. Council is committed to a process of continual and meaningful innovation and improvement in volunteering. Council commits to supporting positive and safe best practice volunteering experiences in the community and the sustainable approach to volunteering. For those that want to have another read, it is on page 656 of the agenda, if you'd like to take a closer look.

As Councillor Hodge mentioned, 21% of our Shire volunteered in 2021, which is higher than the State and the G21 region, but we do need to look after them. We want to retain our existing volunteers and we understand it's a two-way arrangement. Obviously it helps Council and it helps the community but volunteering is also an important way for people to connect, to improve their skills and discover new opportunities. So this recommendation tonight is practical, it provides a clear framework for Council officers while maintaining Council's public commitment. Thank you.

MAYOR PATTISON: Thank you. Any closing remarks?

CR ALLEN: I thought for one horrible moment Councillor Hodge was suggesting the cockatoos were part of the volunteer program! Of the Surf Coast Shire! Look, I think volunteers are the salt of the earth and that was great that Councillor Hodge mentioned Gary Fenton's book. I think we also have to be conscious - we currently are looking at empowering local communities: I know that's a high priority of the CEO and the executive team, to empower communities, but in doing that, we've got to be very careful that we don't raise community expectations and then put bureaucratic barriers in their way, which will only then lead to increased frustration. I just think as an organisation, we just have to be very, very careful of that. Thank you, Mayor.

MAYOR 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 4.5, annual performance statement and Financial Statements '22 to '23. The purpose of this report is to present the '22 to '23 Financial Statements and the '22 to '23 performance statement to Council for in principle approval as recommended by the Audit and Risk Committee and in accordance with section 99 of the Local Government Act 2020. There is a slight amendment. Councillor Bodsworth is an apology tonight and so if we have on the screen the amendment, it just means that Councillor Allen and I will be the ones signing off on these Financial Statements, so there's a slight change to the authorising for the signing within that, but do I have anyone to move a motion? Councillor Hodge as per on the screen?

CR HODGE: Yes.

## Draft Transcript

MAYOR PATTISON: And seconded by Councillor Schonfelder. Would you like to speak, Councillor Hodge?

CR HODGE: Yes, thank you, Mayor. When people say where do my rates go, this is the document for you. It shows everything. It's the annual financial report, period ending 30 June 23, and it's been prepared in accordance with the Local Government Act of 2020 and the Australian accounting standards and other mandatory professional reporting. Our Audit and Risk has looked at this and recommends it in principle of the Financial Statements and also the performance statement. In this document, it has income, expenses, revenue and surpluses and losses, so it's a very transparent document and has explanations right through it. It can explain our user fees, our grants, our employee costs and materials and services, and one of the big expenses that we have, even though it's a luxury to have a landfill, the money that we need to put back into a landfill, which is on page 13 of the report, is really quite outstanding so we've got to make sure that we have the money to be able to fix up and rejuvenate the landfill that we have used. It's got the rates, the general, the municipal charge, the waste management. It's also got the Commonwealth funds in the report as well. So this report I recommend reading it because if you've got any queries or concerns, this is where it's all about. Sometimes the budget can be a - and the Annual Report can be really big and there's so much other stuff in it. This is just straight off the Financial Statements and the performance statements. So I recommend the report and I hope all other Councillors respond to that as well. Thank you, Mayor.

MAYOR PATTISON: Thank you. Councillor Schonfelder?

CR SCHONFELDER: I reserve my right to speak.

MAYOR PATTISON: Thank you. Councillor Allen?

CR ALLEN: Thanks, Mayor. This statement looks at the Council's actual annual budgetary performance against what we planned when framing the budget. And I want to focus on the adopted benchmarks of reporting upon material variations or significant variations, and we regard that as anything at least 10% or above, and if you look at the income, I note that the operating grants were 45% larger than we anticipated due to the State Government's new early years, early start kindergarten support, which is just fantastic. I really value, as we do, the importance of early childhood in a person's development and it's wonderful to see the State Government additional resources to that program.

The capital grants showed a variance of 52% lower than that budgeted. This is mainly due to government grants totalling nearly \$6 million received for the Surf Coast Aquatic and Health Centre but not expended and is therefore treated as unearned income, plus the Pollocksford Road Bridge grant of nearly \$3 million not received, including an

## Draft Transcript

element of blackspot funding.

In the line item Other Income, it was significantly under-estimated due to the higher rates of interest that we received and a larger investment portfolio due to the level of the pool grant funding, and I note that interest earned is to be allocated to the aquatic centre. If you look at the expenses, the variations to our expenses are mostly lower than the 10% variance benchmark, but I'll refer to two which are greater - the disposal of property, infrastructure and equipment is higher than anticipated, and that's been driven by the transition of Council assets to the Great Ocean Road Coast and Parks Authority. And, secondly, the item Other Expenses is higher due to the increased expense of the landfill provision, the Anglesea transfer station rehabilitation costs.

Finally I'd like to highlight some statistics from the report. Expenses per head of municipal population has declined over a four-year period, whilst our population has increased by 6.4%. Expenses only increased by 2.6% and this when landfill expenses have increased is an indication of operational efficiencies. The community satisfaction of how Council has performed in making decisions is stable, around 54%, compared to other rural councils of our size, which is 48%.

Planning decisions upheld at VCAT has improved, indicating a positive outcome as to how the planners assess planning decisions against the Planning Scheme. And our indebtedness has fallen, again showing sound financial management.

I know I've gone a little bit over time but Councillor Bodsworth rang me and if I may perhaps be given an extension of time to incorporate his comments because he is on the Audit and Risk Committee.

MAYOR PATTISON: Yes.

CR ALLEN: He rang and said that he would like to apologise and asked me to record his and the Audit and Risk Committee's appreciation of the clarity and the thoroughness of the report. From my point of view, this report clearly indicates that the Council is in a sound financial position and that our finances are expertly managed. I would like to congratulate Gabby and the team.

MAYOR PATTISON: Thank you, Councillor Allen, and thanks for sharing Councillor Bodsworth's thoughts as well on that. It's appreciated. Any closing remarks? Councillor Hodge? No. We will put the motion to the vote. All in favour? And the motion is carried unanimously.

We now move on to 4.6, Fraud and Corruption Control Policy. The purpose of this report is for Council to consider adopting SCS010 Fraud and Corruption Control Policy. Do we have a mover of the motion? Councillor Stapleton. As per the recommendation?

DRAFT Transcript produced by The Captioning Studio  
W: **captioningstudio.com** T: (08) 8463 1639

## Draft Transcript

CR STAPLETON: Yes.

MAYOR PATTISON: And a seconder? Councillor Schonfelder. Would you like to speak, Councillor Stapleton?

CR STAPLETON: Yes, I'll speak briefly. Thank you. So one would think it's stating the obvious by saying that Council is committed to promoting ethical conduct and integrity and has a zero tolerance for fraud and corruption but, unfortunately, there are examples in some parts of the country where this isn't the case. So quite rightly, it is required that the fraud and corruption policy be reviewed at least once in each Council term. This is a key governance tool for Council and the organisation. A review of the current policy was undertaken with a fraud and corruption specialist, who recommended it be aligned to the current Australian standard on fraud and corruption control.

Operational procedures which are the CEO and organisations' responsibility have been separated from the policy and matters that the CEO is responsible for establishing have been included. Guidance for monitoring and review of the document has also been added. The policy requires a fraud and corruption control system to be in place which our CEO mentioned earlier has been developed and was presented to the Audit and Risk Committee earlier this month with the intention being that if this policy is adopted tonight, that control system will be implemented.

The control system must prevent, detect and ultimately respond to fraud and corruption if it occurs so that the best possible outcomes can be achieved. In terms of scope, the policy applies to fraud and corruption committed against the organisation, committed by or in the name of the organisation, is both internal and external and applies to Councillors, members of Council staff, volunteers, committee members and business associates. Council has overall accountability for promoting a strong ethical culture and demonstrating high ethical standards. We are committed to honesty, integrity and professionalism and ensuring that the organisation has measures in place to uphold expected levels of conduct and integrity. The Audit and Risk Committee is required to monitor and provide advice on risk management and fraud prevention systems and controls. So adopting this policy will affirm our commitment and support Council in providing good governance for the benefit of the Surf Coast Shire community and I recommend it to my fellow Councillors, thank you.

MAYOR PATTISON: Thank you, Councillor Schonfelder?

CR SCHONFELDER: I reserve my right.

MAYOR PATTISON: Would any other Councillors like to speak? No?

## Draft Transcript

CR ALLEN: Well, I don't want to trivialise the matter, but I was at a Barwon Water meeting on Monday afternoon, and each person who was participating - and I made a point that I wasn't representing the Shire but I did inform the Shire that I was going to be there - and underneath was a bucket of goodies, and I had to think twice about whether I should --

CR STAPLETON: Are you declaring fraud?

CR ALLEN: Whether I accept this bucket of goodies! Is it over \$30? So very much it is engrained in us, this whole notion of fraud and corruption, and we're very cognisant of it. And I totally support the policy.

MAYOR PATTISON: Thank you, Councillor Allen, for that personal anecdote! Do you have any closing marks, Councillor Stapleton? No. We will put that motion to the vote. All those in favour? And the motion is carried unanimously.

We now move on to 4.7, award contract under '23/'24 capital works program for the Horseshoe Bend Road Bridge. The purpose of this report is to request higher powers of delegation for the CEO in relation to the Horseshoe Bend Road Storm Event Reinstatement project so that it can be delivered promptly. Do we have a mover of the motion? Councillor Schonfelder? As per the recommendation? Yes. And a seconder? Councillor Hodge. Would you like to speak, Councillor Schonfelder?

CR SCHONFELDER: Yes, please, Mayor. I would like to thank Councillor Hodge for her referring to this road and bridge earlier when it came to environmental challenges. I recall last October being at the Municipal Association of Victoria Conference with the CEO, Ms Seymour, and delegates at that conference were leaving, and due to the fact that the storm activity that was taking place, there were areas that were being flooded, such as Skipton in the Corangamite Shire, and I know that as a 16-year-old, I went to Hong Kong and that was the first time I have experienced monsoon-type rain events, and the rain that occurred last year in Melbourne, I had never seen before. You couldn't even walk through the rain. It was that torrential. So this really is an example of our organisation responding to damages that are caused from climatic events. And I recommend the Council adopt this recommendation. Thank you, Mayor.

MAYOR PATTISON: Thank you. Councillor Hodge?

CR HODGE: I think this road has now been closed since November 2022 and it's really got to move now because it's such a link road now from the Torquay Highway. It runs parallel to the Torquay Highway right through Armstrong Creek and into Geelong. So it's paramount that this must be fixed as an alternative road as well. Extending the value greater than the CEO's existing delegation - if we can make this quicker and give her the power to actually sign off, get the tenders out, get the tenders in, and expediate

## Draft Transcript

this delivery, it will be better for the community right along there but also Armstrong Creek people coming that travel to Torquay that have told me they come that way as well. So looking forward to getting this bridge fixed and hopefully weather-proofed or flood-proofed for the next one that comes in the next deluge. So more than happy to support this recommendation.

MAYOR PATTISON: Thank you. Any closing remarks, Councillor Schonfelder?

CR SCHONFELDER: I reserve my right.

MAYOR PATTISON: We will put the motion to the vote. All those in favour? And the motion is carried unanimously.

We now move on to item 4.8, project budget adjustment and cash reserve transfers for September. This report is presented to Council for approval of the proposed project budget adjustments and cash reserve transfers. Do we have a mover? Councillor Allen, and a seconder?

CR ALLEN: As per the recommendation.

MAYOR PATTISON: And a seconder? Councillor Stapleton. Would you like to speak, Councillor Allen?

CR ALLEN: Thanks, Mayor. I feel as though I should hand this over to Mr Spring! He might be in a better position to talk about these issues but these two matters in the transfer table - firstly, the one listed in table 1, projects requiring adjustment, they're both health and safety issues, and it's appropriate that we are considering them here on-site at this wonderful facility. The first is if we look out - I know that the people on the livestream can't, but if we look out at the balustrade here and the height at which we are above the seats and the path ways below, that it is quite unsafe, that if objects fell, it could do serious damage to the people sitting below or walking below, and therefore we need - it requires a protection edge to go along for the safety of those seated and walking below, and this item is valued at \$11,000. And the second - again it's a new project but it arose out of experiencing a football match on two occasions, here in Lorne. The first time a player was being evacuated from the oval and because of the topography, and this is not often consider when doing project management in Lorne, the topography caused the stretcher coming up the centre of the terrace, because of the gradient, the player never slipped off the stretcher.

Now, as a result of that, we had to - the reserve had to rethink where they had an egress for players from the oval and it is much safer to do it closer to the coaches' box. That was fine until three weeks later, a player suffered a significant break to his ankle and the volunteer - and had to be stretchered off. The volunteer doctor who assisted

## Draft Transcript

was extremely critical of the difficulties that they faced getting that player from the oval up the bank along the path to the first aid room, the difficulty caused extra stress to the player, who was extremely stressed anyway. And so with consultation with our officers, a design has been proposed that has appropriate levels of steps to take - evacuate a player from the oval up the bank and a proper pathway into the first aid room, and that's been assessed to cost \$14,000, and they're the major items in that transfer table that I would recommend to Councillors. Thank you.

MAYOR PATTISON: Thank you, Councillor Allen. It's good to hear those experiences of what is happening and give that context. Councillor Stapleton, did you want to speak?

CR STAPLETON: I have nothing more to add.

MAYOR PATTISON: Great. Closing remarks, Councillor Allen?

CR ALLEN: No, thank you.

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

Now we move on to instrument of appointment and authorisation, Planning and Environment Act. The purpose of this report is to seek Council's approval of an updated instrument to appoint authorised officers under the Planning and Environment Act. These updates are presented following staff changes. Do we have a mover of a motion? Councillor Hodge. And seconded by Councillor Schonfelder. Did you wish to speak, Councillor Hodge?

CR HODGE: No.

CR SCHONFELDER: No, thank you.

MAYOR PATTISON: We now put the motion to the vote. All those in favour? And the motion is carried unanimously.

And conflict of interest records - the purpose of this report is to present conflict of interest records received since the previous Council Meeting. Do I have a mover of the motion? Councillor Schonfelder as per the recommendation? Yes. And seconded by Councillor Allen. Would you like to speak?

CR SCHONFELDER: No, thank you.

MAYOR PATTISON: Councillor Allen?

## Draft Transcript

CR ALLEN: No, thank you.

MAYOR PATTISON: Put the motion to the vote. All those in favour? And the motion is carried unanimously.

There are no urgent business items for tonight's meeting, so that's the end of our meeting. I declare the meeting closed at 7.40. Thank you so much, everyone, for attending. It's been wonderful coming to Stribling Reserve. Thanks for hosting us, Lorne community, and once again, good night, everybody.