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Surf Coast Shire Ordinary Council Meeting

Tuesday, 10 December 2024 at 6pm

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CR BODSWORTH: Good evening and welcome to our December Council meeting. I'm Mayor Mike Bodsworth and it's a pleasure to welcome everyone joining us 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.

Live captioning will accompany the live stream of this meeting. We hope that this assists those who may have hearing difficulties.

I'd like to acknowledge that we meet on Wadawurrung country and that the Surf Coast municipality also includes the traditional country of the Gadubanud and Gulidjan people of the Eastern Maar Nation. I pay my respects to their Elders past, present and emerging. Surf Coast Shire Council is committed to walking with traditional owners on a reconciliation journey that recognises and celebrates culture and the unique land, sea and waterway country of the Surf Coast. I would also like to acknowledge any Aboriginal people attending or viewing our meeting tonight.

Tonight is the last Council meeting of the year, with meetings resuming on 25 February next year. It is going to be a big summer, with an event calendar that's packed with community carols and markets in our towns, from hinterland to the coast, offering the chance to connect, share the holiday vibe and stock up on locally produced gifts. We particularly look forward to the upcoming events which are organised by our surf life saving clubs and sporting clubs, such as the Lorne Peer to Pub, Danger Ocean Swim, Tim Gates Classic, Roo Run, Rock to Ramp Ocean Swim, Jim Wall Classic, and more. These events raise vital funds for important lifesaving equipment and sporting club projects.

Across the remainder of December and into January, the calendar offers more markets for locals and our summer visitors, including the Night Jar Festival on two evenings in Torquay. At the end of January, Cadel Evans Great Ocean Road Race and Pilk Purriyn are the major events on the Surf Coast events calendar. I'd also like to take this opportunity to wish community members, my fellow Councillors and Council staff a safe and happy Christmas and festive season.

So on to our agenda for tonight. Let's get under way. 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 5 minutes to open the debate and

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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 would now like to 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.

We move to Apologies - do we have any apologies for tonight's meeting? It's unlikely because all Councillors are here. Can I please have a mover and a seconder - no, we don't need to do that, sorry.

Can I have a mover and seconder for the minutes of the Council meetings held on 22 October and 26 November 2024? Adrian moved - Councillor Schonfelder, rather, sorry - and seconded by Councillor Pattison, thank you. Do either of you wish to speak to the motion?

CR SCHONFELDER: No, thank you.

CR BODSWORTH: Okay, thank you. All in favour? Thanks, that motion is carried unanimously. Excuse me while I catch up on my paperwork.

Leave of Absence Requests - I need to request a leave of absence from Council for the period from 24 December 2024 until 24 January 2025. Are there any other Councillors who wish to seek a leave of absence? No. I therefore ask for a mover and a seconder for my leave of absence. Thanks, Councillor Pattison, seconded by Councillor Stapleton. Do either of you wish to speak to that? We'll go to the vote. All in favour? Thanks, Councillors. That motion is carried unanimously.

Declarations 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 officer will be requested to leave chambers, or for those online, to be placed by the host in a virtual waiting room, whilst the matter is being considered. Once the matter is resolved, the

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Councillor and/or officer will be returned to the meeting. Are there any declarations of conflicts of interest in relation to tonight's agenda? No. Thank you.

Do we have any presentations by Councillors tonight? Councillor Schonfelder.

CR SCHONFELDER: Yes, please, Mayor. I'd like to pay tribute to the late Pat Collins OAM and I'd like to read an article from the Geelong Advertiser, just to quote from it, from 26 January 2018: "Perfectly manicured lawns encircle the Bluestone Barwon Park mansion, a postcard-perfect encapsulation of the yesteryear wealth of the western district stratocracy. Without the labour of hardworking volunteers such as Pat Collins, the 42-room landmark may still be a decaying edifice to a bygone era." Pat was awarded a life membership of the National Trust and an Order of Australia Medal in 2018 to acknowledge her contribution to heritage on the Surf Coast. Her contribution to Barwon Park is unsurpassed and I'd like to express condolences to the Collins family.

CR BODSWORTH: Thanks, Councillor Schonfelder. Are there any other Councillors who have presentations to give? No. Thank you. We've not received any public submissions for tonight's meeting. We move to Public Question Time. We have two community members who've submitted a total of three questions tonight. I have those questions here. The first is from Alan Manson, who is in the house. Thanks for coming in, Alan. I'd invite you to come up to the microphone and ask your question, thanks.

MR ALAN MANSON: Good evening, Councillors, and thank you for this opportunity. My question is, there is mounting evidence indicating a significant increase in the world's excess death numbers due to contamination of the COVID-19 vaccines. It is also reported that millions of people have been injured by these vaccines. On November 19, I emailed all Surf Coast Councillors about the dangerous levels of DNA contamination of these vaccines reported to Council in two separate letters from the Port Hedland Council. This devastating public health emergency is supported by over 50 eminent scientists throughout the world.

Given that I have not received one response to my email from Council, can the Mayor advise me what action Council intends to take on this matter, given that it is obligated to investigate such claims under legislation according to Victoria's Public Health and Wellbeing Act of 2019, Division 5, titled "Immunisation" and the Local Government Act 2020 by ensuring that such vaccines are indeed safe to administer? Thank you.

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CR BODSWORTH: Thanks, Alan. Thanks for coming in and asking your question in person. Council has not considered this matter and does not have this item scheduled for upcoming consideration, so I can ask that officers provide their advice and I'll refer this question to our General Manager of Community Life, who heads the Environmental Health Unit.

MR DAMIAN WAIGHT: Thanks, Mayor Bodsworth, and thanks, Alan, for your question. Officers have considered your question and our advice is that we should take a different approach to the town of Port Hedland, for these reasons. We are clear that the responsibility for approving and administering the COVID-19 vaccine program sits with Federal and State Government and it's not the responsibility of local government. Given these responsibilities and the absence of expertise on the topic here at Surf Coast Shire Council, the officer advice is that we are not in a sound position to assess the position of town of Port Hedland and the content of your letters that you have sent or the range of views on the COVID-19 vaccination program.

Where a responsible authority is delivering public programs, we will share messaging with the community that is consistent with the expertise provided by that authority. An example of this approach is one we would take, say, in an emergency management context, so we follow a similar approach in this case. So, yes, thank you for your question, Alan, and thanks for coming in to ask it.

MR ALAN MANSON: Okay, so can I just ask where does this leave my question at the moment? Does that mean that somebody else is going to respond to this?

MR DAMIAN WAIGHT: Well, we think that responds to the question you've raised tonight. The email that you've sent we can review.

MR ALAN MANSON: So you'll review it and get back to me via email.

MR DAMIAN WAIGHT: Yes.

MR ALAN MANSON: Okay.

CR BODSWORTH: Thanks, Alan. Thanks for coming in.

MR ALAN MANSON: Will that be this year?

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MR DAMIAN WAIGHT: Yes.

MR ALAN MANSON: Good, thanks.

CR BODSWORTH: The next question is from Lyn Manson and I don't believe Lyn is here tonight, so I'm going to read Lyn's question on her behalf: "Dear Surf Coast Councillors, it has come to my attention that the Port Hedland Council has communicated with every local council in Australia to advise of the discovery of DNA contamination in the COVID-19 vaccines. According to the Victorian Department of Health, immunisation services are a function of local government under the Public Health and Wellbeing Act 2008, which states 'the function of every Council under this Act is to seek to protect, improve and promote public health and wellbeing within the municipal district'. Question 1, would you please confirm receipt of the letter sent by Port Hedland Council to every Councillor; and 2, further to my first question, would you please indicate how the Surf Coast Shire Council is planning to respond to this disturbing information in light of your responsibility under the Victorian Health Department Act. Whatever Council's views towards COVID-19 vaccinations may be, it appears that the indisputable evidence presented to the Port Hedland Council should, at the very least, elicit a thorough investigative response for the safety and welfare of the Surf Coast community."

So hi, Lyn, if you're watching online. Thanks for your question. For similar reasons to the previous question from Alan, I'm going to refer this one to the GM of Community Life.

MR DAMIAN WAIGHT: Thanks, Mayor Bodsworth, and thanks, Lyn, for your question. Hopefully you're watching either live or to the recording.

Yes, the Port Hedland's letter has been received, I can confirm that to the answer to question 1. And in relation to question 2, I think the answer that I've previously provided applies to the second question in that we are not in a position to assess the letter from the town of Port Hedland and the range of views on the COVID-19 vaccination program. You may be able to find more information or ask further information on these questions to the Australian Therapeutic Goods Administration or the Victorian Department of Health. We can provide their contact details for the two organisations after the meeting, if that's helpful.

CR BODSWORTH: Thank you and thanks to our questioners for tonight.

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We move to Petitions - there are no petitions for tonight's meeting. Notices of Motion - there are no notices of motion for tonight's meeting.

That takes us to Reports in the Council meeting agenda, item 4.1, All Abilities Advisory Committee Member Appointment. The purpose of this report is for Council to consider appointing Rick Williams to the All Abilities Advisory Committee. We have a recommendation before us. Does anyone wish to move a motion? Councillor Walker, what is your motion - as per the recommendation?

CR WALKER: Yes, as per the recommendation.

CR BODSWORTH: Okay, thank you. Do we have a seconder? Councillor Phelps, thank you. And Councillor Walker, would you like to speak to the motion?

CR WALKER: Yes, please, Mayor. As the Councillor representative, I work with Rick Williams and look forward to working alongside the All Abilities Advisory Committee to advocate and improve access for all abilities in the Surf Coast. So looking forward to our meeting tomorrow.

CR BODSWORTH: Thanks, Councillor Walker. Councillor Phelps, do you wish to speak to the motion?

CR PHELPS: I'd just like to note that it's important to have this sort of input into council and I do appreciate that people are putting their hands up to join the committee.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to the motion? No, thank you. We'll now put the motion to the vote. All those in favour. Thanks, Councillors. The motion is carried unanimously.

4.2, AFL Funding Opportunity. The purpose of this report is to seek Council's endorsement to submit a funding application to a grant round available through the Australian Football League. We have a recommendation before us. Does anyone wish to move a motion? Councillor Stapleton?

CR STAPLETON: As per the recommendation.

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CR BODSWORTH: As per the recommendation, thank you, and a seconder? Councillor Pattison, thank you. Councillor Stapleton, do you want to speak to the motion?

CR STAPLETON: I'll say a few words, thank you, Mayor. So we know how important the Spring Creek Reserve is to the Surf Coast community and we know there's a need to improve facilities to cater for our growing population.

The Torquay Football and Cricket Clubs were successful in attracting a \$700,000 grant from the Federal Government to upgrade to female-friendly change facilities and this report advises that we now have an opportunity to supplement this funding with a \$75,000 grant through an AFL funding stream called the Australian Football Facilities Fund. The female-friendly redevelopment at Spring Creek Reserve is already identified as a priority project for our community and given there is no contribution required from Council to apply for this additional funding, it makes good sense. Council's focus is obviously to deliver the best possible outcome for our community.

If successful, this funding will help provide the kind of change rooms we know are needed to encourage more women to participate in football and cricket. No one wants to be showering and changing behind old sheds or in the back of their car. The AFL provides this funding to help ensure that participants can access welcoming, accessible, fit-for-purpose football facilities, which of course will help grow the game and support our community with all the associated health and wellbeing outcomes that come from participation in community sport. The project has been identified by the AFL as something that aligns with their funding criteria and have encouraged Council to apply for it. We know that there are also additional infrastructure needs at the Spring Creek Reserve, such as a new canteen and family shelter, and these things could be considered if sufficient budget is available.

So I support the motion for Council to submit an application for this funding and hope that it's successful so this important facility can be delivered for our community. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Stapleton. Councillor Pattison?

CR PATTISON: Sure, that would be great. I'd also like to reiterate what Council Stapleton has already said. It's about supporting the application to progress for funding for the Spring Creek Reserve facility improvements and I think the really important thing is there's no council funding commitment

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required for this, so it's a bit of a no-brainer. We can put in an application to make some improvements which align with the fund that's available to us and we may result in having more money to improve our wonderful Spring Creek Reserve football and cricket facility, so I'll be supporting this motion.

CR BODSWORTH: Thanks, Councillor Pattison. Would any other - Councillor Barker?

CR BARKER: Thanks, Mayor. Spring Creek Reserve, prepare for a much-needed makeover with this \$75,000 AFL funding splash. A big win for Council with no ratepayer funds in sight tickles my fancy, but as a libertarian, I might quip should the Government really play referee in sports infrastructure? Imagine if the clubs, backed by local businesses and members, took the lead on funding. It's a goal worth pondering, kicking government dependency out of bounds for a free market future, but sadly we operate in a manipulated market, manipulated by government at all levels.

The voluntary contribution of private funds from the AFL is something that I won't oppose, but this recommendation is connected to the provision of \$700,000 of taxpayer funds for this project. Aussies from Perth, both WA and Tasmania, Broken Hill and Mount Isa who can barely afford to put food on the table, nor will ever come to Torquay, let alone visit Spring Creek Reserve, will be paying for this project. I endorse the AFL funding, but can't support the legalised looting that will ensue, so I will not be supporting this recommendation on that basis.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to the item? No? We'll now put the matter - sorry, closing. Would you like, Councillor Stapleton, to provide any closing comments?

CR STAPLETON: Thank you, Mayor. I would like to just make a couple of comments. I think it's important to note that local governments in Australia only receive about 4% of the country's total tax pool. I'm confident that most people around this table know and understand that local Councils cannot deliver the services and infrastructure that's needed by our community without the support of state and federal grants. It's an essential part of the revenue mix for local councils and a way for State and Federal Governments to share some of the total tax revenue for the country directly with local communities via local councils who know their communities best. That ensures that funds, taxpayer funds, are spent fairly and where they're most needed.

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It's a furphy to suggest that ratepayers in Perth or Mount Isa shouldn't be contributing to a football facility in Torquay. That's like saying that ratepayers in Surf Coast shouldn't be contributing taxes that are used on a hospital in Melbourne or a highway to Sydney. Like it or not, taxes underpin one of society's most important functions, to fund community services and infrastructure, regardless of whether you as an individual get to benefit directly from it. So I hope that everyone can see the merit in applying for this grant and support this motion. Thank you.

CR BODSWORTH: Thanks, Councillor Stapleton. Now we'll put the motion to a vote. All those in favour? Thank you. And against? Thanks, Councillors. The motion is carried
8-1.

Item 4.3, Department of Education - building Blocks - Minor Infrastructure grant opportunity. The purpose of this report is to seek Council's ratification of an application for a State Government grant to fund the design and redevelopment of the play space at Kurrambee Myaring Kindergarten which was submitted on 2 October 2024. We have a recommendation before us. Does anyone wish to move a motion? Councillor Pattison, thank you. The motion as per the recommendation?

CR PATTISON: As per recommendation, yes.

CR BODSWORTH: Thank you, and do we have a seconder? Councillor Stapleton. Thank you. Councillor Pattison, do you wish to speak to the motion?

CR PATTISON: Yes, certainly. I'd like to support the application to fund the design and redevelopment of the play space at Kurrambee Myaring Kindergarten, or KMCC, which is a bit easier to roll off the tongue.

There is a need to improve some issues around drainage and improve the play space there. This is required as there's been significant growth in the area and a lot of kids enrolled at the kinder. It's now at capacity at a bit over 90 kids.

So the kinder - it is currently a very engaging, lovely environment. However, lots of enthusiastic feet over that space wearing down on the grass, and the like, and so there's a need to rejuvenate that space, improve some drainage and the like, incorporating some things like an outdoor classroom and space for moveable equipment and that sort of thing and the plan has been

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developed through the input from Council staff, from children at the kinder and so I think it makes a lot of sense that we would endorse this application and also, once again, there is no contribution required from Council, so it makes a lot of sense to make these improvements when we are in a tight fiscal situation with our Council to apply for grants such as these. So I encourage you all to support this motion.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Stapleton?

CR STAPLETON: Thanks, Mayor. I'll just add - Councillor Pattison's covered all of it, but I'd just add that this item is actually just asking us to ratify an application that was actually submitted in October during the election period, so the grant application is in, it's worth \$150,000, and let's hope it's successful. Thank you.

CR BODSWORTH: Thanks, Councillor Stapleton. Do any other Councillors wish to speak to the motion? Councillor Barker?

CR BARKER: Thanks, Mayor. Playgrounds are where the imagination soars and thanks to the \$150,000 grant, the kids at KMCC will soon enjoy an upgraded play space. It's pretty good. No cost to Council, no strings attached, even better. Sounds like a dream. But here's the kicker. What happens when the grants dry up? It's not a long-term funding strategy.

Could private partnerships or parent-driven fundraising build playgrounds that reflect the community's own priorities without waiting for state funds? What about privately run kindergartens? How is it fair that Council-run facilities get this grant, but not them?

You know what the pinnacle of injustice of this decision is, though? The taxes generated by the privately run kinders are paying for the grant that Council-run kinder is receiving. That to me is unjust to the highest level. If you're happy with this redistribution of wealth, something that Karl Marx would be relishing, please support this recommendation. As a staunch defender of ratepayer and taxpayer funds, I'll be opposing this motion.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to the motion? Councillor Grist?

CR GRIST: Thanks, Mayor. I have concerns that the shire did not meet community expectations or children's needs in designing and preparing a

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relatively new purpose-built multimillion dollar facility. To have not accounted for all abilities access and made proper initial assessments on wear-resistant materials in high-traffic areas is of great concern as we commence a \$60 million pool project.

If increased wear is due to maximised patronage at the kindergarten, this should have been accounted for in both materials and design. I'll note also that if this was a privately managed business, increased profits from increased patronage would likely allow for resolution of these issues without affecting taxpayers or ratepayers.

Likewise, it is anti competitive that this grant was not open to privately owned child care centres in the shire. Therefore, I cannot support the taxpayer being billed for poor drainage design, poor accessibility design and poor material design and so I use my vote to advocate for accountability in local government decision making.

CR BODSWORTH: Thanks, Councillor Grist. Do any other Councillors wish to speak to this motion?

CR PATTISON: Could I ask a question of officers?

CR BODSWORTH: What's your question, Councillor Pattison?

CR PATTISON: It was just I'm not sure that this was exclusive to Council-owned kinders or whether private kinders could apply for this funding too.

CR BODSWORTH: Happy to put that as a question through the CEO initially.

MS ROBYN SEYMOUR: Thanks, Councillor Pattison. I might just check with the GM of Community Life around that. I'm not sure of the detail.

MR DAMIAN WAIGHT: Yes, through you, Mayor Bodsworth, I don't have the guidelines to hand to sort of show eligibility, yes, so I probably choose to take the question on notice, if that's okay.

MS ROBYN SEYMOUR: I think that's right. I would be surprised if commercial businesses would be eligible, but yes, we'd need to take that on notice.

CR BODSWORTH: Okay, thanks. We're unable to clarify that at this point.

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CR PATTISON: No worries, that's fine.

CR BODSWORTH: Thanks for the question, Councillor Pattison. Councillor Barker is --

CR BARKER: The answer is on the website.

CR BODSWORTH: Okay. Okay, if you have anything to clarify, I'd invite you to tell us.

CR BARKER: The Building Blocks Grants are streams provided to fund upgrades, refurbishments and renovations to early learning facilities or investment in IT equipment for not-for-profit funded organisations offering a 3- and 4-year-old kindergarten program.

CR BODSWORTH: Okay, thanks, Councillor Barker. So I now invite the mover, Councillor Pattison, to offer any closing comments.

CR PATTISON: I think it's important that when there's opportunities for us to improve the assets and facilities that we have in the shire, we make the most of them. It's our responsibility to our community to make the most of the assets that we have so that our community can enjoy those. So I do encourage people to focus on what we're trying to achieve through this particular motion. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. We'll now put the motion to the vote. All those in favour? Thank you. And those against? Thanks, Councillors. The motion is carried 7-2.

Item 4.4, Community Asset Committee Annual Report 2023-2024 and Committee Appointments. The purpose of this report is to present the 2023-24 Community Asset Committee Annual Report to Council and for Council to consider volunteer resignations from and appointments to Community Asset Communities during the 2024-25 financial year. We have a recommendation before us. Does anyone wish to move a motion? Thanks, Councillor Stapleton. The motion is as per the recommendation?

CR STAPLETON: As per the recommendation, thanks, Mayor.

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CR BODSWORTH: And do we have a seconder? Councillor Phelps, thank you. Councillor Stapleton, do you wish to speak to the motion?

CR STAPLETON: I will, thank you, Mayor. So this report is to note the Annual Report for Council's seven Community Asset Committees, which play an integral role in maintaining and promoting community use of Council facilities across the shire.

We currently have Community Asset Committees managing the following facilities on behalf of Council. There's the Anderson Roadknight Reserve in Aireys Inlet, otherwise known as the Community Hall; the Anglesea Bike Park; Connewarre Reserve; Dean's Marsh Hall and Recreation Reserve; Eastern Reserve in Winchelsea; Modewarre Hall and Reserve; and Stribling Reserve in Lorne.

So we can see they cover the full breadth of the shire and I know that these facilities are very much needed and highly valued by local communities across the Surf Coast, but I suspect that not all residents or visitors to these places would realise that they're managed entirely by volunteers who work really hard to not just attract bookings, but also then to coordinate and manage those bookings, to work with the various user groups and keep the facilities operating in a safe, reliable and financially viable way.

So a big thank you to our Community Asset Committee members for the important work that you do and for volunteering such a significant amount of your time to support our local communities. The majority of our Community Asset Committees are working well, which is demonstrated in the Annual Report attachment, and they do continue to meet most of the obligations expected to be delivered under delegation.

It is important, however, to acknowledge that the Annual Report shows there is room for improvement for some of our Community Asset Committees for them to meet all the administrative requirements that are expected of them. I know this can be a bit arduous for volunteers and no doubt it can be challenging for committees to attract and recruit volunteers when there appears to be so much bureaucracy involved for them. However, they are really important responsibilities and I'm pleased to note that officers have said in the report that they're working closely with these committees to try to support and help the volunteers to meet their obligations, which include things like holding a minimum of five meetings per year, completing and maintaining current working with children checks, which we all know are really important,

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holding their AGMs at an appropriate time and providing Council with a copy of the asset register.

I guess it's also important to note that because a couple of the Community Asset Committees haven't held their AGMs yet, some of them operate on a calendar year rather than a financial year, so not all the financial statements have been independently ordered as yet, but I know that they will be and that all reports will also be provided to the Audit and Risk Committee for review.

The report also asks us to acknowledge new appointments to and resignations from the Modewarre Reserve and Hall Committee, so we welcome aboard Kerrie Thomas, Tim Head and Anna Jenkins to the committee and farewell Sandra Tanner and Brian Tanner and thank you so much for your service to the community. And I'll leave it there, thanks, Mayor.

CR BODSWORTH: Thank you. Councillor Phelps, would you like to speak to the motion?

CR PHELPS: Yes, please. I'd just like to reinforce what Councillor Stapleton has said. The Community Asset Committees represent very local management of very local assets. I have some experience of the Winchelsea versions. It was sad to see the Globe Theatre Community Asset Committee did fold and that was a lack of volunteers stepping up to it. So well done to everyone who's still on board and still doing all that sort of stuff. It is very important for the local community. I do commend all of those who are involved. It is a lot of time and effort, but it's very important to their local community.

So thanks to Brian and Sandra for coming aboard - sorry, for what they've done up until now and welcome aboard to Kerrie, Tim and Anna. It's good work, good to see.

CR BODSWORTH: Thank, Councillor Phelps. Do any other Councillors wish to speak? Councillor Schonfelder?

CR SCHONFELDER: Mayor, I'd like to echo the sentiments expressed by Councillor Stapleton and Councillor Phelps and I'd like to note the fact that I served on the Shire of Barrabool in 1993 and 1994 with Councillor Brian Tanner and Brian also served on the Surf Coast Shire as well and both Brian and Sandra were very enthusiastic members of the Modewarre Reserve and Hall Community Asset Committee and we salute their service. Thank you, Mayor.

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CR BODSWORTH: Thanks, Councillor Schonfelder. Do any other Councillors wish to speak to the item? Councillor Barker?

CR BARKER: Thanks, Mayor. The unsung heroes of our shire. Volunteers of the Community Asset Committees are at it again running our cherished facilities. Let's not take their hard work for granted, though. It's a great example of grassroots community action.

I cringe at the Council-mandated governance requirements and those of the state, but while necessary for the accountability of ratepayer funds, they risk deterring volunteers, as has been noted already. If these bureaucratic hurdles remain in place, I can guarantee you that we will not have enough volunteers into the future.

I'd love for us and the State Government to trim the red tape and let locals focus on their projects without the bureaucratic baggage. If the assets were privatised, I think it would deliver better outcomes for the community at no cost to Council.

Now, putting compliance quips aside, it was great to see all bar two committees ending their reports in positive financial positions. Thank you to all the volunteers involved in your part in these committees. Thank you.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to the item? Any closing comments?

CR STAPLETON: No, I won't, thanks, Mayor.

CR BODSWORTH: Okay, thanks, Councillors. We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously. Thanks, Councillors.

Item 4.5, Heavy Vehicle Access to Hesse Street Winchelsea. The purpose of this report is to respond to the petition received by Council at its September 2024 Council meeting titled "Heavy Vehicle Access to Hesse Street and Fixing of Loading Bay - Hesse Street Winchelsea". Officers have noted that there was a minor editing error in the recommendation for this item, so I'll now ask for the corrected recommendation to be shared on the screen before we proceed.

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I'll give everybody a moment to take that in. We have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps, thank you. And a seconder? Councillor Schonfelder, thank you. Councillor Phelps, do you wish to speak to the motion?

CR PHELPS: Yes, please. This is a symptom of Winchelsea as a growing town, so this is probably a good example of a growing pain. I do note that these are - there's short-term and longer-term solutions on the way so that they represent the best solutions that are really available given the space that's there.

It is good to see that there was a quick response to the petition and there were genuine and well-founded concerns raised by businesses in the community, so we have a couple of temporary fixes in place and some short-term measures - for example, painting a wider bay for trucks so they can park closer to the middle of the road. I did have a look at the camber this morning, it is quite severe, so I wouldn't want to be unloading a truck with a forklift if it was parked where it's supposed to park. That's quite risky.

So I do know there's more to be done in coming months to remove that camber. I do also note that Worksafe are watching this issue, so it's more than just a minor issue for local businesses, Worksafe are involved and are taking an interest in it. It's good to see what's happening. A quick response to the committee.

CR BODSWORTH: Thanks, Councillor Phelps. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I share the sentiments of Councillor Phelps and note the changing nature of our towns and I know people refer to both Winchelsea and Torquay as the new normal when it comes to busier post-COVID environs and higher traffic movements as well and as someone who is a Transformer fan, I note that the trucks are getting bigger and bigger and I actually commend and admire the truck drivers for their backing abilities and manoeuvrability because I know this precinct, which is zone commercial, Hesse Street has lorries from the post office, Australia Post, making deliveries as well. So I in particular would like to emphasise what Councillor Phelps said about the quick response that the Council has made and I commend the Council for the quick response.

I'd like to highlight the fact that the supermarket is so important to the township of Winchelsea, it's vital and other traders have told me and

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emphasised this importance of the supermarket and we don't want to in any way impede the operations of the business. We hope that the camber will be rectified as expeditiously as possible and we wish the township of Winchelsea very well over this festive period, which is becoming a very busy period and I also believe that parking is very important as well because of the increased traffic volumes, visitation numbers as well. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Do any other Councillors wish to speak to the motion? Councillor Barker?

CR BARKER: Thanks, Mayor. Hesse Street, battle ground for trucks, pedestrians and Council budgets. Fixing the loading bay sounds necessary and I agree it does need fixing, but at potentially hundreds of thousands of dollars, the question lingers, who's footing the bill? I might suggest that asking the businesses benefiting the most to pitch in. After all, private investment could steer the solution without tipping ratepayers into yet another fiscal pothole.

The concept of spotters is sound and as a teen, I've done this and as former truck driver, I know how trucks can be manoeuvred, but the bureaucratic nightmare we're in now will likely result in some unintended consequences. We must realise that whatever the short-term fixes are, they will only be temporary. A long-term solution will be needed for better truck management and potentially a drive-through option for semitrailers. We must realise that whatever the short-term fixes are - sorry - I'll support this recommendation as it is simply noting and advising the petitioner.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors want to speak to the motion? No, thank you. Are there any closing comments, Councillor Phelps?

CR PHELPS: I'd just add on to the end I think that the IGA is due to move in times to come, which hopefully would alleviate some of these issues, so a short-term solution hopefully, it depends who else moves in, would help with that.

CR BODSWORTH: Thanks, Councillor Phelps. We'll now put the motion to the vote. All those in favour. Thanks, Councillors. The motion is carried unanimously.

4.6, Safer Cycling Strategy and Action Plan 2022-2027 - Year Two Progress Report and Funding Applications. The purpose of this report is to update

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Council on the second-year progress of the Safer Cycling Strategy Action Plan and implementation of the Safer Cycling Strategy recommendations and position the Council to make timely applications for grant opportunities, including to the Australian Government's Active Transport Fund to deliver a significant project identified in the action plan in Bristol Road, Torquay.

We have a recommendation before us. Do any Councillors wish to move a motion - Councillor Pattison, as per the recommendation?

CR PATTISON: As per the recommendation.

CR BODSWORTH: Thank you. And Councillor Stapleton seconding. Thank you, Councillor Pattison, do you want to speak to the motion?

CR PATTISON: Of course I want to speak to this motion and I do feel sorry for our Mayor that he can't be speaking to this motion because I know how important the Safer Cycling Strategy is also to Councillor Bodsworth. But I'm very happy to move this motion, to note the significant progress of the first years of the Safer Cycling Strategy and Action Plan as well as approve a number of grant applications for further cycling initiatives and infrastructure across our region.

As part of the two-year progress report, we'll see that a lot is happening in our community, but you don't need to read the report to know that. Just being in and around our community, you can see the significant improvements that are in place for active transport. So whether that's bike paths and wombat crossings around the Esplanade and the town centre, or whether you're going along Fischer Street, or whether you're in Jan Juc and the kids want to ride to school and those crossings along the Great Ocean Road that can enable that to happen safely, or whether you're in Bellbrae around the school area and the traffic improvements that have happened there, or it's not yet visible, but there's the planned improvements for Noble Street and Cameron Road in Anglesea - these are all things that are happening as part of our Safer Cycling Strategy and there's plenty more when it comes to signage and speeds and those sorts of things as well.

So I really wanted to thank our officers for the amazing work that they've done progressing this Safer Cycling Strategy. 32% of the actions have been completed, which is amazing in the first two years of the plan. There's a really great success rate and strong delivery for this plan. There's a lot of passion around active transport in our community and it's great because that also

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aligns with State and Federal Government targets around active transport. So what we want in our community and what the State and Federal Governments are wanting to fund around active transport aligns and hence there's \$4.7 million that has been allocated for projects in our shire for active transport through the Safer Cycling Strategy and that is a resounding success for everybody in the region.

I think it's also important, coming off the election you spend lots of time chatting with community members and there's lots of feedback around getting around actively and really one that I had lots of interest in was the Geelong to Torquay Connection and so that's an important one. There's some minor funding around planning for that and that will lay the seeds for then enabling us to put really great grant applications in for that further infrastructure. So there's more work to do, but that's another really great thing that is in the pipe work and something that will just continue to make cycling and active transport really user friendly in our region.

It's for all of these reasons and many more, because once again, when you're getting around actively, you're reducing traffic congestion, we have healthier communities and we're enabling young people to be independent and get around safely and so there's so many great things about this strategy and all that it will deliver in the community and so I really encourage everyone to support this motion. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Stapleton?

CR STAPLETON: Thank you, Mayor. I'd also like to add my endorsement to this motion and the great work being achieved by Council officers to improve cycling safety on the Surf Coast. Have a read of this report. There's so much to feel positive about in the report.

Council is just two years into its five-year cycling strategy and in that time, as Councillor Pattison mentioned, has already secured more than \$4.7 million in funding to deliver projects that will make cycling safer for our community and we're now presented with an opportunity to apply for a \$550,000 grant through the Federal Government's Active Transport Fund, a really exciting fund that will deliver pedestrian and cycling improvements on Bristol Road in Torquay and Council can match this funding with a 50% co-contribution using money from the Federal Government's Roads to Recovery allocation for 2025-26. So in effect, it means there's no direct outlay required from Council to achieve this really important cycling link in our community.

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It's another great example of how important grants are and how much we rely on them to deliver the infrastructure that our community needs. This project will support community safety and wellbeing and make it easier to get around town without using a car, which is one of the key strategies in our current Council plan, and as Councillor Pattison mentioned, really important to our local community.

I'm also very excited about the work being done to investigate a cycling corridor between Torquay and Geelong and really hope that we can get that project up. And, look, reading through the report, it's obvious that most of the grants and new infrastructure have a focus on Torquay, where the size of the population obviously drives the need and the subsequent funding opportunities, but it is pleasing to note that there's been successful funding opportunities in other parts of the shire.

And yeah, I just encourage people to read the report. It gives great detail in terms of the scope of what's been achieved to deliver really important improvements in what is really a very short amount of time. It's a really big program, the strategy is very ambitious, and I think that what's been achieved in a short window of time is really commendable, so well done. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Stapleton. Do any other Councillors wish to speak to this motion? Councillor Walker?

CR WALKER: Thank you, Mayor. We know it's all getting busy around Surf Coast and the Great Ocean Road not just with cyclists, but with all other users, including buses and transport and just in general. So looking at the report, we've got some great things that have happened the first two years, but there's a lot to go, a lot more to be done. So we need to really work on advocacy and collaboration to improve with different agencies, in particular the shoulder maintenance of the Great Ocean Road and other trials that we're looking at down the coast also.

So there's a strong need for partnerships to ensure integration of the cycling network between land managers and to support safe cycling participation. This area of the strategy is lacking, but we can improve on it and we are seeking innovative ways to structure this into existing resourcing and projects across Council, so look forward to the future.

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CR BODSWORTH: Thanks, Councillor Walker. Councillor Phelps?

CR PHELPS: Yes, thanks. I'd just like to likewise support that there is fabulous work being done on some very important infrastructure development, but I can't help but see that it is in fact a great majority focused on Torquay. I do hope that a wider shire-wide approach will come. It's all very well the people being here, so all the infrastructure comes here, but it needs to be spread out particularly to the growing areas and active transport is no less important in all the other towns around the shire.

I would like to say well done to the shire team involved. Their work on the ground has been impressive, but I would like to see this spread out a little bit more.

CR BODSWORTH: Thanks, Councillor Phelps. Do any other Councillors wish to speak to the motion? Councillor Barker?

CR BARKER: Thanks, Mayor. Cyclists rejoice - Bristol Road is getting set for some safety upgrades thanks to federal funding at zero cost to Council. But here's the curveball. Does government-funded infrastructure train us to dependency or does it open the roads to a healthier, freer lifestyle?

Imagine a world where private companies sponsor bike lanes complete with advertising on your way to the beach. Cycling pathways have a chance to be very profitable. I've been cycling through Torquay for about 10 years and around different cities for more than 30 years. The local road improvements have had some benefit, but I don't think the ROI on these works is sound.

The most important element to safety is paying attention. That's both cyclists and drivers. I see drivers and cyclists on the phone while operating them. They are what I think is the biggest risk to cyclist safety.

Now, what this boils down to is the fact that we have a policy that we can't afford. Relying on other taxpayers to bail us out has become par for the course. This is not sound leadership or smart financial management. I will not be supporting the recommendation.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? No. Thank you, Councillors. We'll now - sorry, closing comments, Councillor Pattison?

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CR PATTISON: Thank you. Once again, local government is dependent on the State and Federal Government and that is why these grant rounds are put forward because that's how the State and Federal Government can support local government to run. So it makes sense that we would apply for grants that we are eligible for. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. We'll now put the motion to the vote. All those in favour? Thank you. All those against? Thank you. The motion is carried 8-1. Thanks, Councillors.

Item 4.7, Award of Contract T25-001 - Drain Cleaning Services. The purpose of this report is to seek Council's approval to award contract T25-001 - Drain Cleaning Services. I will now ask officers to share the recommendation on the screen for this one before we proceed. We have a recommendation before us. Does anyone wish to move a motion? Councillor Barker - as per the recommendation?

CR BARKER: Thanks, Mayor, as per the recommendation.

CR BODSWORTH: Thank you, Councillor Barker. Do we have a seconder? Councillor Schonfelder, thank you. Councillor Barker, do you wish to speak to the motion?

CR BARKER: Thanks, Mayor. This is arguably one of the most important contracts we will award. Drain cleaning is probably the least sexiest, but most important job that we do. If we get it right, no one knows. If we get it wrong, people's houses flood.

We've had a heavy rain event a couple of weeks ago that resulted in minor flooding. I saw evidence that our stormwater system was not functioning as designed. I will support the awarding of this contract on the basis it will result in a functional stormwater system. It's on officers and contractors to make this happen. I will not be impressed if future flooding events occur, even more so if claims are made that it's climate change and to take more money off people is necessary to fix this. I look forward to being impressed.

CR BODSWORTH: Thank you, Councillor Barker. Councillor Schonfelder?

CR SCHONFELDER: Mayor, I largely concur with Councillor Barker and I'd like to acknowledge former member for Western Victoria Andy Meddick tonight and you're probably wondering why I am acknowledging Mr Meddick. Well, with

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drains, not just for water, native animals use drains as well to cross underneath roads. I've seen koalas, I've seen wombats and other animals using drains and it's very important to maintain the infrastructure below ground and a lot of our infrastructure power, for example, and water is all underground.

I once again would say that I look forward to the success of this tendering situation as Councillor Barker said about if there isn't any flooding, then no one complains and that's a good result and I believe it's about achieving good outcomes. I know in the last term of Council many Mayors and Councillors spoke on radio and on television about changes in weather patterns and flooding that had occurred, so we need to prepare ourselves in case we are faced with inundations in future. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Do any other Councillors wish to speak to this motion, Councillor Pattison?

CR PATTISON: Thank you. I'll just speak a little more specifically around the contract. It's a panel contract of the schedule of rates. We have two contractors to support ongoing drain maintenance and this will be for both proactive and reactive work. So the contract will enable suitably qualified drain cleaners to be available at competitive rates when required. So I endorse you to support this motion. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Do any other Councillors wish to speak to the motion? No, thank you. Are there any closing comments, Councillor Barker?

CR BARKER: No, thanks.

CR BODSWORTH: Thanks. We'll now put the motion to the vote. All those in favour? Thanks, the motion is carried unanimously.

4.8, Project Budget Adjustments and Cash Reserve Transfers - December 2024. This report contains proposed project budget adjustments and cash reserve transfers for Council approval. The report presents adjustments including existing projects requiring adjustment, project closures, new projects to be initiated, Chief Executive Officer-approved transfers under delegation or corrections to prior reports presented to Council. We have a recommendation before us. Does anyone wish to move a motion? Councillor Stapleton?

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CR STAPLETON: As per the recommendation.

CR BODSWORTH: As per the recommendation, thank you. And do we have a seconder? Councillor Phelps, thank you. Councillor Stapleton, do you wish to speak to the motion?

CR STAPLETON: Yes, I'm happy to approve the project budget adjustments outlined in the report. I think the tables identify what all those transfers are, so I won't go through all of them, but I would just like to note one significant amount, it's more than \$1.1 million in the project adjustment table which has been allocated as part of the Federal Government's Natural Disaster Funding Assistance Program in relation to the October 2022 storm event, which was multiple storm events.

So the adjustment that we see here in this table relates to repairs on various assets, mostly culverts, across the shire which were damaged by the storm which is now more than two years ago, but have only recently had the project estimates agreed and certified by the funding body. So the transfer amount that we see here in the table relates to the difference in the original budget allocation and the amount it's now forecast to cost Council at completion - I say cost Council, but noting that that's now been approved and will be reimbursed through the disaster funding grant.

It's worth noting that this allocation is across six projects around the shire. Some have already been able to be completed and the others are due for completion in the first half of next year, which includes the Blackgate Road culvert in Freshwater Creek, the Gnarwarre Road culvert and Hall Street Lorne landslip, which are all scheduled for completion in the first half of next year.

I think, you know, it's just good to note that some things cost a lot, but go relatively unnoticed, like the culvert in Gnarwarre, which is costing a whopping \$2.29 million, which is just an extraordinary amount and most people probably wouldn't even know that it's there and fortunately, this will be fully reimbursed through the grant program, which again goes to show how important it is that Council can access a grant like this to repair critical community infrastructure. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Stapleton. Councillor Phelps?

CR PHELPS: I'd just like to note what Councillor Stapleton has said that it's been interesting as a first-time Councillor to see that what would have been a

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significant cost to Council is covered by this disaster fund. So from Council's perspective, that's a very good thing.

CR BODSWORTH: Thanks, Councillor Phelps. Do any other Councillors want to speak to the motion? Councillor Barker?

CR BARKER: Thanks, Mayor. I was really looking forward to supporting this item, but sadly, I see again we've got an opium addiction. Relying on other people's money from outside our municipality is something that I do not condone. I will not be supporting the motion as it relies on taxpayer funds from outside our municipality.

We've got a massive inflation and cost of living crisis. Government spending is the primary factor in this. If we continue down this path of blindly accepting taxpayer funds from Victorians and Australians more broadly, we are contributing to the ongoing inflationary pressures that the whole country faces. We've got more than enough wealth in our municipality that we shouldn't have a need to call on people in our neighbouring areas, such as Corio, that are struggling massively.

We've got the wealth here. We should be able to find a way to use it, and whether that's we have an insurance policy or something like that, I do not want us using the money from people outside our municipality for things that are in our responsibility that they will never see. I won't be supporting the motion.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors want to speak? Councillor Schonfelder?

CR SCHONFELDER: Mayor, I wanted to speak, but I did have a question, just clarification. It just said 15,000 for pace clock and pardon my ignorance, but I just wonder what is a pace clock. It is on page 60, or page 83 of the agenda. This was part of the Barwon River Reserve Winchelsea Swimming Pool.

CR BODSWORTH: Thanks, Councillor Schonfelder. I'm happy to refer that for clarification to the CEO.

MS ROBYN SEYMOUR: I'm just trying to find it in the report, Councillor Schonfelder, but I can see that our GM of Placemaking and Environment is on top of it, so I will pass to him to ably respond to your query while I try to find it.

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MR DAMIAN WAIGHT: Yes, this is in relation to the Winchelsea pool, so yes, it's the clock that you see that's continually turning around.

CR SCHONFELDER: Oh, with water going out of it?

MR DAMIAN WAIGHT: No, no, that helps swimmers take stock of their time it's taking them to swim laps.

CR SCHONFELDER: Thank you very much.

CR BODSWORTH: Thanks for the question and for the response. Do you wish to speak to the motion?

CR SCHONFELDER: Yes, please. I'd like to say that we have residents here and visitors who pay GST and they also pay income tax which goes to the Federal Government and the Federal Government either gives that money back to us or to the State Government that also can give it back to us.

There was part of an extra funding arrangement here that was \$300,000 and the estimate of it was \$40,000 for furniture, fixtures, fittings and equipment to operate the Winchelsea pool, which is a really exciting facility that's earmarked to be opened in February, and those amounts was not including the original scope and there was 15,000 for the pace clock as well. There was a drinking fountain included and some bike racks and 13,000 for improved functionality and maintainability and a 200,000 provisional value due to the forecast of extended time of the project. So really excited about the new pool. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Do any other Councillors wish to speak to this motion? Thank you. Councillor Stapleton, do you have any closing comments?

CR STAPLETON: I would just make the point that this recommendation is about approving the project budget adjustment, so it's about the transfer of funds or money from one fund to another. It's not necessarily about whether we agree with the projects or how they're funded, it's actually agreeing or supporting the transparency around the table to show where the money is coming from. So I think it's an important point for people to understand.

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CR BODSWORTH: Thanks, Councillor Stapleton. We'll now put the motion to the vote. All those in favour? Thank you. And against? Thanks, Councillors. The motion is carried 8-1.

Item 4.9, Instrument of Appointment and Authorisation - Planning and Environment Act 1987. The purpose of this report is to seek Council's appointment of authorised officers under the Planning & Environment Act 1987 through the updated Instrument of Appointment and Authorisation. This Instrument requires updating due to recent staff changes. We have a recommendation before us. Do I have a motion? Thanks, Councillor Phelps.

CR PHELPS: As per the recommendation.

CR BODSWORTH: Okay, thank you. And do we have a seconder? Thanks, Councillor Walker. Councillor Phelps, would you like to speak to the motion? No. Councillor Walker?

CR WALKER: No, thank you.

CR BODSWORTH: No, thank you. Would any other Councillors like to speak to the motion? Thank you. We'll put the motion to the vote. All those in favour? Thanks, Councillors. That's carried unanimously.

Item 4.10, Conflict of Interest Records. The purpose of this report is to present conflict of interest records received since the previous Council meeting. We have a recommendation. Does anyone wish to move a motion? Councillor Schonfelder, thank you. As per the recommendation? Thanks. A seconder? Councillor Barker, thank you. Do you wish to speak to the motion, Councillor Schonfelder?

CR SCHONFELDER: Mayor, I'd like to note the conflict of interest records and just take this opportunity to wish everyone a Merry Christmas. Thank you.

CR BODSWORTH: Thank you, Councillor Schonfelder. Councillor Barker?

CR BARKER: No, thanks.

CR BODSWORTH: Thanks. Do any other Councillors wish to speak to the motion? Thank you. We'll now put it to the vote. All those in favour? Thank you. The motion is carried unanimously.

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So that brings us to the close - well, to the end of the open part of this Council meeting. We now enter into a closed section of the meeting. We have two confidential items to consider tonight, so we now need to close the meeting to the public and end our live stream. I wish to thank everyone who has joined us tonight - thanks, folks - both in person and online. Can I have Councillors to move and second a motion to move into confidential? Moved by Councillor Stapleton, seconded by Councillor Pattison. Thank you. And all those in favour?

Sorry, we've got waving goodbye going on at the same time. So I'm just going to pause and I'm going to go back. So the motion to move into confidential has been moved and seconded and I'm putting it to the vote again. All those in favour? Thanks, Councillors. And against? Thank you. So that motion is carried 7-2.