

Draft Transcript

Surf Coast Shire Ordinary Council Meeting
Surf Coast Shire Civic Office
Council Chambers
1 Merrijig Drive, Torquay, Victorian

Tuesday, 23 September 2025 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The draft transcript must not be published without The Captioning Studio's written permission.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

CR BODSWORTH: Good evening, everyone, and welcome to our September 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. We have two Councillors joining online tonight, Councillor Pattison and Councillor Bourke.

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 tonight and 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 Aboriginal people attending or viewing this meeting tonight.

As tonight's agenda is quite lengthy and we have a lot of people here in the gallery tonight to ask public questions, I'm going to skip some of the usual preamble to make sure that we have enough time to get through our agenda.

I do want to acknowledge that many of you here tonight feel deeply about items on tonight's agenda. In light of this, I'd like to outline my expectations for how we conduct ourselves at this meeting tonight. Those who have submitted public questions or submissions will have the opportunity to address Council. It's my expectation that each person in the gallery and each Councillor listens respectfully during public question time, even if they do not agree with the position being put forward. This same expectation applies once the debate has commenced and I expect that each Councillor is afforded the same opportunity to speak without interruption.

I want to make it really clear that conduct such as heckling or otherwise interrupting when another person is speaking is not acceptable. I will be asking that any person who is behaving in a disorderly manner leave the meeting.

It's important to us as Councillors to be able to fulfil our responsibilities in a safe and respectful environment to ensure members of the public can engage

Draft Transcript

and be heard in a supportive environment and to ensure high-quality local governance.

And now to our agenda for tonight, so 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 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'll now recite the Councillors' 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 have no apologies for tonight's meeting. Can I please have a mover and a seconder to confirm the minutes of the Council meeting held on 26 August 2025? Moved by Councillor Phelps and seconded by Councillor Grist. All in favour? Thank you, that's carried unanimously.

Leave of absence requests - do we have any leave of absence requests? No. Thank you, Councillors.

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 - while the matter is being considered. Once the matter is resolved, the 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. Thanks, Councillors.

Are there any presentations from Councillors tonight? No. Thank you.

Draft Transcript

The next agenda item is public question time. Public question time is a time for community members to ask questions or make a submission at a Council meeting. We have 19 community members who have submitted 27 questions and 2 submissions total tonight, which is a lot, so for questioners and submitters, can I just please ask you to keep it as succinct as you can so that we can get through everything.

Our first question is from Jordie Campbell, from Jan Juc, and I believe Jordie is attending in person. I see you there, Jordie. Hi. Thanks a lot for coming along tonight and I'll just invite you to come forward and ask your question. Oh, sorry, it's a submission, not a question, thanks, Jordie.

JORDIE CAMPBELL: Thanks. Dear Councillors, it has been six months since we were here in this building on February 25, six months and there has barely been a week go by that I have not thought about the decision that will be made tonight. I stand here today as my ancestors have done for generations before me, a proud, resilient Aboriginal man fighting for the justices that have faced my people since 1788, January 26, the date that marks the invasion of our beautiful country, genocide of my peaceful people and the division of a nation.

My people are resilient, a resilience that has been built from generations of oppression and mistrust, a legacy I hope not to pass on to my children. I hope that my own children, nieces, nephews will not have to carry this burden, they won't need to fight for acceptance in this country and for acknowledgment of the wrongdoings.

I'd like to take this opportunity to thank Councillor Pattison for her motion to advocate for the Federal Government to formally change the date of Australia Day and to ensure that all Councillors have had the opportunity to receive cultural training - a cultural awareness training and have a proper understanding of the effects that reinstating Australia Day celebrations on January 26 will have for First Nations people.

I pose the question to all Councillors: what did you learn in this time? You've had the privilege to listen deeply to our Elders and learn from their deep understanding of our cultural knowledge, to walk on country with them and understand what this land means to us, the opportunity to really understand what impact your decision will leave on the people it will affect most, First Nations people of this country. What conversations have you had, what opportunities have you taken to learn and listen about this important decision

Draft Transcript

you're about to make? Have you truly equipped yourself with the tools to understand the sorrows January 26 marks for the First Nations people of this land?

I think back to Surf Coast Shire's commitment to reconciliation. Our Council acknowledges that past laws, government policies, actions and attitudes have created great pain, grief and suffering for Aboriginal and Torres Strait Islander people. We feel and express our deep sorrows that these actions and attitudes have occurred and we are determined to ensure they are not repeated.

I ask you once again what legacy do you want to leave behind - to continue the cycle of mistrust that comes from celebrating on January 26, our declared day of mourning and continued source of pain, grief and suffering from my people, or a Council that continues to be on the forefront of building trust with First Nations people through a commitment to reconciliation, striving forward with our Victorian State Government as we move towards treaty, truth telling, greater use of traditional names and a renewed school curriculum?

Acknowledging our day of mourning and advocating for a change of date, a date that can be celebrated by all, will truly be a step in the direction of reconciliation and uniting all Australians. Thank you.

CR BODSWORTH: Thanks, Jordie. Thanks very much for your time. Our next submission is from Ilona Rose. I hope I've pronounced that right. Hi. Thanks for joining us in person tonight.

ILONA ROSE: Can you hear me. Is that alright?

CR BODSWORTH: Yes, just move the microphone nice and close for everybody's benefit. Thanks.

ILONA ROSE: This is my first time. Hi, Councillors. My name is Ilona Rose. I'm a proud Gunditjmara woman and carry the Rose name from the fighting Gunditjmara with absolute pride.

I work for the Department of Education and have for the last 25 years and so my submission today is really linking in with the young people that I service in the work that I do and other career educators that work alongside me.

I am from Gunditjmara, but I am born and raised here on Wadawurrung country and pay my respects to traditional custodians and Wari sea country

Draft Transcript

runs really strong through my ancestry back to the Hopkins River and down Warrnambool way there.

So Australia Day celebrations held on January 26 can have profound emotional, cultural and psychological impacts on Aboriginal and Torres Strait Islander youth. As I said before, I've worked in education locally across Wadawurrung country for the past 25 years and now across the whole South West Vic region in my role as career education manager. I also have two children in secondary school who are educated down here in the government system who deserve the right to live and learn in a town that sees, hears and includes them so they can continue to grow strong in their culture and identity.

Celebrating a day that symbolises loss and oppression can create confusion and emotional distress, especially for young people trying to feel proud of both their heritage and also their place in modern Australia, which can be a challenge. It reinforces feelings of exclusion and marginalisation and, through professional observation myself, I've seen young people withdraw from school and their community at this time to avoid such feelings. I've also seen that our young people become exposed to the negativity that occurs through social media, which only serves to perpetuate these feelings.

Youth voices are central in movements to change the date or reframe the day to reflect truth telling, healing and unity. I urge you to put the voices of our youth at the forefront as you make a decision that could build leadership and reconciliation of our young people.

As I said, I work in the government system here, but we have almost 200 Aboriginal and Torres Strait Islander young people being educated in our schools here in Torquay and they are the ones that will benefit in the long term from the decisions that are made here today. Thank you.

CR BODSWORTH: Thanks very much, Ilona. Our next question is from Ebony Hickey, from Winchelsea, and Ebony is not here tonight, so I'm going to read Ebony's question - sorry, submission - on her behalf, submission in - yes, submission, thank you, CEO: "In relation to the Notice of Motion and resolution of 25 February 2025 regarding 26 January, the Chief Executive Officer was directed to ensure that cultural awareness training be provided to all Councillors. I acknowledge and thank the Surf Coast Shire CEO for organising this training. The non-attendance of some Councillors raises significant concerns regarding Council's ability to discharge its obligations under relevant legislative frameworks, including requirements to consider the

Draft Transcript

views and interests of First Nations communities in decision making. A failure to engage with cultural awareness training compromises Council's capacity to demonstrate procedural fairness and inform decision making and adequately identify, assess and mitigate risks arising from decisions relating to 26 January. The absence of full participation in this training poses material risks to Council's integrity, compliance and accountability in relation to future determinations concerning Aboriginal affairs."

That's Ebony's submission and I thank Ebony for providing a submission.

Our next question is from Nicole Langtip, from Moriac, and I know Nicole is here. Hi, Nicole. So I invite you to come forward and ask your question, please.

NICOLE LANGTIP: First of all, I'd like to apologise to all First Nations people that we're here tonight even discussing this and this motion was brought forward. I'm really sorry.

I have been incredibly fortunate to live on Wadawurrung country for the past 25 years, spending 13 years on the coast and 12 years on the hinterland. I have attended both Pilk Purriyn events, which were incredible, powerful and the most generous offering from First Nations people for all community to come together as one. There were thousands of people at both events and it was more inclusive than any citizenship ceremony that I've walked through Taylor's Park before. That's the truth. I also participated in the Walk for Truth from Modewarre to Moriac this year which was an incredibly well attended hinterland event, another active indication of community support in walking forward together.

I have been really proud of the Surf Coast Shire Council and our commitment to reconciliation, I really have felt very proud, their decision making and actions to honour true reconciliation with First Nations people in a myriad of ways prior to this.

Principle 10 of Council's plan, "Respectful engagement and consultation with First Nations", was created and adopted after extensive community consultation, with theme 1 of the plan being First Nations reconciliation. What is the impetus to move away from the principle and the number one theme in our Council plan and does Council have the authority to do this without community consultation? Thank you.

Draft Transcript

CR BODSWORTH: Thanks for your question, Nicole, and for attending the meeting tonight and I'm going to put that question to the CEO for a response.

MS ROBYN SEYMOUR: Good evening, Nicole, and thanks for your question. Council remains committed to working with our First Nations community and stakeholders through our statement of commitment to reconciliation. An Innovate Reconciliation Plan has recently been developed and we're expecting that to be considered at the October Council meeting, so next month, and tonight Council will be considering a report that is in response to a resolution made in February to build greater understanding of the impacts of the 26 January celebrations. So thanks for your question.

CR BODSWORTH: Our next question is from Julie Dingle, of Anglesea, and I know Julie is here. Hi, Julie. Thanks for coming. I invite you to come forward and ask your question.

JULIE DINGLE: Thanks very much. Thank you. I just wanted to acknowledge that I'm happily living on Wadawurrung country and pay my respects to Elders past and present and for looking after this beautiful land.

I'm with Surf Coast for Reconciliation and I will just ask this one. After work done in the past years developing meaningful and strong collaborative relationships with traditional owner groups, we were glad that Surf Coast Shire was committed to making informed decisions about 26 January demonstrated at the February meeting. It's also been heartening to read the thorough research undertaken to explore impacts on First Nations people of "celebrations" on 26 January as documented in the current report contained in the agenda from Council. Thank you.

Following on from that, and noting that cultural awareness training has been offered, we're wondering if it has been well attended and if it was well received.

CR BODSWORTH: Thanks for your question, Julie. I'm going to refer that question also to the CEO for a response.

MS ROBYN SEYMOUR: Thanks, Julie. Cultural awareness training was offered to all Councillors over two separate sessions and was really well received. While the training wasn't mandatory, the majority of Councillors attended the training.

Draft Transcript

JULIE DINGLE: Okay, so is there still more training - oh, sorry, that's another question, probably. Thank you. Thanks.

CR BODSWORTH: That is another question, is there still more training, and the answer to that question is no.

JULIE DINGLE: Okay, thank you. Thanks.

CR BODSWORTH: Thanks, Julie. Thanks for coming in person. Our next question is from Tina Smith, from Bells Beach, and I believe Tina is here. Hi, Tina. Thanks for coming to the meeting.

TINA SMITH: I have two questions and my first question is: are Council officers and Councillors aware of the level of community concern in regards to the proposed 36 metre high telecommunications tower at 185 Addiscott Road, Bells Beach, including, and importantly, the change.org petition with now over 790 signatures?

CR BODSWORTH: Thanks, Tina. I know you've got two questions, so I'll invite you to ask the second one as well and we'll give both responses together.

TINA SMITH: Okay. In regard to the planning application for the proposed tower at 185 Addiscott Road, Bells Beach, we are aware that only a limited number of notifications were initially received and some very close to the cutoff date for objections to be submitted. Given the sensitive nature of the environmental significance, designated overlays in the area and likely community concern, can Council officers explain why notifications were provided so close to the cutoff date and why they were seemingly only provided after requests raised by concerned community members were lodged?

CR BODSWORTH: Thanks for your question, Tina, and for coming along tonight. I'm going to refer that question to the CEO for a response.

MS ROBYN SEYMOUR: Tina, yes, Councillors and Council are aware of the level of community concern in relation to the proposed telecommunications tower. You might have seen on the papers tonight the petition will be considered by Councillors for its acceptance as part of tonight's meeting.

In relation to the planning application and the notification process, I want to clarify that notification was undertaken more broadly than the minimum

Draft Transcript

requirements set out in the Planning and Environment Act. The date that's included in the notice, I think perhaps there's been a misunderstanding about that. It's not the cutoff date, that date - for objections, that is. Rather, it's the date before which Council cannot make a decision on the planning application. So, in practical terms, objections can continue to be lodged right up until the time that Council makes the decision and that's typically actually what happens. This allows plenty of opportunity for community members to provide their submissions as part of the process. So thanks for asking the question and clarifying that.

CR BODSWORTH: Thank you, Tina. Our next question is from Ian Poulton, of Anglesea, and I believe Ian is here. Hi, Ian. Thanks for coming. Please come forward and ask your question.

IAN POULTON: I have two questions.

CR BODSWORTH: Yes, if you can ask them both together, please, Ian --

IAN POULTON: Okay.

CR BODSWORTH: -- and we'll answer them together.

IAN POULTON: Regarding the proposed telecommunications tower at 185 Addiscott Road, Bells Beach, is the Council aware that the proposed site has had trees removed and that site preparation works appear to have commenced prior to the planning approval? The second one?

CR BODSWORTH: Yes, please, Ian.

IAN POULTON: The majority of Bells Beach community members engaged in the direct area have said that they do not have cause for a new telecommunications tower, having already found alternate solutions over time for internet access such as Starlink and others. How and when was the community engaged in assessing this need and can you provide the evidence base for the expressed need for improved internet services for the subject community at Bells Beach and Bellbrae?

CR BODSWORTH: Thanks, Ian. I'm going to pass that on to the CEO for a response.

Draft Transcript

MS ROBYN SEYMOUR: Thanks for your questions, Ian, and we are aware of the potential works and vegetation removal occurring at the site and are investigating and will take action if needed.

In relation to your second question, the question for the need for a facility like this is something that's really the responsibility of the telecommunications provider to investigate for themselves. It isn't something that forms part of our consideration of the planning application, so that isn't part of our consideration.

Under the Planning Scheme, as I said, Council does not assess community demand when considering the application or whether they include community consultation as part of that process to determine the need. The role of Council is to assess the application before it in accordance with the policy and requirements of our Planning Scheme. We'll continue to make sure the community is kept informed about the planning process and the outcome of the application. Thanks for your questions.

CR BODSWORTH: Thank you, Ian. Our next question is from David Salveson, from Torquay. I believe David is here. G'day, David. Thanks for joining.

DAVID SALVESON: Thank you. I also have two questions concerning the mentioned telecommunications tower. So given the Bells Beach and surrounds Significant Landscape Overlay, which aims to encourage discrete placement of simple, unobtrusive structures with reference to the approach to Bells Beach, of which Addiscott Road is listed in that overlay, I believe, together with the international attention that Bells Beach obviously has, including the WSL and the Cadel Evans bike ride, which brings a lot of people to the area, a lot of also significant aerial coverage of that event, isn't it the case that the proposed tower will have a potential negative impact on international coverage and the perception of the area in regards to its obviously pristine natural environment and is it contrary to the protection overlays? Sorry, that's one question.

CR BODSWORTH: Thanks, David. You can ask --

DAVID SALVESON: The second question: given the application argues that the tower provides for projected growth in the area and given the area is primarily made up of 5 to 10 acre blocks that can't be subdivided and have been identified as a non-growth area through numerous Council plannings, including the SLO I referred to in question 1, taking into account the rural conservation zone, the environmental significant overlay, the also significant landscape

Draft Transcript

overlay, the bushfire management overlay, does Council agree that the tower contradicts the intent of these overlays after a lot of community consultation and is the Council intending to amend the overlays to now allow residential growth in that area, which we would think is not the case.

CR BODSWORTH: Thanks for your questions, David. I'll refer those to the CEO for a response.

DAVID SALVESON: Thank you.

MS ROBYN SEYMOUR: Thanks, David. So the site itself is not actually specifically covered by the Significant Landscape Overlay. What we'll do is assess the appropriateness of the application against the requirements in the Planning Scheme. We'll make sure that all the relevant planning controls are carefully considered before a decision is made.

And in relation to your second question, the points raised in the application are the applicant's submission. They have the right to apply and Council must accept the application and then assess whether or not the proposal is appropriate under the Planning Scheme.

The need for the facility is not something, as I mentioned to the previous questions, Council considers as part of its assessment. We'll continue to ensure that community are kept up to date and informed throughout the process and the outcome of the application is - we'll let you know the outcome as well.

DAVID SALVESON: Okay. Thanks for that.

MS ROBYN SEYMOUR: Thank you for your question.

CR BODSWORTH: Thanks, David. Thanks for coming along. Our next question is from Katrina Grant, from Bellbrae. I believe Katrina is here. Hi, Katrina. Thanks for coming tonight.

KATRINA GRANT: I have to warn you it's another tower question. I've got two questions. The community feels that it was poorly represented through the advertising notification process for the planning application for the tower at 185 Addiscott Road, Bells Beach. Given the sensitive environmental overlays and considerable objection to the tower, with over 700 people objecting in the petition, as concerned local community members, we feel that we need

Draft Transcript

representation from the Councillors beyond the planning officers. So will Council call in the planning application for the tower at 185 Addiscott Road under section 4.6 of the Surf Coast Shire policy 057 and if not, why not as the grounds for this are that a significant number of objections have been received, that there is potential for this permit to have long-term environmental and social impacts, and that there is potential conflict of policies where the Telecommunications Act can be seen to conflict with the designated area of significant landscape?

CR BODSWORTH: Thanks, Katrina. You can go ahead with the second.

KATRINA GRANT: It's a long one. It's much shorter the second one. Clause 02.01 of the Planning Scheme states, and I quote, "The Shire contains diverse environmental, cultural and scenic landscapes and its natural environment is its single most important attribute and asset." Can Council please explain in detail how a 36 metre high telecommunications tower is consistent with this clause? That's equivalent to an 11-storey building.

CR BODSWORTH: Thanks for your questions, Katrina. I'm going to refer them to the CEO.

MS ROBYN SEYMOUR: Thanks, Katrina, for your questions and we are aware, as I mentioned earlier, of the significant number of signatures on the petition and Council will consider formally accepting that petition tonight.

And as I also mentioned earlier, the advertising process specifically designed to capture community views and so I'm sorry if community feel that we didn't do that effectively. In this case, it was carried out more broadly than is a requirement under the Planning and Environment Act, so we would have assumed that it was quite broad. In relation to whether the application will be called in under Council's policy, this is still under consideration. We'll keep the community updated as this progresses.

In relation to your second question, as with any application, the applicant has the right to apply and Council must then assess whether the proposal is appropriate and consistent with the Planning Scheme. At this stage, no decision has been made. The community will again - we'll let you know. We'll keep you informed as the assessment continues. But thanks for coming along tonight and for asking your questions.

KATRINA GRANT: Thank you.

Draft Transcript

CR BODSWORTH: Thank you, Katrina. Our next question is from Tim Hulsman, from Bellbrae, who is also here, I believe. G'day, Tim. Thanks for coming.

TIM HULSMAN: Bet you this is no surprise, this one is about the tower too.

CR BODSWORTH: Go ahead.

TIM HULSMAN: Has the Council been in contact with Telstra to confirm that the current tower that services the area must be decommissioned and cannot be upgraded? The decommissioning of the tower forms the basis for the argument that the new tower needs to be done anyway. A recent email received from Telstra base stations to one of our community members stated that the tower at 615 Great Ocean Road is still in use and will be for the foreseeable future.

CR BODSWORTH: Thanks for your question, Tim. I'm going to refer that one to the CEO as well.

MS ROBYN SEYMOUR: Thanks, Tim. Council has not been in touch directly with Telstra about whether the existing tower can be upgraded or decommissioned and we rely on the information provided in the application in relation to this. More broadly, it's also not something that Council considers as part of assessing the planning application under the scheme. So we'll make sure the assessment is thorough and considers all of the relevant planning reviews as part of that assessment.

TIM HULSMAN: Okay, thank you.

MS ROBYN SEYMOUR: Thanks for your question.

CR BODSWORTH: Thanks, Tim. Our next question is from Russell Allan. Is Russell here? G'day, Russell. Thanks for coming.

RUSSELL ALLAN: My question is probably a bit of a follow-up to the last one. The application lodged by Amplitel and Downer states, and I quote, "The facility will appropriately replicate the services provided by the site at 615 Great Ocean Road, Bellbrae which are required to be decommissioned and removed." However, this statement is incorrect. Telstra has said it is still operational and the landowner has confirmed that it is not being

Draft Transcript

decommissioned and is currently in discussion to extend the lease for this tower.

This tower sits on a larger parcel of land, is well hidden and is not subject to the extensive SLO applicable to the applicant's proposal. Are Council officers aware of the false claims in their application documents and the correct status of the existing tower and why is the tower indeed necessary at 185 Addiscott Road, Bells Beach given the close proximity to 615 Great Ocean Road?

CR BODSWORTH: Thanks for your question, Russell, and I'm going to refer that one to the CEO for a response.

MS ROBYN SEYMOUR: Actually, Mayor, I might ask the General Manager of Placemaking and Environment to respond to Russell's question.

CR BODSWORTH: Sure.

MR CHRIS PIKE: Sure, okay. Thanks, Russell, and forgive me if I'm repeating a little bit of what the CEO has already said. It's really useful for you to bring that to our attention and if there are any factual inaccuracies, we can note that and make sure that when we're making our decision, that remains firmly grounded in the Planning Scheme.

Really to that point, the question of whether a tower is operational or not or whether there are lease arrangements being pursued, as the CEO said before, this really sits outside of our considerations when we're looking at the Planning Scheme. We do just have to look at the application that comes to us, assess that against the planning controls and the policies, and then those other matters have to sit outside that process, but it is useful to have any factual inaccuracies pointed out so that we can take note of those, so thank you.

RUSSELL ALLAN: Thank you.

CR BODSWORTH: Thanks for your question, Russell. Our next question is from Mat Hines, who I've seen in the gallery. Hi, Mat.

MAT HINES: So my question is on a different topic, but I would like to start by indicating my wholehearted support for the contributions that were made earlier this evening in regards to January 26, particularly thank the First Nations members of our community for their contribution to the discussion.

Draft Transcript

So my questions relate to the Briody West development in the west of Torquay. So Briody West is one of the last remaining subdivisions in Torquay and, as such, presents us with an opportunity to do subdivision well. The Shire has participated in the sustainable subdivisions trial and I believe that the highest level of these standards must be applied to this area.

The site contains areas of high conservation value vegetation that must be protected and most of the area is recognised for its high biodiversity and yet I understand there have been no flora or fauna studies, other than to identify endangered flora species. These studies must be undertaken to understand what may be at risk.

The current plan seeks to remove almost all vegetation and habitat from the site and recently approved subdivision applications have already resulted in large-scale clearing of the area. Of the subdivision applications to date, how many have requested the removal of vegetation, how many approvals have required the retention of vegetation, and what flora studies have been undertaken in the area to ascertain the role that vegetation in the area plays in supporting native species?

CR BODSWORTH: So I think you've got a second question too, Mat. Go ahead and ask that then we'll get responses.

MAT HINES: No worries. So From the Planning Scheme, schedule 10, the Development Plan Overlay for the area, states that development in the area is to respond in a sensitive way to the protection of remnant vegetation and that development needs to consider retaining established windbreaks as an urban landscape form. Clause 12 of the Planning Scheme states that Surf Coast seeks to site and design development to minimise vegetation removal, particularly indigenous vegetation adds to landscape character, and encourages retention of existing vegetation on private land, roadsides and reserves.

Council has recently announced its Branching Out strategy, which aims to increase canopy cover, reduce urban heat and boost environmental resilience. In addition to retaining habitat, the trees in Briody West will also provide valuable shade and cooling, as well as retaining the character and adding to the character of the new subdivision. How does large-scale clearance of vegetation sit with this strategy and the intent of the Planning Scheme? Are we at risk of seeing a death by a thousand cuts to the flora and fauna communities of Briody West through poor planning for the sites? And finally,

Draft Transcript

what is Council's plan to ensure that the Briody West area does not become completely devoid of existing vegetation as a result of subdivisions?

CR BODSWORTH: Thanks, Mat, for coming along and asking your questions. I'm going to refer these to the General Manager of Placemaking and Environment for a response.

MR CHRIS PIKE: Thanks, Mayor, and thanks, Mat, for the question. So I'll take your first question first. So there have been three subdivision applications for the Briody Drive West area. Each of those applications has included removal of some vegetation in line with the approved development plan. I'll touch on that in a moment. They were subject to assessment under native vegetation provisions, so these impacts involved input and support from DEECA and ecological specialists.

While removal has been permitted, retention measures have also been secured. So an example I'll give you there is the linear reserve along Grossmans Road. So that was widened from 7.5 to 10 metres specifically to protect the yellow Bellarine gums.

Permit conditions also require applicants to undertake fauna assessments before any removal occurs so we can understand the correlation between the presence of flora and its use by fauna and there must also be measures to manage the impacts to protect vegetation during construction and to secure offsets where removal cannot be avoided.

In response to the second question, so the broader planning framework for the site was reviewed through the recent amendment to the development plan, which was informed by an updated flora and fauna assessment of both the development area and also the Deep Creek Corridor and we had our Environment team look at that too and they do acknowledge the overall impact is significant, but the critical point here is that the land had already been rezoned for residential development previously and the revised development plan didn't increase the vegetation loss compared to that original plan.

That all said, the principles of avoid and minimise remain important to us and we've sought to focus protections on the most valuable vegetation, such as those roadside reserves that I've just mentioned, and to ensure that if there is any removal, it's offset and it's mitigated.

Draft Transcript

So our ongoing role here is to apply the Planning Scheme to require those offsets and secure conditions to protect and manage vegetation and habitat wherever possible and so whilst we will acknowledge the development in Briody West will change the landscape, we will remain committed to ensuring that the biodiversity values are considered and that the remaining vegetation is protected and managed as best we can into the future.

CR BODSWORTH: Okay. Thank you, Mr Pike. Thanks, Mat, for your question. Our next question is from Marg Montgomery, from Bellbrae. Hi, Marg. Thanks for coming along tonight.

MARG MONTGOMERY: Thank you. This is about the Freshwater Creek environment. The Freshwater Creek area is environmentally significant, supporting the conservation of high-value flora and fauna. Parts of the area are also recognised as places of Aboriginal cultural heritage sensitivity, including the entirety of the land at 205 Loutitt Bay Road.

Residents acknowledge that industrial activities on land zoned for farming may, in some circumstances, be permitted. However, they may also be refused based on policy considerations, environmental impact, and amenity concerns. We therefore seek clarification on how Council assesses the cumulative impact of industrial and intensive farming uses when determining whether new application should be approved.

For example, two of the five properties between Brushfields Road and Blackgate Road that have boundaries with the south-east side of Loutitt Bay Road are now occupied by industrial-type uses. In addition, a recent permit application has been lodged for the development of six farm sheds for animal husbandry at 1258 Blackgate Road, Freshwater Creek. Unfortunately, the information currently available on Council's website about this proposal is limited, making it impossible for the community to properly understand the nature and scope of the intended use.

I have two questions: When did Council most recently formally consider and define the policy protections that should apply to Freshwater Creek farming land; and was the community involved in those deliberations? And the second question: Given the pressure on land in the Freshwater Creek area and the land's clear environmental and Aboriginal cultural heritage sensitivity, should those policy protections be reviewed?

Draft Transcript

CR BODSWORTH: Thanks for your questions, Marg. I'm going to refer those to the General Manager of Placemaking and Environment.

MR CHRIS PIKE: Thanks, Mayor, and thanks for the question, Marg. So the most recent piece of work that we've done in this space was the Rural Hinterland Futures Strategy and that was developed and implemented into the Planning Scheme across 22 and 23 and that was a piece that covered a broader area than just the Freshwater Creek area and so it did go through a full consultation process firstly on the strategy itself and then also on the Planning Scheme amendment, so people did have input into that and that helped shape the final work of both the strategy and then ultimately the Planning Scheme amendment.

The focus of that strategy is on promoting legitimate farming activities in the rural hinterland as well as tourism opportunities in appropriate locations, while also providing a clear policy test for other proposals that might be permissible under the farming zone. So that means that proposals are assessed not just against the zoning, but also against broader planning policy considerations and these include environmental impact, amenity and also the impact of non-farming activities on farming uses.

Just in terms of whether those policy protections should be reviewed, it's important to note that the controls now in place already do provide a framework to assess the appropriateness of use and development. They are designed to balance farming, environmental values and community expectations and at this stage we don't have any plans to review or redefine those protections further. However, they do give us the ability to carefully assess the impacts of each application to make sure that proposals are consistent with the Planning Scheme, which includes this strategy.

In closing, I do want to acknowledge that the community concern about cumulative impacts is a valid concern and whilst existing policies provide us with the tools to assess that, we will now continue to monitor how those policies are working on the ground and this is an example in point.

CR BODSWORTH: Okay, thank you for the questions. Our next question is from Sally Galbraith, from Freshwater Creek. Hi, Sally. Thanks for coming in. I know that you've spoken with one of our officers early on and --

SALLY GALBRAITH: Yes, I had a phone call probably an hour before I needed to be here.

Draft Transcript

CR BODSWORTH: Thanks. So Sally, you know from that phone call that I will be disallowing your preambles and your first question, so I invite you to ask your second question, please.

SALLY GALBRAITH: Can you tell me the basis on which you're refusing my question?

CR BODSWORTH: So there are two reasons. One reason is that the questions involve content that may become legal matters at some point. The second is that they may be construed as aiming to embarrass Council officers.

SALLY GALBRAITH: If I remove sensitive information, would you allow me to --

CR BODSWORTH: Sally, I can assure you that we will follow up with you the issues that you're raising in the questions, but I can only invite you to ask your second question, thanks.

SALLY GALBRAITH: I have previously informed the Shire that one of the property owners obtained an interim intervention order against me from the Magistrate's Court issued without any evidence being heard. The owner also has applied for a permanent order, which I intend to strongly contest.

Shire officers have advised that they do not actively monitor activities on properties in the circumstances of unpermitted uses, but instead rely on community members to gather information. If the intervention orders are successful, I will be prevented from observing and recording activities. This would significantly limit the community's ability to understand what's occurring on the land and to engage with the shire on this issue.

Our group maintains that planning issues relate to land, not to individuals. We are not seeking personal information about landowners. Rather, we seek clarity about land use and how the shire intends to regulate it. We do not believe this type of information falls within the scope of privacy laws and we are concerned by the barriers we have encountered in obtaining information about how the land is being used and how the shire is approaching its regulation. We believe that the Shire's lack of transparency regarding its processes for monitoring and investigating activities on this land is contributing to unnecessary tension between the property owners and their neighbours.

Draft Transcript

My question: Will the Shire advise of the factors it considers and the protocols it applies when people with a legitimate interest seek information about the scope of activities being undertaken on identified land and the Shire's approach to regulating use and development of that land? Does the Shire consider its current approach optimal or is there a better approach that would not further inflame tensions within local communities?

CR BODSWORTH: Thanks for your question, Sally. I'm going to refer that question to the General Manager of Placemaking and Environment.

MR CHRIS PIKE: Thanks, Mayor, and thanks for the question, Sally, and do acknowledge that this is a source of frustration, which is evident in your question and our conversations, and also acknowledging that there will be points of disagreement about the extent of the information that Council officers can share in undertaking their work.

Importantly, Council officers must always gather their own evidence in relation to compliance matters, so whilst we're grateful and it's very useful to have information provided by the community, this brings breaches, or potential breaches, to our attention, the responsibility for evidence gathering must ultimately rest with the Council and that means that officers can only rely on information they have collected themselves when assessing or pursuing an investigation.

So in terms of sharing information back with the community, there's some we can share and then there are also limits to what can be disclosed. So typically we can talk about process, less so about content or analysis. So an example I might share is where we're seeking a hydrologist's report, we might share that we're seeking a hydrologist's report and it's something that we will consider in deliberations. We might also talk about how that might be referred for expert review, but where we won't be able to disclose information is who is putting that report together. We can't talk about the contents of that report. We can't talk about our analysis of that report.

When we do make decisions and actions become apparent, that can sometimes be revealing about officers' assessment of that information, but primarily our focus here is in not prejudicing the investigation and also ensuring that we provide procedural fairness.

Draft Transcript

So it's not lost on me that this will come across at times or feel like a lack of transparency, but it is the normal approach, it is the proper approach to enforce matters across local government.

I'd also acknowledge that it can take time, particularly where there are multiple agencies and multiple issues, and that also creates frustration. We do have a commitment to try to keep people as updated as we possibly can within those constraints I've described and, importantly, to ensure that the investigation is carried out thoroughly and professionally.

We are always open to considering improvements in how we communicate about these matters. I will keep returning to the matter of ensuring that we can conduct the regulatory process properly and we don't jeopardise any consequent action that might be taken and so, again, that can be a source of frustration.

I would just also briefly acknowledge we've received some recent correspondence from you last week raising matters that do require investigation and consideration alongside other agencies, so we're working through those as quickly as we can and we'll respond as soon as we're able to.

SALLY MONTGOMERY: Thank you.

CR BODSWORTH: Thanks, Mr Pike. Thank you for your question, Sally. Our next question is from Gary Montgomery, of Freshwater Creek. I believe Gary is here. Hi, Gary. Thanks for coming tonight.

GARY MONTGOMERY: My name is Gary Montgomery, from Freshwater Creek. I have two questions. The first one concerns the community's concern that despite the land which has just been referred to in Loutitt Bay Road - despite this land being subject to a Vegetation Protection Overlay, no effective action appears to have been taken either to release native vegetation currently suffocating beneath or encased by the enormous earth wall or to prevent further extension of the wall.

Approximately one month ago Shire officers advised residents that the landowner had been granted two weeks to dig out encased trees by hand. While the owner appears to have made some superficial attempt to release a few trees, the surrounding space remains inadequate to allow proper aeration and hydration. In addition, the root zone of these trees and of many others, including trees on neighbouring properties close to the boundary, remain

Draft Transcript

heavily compressed. In our assessment, it's only a matter of time before these trees decline and die. What is the value of a Vegetation Protection Overlay if there is no practical way to prevent native vegetation from the impacts of unauthorised works on the land?

CR BODSWORTH: Thanks, Gary. You can go ahead and ask question 2.

GARY MONTGOMERY: Thank you. My second question: one of the recognised triggers for permits in the farming zone is a change to the rate of water flow across property boundaries. The Shire previously advised the community that the landowner had submitted a hydrology report in connection with the proposal to build stables and a menage. Since that time, however, an enormous earth wall has been constructed along much of the property boundary. This wall has multiple interfaces with neighbouring properties and public roads. In addition, works have been carried out on Merrijig Creek, including the construction of a crossing and expansion of the dam. Each of these activities has the potential to alter cross-boundary water flows.

More recently, residents were advised that Shire engineers would undertake a desktop assessment of available information to determine whether the earth wall, dam and/or creek crossing have changed the rate of flow across property boundaries. The community is still waiting advice on the outcome of that assessment.

Will the Shire please update the community on whether Shire engineers have undertaken any assessment of available information about changes in hydrology on the site because of extensive earthworks and, if so, what was found through that investigation? Did the investigation utilise or rely on hydrology information provided before substantive works were undertaken? If the investigation has not been completed, what is the proposed timeline and will the community be informed of the outcome?

CR BODSWORTH: Thanks for the question, Gary. I'm going to refer that question to the CEO.

MS ROBYN SEYMOUR: Thanks for your questions, Gary, and I want to start at the outset with saying the Vegetation Protection Overlay is a really important planning tool and it does provide, we believe - provides real protections for the native vegetation across the municipality. In most cases, thankfully, landowners comply with those regulations and requirements and the overlay is effective in safeguarding our vegetation.

Draft Transcript

There are, however, occasions where unauthorised works are carried out on land. In those instances, Council can pursue enforcement and take action where the overlay is not adhered to. So while breaches do, unfortunately, occur, that does not mean the overlay itself is ineffective or of no value. It remains a critical mechanism for protecting native vegetation.

And in relation to your second question and the hydrology, so Council officers and engineers have considered the information made available, including interrogating the findings of the study that was submitted, but as the General Manager of Placemaking and Environment mentioned in response to our earlier question, this is tied to an ongoing investigation. So while I'm not in a position tonight to provide the full details, what I can say is that once the next course of action is determined, we'll convey our findings and next steps to the community. I do want to emphasise, though, that this remains an active matter and residents will be informed of the outcomes as we progress through this investigation.

GARY MONTGOMERY: Okay.

CR BODSWORTH: Thanks for joining us, Gary, and for your questions. Our next question is from Matt Freeman, from Freshwater Creek. Matt is not attending in person, but has asked that somebody read out his question for him. Thanks for that.

ALANA WATT: Good afternoon, everyone. I will be reading two questions on behalf of Matt Freeman, of Freshwater Creek. I am Alana Watt. I live in Jan Juc and I spend a lot of time with my grandparents in Freshwater Creek and furthermore, I'm very passionate about the environment.

So for the first question: On 25 June 2025, a large truck transporting a 30 tonne excavator and travelling south on Anglesea Road attempted to turn right into Blackgate Road. Residents believe the vehicle and excavator are linked to the earthmoving business currently operating on Loutitt Bay Road. While attempting the turn, the truck entered the roadside ditch and became stuck, leaving its tray and the 30 tonne excavator immobilised across Anglesea Road. This created a major safety hazard for passing traffic.

For many residents, the incident was not surprising, but rather a foreseeable consequence of the ongoing unregulated movement of heavy vehicles in the area, which continues to put community safety at risk. Would you please

Draft Transcript

advise whether officers believe it is safe under current road conditions for heavy vehicles of this type to turn west from Anglesea Road into Blackgate Road across the path of northbound Anglesea Road traffic? We would appreciate a clear answer about officers' perceptions of current community safety, please. If not, what actions is the Shire taking to protect community safety?

And the second question: At the Council meeting on 26 August 2025, we asked Council to clarify how the National Heavy Vehicle Regulations apply to the use of local unsealed roads by vehicles operating from an earthmoving contractor's depot. Council responded that it did not yet have sufficient information from the permit applicant about its vehicles to provide an answer. Council therefore requested further details.

We wish to note that residents have already provided, and can continue to provide, Council with a record of vehicles personally observed at the site. In addition, the contractor's own website publicly lists the types of vehicles in its fleet, including details of some vehicle weights. Would you please advise whether, (a), you now have access to the required information about the vehicles to be used by the contractor's depot? If not, will Council commit to alerting residents when that information is available to Council and whether it raises issues about compliance with the NHVR scheme? Or (b), if the information has not yet been supplied, would Council nevertheless advise residents on how the NHVR scheme generally works and how Council takes the impact of heavy vehicles on local roads and road safety into account when assessing permit applications for industrial uses in farming areas?

CR BODSWORTH: Thanks for the questions. I'm going to refer those questions to the General Manager of Placemaking and Environment for a response.

MR CHRIS PIKE: Yes, so thanks so much for coming in and posing those questions, good questions.

So the - yes, the intersection at Anglesea and Blackgate Roads, it's interesting, it's a road managed by the State Government is the first important point to make. That said, safety is one of the fundamental considerations as we undertake our investigations, so yes, we will look at the safety of movements.

It's also worth noting, and you might be able to share this with Matt, you do have the option to contact the Department of Transport and Planning directly,

Draft Transcript

given it's a road that they manage. They're the responsible authority and they would be the authority that would investigate and manage risks at that specific intersection, so it might be helpful for them to be made aware of concerns that people have if they're not already aware of them.

In relation to vehicle movements associated with the land as a contractor's depot, this is your second question, we have previously committed to follow up on the National Heavy Vehicle Regulator requirements and we're still waiting for the applicant to verify the details of all of their intended trucks and also the movements in and out of the site. So if it becomes clear that certain vehicle types need to be referred to the National Heavy Vehicle Regulator, we will definitely be doing that and, yes, we will keep residents updated when that information is available to us.

But also in terms of how the scheme works more generally, the National Heavy Vehicle Regulator, they set the rules about when a heavy vehicle requires a permit to use certain roads and if a vehicle doesn't require a permit, then really it's legally entitled to use any road that it sees fit.

So our role is a little bit different. When we assess a Planning Permit Application for an industrial-type use in a farming area, we look closely at the vehicles associated with the use and we look at the impacts of those vehicle movements on local roads in terms of the traffic that's generated, whether access arrangements are safe and suitable, things like are the site lines at the property entrance safe, is there a potential impact on the conditions of the road at the access point, like the road getting churned up. So while we're not the regulator of heavy vehicles, it is the case that we do take road safety and local amenity impacts into account when we do the planning assessment.

CR BODSWORTH: Thanks for the questions. We have a number of questions left from questioners who are not able to join us tonight, so I'm going to run through those questions and ask them on those questioners' behalf and I may shorten some of them, in light of the time that public question time has run over tonight.

The first of those is from Ebony Hickey from Winchelsea. Ebony is not able to join us in person. I'm going to read Ebony's question in full: "The Victorian Aboriginal and Local Government Strategy, supported by the Local Government Act 2020, sets clear expectations for Councils to build equitable self-determined partnerships and to embed First Peoples' voices into decision making. As a municipality with two registered Aboriginal parties and one

Draft Transcript

native title determination to date, Surf Coast Shire has heightened responsibilities in areas such as land use planning, cultural heritage protection, economic development, and civic participation of Aboriginal community members. Strengthening Councillors' understanding in these domains is not optional; it is integral to good governance and to meeting both statutory and strategic obligations. Treating our rights and aspirations as political talking points undermines both legislative compliance and the principles of partnership that underpin the Victorian Aboriginal and Local Government Strategy."

Ebony's question 1: "What does a treaty-ready Surf Coast Shire look like? How can Council demonstrate genuine preparedness for the obligations and opportunities of treaty by embedding cultural awareness, respect and partnership into its core business if we can't get past one miserable day in January?", is Ebony's question, and I'm going to refer that question to the CEO for a response.

MS ROBYN SEYMOUR: And I'll ask the General Manager of Community Life to respond to that question.

MR DAMIAN WAIGHT: Yes, thanks, Mayor and Robyn, and thanks, Ebony, for the question. One of the answers earlier talked about Council's statement of commitment to reconciliation and aligning our work to that commitment to reconciliation helps prepare for the obligations and opportunities of treaty. This alignment helps embed cultural awareness, respect and genuine partnerships with First Nations people into all aspects of our work. This means we demonstrate commitment through everyday decisions, the policies we have and the practices we apply.

Our treaty readiness will be demonstrated through listening, engaging and working alongside traditional owners and Aboriginal communities in shaping our shared future. In February, Council resolved to build greater understanding of the impacts of the 26 January celebrations on First Nations people. We've worked carefully to include these impacts in the report which Council will consider later on tonight. So thanks again, Ebony, for your question.

CR BODSWORTH: Thanks for the question, Ebony. Our next question is from Aleisia Henry. I'm going to just shorten Aleisia's preamble, which is around Council's resolution to providing cultural awareness training for Councillors from February's meeting. Question 1: "Has the cultural awareness training been completed and what did it involve?" Question 2: "Has advocacy to the

Draft Transcript

Federal Government commenced and in what form? Given the importance of reconciliation and truth telling, I ask that Council ensures transparency and depth in its decision making and community engagement on this issue." So thanks, Aleisia, for your questions, if you're watching online, and I'll refer those to the CEO for a response.

MS ROBYN SEYMOUR: Thanks, Aleisia, for your questions. So cultural awareness training was offered to Councillors over two separate sessions in July this year. One session was delivered, as we heard from a previous question, by Eastern Maar Aboriginal Corporation and one was delivered by Arranyinha cultural education providers and with support from Wadawurrung traditional owner. Both sessions included several elements of cultural awareness and learning, including perspectives of First Nations people, cultural respect, cultural heritage and cultural heritage management, reconciliation, the stolen generations and cultural safety. Your question came in before our agenda for tonight's meeting was published, so you'll note that the answer to question 1 is in item 4.4 of tonight's agenda and includes a summary of the consultation which took place.

So in relation to your second question, Council has advocated to the Federal Government to change the date of Australia Day, as outlined in the resolution contained in item 3.1 of the February 2025 Council meeting. This included writing a letter to the Prime Minister and Minister for Indigenous Australians. The matter was also raised with the federal member for Corangamite and, further, the topic has been included as part of tonight's Council's adopted advocacy priorities of 2025, which is also spoken about in the report that will be considered tonight. So Aleisia, thank you for your questions.

CR BODSWORTH: Thanks, CEO. Our next question is from Susan Gout. Susan's question is about the telecommunications tower proposal in the Bells Beach locality and talks about the special landscape in that area and the preamble. Question 1: "Have Council or officers been through an appropriate level of due diligence to guarantee the proposed tower will not be able to be seen from the coast, which would be a significant issue for the significant landscape overlay for the Bells Beach coastline?" And that's it and I'm going to refer that question to the General Manager of Placemaking and Environment. Thanks.

MR CHRIS PIKE: Thanks, Mayor, and thanks for the question, Susan. I can assure you that there will be a very thorough assessment of the application. It's really critically important to understand that we are in that process now, so

Draft Transcript

no decision has been made and so all of the issues are being considered by the Council officers.

And so as I mentioned earlier, whilst the location isn't within the significant landscape overlay, we do consider all manner of things, including the appropriateness of the application against various elements of the Planning Scheme. So this will consider all the points raised by submissions by the community both tonight and formal objections made by members of the community.

CR BODSWORTH: Thanks, Mr Pike, and thanks, Susan, for the question. Our final question is from Damien Elsworth, from Bells Beach, on the same subject. "The applicant for the planning application has stated that 'Telstra is currently being forced to relocate from its existing telecommunications site'. In order to replicate the coverage performance of the area and ensure no disruptions to services, a new site to accommodate a new replacement telecommunications facility is required. Question 1: Given that we have confirmation that this is in fact a false statement and that the State Government has implemented a program to not only co-fund new towers, but also to upgrade existing towers, doesn't it make sense to upgrade the current tower rather than erecting another tower, effectively sandwiching residents in the Addiscott Road area between two towers at each end of the road?" Thanks, Damien. I'm going to refer this question to the CEO for a response.

MS ROBYN SEYMOUR: Thanks, Damien, for your question and I think we've mentioned this earlier to responses to previous questions. We are aware of the community's concerns about the statements made in the application regarding the status of the existing telecommunications site and Council's role, as we've covered earlier, is to assess the application that's been lodged against the requirements of the Surf Coast Shire Planning Scheme.

The overall need and demand for the facility is not a determining factor in the application. We will do all we can to ensure the proposal is carefully reviewed against the planning controls and that all community submissions are fully considered before making a final decision. So Damien, thank you for your question tonight.

CR BODSWORTH: Thanks, CEO, and thanks to all our questioners for tonight and submitters. That brings us to the end of public question and submission time.

Draft Transcript

We move on to item 1.10, Items to be Tabled. We have an additional item on our agenda tonight, which is a copy of the arbiter's decision and statement of reasons from an internal arbitration process between two Councillors. This is tabled in accordance with section 174(4) of the Local Government Act 2020 and will also be recorded in the meeting minutes.

There are no further procedural requirements with this item, so we will next move on to petitions. There are three petitions for tonight's meeting, 2.1, Receipt of Petition titled 'Request for Playground in Grossmans Ridge Estate'. The first petition that has been submitted relates to a request to construct a playground within Grossmans Ridge Estate. We have a recommendation. Does anyone wish to move a motion? Councillor Stapleton - is that as per the recommendation?

CR STAPLETON: It is, Mayor.

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

CR STAPLETON: Oh, look, just briefly, I think it's important to acknowledge that, and this probably applies to the three petitions that we're receiving tonight - it's been indicated in the report that the petitions do not meet the definition of a petition under the Governance Rules, but may still be accepted if Council resolves to do so.

I would say as a Councillor I'm happy to accept most petitions, in the interests of giving our community an opportunity to have their say. It's an essential function of democracy to provide our community with every opportunity to engage with Council and provide their feedback on important issues.

It is true that we do sometimes accept petitions that are non-conforming, but in most cases these are minor deviations from the guidelines and shouldn't be used as the basis for rejecting the opportunity for community to express their concerns about a particular issue. We also know that digital and online petitions have become commonplace and therefore Council traditionally has accepted these, despite the fact that they are in non-conforming format and this is something that Council can address when the Governance Rules are reviewed later this term.

Draft Transcript

So it has been Council's practice to enable rather than limit community input. We are all concerned about reflecting the views across our community, so I don't think it would be in the spirit of democracy or good decision making to reject any of these petitions tonight. So on that basis, yes, I will be recommending that Councillors support the petition - support the acceptance of the petition, I should say.

CR BODSWORTH: Thanks, Councillor Stapleton. Councillor Schonfelder?

CR SCHONFELDER: I concur with the sentiments expressed by Councillor Stapleton.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to this motion? Councillor Barker?

CR BARKER: I've said it plenty of times before, but when it comes to having rules and processes, it's hypocritical to utilise rules and processes to support some ideas and attack others. I've been opposed to accepting petitions that don't fall within our Governance Rules both for ideas that I support and those that I don't and I'll continue to not support petitions that don't conform to our Governance Rules because if we keep making these exceptions, we might as well not have the rules in the first place.

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

CR STAPLETON: I guess I'd just add that we do have Governance Rules and the rules actually state that Council has the ability to accept non-conforming petitions, so in that sense I would argue that we are sticking to the Governance Rules. Thanks, Mayor.

CR BODSWORTH: Thank you. We'll now put that motion to a vote. All those in favour? Thanks, and against? Thank you. That motion is carried 8-1.

The next item is 2.2, Receipt of Petition 'Planning Application Telecommunications Tower - 185 Addiscott Road Bells Beach'. The second petition that has been submitted relates to the planning permit application number 25/0099 for a telecommunications tower at 185 Addiscott Road, Bells Beach. We have a recommendation. Does anyone wish to move a motion?

Draft Transcript

Councillor Pattison, thank you. And seconded by Councillor Stapleton.
Thanks. Councillor Pattison?

CR PATTISON: Thank you. Yes, I'd like to move that we accept this petition. We can see from the questions that have come to us today in public question time that there is a lot of concern around what's proposed and it's important that our community has an opportunity to have, you know, that acknowledged. So I encourage all Councillors to accept this petition. Thank you.

CR BODSWORTH: Thank you, Councillor Pattison. I note that I didn't clarify what the motion was, but Councillor Pattison has confirmed that it was as per the recommendation, so thanks for that. And Councillor Stapleton?

CR STAPLETON: Yes, I would just sort of reiterate the comments I made previously around accepting petitions and I'm certainly happy to accept this petition tonight and give officers an opportunity to consider it as part of the planning review process.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak?
Councillor Barker?

CR BARKER: In addition to the reasons I gave for the last petition, I won't be supporting it. But it also dilutes petitions when you use signatures that aren't from within the Surf Coast. So here we've got a vast majority that are not within the Surf Coast and that just dilutes the value of those within.

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

CR SCHONFELDER: Mayor, I'd just like to state that we do have people who participate in clubs and associations on the Surf Coast who don't necessarily live here and I know in the City of Melbourne it's the same scenario and also in the City of Stonnington as well, there are people who are involved in organisations and I feel as though they do also have a voice and their voice should be heard as well. So I thought I'd just highlight that.

CR BODSWORTH: Thank you, Councillor Schonfelder. Councillor Pattison, do you have any closing comments?

CR PHELPS: Sorry --

Draft Transcript

CR BODSWORTH: Oh, sorry, Councillor Phelps?

CR PHELPS: Just a quick one.

CR BODSWORTH: Sorry.

CR PHELPS: Yes, I'd just like to add a comment. I do query the use of a petition with people from the United States, Fiji, Mauritius signing something in Bellbrae. They may well have been here, perhaps, but I do wonder about the level of involvement on that. So I do query the level of some petitions over others being non-conformant. This one perhaps is a bit more on the edge, as I say, with the multiple not even in the Surf Coast Shire but not even in the country. So I do think perhaps it would be useful for people to be a bit more aware that a petition really does need to be a bit more involved - involve the people that are directly concerned, rather than just anyone from anywhere. So I do support Councillor Barker's comments in that regard.

CR BODSWORTH: Thanks, Councillor Phelps. And Councillor Walker?

CR WALKER: Thank you, Mayor. Similarly reiterating this petition, I think I would like to move a recommendation for us internally to as soon as possible look at our online petitions format and reformat that, not wait any longer, because it is - you know, a lot of the online or the downloadable format isn't necessarily in line with what you can do online, so I'd like to, as an organisation, move that forward as quickly as we can.

CR BODSWORTH: Thank you, Councillor Walker. Do any other Councillors wish to speak to this motion? No. And are there any closing comments, Councillor Pattison?

CR PATTISON: Just to note that I think in particular with something that is so close to Bells Beach, you'll note that a lot of those places are very significant (inaudible). So I think sometimes those international signatures are sort of not that relevant, but given the (inaudible) I think we should consider it in that context that it's quite possible that there is broader concern beyond just Surf Coast residents for this particular situation. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. We'll now put that motion to a vote. All in favour? And against? Thank you. So that motion is carried 6-3.

Draft Transcript

Our next item is 2.3, Receipt of Petition titled 'Extra kangaroo and wildlife signage - multiple locations within Surf Coast Shire'. The final petition that has been submitted relates to a request for extra kangaroo and wildlife signage at multiple locations within Surf Coast Shire. We have a recommendation. Does anyone wish to move a motion? Councillor Pattison - is that as per the recommendation? Thank you. And is there a seconder? Councillor Phelps, thanks. Councillor Pattison?

CR PATTISON: Yes, thank you. So I'd just like to thank (inaudible) for taking the time to put this petition together around wildlife signage in the areas Bells Beach, Jan Juc and Bellbrae and the petition identifies, as the Mayor has already identified, the importance of addressing (inaudible) wildlife in these areas and it's becoming a growing concern. So I encourage our Councillors to accept the petition so that our officers can investigate the potential need for further wildlife signage in the area and we'll all be happy to know that all the signatures of this particular petition are from within the Surf Coast Shire. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Phelps?

CR PHELPS: Nothing to add, thanks.

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

CR GRIST: I've just got a question, if I could ask that, of the CEO.

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

CR GRIST: I'm just wondering if this petition is being directed to the right responsible authority, a signage issue on these roads, or is it more a VicRoads --

CR BODSWORTH: I'm happy to put that question to the CEO.

MS ROBYN SEYMOUR: So if they're local roads, then it's for us. If it's state roads, then it's a state responsibility, but I guess that can form part of the work that we do with the state authorities in terms of raising issues of concern from community through that process.

CR GRIST: Thanks.

Draft Transcript

CR BODSWORTH: Councillor Schonfelder?

CR SCHONFELDER: I'm not sure if Councillor Barker wants to speak before me because --

CR BARKER: I'm fine either way.

CR BODSWORTH: Councillor Schonfelder, go ahead.

CR SCHONFELDER: I will say that with a heavy heart tonight when I left home, and it's the second time it's happened this week, when I was pulling out of my driveway in Andersons Road, Barrabool, about 10 metres up the road a deceased baby magpie and, sadly, it's a very serious issue the wildlife that's being decimated, particularly by motorists, and I understand that - I would say in most cases it's an accident, but I really feel that given tonight many people attending, and there are First Nations people as well attending, who understand that in relation to First Nations people native animals are sacred and I'm not a First Nations person, but I believe they're sacred as well and they have a right to exist.

I really feel that this petition is extremely important and I just feel that some people, they don't have five minutes to live, it's just always in a hurry, so it breaks my heart, so I thought I'd just highlight that and this is in the hinterland. On the coast as well I imagine it's a similar situation and on Facebook, like other people, and online, I see lots of cases of kangaroos and joeys that are still alive in their pouches and it's just really like - it's an issue that is actually becoming more and more of a - needs addressing. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Councillor Barker, did you wish to speak to the motion?

CR BARKER: Yes. I agree that the importance of the issue is quite significant. One of the significant issues with me on this particular petition is that each page of the petition didn't have the wording of the whole petition, so there's plenty of people signing it not understanding exactly what they're signing, in addition to the actual issue of whether it's local roads or State Government.

I think a better way to go about this would be to work with the Australian Insurance Council because they'd have exact data on which areas are more

Draft Transcript

prevalent with regards to animals striking cars and when that data is used by the responsible authority putting signage up, it's going to result in a better funding stream where insurers who are motivated to minimise paying out on claims will be at the forefront of leading that, rather than supposedly responsible authorities that can't be everything for everyone.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to this motion? Are there any closing comments, Councillor Pattison? We'll put the motion to a vote. All in favour? Thanks. And against? Thank you. That motion is carried 8-1.

There are no notices of motion for tonight's meeting, so we move to reports. 4.1, Council Plan (Incorporating the Municipal Public Health and Wellbeing Plan) 2025-2029. The purpose of this report is to present the Council Plan (Incorporating the Municipal Public Health and Wellbeing Plan) 2025-29 to Council for adoption. We have a recommendation before us. Does anyone wish to move a motion? Councillor Stapleton - is that as per the recommendation?

CR STAPLETON: It is, Mayor, thank you.

CR BODSWORTH: Thanks. And a seconder? Thanks, Councillor Walker. Councillor Stapleton.

CR STAPLETON: Thank you, Mayor. This is a fairly momentous milestone in the term of Council, hopefully tonight adopting the four-year Council plan which will set the strategic direction for the remainder of this Council term and into the first year of the next term.

The Council plan isn't just a 20-page document that sits in someone's bottom drawer. It's a live working document that Council relies on to develop our financial plan, our asset plan, our annual budgets and to guide us in decision making every month of the Council term. Once adopted, it provides the foundation for developing an annual action plan.

Every six months officers present Council with a report on how we're tracking against the Council plan. It provides focus, helps us to track progress on key priorities, and enables the community to see where Council is investing its time and resources.

Draft Transcript

The Council plan is very much informed by the community vision and various stages of community engagement throughout the past year, from simple online surveys about priorities to in-depth deliberative discussions with community representatives about a range of complex topics and challenges, this year responding to the question how can Council balance the priorities of our community and meet legislative obligations whilst remaining in a financially sustainable position.

It wasn't an easy task for the community panel to undertake, but we know they approached it with sincerity and commitment, reading about, listening to and discussing countless aspects of Council operations and community needs and ultimately produced a foundational report with eight key principles to help guide Council in our direction and decision making.

After multiple workshops with Councillors and much deliberation over priorities and wording, the final draft plan was completed and shared with the community for a final round of feedback during July and August. Thank you to everyone in our community who took the time to participate at any stage of the Council planning process and for helping us to develop an informed and meaningful plan. It's a very good strategic document that will serve the community well and we should all be proud to adopt and support its delivery.

Under the five themes of asset and infrastructure, climate and environmental leadership, community wellbeing, high-performing Council, and sustainable communities, there are a series of strategic objectives that provide direction on priorities for coming years. I won't list them all, but I will just flag a few aspects of the plan that I'm particularly passionate about.

Under the theme of climate and environmental leadership, we see local natural ecosystems thriving and biodiversity being protected. Council operations and infrastructure are adapting to the impacts of extreme weather events and we recognise the traditional owner approach to caring for country in Council's environmental management systems and practice.

Under the theme of sustainable communities, we support local creative industries to thrive. We foster an increase in long-term affordable housing for key workers in coastal townships. We foster slow and regenerative tourism that is respectful of the local environment and values local communities. We advocate for and invest in active and public transport and the uniqueness and character of townships, places and significant landscapes are recognised and preserved, even where such places will grow and evolve.

Draft Transcript

And finally, under the theme of community wellbeing, we value and strengthen relationships with First Nations communities. We support community arts and culture and we encourage community-led projects and initiatives.

There are many more priorities in the plan that I would love to highlight now, but in the interests of time, hopefully the community who would like to know more will take the time to read it and stay engaged in coming years to help monitor Council's progress and to provide feedback along the way so that we can all work together in a collaborative way to achieve the best possible outcomes. And hopefully those who have read it, or will read it in coming years, recognise this plan as being reflective of the unique place we live, the history and culture we value, and the future we'd like to see, of course within the boundaries and financial parameters of Council's potential and long-term sustainability.

I thank all the Council officers who were involved in the development of this plan along with my fellow Councillors for working together to create this plan and encourage all of us to adopt it tonight so we can move forward with a clear direction and develop an action plan for the coming years. Thank you.

CR BODSWORTH: Thank you, Councillor Stapleton. Councillor Walker?

CR WALKER: Thank you, Mayor. The Council plan, which also incorporates the Multiple Public Health and Wellbeing Plan, after the exhibition of the draft plan, changes included replacing outcomes with strategic objectives under the themes, which is very important, including strategic indicators, which is one of the main things coming out of it.

I thank the 32 who submitted public feedback, but there was also 583 downloads, which shows that there's some confidence - some good confidence within that because there wasn't many submissions from that, but also thanking everyone who contributed to the whole plan over the last eight, nine months now.

So with the Council plan we had great opportunities for input over nine workshops and briefings. There was three phases of consultation with the community and hopefully this all covers everyone's issues and objectives and reflects the views of the community we are interested to serve.

Draft Transcript

The Council plan includes the Multiple Health and Wellbeing Plan, which aligns with the Victorian Public Health and Wellbeing Plan. Council has chosen to integrate this plan into the Council plan as many priorities address strategic objectives across both plans. Council is helping shape healthier, safer and more equitable communities with this integration.

We touched base on the five themes. I won't go into them, but I'm really happy how we've got them in there. The great thing with this too, we've got the five strategic themes with each of them having strategic objectives, priorities and strategic indicators. So over the coming months and years I'm looking forward to working with the Councillor group, officers and our community to bring this into fruition and seeing some real tangible outcomes. Thank you.

CR BODSWORTH: Thank you, Councillor Walker. Do any other Councillors wish to speak to this motion, Councillor Grist.

CR GRIST: Thank you, Mayor. I just want to begin by acknowledging the effort that has gone into this plan. Staff, Councillors and members of the community have all contributed a lot of time and effort into its production. However, I can't support adoption of the plan in its current form because I believe it strays too far from the core purpose of local government.

Our statutory obligations are clear to provide essential services, maintain infrastructure, manage land use and planning responsibility, and ensure financial sustainability. Residents expect us to get these basics right, roads, footpaths, drainage, waste management and local facilities, before we pursue broader agendas that fall outside our direct control.

This plan, while well intentioned, attempts to tackle far too many issues, many of which are beyond the scope of local government and our legislated responsibilities. By trying to be everything to everyone, it risks stretching resources too thin, leaving essential services underfunded, and making promises that Council cannot reliably deliver. Expansive and vaguely worded priorities create uncertainty for staff, reduce accountability, and expose ratepayers to unfunded commitments. Every dollar spent chasing these ambitions is a dollar diverted from the core services residents depend on every day.

Our community expects Council to focus on what we are legally required to do and to do it well. Overreach not only undermines public confidence, it risks

Draft Transcript

underdelivering on the very services and infrastructure that residents care most about.

For these reasons, I cannot vote to adopt this plan today. That said, if the majority does endorse the plan, I will work constructively within it, I will advocate for a return to basics, ensuring resources are prioritised for legislated responsibilities, that essential services are delivered efficiently, and that spending is transparent, accountable and measurable. My focus will be on ensuring the plan delivers tangible outcomes that residents can see and rely upon, rather than broad unfunded aspirations.

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

CR BARKER: This plan costs around about \$150,000 to develop. It's a little bit less than it cost for the last Council plan to be developed, so that's a bit of a win, but when it comes to the community engagement, 33 submissions, around 600 website views and similar downloads of the document, which represents just over 1% of the whole municipal community.

I appreciate people engaging with government because if you don't engage, it doesn't go the way you want, but when we have a smidge over 1% of the whole community contributing to the development of the plan, I can guarantee you that the majority of the community will not be happy with where the plan goes.

As Councillor Grist highlights, it extends beyond our legislative requirements and when it comes to resources, they are finite. Everyone's got a household budget to run. We'd love to be able to go out to a restaurant every night, we'd love to be able to go on an overseas holiday every week, but that's not a reality for most.

So when it comes to looking after the basics, if we carry on down this path where we're spread so thin, I can guarantee you that driving around Torquay and the greater Surf Coast seeing the road condition as it is now and expecting it to get better will not happen with this current plan.

When we can constrain ourselves, tighten our belt, spend less on the periphery - things like the arts, the arts could do so much better if there wasn't Council funding because when you take money from everyone and redirect it to a specific cause, whether it's the arts or any other social environment, what

Draft Transcript

you do is you take away the incentive for people to develop something that others value and when that happens, there's substandard outcomes both in the - my view of the misuse of public funds because public funds should be used for the maximum amount of people and when we start picking out all these little groups to create as victims and then Council be the saviour of those groups, it doesn't do those groups any value.

I won't be supporting the Council plan in this format and it needs to go a long way before it can get to a point where I could.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to the motion? Councillor Pattison. Sorry, I didn't see your hand.

CR PATTISON: No, no, that's fine. I just put it up. Thank you.

So I think we need to reflect on the immense work that was put into the community panel. Those individuals spent many, many hours putting forward their views, providing feedback, setting out the guiding principles and the like that really has shaped the basis of this Council plan. So it's important to understand our focus, our future engagement, which I think was over 1,000 responses as well as that community panel, when you think about the feedback that has gone into this council plan.

I think some of the 31 submissions and the like relate to when it went out, but actually the development of the plan had extensive engagement from our community, so this really does reflect and build on the aspirations (inaudible) of the community.

And I think also we really need to think about and reflect on that as Councillors we're voted in by our community (inaudible) Councillors work together with officers to develop this plan. So I think this plan has refocused Council. There's five themes. They're clear themes and we're really ensuring that we deliver services well for our community.

They're not delivering services like libraries, (inaudible). These are all important services for our community and there are so many more wonderful services that Council delivers and these are all outlined through this Council plan. So I look forward to the next four years of delivering this and achieving outcomes for our community. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Schonfelder?

Draft Transcript

CR SCHONFELDER: Thank you, Mayor. I am reminded by the comments that Winston Churchill has said about democracy. He said words to the effect that it's not the best perhaps option, but it's probably the best option compared to other options, and I have said previously about democracy and the value of it in this troubled world we live in. It's just so important and if you put a price on it, you can't put a price on it at all and I've said that - I've quoted Madonna, I've said some things cannot be bought and I think that's a reasonable assertion.

The fact that this Council plan is my second plan that I've been involved with along with other Councillors, and Councillor Barker said that it has cost less, that is something positive and I know that to try and be frugal is, in theory, commendable. I know that you can't be all things to all people and I know tonight, with the Australia Day item that's going to be debated, that's a good illustration of that, I imagine, that there are differing views.

I feel that the different pillars or the chapters of the Council plan, and I will go through them again because I've heard them many times, but I think it's important for the community to know that it's assets and infrastructure, and I might emphasise that community opinions and beliefs are changing and they're forever changing and green infrastructure, essential green infrastructure that we heard tonight from a questionnaire in Torquay about vegetation and so important for our community to have green belts and green areas preserved and to have their voices heard and to have a recognition of the importance of them.

Climate and environmental leadership, the fact that at the moment we do have a drought and I think that really brings home the importance of that one, and the community wellbeing is so important too. I think just to touch on active transport and the fact that we're trying to encourage people to walk and to ride their bikes and live a more healthier life, a high-performing Council and I think we all want to be more frugal and want to save for a rainy day and in relation to the waste transfer station at Anglesea, that's very much an illustration of that and also have sustainable communities as well, better transport links as an example of that.

I said when I attended the last session of the panel, I said that you have to be really - the members of the panel have to be like the most famous Australian who lives in our Shire, which is Makybe Diva, a stayer, you have to have staying power. Thank you.

Draft Transcript

CR BODSWORTH: Thank you, Councillor Schonfelder. Do any other Councillors - Councillor Bourke. Councillor Bourke. Sorry, I can see you looking for your mute.

CR BOURKE: Thank you. Thank you, Mayor. Yes, okay, so just acknowledging that this is a strategically important document. It's something that we do need. While I personally don't think that there's enough pushback on sort of bureaucracy and scope creep, that's certainly up to us as Councillors to mitigate as we move on with this plan, particularly with the financial implications of that.

Just to speak to a certain point that's close to my heart in the health and wellbeing, it's pointed out that one of our strategic objectives is increase social connection to support physical and mental wellbeing in inclusive community that recognises and values diverse perspectives. So there's definitely a lot in that tonight, but also I think just to highlight a personal experience I've had, my little girl in kindy, there's a class of 24 kids and only two families in that class are actually long term from Torquay and that really made me realise that there's a really deep need for good social connectedness in our community, so that's something I really back.

In summary, I will be supporting this document, with the caveat that we need to watch just how far it tries to extend itself.

CR BODSWORTH: Thank you, Councillor Bourke. Do any other Councillors wish to speak to the motion? Are there any closing comments, Councillor Stapleton?

CR STAPLETON: Look, I'd just reiterate that I think Councillors know there's been extensive community engagement since November last year, so to suggest that only 33 residents have had input is quite misleading. There were over 1,000 submissions through the engagement process, there were three full days spent by a community representative panel who were really committed to the task and that final 33 response was to the final version of the draft plan, which I think speaks volumes given that there were close to 600 downloads of people who looked at the plan and only 33 felt the need to actually provide a submission.

So yes, it's a good plan and I'm really hopeful that Councillors are able to galvanise behind it. Thanks, Mayor.

Draft Transcript

CR BODSWORTH: Thanks, Councillor Stapleton. We'll now put that motion to a vote. All in favour? Thanks. And against? Thanks, Councillors. That's carried 7-2.

CR SCHONFELDER: Mayor, I'd like to move a procedural motion, if I may, and that is that we have item 4.4 now, which is a report on the impacts of celebrating Australia Day on 26 January.

CR BODSWORTH: Councillor Schonfelder, it's not far away. I'd prefer if we stick with the agenda. I think that we can get to that quite quickly.

CR SCHONFELDER: We are supposed to have a break at 8 o'clock and I'm just mindful of people waiting.

CR BODSWORTH: I am aware of that. Look, we're going to continue with the agenda, but thanks for the suggestion.

CR SCHONFELDER: Well, I can move the procedural motion.

CR BODSWORTH: Okay, if you'd like to move that. Do we have a seconder? No. Thanks. So that motion lapses. But thanks for the suggestion, Councillor Schonfelder.

So the next item is 4.2, Financial Plan 2025-2035. The purpose of this report is to present the Financial Plan 2025-2035 to Council for adoption. We have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps - is that as per the recommendation?

CR PHELPS: Yes, Mayor.

CR BODSWORTH: Thanks. And Councillor Pattison is seconding. Thanks. So go ahead, Councillor Phelps.

CR PHELPS: Not much to say on this. It is a 10-year financial plan. It lays out what we expect to come up over the next 10 years, so the predicted costs that Council will see, and therefore we can plan accordingly financially to make sure that the money will be there and that the Council is financially stable over that 10 years. That's all I need to say.

CR BODSWORTH: Thank you, Councillor Phelps. Councillor Pattison?

Draft Transcript

CR PATTISON: Thank you. So yes, as Councillor Phelps has said, it is a 10-year financial plan and the plan sets out how Council made its finances, deliver its services, maintain infrastructure and ensure long-term financial sustainability in line with the Council plan that we just endorsed and these two documents go hand in hand. The plan is directly shaped by the Surf Coast community vision and the Council plan and is integrated in Council's broader plan framework.

The community principles of financial sustainability, community equity and meeting our future needs has helped inform this financial plan and I want to thank the community for the hard work earlier this year. These principles have been a guiding voice to help inform how we move forward with both the Council plan and with this financial plan.

This is a 10-year financial plan, but the model will be revisited each year to ensure that it is still current and meets (inaudible) of our environment. This is an extensive model and sets out the funding arrangements for Council to deliver over 100 services and manage over \$1 billion worth of assets and infrastructure to support the local community and our over 2.5 million visitors annually.

So we have a surplus this year. However, in the coming nine years of this plan, we have deficits due in part to extensive asset renewal plans, including the closure of Anglesea landfill remediation. Council will continue to progress its business improvement programs and service review to help reduce these deficits and the key strategic levers to manage our financial sustainability going forward relate to our financial sustainability such as rates, fees that come in, as well as asset management (inaudible) service reviews, advocacy and partnerships (inaudible) and emergency service impacts.

So specifics of all of this are detailed in the plan. I know our financial plan (inaudible) really important and that's just a little taster for you there. So I really encourage my fellow Councillors to support this motion so that we can continue to be financially viable and meet our local government requirements. Thank you.

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

Draft Transcript

CR STAPLETON: Thanks, Mayor. So as has been stated, the financial plan provides predictability about Council spending over the next decade and transparency around planned future borrowings, mostly for generational assets such as the \$6 million loan for the aquatic centre and \$7 million that will be needed for the rehabilitation of Anglesea's landfill and it's also a useful way to track Council's cash reserves over the next decade and to understand their purpose. For example, allocations to and from the waste reserve, the asset renewal reserve or the future fund reserve, amongst others, are clear to the public and planned for well in advance.

A critical aspect of the long-term financial plan and Council's ongoing sustainability is the annual allocation of a significant amount of Council's budget to the asset renewal reserve, which is to ensure that Council has the funds to maintain its assets in good condition for as long as they're needed and over the 10 years of the financial plan, the annual asset renewal allocation almost doubles, so the current \$11.6 million to \$21.2 million at the end of the financial plan.

We face many challenges to our financial sustainability in the local government sector, from rate capping constraints and cost shifting from other levels of government to the increasing cost of responding to climate change impacts and the management of waste, including the upcoming closure of the Anglesea landfill. We also must grapple with an increasing asset base which has subsequent maintenance costs, alongside continued population and increased visitor growth. This is the reality of the environment in which we operate and needless to say the financial plan has been developed within this context to ensure our ongoing sustainability.

With this in mind, we can see that Council's capacity to fund new initiatives is declining over the life of the plan, although of course we maintain our commitment to remaining financially viable and I think this is really important for the community to understand and appreciate. There are many things people would like us to do, but the reality of what Council can do is limited by our financial capacity and in this respect, there needs to be even greater emphasis on community-led projects and partnerships, which I know many in our community are already passionate about.

And of course the pressures of climate change continue and the financial implications of this will continue to be more and more significant. There's not only the need to repair Council infrastructure and clean up after extreme

Draft Transcript

weather events, but also the need to adapt our infrastructure and renewal to withstand ongoing climate impacts, all of which are built into the projections for the financial plan to ensure that long-term sustainability.

Council will continue to undertake service reviews and its business improvement program in an effort to find ongoing efficiencies and to ensure that we can continue to deliver on the Council plan priorities. We commit to maintaining a future cash fund to ensure our long-term sustainability can be managed and we will review the financial plan model in each year as part of the annual budget process to respond to changes such as timing of the Anglesea landfill closure.

It's an extremely thorough and well considered plan that provides ample information for those who would like to understand the nuts and bolts of Council's future financial sustainability. Thanks, Mayor.

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

CR BARKER: One of the most glaring issues that I see within this financial plan is that it relies heavily on financial forecasting by the State Government. On any objective measure, there is no way anyone can honestly say that the State Government is financially sustainable and relying on modelling that they propose just creates a massive risk for us as an organisation.

When it comes to the asset maintenance, I can guarantee you that we have not forecast the amount of assets that we are going to take on through State Government funding. What you'll often see is there will be a project either funded through the State Government grants, TAC or a whole bunch of others that result in extra assets being constructed in the Surf Coast, but those funding sources don't fund the maintenance. So within our rate capped environment we'll have even greater pressure to maintain not just what we've got, but what is put on top of us.

The Surf Coast could be so good and in many respects it is, but if you have a drive around and you look at the condition of the roads, the drainage, the roadside, grass maintenance, the parks, like we've got weeds everywhere. These are just some of the basics that I would like to see dealt with, but while we've got financial plans like this that, in my view, replace vehicles far more often than what they need to, replace IT assets far more often than we need to, that just takes away from those core asset maintenance responsibilities and

Draft Transcript

if this is passed, I can guarantee that the roads are going to get worse, we're going to continue to replace IT and vehicle assets sooner than they need to be and that's just going to chew away at our rate cap funds even faster than any reasonable measure.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? Are there any closing comments, Councillor Phelps? Oh, sorry, Councillor Walker.

CR WALKER: Thank you for the delay. Sorry. Along with our Revenue and Rating Plan, this financial plan supports the delivery of the Council plan to deliver on the community's long-term aspirations. It's an important component of Council's suite of planning, monitoring and performance reporting documents and provides a 10-year financial sustainable projection regarding how the actions of the Council plan may be funded to achieve the community vision.

Council operates over 100 services (inaudible) core services and with the Council plan, we aim to be a high-performing Council that is financially sustainable. This is an in-depth plan that provides a framework for Council to consider during decision making and in setting budgets and also hides principles and challenges to our financial sustainability. Emphasising this is for our Shire, not necessarily everything else that surrounds us. That's the issue that we find when looking at assets that aren't ours also, which we know about. So I'll be supporting this, thank you.

CR BODSWORTH: Thanks, Councillor Walker. Are there any other Councillors who wish to speak to the motion? No. Thank you. Any closing comments, Councillor Phelps?

CR PHELPS: I'll just say that forward planning for finance is a critical thing for Council to be doing. There are definitely going to be challenges, as Councillor Barker has highlighted, but again, we will know how much of a challenge there will be if we have this plan before us and I think it's well set out. We should be able to at least recognise the major challenges that come our way. So I think it's a good plan.

CR BODSWORTH: Thank you, Councillor Phelps. We'll put the motion to a vote. All in favour? Thanks. And against? Thank you. That motion is carried 7-2.

Draft Transcript

The next item is 4.3, Asset Plan 2025-2035. The purpose of this report is to present the Asset Plan 2025-2035 to Council for adoption. We have a recommendation before us. Does anyone wish to move a motion? Councillor Pattison - is it as per the recommendation? Thank you. And do we have a seconder? Thank you, Councillor Schonfelder. Councillor Pattison.

CR PATTISON: Thank you. So together with the Council Plan and the Financial Plan, this asset plan provides a strategic roadmap for managing and using resources efficiently and effectively across our Shire and aligns our assets with organisational goals, promotes sustainability and helps minimise risks for our community. So we need to consider intergenerational equity and the plan ensures that future generations share in the benefits in the way that we plan for our asset renewals and the like. It also supports informed decision making, smarter resource allocation and ultimately strengthening our operational performance and long-term success.

So the report is presented in a very digestible format that enables anyone to get an understanding and a snapshot of the current situation and allocation and spending over the next 10 years. I encourage Councillors to support the asset plan. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I'll just state that community wellbeing is a part of the asset plan where Council seeks to increase community participation and empowerment and will favour projects being led by community where possible. Council will foster healthy active living and community connections for all age groups that improve wellbeing and are equitable and inclusive. The needs of younger and future generations will be prioritised given Council's role in planning for the future.

It also covers sustainable communities, where the qualities that make our place liveable, sustainable and functional will be understood and enhanced. Community members will be central to this work and in the specific growth areas of the Shire place plans will guide design and development to build communities that are vibrant, welcoming, sustainable and less car dependent.

I know that I have attended, along with the Mayor and my Winchelsea ward colleagues, the place planning panels that have been taking place in Winchelsea and that's been really insightful and community has been very enthusiastic about the future of Winchelsea in particular. Tourism will also be

Draft Transcript

an important element, but not at the expense of local amenity or environmental values.

There's also climate and environmental leadership. Council will ensure its own operations are adapted to climate and weather events and build - and renew assets with future needs in mind and it's important to highlight fit for purpose as well because apparently, I have learnt recently that with the water in the environment, more will be in the atmosphere and less will be in the ground, so weather events may change somewhat and we need to mitigate any future weather events such as flooding as an example.

We also have infrastructure and assets. The important role assets play in our community will be given specific recognition. Investment in assets will be equitable and evidence based.

Road condition and function will be a focus, while Council also broadens options for non-car-based travel. Maintenance levels will be calculated to achieve the best balance of cost and amenity over time.

I've also mentioned earlier about the importance of essential green infrastructure as well and I know that with native animals their habitat, their ecosystem, they need to have an environment in which they can also flourish as well. Thank you.

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

CR WALKER: Thank you, Mayor. Council is responsible for managing a significant and growing portfolio of assets valued at \$1.7 billion, so we need a good plan to deal with this. This includes transport, infrastructure, land, buildings, open space, drainage, fleet and IT assets. The asset plan outlines how Council intends to manage this infrastructure over the next 10 years, with a focus on sustainability, financial responsibility and community wellbeing. This ensures that assets support the services and amenities our community needs and expects both now and into the future, providing sustainable benefits for our residents, but also highlights the challenges again, like population growth and the opportunities. It's a guide for Surf Coast Shire's approach to best practice asset management and to establish a clear principle for responsible evidence-based investment in public infrastructure. Thanks.

Draft Transcript

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

CR GRIST: Thanks, Mayor. I just have a couple of observations on community access to this document and the financial plan document as well. I would appreciate if there was a review on how this document and the financial plan and any similar future documents can be shared publicly well before the meeting agenda is released publicly so that the community has a better opportunity to read and potentially provide feedback to Councillors. Also specifically on this asset plan, if there are major variations in expenditure in the 10-year charts, if footnotes could be added to explain some of these discrepancies.

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

CR BARKER: Overall, it's not a terrible plan, but some of the key issues revolve around the issues that I've highlighted previously with the turnover of assets, in my view, too quickly. When you've operated heavy vehicles or other assets for years on years, you know that if you treat it well, you can stretch assets out for a very long time if you maintain them well. By having this view of turning IT vehicles, other assets over prematurely to have the latest and greatest all the time, that comes at a massive significant cost that puts extra pressure on to our rate capped environment and because of that, I won't be supporting the motion.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to the motion? And are there any --

CR STAPLETON: Sorry, I know that was very last minute.

CR BODSWORTH: That was late, but go ahead.

CR STAPLETON: I just want to add a comment, I guess, because consideration of asset renewal is really important and I know that Council officers have put a lot of thought into how that's best managed and that new software I believe has actually been introduced to better manage the timing of asset renewal to ensure that assets are being optimised and there is, I guess, that sweet spot where you can leave an asset too long and then it actually costs Council more to renew or replace or you replace it early and with this software that has or is being implemented now, it helps Council to identify the optimal time to get the

Draft Transcript

best financial return on an asset so that it is being renewed or replaced at the time that provides the best return to Council and therefore the community.

CR BODSWORTH: Thanks, Councillor Stapleton. Do any other Councillors wish to speak to the motion? Are there any closing comments, Councillor Pattison. Thanks. We'll put the motion to a vote. All in favour? And against? Thanks, Councillors. It's carried 8-1.

We're at 8 o'clock, we're just past the two-hour mark, so I'd just like to tell everybody I intend for us to take a break after the next item, which is 4.4, Report on the impacts of celebrating Australia Day on 26 January. The purpose of this report is to update Council on the implementation of the Council resolution on agenda item 3.1 from the February 2025 Council meeting and to present an information report on the impacts of celebrating Australia Day on 26 January, as required by that resolution. We have a recommendation before us. Does anyone wish to move a motion? Councillor Pattison - is that as per the recommendation? Thank you. And do we have a seconder? Councillor Stapleton, thanks.

CR SCHONFELDER: Mayor --

CR BODSWORTH: Yes, Councillor Schonfelder?

CR SCHONFELDER: I have an amendment that I'd like to present, if I may.

CR BODSWORTH: What is your proposed amendment, Councillor Schonfelder?

CR SCHONFELDER: Governance has a copy of it, but I'm happy to read the amendment. It reads, "That Council writes to the Federal Government requesting that it encourages the community to engage in a conversation about changing the date of Australia Day from January 26 to a long Australia Day weekend, being the last weekend in January."

CR BODSWORTH: Thanks, Councillor Schonfelder, and thanks to the Governance team for showing the proposed amendment. So I'll ask the mover and the seconder if they are happy to accept that proposed amendment.

CR PATTISON: No, I think I'd like it back to the motion that was put forward because we have already written to the Prime Minister, so I'd like to leave it as is, thanks.

Draft Transcript

CR BODSWORTH: And the seconder? So not --

CR STAPLETON: Well, I think both us would need to --

CR BODSWORTH: You both need to agree, so the amendment - I'm just going to check with the Governance team on the proper procedure right now.

OFFICER: Thank you, Mayor. So the amendment would now follow the standard procedure, so if it receives a seconder, then debate would happen with the amendment.

CR BODSWORTH: Thanks. Is there a seconder for Councillor Schonfelder's proposed amendment? Councillor Grist, thank you. Councillor Schonfelder, would you like to speak to your proposed amendment?

CR SCHONFELDER: Thank you, Mayor. I would like to firstly say that I acknowledge First Nations people and I acknowledge the fact that they've lived here for thousands of years with care and great respect.

As the mover of this motion stated, the Government has been consulted about changing the date and the Government actually at the moment - I spoke to the federal member for Corangamite last night in person about Australia Day and at this stage the Government has no plans on changing the date and the Prime Minister has said that he supports Australia Day in its current form. I understand the Leader of the Opposition hasn't said, to my knowledge, how she feels about it, but the prior Leader of the Opposition supported Australia Day.

So what this amendment seeks is some compromise and in the past, prior to the Howard Government, to my knowledge, legislating and gazetting Australia Day on 26 January, for a long time it was a Monday holiday in the last weekend of January. I feel that I want to celebrate Australia Day, I want to celebrate the ancient history we have and I feel that this is a compromise because I think just changing the date and not having any certainty about what it is, what are you going to have? It's like saying we change the system of government we have, but you say what type of government do we change it to? There has to be discussion and there has to be some option there and I do thank my colleague Councillor Grist for seconding the motion.

I do feel that with this it just seems so divisive and I just really - I really hope it can be resolved this matter. So that's why I appeal to my colleagues to - it's

Draft Transcript

still a discussion about Australia Day, so it's not necessarily set in stone, and I think it's important to keep that in mind. Thank you.

CR BODSWORTH: Thanks, Councillor Schonfelder. Councillor Grist, do you wish to speak to the proposed amendment? No. Do any other Councillors wish to speak to the proposed amendment? Councillor Barker.

CR BARKER: I appreciate Councillor Schonfelder's position, but it's a federal matter and I don't think we should be debating that in this chamber.

CR BODSWORTH: Thanks, Councillor Barker. Councillor Stapleton.

CR STAPLETON: Yes, look, I'd just add that I'm certainly supportive of advocating to the Federal Government about changing the date from 26 January, but I don't think it's appropriate for us to be proposing what the right date should be. I think that requires a lot more conversation and engagement. So while I'd support the motion to continue the advocacy, I wouldn't support the proposal of a specific date.

CR BODSWORTH: Thanks, Councillor Stapleton. Do any other Councillors wish to speak to the proposed amendment? Councillor Pattison?

CR SCHONFELDER: Mayor, I'd just like to say, I'm not sure if this is a point of order, but I thought I heard Councillor Stapleton say a specific date because this amendment is not specifying a specific date. It's saying a long weekend which is the last weekend of January.

CR BODSWORTH: Thanks for the clarification, Councillor Schonfelder. Councillor Pattison?

CR PATTISON: Thank you. (Inaudible) I agree with the intent of what Councillor Schonfelder is seeking, which is the advocacy. However, I think that that can be - that's already being done through our Council, it's - a letter has been written (inaudible) I think is continuing and we need to be quite broad in that advocacy and not defining a specific weekend. So I won't be supporting this amendment, thank you.

CR BODSWORTH: Thanks. Are there any other speakers for the --

CR PHELPS: Point of clarification, are we discussing just the amendment or are we discussing the whole --

Draft Transcript

CR BODSWORTH: We're discussing just the proposed amendment.

CR PHELPS: Yes, I do have a comment.

CR BODSWORTH: Would you like to speak to the proposed amendment?

CR PHELPS: Yes. With regard to advocating for changing the date of Australia Day from January 26 to the last Friday or Monday of January, I've actually long thought it's the easiest, most sensible and most practical solution to an unnecessarily divisive issue. Australians do love a long weekend after all, so I do support the amendment.

CR BODSWORTH: Thank you, Councillor Phelps. Do any other Councillors wish to speak to the proposed amendment? Thank you. We will now put the proposed amendment --

CR WALKER: I just want to clarify, by adding that to the amendment, we still are adding it to the, say, point 2 that's on there, "continues to practise not participating in Australia's celebrations while the official date is January 26". So by adding that amendment, that's still in there, is that correct?

CR BODSWORTH: Thanks for the question. I'll pass that on to the Governance team to provide clarification on that.

OFFICER: That's correct, Mayor. Would you like it to be shared on the screen again?

CR BODSWORTH: Thanks. That would be helpful.

CR WALKER: Thank you.

CR BODSWORTH: Thanks to the Governance team for that. Thanks for the question, Councillor Walker. Do you wish to speak to the proposed amendment?

CR WALKER: No, thanks.

CR BODSWORTH: There are no further speakers to the proposed amendment. We'll now put the proposed amendment to the vote. All in favour? And - sorry, just keep your hands up for a sec. And against? So the proposed

Draft Transcript

amendment is carried 5-4. So we now return to the debate on the substantive motion with the addition of the amendment from Councillor Schonfelder. So Councillor Pattison was the mover and I invite you to speak now.

CR PATTISON: Thank you. I'd like to start by acknowledging and thanking our First Nations community and allies for turning up, asking questions and continuing to ensure your voices are heard.

I come to this motion with mixed emotions. I'm concerned by the unnecessary sadness and loss of trust that this item has raised by First Nations community and allies. However, I'm also hopeful because many of our Councillors have taken the time to be a part of the cultural awareness sessions that were provided to them with Eastern Maar and Wadawurrung traditional owners and that therefore allowed themselves the opportunity to grow in their understanding of why 26 January is not a day to celebrate.

Through these sessions, Councillors that chose to attend were able to listen to traditional owners speak about their history and culture. These were important sessions for Councillors to be open and honest and learn from our traditional owners. It's both respectable and valuable for Councillors to engage in these sessions and work to build relationships with traditional owners. That is good governance and a requirement (inaudible).

Our officers have also presented a report around impacts of recommencing celebrations again on 26 January as well as advocacy to the Federal Government around changing the date and with the amendment to this motion, there will be further advocacy, which is also wonderful.

This is a fulsome and appropriate response from local government, from our Council, when an issue is raised for consideration. Based on all of this, a decision will be made tonight. Unfortunately, there has been a lot of hurt and concern along the way as reintroducing celebrations on 26 January was attempted to be rushed through via a NoM without this process.

We only need to look down the road in our region to see the impact reinstating Council celebrations on 26 January has caused. Our neighbouring Council has a vacant role for their Aboriginal advisor and (inaudible) First Nations representative declaring no confidence in the Council and a refusal to work with the Mayor and Councillors. We do not want that for our community and Council. I want Surf Coast to be on the right side of history, moving forward in reconciliation.

Draft Transcript

I'm proud of the Surf Coast's current commitment to reconciliation and I'm going to read that commitment because I think it's really important that we understand where we sit. Our Council acknowledges that past laws, government policies, actions and attitudes have caused great pain, grief and suffering for Aboriginal and Torres Strait Islander people. We feel and express our deep sorrows that these actions and attitudes have occurred and we are determined to ensure they are not repeated.

What legacy do we want to leave behind, to continue the cycle of mistrust that comes from celebrating on 26 January, or a Council that continues to be at the forefront of building trust with First Nations people through this commitment, this ongoing commitment to reconciliation? I want to be a part of acknowledging our shared history and advocating for a change of date, a date that can be celebrated by all, a step in the direction of reconciliation and uniting all Australians.

Recommencing January 26 celebrations would be more harmful to First Nations people and those seeking reconciliation than the benefits that may be gained for others that would attend Council events on that day, and just to be clear, anybody can celebrate on 26 January if they choose. We're talking about Council-endorsed events. So January 26 can be celebrated without Council involvement and without causing harm to our First Nations community. Please support the motion that we have before us and leave a positive legacy moving forwards in reconciliation. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Stapleton?

CR STAPLETON: Thanks, Mayor. I know that this debate continues to cause pain and distress for many in our community and I'm sorry that that continues to happen. However, I also appreciate that the debate around Australia Day in some instances has created a platform for truth telling and greater understanding about the continuing effects on First Nations communities. I hope my voice adds to this part of the discussion.

Last term Councillors made the decision to change the way we acknowledge 26 January. The decision reflected deep listening through cultural awareness training and walks on country with traditional owners. It was part of our commitment to reconciliation and I believe it marked a significant stepped change in the partnership with our First Nations community.

Draft Transcript

Most of the current Councillors this term have also undertaken cultural awareness training with our local traditional owners and have heard firsthand the impact of this date on many First Nations people. We know that 26 January represents a date that Europeans settled in this country and commenced the decimation of First Nations ancestors and culture.

The new Council plan adopted earlier tonight commits us to value and strengthen relationships with First Nations communities. If Councillors are serious about fulfilling this, it is imperative that we maintain our position of not supporting Australia Day celebrations on 26 January. Any deviation from this position would be viewed as a step backward and I understand would severely impact Council's relationship with First Nations people.

Aside from that, do not forget the direct impact that celebrations on 26 January have on the wellbeing of our First Nations community, increasing feelings of marginalisation, emotional distress and psychological harm.

The report makes it clear that the decision by Council re Australia Day was not and is not intended to limit or impact the ability for others to hold celebrations on 26 January, but I hope that by maintaining our position, more people in the community will grow in awareness and understanding that this date symbolises colonisation, dispossession and the onset of ongoing intergenerational trauma. For many it is a day of mourning.

I'm not against the idea of an Australia Day or celebrating the wonderful things our country and community have to be grateful for, I'm also very supportive of bringing people together and creating strong community connections, but I know this kind of celebration could and should occur on a different date that isn't so divisive, a date when our First Nations people can also feel included and valued.

I'm hopeful that in future we as a Council, in partnership with our community, might be able to work together to genuinely bring about positive outcomes and find a path that continues to move us forward on the journey of reconciliation, not take us backward. Please support this motion tonight so we can work toward an outcome where First Nations people do not continue to feel alienated from civic life and celebration of our nation. There is no good reason to reject this goal. Thank you.

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

Draft Transcript

CR GRIST: Thanks, Mayor. I'd like to foreshadow an alternate motion which I've previously provided to Governance and it might need some amending to also include Councillor Schonfelder's addition. Is that possible?

CR BODSWORTH: Thanks. I'll wait for the Governance team to put up the proposed alternate motion and give Councillors a minute to have a look, and thanks for circulating this earlier, Councillor Grist.

Thanks. So that's an alternate motion that Councillor Grist will have an opportunity to put if the substantive motion fails. Do you wish to speak to the motion, Councillor Grist?

CR GRIST: I'd actually like to read the - with your permission, read the letter, the response we got from the Assistant Minister to the Prime Minister.

CR BODSWORTH: Sure, go ahead.

CR GRIST: So it reads: "Dear Mayor, Thank you for your letter dated 8 July 2025 to the Honourable Anthony Albanese MP, Prime Minister regarding Australia Day. The Prime Minister has asked me to reply on his behalf, "While I thank you for your thoughtful consideration and suggestions about Australia Day, it is the Government's view that Australia Day should continue to be held on 26 January. Australia Day is a day to reflect, respect and celebrate the nation we call home. We reflect on our shared journey and the ever evolving story of our nation, our history, our identity and most of all our people. Each Australia Day, Australians gather across the nation to acknowledge the past and pay respect to First Nations people's survival, resilience and enduring culture. We welcome our newest Australians and celebrate our diverse background and the extraordinary achievements that have made Australia a successful multicultural society. The Australian Government and the National Australia Day Council are committed to ensuring Australia Day is inclusive for all Australians. The Australian Government has provided financial support for the National Australia Day Council for more than 750 Australia Day events in 2025. Events take place in every state and territory, supporting Australians to connect with family, friends and their local community to mark the day with meaning. Significant Aboriginal and Torres Strait Islander elements are included in many of these events. Australia Day is a day to reflect on the free and fair democracy we have created and to celebrate the multiculturalism that makes our country stronger. On Australia Day we come together to celebrate living in a nation where everyone's views, beliefs and contributions are valued.

Draft Transcript

The Australian Government will continue to engage with Aboriginal and Torres Strait Islander peoples and communities. We remain committed to a shared understanding of our history and a united vision for our future."

So my hope is that Councillors see the alternate motion as a better balanced approach for the Shire to support all of our community's desires and one that will bring us in line with the Federal Government position and so I ask that this motion be voted down and the alternate be supported.

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

CR BARKER: Thanks. I thank Councillor Grist for sharing that information in light of good transparency. We received that letter in July and that is the first that the community have been able to hear it, so thank you, Councillor Grist.

When it comes to Indigenous issues and Australia Day, I also understand and acknowledge that Aboriginals were treated poorly by English settlers when they first arrived. I've also got family history in South Africa of family fleeing apartheid, but there's no point in dwelling on the past. Yes, acknowledge it, embrace it, make sure that we don't repeat it in the future, but sitting in this position where at the moment we elevate one group of society, that causes an imbalance and when that imbalance happens, that's when you get friction within society.

There are so many opportunities where we could have a better relationship between all Australians by treating everyone equally and when we go down this path of looking at one part of the community and ignoring the rest, that's not going to end in a positive result for everyone.

The way this motion stands, I can guarantee you that there will continue to be friction within the community and if we don't take on the foreshadowed alternate proposed by Councillor Grist, we're not going to make any net positive as a community.

I appreciate people in the room coming and participating in the debate, sharing your views, but we're here to represent the whole municipal community and if we start looking at the community as a whole, rather than treating people by their race, gender, sexual ideology, anything like that, it's not going to be a good end result. So I can't support the motion as it currently stands.

Draft Transcript

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

CR PHELPS: Thank you, Mayor. I'm pleased to see the report to Council assessing both negative and positive impacts of Council financially supporting Australia Day. I remain of the opinion that true equality allows both commemoration and commiseration of 26 January as a marker of the beginning of the destruction of an amazingly long-lived and complex continent-wide society, but also on the same day a celebration of nations so long as the Federal Government insists on continuing with Australia Day on 26 January.

Much like Anzac Day is both a commemoration of the ultimate sacrifice by so many and also a celebration of the country they gifted to us, so 26 January can be and should be both commemoration of First Nations history, good and bad, and at the same time a celebration of the country we continue to build, which includes First Nations culture and opportunities to learn from it.

Globally, nationally and locally we're currently witnessing an uptick in misguided viewpoints, community division and outright racism, fascism and discrimination. In ordinary times I would support Surf Coast Shire providing financial support for community organisations to put on Australia Day celebration events. To me, this in itself is a simple and straightforward decision and, as I say, I believe we should do so in the spirit of fairness and to take a step forward together over a divisive issue. However, these are not ordinary times and I feel now is not the time to change. First Nations people, along with other groups, are under pressure and I feel it's important that Surf Coast Shire Council is seen to provide clear support by standing strongly with them. Changing now will be over interpreted by both sides of this issue, with consequent negative outcomes.

I too would like to emphasise that the community at large remains free to celebrate Australia Day if they so wish and Council is not advocating against Australia Day and that reconciliation continues. Accordingly, I believe we should retain the status quo for the time being and I support this amended motion.

CR BODSWORTH: Thank you, Councillor Phelps. Do any other Councillors wish to speak to the motion? Councillor Walker.

Draft Transcript

CR WALKER: Thank you, Mayor. I'm going to talk to both motions because they sit both together, if that's okay. Firstly, I pay my respects to the First Nations people here today, everyone.

CR BODSWORTH: I hate to interrupt, Councillor Walker, but when you say speak to both motions, there's only one motion.

CR WALKER: So we're talking to Councillor Grist. I'll save my motion --

CR BODSWORTH: No, you need to do that. So if there's an opportunity to talk to the alternate motion, then you'd need to speak to it then rather than now.

CR WALKER: Okay, yes. I will talk to that, thank you, and then I will elaborate later.

Firstly, thank you - again, I pay my respects to the First Nations people here today and everyone else who calls Australia home. Thanks for coming tonight. I'm sorry you have to be here and this shouldn't be a debate.

We're talking about 26 January. Council is not telling you, as residents, what you can do on that day. It might be a day to celebrate or a day of sorrow reflection, but if we're talking about Australia Day on the 26th, there's already support for events on that day. So if we're talking about supporting Australia Day on the 26th, there's already support available for community events to do so from other sources successfully. Council doesn't necessarily need to support these events further. There's already significant community events over the long weekend that run successfully that people attend which aren't on the 26th.

While Councils were previously required to hold ceremonies on 26 January, as of 2023, we had the flexibility to conduct them within a three-day period before or after the 26th. This should remain, as for new Australians attending these ceremonies the date of the 26th maybe isn't even relevant. Also, the financial implications of holding a ceremony on a public holiday would be significant to Council.

There's a whole different debate around public holidays, the six religious days, the day for betting on a horse race, the footy game, or a far away monarch's birthday and the relevance of these days. The majority of public holiday dates change each year relative to the day of the week, not the date, so why not have a day that is not the 26th of January? Thanks.

Draft Transcript

CR BODSWORTH: Thanks, Councillor Walker. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor, and I once again pay my respects to First Nations people and as someone who's very interested in history, in ancient cultures, I'm fascinated by the history of ancient cultures worldwide and that also includes ancient Egypt as well and I'm interested in the mythology, I'm interested in a lot of the different anthropology also.

I have a German background, which most people would be aware of, and I know there's talk about who are the smartest people in the world and many do say Germans are, but to be very honest, the Aboriginal back trackers, I think they're the smartest people that have ever existed because to track someone missing four days after they're missing through water in remote areas, as an example, is just astonishing, is absolutely amazing.

I know that Bailey Smith, the footballer, has commented on Australia Day and he's said change the - he used an expletive - date and he felt very strongly about that and I know that I'd like to celebrate Australia and celebrate our ancient culture and celebrate the melting pot that we have and the wonderful democracy we have.

I must also say that at the last debate I was very moved by an Elder, by Corrina Eccles in particular, I was very emotional, and I was, I was asked by a colleague afterwards, "Were you moved by it?", and I was honestly moved by it.

I went to the walk from Modewarre to Moriac, the truth telling walk, and I really enjoyed that and I do believe it is a journey of reconciliation that will continue. I'm mindful of commentation from people like Senator Lydia Thorpe, for example, and a lot of the things that she has said I actually agree with and I have said also in a briefing that the late Queen went to Ireland and said that what happened should not have happened there, as an example, and I believe that our head of state would probably be the first to agree that with colonisation, the atrocities that happened absolutely just are baleful and in hindsight should never have happened at all.

I am absolutely so pleased that the amendment has been accepted because I feel it's a compromise. It's promoting a discussion with the Federal Government and I think that is highlighting First Nations viewpoints as well, which is really important, and politics is also - it is about compromise as well.

Draft Transcript

So I thank my colleagues for the contributions they've made to this debate and I understand it's highly emotive. Thank you, Mayor.

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

CR BOURKE: Thank you, Mayor. So the initial intention of this NoM was to help bring a whole community together on a day visited by our government. In lieu of having an alternative day, it does mean a lot of Australians wanting to celebrate wholeheartedly and acknowledge our Aboriginal friends and family members in their mourning as well. It leaves a whole bunch of our community without somewhere to live in lieu of a different day.

The purpose of the NoM, the alternate MoM that Joel has foreshadowed, would bring us together on a day where we can finally start to actually reconcile together. I sort of take a perspective, as a family therapist, that focusing on one hurt or one concern without drawing us together on potential future reconciliations has massive potential to cause more divide and this doesn't mean that we're leaving anybody out in the dark. We have so much - you know, we pay respects every day to our Aboriginals. So I won't be supporting this motion.

CR BODSWORTH: Thank you, Councillor Bourke. Are there any closing comments from Councillor Pattison?

CR PATTISON: Yes, thank you. We've got many concerned First Nations people and allies here tonight at the Council meeting and I've also received many emails and community members asking Council to continue in its current position for 26 January and the position around reconciliation, so I can't see how recommencing celebration on 26 January would bring people together.

All of those submissions and questions that we've heard, they're all making it clear that recommencing celebratory events on 26 January will be harmful. So I really struggle to understand how anyone can choose to ignore this and make a decision that will cause harm to many in our community.

I ask everybody what legacy do we want to leave behind - to continue the cycle of mistrust that comes from celebrating on 26 January, or being a Council that continues to be at the forefront in building trust with First Nations people through a commitment to reconciliation?

Draft Transcript

Recommencing January 26 celebrations will be harmful to First Nations people and those seeking reconciliation and the benefits that are gained through celebrating on 26 January are not outweighed. Please support the motion that we have before us and leave a positive legacy moving forwards in reconciliation. Thank you.

CR BODSWORTH: Thanks, Councillor Pattison. We'll now put the motion to a vote. All those in favour? Thank you. And against? Thanks, Councillors. The motion is carried 6-3.

So thanks, everybody, for your patience and for your respectful listening and I'm looking for a mover and a seconder now to suspend standing orders and take a break. Moved by Councillor Schonfelder and seconded by Councillor Stapleton. Thanks. All in favour? Thanks. That's carried unanimously. We'll now take a break. So once again, thanks, everybody, for your attendance and for your respectful listening.

MS ROBYN SEYMOUR: What time are we back?

(Short break)

CR BODSWORTH: Okay, can I please have a mover and a seconder to resume standing orders and resume the meeting? Thanks, Councillor Barker and Councillor Phelps. All in favour? Thanks. So we resume the meeting at 8.56.

I note that Councillor Bourke has just rejoined, thank you, and Councillor Pattison hasn't so far. We'll press on with the meeting.

We're on to item 4.5, Road Management Plan 2025-29. The purpose of this report is to present the Road Management Plan 2025-29 to Council for adoption. We have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps. Is that as per the recommendation?

CR PHELPS: As per the recommendation, thank you, yes.

CR BODSWORTH: Thank you. And a seconder? Councillor Schonfelder, thanks. Councillor Phelps?

CR PHELPS: Yes, I just simply note that the Road Management Plan does set the outer limits of what people - or what the Council will - how Council will manage roads and paths, et cetera. I would like to think that the Council and

Draft Transcript

certainly my understanding is that they will aim to perform significantly better than the Road Management Plan outer limits, but for legal and insurance purposes, it does need to be set to somewhere fairly sensible and it's very much in line with what other Councils do, if not slightly better than many. Thank you.

CR BODSWORTH: Thanks, Councillor Phelps. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I'd just like to add that the plan does take into account the fact that the weather events change and the fact that if it's been dryer, you have more dust and we have implemented dust suppression measures as an example, so that is commendable and I think we're doing very well considering, thank you, Mayor.

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

CR STAPLETON: Roads are, as we know, a priority for many in our community and on Council and for good reason. In the Surf Coast Shire we have just over 1000km of road, of which about 600km are sealed and 400km unsealed, and the condition of these roads and their associated infrastructure, such as footpaths and drains, has a significant impact on people's ability to get around our community in a safe way. So the Road Management Plan articulates how Council manages its road network and sets performance standards in a way that's achievable in terms of Council resources, while also balancing community expectations.

I would say it's essentially a guide to what needs to happen and when and I think it's important to note that there was an internal review that revealed through benchmarking that in many instances, Council's response times and/or intervention levels in this new plan are actually better than other Councils and the recommendations within the template that's been provided by the Municipal Association of Victoria.

This is particularly true for unsealed road categories, which I thought was interesting given that unsealed roads are often the source of greatest concern for our local residents, and it was also interesting to note that Council's insurers have indicated that Council has room to reduce its service levels to align more closely with others. However, rest assured I don't believe we'll be taking up that option, at least at this point in time.

Draft Transcript

I encourage everyone in the community to have a read. It's a very informative plan and whenever I get inquiries about roads and potholes, I always send back a copy of our Road Management Plan so that people can increase their understanding of how it's all done. Thank you.

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

CR WALKER: Thank you, Mayor. Council manages over 1000km of road and including the new Coombes Road, which is so smooth, which is great. This plan aims to establish a system of our road management functions which is based on policy, operational objectives and available resources and to set a performance standard for our road management functions.

As highlighted through benchmarking, it's found that in many instances Council's response times are (inaudible) levels and this revised plan (inaudible) recommended. However, in future (inaudible) plan, changes may be required. These can be amended through different processes to acknowledge that too as we go along our journey, so thank you.

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

CR GRIST: Look, more of a question than a comment. I couldn't find it in the plan at all, but I was just wondering whether there is a path for escalation of complaints from the community as part of the process, the procedures that we can put into the plan.

CR BODSWORTH: Happy to take that question and refer it to the CEO.

MS ROBYN SEYMOUR: So we have a policy around complaints and how that's managed from a community perspective, which starts with staff, you know, looking to address an issue and ensuring that we're working in line with something like the Road Management Plan. If that isn't - if someone is still concerned about that, they can escalate that complaint and ultimately it goes all the way through to the general manager if there's a level of dissatisfaction or myself and then it can be referred to the Ombudsman.

So there's a whole escalation process that's pretty standard for local government of which if a community member is unhappy from a Council - an

Draft Transcript

answer they get from the investigation from a Council perspective, they're entitled to go to the Ombudsman.

CR GRIST: Does that need to be spelt out in this plan or that's --

MS ROBYN SEYMOUR: I think it's a - I mean, we try to be really transparent about a complaints process. I don't think it necessarily needs to sit in this document, Councillor Grist. As long as community understand what that complaints process is, I think - and we do through all of our work in customer service try to ensure that if people are concerned that there is a pathway for them to make a complaint and that it's investigated.

CR GRIST: Thank you.

CR BODSWORTH: Would you like to speak to the motion, Councillor Grist?

CR GRIST: No, thank you.

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

CR BARKER: I appreciate the budgetary constraints being a consideration for this, but there's a lot of pathways that set what I think are timelines that will result in further degradation, meaning that the issues will require a more costly repair. So where you're looking at a month or two to action a certain pothole or what not, the sooner it's taken care of, the cheaper it's going to be and by stretching out the response times, I think that's going to have a sort of alternate situation where because we've tried to save money by stretching out the response times, it's going to end up costing more because the issue has gotten worse. So while it's not terrible, I know where in the past I've supported policies that I thought weren't terrible, in the end they turned out to be, so I won't be supporting this.

CR BODSWORTH: Thanks, Councillor Barker. Does anyone else wish to speak to this motion? Thanks. Are there any closing comments, Councillor Phelps?

CR PHELPS: No, thank you.

CR BODSWORTH: Thanks. We'll put the motion to a vote. All in favour? Thank you. And against? Thanks. That motion is carried 8-1. The next item is 4.6 --

Draft Transcript

CR SCHONFELDER: Pardon me interrupting. I just wanted to double-check whether Councillor Bourke voted for or against this item because it looked as though she had voted against it.

CR BODSWORTH: I had Councillor Bourke as voting for the motion. Can you - yes, thank you. That's been confirmed.

CR SCHONFELDER: Sorry.

CR BODSWORTH: The next item is 4.6, Draft Domestic Animal Management Plan 2026-2029. The purpose of this report is to present the Draft Domestic Animal Management Plan, or DAMP, 2026-29 to Council to seek endorsement for the purpose of public exhibition. We have a recommendation. Does anyone wish to move a motion? Councillor Schonfelder. As per the recommendation? Thanks. And a seconder? Thanks, Councillor Walker. Councillor Schonfelder?

CR SCHONFELDER: Thank you. Surf Coast Shire residents and visitors have another opportunity to take the lead by providing feedback on Council's Draft Domestic Animal Management Plan. The plan, which outlines how people, dogs and cats can live together safely in the Surf Coast Shire, will be hopefully endorsed for public exhibition at tonight's meeting. I would like to thank the 485 people, both pet owners and non pet owners, who participated in an initial survey.

Community input is shaped by the draft plan, which is now ready for people to access and let us know their thoughts on. We'll use this next round of feedback to produce the final plan, which will then guide what we will do around animal management over the next four years.

The draft plan is themed Take the Lead, which I think is pawsome, which is a call for Council residents and visitors to all play their role to foster friendly relationships between pets and people.

The survey told us that dog-related issues continue to be the biggest concern, particularly dogs off leash and people not picking up dog manure. Roaming cats is also a top concern as well.

Draft Transcript

The draft plan outlines a bigger focus on education, enforcement and using data to guide our services. We also need to help visitors from neighbouring municipalities and beyond to understand our rules.

There are more than 5,500 dogs and 700 cats registered in the Surf Coast. I actually have a White Swiss Shepherd myself, who I refer to perhaps in a not so biased manner as the reason why I exist, but my spouse has said that she feels that Whistler, my White Swiss Shepherd, is not the reason why she exists.

I know how important it is to be a responsible pet owner, especially when I'm out and about with Whistler. From carrying poo bags to being mindful of others, I encourage my fellow pet owners to be across the local laws relating to animal management. If you have any questions, the rangers team is happy to help. I do encourage my colleagues to endorse this item. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Councillor Walker?

CR WALKER: Thank you, Mayor. Engagement feedback was collated and reviewed and used to develop the new DAMP. Feedback from the 485 participants was consistent with Council's two previous DAMPs and the top five issues, which are no surprise, was uncontrolled and dogs off leash, dogs' waste not being picked up, lack of Council enforcement, irresponsible pet ownership, and cats roaming and killing wildlife.

Under the new community process banner Take the Lead - you stole my line of "pawsome", but that's fine - shared responsibility in partnership with the community, Parks Vic and GORCAPA. I encourage community to respond to the draft, but also not just community but visitors to also take the lead in their own pet responsibilities, actions and in Surf Coast's backyard. Thanks.

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

CR STAPLETON: Yes. So this is a draft DAMP which is being developed and updated based on community feedback, so hopefully those who review it see it as a reflection of current community needs in relation to the management of pets. We know almost 500 people provided feedback to help shape the draft and Councillor Walker has outlined the top issues, which are consistent with what we've heard in past Council terms.

Draft Transcript

One thing that is worth noting is that last term Council introduced a cat curfew, which was a big feature of the community consultation and discussion on the DAMP back then. So I was pleased to see that in the data around customer inquiries in relation to pets that the inquiries about the cat curfew have dropped from 18 inquiries in 2022-23 to zero inquiries in 2024-25. Not surprisingly, there has been an increase in inquiries for cat cages. This is a good thing.

The new draft DAMP highlights the need for pet owners to take greater responsibility for their pets. I think we'd all agree this is important. Pick up your dog poo, carry poo bags, keep your dog on a lead in designated areas, be mindful of others, and don't assume that just because your dog is friendly other dogs and people will like having them in their face. Learn how to apply more effective control and understand your dog's breed, your dog and associated behaviour.

Council for their part will also continue to undertake appropriate enforcement and will focus on stronger compliance support to ensure everyone knows the rules and the draft DAMP also has an increased focus on using data to inform future service delivery and prevention strategies.

So have a look at the draft. Let us know what you think about it over the next four weeks. Thank you.

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

CR BARKER: I'm happy to authorise the CEO to put the draft on public exhibition, but I can't endorse it as it is. I appreciate it's been simplified from the previous, so well done on that, but the issue of nuisance animals is one that is pretty much never ending and as a libertarian, I want people to be able to take more responsibility for themselves and their animals. It's just disappointing that they don't, which requires the need for this, other than the state compliance that we have to abide by.

But yes, I hope to be proven wrong, but I don't think this is going to take enough steps to effectively address nuisance animals.

Draft Transcript

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to the motion? And are there closing comments, Councillor Schonfelder?

CR SCHONFELDER: I just wanted to highlight a bit of information that was provided to me by Executive Manager Mr Waight and I thank him for that, a summary that the draft DAMP 2026-29 has an increased focus on pet owners having greater responsibility for their pets. The draft DAMP 2026-29 has an increased focus on using data from the services to inform future service delivery and prevention strategies.

The principles between the two plans are similar with that increased focus on owners to take the lead in the draft DAMP 2026-29. The structure of the action plan is similar and many actions are continuing as they are fundamental actions for our ranger services.

The DAMP 2022-25 includes a 24-hour cat curfew, which Councillor Stapleton touched on as a key initiative, which has been implemented as it is therefore not in the draft DAMP 2026-29.

Unlike the DAMP 2022-25, the draft DAMP 2026-29 does not include planning work for a future dog park in Torquay. This can be infrastructure considered under the social infrastructure plan relative to other identified future social infrastructure and I know that that's something that the community in Torquay and district are quite keen on having a future dog park and there are more dog parks being built statewide on that note. Thank you.

CR BODSWORTH: Thank you, Councillor Schonfelder. We'll now put that motion to a vote. All in favour? Thanks. And against? Thank you. That's carried 8-1.

The next item is 4.7, Annual Financial Report and Performance Statements 2024-2025. The purpose of this report is to seek Council's in-principle approval of the 2024-25 Financial and Performance Statements as recommended by the Audit and Risk Committee and in accordance with section 99 of the Local Government Act 2020. We have a recommendation. Does anyone wish to move a motion? Councillor Pattison - is that as per the recommendation? Thanks. A seconder? Thanks, Councillor Phelps. Councillor Pattison?

Draft Transcript

CR PATTISON: Thank you. The report has drawn our attention to some really important highlights that I want to talk you through tonight that demonstrate the financial sustainability of our organisation and the Shire. So our cash investments are at 108.3 million, up from 95.2 million last year, and this thing called working capital ratio, which you may not be familiar with, but it's at 194% and this indicates strong (inaudible) and prudent financial management.

As can be seen from the prior financial plan and asset plan that has been passed earlier tonight, all cash funds are clearly allocated for specific purposes and this does not mean that we have funds to splash. We're a financially responsible council.

But our borrowings are also down to 10.4 million, a reduction of 2.1 million from last year. Our revenue is up, at 138.5 million, and this is driven by increased grants and contributions as a result of successful funding strategies by our officers and we do have a talented team here at the Surf Coast who all share in the desire for our community to thrive and are therefore very successful in grants, which is wonderful.

Our statements demonstrate a \$33.2 million surplus compared to an \$18.5 million deficit last year and this is a result of a number of things that also includes capital grants for key projects and to be aware just across the road or just along a little bit of the Wurdi Baierr Aquatic Centre, which is ongoing and has significant grants associated with that.

I also wanted to say a big thank you to our finance team for their work. When the report and performance statements were presented to us at the Audit and Risk Committee, the feedback from the auditor was very supportive and acknowledged that we are leading the sector with the application of the new accounting standards this year. So well done to Gabby and the finance team. Thank you very much for all the work you've put into this. I encourage our Councillors to support this motion.

CR BODSWORTH: Thanks, Councillor Pattison. Councillor Phelps?

CR PHELPS: Yes, thank you. I'd just like to - thanks to Councillor Pattison for pointing out the key numbers there. I'll just read the outcome, if I may. So accepting this recommendation gives approval in principle to the Annual Financial Report and Performance Statement prior to submitting the statements to the Auditor-General for issue of an audit opinion in line with the act. So we do need to - it's a requirement for us to pass these at one stage or

Draft Transcript

another. The auditor will then provide the minister with a copy of the audit report and audited statements and these statements will then form part of Council's 24-25 Annual Report, so they're quite important documents. Thank you.

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

CR BARKER: There's a few significant concerns. If you go to page 385 of the agenda, when it comes to operating position adjusted underlying result and the stability below that, you see there's a little - well, quite a spike in the 24 finance year due to the transfer of assets to GORCAPA, but after that it highlights that with the underlying deficit, it demonstrates that we can't renew our assets to the level of depreciation expense.

While I trust that these financials are true and correct, they also give a significant warning that we can't keep continuing as normal. If we have sustained deficits, while I appreciate we've got reduced borrowings, thank you, our assets are just going to go into disrepair. We're not going to have enough money to maintain our assets to like a basic standard - not just good, but not even basic. That's why I harp on about focusing on core services. We've got so many legislated responsibilities that it just stretches our finite budget too far.

Then if you go down to stability, that highlights the recurrent grants. Like we could not add to our infrastructure base without State Government grants and it's essentially like you're a kid just moved out of home and your parents are funding all your stuff. You've got to fund your stuff to be maintained, but you don't have enough money to and eventually it's going to break and you're going to wonder why you don't have anything that's useable.

I don't know how to articulate this better so you actually grasp the reality of where we are because I can guarantee you in 10, 20 years we're going to have all these grants building all these assets in the municipality and we're not going to be able to maintain them and it's going to be degrading and a key example is this building. I don't know if anyone has had a critical view of the building, but we've got some material on the outside that is peeling away and to me it's representative of this organisation that can't even get the basics maintained, let alone anything else.

Draft Transcript

So I'll support it as a true and correct example of our financials, but it shows the warnings that I've been raising. So do with that what you will.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? No. Are there any closing comments, Councillor Pattison? No. Thanks. We'll put this motion to a vote. All in favour? Thanks. It's carried unanimously.

The next item is 4.8, T25-002 - Road Safety Improvements - Torquay North and Fischer Street. The purpose of this report is to seek Council's award of contract T25-002 Road Safety Improvements, Torquay North and Fischer Street. As a portion of the officer recommendation for this item was redacted in the agenda, I'll ask that officers share the unredacted recommendation on the screen before we proceed. Thank you. So we have a recommendation before us. Do we have a mover of a motion? Councillor Schonfelder?

CR SCHONFELDER: As read.

CR BODSWORTH: Thank you. And a seconder? Councillor Pattison, thanks. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I understand safety is very important and I do know that in Torquay many residents say to me about the new normal about the fact that the town is busier than it has been in the past and I realise Fischer Street is a very busy road and there are people who are pedestrians and cyclists who use the road and it's a bit of a, I suppose, cocktail, you could say, of multiple users. The wombat crossings at Darian and Fischer very much, I think, will help with safety.

I know the wombat crossings, they are like a, and I stand to be corrected - they are like a speed hump in a way, they are raised. I am a little bit concerned that some people, they do feel that a speed hump slows down ambulances, so I know that's something to bear in mind. But I am of the understanding that no car parking will be removed as a result of these measures and I have been reassured that where Deep Creek is located where Fischer Street is narrow that a bike path or bike paths will be built there because I believe that cyclists do frequent that area and we have local - well, colleagues of mine tonight who ride their bikes along there and know it very well and I know Councillor Grist has brought that to my attention and even as a motorist, I've noticed it's quite narrow and it's quite expensive to widen a

Draft Transcript

road, so a bike path there I imagine will be economically more feasible and that's something that I really welcome.

So that's why, unlike last month, where I didn't support a wombat crossing in another part of Fischer Street because of the parking being removed and other associated issues, I feel that tonight - and I've been reassured about this bike path being built where Deep Creek is and I feel as though the circumstances differ somewhat. I don't think it's possible to put wombat crossings everywhere because I know that in our neighbouring municipality I spend time in Highton, very busy intersections there, Barrabool Road and North and South Valley Road, no wombat crossings there, so that's just food for thought. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Councillor Pattison?

CR PATTISON: Thank you. So just a couple of points about this contract and I'm really glad that - well, I hope that my fellow Councillors will support us to award this contract.

Fischer Street was identified as a high-risk corridor for cyclists and pedestrians during the Surf Coast Shire's Safer Cycling Strategy in 2022. There were (inaudible) crashes in a five-year period, including several cyclists, and in 2023 an analysis project was undertaken funded by the TAC how the corridor could safely accommodate growing numbers of active transport users.

So this project (inaudible) dedicated cycling lanes at key intersections between Darian Road and Merrijig along Fischer Street and the project will make it safer and easier for cyclists to get around without using their car, helping to connect Torquay town centre and north Torquay and the sporting precinct.

They will make a big difference with people feeling safe on their bike and I think that's really important because that's often a prohibitor of people riding places is that they don't necessarily feel safe. So this is good for the environment, congestion and healthy lifestyles.

Also, as we can see in the agenda, the tender was well responded to and the criteria for assessing those tenders and that's all detailed in the agenda for people to understand how we've come about selecting the successful tenderer. Thank you.

Draft Transcript

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

CR BARKER: I won't be supporting it because this fascination with wombat crossings has got to end. Like yes, it's going to be safer, but go around, drive on the roads, have a look where wombat crossings have been for a period of time and you'll see on either end where vehicles go over the wombat crossing, when they go to the other side they damage the pavement and it's just going to create more asset renewal than what's needed. If it was for something simple like a zebra crossing, I might be able to get behind it, but it's just - you can't have it all and it's just going to cause more asset renewal issues and I won't support it.

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

CR STAPLETON: Yes, look, I'd just add I guess to the comments that have already been said that Fischer Street is a really popular route for people to travel from central Torquay to north Torquay and I think with these improvements, hopefully what we will see is fewer cars using that route and more people moving to active transport, riding their bikes in or taking advantage of improved sort of safety through pedestrian pathways. So yes, I'm supportive of it and hopefully everyone backs it tonight. Thank you.

CR BODSWORTH: Thank you, Councillor Stapleton. Are there any other Councillors who wish to speak to this motion? No. Thank you. Are there any closing comments, Councillor Schonfelder?

CR SCHONFELDER: No, thank you.

CR BODSWORTH: Thank you. We'll put the motion to a vote. All in favour? And against? Sorry, I'm going to run that again because I didn't catch everyone. All in favour? Thanks. And against? Thanks. That's carried 8-1.

4.9, Project Budget Adjustments and Cash Reserve Transfers - September 2025. This report contains proposed project budget adjustments and cash reserve transfers for Council approval. It 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.

Draft Transcript

Does anyone wish to move a motion? Councillor Stapleton. Is that as per the recommendation?

CR STAPLETON: It is.

CR BODSWORTH: Thank you. And a seconder? Councillor Schonfelder, thanks. Councillor Stapleton?

CR STAPLETON: Yes, look, I don't really need to speak to much in this report except to acknowledge that its purpose, as always, is to provide transparency around the movement of funding in and out of projects from various sources, so it's just to provide complete transparency about where those projects are at.

I think it is good to note that officers are aware that there has been some feedback in terms of accessibility and readability of the tables and the way they're presented and that there has been some work to improve the format and the presentation of those templates which will be a work in progress and we'll continue to see improvements in future reports.

CR BODSWORTH: Thank you. Councillor Schonfelder?

CR SCHONFELDER: I'd just like to add that in Winchelsea in particular, Gladman Street, the construction of the road there, the sealing of the unsealed road is very warmly welcomed and I know that we've talked about the Road Management Plan tonight and also the assets plan. We cannot, sadly, seal every road in the Shire and I know there are people who don't want their roads sealed because they don't want more traffic, but Gladman Street is something that's really fantastic to see. So that's all I'd like to say, thank you.

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

CR BARKER: I'm generally opposed to grants, as most people know, but specifically the heating pump coil upgrades for this building. The whole thing about chasing net zero, all it is is creating an externality. By going electrified and if we end up going with wind or solar, all that's doing is pushing over the negatives of the slave labour and the heavy metal extraction and the issues that come with that onto somewhere else and additionally, it's just chasing a pipedream that's unattainable and I'm not going to support it.

Draft Transcript

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? And are there any closing comments, Councillor Stapleton?

CR STAPLETON: No, thanks, Mayor.

CR BODSWORTH: We'll put the motion to a vote. All in favour? And against? Thanks. The motion is carried 6-3.

4.10, 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 and Environment Act 1987 through the updated Instrument of Appointment and Authorisation. This instrument requires updating due to recent staff changes. The content of the instrument has also been slightly reworded to reflect changes to the template provided by external lawyers. We have a recommendation before us. Does anyone wish to move a motion? Councillor Schonfelder - as per the recommendation? Thank you. And a seconder? Councillor Phelps. Thank you. And Councillor Schonfelder?

CR SCHONFELDER: I'd just like to quickly congratulate the officers on their respective appointments and also welcome the new members of staff as well. Thank you.

CR BODSWORTH: Thank you, Councillor Schonfelder, Councillor Phelps?

CR PHELPS: I'd just point out that it is a required document to update who is allowed to do what inside Council, so it's a regular thing that we see, that's all.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to the motion? Councillor Barker?

CR BARKER: This is just indicative of our 16% attrition rate with retention of staff. Yes, we've got a new one, but this turnover shows that there's something wrong.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? And are there any closing comments, Councillor Schonfelder?

CR SCHONFELDER: No, thank you.

Draft Transcript

CR BODSWORTH: Thank you. We'll put the motion to a vote. All in favour? Thanks. That's carried unanimously.

4.11, 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 Barker - as per the recommendation? Thank you. A seconder? Councillor Phelps. Thanks. Councillor Barker?

CR BARKER: No.

CR BODSWORTH: Councillor Phelps?

CR PHELPS: Nothing further to say, no.

CR BODSWORTH: Do any Councillors wish to speak to the motion? Thank you. And no closing comments? We'll put the motion to a vote. All in favour? Thanks. That's carried unanimously.

There's no urgent business for tonight's meeting. There being no further items of business, I declare the meeting closed at 9.32pm. Thanks, Councillors, and thank you particularly for a very respectful debate on a sensitive topic tonight.