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Draft Transcript

Surf Coast Shire Ordinary Council Meeting

Surf Coast Shire Civic Office

Council Chambers

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MAYOR STAPLETON: Good evening and welcome to our August Council meeting. I'm Mayor Libby Stapleton and it's a pleasure to welcome everyone joining us tonight, both here and also online.

This meeting is being live streamed, so a big welcome to those tuning in online, and of course welcome to my fellow Councillors. Live captioning will accompany the live stream of this meeting. We hope that that assists those who may have hearing difficulties.

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

Before we commence tonight's meeting, I would like to acknowledge the very sad passing of former Surf Coast Shire Councillor Glenda Shomaly. On behalf of Council, I extend our sincere condolences to Glenda's family and loved ones. We also acknowledge and thank Glenda for her service to the Surf Coast community and her commitment to the protection of our natural environment. A little bit later, when we get to presentations, Councillor Bodsworth will say a few words about Glenda's contribution on behalf of Council.

I would also like to acknowledge a significant milestone for our community. Last week, the Victorian Government announced the rezoning of the remaining land west of Duffields Road in the Spring Creek Valley to farming, bringing to a close a community campaign spanning more than two decades to protect this important landscape from urban development. This outcome reflects the dedication and advocacy of many people over many years, including community members, environmental groups, Councillors, and Council officers. On behalf of Council, I thank everyone who contributed to this achievement, which will help protect the environmental and landscape values of the Spring Creek Valley for future generations.

Finally, I would like to acknowledge the success of the recent Trailsplus Surf Coast Wonderfalls event, which attracted more than 400 runners to the Lorne region, including our very own Councillor Crockett, who participated in the 14km trail run through the magnificent Otways. It was really wonderful to see Cumberland River Holiday Park and local businesses benefiting from visitors returning to the area after the significant floods that took place in January. This event also highlighted both the resilience of our community and the importance of continuing recovery efforts. While progress has been made, significant repairs to flood-damaged trails and bridges are still required and Council continues to strongly advocate for the investment that's needed to restore this important infrastructure and to support the ongoing recovery of Lorne and the wider region. I do thank the Great Ocean Road Coast and Parks

Authority, the event organisers, volunteers, and local businesses for their contribution to the success of this event.

We also have a number of Councillors who will have the opportunity to speak about other Surf Coast events when we get to presentations in the agenda.

But firstly, a reminder about process for our meetings. 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 would now like to recite the Pledge as a sign of our commitment: As Councillors, we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

I have not received any apologies for tonight's meeting. I note that Councillor Schonfelder is joining us online, so welcome, Councillor Schonfelder. Are there any other apologies? No. Okay.

Can I please have a mover and a seconder to confirm the minutes of the Council meeting held on 28 July 2026? Moved by Councillor Phelps and seconded by Councillor Grist, thank you. All those in favour? That's carried unanimously. Thank you, Councillors.

Do we have any leave of absence requests? Councillor Bodsworth.

CR BODSWORTH: Yes, thanks, Mayor. So I'm requesting leave of absence from 12 September to 7 October.

MAYOR STAPLETON: So you'll be missing the September Council meeting --

CR BODSWORTH: Correct.

MAYOR STAPLETON: -- in Aireys Inlet.

CR BODSWORTH: Very regretfully.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Can I please have a mover and a seconder for this leave of absence? Moved by Councillor Pattison, seconded by Councillor Crockett. Thank you. And all those in favour? That's carried unanimously. You can go on your holiday, Councillor Bodsworth.

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. They will be requested to leave the meeting whilst the matter is being considered and then, once the matter is resolved, they will be asked to return to the meeting. Are there any declarations of conflicts of interest in relation to tonight's agenda? No? If any conflicts arise during the meeting, please make them known to me.

Before we move on to public question time, I have invited some of the Councillors to say a few words about events and activities that they've been involved in in recent weeks and we will start with Councillor Bodsworth celebrating the life of former Councillor Glenda Shomaly.

CR BODSWORTH: Thanks, Mayor. So, yes, it's a privilege to be able to celebrate the life of Glenda Shomaly. As the Mayor pointed out, Glenda was a Surf Coast Shire Councillor - Glenda's name is up on the board over there - between 2001 and 2004. She was also the President of Torquay Coast Action for 31 years. She was the founding President and remained President until she passed away recently.

She was also on the Council's Karaaf Reference Group and so I know that some people here would know Glenda from that. She was also a friend of the Hooded Plovers and played an important role in Hooded Plover conservation, particularly on the Torquay to Point Impossible coast and calibrating with people in Breamlea. She was a Landcare member.

Glenda was also an architect, a respected architect, an artist and her architecture, her houses particularly, there are quite a few examples in the Surf Coast and I know people who live very comfortably and happily in one of Glenda's houses.

She was also a mother, she was a friend to a lot of people. She was known as an incredibly supportive and generous and warm person, a very giving person. She was kind and she was patient, but she was also very staunch and could be stubborn. She was a very staunch and stubborn advocate for the environment.

She was a very big supporter of reconciliation and took connection to country very seriously and tried to bring that into her own activities in conservation. She was fantastic at instilling a sense of shared purpose in the people who she worked with, particularly through her role as the President of Torquay Coast Action. That included a lot of leadership in Rip Curl Planet days, which are local volunteering days that Rip Curl ran and still runs.

Before today's Council meeting, I went for a bit of a walk down at the Torquay foreshore in an area called Glendaville, for obvious reasons, which is just this side of Deep Creek where Glenda oversaw reveg work which is now quite mature and that area is an amazing habitat for native animals.

So Glenda has had a really tangible impact and a very lasting impact and when we consider the community vision that the Council works to, which is to leave the

Surf - or which includes the phrase "to leave the Surf Coast better than we found it", Glenda's impact is certainly spot on that. She has definitely left the Surf Coast better than she found it and she has inspired loads of people to do that as well. So, yes, very proud to pay tribute to Glenda on behalf of the Council.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. I'd now like to ask Councillor Grist if you'd like to say a few words about the Torquay RSL Vietnam Vets Service.

CR GRIST: Yes, thanks, Mayor. Yes, Last week several Councillors and staff had the privilege of attending the Vietnam Veterans community ceremony commemorating the 60th anniversary of the Battle of Long Tan.

The Battle of Long Tan holds a special place in Australia's military history. On 18 August 1966, 108 young Australians and New Zealanders of Delta Company faced a vastly larger enemy in a rubber plantation near Long Tan where they were outnumbered 8 to 1. 18 Australians were killed and 24 were wounded.

60 years later, it was a privilege to stand with veterans and members of our community and remember not only those who fought at Long Tan, but all Australians who served in all three services in Vietnam, and particularly those who came home to a country that did not always give them the recognition or respect that their service deserved.

There was also a broad lesson from the Vietnam era that has stayed with democracies ever since. It gave political history the expression "the credibility gap", the gap that can emerge between what government institutions say has occurred and what the evidence or the experience of those directly affected tells us actually occurred. It is a useful reminder even today that public confidence in government institutions ultimately rests not upon the authority with which something is stated, but upon whether it can be substantiated under scrutiny.

But last week's ceremony was principally about remembrance of the individuals who served valiantly to ensure the freedom that our land now enjoys. I'd like to thank the RSL, the veterans and their families for allowing our community to share in that commemoration. I'm also pleased to advise that a conversation I had with a veteran on the day has initiated the return of a Vietnam Veterans commemorative plaque currently in Council's possession to a more prominent location within the shire and I thank officers for their prompt action working with the Vietnam Veterans on this issue. Thanks.

MAYOR STAPLETON: Lovely. Thanks, Councillor Grist. And Councillor Walker, would you like to give us an update on a couple of events? We had the Stribling Reserve netball lighting and the Point Grey announcement.

CR WALKER: Yes, thank you, some exciting developments down in our neck of the woods down in Lorne.

The new Stribling Reserve netball lighting was officially opened up the other day and turned on. So it was a project delivered by Surf Coast Shire. Lorne Football Netball

Club did some great fundraising in partnership with the Australian Football League, Netball Victoria, AFL Victoria, and the Victorian Government.

I was happy to be on home soil with the Deputy Mayor, Tony Phelps, Councillor Bodsworth, the CEO, and MP Gayle Tierney and other dignitaries and community members.

It's a great outcome, so now the netballers can train at the same time as the footballers under quality lights and also at a lower cost due to repurposing the existing lighting poles there, which was a great outcome. It's great for future generations now to use the space under quality lighting into the future.

The next day I was lucky to walk through the new Point Grey development down at the Lorne pier, which is 20 years in the making. It has been a long journey for the community down there and everyone involved. When it was started straight after Australia Day, there was a risk of fencing it off and not getting anything done and credit to the contractors, they started straightaway. Due to that, it's due to open on time to open in December, which is a pretty amazing turnaround, and just in time for summer.

So down there it's all been repurposed. There's a new Lorne Aquatic & Angling Club going up down there, a new cafe where the old Pier Seafood Restaurant was with its amazing views because it opens up a lot more down there, new toilets, a boat wash, which the community really fought for, and a realigned carpark to make it a lot more pedestrian friendly too and it looks fantastic at the moment. As with any small community, it's not going to make everyone happy, but I think when everyone sees it, they will be quite happy with what we've got down there for everyone to use. Looking forward to it opening up.

MAYOR STAPLETON: Excellent. Thanks, Councillor Walker. Next on the agenda we have public question time and this is a time for community members to ask questions or make a submission at a Council meeting. We have one community member this evening who has submitted two questions and that is it for tonight. So if we could invite Tom Melican up to ask his questions. Welcome, Tom. Hi, Tom. Thanks for joining us.

MR TOM MELICAN: My pleasure. Thanks for having me. Yes, my question was related to the agenda item about the cycling strategy implementation and I'd have to say that the Surf Coast Council has done a great job in improving local access within Torquay, but without links to other towns, it really limits the accessibility, particularly into Geelong.

The Department of Transport has a strategic cycling corridor, which is their priority links within Victoria. The link extends from Geelong, but stops at Lower Duneed Road. There are some strategic cycling corridors identified within Torquay, but they're very limited and they don't really connect to other towns.

Council has input into the development of these links with the State Government and the department, but Council has allowed Torquay to be totally isolated from these vital links to within the entire state. So my question to Council is what is Council doing to ensure that Torquay has safe cycling links to Geelong, Barwon Heads and Anglesea and have these included any of the state's strategic cycling corridors?

MAYOR STAPLETON: Good question. Thanks, Tom, and thank you for your acknowledgment. We really appreciate that.

We do agree with you that there are gaps in the network and we did provide this feedback to the Department of Transport when they were developing the original strategic cycling corridor. Whilst our feedback wasn't incorporated at that time, we have more recently provided them with details of our latest analysis into local cycling routes and, notably, over the past 18 months, our team has been working closely with the City of Greater Geelong to identify a preferred cycling route from Torquay to Geelong.

We have honed in on Horseshoe Bend Road as the most appropriate link and we're seeking funding opportunities now to actually deliver the project, which has an estimated cost of more than \$5 million, so we will need funding support with that, and that link will cover the length from Blackgate Road to Lower Duneed Road linking with that existing section from Lower Duneed to Geelong that you identified.

So this safer cycling corridor is one of Council's adopted advocacy priorities - my assistant here. So this is our advocacy priorities document, Tom. I don't know if you've seen it.

MR TOM MELICAN: I have.

MAYOR STAPLETON: But yes, it's worth picking up and having a look. You'll see a section on active and public transport, which talks specifically about our advocacy work to seek funding for that link from Torquay into Geelong and we've had regular conversations with government and the opposition highlighting the safety and economic benefits of this project.

So it's definitely high on our list of priorities in those sorts of advocacy discussions leading into the state election and really important to us as a Council, and more broadly we have an advocacy priority that seeks to establish a functioning active transport network by closing gaps on key routes, similar to those that you've identified, and we've lobbied for the continuation of the federal Active Transport Fund, which we're really pleased to see and I'm sure you've noted, that the Government has now committed to continue this fund for a further 10 years, which is really important to us.

We've been using road renewals and upgrades to strategically improve cycling safety and address gaps in the network progressively and a couple of examples that stand out are the widening of Blackgate Road and Coombes Road, where we designed the upgrade to provide wider shoulders, sealed shoulders, importantly, for

cyclists, and we're also seeking funding for similar work on a section of Forest Road in Anglesea too.

There are cycling links to Barwon Heads and Anglesea identified in the Safer Cycling Strategy, which I suspect you've had a look at the strategy on tonight's agenda. If not, I'd encourage you to take a look at that document, and that work requires us to work with the Great Ocean Road Coast and Parks Authority, GORCAPA, as well as the Department of Transport and Planning, who manage parts of this network.

So our capacity, I guess, to work in partnership with those sorts of organisations will improve considerably in coming weeks when we welcome a new Integrated Transport Planning Officer to start work at Surf Coast Shire. So we're really excited about them coming on board and being able to progress some of that work that you've identified. And question 2 from Tom.

MR TOM MELICAN: Oh, well, the Federal Government has announced \$500 million front-ended over 10 years for such programs, so that's why I thought I'd come tonight because that's a real opportunity to get that funded, and I was aware of your strategy documents there and the fact that we do now have a sustainable transport officer, which I think is absolutely fantastic.

MAYOR STAPLETON: Yes, good.

MR TOM MELICAN: So I'll get onto my second question. MAYOR STAPLETON: Thanks, Tom.

MR TOM MELICAN: The Great Ocean Road Coast and Parks Authority and the Department of Transport control the Great Ocean Road and despite both organisations having active transport objectives and strategies, the Great Ocean Road is not safe for people on bikes and when projects are funded, often they make it less safe, and there's been a few examples over the years which are very disappointing.

When special events are organised, and there's several on the Great Ocean Road, people pay an enormous amount of money for the privilege to be able to ride on the Great Ocean Road safely. This is often at the inconvenience of other road users.

If the Great Ocean Road was made safe for people on bikes every day, it would be an enormous boon to the economic and tourist activity on the whole Surf Coast. We know that currently half the tourists on the Great Ocean Road in vehicles are day trippers who cause congestion, parking issues, while adding limited economic activity benefits. So my question is what is Council doing to ensure the Great Ocean Road, or GORCAP, or whatever, I can't pronounce what it is --

MAYOR STAPLETON: GORCAPA.

MR TOM MELICAN: GORCAPA and the Department of Transport meet their own objectives and strategies to ensure the Great Ocean Road is safe for people on bikes every day?

MAYOR STAPLETON: Wouldn't that be a great outcome? Thanks, Tom.

So Council has identified the Great Ocean Road as an important cycling route in its Safer Cycling Strategy and we do recognise its role in connecting coastal communities and supporting tourism and active transport and all the benefits that come with those things.

As the road is managed by the Department of Transport and Planning, Council does not have direct authority to plan, fund or deliver improvements within the road corridor. However, the importance of the road is something that Councillors and officers have repeatedly raised with the Department of Transport and Planning and we will continue to do that.

We'd also like to see safer cycling infrastructure, including improved road soldiers, intersections, crossings and connections to townships and paths along the Great Ocean Road, and we've also raised the importance of maintaining and sweeping shoulders on the Great Ocean Road.

But it's great to hear the community elevating those priorities as well and while the timing and delivery remain the responsibility of the department, we will continue to provide them with local evidence and community feedback, such as what we're hearing from you tonight, and where we have the opportunity to pursue coordinated funding and any project opportunities, we'll certainly be doing that.

So thank you, Tom. Really appreciate you coming in and sharing your questions with us tonight.

MR TOM MELICAN: Thank you for your response and please keep up the good work.

MAYOR STAPLETON: Thanks, Tom. Okay, and continuing on with our agenda, there are no petitions for tonight's meeting and there are no notices of motion for tonight's meeting, which means we can get on to our reports.

The first report tonight, item 4.1, is PG26/0003 - Amending the Sands Comprehensive Development Plan, and the purpose of this report is to determine the Planning Application PG26/0003, which seeks to amend the Comprehensive Development Plan for the Sands Torquay. We do have a recommendation before us. Does anyone wish to move a motion? Councillor Pattison - as per the recommendation?

CR PATTISON: Yes, as per the recommendation.

MAYOR STAPLETON: Thank you. And is there a seconder? Councillor Crockett, thank you. Councillor Pattison, would you like to speak to that item?

CR PATTISON: Yes, I would, thanks. So I think, firstly, I'd like to acknowledge the many residents here in the chambers and I assume that many of you familiar faces are here in relation to this item and so thanks for coming in and being part of local government. It's great to have you here with us for this Council meeting.

So for me, the decision tonight around this motion comes down to three questions and they are the following: is the amended development plan generally in accordance with the Golden Beach Concept Plan; does it properly account for the recommendations and objectives of the Sands Environmental Management Plan; and taking those two things together, does it result in a satisfactory planning outcome?

Based on the report provided by officers and my investigations and inspections of the site, I don't think the proposed amendment results in a satisfactory planning outcome and I'm going to go through my thinking so that we can all understand how we've come to that point.

So the first issue is the proposed change to the lot schedule. The application would change the current mix of 400 residential lots and 200 medium-density lots to a combined 600 residential lots. Now, that sounds very technical, but the original planning framework clearly intended a mix of housing types. Removing that distinction weakens the planning diversity and, in my view, means the amended plan is not generally in accordance with the Golden Beach Concept Plan.

The second issue is the Environmental Management Plan, which the planning controls specifically require us to consider and I think is very important as part of this process. So there are a few key concerns here. One is native vegetation. Development of parcel A is likely to result in the removal or modification of significant Coastal Alkaline Shrub and Moonah-Coast Wirilda Shrubland, which is inconsistent with the biodiversity objectives of the Environmental Management Plan.

Another very important one is stormwater and the Karaaf Wetlands. The Karaaf is already under significant pressure from urban stormwater and Council and other agencies are working hard to reduce that impact. So the proposal relies heavily on lot scale infrastructure and ongoing maintenance and is not able to demonstrate that future development can occur without further impact on the Karaaf. So the additional flow may not be huge in the context of the whole catchment, but it's still additional flow into an already stressed environment and for me, that's difficult to justify.

Bushfire risk is another concern. Some of the proposed residential land is an area affected by bushfire risk and the officer assessment found that acceptable protection measures may require substantial vegetation change or removal. It has also not been demonstrated that protection of human life has been sufficiently prioritised.

There are also unresolved practical issues around golf course circulation and access, including the interaction between golfers, the motorised carts and the surrounding path network. Taken together, I don't think these amendments result in satisfactory planning outcomes.

I have spent time speaking with residents at The Sands, and thank you for those that took me around, and visiting areas of the proposed - that's considered in these changes and there has also been 169 submissions opposing the amendment and

many residents have taken the time to speak at the Council hearing of submissions, and thank you for your feedback.

The community concern is important context, but I want to be clear that it's not the basis of my decision. The planning decision needs to stand on its own merits. For me, the basis is the planning assessment in front of us, the inconsistency with the intended lot mix, the impacts on the Environmental Management Plan, the unresolved stormwater and biodiversity issues, the bushfire risk, and the remaining operational concerns.

I recognise the proposal would provide a moderate increase in housing within The Sands, but I think when you weigh it up against those other issues, it's outweighed. So, on the evidence before us, I don't think the proposed amendment delivers the satisfactory planning outcome and for those reasons, I will be supporting the recommendation and I encourage my Councillors to do the same. Thank you.

MAYOR STAPLETON: Thanks, Councillor Pattison. Councillor Crockett?

CR CROCKETT: Thank you. Yes, this has been a complex matter to consider, but the decision before us tonight is relatively specific and, yes, a lot of my thought processes will echo that of Councillor Pattison, so thank you.

As Council is the responsible authority in this case, our task is to determine whether we're satisfied with the amendments to the Comprehensive Development Plan and, yes, we as Councillors have had the opportunity to have multiple site visits to The Sands with both residents and planning officers and heard the significant number of submissions and received and read the many emails and letters that we've received, so this input has been really valuable in pointing us to the key issues to consider, but as the responsible authority, the decision making process is the key questions that Councillor Pattison alluded to so, firstly, thinking about whether the amended Comprehensive Development Plan is in accordance with the Golden Beach Concept Plan.

Yes, my finding I oppose the recommendation is that it's not obvious that the proposed lot schedule aligns with the original concept plan and increasing the lots removes a lot of the liveability and the way that the Golden Beach Plan was for beauty and liveability of the space.

Then the second question is does the amended plan adequately account for the objectives approved in the Environmental Management Plan. This is a really important one and having reviewed the material, I'm not satisfied that it does, particularly in relation to the protection of significant native vegetation, which is so important, and biodiversity values and the downstream impact on the really sensitive Karaaf Wetlands.

So even if those issues could be resolved in this application, it's hard to be persuaded that the plan demonstrates a satisfactory planning outcome. So there's still significant concerns that remain upon reviewing the material regarding the

bushfire risk, whether that future development can prioritise protection of human life, the potential loss and ongoing management of our important native coastal plant communities and wildlife habitat, and the severe risk of additional stormwater flows onto the Karaaf Wetlands and the surrounding environmental values.

So while I acknowledge there may be potential benefits associated with additional housing opportunities, I'm not satisfied that the amended Comprehensive Development Plan has adequately addressed the issues that impact the surrounding natural environment. So I support the officer recommendation that Council determine it is not satisfied with the amended plan.

MAYOR STAPLETON: Thank you, Councillor Crockett. Would any other Councillors like to speak to this item? Councillor Barker?

CR BARKER: This organisation has a history of allowing Councillors who live in the area of the agenda item to move or second it. It's interesting that that didn't happen tonight.

But the odd hand is a genuine conflict of rights. The landowner does have a legitimate right to seek productive use of private land. Modest additional housing within the settlement boundary could be a benefit to the wider community, but property rights do not include a right to transfer fire, drainage, environmental or material amenity costs onto neighbours.

Existing residents also spent their money in reliance on an approved master plan and a demanding building and environmental management code. Many of you in the room would be familiar with those.

That code did more than regulate colours and fences. It was intended to protect residents' lifestyle and investment and ensure a high level of amenity and privacy, a required assessment of neighbouring view corridors and probable future buildings and open space. It also promised long-term oversight so future development and landscaping did not compromise the estate's amenity or prestige.

The report says private views and borrowed landscape are not expressly protected under the current controls. Now, that may be a narrow legal position after amendment C130 ended, the code and the architectural review committee, but the code remains powerful evidence of the original planning intent even if it didn't guarantee every view forever.

The community response was overwhelming. The 169 submissions included every single one of them opposing the amendment. Now, while it might seem like they were not simply counted and were ignored, I know many in the community feel like their submissions weren't given sufficient consideration.

If I had significantly more time than 45 seconds, I could have addressed many of the community concerns. Council notified affected owners, advertised the proposal, went through all the processes and gave Councillors the unredacted submissions

and grouped the concerns into 13 themes. I won't have time in this 3 minutes to get through everything I want.

The recommendation reflects many of the concerns with vegetation, bushfire, stormwater plant integrity and golf course operation, but the public report provides no submission by submission response and gives limited weight to the code based on arguments about amenity and reliance.

Even though I've only got 3 minutes, I've got more to share, but here's hoping that we can come to an agreeable outcome.

MAYOR STAPLETON: Thanks, Councillor Barker. Would any other Councillors like to speak to this item? Councillor Grist?

CR GRIST: Thanks, Mayor. Yes, the officer report makes a clear case that the proposal as lodged and presented to Council should not be approved. However, in supporting the officer recommendation, I think it is important to recognise that the report also reaches more defined conclusions, including that the spatial expansion is generally consistent with the Golden Beach Concept Plan, although a proposed change to the residential medium-density configuration is not; that most proposed new locations have low bushfire risk, with parcel A being the significant exception; that the loss of planted or regenerated vegetation is not considered a determinative issue with a significant biodiversity concern again principally relating to parcel A; that neighbourhood character can generally be maintained with this proposal; that additional housing within the settlement boundary is supported in principle; that the integrated residential lakes and golf course concept remains substantially in tact; and that several identified deficiencies appear capable of being addressed through a materially amended proposal.

There is competing evidence regarding stormwater. The proposed esplanade diversion is estimated to remove approximately 233 megalitres per year from flows to the Karaaf, while the incremental effect of this proposed development is comparatively small at catchment scale.

Council's peer review acknowledges that the additional volumes are not significant compared with current total runoff reaching the wetland. However, the officer assessment concludes that the proposal has not sufficiently demonstrated compliance with the Environmental Management Plan and relevant policy requirements for protecting the Karaaf.

The report adopts a precautionary approach, concluding that an incremental increase or reliance on mitigation measures such as lot scale infrastructure that require ongoing maintenance and assumptions about long-term performance and that do not prevent additional runoff is not considered an acceptable planning response.

On balance, the unresolved planning, environmental and strategic issues identified in the officer report are significant and provide sufficient grounds for me to support the

officer recommendation. Council's responsibility tonight is to determine the proposal before us on its merits and, on that basis, I support the recommendation to not be satisfied with the amended Comprehensive Development Plan. Thanks.

MAYOR STAPLETON: Thanks, Councillor Grist. Would any other Councillors like to speak? Councillor Walker?

CR WALKER: Thank you, and thank you, fellow Councillors, for everything you've said.

But firstly, thanks to the community for coming out tonight, but also acknowledging all the hard work you've put in. It shows passion for where you live down there. I remember it as a tip as a kid down there, so it's come a long way. We won't talk about that. And thank you to the officers for putting in so much hard work and making it pretty clear over the last few months. It's been a journey.

We're here today to determine the planning application PG26/0003, which seeks to amend the Comprehensive Development Plan for The Sands Torquay. The recommendation is to determine that Council is not satisfied with the amended Comprehensive Development Plan prepared by GBLA Landscape Architects, not for one reason but, as we've heard today, many, so up to six valid reasons.

The proposal may provide a modest increase in residential development opportunities within the settlement boundary and supporting housing growth objectives in principle. However, the assessment concludes that these benefits are outweighed by the unresolved strategic, environmental, bushfire, and ecological concerns identified. Accordingly, satisfaction with the amended Comprehensive Development Plan is not recommended, so I support the recommendations in this report. Thanks.

MAYOR STAPLETON: Thank you, Councillor Walker. And Councillor Bodsworth, you were next.

CR BODSWORTH: Thanks, Mayor. Like the other Councillors, I support the officer recommendation and the motion that's been put by Councillor Pattison. I appreciate the depth of the rationale and the rigour of the officers' work in this, so yes, great credit to them for the work put in, and I also want to acknowledge the engagement from the community and also the positive spirit in which that engagement happened, and I know that's appreciated by officers as well who were involved. Good to be able to discuss these contentious issues calmly and work through methodically, so I think that's a credit to everyone involved.

I do agree with all aspects of the rationale, except there's one thing where I feel more strongly, so I want to share my stronger views on the issue of the gaps that are - I think a lot of people know what I talk about, the gaps that are a feature of the original Golden Beach Concept Plan and also in the Comprehensive Development Plan, which is the open space gateways or doorways between developed areas.

The officers' report sort of comes down on the side of that issue, suggesting that the filling of those gaps could be consistent with the concept plan. I differ on that one specifically. I feel like filling those gaps is a fundamental difference from the concept plan and I know that that came out somewhat in the public submissions, but for me particularly, as a landscape architect, going from working with pen and ink back in the day, I look at that original concept plan and to me it sticks out like the proverbial that those gaps were put in there for a reason. In my mind, they were clearly put in there to provide landscape connectivity, to provide wildlife gateways, and also to help people get around the precinct.

So, yes, I differ in that respect and I differ really strongly. I think that those gaps were very well thought out and they're in there - they've survived through to today for a really good reason and that's one aspect of the proposed development plan that I think would have had a really major negative impact. In every other respect I agree with the rationale and the recommendation, thanks.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Would any other Councillors like to speak? Councillor Phelps?

CR PHELPS: Thank you, Mayor. I too would like to recognise the significant time that has been put into what I think is a very balanced consideration and report by the planning team. There were, or are, many aspects and a large number of submissions in addition to a lot of information supporting the application. It's a very complex situation with multiple intersecting and sometimes opposing aspects, but it all boils down to, as Councillor Crockett pointed out, a very simple are we satisfied or not satisfied with the amended Comprehensive Development Plan.

I'm happy to accept the expert views presented by officers and I too support the recommendation with the reasoning it presents and that we've just heard more about. Thank you.

MAYOR STAPLETON: Thank you, Councillor Phelps. Just before we go on, could I let Governance know that Councillor Schonfelder isn't able to hear, so if we could just have a look at his audio, thank you.

Given there are no further Councillors to speak apart - Councillor Schonfelder, can you hear me as yet?

CR SCHONFELDER: Mayor, I can hear you and I did want to speak on this item, please.

MAYOR STAPLETON: Okay. Go ahead, please, Councillor Schonfelder.

CR SCHONFELDER: Now, I apologise if what I'm about to say might repeat what others have said. I concur with the majority of what has been purported and just from a very high-level overlook, the retention of human scale is very important in The Sands development, the coastal feel versus a suburban feel and the coastal small-town feel is part of the Council plan.

Other colleagues have touched on wildlife impacts and the fact that an endangered animal, the Yellow-bellied Parrot, resides in the vicinity and also in the internationally significant Karaaf Wetland. The importance of open space is paramount, so I will be supporting the officers' recommendations.

I'd like to end by saying it was a great privilege to meet many of the local residents of The Sands who love the area they live in and they love the Surf Coast. Thank you.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. And Councillor Pattison, did you have any closing remarks?

CR PATTISON: Just to say once again thanks to the community for coming to the Council meeting and for your submissions and the time you've put into letting us know your thoughts on this and my fellow Councillors have outlined throughout the debate tonight that the amended development plan should not be approved and I support the recommendation before us. Thank you.

MAYOR STAPLETON: Thanks, Councillor Pattison. We'll now put the motion to a vote. All those in favour? And the motion is carried unanimously. Thank you, Councillors.

We will now move on to item 4.2, which is the Council Plan Year 1 Action Plan - Full Year Report, and the purpose of this report is to provide Council with the Year 1 Action Plan Progress Report detailing the progress and status of various Council plan initiatives over the first year of the Council plan. We do have a recommendation before us. Does anyone wish to move a motion? Councillor Bodsworth - as per the recommendation?

CR BODSWORTH: Yes, thanks, Mayor.

MAYOR STAPLETON: And a seconder? Councillor Pattison, thank you. Councillor Bodsworth, would you like to speak to the item?

CR BODSWORTH: Yes, thanks, Mayor. So the Council plan - Council adopted its Council plan in September 2025. The Council plan sets five strategic directions: assets and infrastructure; climate and environmental leadership; community wellbeing; high-performing Council; and sustainable communities. For each strategic direction, the Council plan sets strategic objectives and strategic indicators. Each year, the Council adopts an action plan that identifies initiatives that will be delivered that year to achieve the strategic objectives in the Council plan and this item on tonight's meeting agenda is one of those.

The Council action plan initiatives are delivered by a combination of recurrent operating budgets and projects funded in the budget, so there's a very deliberate and close link between the Council plan, the Council plan action plan, and the budget.

Another really important thing that we see in the full-year report is an update on the Council plan strategic indicators, so obviously really important for us to be tracking

how we're going against the indicators that we set when we develop the Council plan action plan.

So I'm going to go through some specific progress items, and I just note before I do that that completed in the tables in the report means that the year 1 action is completed. So we note that quite a few of those items that are marked complete are actually ongoing pieces of work, so a lot of these things don't stop, they keep on going, but the year 1 action can have been completed or not according to the status updates in the table.

So in terms of assets and infrastructure, assets in very poor condition are noted as being at 0.82% against the target of 3.3%; delivery of identified active transport links is at 55% against a target of 32%; there's a lot of important strategic work noted on page 73 of the pack, including a 10-year capital works plan, a road upgrade policy, and there's work also on service reviews as well, so very important strategic work to set the Council up for a stronger future in the long term.

The annual asset renewal program is complete. That's an \$11.62 million spend. I'm going to skip through a few of these because otherwise I'll run out of time.

I'm going to move on to environmental leadership. So waste diverted is at 69.2%, which is down. It has moved in the wrong direction from 69.7%. So the target in the action plan is for that percentage of waste diverted from landfill to increase, ie, that we're diverting more waste from landfill. At the moment, we've moved a bit in the wrong direction, so I guess, given that that's something that everybody in our communities can contribute to by sorting their waste and putting it into the correct one of the four bins, we've all got the power to help improve that figure and I think there's also a financial aspect to that where landfill, general waste is the most expensive of the four waste streams, so anything - any tonnage that we can get out of the general waste stream and into the other waste streams apart from the reuse and recycling aspect also saves Council money and that has a direct impact on ratepayers.

We've done some really important work on climate-resilient infrastructure. That's a particular advocacy priority. We've done Anglesea and Aireys Inlet flood studies and resilience planning, which is extremely important for the future, for obvious reasons.

Our Branching Out greening program has planted 254 street trees.

We've also got a very high community impact through community projects and grants. It's reported on that Wurdi Baierr Aquatic and Recreation Centre just across the way here is on track, due to be opened early next year. A new hockey pitch, a world-class hockey pitch, is complete now here in North Torquay. I note also that we're working with partners on mental health services, which we know is extremely important, particularly to young people in the shire.

I'm running out of time. That will probably do. I'm just reiterating things that are in the report. Generally, it's a very, very positive progress report on the Council Plan Action Plan and I encourage people to have a look through the details. Thanks.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. And Councillor Pattison?

CR PATTISON: Thank you. So noting and endorsing the progress of the Council plan is a really important milestone for Council and what a great shire we live in. Thank you, Councillor Bodsworth, for listing out so many of the wonderful things that have happened in the Surf Coast Shire in the last - you know, in this year 1 reporting period.

So it's a great report, it's very easy to follow. The little tracker bars showing where we're at with the percentages and the like make it very good reading and easy to sort of scan through for community to get an understanding of how Council is progressing and delivering on the Council plan, which I think is what a lot of people in our community want to be able to see quickly, understand where we're going.

So there's 43 initiatives that have been commenced, 29 complete, which is a great stat, and there are still 8 that are on track and 2 that are behind schedule. So we don't shy away from the ones that need further tracking and that's what is important as well.

So one project, a favourite of mine, that Councillor Bodsworth didn't talk about was the Spring Creek pallet bridge, that opened just a little while ago, and there's lots of happy kids riding their bike to school and their parents are happy because their shoes aren't getting muddy along the way, so that's a benefit, and I think that the staff at the schools are happy because the kids aren't turning up muddy. So we're doing our bit to make everybody happy in the community.

Look, it's a great report that really outlines how we're tracking. It's not all perfect, but there's always more work we can do. Thank you.

MAYOR STAPLETON: Thanks, Councillor Pattison. Would any other Councillors like to speak to this item? Councillor Barker?

CR BARKER: Council is required to report on the implementation of the Council plan, but noting a document is not the same as endorsing its priorities or accepting the language at face value.

The report says that 29 of 43 initiatives are completed. It later explains that some completed initiatives are actually annual or multi-year programs and that the completion means that this year's internal milestones were met, not that it was actually completed. Now, it's not necessarily false, but it's very convenient accounting. If I complete today's milestone of buying timber, I have not completed building the bridge.

There's also a direct contradiction. The report says 55% of the Safer Cycling Strategy actions were completed by June on page 71, but then later on in the piece

we'll go to item 4.3 on the agenda and it says this figure is 46%. So we've got 55% early in the piece, 46% later in the document, and Council should explain why these numbers are correct or correct them before presenting them as either evidence of strong performance or accurate reporting.

Additionally, the higher percentage is at an earlier timeframe, so the inconsistencies aren't even actually possible. So when you look at it, it's just wrong.

These sorts of errors are unacceptable and have a direct impact on the reputation of the organisation. Stop producing reports with rookie errors.

It would be amusing if it weren't so concerning, but the fact that Council is operating in the mental health space while creating poor mental health outcomes in me and the broader community through incessant and consistent maximum rate increases just makes me shake my head in absolute disbelief.

The report claims that there's no direct financial implications from noting the report. Now, of course pressing the note button or ticking it off here is essentially free, but 37 pages of reporting is not. The report admits that it requires considerable staff contributions, but gives no hours and no cost of those hours. The finite resources we spend on discretionary advocacy, strategies and behaviour change are resources unavailable for roads, drainage, footpaths, and basic maintenance.

I would have more to say if meaningful dissent were genuinely protected in this environment, but it's not. The organisation needs candid criticism, not controlled agreement.

Council's reputation is not harmed when problems are identified. It is harmed when declining confidence, contradictory figures, and dissenting views are managed as communications problems, rather than warnings that something is going wrong.

I can support noting this report if the errors are explained and resolved. Otherwise, I'll be opposing the motion.

MAYOR STAPLETON: Would any other Councillors like to speak to this item?
Councillor Crockett?

CR CROCKETT: Thank you, Mayor. So by accepting this recommendation, we're meeting our obligation to report on the progress and implementation of our key strategic document, the council plan, and implementation is a very important part of creating a strategy, so it's great to see all of this rocking and rolling, and we appreciate the staff who are doing all of this important work and reporting on it and we appreciate the opportunity to keep an eye on these things as well.

I wanted to highlight the progress made on the climate environmental priorities, sustainable communities, and all of the work that goes into planning for our future, the place-based participatory planning progressed across various townships, and a shoutout to all the locals involved in those place plans, all of the flood study works and the key flood resilience projects, including Anglesea and Painkalac Creek

adaptation, as well as the Karaaf stormwater diversion project, all very important work, and we've expanded recycling and waste recovery initiatives, increased local processing of soft plastics, which are actually being recycled, not stockpiled, so please take advantage, and the polystyrene that is now getting turned into household insulation. So I encourage people to use those services.

While that's going on, Council is also planting hundreds of street trees and also strengthening our climate risk management approach, so integrating this into our organisational risk management and across our services and infrastructure.

So delivery of all of these initiatives across the action plan is going well and every item has begun work on all of the initiatives and of 43, 29 are completed, 14 in progress, which is two behind schedule. I note that there are key challenges in achieving all of this. You know, while Council's - ensuring Council's infrastructure continues to support the community needs despite assets that are ageing, there's more maintenance demand, there's funding constraints, there's escalating construction costs and things like extreme weather, so Council continues to juggle balancing financial sustainability with all of our community's expectations and local needs. So despite all of this, a quite impressive action plan report and I support the recommendation.

MAYOR STAPLETON: Thanks, Councillor Crockett. Would any other Councillors like to speak to this item? Councillor Phelps?

CR PHELPS: Thank you, Mayor. I do think this is an important report to ratepayers and the public. It details what has been undertaken as an implementation of the four-year Council plan and the five strategic directions that Councillor Bodsworth outlined. I think it's worth a reminder that the Council plan and its objectives are a result of both significant community consultation and the result of Council negotiations and a majority agreement.

As we've heard, of the 43 initiatives that were started, 4 have minor delays and 2 are behind schedule. I know these are a focus of attention. I would like to say good work by the shire on the completed 29 and the 8 currently on track and also, may I say, the report itself is a work of art in its easy to follow format describing the projects and initiatives and where they're at. It is a good read.

It gives a very good view of how many areas Surf Coast Shire is working in, all for the benefit of our communities, and this is where the rates go and this report itself is another transparency measure. So I trust it will be approved tonight so that it can be published on the Surf Coast Shire public website for all to see. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. Any other Councillors? Councillor Grist?

CR GRIST: Thanks, Mayor. I don't have a lot to add, but I was just wondering if there could be some clarification about the points that Councillor Barker raised, if there's errors in the report or not.

MAYOR STAPLETON: I'll refer that question through to the CEO.

MS ROBYN SEYMOUR: Councillor Barker, whereabouts in the year 1 report are you referring to because I can't see --

CR BARKER: There's a 55% on page 71 and then on agenda item 4.3 on page 103 it refers to 46%. The 46% reference is a potentially later date than what's marked in the agenda item 4.2, which highlights 55% complete by June this year. So if agenda 4.3 is potentially correct, it can't be because of the dates - like they just don't line up. Someone hasn't crosschecked.

MAYOR STAPLETON: So what I'll suggest is that while I offer another Councillor the opportunity to speak to this item, perhaps our CEO or General Manager can just have a look at that and let us know if they've got any feedback.

CR BARKER: Thanks, Mayor.

MAYOR STAPLETON: Did you want to speak to the item as well, Councillor Grist?

CR GRIST: No, it's alright, thanks.

MAYOR STAPLETON: Okay, thank you. Would any other Councillors like to speak to this item? Councillor Schonfelder and then Councillor Walker.

CR SCHONFELDER: Thank you. I understand the points already raised by my colleagues and I won't reiterate them. It's quite an extensive report.

What I would like to look at in particular is the high-performing Council and the fact that Her Excellency the Governor-General visited flood-affected areas, including Cumberland River, and I must say having the opportunity to meet Her Excellency at Lorne was a wonderful moment that I will cherish because those affected from the floods and fires, it's so traumatic, and as we were talking about in the previous agenda item, trying to mitigate and trying to lower those risks, we live in one of the most fire-prone areas in the entire world, so it is so important.

The fact that Minister Gayle Tierney visited the new aquatic centre, and hopefully they'll be opening next year, that's the largest project in the history of the Shire. It's very significant. I think also the fact that, as I've mentioned previously at previous meetings, the importance of having healthy active communities and trying to prioritise money in that area to stop people becoming unhealthy and then having to go to hospitals and seek medical treatment and also the fact that people have facilities closer to where they reside as well because I do know a lot of people who travel to warm ponds for aquatic activities.

So a highly extensive report, as I said earlier, and I welcome the report. Thank you.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. And Councillor Walker?

CR WALKER: Thank you, and thank you for everyone highlighting what has happened over the last year.

As mentioned, it identifies 43 key initiatives. Progress towards delivering these initiatives is monitored over the year. The section report shows what Council delivered against each initiative in the action plan.

Well done, officers, on providing a clear, transparent, easy to read document, not just for us to look at what we've done as a Council, but also what the community said in our action plan, which is important. So it's a good read to actually go through it.

What I really do like from the report is some great information for the strategic trajectory around progress and status, the Council plan strategic indicator to be pushed to have in there, which is great, it sort of shows where we're sitting at. It would be good to actually look back on this year on year also and an update of the key challenges that Council faced during the year.

Also noting Council's annual report to present it in September will also detail financial expenditure for the year, so good hand in hand in this. But, yeah, it's a good report to go through and, yeah, look forward to the next few years' reports year on year. Thanks.

MAYOR STAPLETON: Thanks, Councillor Walker. I guess, just referring back to the question that was asked, the General Manager would need to speak to the team to get that specific detail and I'm not saying my interpretation is accurate because I'd much prefer to hear it from officers, but I see that the timeframe for the Safer Cycling Strategy is 2022 to 2027 and when it says 46% of actions are completed to date, I'm assuming that's over the four- to five-year period or three-and-a-half-year period that has been assessed so far.

So I think we're talking about different timeframes. The year 1 action plan is specifically in relation to 25 to 26, but perhaps when officers go back to the team to seek that clarification, it may be just that we're talking about different timeframes.

Councillor Bodsworth, do you have any closing comments?

CR BODSWORTH: Yes, a few. So thanks to Councillors for what they have offered as well. I think we've covered some good different perspectives on that.

I want to zoom right out on the Council plan. This Council plan had a narrower scope than the previous Council plan. It was more focused. It had fewer themes and it had fewer - quite a lot fewer actions.

The action plan, of course, was sort of calibrated to suit that more focused scope and I think what we're seeing today in this report is that those calibrations were good. The narrower scope and the more focused scope of the Council plan I thought then, and I think now, was a good move. It has brought it back to, I guess, the five themes here, which were the themes, as Councillor Phelps noted, of key importance from community engagement back when we were developing the Council plan and we've also got a realistic action plan that nonetheless is a stretch and everybody in the organisation has stretched themselves to try to maximise the fulfilment of the action

plan, so really grateful to everybody for their efforts and I think great to see what has been achieved in this report.

I know that a lot of effort has been put into the indicators and that that effort is going to continue. It's difficult to come up with the right indicators where we've got the data to populate them and also that provide really good insights into progress and particularly the difference between outputs and outcomes and the community impact of the actions.

So it can be quite difficult to measure community impact and I just say that's a work in progress. We're very mindful of trying to get a better understanding of not just the work we do and the work we get completed, but what is the impact of that in the community. So thanks.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. We'll now put the motion to a vote. All those in favour? And opposed? And the motion is carried 7-2. Thank you, Councillors.

We will now move on to item 4.3, which is the Safer Cycling Strategy Delivery Status Update. The purpose of this report is to provide Council with an update on the third year of the Safer Cycling Strategy and Action Plan 2022-2027. We do have recommendation before us. Does anyone wish to move a motion? Councillor Bodsworth - as per the recommendation?

CR BODSWORTH: Yes, thanks, Mayor.

MAYOR STAPLETON: And a seconder? Councillor Phelps, thank you. And would you like to speak to the item, Councillor Bodsworth?

CR BODSWORTH: Yes, thanks, Mayor. So what we have here in this report is a really, really impressive report on the implementation of the Safer Cycling Strategy. As the report notes, the strategy is nearing the end of its 2022-2027 lifespan and, yes, we've got - well, we've got an amazing array of work set out here. We've got almost \$10 million worth of active transport-related work in the past 18 months and so a special shoutout to officers, whose fantastic analysis and very convincing cases have allowed us to get that external funding assistance.

We've also got information in this report about extra external funding applications. Sorry, I'm just looking up a point that I particularly noted. Bear with me.

One thing that I particularly noted was delivering the Safer Cycling Strategy strongly supports the Council plan by providing safer active travel opportunities and a suitable safe active transport network for the Surf Coast community, and thanks to Tom for his question earlier tonight.

It also improves community wellbeing by supporting active lifestyles. I thought that was a gross understatement, although it's very true, but it also supports reduced road trauma, high physical activity, less pollution, less noise, higher amenity, more social interaction, lower loneliness and isolation, reduced traffic congestion, reduced

parking demand, lower long-term infrastructure costs for Council, youth independence, social equity and personal freedom, and higher visitor appeal, and all those things align perfectly with the Council plan.

So I think the point that I'm trying to make is that this is incredibly important work for us to be doing for a whole bunch of different reasons that cover the full gamut of the council plan strategic objectives.

So I'm really proud of the progress that is set out in this report and I am very passionate about continuing that progress and as the report sets out, in reiterating the plan, perhaps changing the focus to pick up more on the things that we haven't been able to do to date and recognise that a lot of what we've done to date can live on and be perpetuated.

I'm just looking through my notes. There is another thing that is not included in the safer cycling in this update, which is the work that we've done on reduced speed limits on some local streets in Anglesea and Aireys inlet. So it's not specifically a Safer Cycling Strategy thing, but the reduced speed differential that results from those speed limit reductions in local streets is a really important thing for cycle safety and also for cyclists' confidence.

Another final point on that is that a lot of people are out there who would cycle if they felt safe. We know this. There has been lots of studies to suggest that maybe up to 75% of people are keen to ride, but don't feel safe and work like that speed limit work on local streets helps people feel safe and hopefully is going to help people feel confident to get out on their bikes and experience all those benefits that I talked about a minute ago.

So, yes, just one final note still very stark in my mind is the story of Aaron Tremul, who at the age of 14 was almost killed near Bells Beach on Bells Beach Road by a car and I just want to say that I haven't forgotten about Aaron and still passionate about trying to provide a safe bicycle link between Winkipop and south side. Thank you.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. And Councillor Phelps?

CR PHELPS: Thank you, Mayor. Yes, there's much to be said for encouraging and promoting cycling, where appropriate. I do agree with Councillor Bodsworth, there are clear physical and mental health benefits and likely environmental plus cost of living benefits - for example, through the reduced use of cars.

Cycling is big for Surf Coast Shire as a recreational activity for locals and visitors alike, as we heard from Tom in the public questions. Improving cyclists' safety is definitely important. I support an update to the Safer Cycling Strategy and development of a combined safer active transport strategy with a view to an ongoing prioritised projects and initiatives list.

I too would like to compliment Shire staff for the \$9.6 million worth of grant funding which has been invested in joint road safety and active transport ventures which has been attracted by the Surf Coast Shire over the last 18 months or so.

I do think we could spread the love perhaps a bit more within our other towns in addition to Torquay and along the Great Ocean Road. It's worth saying that as funding is becoming increasingly scarce, projects are likely to become correspondingly smaller scale, unless we see a lift in State Government assistance, I do hope that will happen, but in the meantime, well done to all involved for achieving much of a very ambitious strategy. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. Would any other Councillors like to speak to this item? Councillor Crockett?

CR CROCKETT: Thank you, Mayor, and thank you, Councillors, for your input. Yes, we are noting this progress report. It was in 2022 that Council adopted the Surf Coast Shire's first Safer Cycling Strategy and Action Plan and directed that progress be reported annually and this plan aligns with state and federal targets as well as community expectations and the vision is connecting people with places through an integrated, safe cycling network.

We know that being able to cycle safely is really important to the Surf Coast community. There's ongoing community support for safer cycling infrastructure and better connections between our townships and activity centres and there was 600 community survey responses received during the development of this strategy.

The locals don't just support cycling in principle. They actually actively engage in shaping the cycling improvements. We've got a dedicated panel of around 250 local cyclists who provide ongoing advice, including through initiatives such as the smart bicycle lights project. These lights that attach to people's bikes delivered with the TAC have features where they flash lighter and brighter at roundabouts for safety and also have tracked data which shows reduced swerving and braking by 65% and these are crash predictors and that's some data that was collected on Fischer Street, so we know that beautiful bright green paint is doing wonders for our local cyclists, and cyclists have also provided valuable input on measures such as reduction of speed limits on local roads to improve safety and encourage active transport while that allows cars to travel faster on the arterial roads.

Significant work has been undertaken from this report to develop feasible options and evidence-based interventions for a range of missing cycle connections, but we know that attracting funding for delivery in a competitive environment is a bit of a challenge. So continued delivery of these actions will depend on access to existing resources, success in securing new external funding, and future Council budget allocations. There's more to be done to meet all the goals in the strategy and actions that relate to process change and education and advocacy.

But I think the message from our community remains the locals have demonstrated a strong need and desire for improved active transport options, including wanting

safer, more connected routes that make cycling practical and enjoyable. So I support this recommendation and hope this remains a priority in our shire.

MAYOR STAPLETON: Thanks, Councillor Crockett. Would any other Councillors like to speak? Councillor Walker.

CR WALKER: Thank you, and thanks for the insight, everyone. Yes, I just want to note a couple of things in the report, particularly the See Sense Smart Cycling Lights Project, which shows some clear indicators around actually what's happening out there also.

But I also want to thank Tom for your questions. Living in the coast and whole life around this area, a lot of the issues that we do face aren't necessarily on our roads, in particular the Great Ocean Road, Deans Marsh Road, that sort of thing.

So rest assured we do continue to advocate for that safe link. I'd love to see a safe ride space between Torquay and Anglesea, better public transport, you know, even allowing bikes on buses, that sort of thing, yes, and just making it safer for all road users because we know it's getting busier out there not just for cyclists, but buses, trucks, cars, people, everything. So this work is very important, but I think there's a lot more that we are working behind that aren't in this report around the advocacy side of things that we should and could continue to do. So thanks.

MAYOR STAPLETON: Thanks, Councillor Walker. Any other Councillors? Councillor Barker.

CR BARKER: I won't pretend that every cycling strategy action is automatically a core responsibility or good value. Safe roads and sensible pathways are a legitimate function of Council. Reports, advocacy, concept plans are not substitutes for infrastructure people that they can actually use.

The report says Council allocated \$82,000 for high-property, low-cost actions. It also celebrates \$9.6 million in external funding. External funding is still money taken from taxpayers elsewhere. It does not become free because it travelled through another government office. This sort of financial trickery is despicable because it takes money from people who will never use that infrastructure it is being spent on.

More concerningly, the report admits that many of the completed actions have not yet yielded physical infrastructure on the ground. Apparently, an action can be completed while the path remains imaginary. That's an impressive achievement in administrative cycling, plenty of pedalling without actually getting anything moving forward.

The report says 46% of actions are completed, as we addressed before. There's a thought in the room that it might be different timelines. I'm not satisfied that we've actually got an understanding of what it is. Before asking the community to trust the strategy, Council should at least settle on one number and be clear and consistent throughout.

CR SCHONFELDER: Mayor, can I speak, please?

MAYOR STAPLETON: Yes, I think that Councillor Barker is still speaking, Councillor Schonfelder. If you'd just like to wait, I'll call on additional Councillors in a moment. Sorry, Councillor Barker, you can continue.

CR BARKER: Thanks for the interruption.

CR SCHONFELDER: Point of order, Mayor.

MAYOR STAPLETON: What's the point of order, Councillor Schonfelder?

CR SCHONFELDER: I would like you to direct Councillor Barker to apologise for saying I interrupted because I am online and the audio stopped. Secondly, he referred to being despicable about receiving money from a State and Federal Government when people on the Surf Coast pay taxes through income tax and GST. We might even receive less than what we're entitled to.

MAYOR STAPLETON: Councillor Schonfelder, if you're calling a point of order, can you please be very specific with regard to item 37 of the Governance Rules in terms of what part of the Governance Rules you're calling a point of order in relation to?

CR SCHONFELDER: Well, I think the second point would be relevant to relevance, Mayor.

MAYOR STAPLETON: Sorry, Councillor Schonfelder, you raised a point of order in relation to Councillor Barker interrupting you. Is that still a point of order?

CR SCHONFELDER: Oh, well, I thought - I was disappointed that he actually made that remark because I wouldn't intentionally endeavour to interrupt him.

MAYOR STAPLETON: Okay, we'll take that as feedback, Councillor Schonfelder, and I will invite Councillor Barker to continue speaking, but I won't uphold the point of order. Thank you. Would you like to continue, Councillor Barker?

CR BARKER: Yes.

MAYOR STAPLETON: Please go ahead.

CR BARKER: The strategy includes - how do you think this makes me feel?

MAYOR STAPLETON: Councillor Barker, are you addressing that question to me --

CR BARKER: Right to you.

MAYOR STAPLETON: -- directly? Okay. I think that in terms of speaking to the item, it's really important that we're speaking to the Safer Cycling Strategy at the moment and remain relevant to the item before us, but if you feel like you have a conversation that you'd like to address with me, that will happen after the meeting.

CR BARKER: There has been years of misapplication of points of order against me, creating a circumstance where I don't feel safe in this environment, and then you allow things like that to happen, which is unacceptable.

MAYOR STAPLETON: Councillor Barker, every Councillor is entitled to call a point of order. I have to listen to it and rule on it objectively. I explained to Councillor Schonfelder that I wasn't upholding his point of order. I don't feel that he clearly identified the grounds on which he was calling a point of order and so I didn't uphold it and I asked you to continue.

CR BARKER: But you've been supporting that behaviour for years, as have other Mayors.

CR BODSWORTH: Point of order, Mayor.

MAYOR STAPLETON: What's your point of order, Councillor Bodsworth?

CR BODSWORTH: My point of order is that under the Councillor Model Code of Conduct, Councillors need to respect the Mayor and the direction of the Mayor and Councillor Barker has not done that because he's not continuing to speak to the item that's under debate.

MAYOR STAPLETON: Thank you for that.

CR BODSWORTH: Therefore, in my view, he has shown disrespect to the Mayor.

MAYOR STAPLETON: So just to clarify, in the Governance Rules, Councillor Bodsworth, to be specific --

CR BODSWORTH: So 37.1.5, inconsistent with the model Councillor Code of Conduct is my reason for point of order.

MAYOR STAPLETON: Okay, and the link with the Code of Conduct, if you could identify which part of the Code of Conduct?

CR BODSWORTH: If you just bear with me, I'll look it up.

MAYOR STAPLETON: I'll give you time to do that.

CR BODSWORTH: So standards of conduct 1(e), "acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by respecting and complying with a ruling of the Mayor as the chair of Council meetings, unless dissenting from the ruling in accordance with the Council's Governance Rules".

MAYOR STAPLETON: Thank you, Councillor Bodsworth. I, I guess, consider that what you've raised is consistent with the Governance Rules with regard to inconsistency with the Code of Conduct and thank you for drawing attention to item 1(e) under standards of conduct in performing the role of a Councillor that Councillors are expected to acknowledge and support the Mayor in their role as per the way you outlined. So I will uphold that point of order.

Councillor Barker, if you would like to speak to the item, which is the Safer Cycling Strategy, I'd encourage you to do that. If you'd like to take the opportunity to speak to me at a different time about your concerns, I'm also happy to do that, but during a Council meeting is not the appropriate time for that.

CR BARKER: It needs to be in public. We can't hide behind closed doors.

MAYOR STAPLETON: Councillor Barker, would you like to continue speaking to the item?

CR BARKER: I'll let my time continue and I'll let people think about what they've just done.

MAYOR STAPLETON: Councillor Barker, if you've finished speaking to the item, I will ask if there's any other Councillors that would like to speak to the item.

CR BARKER: I haven't finished speaking.

CR SCHONFELDER: Mayor, I'm happy to move to allow Councillor Barker to have more time, if he wishes to have more time to speak on this item.

MAYOR STAPLETON: I don't think that will be necessary, thanks, Councillor Schonfelder.

CR BARKER: I won't be supporting the recommendation. While it might seem benign, it's going to set in motion financial decisions that I think are totally unnecessary.

MAYOR STAPLETON: Would any other Councillors like to speak to this item? Councillor Schonfelder.

CR SCHONFELDER: It's very interesting, there's a saying about economists that if you ask four economists one question, you get five answers and I believe that modern thinking when it comes to cycling, it actually is more environmentally friendly, it actually is better for people's health, but also, from an economic point of view, you could actually be spending less money by travelling by cycling and the costs on society as far as road usage with vehicles, heavier vehicles damaging roads - the cost of that is probably greater, I would say, from driving with a motor vehicle than with a bicycle.

We are known for being the surfing capital of the world and I know that my oldest brother used to surf in the 70s and I know, having lived in the Surf Coast my whole life, you see surfboards on cars often. Now, the last decade or so, we're seeing more bicycles.

We do have a very famous Australian who cycles locally and he actually comes to Moriac, and I would like to amplify, Mayor, what Councillor Phelps said earlier about a bit more for the hinterland because Cadel Evans does actually come to Moriac, I have seen him at Moriac, and with the cycling fraternity, it seems to be growing.

I think if you have a sector that is growing, we have to allocate resources, we have to be mindful of it, and I think that there's advocacy in relation to Torquay to Geelong for a cycling route and I think myself that having a separate road is the safest option, that is a preferred option. Perhaps it's more expensive, but that is something that really is worth entertaining.

I'm very happy and I imagine the Council is very delighted in the fact that the Mayor of Geelong, Stretch Kontelj, he has been an advocate for this route between our two municipalities.

I'd like to end by saying that a lot of people from the City of Greater Geelong and other municipalities recreate here. They travel, they cycle in the Surf Coast. So hence State Government and Federal Government need to help us provide infrastructure because of the visitor economy and because so many people from other areas travel to our environs and surrounds.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. Would any other Councillors like to speak to this item? Councillor Grist?

CR GRIST: Thanks, Mayor. Yes, as a keen cyclist, I support the objective of making cycling safer, but delivering infrastructure is not the same as demonstrating that we delivered the right infrastructure.

Council has invested more than 9.6 million in active transport infrastructure over the past 18 months and the strategy reports that 46% of actions have been completed, with 70% anticipated by the end of 26/27. That's a significant investment and it warrants equally strong evaluation of the outcomes.

Fischer Street is a good example. The report highlights a 65% reduction in cyclists braking and swerving, which is encouraging, but Council's broader indicator for serious crashes on local roads is still data pending. So we don't yet have the complete picture of actual safety outcomes.

We also shouldn't overlook the community response. Some Fischer Street treatments, particularly the protected roundabouts, have not been well received and Council subsequently removed some safety treatments at the Darian Road roundabout following community concerns and a review of the safety standards.

The report also tells us that Council regularly engages a panel of approximately 250 cyclists through the smart bicycle light program. That is valuable, but it also needs to understand the impact of these changes from motorists, school traffic, buses, emergency services, delivery vehicles, pedestrians, and people with limited mobility. A successful road safety project needs to work safely and practically for the whole transport network, not just one category of road user.

With another 82,000 allocated to the safer cycling program in 26/27, further grant-funded projects proposed and planning already contemplated for a future integrated active transport strategy, I think this is the right time for a proper post-implementation review of Fischer Street. We should measure actual safety outcomes, traffic function, usability and feedback from all road users before assuming these treatments should be replicated elsewhere.

Success should not simply be measured by dollars spent, infrastructure built, or actions completed. It should be measured by whether our roads are demonstrably safer and function better for the whole community. Thanks.

MAYOR STAPLETON: Thanks, Councillor Grist. And would any other Councillors like to speak to this item? Councillor Bodsworth, did you have any closing comments?

CR BODSWORTH: Not really, just thanks to everybody for their perspectives.

I guess a few things. I think thorough evaluation is really important. I totally agree with that. There are measures like the only sort of consistent statistic that's kept is how people got to work on Census Day. You know, there's a lot that could be done to improve the data sets around how people travel. That's definitely something I'm keen to sort of keep seeking ways to improve in the future.

Definitely, you know, Councillor Schonfelder particularly talked about the sort of status of the Surf Coast as a cycling destination and I think there's a real strategic opportunity there for us to work on that and to make this a really cycle safe and welcoming municipality, and as we heard from Tom, also down the Great Ocean Road and as Councillor Phelps called out, the hinterland, I note that half of car trips in Victoria are less than 2km, which is about a 5 minute ride, so that's 2 million trips. So getting a decent proportion of those trips, short trips in local areas, out of cars and onto bikes is an enormous win for local communities for all kinds of reasons that most people have spoken to already.

So the benefits of safer riding are there for the taking if we're committed, if we stay committed and we stay bold and persistent and we stay focused on what we all stand to gain. So, yes, that will do.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. We'll now put the motion to a vote. All those in favour? And against? And the motion is carried 8-1. Thank you, Councillors.

Moving on to item 4.4, which is the motion for MAV State Council Meeting. The purpose of this report is to seek Council's retrospective endorsement of a motion to be tabled at the Municipal Association of Victoria, MAV, State Council Meeting to be held on 23 October 2026. We have a recommendation before us. Does anyone wish to move a motion? Councillor Pattison - is that as per the recommendation?

CR PATTISON: There's a recommendation that governance has.

MAYOR STAPLETON: So just to clarify that is as per the recommendation with the removal of the word "prioritising"?

CR PATTISON: That's correct.

MAYOR STAPLETON: Okay. And do we have a seconder for that motion? Councillor Schonfelder. Would you like to speak to the item, Councillor Pattison?

CR PATTISON: Thank you, that's great. So the minor amendment that I have proposed relates to encouraging regional collaboration for the MAV motion. Corangamite Shire is also putting a motion forward for the MAV State Council, the Municipal Association of Victoria, and they are also putting one forward around

tourism and so removing the word "prioritisation" ensures that we're focused on investment across our motion as well as other regional tourism offerings.

We know from MAV that they are seeking collaboration within each regional group and so given the very minor change sought by Corangamite Shire, I think, in the interests of collaboration, it makes sense that we apply this change. Geelong has also agreed to support this motion and so both of this collaboration supports further weight for the motion.

I support this motion. Nature-based tourism, it's not an optional extra for communities like Lorne. It's fundamental economic infrastructure.

The January flood demonstrates just how vulnerable that infrastructure is. 28 of the 34 pedestrian bridges were destroyed, along with walking trails and viewing platforms, and many of these still remain closed and needing further repair and funding.

It's great that the Trail Run happened at Cumberland River and so we're really appreciative of the work done in that repair, but further investment is needed and that's what this motion is seeking because Surf Coast lost an estimated 233,000 visitors in January and spending in Lorne during the second half of the month fell by around 75%. So nature-based tourism contributes around \$1.4 billion each year to Victoria's economy and supports approximately 14,000 jobs.

So this is not just an issue for the Surf Coast Shire. This is a statewide case for investment in nature-based tourism infrastructure. So, yes, I encourage my Councillors to support the motion. Thank you.

MAYOR STAPLETON: Thanks, Councillor Pattison. Councillor Schonfelder, would you like to speak to the item?

CR SCHONFELDER: I would like to speak, but I do have a question I would like to ask and that is, with the bridges that have been destroyed, were they insured or they are unable to be insured, because wouldn't insurance cover or help to cover the cost of repairing and replacing them?

MAYOR STAPLETON: Thanks, Councillor Schonfelder, for the question. I'll just refer that to the CEO.

MS ROBYN SEYMOUR: Thanks, Councillor Schonfelder. It's a good question. The problem was - so the short answer is sort of generally things are covered by insurance. The problem is that what happened with the floods is that they carved out really wide sections of the valleys, which means usually insurance is like for like and like for like is not possible in those gullies now.

So there's quite a significant shortfall in funding that can be provided through the insurance because there's a whole rebuild of trails and networks that are required. So there's a big funding gap. My understanding last time I inquired about it, it was sort of in the order of \$10 million to \$12 million of shortfall.

CR SCHONFELDER: Thank you.

MAYOR STAPLETON: Would you like to speak to the item now, Councillor Schonfelder?

CR SCHONFELDER: Yes, I'd like to just concur with what Councillor Pattison has just said. Nature-based tourism is growing. The trails are so important for mindfulness for people with mental health as well and so many benefits stem from the trails. They are also used by cyclists. They're not just walking trails, I imagine.

Such a concern the fact that the damage done, which was just highlighted by the CEO, and I know I've seen online the work that GORCAPA has undertaken and I've taken a keen interest in the initiatives that they've been executing in relation to the bridge replacements because I know that trying to place a bridge in a certain area would add a difficulty given whether you could put a crane in there.

I have been quite alarmed by the fact that the Erskine Falls, parts of the trail around Erskine Falls, have not been reopened and I'm thinking that, you know, it's over eight months, I think, since the flood activities took place. So I am really wishing the Council well with the MAV advocacy and note the fact that we have a state election approaching and I'm hoping that the Government and the opposition parties, they prioritise this issue. I am mindful candidates are aware of it and I think we do have a very important role to play in relation to that.

I also would just like to mention the fact that Councillor Pattison spoke about the regional cooperation, which is so important because obviously other Councils, such as the Colac Otway Shire and Corangamite Shire, have similar nature-based trails as we do. So hopefully the motion will be supported and I look forward to hearing feedback on it. Thank you.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. Would any other Councillors like to speak? Councillor Walker.

CR WALKER: Thank you for the insights, and I can give you a bit more. So I used to work at the info centres around here for many, many years and it was an easy sell to sell the tourism product where we are, a beautiful natural environment. So not just waterfalls in Lorne, but you talk about the Surf Coast walk, the beaches, the wildlife, the Twelve Apostles - all these are very important assets for the majority of nature-based tourism.

You look at Lorne, there's 10 waterfalls in 10 Ks. That's something you want to do multiple days on end, which drives visitation and spend in the town. There's nowhere else in Victoria I can think of or Australia that you've got that many beautiful walks and waterfalls around, but also the Surf Coast walk with what you pass through and everything on our beautiful Surf Coast.

Eight months still waiting on insurance. Erskine Falls is still closed, which sees over half a million visitors a year year on year. All the people that do visit these areas do go on to spend in the town around.

This sort of issue is not going to go away, so the idea of building back better, not like for like. As highlighted, some of these bridges are now 10 metres wide, not 5 metres. Where they were might not be sufficient where they would be rebuilt, it might be further down.

Building back better, not just bridges made of steel and wood, but concrete causeways, talking about making them accessible, not in the same location. You look at what happened after the Grampians fires, what they did there, built some beautiful overnight camping platforms and things there too. So when we talk around support for this motion, it's not just Surf Coast, but it's the wider context with that also.

So it is frustrating eight months later they still haven't been fixed, but we had the same issues with landslides and things too and in other government areas too on the foreshores and things. So it is a priority, but at the same time, there needs to be investment that's higher than what it is like for like anymore.

So in supporting this, I do support this motion, but also acknowledge that this isn't going to go away, so we need to build to better deal with climate change, and as I said, we're going to get more floods and fires potentially and that sort of thing, so building us back better as we can to withstand that sort of environmental impact also.

So, yes, support this motion and as Councillor Pattison pointed out, the neighbouring Councils are also supportive of this, so hopefully it sees investment that's needed sooner than later. Thanks.

MAYOR STAPLETON: Thanks, Councillor Walker. Would any other Councillors like to speak? Councillor Grist?

CR GRIST: Thanks, Mayor. I don't want to spend too much time on this item because time is money. We're discussing a state-managed asset damaged by natural disaster requiring State Government funding. Council has already advocated directly to the State Government on this issue. We're now being asked to use Council staff resources and the MAV machinery to request a ratepayer-funded peak body, advocate to the State Government to spend taxpayer funds repairing assets managed by a state authority. I don't see where the additional value is demonstrated in that chain of bureaucracy.

The report says there is no cost beyond staff time, but staff time is a public resource. Council's membership fee to MAV is also substantial. To present this motion at the MAV conference will also likely incur attendance fees, travel and accommodation costs. The report also doesn't quantify what additional outcome MAV involvement is expected to achieve beyond the direct advocacy Council has already undertaken.

This is particularly relevant given the Victorian Auditor-General has previously found that MAV was unable to demonstrate the impact or cost effectiveness of its support activities. That finding establishes why Council should continually require evidence of value, rather than simply assume another layer of advocacy is beneficial.

The underlying objective, restoring Lorne's tourism assets, is clearly important. My concern is whether this particular advocacy mechanism represents the simplest, most accountable and most effective use of ratepayer-funded resources.

MAYOR STAPLETON: Thank you, Councillor Grist. Would any other Councillors like to speak to this item? Councillor Crockett?

CR CROCKETT: Thank you, Mayor and Councillors. Yes, so accepting this recommendation will endorse the motion submitted to MAV to enlist support from our state's peak body for advocacy on a matter that is significant to our community and we've heard all of the details and all of the bridges that were destroyed and how important this is.

Even though Council is not the asset manager for these assets in the Great Otway National Park, Council is advocating on behalf of our local community who rely on the revenue generated from visitors to the trails. This type of nature-based, slow tourism is the type of visitation we'd like to keep all year round and especially because the locals rely on it, but it has regional significance and I'm glad that collaboration within the region led to this motion. Feedback provided to Council from local tourism bodies, commercial operators as well as State Government land managers has led to this and then the Councils of the Great South Coast Barwon MAV group expressed support for the motion.

I'm glad that the removal of just one word to suit suggestions from Corangamite Shire in the spirit of regional support and collaboration gives this more weight, and I want to note that investment in responding to clean-ups and recovery from climate events is an ongoing pressure for Councils and this approach will hopefully offer a solution.

MAYOR STAPLETON: Thanks, Councillor Crockett. And Councillor Barker?

CR BARKER: Councillor Grist covered most of what I wanted to say, so I'll skip through most of what I've done, but Lorne businesses have obviously suffered and reopening safe walking infrastructure clearly would help them.

But the answer is accountability from the authority that owns and manages the assets, not endless layers of taxpayer and ratepayer-funded organisations lobbying one another. There's many in this room that have close relationships with Labor Government-elected representatives and it would be incumbent on them to lean on those relationships to actually hold them to account.

There's also a government issue and being asked to endorse something after it was submitted. Retrospective approval should be an exception, not a convenient way of turning a decision into a ceremonial rubber stamp.

Now, the issue remains with MAV not giving sufficient time so that we could have addressed it in the previous meeting and that needs more addressing, rather than just putting in a submission and then retrospectively approving it.

The community doesn't need more government bodies writing letters to other government bodies about duties everybody already understands. It needs the responsible authority to do the work focused on the basics. It would be nice if that happened in governments everywhere.

Collective buck passing does not rebuild bridges, but only builds larger bureaucracy and the wreckage and costs the community far too much as governments continue to make the cost of living crisis worse. I won't be supporting the motion.

MAYOR STAPLETON: Thank you, Councillor Barker. Would any other Councillors like to speak? Councillor Phelps.

CR PHELPS: At the risk of going over old ground, I think it will be best to quote straight from the agenda report as it puts the reason for the Municipal Association of Victoria October state council motion very well: "The flash flood experienced in Lorne and Cumberland River on 15 January 2026 illustrates the devastating impact of such events. The flood scoured creek beds, destroyed walking trails, and washed away viewing platforms. 28 of 34 pedestrian bridges were also destroyed. A lack of dedicated funding for their repair means most of the damaged walking trails remain closed. Council is not the manager for these assets, which are located in the Great Otway National Park, but is advocating on behalf of local business economies who rely on revenue generated through visitation to the trails in the park."

Now, of course, nature-based tourism is hardly unique to the Great Otway National Park, which is why we see this advocacy motion to enlist statewide sector support, with State Government funding requested for this and similar calamities across the state and some ongoing maintenance. I agree it's a good move to work with our Corangamite Shire neighbours and I encourage Councillors to endorse the slightly revised motion. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. And any other Councillors? Councillor Pattison, would you like to make any closing comments?

CR PATTISON: Thank you, just to say the MAV State Council is an opportunity to put forward a motion that has statewide significance, as we've identified through many of the conversations over this motion. MAV represents the 79 Councils across the state and therefore it's going to be more effective than Council advocating by itself for nature-based tourism. So it's a good opportunity for us to put forward this motion at the State Council.

MAYOR STAPLETON: Thanks, Councillor Pattison. I'll now put the motion to a vote. All those in favour? And against? And the motion is carried 7-2. Thank you, Councillors.

Given that we are approaching 8pm, I think it's a good opportunity to take a short break. So if I could call for a mover and a seconder to suspend standing orders. Moved by Councillor Bodsworth, seconded by Councillor Phelps. Thank you. And all those in favour? And the motion is carried unanimously.

For those on live stream, we will be back at 8.05pm. So we'll take a 15-minute break and please rejoin us at 8.05. Thank you.

(Short break)

MAYOR STAPLETON: Welcome back to tonight's Council meeting. Before we continue with the agenda, could I please have a Councillor to move a motion to resume standing orders? Councillor Bodsworth, thank you. And seconded by Councillor Pattison. All those in favour? Thank you. That motion is carried unanimously, noting that's seven Councillors at the moment.

So the next item on our agenda is item 4.5, Customer Experience Bi-Annual Update for January to June 2026. The purpose of this report is to provide Council with the Customer Experience Bi-Annual Update for that period. We do have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps - as per the recommendation?

CR PHELPS: As per the recommendation, Mayor.

MAYOR STAPLETON: Thank you. And a seconder? Councillor Crockett. Thank you, Councillor Crockett. And over to you, Councillor Phelps.

CR PHELPS: Thank you, Mayor. Yes, a near 20% increase in requests is a significant load to a bit over 21,000. It does appear Council staff have managed to keep up with some excellent indicators in this latest six months worth of report. So I'll note a net promoter score of plus 75 and a customer experience score of 9.2 out of 10 are examples of this, reflecting well on Surf Coast Shire.

To me, it's quite amazing to see that it took over 12,500 phone calls to find 500 people willing to go through the survey, but the survey itself, the format does have some weaknesses these days. All the same, the community satisfaction survey provides some useful insights and to me it's the trends that matter.

I note that the maintenance of unsealed roads continues to be both the lowest rated and falling slightly, especially in the Winchelsea ward. I think there's a story to tell here. We know road maintenance is a major component of the budget and I'd like to acknowledge that the roads teams do a great deal of good work, with weather upending the best of plans to make it harder.

All the same, it's good to see a commitment to continuous improvement by using customer insights to inform service delivery and enhance community outcomes. I hope to see a focus on the weaker areas reflected in future satisfaction surveys. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. And Councillor Crockett?

CR CROCKETT: Thank you, Mayor. So, yes, it's recommended that we note this Customer Experience Bi-Annual Update and this process supports our ongoing commitment to understanding and improving customers' experience.

We know - I know that the team said that every interaction matters in building confidence in Council and we know that these interactions continue to increase. This report shows the largest volume of requests ever in a six-month period and still with this large increase, that's 92% completed on time.

Another highlight that the team shared is that compliments are outweighing complaints, which is a win as compliments are out of the blue, they're unprompted, they're outside of services and people need to go out of their way to say them, so it's really nice to hear them.

We need to support this recommendation as part of our Complaint Handling Policy, stating this information will be available to the community twice annually, and this whole process assists Council to identify emerging service issues and respond to community needs on an ongoing basis. So I support the recommendation.

MAYOR STAPLETON: Thanks, Councillor Crockett. Would any other Councillors like to speak to this item? Councillor Grist?

CR GRIST: Thanks, Mayor. I'm prepared to note this report and want to start by recognising the frontline customer service results are strong. Council's customer service score is 70, above both the large shire benchmark of 66 and the state average of 68. The customer experience score is 9.2 out of 10, based on 959 ratings, and the net provider score is positive 75, based on 540 responses.

Those are very positive results and reflect well on staff dealing directly with the community. But we need to be careful not to confuse good transactional service with overall community confidence in Council. The broader community satisfaction survey paints a more mixed picture. Overall performance is 55, below the state average of 58, satisfaction with spending public funds is only 47, below the state average of 51, and satisfaction with the general direction of Council is 45, down 2 points from last year and below both the large shire and the state averages. That tells me the issue is not primarily how people are treated when they contact Council. It is more about confidence in what Council is doing, where it is heading, and how ratepayer money is being spent.

There are also some other data points that deserve closer attention. Council received 21,293 customer requests in six months. That's 3,204 more requests, or a 17.7% increase, compared with the same period last year. 92% were completed within the required timeframe, which is good, but that still means roughly 1,700 requests were outside timeframe.

Complaint data also needs to be presented carefully. The report highlights 41 formally investigated complaints, but the attachment records 562 complaint-related matters in total, including 495 missed bin complaints and 26 overflowing street bin complaints. That total is up 95 from the previous reporting period.

Of the 41 investigated complaints, 10% were upheld and 16% partially upheld, meaning more than a quarter had at least some merit. I'd like to see more emphasis

on what Council learned from those complaints and what service improvements followed.

There is also a clear geographic difference in satisfaction. Otway Range scored 58, Torquay 57, but Winchelsea only 47. Non-resident ratepayers reported satisfaction of 66. That variation deserves further analysis.

Finally, the survey costs 23,000 annually, plus internal staff resources. If we're going to collect this information, the value comes from using it to improve performance.

So my takeaway is simple - frontline customer service is strong, but broader confidence in Council's direction, spending decisions and overall performance is much weaker. That is feedback that shouldn't be dismissed flippantly by Councillors or officers in backroom discussions and if we are going to spend money doing these surveys, it's where the improvement effort should continue to be focused.

MAYOR STAPLETON: Thanks, Councillor Grist. Would any other Councillors like to speak to this item? Councillor Barker?

CR BARKER: I'll note the report because the community deserves access to the data, but I can't support the self-congratulatory interpretation wrapped around it. As has been mentioned, the headline figures look magnificent. Net promoter score of positive 75, a customer experience score of 9.2, awesome, but if these numbers represented the whole community, Council would be more popular than free beer at the footy club. Sadly, they do not.

The community satisfaction survey records overall performance at 55, barely a pass; spending public funds at 47, fail; Council's general direction at 45, fail; and sealed roads 51, barely a pass. General direction declined again and it sits below both the large shire and state averages. Meanwhile, overdue requests increased to 1,946. The report still describes complaint levels as stable and customer experience as strong.

Now, this is not proven fabrication. It's very, very selective framing. Feedback from people who completed particular transactions is being presented beside a much less flattering measure of the wider community without properly explaining the gulf between them. Ratepayers spent \$23,000 on the annual survey, plus an undisclosed amount of officer time. The least they deserve is an honest account of what it says.

The direction of Council, decline in community satisfaction, and the way dissenting views are treated are damaging this organisation's reputation. The damage is not caused by people highlighting the problems. It's caused by the problems and by the instinct to manage criticism instead of learning from it.

A community cannot trust an institution that celebrates selected compliments, while minimising warning signs. Honest criticism is not disrepute. It's a first step towards repair.

By focusing on the basics and doing them well and ending discretionary programs, you'll see widespread increases in community approval. Continuing the status quo will just continue this downward trend until, I don't know, we're seeing 30s, 40s as the top and I can guarantee you that there will be a huge amount of community frustration and outrage if that continues.

MAYOR STAPLETON: Thanks, Councillor Barker. Would any other Councillors like to speak to this item? Councillor Bodsworth.

CR BODSWORTH: Thanks, Mayor. So like the other Councillors, I am pleased with the customer satisfaction metrics that we've seen in this report and I've also noted the community satisfaction survey results, which are much less pleasing, but I want to spend a little bit of time on those.

So on the plus side, that survey has been going for quite a while. For a lot of years it has provided a consistent methodology and the questions allow comparison across the sector and over time and I can point people to the Know Your Council website, which provides an easy way to access that information and to compare Councils. I think that's a really important and useful service.

On the negative side, the subjectivity of a survey that's based on public perception and a self-selecting survey group, rather than actual service standards. The satisfaction methodology is highly problematic. It's open to multiple biases and broader public dissatisfaction and distrust and disconnection from actual local conditions and Council responsibilities.

The survey doesn't capture knowledge of or experience of Council. It doesn't account for resource inequities between Councils. It doesn't account for seasonal factors like drought or prolonged wet and the impact that those can have on satisfaction measures. It can't be audited, it can't be quality assured. It can distract Councils into chasing community satisfaction scores, rather than strong long-term strategic outcomes.

I agree with Councillor Grist really strongly when he says that we should look at what we can learn from these kinds of results, but a criticism that I have of that satisfaction survey is that it's very difficult to learn anything from it. The fields that it captures information on, all it gives us is a very rudimentary, basic survey result and we don't get to understand why people responded the way they did, which means that we're missing out on a lot of potential information that we can improve from.

I've put a lot of work into trying to understand how that survey was designed, who designed it, and what statistical analytical rigour sits behind it and I've never been able to find any information about that. As far as I can find out, it hasn't been designed by somebody with expertise in statistics and analysis. I can't vouch for that. It's just that I haven't been able to find any evidence for that.

I find it almost useful for identifying improvements. Only half of the Victorian Councils do the CSS the way it's presented here. The direct cost of 23,000, it's costing us a significant amount of money.

I wish that Local Government Victoria would look at other approaches, like the place score liveability census approach. It provides much more useful information that provides clearer insights and better guidance for Councillors to actually learn from. I'll leave it there.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Would any other Councillors like to speak to this item? And Councillor Phelps? Oh, sorry, Councillor Schonfelder.

CR SCHONFELDER: Mayor, I don't mind if Councillor Phelps wants - oh, sorry, he's summing it up, closing.

MAYOR STAPLETON: Yes.

CR SCHONFELDER: Mayor, I'd just like to say that miracles possibly happen because Councillor Barker and I feel Councillor Bodsworth seemed to be possibly on the same page and I'd like to amplify what Councillor Bodsworth just said.

I think feedback is very important, but the cost of it, I think the fact that it costs over \$20,000 and the fact that half the Councils actually do it, I think it's something we need to look at in the future. So I'd just like to emphasise that I seem to concur with the sentiments of Councillor Bodsworth.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. Councillor Phelps, do you have any closing comments?

CR PHELPS: Yes, thank you, Mayor. Just a little pick-up on what Councillor Grist mentioned earlier, 495 missed bins. That's out of a maximum number of almost 1.2 million, which is 0.41% of bins, so take that in context.

I would also like to concur with Councillor Grist that customer service is excellent. However, that doesn't necessarily correlate with the satisfaction with the services themselves, and as we've just heard from Councillor Bodsworth, a better method of assessing satisfaction would be beneficial. Perhaps now is the time to make the leap, as other Councils have.

I'd just like to close with the item that says "strengthening community engagement and communications activities" and I think that's an aspect to focus on to ensure that our communities are more aware of what Council is doing. There does seem to be a lack of awareness in some cases. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. I'll now put the motion to a vote. All those in favour? And that's carried unanimously. Thank you, Councillors.

Item 4.6 is the Review of Signage on Council Managed Land Policy, SCS-012, and the purpose of this report is to seek Council's endorsement of the draft policy to go out for community consultation. We do have a recommendation before us. Does

anyone wish to move a motion? I see an arm over here. Councillor Pattison, thank you. And a seconder? Councillor Walker, thank you. Councillor Pattison, over to you.

CR PATTISON: Thank you. So this is largely a sensible governance update, rather than a major change in Council's approach, and tonight we are simply putting the draft out for four weeks of stakeholder consultation.

So good signage sounds mundane, but there's lots of people that wouldn't agree with that. I know one of our former Councillors from Lorne is very passionate about good signage and I think with the recent upgrades throughout Torquay and Jan Juc with the wayfinding signage, I've begun to appreciate more the benefit of good signage.

So I support retaining the principles of keeping signage clear, legible and to the minimum necessary. Public spaces can very quickly become cluttered if we don't have a consistent framework.

So I encourage people to get on board and provide feedback around this. There will be targeted consultation with businesses, tourism operators, sporting clubs and community groups, but once again, anybody can put their feedback forward through the YourSay page and consultation will be for four weeks and we look forward to getting feedback. Thank you.

MAYOR STAPLETON: Thanks, Councillor Pattison. Councillor Walker?

CR WALKER: Thank you. Yes, the same as what Councillor Pattison said around going out to a broad range of users for feedback - residents, visitors, businesses, community groups and sporting clubs, but also you can go into Your Say.

It is a draft policy going out for everyone to look at, so one thing I do want to highlight which I do like in the policy is "keep the minimum number of signs required for effective communication" and reiterate what past Councillors have said, they like good signage, but they also like less signage if need be. So I'd like that to be considered when people are looking at this policy that sometimes less is more, which we've learnt sometimes the hard way, but at the same time, that's something I'd like to be considered within this there too.

But it's going out for feedback and encourage everyone to go in there and give some feedback, good or bad, around the signage policy.

MAYOR STAPLETON: Thanks, Councillor Walker. Would any other Councillors like to speak to this item? Councillor Barker.

CR BARKER: Can't support sending this draft out in its present form. The report claims there are only minimal policy changes, but that does not provide a tracked version. Councils in the community are expected to manually compare two policies and hope they notice every meaningful difference without those tracked changes.

That's terrible governance, administration, and if voted by this Council in support, not surprising.

The draft also relies on an internal management procedure that has not been attached. That's probably where most of the practical power sits.

Most concerningly, the policy states that a sign permit is a privilege, rather than a right, even when an area is suitable, and that Council may refuse it at its discretion. That's too much power without clear decision timeframes, public reasons, and an accessible review process, par for the course in this environment.

This matters because Council's treatment of Gilbert Street traders has demonstrated a disturbing lack of respect for private property. Privately owned furniture was removed and reportedly damaged after traders tried to deal with footpath tripping hazards that Council had failed to resolve over years. Before expanding discretionary control over business property and signs, Council should explain how that happened and who will be accountable.

This policy also fails to meaningfully protect lawful political or commercial expression. In an environment where dissenting views are already treated poorly, broad control over signs should make everyone nervous. You need to ask yourself is this policy taking us towards 1984, or the moon is a harsh mistress.

Businesses create jobs and bring life to our town centres. They shouldn't have to beg for privileges from an organisation that can interfere with their property, but struggles to name the footpath beneath it. A collectivist mindset sees every private sign as something to control. A prosperous community, one that I want to see established, sees lawful enterprise as something to respect.

MAYOR STAPLETON: Would any other Councillors like to speak to this item?
Councillor Schonfelder?

CR SCHONFELDER: This policy is going out for consultation. I have had traders in Winchelsea mention to me the fact that a number of visitors to the Twelve Apostles on buses and travelling by motor vehicle also stop and use the Council-owned and run amenities and toilets and feedback which I thought was quite interesting was there are many Chinese people who stop there and the possibility of having some signage written in Mandarin, and I think that's something that needs to be looked at seriously.

The points raised about less is more, I think that really fits in well with the Council plan as far as keeping the small town feel and trying to not have a suburban type of city street scape, for the lack of a better description.

I think lessons were learnt from the roundabout on Fischer Street, where there seemed to be too many signs, and that reminded me of when I went to Tokyo at one stage and I think perhaps there were less signs in Tokyo, to be quite frank. But I do think signage is very important and I think the new signs that we have had erected seem to be more aesthetically pleasing.

There is a safety aspect also to signage, but I know that with briefings that we've had, signage also is relevant to Council-owned properties such as football, netball and cricket fields and hockey fields, so it's quite more widespread than one may imagine. I look forward to seeing the feedback with this.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. Would any other Councillors like to speak to this item? Councillor Bodsworth?

CR BODSWORTH: Yes, just briefly, Mayor. Agree with other Councillors sort of highlighting how important the minimisation of signs is and sign pollution. I think we all want to see a minimisation of sort of excess signage. The challenge is actually making that happen through not just this policy, but the procedures as well. People have talked about the Fischer Street roundabout example, which is very pertinent, but in that case also we've talked about how some of those requirements were dictated from Department of Transport and Planning sign guidelines. So it can be really hard to navigate some of those sort of formulaic requirements.

I agree with what Councillor Schonfelder just said about how important signage is. It's part of how we communicate with people and it's part of the sort of style of our communication as well. We hope that that style is friendly and helpful and we hope that it's clear and firm where it needs to be. So signage isn't just gear out on the ground. It's really important in our communication.

I just want to recount a little story from my days back in the Great Ocean Road coast committee, where we did a sign cull - an audit and cull in the Aireys Inlet lighthouse precinct and got rid of 100 signs from that precinct alone and I think that there's something there for us to think about. It takes a bit of work, but having a really strong aim to get rid of superfluous and redundant signage would be a really important thing, maybe not in the policy, but in the sort of broader framework around signing because it's just inevitable that you walk past signs for sort of years on end and the information that's in them is not always current, it's not always useful. So I think if we can somehow build in periodic audits and culls - in that case that I was talking about, we reused all the posts and brackets and things like that - you know, that can be a real win. That can make a really big tangible difference on the ground.

So I hope that people - members of the public engage with this policy because I know that signing is really important to a lot of Surf Coast communities.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Would any other Councillors like to speak? Councillor Grist?

CR GRIST: Thanks, Mayor. Yes, the policy itself looks relatively benign, but it delegates considerable practical decision making to an internal procedure and authorised officers. I'd therefore like to know the detail behind that decision making and see that internal management procedure before being satisfied to adopt the policy. I find the policy as it stands to be too vague to support as it is, so will not be supporting it going out for public consultation.

MAYOR STAPLETON: Thanks, Councillor Grist. Any other Councillors? Councillor Phelps?

CR PHELPS: Thank you, Mayor. Signage is a bit like a website home page, so what matters most depends on what people are looking for, so it's kind of hard to say what should and shouldn't be in a certain place.

This is a draft, of course. It's proposed to go out for feedback and I'd like to emphasise that it applies to Council-owned or managed land. It does contain general principles with specific application subject to the context.

The policy itself is not significantly changing. It's part of a regular ongoing review of all Council policies. The public is welcome and very much encouraged to submit their thoughts and potential changes. So I'd like to encourage Councillors to endorse putting this draft policy out for consultation. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. And any closing comments, Councillor Pattison?

CR PATTISON: Yes, thank you. I just wanted to note a few things for Councillors considering the motion. I was advised by officers during the briefing in relation to this matter that the document has been updated with regards to some significant formatting changes and therefore it's too confusing to have a tracked change document. Council does and we can see there's some previous policies that are amended and come to Council. Where possible, they do include track changed documents for people to understand the changes.

I also think it's important - the signage policy applies to Council land, Council signs, as well as applying the principles of balancing private benefit through sponsorship and advertisements against community access and use of public spaces. This is an interesting component in this policy and it would be good to get community's feedback on that before it comes back to Council. Thank you.

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

Item 4.7, which is the Outcome of the Proposed Sale of Council Land which was a portion of Geelong Road in Torquay. The purpose of this report is to advise Council of the outcome of community engagement undertaken for the proposal to sell 164 square metre portion of land, known as Geelong Road (Service Road) Torquay. We do have a recommendation before us. Would anyone like to move a motion? Councillor Barker - is that as per the recommendation?

CR BARKER: Yes.

MAYOR STAPLETON: And a seconder? Councillor Bodsworth, thank you. And Councillor Barker, would you like to speak to the item?

CR BARKER: We've got no realistic choice but to stop this proposed sale. We've spent \$4,400 on valuations, nearly \$730 on advertising, and an undisclosed amount of officer time before discovering that the land had been declared an arterial road in 1990. The report says normal due diligence was undertaken. If normal due diligence missed a 36-year-old road declaration that legally prevents a sale, perhaps normal is the problem.

The report also contradicts itself. Page 149 says consultation was taken under section 114 of the Local Government Act. Page 151 then says advertising occurred under section 115. Section 115 concerns leasing land, not this proposed sale. So I want that corrected before we actually vote on it. That reference should be corrected. How it's thought of as acceptable is beyond me.

Keeping land doesn't mean that it's being managed well. This area and its surrounds have been used by campers, homeless tents, and all other sorts of activity. Simply retaining ownership or control doesn't address safety, amenity or the needs of the people using the area.

The adjoining footpath works have also removed the service station's price sign. Now, that is a gross interference with the commercial operation of the business. A service station that can't clearly advertise its prices is being deprived of one of its most basic tools for attracting customers.

Now, Council has spent public money trying to sell the land it couldn't sell, while its works have interfered with a business that is actually creating value. I support stopping the sale. I do not support pretending this was a harmless administrative discovery. Property rights, lawful commerce and competent due diligence are the foundation of prosperity and respect by the organisation from the community. When government disregards all of that, the community pays for the mistake and people carry the damage.

MAYOR STAPLETON: Councillor Bodsworth.

CR BODSWORTH: Yes, before I speak to it, Mayor, can I just clarify if Councillor Barker was seeking an amendment in relation to the point that he raised on the legislation?

CR BARKER: It's not an amendment to the motion. It's a typographical error that needs rectifying.

CR BODSWORTH: So is it possible that we take a moment to just confirm that because my understanding is that's part of the recommendation?

MAYOR STAPLETON: I will refer that to the CEO.

MS ROBYN SEYMOUR: So my understanding is that in the recommendation it says 114, Councillor Bodsworth, which is the correct reference.

CR BODSWORTH: Okay.

MS ROBYN SEYMOUR: In the body of the report that should also refer to 114.

CR BODSWORTH: Alright, thanks for clarifying. I'm comfortable with the recommendation and I think the history - the process has had its regrettable components, but in the end, as Councillor Barker said, we are where we are and we don't really have any choice but to not proceed with the sale of the land. So I urge Councillors to support the recommendation.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Would any other Councillors like to speak to this item? Councillor Crockett?

CR CROCKETT: Thank you. Yes, just to echo what we've heard from other Councillors and, yes, from my understanding, it was our source of truth, the information that we rely on was incorrect, which is regrettable, but you know, human error can happen. It was gazetted in 1990 and not picked up by the surveyor and then the Land Titles Office maybe shouldn't have given Council a title, and later on it should have gone to the Department of Transport at that time, but didn't.

But just to move on, we're tabling this because we said we'd provide a consultation report and no community submissions were received. Just the one from the Department of Transport changed our direction. So this process offers transparency and closing the loop and wrapping up that we will not proceed with the sale. So I'll support the recommendation.

MAYOR STAPLETON: Thanks, Councillor Crockett. Would any other Councillors like to speak? Councillor Walker?

CR WALKER: Thank you, and I concur with my fellow colleagues around this issue. It sort of closes the loop on it.

It's unfortunate it got to this stage with the Department of Transport and Planning landholding the sales, providing submission at this stage and hoping we learn from this in the future around the relationship with them how we can better manage this if it pops up again, considering you look at it's only a single paragraph that's from a 1983 declaration. So I just hope we can learn from this to save on resources and it doesn't happen again. Thanks.

MAYOR STAPLETON: Thanks, Councillor Walker. Any other Councillors? No. And any - oh, sorry, Councillor Schonfelder? Thank you.

CR SCHONFELDER: I'd just like to note that of interest that the land, the subjected land, was on the boundary between two former shires prior to amalgamation, the shire of Barrabool and the city of South Barwon.

I will make a comment that in this day and age if there were amalgamations taking place, I'd highly doubt that a Council with a First Nations name would lose that name. So I'll just leave that comment there.

I am aware that there are many titles that exist that have anomalies and roads have changed over time as well and I know that this main thoroughfare, we were talking

about active transport and cycling earlier, you just never know, there could be further changes that might take place and the State Government might actually need the land that we are discussing.

MAYOR STAPLETON: Thank you, Councillor Schonfelder. Are there any other Councillors who would like to speak? No.

Councillor Barker, before I move to you for closing comments, just noting that Governance is able to update point 24, which was the administrative error referring to section 115 instead of 114. So that will be updated in the minutes. Do you have any closing comments?

CR BARKER: No.

MAYOR STAPLETON: We'll now put the motion to a vote. All those in favour? And the motion is carried unanimously. Thank you, Councillors.

Item 4.8 is the award of contract T26-034 for electrical maintenance services. The purpose of the report is to seek Council's approval to award the contract to a panel of three contractors. As the agenda papers had the names redacted, can officers please display the unredacted version on the screen for Councillors? I'll just give everyone a moment to look at that.

We do have a recommendation before us. Would anyone like to move a motion? Councillor Crockett - as per the recommendation? And seconded by Councillor Phelps. Councillor Crockett, would you like to speak to that item?

CR CROCKETT: Yes, thank you, Mayor. This report seeks approval to award the contract for electrical maintenance services to a panel arrangement with three qualified contractors. So having this range of providers ensures we have the capacity and expertise and ability to respond required to meet a super diverse range of maintenance needs, while also delivering value for money.

I understand the panel opted for three contractors instead of four so there's enough work to go around for the suppliers. That is the right number that has been landed on.

Electrical maintenance is a critical service that supports the safe and reliable operation of all our Council facilities. These contractors undertake the electrical work that literally keeps the lights on in our Shire and includes Council buildings, sports grounds, public toilets, all our community facilities operating as well as emergency callouts for repairs and upgrades.

So I think this recommendation follows a robust and transparent procurement process. Ten tenders were received and assessed against criteria, price being one of those factors, and the Government's oversize particularly important given the scale of the contract, so I'm glad contracts of this threshold go through Council approval so we can all review the procurement process and have accountability for the public funds and confidence in the selected panel. I think each chosen option

offers value for money, demonstrates a good understanding of Council varied service needs, and have the capacity to deliver the services to a high standard. So I'm happy to support the recommendation.

MAYOR STAPLETON: Thanks, Councillor Crockett. And Councillor Phelps?

CR PHELPS: Yes, thank you. Thank you, Mayor. I'm also happy with the - I'm happy with the assessment process, the full details of which have been separately provided to Councillors in a commercial in-confidence report, as is normal procedure. So selecting three contractors allows for best value choice on who is best positioned for any particular job, with no commitment by Council to volume or frequency of work to any supplier.

I note that the contract is for one year at a time and it estimates an initial annual expenditure which is already in the budget of \$330,000, but this is, of course, going to be based on a schedule of rates for work as and when actually needed. So I'm happy also to accept and go with the recommendation. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. Would any other Councillors like to speak to this item? And any closing comments, Councillor Crockett? Oh, sorry, Councillor Barker?

CR BARKER: Electrical maintenance is necessary, but necessity doesn't prove value for money. The contract is estimated at around \$30,000 in the first year and \$1.425 million over four years. Now, historical spending is averaged around \$300,000 annually and that means the first-year estimate is already around 10% higher before later CPI increases. I also despise the fact that we use CPI increases rather than inflation itself because inflation is a more accurate measure of the changing costs of the economy.

The report says the panel will ensure supplier availability, value for money, and coverage. "Will ensure" is too strong. The report hides the contractors' names. Obviously, that has been rectified now, but anyone in the community paying attention at home wouldn't have been able to see. It also hides the rates, the scores, the rankings, and full financial analysis, information that would let the community test the value themselves (inaudible) confidential papers.

Commercial confidentiality can justify protecting particular tender rates during a live process. It does not justify giving the public no meaningful comparison at all after a recommendation has been formed.

The price is only 40% of the assessment. Now, that may be reasonable, but we can't see how much more a successful panel costs, what service advantage justified any premium, or how work will be divided among three contractors. Even the procurement process that this process underwent was about \$7,500.

I'm prepared to support necessary electrical maintenance, but not a blanket cheque supported by an assertion the community cannot test themselves. Before approval,

Council should publish a lawful summary showing relative value, contract controls, expected savings or increases, and performance standards.

Trust is not created by telling people that confidential information proves officers are right. Trust is created by exposing enough evidence as much as possible so that people can reach their own conclusion themselves. By hiding that information, all it does is reduce trust in the community of this organisation.

MAYOR STAPLETON: And any closing comments, Councillor Crockett? No. We'll put the motion to a vote. All those in favour? And against? And the motion is carried 8-1. Thank you, Councillors.

Item 4.9, Project Budget Adjustments and Cash Reserve Transfers for August 2026. The purpose of this report is to present proposed project budget adjustments and cash reserve transfers for Council approval as well as project adjustments for noting made under delegation since the last report to Council. The report includes existing projects requiring adjustment, project closures, new projects to be initiated, CEO-approved transfers under delegation, or corrections to prior reports presented to Council.

We have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps - as per the recommendation?

CR PHELPS: As per the recommendation, Mayor.

MAYOR STAPLETON: Thank you. And a seconder? Councillor Crockett, thank you. And Councillor Phelps, would you like to speak to that item?

CR PHELPS: Thank you, Mayor. First of all, I'd just like to commend the approved layout for ease of reference and readability. We can see a significant budget increase of around 10% for the Spring Creek pedestrian bridge, which is due to some design changes and some unforeseen costs relating to the Cultural Heritage Management Plan aspects after the discovery of some culturally sensitive artifacts.

We're also seeing amalgamating two Anglesea community precinct design projects into one, which makes good sense to simplify project management. Having a shovel ready design makes it much easier to get the major funding that will be needed to turn design into reality, plus it also gives community a say in how it all pans out. I'm looking forward to the result.

There is some new money in that project. However, it is money reserved for Anglesea township open space, so to me it looks like a good use.

Similarly, the refurbishment of the Australian National Surfing Museum sees two existing budget allocations amalgamated into the one project, anticipated to happen this financial year, and there's no extra funding allocated. There are no new projects or projects under delegation and there's a couple of road improvement projects which have been closed off. So I'd like to suggest we approve the recommendation.

MAYOR STAPLETON: Thanks, Councillor Phelps. And Councillor Crockett, did you want to speak to this item?

CR CROCKETT: No, Mayor. I think the Deputy Mayor has covered it. Thanks.

MAYOR STAPLETON: Thank you. Would any other Councillors like to speak to this item? Councillor Barker.

CR BARKER: The recommendation bundles a whole bunch of items that deserve different answers depending on your position. The Spring Creek pedestrian bridge requires another \$35,000, as previously mentioned. Now, if that work is legally necessary to construct the bridge, the increase is unfortunate, but possibly defensible. I could potentially support it, subject to confirmation of the quoted costs and exactly what it all entails.

The additional \$50,000 for an Anglesea precinct landscape plan is a bit different. It provides broad language about the open space parking landscaping, access and drainage, but no defined deliverables, the procurement method, or evidence that another plan will produce \$50,000 of community value.

Council already has \$410,000 allocated to the integrated hub design and is moving substantial existing funds around this project. Now, before taking more from the open space reserve, Councillors should know exactly what will be purchased.

The report also consolidates \$125,000 into the Surfing Museum refurbishment, taking that project to \$1.625 million. It says this improves reporting clarity, but moving money into a larger account may simplify reporting, but it does not reduce the amount of money being spent.

I would prefer the recommendation on this agenda item be separated. Individual Councillors could still have their amount of time to speak, but then if the voting could be in quick succession voting for and against each item, it might help improve governance around this, rather than just bundling everything together.

Others might approve the unavoidable heritage work and note genuine administrative transfers, defer to discretionary landscape plan until officers provide a proper scope, cost basis and measurable outcome. I won't support it because years of terrible financial management by this organisation have destroyed any confidence I have here.

Government has a habit of treating reserves of money waiting for a sufficiently attractive plan. It is not. It is the money the community have worked hard to earn that we have taken forcibly.

Now, I've said it before and I'll say it again, we need to tighten our belt. Failing to do so punishes the most vulnerable in our community. There is nothing just, sound or moral about increasing costs while people in this community do it tough to the point that Feed Me Surf Coast needs to continue expanding its services.

Prosperity is created when money produces durable assets. It is diminished when funds disappear into layers of design, consultation, administrative comfort before the community sees anything built. I won't be supporting the motion.

MAYOR STAPLETON: Would any other Councillors like to speak to this item? And Councillor Phelps, do you have any closing comments?

CR PHELPS: Yes, just a couple, thanks, Mayor. Just following up on Councillor Barker's request there, items not included in the Spring Creek bridge coating of the bridge to improve aesthetics, timber edging and timber bollards, plus also 35,000 inspection surface salvage requirements for the artifacts that were found, the artifact analysis recording reporting and (inaudible) the artifacts, including preparation of artifact storage costs and recording edits post, which I'm pretty sure we have no choice about. Other than that, I think it's fine as it is and I would just also note that the layout of this report does actually allow further Governance rules, we can actually split them out if we wish to approve them one by one. Thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. We'll now put the motion to a vote. All those in favour? And all those against? The motion is carried 7-2. Thank you, Councillors.

We are now up to item 4.10, which is our Conflict of Interest Records. The purpose of this report is to present the conflict of interest records received since the previous Council meeting. We do have a recommendation before us. Would anyone like to move a motion? Councillor Walker - as per the recommendation?

CR WALKER: As per the recommendation.

MAYOR STAPLETON: Thank you. And a seconder? Councillor Crockett, thank you. And any comments you'd like to make, Councillor Walker?

CR WALKER: It just gives transparency of who and what was - who has been in attendance, but that's about it.

MAYOR STAPLETON: Thanks, Councillor Walker. And Councillor Crockett? No comment. And would any other Councillors like to speak to this item? Councillor Phelps?

CR PHELPS: Yes, just for the record, I'd just like to note that there was one conflict of interest, so Mayor Libby Stapleton declaring a general conflict of interest relating to a meeting including the events policy. She holds a licence for the operation of the Aireys Inlet market and the events policy may inform processes connected with this and Mayor Libby Stapleton left the meeting while the item was discussed. So it is certainly working as intended, thank you.

MAYOR STAPLETON: Thanks, Councillor Phelps. And any other comments? No. Any closing comments, Councillor Walker?

CR WALKER: No.

MAYOR STAPLETON: No? We'll put the motion to a vote. All those in favour? And the motion is carried unanimously. Thank you, Councillors.

There being no further items of business for this evening, I declare the meeting closed at 8.54pm. Thank you, everyone, for watching and for your participation tonight.