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Draft Transcript

Surf Coast Shire Ordinary Council Meeting

Surf Coast Shire Civic Office

Council Chambers

1 Merrijig Drive, Torquay, Victoria

Tuesday, 22 September 2026

6.00pm

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MAYOR STAPLETON: Good evening and welcome to our September Council Meeting. I'm Mayor Libby Stapleton and it is a pleasure to welcome everyone joining us tonight here at the Aireys Inlet Community Hall. Also a big welcome to everyone joining us, tuning in online, as this meeting is being livestreamed and, of course welcome to my fellow Councillors. Live captioning will accompany the livestream of this meeting, so we hope that that assists anyone who may have hearing difficulties.

I would like the acknowledge that here at the Aireys Inlet Community Hall we are gathered on Wadawurrung Country and nearby, just on the other side of the Painkalac Creek, is Gadabanud Country. I pay my respects to their Elders past, present and emerging. Surf Coast Shire Council is committed to walking with Traditional Custodians on a reconciliation journey that recognises and celebrates culture and the unique land, sea and waterway Country of the Surf Coast. I would also like to acknowledge Aboriginal people attending or viewing this meeting tonight.

Before we begin tonight's meeting, I would like to briefly highlight a few matters that may be of interest to our community. Last week, a few of us attended the G21 Transport Forum, where regional leaders and stakeholders discussed the future of transport across our region. A strong theme of the Forum, which I am sure will be no surprise to anyone here, was the importance of improved transport connections to support access to jobs, education, health care and housing, while also supporting economic growth as our region continues to grow. We all know that more bus services along the Great Ocean Road would be of great benefit to our coastal communities.

Housing affordability also remains a significant challenge for our community and I recently attended a Regional Housing Justice Forum where I was reminded of the importance of continuing to pursue practical solutions that support local families, older residents and essential workers in our communities. Through our Affordable Accommodation Action Plan, Council continues to work on initiatives in Lorne, Aireys Inlet and Anglesea that are aimed at increasing affordable and key worker housing opportunities.

I would also like to acknowledge the recent Angair Wildflower and Art Show Weekend, which once again celebrated the remarkable natural environment and creative talent of our region. It was just such a wonderful weekend, as anyone who was able to get there would attest to, and so big thanks to Angair, all the volunteers and everyone involved in delivering this much-loved event, which for more than 50 years has brought our community together to inspire appreciation of our region's extraordinary native flora. I was especially enthralled by the launch of Angair's new Bugs and Beetles community brochure, which I encourage you to get hold of and have a look. It provides absolutely fascinating insights into the range of critters, and tiny little critters, that play such a crucial role in our local environment.

And I would also like to provide a brief update on the Fairhaven landslip. I know there's a public question about that further on, so our Acting CE, will provide more detail, but I know there is a lot of interest in this and Council is as keen as the community to see this work completed. Council has been working closely with the

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Department of Transport and Planning to progress remediation works for the site, and DPT is leading the project and we're really grateful for their expertise and funding to do that. I can share that the latest advice from the Department of Transport and Planning is that the award of the construction contract is imminent and their schedule has the works being completed by Christmas, with planting to be carried out in autumn.

Finally, I encourage residents to have their say on the proposed cycling connection between Aireys Inlet and Fairhaven. Consultation is open until 16 October, so just under a month away, and I encourage anyone with an interest in the project to please get online and use the Your Say channel to provide feedback to Council on that.

And now to our agenda for tonight. In terms of process, Council meetings operate according to our adopted Governance Rules, which include the following procedures. During the meeting, the mover of a motion or an amendment may speak for a maximum of five minutes to open the debate, and then a further two minutes to make a closing statement. Any other Councillor, including the seconder, may speak to a motion for no more than three minutes. I ask that members of the gallery avoid using mobile phones during the meeting, as this can be distracting for Councillors as well as other members of the gallery. I also note that any unauthorised recording of the meeting is prohibited under our Governance Rules. However, you can access a copy of the official recording on our Council's website after the meeting.

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

We don't have any additional apologies. I have an apology from Cr Bodsworth and can I please have a mover and a seconder to accept this apology? Moved by Cr Schonfelder and seconded by Cr Phelps. All those in favour? And that's carried unanimously. Thank you, Councillors.

Confirmation of Minutes - so can I please have a mover and a seconder to confirm the minutes of the Council Meeting held on 25 August 2026? Moved by Cr Walker and seconded by Cr Phelps. Thank you. And all those in favour? And that is carried unanimously. Thank you, Councillors.

Do we have any leave of absence requests tonight from Councillors? No? Thank you. Any Declarations of Conflicts of Interest? So 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 once the matter is resolved, they will be asked to return to the meeting. Are there any declarations of conflict of interest in relation to tonight's agenda? No. And if any conflicts arise during the meeting, please just make them known to me.

I now invite Councillors to make presentations about some events and things they

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have been involved in since our last Council Meeting, and tonight we will be having presentations from Cr Crockett, Cr Phelps and Cr Walker. So, Cr Crockett, I will start with you to give us an update on the Torquay Business Awards and Sketch and Scribe Festival.

CR CROCKETT: Thank you, Mayor. Yes, recently, the Deputy Mayor and I, Cr Phelps, attended the Torquay Business Awards put on by Commerce Torquay, who are all volunteers and put on an incredible event, and it was so good to be there and celebrate all of the local businesses, of which there is such a diverse range that make up the Surf Coast, and it was incredible to be there to give those businesses recognition and a time to celebrate all their hard work and everything that they bring to the Surf Coast, and from sitting next to the head judge, I got the understanding that it was very difficult to judge, that there were a lot of very worthy businesses of the awards, but it was great to be there at the Sands.

On Saturday, I was at the Anglesea Art Space for one part of the Sketch and Scribe Festival, which is celebrating illustrators and authors of children's books, and it was beautiful to celebrate and acknowledge art for all ages, and a lot of the artists that were exhibiting there, it was their first ever time to exhibit their work, so it was great to be in the Art Space, which is a bit of an incubator space for that kind of thing, and meet all of the local authors, and there has been a variety of events as part of that festival which has brought people from all over the country. So it was great to be a part of that as well.

MAYOR STAPLETON: Thanks, Cr Crockett. And Cr Phelps to give us an update on the Surf Coast Century and the Torquay CFA Awards.

CR PHELPS: Thank you, Mayor. I was invited along last night to the Torquay CFA Brigade Awards at the Tap House. It's an annual celebration dinner, and my thanks to Captain Murray Middleton for the invitation. They have around 70 members. About half of those are active firefighters. They respond to 250 call-outs a year at the moment. They're all volunteers. They have a very high level of commitment to the community. They are now servicing the largest town with diverse incidents, covering structure fires, vehicle accidents, and even embarrassed people stuck up in a tree, which Cr Pattison told me a story about that one. The member awards ranged from five years of service all the way to 50 years, which is amazing. A number of National medals were also given out, reflecting above and beyond dedication to their local CFA brigade. So I would like to say a big well done to the awardees and the Torquay CFA for providing a very dependable and an essential service. I might add that they're fundraising at the moment for a replacement brigade-owned fire truck, so please look out for opportunities to support them.

I was also honoured to start the Surf Coast Entry 50K run - that's 50 kilometres of running, in case there's any doubt. This was at 8 o'clock in the morning on a beautiful, sunny morning on Anglesea Beach. They head inland along the second half of the full 100-kilometre run course through the hinterland. It showcases the very best of Surf Coast Shire and our world-class and world-famous environment . I can't say I'll be joining them any time soon, but 307 50K runners set off on an

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internationally recognised race. A fabulous effort by all involved. I am still trying to come to terms with someone voluntarily running 100 kilometres in the full race, but it is amazing and it was great to see.

MAYOR STAPLETON: Thank you, Cr Phelps. And, finally, Cr Walker to talk about the Lorne School Wellbeing Day and Amy's Gran Fondo.

CR WALKER: Thank you, Mayor. I had a couple of really good events over the last couple of weeks. We had the Lorne Wellness Day at Lorne P-12 College, which is partly funded and supported through Surf Coast Youth. It was a great day. One of our pillars is working with Surf Coast youth to see what we can do with them. There were a lot of different wellness activities, a guest speaker from past Premiership Bulldogs player Tom Boyd, who talked around mental health and how important it is to speak up but also to listen. The day finished with a colour run, where the students who travelled home on the bus had to wear ponchos so not to get the bus too colourful! Plus us having to wash all the clothes, but that's fine.

The next day, weekend, we had the Amy's Gran Fondo. It's in its 15th year this year, which is pretty amazing. I remember when it first started. It brings a lot of economic development to the region. I was lucky enough to send off the 3,000 riders, or part of the 3,000 riders, on a fully closed route inland around the Great Ocean Road. It was a truly majestic ride. We all live down here, but for them to actually get out there and ride on the road for a safe event with no-one else on the road is pretty amazing. For those who don't know, the history of Amy Gillett dates back to when Amy was struck down by a vehicle and, unfortunately, passed away when training on an open road overseas. The Amy Foundation, along with the Surf Coast Shire, encourage safe cycling. Our Safe Cycling Strategy aims to improve the safety and quality of the cycling experience, reducing fatality and serious injury, and cyclist crashes. However, there is still a lot of work to be done. For the riders who were out there, there was some nice pink paint spray-painted over the pot holes on the route so they wouldn't crash into them but it really highlights there's a lot of work to be done with the event but also into the future around fixing the roads, the potholes and maintaining the shoulders out there, safe turn-outs for everyone involved so it's safe for not just cyclists but everyone out there too. I think it's really important that we really emphasise that.

There were a lot of first-time international competitors there. I met a group there from the Philippines. There were about 20 of them that flew out just for it. They all stayed multiple nights and couldn't praise the area more. Again, if you were lucky enough to do the ride, which I think Councillor Grist did part of the ride, it was pretty amazing. Oh, you didn't do it? Not this year. But I know other Councillors have done it. But it is an amazing ride to be a part of if you can do it but I won't doing it, or a 100K run either.

MAYOR STAPLETON: Thanks, Cr Walker.

Next on the agenda is Public Question Time, which I know some of you are here for, which is terrific. So Public Question Time is a time for community members to ask

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questions or make a submission at a Council Meeting. This evening we have 15 community members who have submitted 22 questions in total for us to address. Some of those will be asked in person and some I will be reading out on behalf of people who were unable to physically be here for the meeting.

So our first question comes from Gabrielle Peacock of Torquay. Is Gabrielle here with us? No. In that case, I will read out Gabrielle's question for her: the bottom of Rosella Road leading into Silvereye Street along the back fenceline of Torquay Coast Primary School is a busy high-traffic location during school drop-off and pick-up times, with multiple cars parked along the two-way street, impacting visibility. Torquay Coast Primary School encourages their students to actively commute to school, resulting in many children walking, riding or scooting to school. The gates on Silvereye are utilised more by older students, resulting in many children commuting through this space without a supervising adult. There is no signage that indicates to drivers heading into the bend that they are in a school zone and there is no safe designated crossing zone across Silvereye Street for students to get to the two busy entry gates on this side of the school. Is the Council aware of this risk and is there a plan to create a safe, supervised crossing location on this side of the school? And that's a question that I will refer to our Acting CEO, Mr Pike.

ACTING CEO: Thanks, Mayor, and thanks for raising those concerns about the safety of the school kids and the families in that area. It is something we are quite familiar with. Officers have attended and seen what happens at the beginning of the day and particularly when school finishes and the kids run off in multiple - or ride off in multiple directions. And so there are some changes that we have made more recently that go to this issue, but we are continuing to keep a keen eye on things. We have recently constructed a new footpath and shared path links through the linear reserve, which is south of the school, adjacent to its southern edge, and that connects to existing routes on a number of roads, including converting the raised hump on Legacy Drive into a raised pedestrian crossing. We have also taken the move of restricting parking on the school side of Silvereye Street to take cars out of play on that side of the street, which is the side of the street closest to the school, and perhaps particularly importantly, we have applied to the Department of Transport and Planning to reduce the school speed zone on the streets adjoining the primary school there. We would like to get those speeds down to 30 kilometres an hour during school peak periods, and we're optimistic that we will hear shortly about that request. So once we know that, we will inform the community, and not least the school community, of any approved changes before they're implemented.

Specifically, about a supervised crossing, we don't have a plan at this stage. There are some pretty exacting requirements from the State Government in terms of what they will fund for supervised crossings, and we are mindful that children are crossing at multiple points along the road, which does make it difficult, so we're going to continue monitoring that in peak hour times and we are open to further measures, including signage or other crossing improvements, if we see the signs that they're required in the future. So if you're particularly keen to stay in touch on this issue, our road strategy team are the ones at Council to discuss this with further, and you can contact them through our main phone number or through our website or main email

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address.

MAYOR STAPLETON: OK. Our next question is from Jim Tutt from Anglesea, and Jim is not here tonight so I will read his question out on his behalf. Public opinion survey: the pending Community Engagement Policy does not seem to include the regular use of opinion polls, which are being used by many other Councillors. They can take the form of a statistical representative group, used regularly, or wider, whole communities. I have asked before that Council conduct a survey on reintroducing Australia Day. I now ask again that this poll be taken to the Surf Coast community to ascertain their view. I will pass that on to the Acting CEO.

ACTING CEO: Thanks, Mayor. And thanks for your question, Jim. So Council does use a range of engagement methods to understand community views, including surveys, panels, workshops, drop-in sessions, various submission processes, and representative and wider community surveys are some of the techniques that we use to understand views and priorities. The Community Engagement Policy principles, which are set out via the Local Government Act, are not prescriptive about specific engagement techniques for individual matters, so we do tend to tailor our approach depending on the topic and the audience. As it stands, we don't have any plans as Officers to seek a fresh direction from Council regarding its involvement in Australia Day celebrations. However, Council does continue to emphasise that people should be free to celebrate Australia Day however they wish.

MAYOR STAPLETON: Thank you for that question, Jim. Next up we have Julia Clarke of Aireys Inlet, and I know Julia is here, so if you would like to come up to the table or would you like me to read your question on your behalf? OK. So there is to follow a lot of questions on the Aireys Inlet Top Shops, which is an item on the agenda tonight, so all those questions will be answered by our Acting CEO, just to avoid me having to tell you that every time somebody asks a question.

So Julia's question: the report mentions a Special Charge Scheme in Point 2, 30, 31 and 60. I assume this relates to points 3, 9, 28 and 30 on the image on page 87, which relate to privately owned properties. What does Special Charge Scheme mean and does it mean property owners will be expected to contribute to costs if the project goes ahead?

ACTING CEO: Thanks, Mayor, and thanks for the question, Julia. So the concept of a Special Charge Scheme isn't related just to funding infrastructure on private land. It's actually a mechanism to fund infrastructure on public land and it's effectively a mechanism that Council can use to generate funds from property owners who might directly benefit from a specific project. So it is referenced in the report specifically as a potential way, just one of the potential ways, to fund improvements in a future project. These are the kinds of things, funding mechanisms, that might need to be considered as Council's own funding options become a bit limited for these kinds of projects. It's been a while. There was an instance back in 2010 where Council used this method to fund upgrades down at Mountjoy Parade in Lorne. So, again, that was a mechanism to generate some funds to contribute to the project. Importantly, I think here, though, no decision has been made to use a scheme. It is simply noting

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that that might be something that Council considers in the future, and if it were considered, it would have to involve consultation with affected property owners, and strong support would be required for Council to consider before establishing such a scheme.

MAYOR STAPLETON: And Julia's second question: the image on page 87 shows tree and screening. Clear visibility of shopfronts is important for businesses. As it is, the businesses behind the slip road entrance already have visibility issues. Additional screening and trees could greatly impact the visibility of these traders. As a number of retailers have already expressed concern about visibility and natural light in the previous community consultations, will the impacted businesses and property owners be consulted before moving forward with the project and for the detailed design?

ACTING CEO: Thanks, Mayor. The short answer is yes. That's exactly the kind of thing that we would consult people on in terms of the types of plantings at the detailed design stage. You will hear on several of my answers tonight that point to that next stage of design, where you get into finessing some of the details. We would look for plantings to be Indigenous species but they would need to be suitable for the streetscape here and complying with bushfire risk assessments and mindful of that visual element, particularly for the businesses. So that detailed design stage, when it comes - well, that won't occur until there is funding secured for the project, but it would be another touchpoint with the community.

MAYOR STAPLETON: Thanks for your questions, Julia. Next we have a question from Michael Lawrey from Aireys Inlet also, who is unable to be here, and Michael's question is on behalf of the Aireys Inlet Tourism and Traders Association and would like the following question answered: if the Council proceeds with the proposed landscape design, what input will you allow and consider from the residents and traders of the Top Shops precinct? There are a number of considerations that AITTA would like to work with the Council to finalise the design. These are listed below: how many parking spaces are to be provided for, as this is a major issue for traders? Placement of zebra crossings - the plan currently does not take into account Blackwood Lane; exit point into Albert Avenue needs a speed reduction point as the current stop sign is rarely adhered to and it will be only time before there is a major accident. In the plan it mentions resurfacing of retailers' paving. At whose cost? And proposed planting of trees that obscure traders for the Great Ocean Road will mean loss of business if they cannot be seen. Large trees will impact the residences above the traders and will reduce light into the residences from the Great Ocean Road. And who will maintain the movable planters and clean and maintain the long table area? Over to you.

ACTING CEO: Thanks, Michael, for that one question on behalf of the Association. But the short answer to the headline question is should we secure funding and we're moving into that detailed design phase, then, yes, absolutely we want input from the people affected by the proposal. That's when we take an approved concept and start finetuning the details, and that will put us in a position then to be able to construct the project.

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So scooting across the various points raised, the concept plan that's before Council tonight reduces the parking from 29, which is the current number of spaces, to 26, and that reduction is required to enable us to have a safer and more accessible pedestrian footpath on the other side of the road, and we also think some timed parking arrangements could help offset that reduction. A crossing at Blackwood Lane was considered when we did the traffic engineering assessment. It was considered with the low speeds in that area that it possibly starts to over-engineer the solution there, so there are some other features there to try to delineate the walkway for pedestrians from the movements of vehicles. Again, details get finetuned at the next stage.

With regard to Albert Avenue, our view at the moment would be that it's a low-speed environment, but for any future detailed design, we would need to get a further engineering review, including a Road Safety Audit, which is a really important bit of detail to advise us on any unacceptable risks that might remain with the design.

In terms of retailer paving, works on private land are not included in the project scope, so any improvements to private paving areas would be obviously at the discretion and cost of the relevant landowner. Shop visibility and street trees - I kind of touched on that in my response to Julia previously. The intent there really is to try to introduce some shade and to improve the feel of the area. We certainly got that kind of feedback but we want to maintain the business visibility as well. So that's a balancing act that we need to land on in terms of species selection and locations at that next stage of design. That would consider things like trees at their full maturity, how big they are, how they relate to powerlines, again the bushfire requirements and the impact on people who are living there too. So a lot to balance.

Lastly, in terms of planters in the community space and any maintenance there, Council would be the responsible ones for maintaining any Council-owned infrastructure, as we are elsewhere in the Shire. There are specific arrangements for the planters in the public spaces, and they would be confirmed during detailed design as we got a bit more specification about what those things might ultimately be.

MAYOR STAPLETON: Thanks for those questions, Michael. The next question is from Dean Hardiman of Aireys Inlet, and Dean says: hello, my concern is the redesign of the Top Shops car park area. I am the only water cartage contractor on the Great Ocean Road. Aireys Inlet Top Shops is my diesel refill station in summer. I am contracted to CFA and DEECA for water supply through summer and on standby in Aireys Inlet 24/7. My truck and trailer is over 16m long, and with the change will make it unassailable to reach the fuel bowser, with the angle of my trailer. I will be blocking the traffic while filling the truck. This is a big safety risk on total fire ban days and back-burning operations. Please contact me for any information. Thank you, Dean.

ACTING CEO: Thanks for the question, Dean, and there's a question later in the mix that touches on some of these same issues. The headline point here is not only

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have we had traffic engineering investigations as a significant part of the process of developing the options; it has paid particular attention to the needs of larger vehicles, and not just accessing the service road but accessing the petrol bowsers too. That is not going to change. There are a couple of details on the map, which are very small bumps in the ground, that are traversable by vehicles but provide some signals that there are also pedestrians in the area, but it won't impact the current access to the bowsers for vehicles. So in your case, Dean, I think, yes, 16m long, it's currently accessible. It will continue to be accessible. So our best assessment is there is nothing that we are introducing that will make that harder. There are a lot of physical constraints on the site, if that's not kind of making an obvious statement. So there are limited opportunities to significantly improve the vehicle access, especially whilst we are trying to balance the needs of pedestrians too. So there are a couple of small details in the internal car park layout and in the exit from the site where we've got mountable what are called concrete aprons which are better able to accommodate the swept path, the movement of those larger vehicles, both exiting the service road and turning on to the Great Ocean Road. But the headline is that the current access won't be impacted by the concept that's put forward.

MAYOR STAPLETON: Thank you for your question, Dean. The next question is from Lucy Yan from Aireys Inlet. As a local trader, I would like to ask whether the final design adequately accommodates the long-term operational needs of businesses in the Top Shops precinct, specifically commercial deliveries by heavy and delivery vehicles. Given the proposed relocation of the bus stop to the northern end, how does the design ensure sufficient dedicated loading access and future-proof flexibility for evolving local businesses over the next 15 to 20 years?

ACTING CEO: Thanks, Mayor, and thanks, Lucy. I did notice from a couple of questions, including yours, there is a little bit of confusion about this issue and specifically the movement of some of the components, and the bus stop being one of them. Based on feedback received through the Stage 2 consultation, which has informed the proposal that's before Council tonight, the bus stop will remain in its current location. So it was considered in an early iteration to move that further north. We got some feedback about that and the rest of the proposal, so that was dropped. So the headline there is that the bus stop doesn't move.

We did have a very keen eye to the operational needs of businesses within the precinct, and there are different businesses with different needs, things like commercial deliveries, servicing requirements, those larger vehicles that I was just talking about before. So the concept retains a loading zone in a similar location to the existing arrangement and proposes extending the loading zone availability from a morning-only restriction to all-day use. The concept provides, in Officers' view, for flexibility for those future business needs. For example, the parallel park behind the disabled car park on the concept plan could be reviewed. That's quite easily converted to additional loading space in the future if we see changes in the requirements of businesses there. Should the project proceed beyond concept design into that next stage of detailed design, then, as I mentioned earlier, that's a point for consultation with the affected traders and other property owners just to make sure that we are really clear on those operational requirements as we move

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into that next stage.

MAYOR STAPLETON: Thanks for your question, Lucy. Our next question is from Tony Addley of Aireys Inlet. Tony, would you like to come up and ask your question. OK. So during Stage 2 consultation for the Aireys Inlet Top Shops landscape design, the reduction of car parking was a major concern raised by the community and traders. Parking spaces were reduced from 31 to 29 when the pedestrian walkway was installed. The Stage 2 draft design proposed reducing this further to 24 spaces. The Council report recognises that parking reduction is a key issue. What is not stated in the report is the number of spaces proposed in the new concept plan. Could you please advise the number of car parking spaces proposed. Thanks for your question, Tony.

ACTING CEO: And thanks, Mayor. Sorry that wasn't immediately apparent and that's some good feedback about a really critical number hitting people in the face. As I mentioned earlier, with the proposal that is before Council, it is a proposed reduction from 29 to 26, so that's three spaces reduced. There are other questions so I will be touching on parking I think again. But we also see the opportunity for timed parking to help alleviate that reduction of spaces and to make sure we have that turnover in the precinct too to support businesses.

MAYOR STAPLETON: Thanks, Tony. The next question is from Rob McVey of Aireys Inlet, and Rob has asked me to read his question on his behalf. So the proposed new Top Shops redevelopment planning sees the relocation of the bus stop to outside a residential dwelling. This will obviously increase risk to passenger safety and introduce noise and roadside parking congestion implications for these residents. If relocation is necessary, has Council considered harnessing space adjacent to Community Hall for the bus stop, where there is a safe zone for passenger pick-up and drop-off and available parking without any impact on residents, and their ability to maintain safe roadway visibility when exiting the driveways on to the Ocean Road? And I will just read Rob's second question and you can answer them both together. The second question: how does the redevelopment plan for the Top Shops consider or integrate into emergency management planning for the town?

ACTING CEO: Thanks, Mayor. So I did touch on the bus stop issue earlier, just emphasising that the proposal is not to move the bus stop, that it remains in its current location. There was certainly a bit of toing and froing in the consultation and design processes about different options but, ultimately, settled with the current location. And from our perspective, the project in terms of the town's emergency management arrangements doesn't really alter those. We are trying to maintain the current access for service and emergency vehicles, as I was touching on before. We will need to be mindful of bushfire risk in terms of any plantings, but that's the response to the emergency management side of things.

MAYOR STAPLETON: Thanks for your questions, Rob. The next question is from Ian Laging of Aireys Inlet on behalf of AITTA. Would you like to come up, Ian? Yes. Good on you, Ian. That should be right to go when you're ready.

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MR IAN LAGING: Thanks, Libby, and thank you, Councillors, for taking our questions on a pretty topical subject in Aireys Inlet. So my question was also about the Top Shops project, and I thank Council actually for, I guess, the community engagement process that they have gone through to date. It has been a two-stage process which has been - I think had a lot of interest from the local community and a lot of involvement, so it's been good. But I want to talk - and I will ask my question directly in a second - just about process as a preamble to my question, and my question is, in fact, about process and perceptions of what is a concept plan because already you have had a couple of questions tonight based on plans that have now changed and people haven't seen. So I will go into my question now.

So we had the Stage 1 community engagement process, and that talked about atmospherics of the Top Shops's development. But only in Stage 2 did we see an actual concept plan. Now, concept plan means different things to different people. By training, I'm an architect, retired now, but what people do see is a plan, a very precise plan, which you have in your agenda, with very precise images on that plan, and they look at it and think, "Oh, is that what we're getting?". So I'm familiar with the idea of a concept plan being flexible. I don't think many of the people behind me think that particular way. They see something and this is what is being proposed to them. So bearing that in mind, the report from the early stage, that's Stage 2, which was the only stage which showed this concept plan, recommended retention of the strongest elements of the original proposal while responding directly to concerns regarding parking, traffic flow, servicing and the scaling of community infrastructure, and I think they were all good feedback things that the group got. But the revised version of the overall concept plan, which I have just waved around at this meeting, has not been seen by any of the folks here, unless they actually popped on to the agenda and had a look, and if they are like me, they have an A3 printer and can print it off and actually read the writing. So there is confusion about what the concept plan is.

So there are some significant changes, and we've talked about the relocation back of the bus stop to its original location, the shrinking of the community space down the northern end of the precinct, and some traffic islands, which I now has caused some concerns to some of the local traders. So under these circumstances - and I'm wearing my architect hat here - we would have expected a revised plan would have been circulated to all those who are concerned about the Top Shops development, for their review and comment. As I say, a lot of people sitting behind me here are not actually familiar with what we are discussing. We, therefore, request the Council considers taking the course of action of getting the community on board with what's on this plan before considering further project funding arrangements, and that's my question.

MAYOR STAPLETON: Thank you for that, Ian.

ACTING CEO: Thanks, Ian, and I think there's a good dose of comment for Council to consider in the item tonight. I think what I will say in response is, as you have rightly identified, the project has had a couple of stages of community engagement,

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and we identified the issues and opportunities in Stage 1. Stage 2 tested that draft concept, so our planners had something to look at, and identified areas requiring change. Then there was a report back to the community on what we heard. There wasn't a map, and so I appreciate the feedback that that map - and many people are visual - wasn't available until people read the agenda, if they read the agenda for tonight.

One of the things that has been challenging for Officers in the process is the diversity of views, as has been apparent, I think through the two stages, and so one of the questions in mind was should there be another stage of consultation and feedback, what do we do with that feedback? Do we then develop another plan and then do you have another plan to go round around round of feedback? So we have made a real effort to try to balance competing needs, acknowledging that it's going to be very difficult to accommodate all of those, and you have heard my reference in terms of moving on to a next stage of design, which you're familiar with, which affords us another opportunity for input to finesse the details of the chosen concept. Those are the main thoughts that come to mind, but acknowledging that there are some points made for Councillors to consider in the debate tonight as well.

MAYOR STAPLETON: Thanks, Ian. The next question is from Adam Gilliver of Aireys Inlet, and Adam is not here and he's asked me to read his question on his behalf. As Captain of the Aireys Inlet CFA, I question on behalf of the Brigade, myself and our members, as well as members and vehicles from surrounding brigades require access to the petrol bowsers unimpeded by changes to the entrance and parking in front of the general store. Our large tankers will find it hard to access the bowsers for fuel supply in an already small area. Our other concern is should there be an emergency in that area, emergency services vehicles will not have clear access to the buildings in the precinct. The question is why have we not been consulted about this proposal? The area is already devoid of parking for long vehicles and this proposal will make access even harder. We also need access for contractors that we use during the FDP and cannot have their access impeded. We believe that this proposal severely crosses the line into safety of the area for other uses and pedestrians alike. Aireys CFA would like to see this proposal quashed and leave the area as it is.

ACTING CEO: Thanks, Adam, and I am sincerely sorry you didn't feel that the CFA had an opportunity to participate in those stages of community engagement that I have mentioned. We didn't approach the CFA specifically. We were hopeful that by having these widely advertised opportunities to participate, we would glean the input required, particularly as the starting point wasn't around adjusting elements that would impact emergency vehicles. So as I have mentioned before, spatially we're constrained in that location, as everyone locally would know, so it is really quite hard to create additional space without significantly reducing either space for pedestrians or vehicles. And the traffic assessment found, as I mentioned earlier, if you have a vehicle up to 19m, they can continue to use the service road and to fill up at the petrol pumps. There are some minor design modifications to improve vehicle manoeuvrability where it is practical, but essentially we see those larger vehicles as having the same access as they do presently.

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MAYOR STAPLETON: And Adam has a second question. Our second question relates to the inaction of the land slip in Fairhaven. This traffic condition is a huge safety concern coming into a tinderbox fire season ahead of us. Should a major emergency take place while this is still not rectified, the chances of a major traffic incident here is very concerning. Imagine already-stressed road users having an accident there on a catastrophic day? It does not bear thinking of what the ramifications of this inaction could lead to. Council should be embarrassed at the lack of urgency in righting this issue. It simply is not good enough and shows complete lack of care for the people, ratepayers, of Aireys Inlet and the Great Ocean Road users that drive through our township. As an emergency service, we are appalled at the lack of any works there for over 12 months. When will Council fix this huge issue and look to treat the people of Aireys Inlet and the smaller coastal village around us with the same amount of purpose and care that Council gives to Torquay? In the eyes of the Council, we are the poor cousins of Torquay. Your ratepayers have had enough when it comes to this issue. We want rectification.

ACTING CEO: Thanks, Mayor. Again, I am sorry you feel that way, Adam. It does have the appearance of not much happening but I can absolutely assure you that a lot has been happening behind the scenes. It has been an incredibly complex issue to firstly dialogue the root cause because what we didn't want to do was put a solution in place and have an issue resurfacing again. And it's also not a cheap exercise either, given the complexity. We are fortunate, as the Mayor mentioned earlier, that we have been able to secure the assistance of the Department of Transport and Planning, who you could imagine are more accustomed to dealing with land slips down the Great Ocean Road, and that has been particularly helpful, given that complexity. We have been able to draw on their in-house expertise. So we are grateful for their assistance on this one, and whilst it appears that not a lot has been happening, the design solution was finalised in recent months. As the Mayor pointed out, the Department of Transport and Planning have run a tender process. They have completed that tender process. We're just waiting for the announcement very shortly of who that contractor will be, and as well as the schedule to be completed by Christmas, the advice is that they'll be on-site within the next month. So that appearance of nothing happening will change very quickly. The one caveat there is that the landscaping will be delayed. So that will be autumn. It doesn't make sense to put the plants in the ground during the middle of summer. We have been trying to provide updates through our website at times we've been in those investigation phases, so there's been gaps in what we've had to share. We will continue to keep people informed and we've been very keen to impress upon the Department as well that it's important that they communicate directly with affected parties once they've got a commencement date for construction. So hold your breath. It's not much longer.

MAYOR STAPLETON: The next question is from Gypsy Long of Aireys Inlet. Unfortunately, Gypsy couldn't be here tonight so I will read this question on Gypsy's behalf. Who actually makes these decisions regarding the most essential area of our town? Do you need to be a permanent resident that needs to park to go to the doctors, get their mail, fill up their cars with fuel in case of an emergency, get their

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milk and bread and go to the pharmacy, et cetera? Or do the holiday house owners that come down for a few weeks a year get the bigger say? Or is it just the ratepayers? I am not sure many on the Surf Coast Council actually live here, and the others just pay rent, not rates!! There is a big difference $$$. Also, what is the point in doing local surveys and asking opinions when you'll just go and do exactly what you planned anyway? The Top Shops area does exactly what it's designed to do - to provide essential services to the local community. We live in one of the most beautiful parts of the world. If you want to get a coffee from one of the businesses, then sit down in the restaurants/cafe and enjoy. But if you want a nice place to sit and enjoy your takeaway coffee, just walk down the road and enjoy the ocean views and native scenery and leave the car parks to the people who actually require them. I hope you take time to listen to the feedback. And I'll ask Gypsy's second at the same time, which is more of a statement: listen to the feedback from locals and stop brushing us off.

ACTING CEO: Thanks, Gypsy, and I will take all of that as a quite passionate submission to the Council about your views, and we have seen that passion evident, sometimes coming from multiple perspectives, and that has been one of the joys and the challenges of this particular project. So we have tried to acknowledge that the Top Shops mean different things to different people and we have tried to address things like accessibility, safety, drainage, amenity issues, preserving the character and that coastal feel that's so valued by the community here, and so in doing so, we have really tried to balance a number of competing objectives. Sometimes there are trade-offs in these considerations, all within a very constrained physical environment. So you have heard just from tonight's questions there has been a lot of feedback through the processes and it has absolutely helped shape the concept plan that is before Councillors tonight. Most of the community engagement responses have come from residents of Aireys Inlet and Fairhaven who are using the area regularly, so I feel really confident in saying that local people have shaped what is proposed but it won't necessarily mean everyone agrees with every element.

MAYOR STAPLETON: Thank you for your question, Gypsy, and I'm sorry you could not be here to ask me that yourself. The next question is from James Worssam from Aireys Inlet. In an area with growing visitor numbers, I am at a loss to see how you view reduced car parking as an option. I feel we should be working on a plan to increase car parking rather than reducing car parking. Can you please explain how you believe reducing car parking is a good thing?

ACTING CEO: Hi, James, and thanks. Essentially, in simple terms, this is some of the trade-offs are between spaces for pedestrians and spaces for vehicles, and the loss of those car parking spaces are so that you have improved safety for pedestrians on the other side of the service road. We haven't sought to reduce parking as an objective in itself. The loss of that parking is purely about balancing the needs of people in a vehicle with those who might be outside of their vehicle or people who arrive on foot or by bike.

MAYOR STAPLETON: And James has a second question: visibility for retail shops is crucial. Planting vegetation risks reducing this visibility. Can you please explain how

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it is a good idea to reduce the visibility of retail shops to the Great Ocean Road?

ACTING CEO: Thanks, James. Look, I won't go into great length because I have touched on this before, but it is worth acknowledging that improving the streetscape with things like plantings was a common request during the consultation process. We are mindful that what you plant and where you plant it can have a significant impact on various things, including the visibility of businesses, so when we're in that detailed design, that is where we will try to get that balance right.

MAYOR STAPLETON: OK. Thank you. Thanks for your questions, James. And the next question is from Vayia Kambouris of Aireys Inlet, and I know Vayia is here and thanks for coming, Vayia, but I will read out the question on Vayia's behalf. Why are there pedestrian refuge islands located in front of fuel bowsers and on the corner of my property? Impacts on access to bowsers and the general store by fuel tracks, emergency vehicles, delivery trucks, trucks and any other large vehicles. A lot of our delivery and emergency trucks that require access to the bowsers and store range from 2.8 to 3m wide and up to 16m long. No wriggle room to fit in between these pedestrian refuge islands to refuel. Also makes for traffic jams backed up on to the Great Ocean Road when trying to navigate this obstacle course you have designed. Very bad on high fire danger days for emergency vehicles needing to refuel.

ACTING CEO: Thanks, Vayia, and hopefully some of the responses I have provided go some way towards alleviating the concerns there. But the feedback isn't lost on me in terms of capacity to have a look at a plan and understand exactly what is proposed on a birds eye 2D format. But in terms of those - rather than seeing them as pedestrian refuges, which makes you think of those things you see in the middle of the road perhaps down the bottom of the hill as an example, it is better to think of these as slight humps when you see particularly small roundabouts that are low profile specifically so vehicles that have different turning paths can go over them. But for the most part, it is trying to send a clear signal to people in that area that there are others about and to slow down. It's a commonly used treatment in road safety and, importantly, it wouldn't impact the current arrangements in terms of accessing the fuel pumps, which I think is the guts of the question that you've raised. You would have heard me say earlier as well that the next stage of planning and detailed design, should funding be secured, again we're needing that sort of expertise from traffic engineers and conducting a Road Safety Audit, and that will be a thing that will tell us if there's anything in that design that presents an unacceptable risk that can be easily managed within the footprint of a working (inaudible).

MAYOR STAPLETON: I'll read Vayia's second question: why weren't the stakeholders in the area better consulted about this before you meeting on 22 September? One day's notice by someone else, not the Shire, isn't good enough.

ACTING CEO: Thanks, and I take the feedback and it's been provided by others too. We have tried really hard through this process to engage. I hope that comes across. There is a lot of feedback that's brought us to the proposed concept that Council will consider tonight but I do appreciate things can feel rushed if you're seeing the latest plan in an agenda that comes out a few days before the Council Meeting. We would

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have had that opportunity to provide some clarification where there was confusion or people weren't sure exactly what it meant had the plan been available earlier, I still think we would have faced the challenge of feedback if people were unhappy with certain elements of that plan and then do we produce another iteration of that plan? So we have done our best to try to balance all of these things and the things that we have heard. But thank you. Your feedback is acknowledged.

MAYOR STAPLETON: Thanks, Vayia. And Peter Kambouris of Aireys Inlet also has a couple of questions for us. Question 1 from Peter: why not locate your community gathering area up to the community area which houses the hall and tennis courts? After all, that is the Aireys Inlet Community Centre, is it not? People need to find a park to sit and linger longer under your plans. Plenty of parks at the Community Centre, as you will notice tonight, when you attend your Council session there on Tuesday. And there is not enough parks up here as it is. On most given days, between the staff in the businesses, the medical centre and tenants in residential properties take up the car parks. So with a reduction in parks, this doesn't make it ideal. How do you propose to fix this, especially after you have removed car parks?

ACTING CEO: Thanks, Peter, and I appreciate the question. Again, we have had to balance a number of factors in putting a plan before Council. We did hear clearly in the second stage of feedback, that people saw it as an essential services hub, so come and do whatever the errand or go to your medical appointment, and so the importance of people being able to come and go in their vehicles, but also recognising that once you're out of your car, it's not safe in some locations, and so we need to do something about that. So it's going to be hard to create additional car parking and we do acknowledge it gets very busy at times. We do think there's some timed parking that can help with that turnover and certainly ensuring that you haven't got somebody sitting in a car park all day so that there isn't that availability for customers for the businesses. So the revised concept does provide a smaller, flexible space for shorter stays in terms of the dwell space there but we heard through the process it didn't need to be as big as was originally proposed at a cost of car parks. So that was shrunk. But we did certainly hear there was a desire to have somewhere to dwell in that precinct as well.

MAYOR STAPLETON: And Peter's second question: what happens to the loading zones and parking for large vehicles like tradesmen with trailers attached to their vehicles? Not ideal as you impact my business, and more often than not, these vehicles park across my bowsers whilst other people are waiting to get fuel or they clog up Blackwood Lane and impact the 20 individual stakeholders that relay on that lane to get in and out of their properties. These large vehicles also must then back across a footpath which has pedestrians walking along with no clear sight. It creates a dangerous situation for people.

ACTING CEO: Thanks, Peter, and acknowledging there isn't a simple solution to this, and one of the things that we aren't able to do is influence the behaviour of individuals who might take it upon themselves to park as they see fit. We are retaining that loading zone, though in a similar location to the existing arrangement, and as I mentioned earlier, proposing to extend the loading zone availability for a

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morning only to an all-day use, and the current provision for parallel parking also remains to the south end of the precinct for longer vehicles or trailers, but certainly like with other aspects of the vehicle movements, there is going to be times when the limited space comes under pressure.

MAYOR STAPLETON: OK. And our final question is from Gavin Wright of Aireys Inlet. Why isn't the bus stop remaining in the commercial area? It doesn't make sense relocating it.

ACTING CEO: Thanks, Gavin. Hopefully you picked up the response earlier. The bus stop is proposed to remain where it is.

MAYOR STAPLETON: OK. Thank you, everyone, for your questions. There has been some really great feedback and hopefully some clarifying responses to some of the questions that were raised.

We will now move on to Petitions, and we do have one petition for tonight's meeting, and the purpose of this report is for Council to consider receiving and noting the petition titled Protect Nature on the Surf Coast: Stop habitat loss and create a Surf Coast Plan for Nature, and Councillors, and also for the benefit of people listening and watching, please be mindful to keep the scope of your debate to consideration of receiving this petition. So it's not about the merits of the petition itself. It's just a motion as to whether or not Council will receive the petition for consideration. We do have a recommendation before us. Does anyone wish to move a motion? Cr Pattison, is that as per the recommendation? Yes. And do we have a seconder for that motion? Cr Phelps, thank you. And, Cr Pattison, would you like to speak to the item?

CR PATTISON: Yes, thank you. The petition tonight asks for a habitat-first approach, greater protection of mature trees, shared vegetation removal and a Surf Coast plan for nature. I encourage my fellow Councillors to support this motion so that it can go to Officers for a report to be done looking into that Surf Coast plan for nature and then bring that back to a Council Meeting. I note there were over 1,000 signatures, and 360 signatures from our Surf Coast Shire, with many of the other signatures from within our region. So we're not deciding around the petition but deciding if we can enable Officers to investigate further, and I encourage my Councillors to support that. Thank you.

MAYOR STAPLETON: Thanks, Cr Pattison. Cr Phelps, would you like to speak to it?

CR PHELPS: I'll just say that it is a very well-worded petition and nothing more to add, thank you.

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

CR GRIST: Thanks, Mayor. I oppose receiving this document as a formal petition.

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This is not about whether we value trees, habitat or biodiversity. We all do. It is about whether Council applies its rules consistently, determines whether a petition demonstrates genuine local support, and we thoroughly understand its consequences before committing public resources to it. Our Governance Rules establish basic requirements for a petition. All signatories' physical addresses must appear and every page must contain a wording of the whole petition. This document satisfies neither requirement. These are not meaningless technicalities. Physical addresses allow Council to verify whether signatories have an identifiable connection to our Shire and whether the petition has genuine local support. The petition contains approximately 1,165 entries but only 349, roughly 30%, nominated a Surf Coast town residency. Some are from overseas and many are from elsewhere in Australia. We should therefore not present 349, let alone 1,165, as any measure of local community support. At best, it is an unverified online number. At worse, it is a page full of bots. We should also consider the lead petitioner is not unfamiliar with Council processes to have made this petition compliant. She recently participated in Council's Environmental Grants Program and navigated the rules of that application process well enough to receive public funds. She was also a Greens-endorsed candidate at the most recent Council election, advancing an environmental platform containing themes similar to this petition, and it must be noted that that platform also lacked sufficient local support for her to be elected.

Our Council plan says that we aspire to be a high-performing Council for our community. That must mean more than ambitious language. It requires integrity, consistency and fair processes. Maintaining integrity means respecting both the letter and the purpose of the rules, even when doing so is inconvenient or contrary to our own political interests. For example, public confidence in Council's integrity could be undermined when candidates strategically run in wards in which they don't live, contributing to an election outcome where five out of nine Councillors reside within the boundaries of one ward. Although this is technically permitted, using the flexibility of the rules for political advantage, it does not honour the purpose behind our three-ward, three-Councillor representative structure. In that instance, the technical rules may have been satisfied while the representative purpose of this system was undermined. In the case of this petition, it falls short on both measures, it provides no evidence of genuine local democratic support, nor does it satisfy the technical requirements of our Governance Rules. If we overlook defective processes because we agree with a political objective while demanding strict compliance in other circumstances, we are not meeting the standard of a high-performing Council. I therefore ask my fellow Councillors to set a higher bar tonight, apply the Governance Rules consistently, fairly and in good faith, refuse to elevate the policy preferences of unverified online names above the democratic choice of verified local voters, and use your vote to uphold the integrity of this Chamber. Thank you.

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

CR SCHONFELDER: Mayor, I just have a question. Previous Council meetings have had petitions, to my knowledge, that haven't followed the guidelines or the rules and they have been allowed, and this petition has been allowed, so can I just seek

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clarification from you because I assume the CEO and Governance have allowed the petition to be presented?

MAYOR STAPLETON: So the Governance Rules note that if a petition is received in a non-conforming format, it can be accepted by resolution of Council. So that's the opportunity now for Councillors to consider the fact that this petition has come in, as is often the case now, in an online format, as opposed to the printed version with the petition on each page; hence, it being presented to Council, with the note I think in the recommendation point 2 actually highlights that rule 23.2 of Council's Governance Rules requires Council to consider receipt of the petition in a non-conforming format. Thanks, Cr Schonfelder. Did you want to speak to the item?

CR SCHONFELDER: Yes. I do appreciate Cr Grist's perspective and I feel that given that we've had precedences of other petitions that have been allowed to be tabled and a resolution has supported them when they haven't been strictly adhering to the actual processes or the rules, I feel as though I would like to support this tabling of this petition, and I would like to say that I am absolutely horrified about the fact of the irises that had their habitat lost --

MAYOR STAPLETON: Excuse me, Cr Schonfelder. Just a reminder that we're not getting into the merits of what they're asking for in the petition. It's just whether or not we will accept the petition. Sorry to interrupt you. I just wanted to make sure you were clear on that.

CR SCHONFELDER: Alright. You don't want me to withdraw the comment, I assume?

MAYOR STAPLETON: I think the point has been made. That's OK. You've finished speaking? OK. Thanks, Cr Schonfelder. Would any other Councillors like to speak? Cr Crockett?

CR CROCKETT: Thank you, Mayor, and thank you, Councillors, for your important points. It's always great to see when community members make the effort to put in a petition to Council and be involved in what is on the agenda and what's on the table. Rules are very important but also is accessibility and inclusion and being able to hear voices that want to be heard. I thank Cr Schonfelder for outlining that there has been a precedent of accepting similar petitions in the past, so I don't see a reason to not accept this one as well.

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

CR BARKER: I won't be receiving this petition in its current form. Page 7 of the agenda confirms that it does not comply with our Governance Rules. Each page doesn't contain the wording of the petition. Physical addresses were not provided. The requirements also help establish that people saw what they signed and allowed Council to verify who lives within our municipality. A conforming petition of 20 signatures could have had greater impact than this petition before us now. Of the

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1,165 signatures, only 360 are recorded as coming from Surf Coast Shire. About 69% come from outside the municipality, overseas or are simply listed as 'Australia'. Now, those people are entitled to their views but they won't necessarily be paying for the planned monitoring, reporting or property restrictions being requested. The petition also assumes more government control will produce better environmental outcomes. That never happens. Now, secure property ownership is often one of the best ways to have --

MAYOR STAPLETON: Excuse me, Cr Barker. As I noted to Cr Schonfelder, we're not getting into --

CR BARKER: Under what grounds?

MAYOR STAPLETON: Because the motion before us is to receive and note the petition. It's not to debate the merits of the petition.

CR BARKER: How is what I'm saying irrelevant?

MAYOR STAPLETON: Well, you're talking about the protection of nature or private property and protection of nature, so you're getting into what's been asked for in the petition --

CR BARKER: Which is totally relevant.

MAYOR STAPLETON: No, what we're debating is whether or not Council accepts receiving the petition for Officers to look at. We're not debating whether or not the petition has merit.

CR BARKER: So Cr Grist was afforded time to talk about issues related to the topic and I'm not?

MAYOR STAPLETON: Cr Grist spoke about the pros and cons of accepting the petition. He didn't speak about what the petition was asking.

CR BARKER: Interesting. I have opposed non-conforming petitions for six years. It would be inconsistent for me to make an exception because this petition presents an emotionally attractive cause. Now, rules mean little if Council follows them only when convenient. As has been mentioned before, Council has accepted many non-conforming petitions, and every single time that they do that, it devalues the concept of having Governance Rules to provide an equitable base for people to engage with the organisation. Now, the petitioner is free to resubmit a compliant petition and demonstrate genuine local support on the topic, but in the interests of integrity and upholding what little reputation this organisation has, I will be opposing the recommendation as it is written.

MAYOR STAPLETON: Thanks, Cr Barker. Any other Councillors wanting to speak to this item? Did you want to make any closing comments, Cr Pattison?

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CR PATTISON: I think it's really important that Council listens to our community and this is an opportunity where many community members have taken the time to fill out this petition, so on that basis, I think it is important that we accept this petition, and Officers have recommended that as the course of action to facilitate public participation. So I do encourage - although it is technically non-conforming - that we accept this petition so Officers can investigate what's being put forward. Thank you.

MAYOR STAPLETON: Thanks, Cr Pattison. I'll now put the item to a vote. All those in favour? And against? And that motion is carried 5-3. Thank you, Councillors.

Moving on, there are no Notices of Motion this evening so we will move on to our Reports. And the first item on the agenda is the Aireys Inlet Top Shops Landscape Design, as many would be aware, and the purpose of this report is to present the outcomes of community engagement and technical investigations undertaken for the Aireys Inlet Top Shops design improvements project, and to seek Council's endorsement of a concept plan for future design and funding. Obviously, before I call for a mover on this item, I would just like to acknowledge that there have been a lot of questions in relation to this specific item, and hopefully there's been a bit more clarity provided through the answering of those questions but also some reassurance that this is the first step in a series of stages for this project, and if the concept design is approved, there would then need to be funding approved and then, if there were funding approved, a detailed design would need to be developed, and that would be an opportunity specifically for a lot of those - I guess things that have been raised through the questions tonight to be addressed in that specific planning stage, including, as our Acting CEO mentioned, a Road Safety Audit to make sure that traffic movement and access for large vehicles and so on was still maintained. We do have a recommendation before us. Does anyone wish to move a motion in relation to this item? Cr Pattison, is that per the recommendation? And do we have a seconder for that item? Cr Phelps. And, Cr Pattison, would you like to speak to the item?

CR PATTISON: Yes, please. So Council is being asked to endorse the revised concept plan for the Top Shops as the preferred concept design. We have heard in detail tonight through the many questions at the beginning of the Council meeting that there is concern and many varying perspectives around the designs for the Top Shops. So, as has been outlined, there will be further work on the detailed design during that phase as well as the funding strategy, as the work has not yet been funded.

It's very clear that the Aireys Inlet Top Shops is a much-loved and important part of Aireys Inlet. However, the technical work evaluating the current set-up identifies that there are some serious deficiencies in pedestrian safety, accessibility, pedestrian vehicle conflict or potential conflict, drainage, pavement condition, and so it is important that these are looked at through this process. The consultation phase around these designs have resulted in lots of constructive feedback on the design and the loss of parking and the scale of the proposed community gathering to significant areas, which we heard a lot of questions about tonight, and these changes have been incorporated into this concept design but there's obviously still

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further concerns which hopefully the conversation - the questions at the beginning of this meeting have addressed.

But what is really important is the Top Shops plays an important role as an essential services hub. The indicative project cost is a little over $1 million but there is no construction or detailed design funding currently allocated. Potential future sources include grants, Council funding and possibly a Special Charges Scheme. These are all yet to be determined following the endorsement of the concept design. Endorsement simply puts the project into Council's capital project pipeline. Road safety auditing, detailed design, DTP service authority approvals, geotechnical work, funding and a further Council decision would still be required before the construction takes place.

In summary, we need to improve safety and accessibility by retaining what people value about Aireys Inlet Top Shops - its functionality, village character, an ability to serve local people every day. So it's important that the next stage addresses those needs and balances safety and accessibility, with very clear feedback that we've heard from the community. Thank you.

MAYOR STAPLETON: Thanks, Cr Pattison. Cr Phelps?

CR PHELPS: Thank you, Mayor. I am basically going to reiterate what Cr Pattison has said. So, as we have heard, a lot of time and effort has been put into coming up with this improved Top Shops precinct design. From what I have seen, it is unlikely there will be a design that will appeal to everyone. There's a lot of passion, a lot of diverse perspectives, as we've heard. I do want to again emphasise this is not the plan. The finer details can be determined as and when funding moves the project to the next stage, and I also note that funding will need to be obtained to progress further, including for the fully detailed investigations into technicalities and specifics, and that funding is not currently on the horizon. I do feel it is important that a decision for change is made at some point, so given the proposed concept plan covers essential public safety concerns, while leading to a largely similar layout to what is there now, I think it is worth endorsing this concept plan, as seen in Attachment 1. Thank you.

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

CR CROCKETT: Thank you, Mayor. I would like to acknowledge everyone who has engaged with this project over a long period of time, including those who submitted questions tonight. It's clear that there's a lot of passion on this and there's still some reservations and I think it's important those concerns are heard and respected, but it's also important to recognise that this proposal has been through extensive engagement, many iterations and many of the concerns have resulted in changes to earlier designs, and I acknowledge it would have been good to circle back to some key stakeholders following the latest refinements of the concept, and I would love to see Officers continue to engage with those directly affected and seek their feedback as part of the detailed design process. But we know that the site is highly

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constrained. There's competing demands around safety, accessibility, traffic flow, parking, landscaping, emergency access, and after so many rounds of refinement, it's unlikely that major changes can occur without compromising some other objectives or safety requirements.

This design direction seems to be a somewhat happy medium, incorporating all of the different opinions we have heard through the lifetime of the project, and I know that many people involved in the engagement did envision a better future for having places for people to connect, kids to run and play amongst the natural settings we so love, and were willing to trade less car parking for more community-gathering space. Good public spaces are great for community wellbeing, good for business and encourage people to spend more time in the area, and it's important to note I think that retaining parking does retain the status quo, which is traffic jams, it is parking issues and safety issues, and if we want different outcomes, we do sometimes need to be prepared to look at different solutions.

I acknowledge it's so important that there is enough car parking for people with low mobility and delivery vehicles to access the shops, but there's also plenty of parking at the hall here, and more parks actually always just mean more cars in the space. We have embraced the French and Italian cuisines in the space but not the joys of a walkable piazza in this case, but I see this as a compromise solution, the best we could do with what we've got when there's very conflicting demands, but I am satisfied that significant engagement has occurred, many concerns have been addressed through the successive revisions and that the remaining matters can be further considered through detailed design. So, for these reasons, I do support proceeding with the proposal to the next stage.

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

CR BARKER: I support fixing genuine safety and access problems but I can't support this as it is. Page 72 and other pages give us an estimated cost of $1.12 million. The next page then goes on to say that the estimate is only indicative. No money has been allocated for the detailed design construction and costs may rise after January 2028. We've already allocated $88,000 of your money and our money, and used more than 80 hours of staff time. Now we're being asked to endorse the full concept design before we know the final cost or who is going to pay for it or even if anyone wants it. Let's separate the essential safety work from the nice-to-have bits and do the essential stuff, if we have the budget. Now, ratepayers shouldn't be handed an unknown bill wrapped in a pretty picture.

Now, what isn't being addressed is that there is an opportunity in pushing the car park area west into the Great Ocean Road and making minor adjustments to the main thoroughfare. Now, that would be more expensive but no doubt would result in an outcome that could potentially please everybody and have no concern. Now, if Council engagement was genuine and effective, we would have CFA, trader, traffic safety, carparking and other issues sorted before spending ratepayer money to get to this point now.

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Now, I have said ad nauseam for around six years in this Chamber that when you spend other people's money, you always get suboptimal outcomes, and this is proof of that. There's a concept called the sunk cost fallacy, and I encourage you to look at that in your own time if you don't know what it is now. Now, fix what is dangerous, probably cost everything else, design something that has wide support, budget for the project properly, then bring it back. It's because of these sorts of government actions I find this Council a disgusting environment to have to be in. Now, ultimately what this all boils down to is ideas and execution. Without a budgeted way to deliver this project in full, we risk spending over $1 million of your money and all other ratepayers' money on something that will never eventuate. It seems like our version of Victoria's east-west tunnel. Pretty good, eh? I would have more to add but because free speech is attacked with conduct processes with this environment that has resulted in suspensions, I'll just have to leave it there.

MAYOR STAPLETON: Thanks, Cr Barker. And Cr Walker?

CR WALKER: Thank you, Mayor. Thanks to the Officers in working on this but also the community for providing feedback and the questions tonight. Hopefully we've had some clarification around a few things. The consultation demonstrated that while community generally supports improving accessibility and functionality, there was significant concern regarding loss of parking and the scale of a proposed community gathering space. However, the revised design presented here doesn't gather further feedback from stakeholders and communities we have heard around these concerns tonight, particularly around loss of any parking and impact of emergency vehicles accessing the precincts. Repeated sentiment of we need more parking, not less is common in all the feedback that's been gathered.

The precinct, as we know, serves many essential purposes and mainly from people driving. We don't have the luxury of a lot of other car parks around like we do in other towns here. The initial proposal design reduces the number of car parking by five, from 29 to 24, and now with the updated design retains 26. This reduction could allow for wider footpaths, safer pedestrian movement, improved public space and planting. Parking may be more clearly marked and easier to understand, reducing confusion and conflict, and to offset the reduction numbers, the design focused on better short-stay parking close to shops, improved turnover to support local businesses, and formalised parking layouts that are safer and more efficient. However, this hasn't been tested with community and stakeholders besides tonight.

We cannot ignore the strong initial results from the surveys. 64% said "I do not support removing parking", with only 18 saying they would. We can't ignore that from community. Based on information, would they proceed with implementing design? 57 said no. So, again, these are our survey results.

Further technical investigation is required. Several matters identified during Stage 2 warrant further investigation before a final design is prepared. These include traffic and parking management options, vehicle movement and queuing impact, short-stay parking arrangements, accessible parking locations and the feasibility of alternative

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traffic configurations. Additional analysis could help ensure the revised concept responds effectively to both community feedback and technical requirements while providing a sound basis for future Council consideration.

Later on in the Community Engagement Policy coming later tonight, community members consistently told Council they wanted early engagement, clear information on what can be influenced, evidence that feedback is considered, and reporting back on decisions, and a mix of online and face-to-face engagement opportunities. We have done a lot of that but I think we need to do a lot more. There's no deadline for actioning this item, regardless of the outcome. Regardless of the outcome, I would like to see more consultation of stakeholders to refine and adapt the design and take on board the action questions raised tonight. I would also like to support a timed parking trial on how long vehicles stay in the precinct and how many people actually drive, cycle or walk there. We haven't got that data that I can see. Also, as part of that, a broader Aireys Inlet parking strategy addressing other parking options nearby, which might also come into play when we've got the cycling strategy. I think there needs to be a lot more community consultation moving forward with this, regardless if it goes forward. Thanks.

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

CR SCHONFELDER: Mayor, I would like to amplify Cr Walker's sentiments, and I have, during my tenure as a Councillor, always supported retaining car parking, and I do feel that we perhaps need more parking. I feel that post-COVID, we're having larger traffic volumes, but then on the other hand, I do support having more open spaces and having more piazzas and areas for dining.

I believe, as a lifelong resident of the Surf Coast, that the Top Shops are long overdue for revitalisation, and I would like to highlight in particular road safety and the safety of pedestrians walking and using the precinct. I know myself when I have visited, I've been a bit concerned about traffic entering the side lane, so I do believe that it is warranted.

I do recall having conversations during briefings and the Mayor in particular discussing about the importance of parking and it is possible to have future car parks in the vicinity, perhaps behind the shops or nearby. I believe that's a possible option that can't be discounted. I must say the bespoke furniture concept is very impressive, and using timber in the different towns and with design is so important, given the historic vegetation we have in the area in the forests, and I remember before Ash Wednesday, how beautiful the trees were, and I'm hoping - I don't know if I'll live long enough to see them grow again to the same size, you never say never - but I believe a part of the Council Plan is to retain the small town feel. We have taken on board the concerns that have been raised in the question time, and I would like to thank those for participating and I believe there will be more consultation with different stakeholders. So I feel inclined to support the recommendation and I look forward to seeing what we can achieve. Thank you.

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MAYOR STAPLETON: Thanks, Cr Schonfelder. Did any other Councillors want to speak in Cr Grist? CR GRIST: Thanks, Mayor. The report makes it clear that the current layout has genuine problems with accessibility, drainage, pavement condition and unsafe interactions between pedestrians and vehicles. I accept the Officer's advice that many of these problems arise from the overall layout and they are unlikely to be properly resolved through isolated repairs or minor upgrades.

Developing an integrated concept therefore makes sense. Endorsing that concept before committing construction funding is also a prudent way to proceed. It allows the proposal to be properly developed and assessed while providing the level of project readiness generally expected if Council applies for State or Federal grants. Those are sound reasons to support the recommendation. However, not every element of the concept carries the same urgency. This project began as a broader urban design and streetscape initiative. The proposed design therefore includes landscaping, amenity and public space improvements, alongside its more important safety and accessibility measures.

The forthcoming formal Road Safety Audit and detailed design process should provide better information about the precinct's risks and the project's appropriate scope. That information should help Council assess this proposal fairly alongside other infrastructure priorities. If this project is prioritised but funding for the complete redevelopment is not available, I would support considering staged delivery, beginning with the most important safety and accessibility improvements. I am concerned about an emerging pattern in our commercial precincts where known risks to public safety may remain unresolved while Council waits for larger, long-term renewal projects to be fully funded. The absence of funding for the ideal solution should not prevent proportionate action to address known public safety risks when possible.

That leads to my principal concern - the consider financial uncertainty surrounding this project. The estimated cost of approximately $1.12 million is preliminary and, in my view, is likely to increase through detailed design, further investigations, approvals and construction cost escalation. No construction funding is currently allocated in Council's budget. External grants may help but they may also require Council to make a substantial contribution or leave Council responsible for any cost overruns.

It appears from tonight's public questions that local businesses and residents may be unaware that a Special Charge Scheme is identified as a possible funding source. I trust that any scheme would require separate consultation and approval but business support for improving the precinct should not be interpreted by Council as agreement to contribute financially, which could leave that project in doubt. Importantly tonight, though, we are endorsing a preferred concept and allowing it to enter the capital pipeline. We are not funding construction, provide matched funding, establishing a Special Charge Scheme or guaranteeing delivery. Those decisions will return to Council once the project scope cost, funding arrangements and relative priority are better understood. So despite those financial ambiguities, I will support the recommendation as presented.

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MAYOR STAPLETON: Thanks, Councillors, for that. We will now put the item to a vote. All those in favour - oh, sorry. Thank you. Cr Pattison, did you have any closing comments?

CR PATTISON: Just one quick one. As discussed already, there will be further opportunities for engagement at the detailed design stage, including a Road Safety Audit. Improving the project design will enable the project to progress to the designed design phase, to enable improving cost, to put this project forward for grants applications and determining a funding strategy. As such, I encourage my fellow Councillors to approve the motion tonight so that we can move this project forward to get closer to addressing the safety, accessibility and drainage issues at the Top Shops. Thanks.

MAYOR STAPLETON: Thank you, Cr Pattison. And now I will ask Councillors to put this - well, I will put the item to the vote for Councillors to consider. All those in favour? And against? And the item is carried 7-1. Thank you, Councillors.

We now move on to item 4.2 on the agenda, which is the Painkalac Adaptation and Mitigation Flood Study and Planning Scheme Amendment. The purpose of this report is to inform Council of the findings of the Painkalac Creek Estuary Flood Mitigation and Adaptation Study, and for Council to consider adopting the findings of the flood study for future consideration of an amendment of the Surf Coast Planning Scheme by the Corangamite Catchment Management Authority to introduce flood overlay controls in flood-impacted areas of Aireys Inlet. We do have a recommendation before us. Does anyone wish to move a motion? Cr Crockett, as per the recommendation?

CR CROCKETT: As per the recommendation, Mayor.

MAYOR STAPLETON: And a seconder? Cr Pattison, thank you. Would you like to speak to the item, Cr Crockett?

CR CROCKETT: Yes, thank you. So the recommendation before us is that Council adopt the flood modelling, the hazard mapping and other supporting technical information to use as our evidence base and overall understanding of flood risk in and around Aireys Inlet. So the findings will be provided to the Corangamite Catchment Management Authority to inform any future state-led Planning Scheme amendments such as flood overlay controls in flood-impacted areas of Aireys.

There's a couple of things that I would like to highlight here. Council has done the work, the flood study, and collected the evidence, undertaken the study to help us all plan for the future, and Council is committed to working with the community and agencies and landowners to explore which options are viable to manage future risk and also to explore how they might be funded and implemented, and we do play a part here but we're not the lead actor and it's a shared responsibility, not the sole responsibility of Council, but it's an important part of the planning process for our future. And a key part is adopting the science-based modelling to understand the

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future risk and using the best available evidence to make informed decisions today. So there's assumptions in the study of climate scenario, a sea level rise assumption and the climate change adjustments recommended through the Australian Rainfall Run-Off Data Hub. These are all widely used by practitioners to understand potential future flood risk. Climate scenario was adopted with consultation with Corangamite CMA. While there is always uncertainty on how future conditions will unfold exactly, there is still strong scientific consensus that climate change is occurring, it's increasing the risk of many extreme weather hazards, but climate scenarios in this study are not predictions. They are planning tools. So by adopting this evidence base, Council is providing a consistent and technical robust foundation for planning decisions. It ensures that people proposing new development and new renovations or rebuilding in flood-affected areas have access to the best available information about the future risks. So using these assumptions as our evidence base now helps avoid placing people, property and public infrastructure in harm's way, and supports a more resilient community in the long term.

There is a part of this report where there is mitigation options, and that's the only part that I find to have a little bit of a limitation, as it is the use of a cost benefit analysis on what to do to alleviate the impact of flooding, and it just prioritises cost-effectiveness over ecological and long-term environmental benefits. Mitigation options such as rewilding the flood plain wetland could provide benefits for hundreds of years. It is supported by locals and environmental groups, yet has a low cost benefit ratio for flood mitigation, whereas a levee, like a manmade flood wall, is not quite as beautiful as a thriving wetland but it has a higher cost benefit ratio but actually risks degrading the flood plain ecosystem. But outside of that, it's an extensive study and I appreciate this important work has been done. This evidence base is required for our future planning decisions so I'm supportive of adopting this report.

MAYOR STAPLETON: Thanks, Cr Crockett. And, Cr Pattison, did you want to speak to the item?

CR PATTISON: Thank you, yes. So tonight's motion focuses on the Aireys Inlet climate and flood risk study and examines the catchment flooding, coastal inundation and erosion and how those hazards could change under future climate conditions. So the work is fundamentally about understanding risks before we make decisions. It includes evaluating (inaudible) core hazard studies, plus separate flood mitigation and coastal adaptation reports, and as Cr Crockett has already talked about, there's been a number of mitigations and adaptation approaches that have been examined, but it's important to note that no specific approach is being recommended.

So Council is being asked to adopt the technical hazard reports and provide the study material to the CCMA, and these reports will provide an evidence-based understanding of the flood risk in and around Aireys Inlet. So this report being adopted tonight will provide the technical evidence to inform future decisions by the CCMA, the State Government and Council. The study also reminds us that there is no single simple engineering solution. Artificial openings, road raising, buybacks, levees, rewilding and other interventions all have cost impacts and trade-offs. The

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estuary, coastline and climate are changing and every solution involves significant trade-offs between flood protection, environmental values, community expectations, costs and future flexibility. I think it is important that good climate adaptation starts with good evidence. The challenge from here is to make sure that evidence results in proportionate, transparent and practical decisions with our community. So I encourage us all to support the motion tonight.

MAYOR STAPLETON: Thanks, Cr Pattison. And would any other Councillors like to speak to this item? Cr Grist?

CR GRIST: Thanks, Mayor. I recognise the value of having (inaudible) flood risk information for Painkalac Creek. My concern is not that Council should ignore future risks but that high-end modelling assumptions must not be presented as settled predictions, particularly when Council is being asked to formally adopt the reports and provide them to the CCMA for future planning controls.

First, hydrology modelling adopts SSP5, 8.5, a very high emissions pathway. That may be appropriate as a conservative stress test but the study does not provide comparable modelling under a medium emissions pathway. We therefore cannot see how sensitive the mapped outcomes are to that more extreme modelling choice. Second, the statement that approximately 106 private properties could be inundated by 2100 requires important qualification. That result combines the SSP5 8.5 pathway, a rare 1% annual chance of flood, assumptions about the estuary mouth condition, future rainfall and sea level, and estimated building floor heights. It is a scenario, not a prediction, that 106 properties will inevitably flood.

Third, the 1.1m sea level rise figure is expressly described in the technical report as a higher end sensitivity test. The usual Victorian planning scenario is 0.8m by 2100. Council must ensure that the 1.1m result is not subsequently represented as our adopted forecast. Fourth, the Officer report sometimes moves from conditional modelling into more definitive language, such as saying there will be substantially increased retreat and exposure. The accurate wording is that the model projects those outcomes under the more extreme assumptions chosen for this modelling exercise. Fifth, the erosion estimates also require caution. They use the Bruun Rule, which the consultant acknowledges is a conservative assumption and is not applicable in every coastal setting. The headline retreat distances also combines storm erosion, extrapolated shore-line change, sea level response, and for cliffs, broader areas potentially susceptible to instability. They should not be read as a uniform prediction that the shore line will retreat by that full distance.

Sixth, the rare flood estimates carry acknowledged uncertainty. The hydrology model was calibrated against only four historical events. Distillery Creek is ungauged. Available records are limited and the report says selected flood frequency distribution is not reliable for rare events of 2% and below - the very events receiving the greatest attention. Seventh, the conclusion about artificial openings is more nuanced than the agenda summary suggests. The detailed report said openings remains effective now and will continue reducing peak flooding. Historical trigger levels may become less effective under higher sea levels but changing the opening

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trigger can retain some effectiveness. That is very different from suggesting that practice simply stops working.

Finally, recent opening frequencies should not be presented as proof of a long-term climate trend. Early records are incomplete and a particularly active 2021 to 2023 period coincided with repeated La Nina conditions. Natural variability must be separated from long-term projections. I am just about finished.

These reports may be useful for prudent risk planning for what is in Council control and are therefore worth noting, but adopting them gives formal Council endorsement to modelling that will underpin planning overlays and detrimentally affect private properties seemingly without their full understanding or consent. If Council adopts them, it should do so with an explicit qualification that these are conservative scenario planning documents, not forecasts, SSP5 8.5 is a high-end emissions pathway model, 1.1m is a sensitivity test and adoption does not endorse any particular overlay, mitigation project or future Council expenditure. Without an amendment adding those points, I cannot endorse the extreme modelling used in these reports to be used as forecasts, and so will not be accepting the recommendation in its current form.

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

CR BARKER: I'll be brief to balance that excess time. I accept that Aireys has real flood risks. What I don't accept is the modelling extending to 2100 should be treated as established fact. Page 132 admits that no single solution is likely to work forever - that's the same for any issue on any topic - and that every option involves major trade-offs.

The technical material goes further. It says the available data wasn't uniform, the statistical models weren't an ideal fit and the chosen method becomes less reliable for rare events. Now, they're serious warnings. Now, the most concerning is that adopting these reports gives uncertain long-range modelling official status and allows it to become the foundation for future planning controls. That is serious control, impacting what you can do with your property.

Now, scenario is not a prediction. A model is not a measurement. Before this material is used to restrict private property, Council should require independent testing, clear uncertainty ranges and evidence that any restriction is proportionate to the actual risk. I'll say that again: Council should require independent testing, clear uncertainty ranges and evidence that any restriction - and this is the most important word - is proportionate to the actual risk. Now, fear about what might happen in 2100 is not a sound substitute for evidence to date, and because of that, I will not be supporting the reports in their current form.

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

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CR PHELPS: Thank you, Mayor. One of the more important aspects of this item is that it is important to avoid new development in the identified flood risk zone which is at high risk of future impact. We do know the area is subject to flooding and multiple properties are already under threat from heavy rainfall events and/or king tides. There is a risk that Council may be included in future compensation claims should something happen. Let's remember there was always a risk of the flash flooding in Wye River, Kennett River and Cumberland River and Lorne at the start of the year. They were not predictions. Adopting the catchment hydrology report, coastal inundation hazard assessment report and erosion hazard report allows the use of updated flood risk information in future planning and development decisions by Council staff to try to mitigate the risk to Council.

Longer term, Council adopting these reports and noting the other reports will provide the Corangamite Catchment Authority with an endorsed evidence base that may be used to inform a future state-led Planning Scheme Amendment process; for example, coming up with a flood overlay. Any such planning amendments will, of course, be subject to the normal consultation and feedback opportunities. So I'm happy to support this recommendation. Thank you, Mayor.

MAYOR STAPLETON: Thanks, Cr Phelps. Would any other Councillors like to speak to this item? No? And, Cr Crockett, do you have any closing comments?

CR CROCKETT: Yes, thank you. I think when the science tells us to plan for the highest risk, we might as well be prepared. We don't want our community to be caught out later. And, unfortunately, there is no future without extreme climate events. We're already seeing them. And even though we can't be sure exactly how they're going to play out, we don't know the specifics, but we do need to do what we can to be ready. So this provides the technical evidence to support future decisions in collaboration with other agencies. It is a process of transparent decision making with and for our community. The modelling and hazard data are critical to understanding the extent and effects of flooding in this area, and not adopting the study findings may hinder future planning and development decisions and reduce the effectiveness of long-term flood risk management in the township. Thank you.

MAYOR STAPLETON: Thank you, Cr Crockett. We will now put the item to the vote. All those in favour? And against? And the motion is carried 6-2. Thank you, Councillors.

We will consider one more item before the break. So Item 4.3 is the Economic Development and Creative Places Strategy Progress Update. And the purpose of this report is to provide an annual progress update on the implementation of the Economic Development, Creative Places Strategies and Australian National Surfing Museum Master Plan for the July 2025 to June 2026 period. We do have a recommendation before us. Does anyone wish to move a motion? Cr Walker, is that as per the recommendation?

CR WALKER: As per the recommendation.

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MAYOR STAPLETON: And a seconder? Cr Crockett, thank you. And, Cr Walker, would you like to speak to the item?

CR WALKER: Yes, thank you. Noting the progress update in the implementation of the Economic Development Strategy, the Creative Places Strategy and the Australian National Surfing Museum masterplan, programs and projects are profile Economic Development Arts and Tourism Outcomes to 2025-26. The primary focus was delivering programs that strengthen business capability, work force development, economic resilience and business efficiency. Initiatives included Business Concierge Service which assisted 196 businesses, Hospitality Launch Pad, Business Friendly Council Initiative, SHED Talks, Better Business Skills program and targeted support for businesses affected by the Lorne flood and fire events and were achieved in this objective.

Programs and projects are profiled with strengthened business capability, work force development, economic resilience and business efficiency. The Event Grant Program helped secure one of Victoria's strongest regional event calendars, which we heard about earlier today, and Visitor Information Centres received more than 137,000 inquiries and continue to play an important part in shaping visitor experience and encouraging longer stays, as well as our eco-certification. Initiatives including Surf Coast Arts Trail, Anglesea Arts Space, strengthening commercial precincts through progression of the Aireys Inlet precinct Top Shops, which we have just heard about, and the Torquay commercial precincts, the Torquay Town Centre and Baines Crescent, and work with community and relevant stakeholders to improve safety in the Split Point lighthouse precinct just down the road. I thank those here today who have worked alongside Council Officers to improve this area and we will continue to work on this in the future with all stakeholders.

With the January 26 bushfires and floods in and around Lorne, elevated interest rates, cost of living pressure, weak national productive growth, prolonged dry conditions and global economic uncertainty, the Surf Coast economy remained comparatively resilient. However, discussions with businesses continued to indicate decline in discrepancy spending and rising operating costs, from staff wages, rents, insurance, costs of goods, and now absorbing card fees to get your cash out, and changes now to the second-year working holiday visa where backpackers' work force now have to go into a ballot. We have already just lost our second-year workers. These changes apply increasing pressure on business viability. It has never been so hard to run and sustain a small business in Victoria. This reinforces the need for continued focus on business support and efficiency initiatives in the coming years for all businesses in the Surf Coast. Thanks.

MAYOR STAPLETON: Thanks, Cr Walker. And Cr Crockett?

CR CROCKETT: Thank you. I'm very pleased to support this motion and acknowledge the excellent progress made in delivering the Economic Development Strategy, the Creative Places Strategy and the Surfing Museum Master Plan over the last year. I think this report highlights that strategies like these are delivering real outcomes for our community, our businesses, our visitors and creative sector. It's

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great to see over the last year that nearly 200 businesses have received direct support through Business Concierge. Initiatives like the Better Business Skills Program have helped strengthen capability, improve resilience and support local jobs, and, as Cr Walker spoke on it, it's a time where businesses are facing rising costs, staffing shortages and economic uncertainty and reduced spending, so this support is so important. And so is investing in tourism and events. The Event Grant Program has helped maintain one of the strongest regional event calendars in the state, drawing so many visitors to our towns, supporting local traders and generating a significant economic activity, including outside peak periods as well. I think these strategies demonstrate the Council is looking ahead, investing in resilience, responding to what our community values, and I thank staff and the many community members and businesses, artists, volunteers who all contribute to these outcomes. So I'm very happy to support the recommendation and note all of the progress achieved in the last year.

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

CR GRIST: Thanks, Mayor. I may run over time again but I am going to focus my attention on the report's stated primary focus of delivering programs that strengthen business capability, work force development, economic resilience and business efficiency. I acknowledge this report contains worthwhile activity and that some businesses have benefitted from Council support. However, the report primarily measures how busy Council has been, rather than what measurable value local businesses received. The Economic Development Arts and Tourism Department spent approximately 2.29 million in 25/26. That is a significant investment of ratepayer money. The report largely measures workshops held, newsletters sent, inquiries received, social media reached and staff hours consumed. These are outputs, not necessarily economic outcomes.

The Better Business Skills Program, for example, cost $12,000 plus staff time and recorded 197 participant attendances across 13 workshops, an average of about 15 attendances per session. I recently attended one of Council's Business Support sessions. Only eight people attended, including me and two others were not even from the Surf Coast Shire. That means only five of the attendees were local rate-paying participants. I am not suggesting the entire program has no value, but for me, it raises obvious questions. Do the reported attendance figures represent unique local businesses or repeat attendances? Are Councillors, presenters, Council Officers and people from outside the Shire included? What was the actual cost per unique Surf Coast business assisted and does Council have a minimum local attendance threshold before proceeding with a session?

The report tells us feedback was overwhelmingly positive. It does not tell us whether participating businesses increased revenue, improved productivity, retained employees or reduced their operating costs. The same problem appears elsewhere. The Business Friendly Council initiative involved approximately 200 staff hours. The report says it identified opportunities to simplify business interactions and helped to embed a more customer-centred approach. Those are worthwhile objectives but it

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does not identify what practical process changes were actually implemented or provide measurable outcomes, such as fewer forms or approval steps, shorter processing times or improved business satisfaction. From this report alone, it is therefore difficult to assess the return on those 200 staff hours. The Business Concierge Service handled 196 inquiries, using approximately 310 staff hours, about 1.6 hours per inquiry. A concierge may be useful but we should also ask how much of the demand exists because Council's own processes are difficult to navigate. There is a massive difference between helping businesses navigate red tape and actually removing the red tape.

The report itself acknowledges that businesses face full and discretionary spending, rising operating costs, elevated interest rates and economic uncertainty, yet Council's response is predominantly more programs, more workshops and increased communications and engagement. Have we ever asked businesses whether they would prefer these services over lower commercial rates, lower permit fees, faster approvals and fewer regulatory barriers? Have we considered that many businesses would simply prefer Council spend money on providing a safe and welcoming environment at their shopfront sidewalk? Council should also distinguish total engagement from individual local businesses. Eight newsletters sent repeated to the same mailing list should not be presented as tens of thousands of separate recipients. Likewise, event attendance and social media reach should not automatically be treated as proof of local economic benefit --

MAYOR STAPLETON: Excuse me, Cr Grist, but you have gone over time again. Could I just get you to wrap up quickly please?

CR GRIST: I have two more paragraphs, which are short. I am prepared to note that these activities occurred, but this report is not yet a sufficiently rigorous assessment of value for money. Future reporting should identify the full cost of each program, including staff time, establish measurable economic outcomes, document actual reductions in Council red tape and identify programs that will be redesigned or discontinued where participation or demonstrated value is insufficient. Having operated a business for 23 years across three Shires, my view is that businesses do not necessarily need Council to provide more workshops explaining how to operate. Many would gain greater value from Council becoming a cheaper, faster and easier organisation to deal with. That's the practical outcome I hope future reports will be able to demonstrate. Thank you. MAYOR STAPLETON: Thanks, Cr Grist. Would any other Councillors like to speak to this item? Cr Phelps?

CR PHELPS: Thank you, Mayor. An interesting report, covering progress made against long-term strategies. There's a lot of good stuff being done, supporting businesses and communities across the Shire, including hospitality, creative, agricultural, home-based, tourism and more. It does build Surf Coast Shire visibility and reputation, so if we think of the likes of the Cadel Evans Bike Race, Surf Coast Arts Trail, Surf Coast Century, as I referred to earlier, the Business Concierge service. We can also see the building of community capability through the likes of the Business Friendly Council initiative, SHED Talks for creatives, Better Business Skills Program, and targeted support for businesses affected by the Lorne flood and

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fire events.

I do note that every visitor to a Visitor Information Centre costs ratepayers about $5 and every visitor to the Australian National Surfing Museum costs ratepayers about $20. These are worth keeping an eye on as cost of living bites into both personal and Shire funds and discretionary expenditure becomes more difficult, and I don't see that changing in the near future.

I do share Cr Grists's views on wishing for a better handle on the value to ratepayers of the various expenditures, and on that note, a highlight for me is the Economic Development Data and Insights Program, collecting and analysing economic business visitor and event data to support evidence-based decision making, advocacy and investment planning. This improves or should improve in Council's decision making, strengthen advocacy efforts and provide more robust evidence for business support initiatives, program design and future investment priorities, better data, better decisions. Thank you.

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

CR BARKER: I'll be a minute to balance times again. The report tells us just under $2.3 million of your and my money is being spent on economic development, arts and tourism. The report provides a minimum level of transparency by listing projects, programs, meetings, events and staff hours. What it doesn't clearly prove is what happened because Council spent this money. How many extra jobs were created? How much private investment occurred? Which activities wouldn't or would have happened anyway?

Now, being under budget is not proof of success. It only means we didn't spend more than the amount set aside. Now, governments are very good at counting activity. It's often less willing to prove results. The single best thing governments can do for economic development, arts and tourism is to stop interfering. Governments do this by getting out of the way. Imagine what an extra $2 million would have done in the economy, rather than being extracted through rates and being spent on this. I will note the report but don't accept it as proof that all of this spending delivered value to ratepayers because it didn't.

MAYOR STAPLETON: Thanks, Cr Barker. Would any other Councillors like to speak to this item? No. And, Cr Walker, did you have any closing comments?

CR WALKER: Thank you, Mayor, and thank you, Councillors, for your input. It does show the depth of what does go on with economic development behind the scenes, and again I just reiterate from the other Councillors just around businesses want to see where their money is being spent locally, and just being aware of that moving forward. It's a good report to note. There's always a lot more we can do. Thanks.

MAYOR STAPLETON: Thanks, Cr Walker. We'll put the motion to a vote. All those in favour? And that's carried unanimously. Thank you, Councillors.

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It is now 8 o'clock, so traditionally we have a short break at around this time. I will call for a mover and a seconder to suspend Standing Orders. Moved by Cr Schonfelder, seconded by Cr Phelps. All those in favour? Thank you, Councillors. That's carried unanimously. For those on the livestream, we will be back on at 8.15. For those in the chamber - or in the hall, feel free to hang around and say hello and to join us for the second half of meeting, but no obligation, of course. Thanks, everyone.

(A short break)

MAYOR STAPLETON: OK, Councillors, welcome back to our livestream, to those online, and we will continue on with our Council Meeting agenda. We're up to item 4.4, which is the Moriac Structure Plan amendment C145 panel report and recommendation, and the purpose of this report is to seek adoption of Planning Scheme Amendment c145surf in accordance with the recommendations of the Planning Panel Report received by Council on 17 August. Thank you for interrupting me to resume Standing Orders. That's really important. Thank you, Governance. So can I please have a mover and a seconder to resume standing orders? Moved by Cr Phelps. Seconded by Cr Grist. And all those in favour? And that's carried unanimously, which is seven Councillors at the moment.

Just to reiterate, we're on item 4.4 to seek adoption of planning scheme amendment c145surf in accordance with the recommendations of a Planning Panel Report received by Council on 17 August 2026. We do have a recommendation before us. Does anyone wish to move a motion? Cr Schonfelder. As per the recommendation? Thank you. And is there a seconder for that item? Cr Phelps. Thank you. And, Cr Schonfelder, would you like to speak to it?

CR SCHONFELDER: Thank you. This item is the recommendation that Council receives the Planning Panel's recommendations for amendment C145surf; secondly, accepts the Planning Panel's recommendations and adopts amendment c145surf in accordance with the amendment documentation that is provided, including the Explanatory Report, Instruction Sheet and proposed Planning Scheme changes; also to submit the adopted amendment to the Minister for Planning for approval, pursuant to section 31 of the Planning and Environment Act 1987. Key considerations are the fact that the Moriac Structure Plan 2023 was adopted by Council in December 2023 following extensive community engagement, technical investigations and consideration of submissions.

The amendment was publicly exhibited between 18 September and 19 October 2025. Six submissions were received by Council and two unresolved submissions were referred to an independent planning panel for review. A Planning Panel hearing was conducted in Torquay on 14 and 15 July 2026 and a panel report was subsequently received on 17 August 2026. The panel concluded that the amendment c145surf is strategically justified and should proceed to adoption, subject to minor modifications. The panel supported the proposed settlement boundary for Moriac and confirmed the proposed location and extent of the future

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low-density development area, and that's quite a large acronym, and that is a belief in a philosophy that I subscribe to, particularly in relation to Moriac, given the geographic features there from Mount Moriac that was a volcano and is now an extinct volcano. Underneath the soil there, there are large boulders, so there is septic tank or septic there, as opposed to having sewerage. Officers support the findings of the recommendations of the panel and recommend adoption of the amendment, with minor modifications. The adopted Moriac Structure Plan was prepared following a comprehensive community engagement program that provided multiple opportunities for the lodging of submissions in addition to community survey and project workshops held in Moriac.

I support having low-growth areas within the Surf Coast Shire. I believe it adheres to the Council Plan pertaining to the retention of small-town character and I support having greenbelts and the availability of agricultural land for primary producers, and the Planning Panel Report considered the strategic justification for the amendments and issues relating to future growth areas, and the panel found the amendment appropriately implements the Moriac Structure Plan 2023. The panel agreed Moriac should continue to function, as I have earlier stated, as a small rural township suited to incremental growth. I note that a number of the properties in Moriac are of an acre, and I believe that in different areas you can have different types of housing, and in Moriac, there are mainly one-acre blocks that adds to the character of that town. So I encourage my colleagues to support this item. Thank you.

MAYOR STAPLETON: Thank you, Cr Schonfelder. And Cr Phelps?

CR PHELPS: Thank you, Mayor. Cr Schonfelder has comprehensively covered everything. As we have said, the amendment c145surf has come back after two unresolved submissions were referred to an independent panel for review, and the result of that is some minor wording modifications which simply clarify some references. Officers have supported the recommended modifications and changes and they have incorporated them into the final amendment documentation, so I too support the motion and encourage Councillors to do likewise. Thank you.

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

CR BARKER: I won't support this amendment. The report says it does not rezone for residential use. Now, that's true but it leaves out the practical effect. The amendment sets the settlement boundary and identifies the preferred future low-density development area. Land outside these lines will face a much harder path to development. The panel rejected including 33 Farrer Drive in the development area but also rejected placing 650 Cape Otway Road in either the settlement boundary or future investigation area. Land inside the preferred area will need another Planning Scheme amendment, as most people know, before subdivision can occur. The policy restricts the supply of developer land while favouring low-density housing that uses more land and provides fewer homes.

The aim is to preserve Moriac's existing character. That I can appreciate. The price,

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though, is paid by landowners who lose opportunity to develop and families who face less housing choice and higher prices as a result. It's government picking winners and losers again. No surprise. The planning process can be lawful and still produce a result that's terrible. I won't support freezing development opportunities to preserve a government-selected image of what Moriac should remain.

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

CR GRIST: Most of it has been covered. I just want to place one concern on the record. Identifying land for future development must not automatically create an unfunded infrastructure burden for Council or existing ratepayers. Future development may require water system upgrades, roads, drainage, paths and other infrastructure. Some of those assets may eventually become Council's responsibility to maintain. We must ensure that infrastructure capacity is established before development proceeds, that costs are allocated to the appropriate authorities and developers, and that Council does not inherit liabilities without adequate funding.

The designation of a future low-density development area should therefore not be interpreted as a guarantee of rezoning, development approval or Council infrastructure. Those matters must still be properly assessed through future planning processes. Subject to that caution, this amendment provides Moriac with a clearer and more orderly planning framework for the next decade and I will support the Officer recommendation.

MAYOR STAPLETON: Thanks, Cr Grist. Would any other Councillors like to speak to this item? No? Any closing comments, Cr Schonfelder?

CR SCHONFELDER: One closing comment I would like to make is the fact that the State Government has allowed the second home provision or residential building. So even though many of the residential allotments might be an acre, you can still have the possibility of having another building there for accommodation. So that's something worth noting. Thank you.

MAYOR STAPLETON: Thank you, Councillors. We will now put the motion to a vote. All those in favour? And against? And that motion is carried 7-1. Thank you, Councillors.

Moving on to item 4.5, the Community Engagement Policy, and the purpose of this report is for Council to consider adopting the revised SCS-017 Community Engagement Policy, and revoking SCS-025 Capital Works Community Engagement Policy. We have a recommendation before us. Does anyone wish to move a motion? Cr Pattison, is that as per the recommendation? Thank you. And a seconder? Cr Crockett. Thank you. And would you like to speak to the item, Cr Pattison?

CR PATTISON: Yes, please. I would, thank you. So community engagement works best when people know why they are being asked, what they can influence and what

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happens as a result of their contribution to that engagement. So I think this Community Engagement Policy that we're looking to adopt tonight strengthens those expectations and brings Council's general and capital work engagement requirements into one policy. We heard tonight the importance of the way that we engage with our community, and I think that this engagement policy sets out a really clear and straightforward plain English policy, and I am really excited that we're bringing this forward for adoption.

I want to highlight that the new engagement policy commits to engage early before important decisions have effectively already been made. Equally important is being honest when there is little or no scope for influence. Sometimes informing well is more respectful than creating the impression the decision is open for discussion when it is not. The commitment to report back to our community about what we heard and how feedback influenced the decision is particularly important for trust. The consultation itself reinforces that people want a mix of face-to-face and online opportunities and that not all consultation is a one-size-fits-all approach.

The next step is the community engagement framework because that is where these principles become everyday practice. So good engagement does not mean Council will always make the decisions every participant wants. It means that people can see that they have been heard, understood and treated honestly through the engagement process.

I encourage my fellow Councillors to support this motion. The revised policy is a plain English rewrite to make the policy clearer and easier for everyone to understand. The policy also provides clear guidance about when Council will engage with the community and when informing the community may be the most appropriate approach. And just one point - because often when we are adopting a revised policy, we have a red line version that people can say "Oh, this is how it's changed from the last one" - because this is a combination of multiple policies and there are some really significant changes, it didn't make sense for that red line version. So it's not about a lack of transparency. It;s just that it would have been very confusing for the community to try to understand that because so much has been changed. So I will leave that with everyone for their consideration. Thank you.

MAYOR STAPLETON: Thanks, Cr Pattison. Would anyone else like to speak to this? Sorry, Cr Crockett, would you like to speak as the seconder?

CR CROCKETT: Yes, thank you, Mayor. This recommendation, if we follow it, Council will have an updated Community Policy aligning with the requirements of the Local Government Act 2020 and it's got a clear, consistent approach and community engagement requirements into a single policy. Cr Pattison has covered most of it, but a few highlights from me is the First Nations-informed policy principles of actions like deep listening are beautiful practices to guide our activity, the important additions of the respondents' feedback on the draft policy where respondents ask Council to engage early before decisions are made, genuinely listen to community feedback, clearly explain what people can and can't influence. I think this updated policy will strengthen our team's ability to practise these principles regularly and I look forward

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to more decisions involving our community who are the experts of their local places. So I support this policy refresh as it stands.

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

CR BARKER: We need to have a Community Engagement Policy but that doesn't mean we need to accept this one. I am going to be quick because there's a lot to cover. This policy could result in Council choosing not to engage if it has recently asked about a similar issue, if it is enforcing an existing policy, if it considers the impact small or if it believes people cannot influence the result. Those exceptions are broad and Council gets to judge them.

The policy also allows the level of engagement to depend on available time and resources, so if we say we don't have available time and resources, we will not engage. That means that the same organisation seeking community approval decides whether community needs to be asked at all. Now, page 524 says sometimes sharing information is the best way to engage. No. Telling people what has already been decided is communication; it is not engagement. Engagement is providing a genuine opportunity for community to give feedback and require this feedback to be considered as part of the process that affects the community. I don't believe this policy supports this. Only 55 people took part in the review and the report admits younger residents and other groups were under-represented. The detailed operating framework also has not been presented to us. Officers will develop that later. Now, this policy has given Council more ways to say it engaged while reducing the chance that residents can actually change the outcome.

I was not in attendance at the briefing on this matter or others because it is an unsafe environment for anyone to engage in genuine free speech, and until this changes, I'll only be participating in Council activities in public meetings like this. One way this could be rectified is by livestreaming briefings to provide the community a basic level of transparency on Council activities that occur behind the scenes so then they can be informed on what's going on. I would support this policy if it removed or tightly limited Council's broad discretion to avoid engagement in clearly required early public consultation wherever a decision could materially affect residents, services, public assets or private property. The operational framework should return to Council for approval and include minimum consultation periods both online and face to face, published feedback and a clear explanation of how community views affected the final decision. I will not support this unless these amendments are included.

Additionally, the policy talks about Council's reputation being impacted by poor community engagement. One of the public questions this evening touched on reintroducing Australia Day. The total lack of Council engaging with the wider community prior to cancelling Australia Day activities in 2021 resulted in a damaging blow to the Council's reputation. The organisation seems reluctant to engage with the community on ideas that don't align with community sentiment, and if this policy is endorsed, I can see that continuing.

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

CR PHELPS: I would just like to say I do actually like this policy. It is loud in its language. It is loud, explicit, explains what will, may and what won't merit community engagement and what community engagement covers. It's a sensible policy and the reference to First Nations message sticks is an interesting quirk, noting that it's an underlying metaphor that applies and not the literal use of them.

Once again, as Cr Barker has pointed out, there hasn't been much response to the opportunity for community members to contribute, with just 55 survey responses. However, those responses did result in improvements to the policy and its wording. Being heard and knowing responses genuinely have the potential for influence were key issues identified, and I think the updated policy addresses those, so I do support the recommendation. Thank you.

MAYOR STAPLETON: Thank you, Cr Phelps. And, Cr Pattison, any closing comments? Sorry, Cr Walker. I had asked before and there was no interest over this side so I had moved on.

CR WALKER: That's fine. Thank you for everyone's comments. It is an easy-to-read document and policy, and just highlighting a few things around our minimum standards. So clear and easy to understand information, give people an fair chance to have their say, allow time for feedback, review considerable feedback, provide ways for people to speak directly to Council when needed, and tell people what we heard, what we learned and how community feedback helped shape the final decision. I'm just going to go forward to one more, which was down the bottom, which was interesting to see. Sorry, one second. Responses to key themes - respondents want genuine engagement, not tick-the-box consultation. They want to close the feedback loop. They want increased transparency and provide clear information. They want to maintain a visible community presence, use multiple communication channels, which is so important, engage early and more broadly, and ensure smaller communities are heard. There's details there and there are responses around that with what's being put forward from the small selection. But, again, a commitment to provide local engagement opportunities when decisions have significant impacts on particular towns and communities. Just because we've got a small amount of responses, it doesn't mean it's not very important, so I think we've done a good job in bringing them together. So I'll be supporting it.

MAYOR STAPLETON: Thanks, Cr Walker. And Cr Grist?

CR GRIST: I support the revised Community Engagement Policy and acknowledge the work undertaken in response to feedback from Councillors and the community. The revised policy now provides clearer, though not perfect, commitments, as described by Cr Barker, to engage early, explain what the community can genuinely influence, distinguish engagement from simply providing information, and report back on what was heard and how it affected the decision. These are meaningful

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improvements. They should help address the community's understandable frustration when consultation occurs too late, when the scope is unclear or when people provide feedback but never hear what became of it.

I support bringing capital works engagement into one consistent policy. However, it is important that consolidating the two policies does not unintentionally remove the objective protection previously provided by SCS-025 from certain capital works exempt from a planning permit. Ultimately, the success of this policy will not be measured by its wording but by the community's experience of it. We must be able to demonstrate who has engaged, what they were able to influence and what we heard and what changed as a result.

Some concerns raised tonight by the community suggest we still have processes to improve on to keep people engaged throughout that engagement process. As most of my personal concerns raised during the Council reviews appear to have been addressed in the policy and the policy reads a lot clearer, I will support the policy as an improvement on the previous version.

MAYOR STAPLETON: Thanks, Cr Grist. And I will now put - no, I will give Cr Pattison an opportunity to make some closing remarks.

CR PATTISON: I just want to point out I may have been slightly unclear earlier when I said there is no red line version. It is just very confusing because of all the changes and it's at the very end of that section, so I just wanted to clarify in case I was confusing in that section, and I encourage everyone to support this plain English version of our Community Engagement Policy. Thank you.

MAYOR STAPLETON: Thanks, Cr Pattison. I will now put the motion to a vote. All those in favour? And against? And the motion is carried 7-1. Thank you, Councillors.

We now move on to item 4.6, which is our Annual Financial Report and Performance Statement for the year ending 30 June 2026. And the purpose of this report is to seek Council's approval in principle of the Annual Financial Report and Performance Statement for the year, as recommended by the Audit and Risk Committee and in accordance with Section 99 of the Local Government Act. We do have a recommendation before us. Does anyone wish to move a motion? Cr Barker, is that as per the recommendation?

CR BARKER: Yes.

MAYOR STAPLETON: And is there a seconder for that motion? Cr Phelps, thank you. Cr Barker, would you like to speak to the item?

CR BARKER: I will support approval in principle because these statements need to proceed through to the audit process, but my support is only support for noting and auditing the accounts. It is not approval of Council's financial direction, as I've been speaking about for six years now.

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The headlines are $31.7 million surplus. The more important figure is buried in the Performance Statement. Council's adjusted underlying result is negative 17.16%. The report itself says this shows Council can't renew its assets at the level that they are wearing out. The report says that Council can't renew its assets at the level that they are wearing out. That should be the most blatant warning that where we are allocating our resources is not adequate.

Now, that leads to my second concern. Council spent $51.6 million on new assets but only $10.5 million on renewing existing assets. Renewal upgrades covered only about 68% of depreciation. We're building more while falling behind on what we already own. That's not sustainable. Cash and investments also fell from $108 million to $61 million, while total expenses rose to $116 million. Now, these statements may be accurate but accuracy does not make the position comfortable. My vote is to receive lawful Financial Reporting and it's also a warning. Council must become more careful with spending, concentrate on existing assets and stop treating grants and accounting surpluses as proof that everything is affordable.

MAYOR STAPLETON: Thank you, Cr Barker. And, Cr Phelps, would you like to speak to this item?

CR PHELPS: Thank you, Mayor. As noted in the agenda, Council's Annual Financial Report and Performance Statement have been through a comprehensive external audit process, plus the Audit and Risk Committee who reviewed them earlier this month. The Audit and Risk Committee have recommended the Annual Financial Report and Performance Statement to Council for approval in principle, with no material issues so far being identified by management or raised by the Auditor or the Audit and Risk Committee. It was good to see borrowings have been reduced by 8.1 million and a final operating surplus of 31.7 million, although obviously there are increasing demands on funds this year and into the future, as Cr Barker has pointed out, particularly with things like the aquatic centre coming online and the Anglesea landfill closing and being rehabilitated. Financial sustainability is a critical issue for Surf Coast Shire and I am pleased to see that we do have that in hand with a financial sustainability strategy underway.

There are various ups and downs through the year when comparing the budget to actual. It is good to see in the end the results are pretty close to the budget. There is certainly an element of good financial management in this, as reflected in the positive comments we have received in the past from the Audit and Risk Committee. I would like to comment an awful lot of work goes into an Annual Financial Report and the Performance Statement, so well done to all of those involved. They do provide the community with a great deal of detail, as is normal. It is a key element of transparency and accountability and so, accordingly, I support the recommendation.

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

CR SCHONFELDER: I thank my colleagues for their thoughts on financial matters, and I must say that former Senator and the late Senator Graham Richardson used to

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say that certain issues have traction, and I will say that Cr Barker, in relation to - he has said previously about an addiction to spending, and I believe that does have traction in this current financial environment and I believe that all tiers of government are mindful of that.

I do think that it's worth mentioning, Mayor, that as far as the capitalised expenditure on significant projects in 2025 and 2026, the fact that the Wurdi Baierr Aquatic and Recreation Centre had $43.6 million spent, it is the largest project in the Shire's history, and once again, I have mentioned about the importance of having sporting facilities and people having more active and healthy lifestyles, so governments and the private sector spend on sport as opposed to spending on medical and health care. I believe there is a direct relationship there. The hockey pitch as well is 2.8 million. The Spring Creek Oval, including irrigation and drainage, is 2.5 million. Fischer Street Safe Cycling and Pedestrian Route, 1.3 million. Lorne Transfer Station Upgrade, 1.3 million, Widening of Coombes Road, the two projects there, 1.3 million and also 1 million, Winchelsea Infrastructure Plan, Gladman Street update, 700,000, Spring Creek Reserve Tennis Court replacement 600,000, Bambra Aireys Inlet road, Improvement Safety and Drainage, that was half a million, 200,000 for the Newling Reserve Playground, and also 200,000 for the Connewarre Hall Roof Sheeting Replacement. So the retention and maintenance of assets is so important and, as a Council, we are mindful of that, and I think that we are travelling quite well, considering. Thank you, Mayor.

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

CR GRIST: Thanks. I will just give some further context to the positive headline figures. After capital grants, developer-contributed assets and other capital income are excluded, Council recorded an adjusted underlying deficit of approximately $17 million. That underlying deficit is forecast to continue throughout the forward estimates. I will repeat Cr Barker's concerns that the statements themselves acknowledge that Council's recurrent income is not presently sufficient to renew its assets at the rate they are depreciating. In fact, the ARC, the Audit and Risk Committee, Chair summarises our position as "Council finishes the year in a sound financial position but longer term financial sustainability remains an important strategic challenge".

Our asset renewal and upgrade ratio fell to 67.65%, well below the budget target of 81.1%. New facilities provide community benefits but they also bring permanent staffing, maintenance, utility and renewal costs. We must make sure that expanding our asset base does not come at the expense of maintaining what Council already owns. Expenses also increased from $105.2 million to $116.4 million. Employee costs reached $44.7 million, which was nearly $2 million above budget, and the percentage of Planning Applications decided within statutory time frames fell from almost 75% to 65%.

The Anglesea Landfill is another emerging issue. Available airspace has been revised downwards, amortisation increased to 7.1 million, approximately three years

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of useful airspace remains and Council holds a rehab provision of around 17.5 million. The operational and ratepayer consequences of that will require careful planning.

Finally, while debt is reduced, this year the forecasts anticipate new borrowing in 2027. The current result should therefore not be interpreted as Council being free from future debt pressures. I support approval of the statements, as they have been independently scrutinised and appear to present Council's position fairly, but the underlying deficit, renewal gap, landfill exposure, service performance decline and future borrowing must now inform our future budgets, service reviews and long-term financial decisions. Thanks.

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

CR CROCKETT: Thank you. Yes, the purpose of this report is for Council just to improve in principle last year's Financial Statements, displaying a true and fair view of Council's finances and performance for the previous financial year, and it has been reviewed by our Audit and Risk Committee and going out for further auditing. I guess it's important to note that when it comes to our finances, it is Council's job to provide local amenities like waste collection, parks, libraries, family services. These all improve our daily life and public health, and residents increasingly rely on low-cost or free Council programs when private services become too expensive, and I am quite impressed with our financial management, given that Councils are planning for a growing community while absorbing financial responsibilities passed down by State and Federal Governments without receiving much compensation for these on the duties on the ground. So I support the recommendation.

MAYOR STAPLETON: Thank you, Cr Crockett. Any other Councillors wanting to speak to this item? No? Cr Barker, did you have any closing comments?

CR BARKER: Not on the topic but I just need to foreshadow I need to leave the meeting after the next item.

MAYOR STAPLETON: OK. Thanks for letting us know. I will put this item to a vote. All those in favour? And the motion is carried unanimously. Thank you, Councillors.

Item 4.7, which is the setting of infringement penalties, and the purpose of this report is to inform Council of an historical administrative error in the application of section 87(4) of the Road Safety Act 1986 relating to 11 parking infringement types. The report outlines the proposed response to address the issue and seeks Council's resolution to formalise the continued application of the existing infringement penalty amounts in accordance with legislative requirements. We do have a recommendation before us. Does anyone wish to move a motion? Cr Phelps, is that per the recommendation?

CR PHELPS: Per the recommendation, Mayor.

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MAYOR STAPLETON: And seconded by Cr Pattison. Thank you. Would you like to speak to the item? CR PHELPS: I would, thank you. We have emerging issue that is potentially statewide dating back decades and includes at least half a dozen other councils who are dealing with it already, and likely more to come. As explained in the agenda, in essence, some of the so-called green sign infringements were set many years ago at a default of 0.2 penalty units, today worth around $40. The great majority of councils increased the penalty to 0.5 units as a stronger disincentive. It has since come to light that for a small number, a formal Council resolution is required to change from the default of 0.2 penalty units. Officers have been unable to find any such resolution in Surf Coast Shire records and, accordingly, since the imposition of that 0.2 penalty units many years ago, Surf Coast Shire has effectively been overcharging. Through history, the overcharged amount has increased from about $30 to about $60 per infringement, and those who paid such infringements have every right to a refund of the overcharge. It is important to note the infringement itself still stands, so it is only the overcharge that is due back. It is also worth noting that there's a list of 6,700-odd infringement types, under which just 11 have been determined to be affected in Surf Coast Shire by a missing resolution, and which therefore have been historically overcharged.

Given the processes involved in issuing an infringement, for example involving VicRoads identifying vehicle owner, and payment by direct debit, credit card or cash, the logistics of identifying and contacting all those affected would be a massive undertaking at hundreds of thousands of dollars in cost. This recommendation represents a sensible path forward to offer refunds to all of those who are due a refund. The process to be put in place is expected to be straightforward and there is no fee involved. It follows similar arrangements in other Councils. This motion, of course, corrects the original omission by formally fixing the penalty at 0.5 penalty units for the effected infringements. And so I encourage Councillors to support this recommendation. Thank you.

MAYOR STAPLETON: Thank you, Cr Phelps. And, Cr Pattison, would you like to speak to this item?

CR PATTISON: Yes, please, thank you. So, as Cr Phelps has said, this motion is about correcting an historical administrative error relating to parking infringement penalties. I think it is important that we acknowledge that there was an administrative error and then step forward in a course to resolve that. I think the governance lesson is an important one as the financial remedy and I think it's not about councils never making mistakes. It's about acknowledging those mistakes and then setting forward a course to resolve that, and I think that that is what is happening today. This is happening across many councils across the state, and my understanding is there are around 8 to 10 councils that have had similar refund schemes that have been put forward, and so our Council is following a similar path, and being upfront around pointing out this error and then setting up a scheme to help affected people to get their money back. So I think this is a sensible approach and I encourage Councillors to support the motion.

MAYOR STAPLETON: Thanks, Cr Pattison. Would any other Councillors like to

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speak to this item? Cr Barker?

CR BARKER: This is quite disappointing. On Saturday I circulated an alternative motion that increased the administrative burden on Council to ensure that most, if not all, of the overcharging would end up being paid back. Sadly, that hasn't happened but I'll foreshadow my alternate motion, should the substantive motion fail, if Governance could show that on the screen. Basically, what it boils down to is increasing the Officer hours in reaching out to find out every possible option to make the refunds and to report on the refund status, initially in short intervals and then in six-monthly intervals until the last dollar owed is paid.

The current substantive motion is a weak choice that will end up in potentially refunding around 10% of what's owed, meaning that Council's mistake over multiple decades will get away with a slap on the wrist. That, I think, is a disservice to everyone in our community that's been overcharged. Councillors have got a choice tonight to either go down the path that minimises the repayment of debts that we owe to the community and those that have visited us, or they can make the choice to go down the difficult path, for one that increases the administrative burden and cost on Council, to ensure that every single dollar that we have overcharged gets paid back. The choice is yours.

MAYOR STAPLETON: Thank you, Cr Barker. Would any other Councillors like to speak to this item? Cr Grist? CR GRIST: Thanks, Mayor. I don't support the recommendation, as I prefer Cr Barker's foreshadowed alternate motion, which still does include formally setting a penalty at 0.5 a penalty unit. That is a standard rate applied by almost every comparable Council examined. I accept that it provides an appropriate deterrent and supports turnover in busy parking areas. The historical area appears to have been a genuine administrative oversight arising from a complex and changing legislative framework. Nevertheless, there is an important principle of equal accountability, Council expects residents to comply with parking restrictions and pay the prescribed penalty. Residents are equally entitled to expect Council to comply with every legal requirement, authorising that penalty.

Infringements remain valid but Council did not have the specific resolution required to charge above the statutory minimum. The difference should therefore be returned where reasonably possible. I recognise the practical limitations. The records extend back more than 20 years. Many recipients were tourists. Vehicles have changed ownership and Council may no longer hold current contact or banking details. Automatic repayment would not always be possible. However, the Officer report identifies approximately 833,000 in historical overcharges, while anticipating only 83,000 in refunds. That low expected uptake should not become our measure of success. That's why I support the alternate motion. It strengthens the refund scheme by requiring Council to do more than publish information and wait for affected people to discover it.

Where reliable records exist, Council should directly notify affected people. Where the person, entitlement and current payment details can all be verified, repayments should occur automatically. Where that is not possible, the application process

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should be free, simple and require no more information than is reasonably necessary. The alternate motion also requires sustained public promotion and regular reporting on the number and value of refunds, the number of people contacted, the amount remaining unpaid and the further steps proposed. That reporting is important. Councillors and the community should be able to judge the scheme by the effort made to return the money, not by how little it ultimately costs Council. The principle is simple: when Council believes someone owes it money, it makes considerable efforts to locate them and recover it. When Council discovers that it owes someone money, it should demonstrate the same diligence.

Finally, the alternate motion requires a public explanation of how the error occurred, why it remained undetected and what controls are being introduced. That is not about assigning blame for an understandable mistake. It is about organisational learning and preventing its recurrence. If we require residents to comply with the law, Council must hold itself to the same standard. For those reasons I won't be supporting this recommendation.

MAYOR STAPLETON: Thank you, Cr Grist. Would any other Councillors like to speak? Cr Schonfelder?

CR SCHONFELDER: Mayor, I had a question to ask. I understand other councils have had the same situation and they are simply doing the same action as what is proposed, I understand, by this resolution tonight.

MAYOR STAPLETON: I'll refer that question just to get clarification from our Acting CEO. MR PIKE: Through you, Mayor, yes, I do believe that's the case but I will doublecheck with our General Manager of Strategy and Effectiveness. Yes, that is the case.

MAYOR STAPLETON: And did you want to speak to the item, Cr Schonfelder?

CR SCHONFELDER: Yes, please. I understand where Cr Barker and Cr Grist are coming from and I believe in theory it would be wonderful to be able to refund those affected, but the way I look at this is like the way in which you have a product recalled if you buy a product from a supermarket and you're entitled to a refund. It is advertised and those affected thereby return the product and then get the refund, because I am just concerned about the cost it would incur the Council and I believe it was an honest mistake. Also, I acknowledge a colleague of mine, when we had a briefing about it, did actually mention that what if you're an overseas tourist and you hired a car, what happens then if you've travelled back home overseas somewhere, like to be refunded the money, it might actually be somewhat impractical. So having noted the sentiments and the genuine concerns of my colleagues in relation to this, I will be supporting the item.

MAYOR STAPLETON: Thank you, Cr Schonfelder. And would any other Councillors like to speak? Cr Walker?

CR WALKER: Thank you, everyone, for your comments and alternate motions

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around a few things to clarify. The process that is recommended is pretty straightforward. It's putting your registration in to Council and it comes back to say if you can get a refund or not. It's a simple way to do it. If we go down and track down records, track down everyone, there's a substantial amount that will cost us. That's not the issue but it's just the time and effort that it will take to actually get it done. You have to do VicRoads checks, mail-outs, return payments, all those sorts of things. It sounds good in practice to send that out to everyone, but the process to do that far outweighs the cost to implement it. But, at the same time, I do see merit in both, but I think, as what other councils are doing, it's a simple process. What I would like to see is for us to promote it out far and wide because I think it is going to go out far and wide across all different councils anyway. So it would be great to be able to promote it out, the process for anyone to go on there and check with all the different councils. So I think we can do more promotion that what has been put in there but I support the initial motion. Thanks.

MAYOR STAPLETON: Thanks, Cr Walker. Would any other Councillors like to speak? And, Cr Phelps, do you have any closing comments?

CR PHELPS: Yes, thank you. I must say I'm sympathetic to the concept that Crs Barker and Grist have suggested, but like Crs Schonfelder and Walker, I too think the impracticality realities of tracking down all of those due a refund is both expensive and difficult, if not impossible in many cases. I do recognise the take-up of this recommended approach will be more limited. However, a comprehensive publicity campaign will accompany the refund scheme, and given other Councils are and will be doing the same, I would expect a much wider awareness of this issue beyond Surf Coast Shire so that those who feel it is worth claiming will be able to do so. Thank you.

MAYOR STAPLETON: Thank you, Cr Phelps. And we'll now put the motion to a vote. All those in favour? And against? And the motion is carried 6-2. Thank you, Councillors, and acknowledging Cr Barker needs to leave now. Thank you.

We will move on to item 4.8, which is the budget adjustment for the Anglesea Landfill Rehabilitation Stage 4, and the purpose of this report is to inform Council that the CEO has approved an additional budget allocation of 712,000 from the Waste Reserve under delegated authority to complete the Anglesea Landfill Rehabilitation Stage 4 project. The report also provides an update on the circumstances that resulted in the budget adjustment. We do have a recommendation before us. Does anyone wish to move a motion? Cr Pattison, is that per the recommendation? And seconded by Cr Phelps. Thank you. And would you like to speak to the item, Cr Pattison?

CR PATTISON: Yes, I will. So landfill rehabilitation is not optional work. Council has obligations under its EPA licence to progressively rehabilitate and complete the landfill. So this project encountered underground conditions that did not match the historical design records, including gas infrastructure, (inaudible) constraints and an expected (inaudible) that was not present. Officers stopped work rather than proceeding with the design. They could not (inaudible). So the revised design has

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now received EPA auditor and EPA approval, and the CEO used their delegated authority to allocate an additional 712,000 from the Waste Reserve, taking the Stage 4 budget to approximately 4.9 million. That's a substantial additional amount and it is appropriate that Council scrutinise what it has learned through this process. The important forward-looking approach and commitment is to a much stronger physical verification survey and (inaudible) investigation before Stage 5 procurement and, ultimately, this money that is spent now will reduce the Stage 5 cost from 12 million to 10.2 million. So it is something that we need to do. It is important work, and I encourage Councillors to support this motion.

MAYOR STAPLETON: Thanks, Cr Pattison. Cr Phelps?

CR PHELPS: Thank you. Just briefly, it was a disappointing discovery that things aren't where expected. Nonetheless, this is a remediation work that I understand must take place regardless and be done to Environmental Protection Authority approval. As indicated in the agenda, additional on-site investigations and verification will be implemented to reduce the risk of similar issues occurring during future landfill rehabilitation. So I encourage the support of this motion.

MAYOR STAPLETON: Thank you, Cr Phelps. Would any other Councillors like to speak to this item? No. Cr Pattison, do you have any closing comments? We will put the motion to a vote. All those in favour? And that's carried unanimously. Thank you, Councillors.

The next item is 4.9, which is a Councillor request to attend an interstate conference, which is the Australian Walking and Cycling Conference. The purpose of this report is to present the Councillor request to attend interstate professional development for Council's consideration in accordance with policy SCS-001, Councillor Entitlements, Expenses and Facilities Policy. We do have a recommendation. Actually, we don't have a recommendation. We do have a report ahead of us seeking a recommendation for Council to approve or decline the motion. Cr Schonfelder, what would your motion be?

CR SCHONFELDER: My motion would be to support Cr Mike Bodsworth's request to attend the Australian Walking and Cycling Conference 2026.

MAYOR STAPLETON: Thank you. And do we have a seconder for that motion? Cr Pattison. Thank you. And Cr Schonfelder, would you like to speak to the item?

CR SCHONFELDER: Thank you. Cr Bodsworth has requested, as I said earlier, to attend the Australian Walking and Cycling Conference 2026 to be held in Adelaide in October, and Cr Bodsworth has advocated and put part of his - in his application that he wishes to gain insights and engage with people to help himself, number one, add value to Council public policy decisions regarding walking and cycling; number two, understand keys to building stakeholder support for active transport; number three, understand key strategies for active transport planning and provision; four, better understand current active transport barriers and opportunities; five, better understand active transport benefits and costs, value and trade-offs, considerations

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to guide Council policy strategy; number six, gain current insights into data collection, indicators, mapping, infrastructure design and other operational trends and resources to share with Council; seven, contribute to interactive sessions from a Surf Coast Shire Council perspective.

Active transport is a longstanding Surf Coast Shire community council priority, yet transformative progress requires an alignment of public appetite, good strategy, a wide and convincing range of practical approaches, and appropriate resourcing. This is more achievable with focus, persistence, partnerships and expert insights. I commend Cr Bodsworth for his advocacy in relation to active transport and I know that he actually attends Council meetings and briefings often by cycling and I enjoy learning from him, his interest, and he might have forgotten more about it than I know, and I also am mindful that there are other Councillors who are very much in favour of active transport, and this is an area which is very important for our community. So, Mayor, I believe there is a strong demonstrable public benefit for Cr Bodsworth to attend this conference. Thank you.

MAYOR STAPLETON: Thank you, Cr Schonfelder. And, Cr Pattison, would you like to speak to the item?

CR PATTISON: Thank you, yes. Cr Bodsworth has identified that he wants to attend the interstate conference and I'm supportive of him doing that. Under Council's current policy, interstate professional development must come before Council, and in this conference, it clearly aligns with work that Council is already undertaking around walking, cycling and active transport, so there's a lot of synergies there. And I'm really confident that Cr Bodsworth will diligently attend the conference and come back with knowledge to share for our integrated transport Officers and Councillors around walking and cycling that can be readily applied to the Surf Coast Shire. So I will be supporting him attending this conference.

MAYOR STAPLETON: Thanks, Cr Pattison. Would any other Councillors like to speak? Cr Grist?

CR GRIST: Thanks, Mayor. A high-performing Council should not support this request on the information before us. This is not a question of whether walking and cycling infrastructure is relevant to Council. Clearly it is. The question Council must answer is more specific and is governed by a strict policy. Our Councillor Entitlements, Expenses and Facilities Policy requires that participation provide a demonstrable public benefit and that benefit justifies the cost to Council. Relevance alone does not satisfy that test.

The application before us says Council will gain insights, engage with people, better understand strategies and share information with Council. These are possible benefits but they are broad claims that could be made about almost any conference. The report does not identify a particular Council decision. This attendance will not inform a defined local problem it will help resolve or a measurable community outcome expected from the expenditure, nor does it explain why physical attendance by a Councillor is necessary. Much of the proposed learning relates to data

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collection, mapping, infrastructure design and operational practice. Council has already committed funding to employ a dedicated Officer, in addition to engaging specialists in this field.

The report does not tell us whether Officers already hold this knowledge, whether the conference material or recordings could be obtained afterward, whether an online option exists or whether the relevant information could be provided through a briefing available to all nine Councillors. There is also no proposed attendance plan. The conference contains competing streams, so one delegate cannot attend every session. We have not been told which sessions are directly relevant to Surf Coast Shire or what practical work would result from them. Parts of the program are also very advocacy oriented. They concern overcoming community resistance, influencing public attitudes and building support for active transport changes. Councillors should always consider evidence and competing community priorities independently. Ratepayers certainly should not fund training in how to persuade the community to support pre-determined policy direction that a Councillor favours.

The directed estimated cost is $1,797. That may not be substantial in the context of Council's overall budget, but every expense should still meet the same public benefit test. Small discretionary expenses accumulate, and approving them creates a precedence for comparable interstate requests from every Councillor. It is also a concern that we are not voting for a set maximum dollar amount, as we were only given estimates.

The policy requires a post-conference report but that occurs after the money has been spent. It does not replace Council's obligation tonight to be satisfied beforehand that a demonstrable public benefit exists. Councillor development can be a legitimate ratepayer expense but interstate attendance should be supported by a clear purpose, a defined benefit, consideration of cheaper alternatives and a practical commitment to apply and share the learning. This report establishes that the conference is relevant. In my view, it does not establish that attendance will deliver a demonstrable public benefit sufficient to justify the ratepayer expense, as is required by our policy. In my view, a high-performing Council should decline the request.

MAYOR STAPLETON: Thank you, Cr Grist. Would any other Councillors like to speak to this item? Sorry. Cr Phelps.

CR PHELPS: I know Cr Bodsworth is a passionate active transport advocate and Councillors can expect to be given a report on the Australian Walking and Cycling Conference 2026, outlining what ideas, innovations, practices and trends he has leant. I have always found conferences great for broadening the mind and tapping into experts, and professional development along these lines will no doubt feed into our Council discussions in time to come. I do see professional development as immensely valuable to an individual and to the organisation. The informal discussions and new relationships are often as valuable as the conference content provided, and certainly in-person attendance is almost always superior to online equivalents. So I too am supportive of attendance at this conference by Cr

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Bodsworth.

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

CR WALKER: Thank you. Thank you, everyone. I support this conference. Given we have got an active transport Officer coming on board, I think it would be relevant to report back within that because that is something of a priority coming up around active transport, not just that it's a passion for Cr Bodsworth, but I do see the benefit in it for the wider Council group but also for our public, moving forward with our active transport Officer. Hopefully it's in Victoria next year and we can all go. Thanks.

MAYOR STAPLETON: Thanks, Cr Walker. Any other Councillors? And any closing comments? Cr Schonfelder?

CR SCHONFELDER: Just very briefly, Mayor, that I did suggest to Cr Bodsworth that he actually cycle to Adelaide but he declined the offer. So I look forward to hearing back about the latest trends, and it's worth noting that I imagine there will be Councillors there from all across Australia and I think it's important to actually try and gain from the attendance, and my colleagues have highlighted this this evening. Thank you, Mayor.

MAYOR STAPLETON: Thanks, Cr Schonfelder. We will now put the motion to a vote. All those in favour? And against? And the motion is carried 6-1. Thank you, Councillors.

Moving on to item 4.10, which is the s6 Instrument of Delegation of Council to Members of Staff. The purpose of the report is to present the Instrument of Delegation from Council to Members of Council Staff, which has been recently reviewed and updated. We do have a recommendation before us. Does anyone wish to move a motion? Cr Schonfelder, thank you. Is that as per the recommendation? And seconded by Cr Phelps. Thank you. And, Cr Schonfelder, would you like to speak to it?

CR SCHONFELDER: I reserve my right, thank you.

MAYOR STAPLETON: Thanks, Cr Schonfelder. Cr Phelps?

CR PHELPS: This motion reflects updates further to legal advice based on changes to legislation. The s6 Instrument of Delegation delegates specific items under legislation which must be delegated by Council directly. It provides a designated member of staff with the legal authority to carry out their role within the responsibilities of that role; for example, the power to direct a proprietor of a particular food premises to comply with any requirement of the Food Act. Accordingly, I encourage Councillors to support this recommendation.

MAYOR STAPLETON: Thank you, Cr Phelps. Would any other Councillors like to

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speak to this item? No? And Cr Schonfelder? No? OK. Cr Phelps, did you have any closing comments? Sorry, Cr Schonfelder, did you have any closing comments?

CR SCHONFELDER: No, thank you. OK. We will put the motion to a vote. All those in favour? And that's carried unanimously. Thank you, Councillors.

Item 4.11 is Councillor Expenses and Attendance at Meetings for April to June 2026. And the purpose of the report is to present those expenses - attendance at meeting and relevant professional development activity for the June 2026 quarter. We have a recommendation before us. Does anyone wish to move a motion? Cr Walker. As per the recommendation?

CR WALKER: As per the recommendation.

MAYOR STAPLETON: Thank you. And a seconder for that? Cr Crockett, thank you. And would you like to speak to the item, Cr Walker?

CR WALKER: Thank you, Mayor. This report gives transparency and clarity to our community where Councillors have attended and expenses for the quarter April to June 2026. Thanks.

MAYOR STAPLETON: Thanks, Cr Walker. Cr Crockett?

CR CROCKETT: Thank you. Yes, Council supports this recommendation and it will ensure compliance with our Council Entitlements, Expenses and Facilities Policy, and, as Cr Walker said, the publication of these records provides transparent and accountable and open communication of Council information, so I support it.

MAYOR STAPLETON: Thank you, Cr Crockett. Did anyone else want to speak to this item? Cr Phelps?

CR PHELPS: Just quickly, as presented in the table, the Councillor expenses are the ones incurred in the last quarter and, if approved, it does go on display for public access on the Surf Coast Shire website, alongside previous quarters. The Councillor expenses are shown also in the Annual Report, which is likewise available for everyone to see. This item also additionally publicises professional development for the quarter, including the benefits to the recipient, and Councillor meeting attendances, which is all good for transparency, although perhaps in my opinion a little extra detail may be useful. I support the motion. Thank you.

MAYOR STAPLETON: Thank you, Cr Phelps. And any closing comments, Cr Walker?

CR WALKER: No, thanks.

MAYOR STAPLETON: OK. We will put the motion to a vote. All those in favour? And that's carried unanimously. Thank you, Councillors.

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Item 4.11, which is the Instrument of Appointment and Authorisation - Planning and Environment Act. And the purpose of the report is to seek Council's appointment of authorised Officers under the Planning and Environment Act 1987 through the updated Instrument of Appointment and Authorisation. This instrument requires updates due to recent staff changes. We do have a recommendation before us. Does anyone wish to move a motion? Cr Phelps, as per the recommendation?

CR PHELPS: As per the recommendation, Mayor.

MAYOR STAPLETON: And is there a seconder? Cr Grist, thank you. Would you like to speak to the item, Cr Phelps?

CR PHELPS: Yes. Straight comment - this item reflects staff changes within Surf Coast Shire and formally removes or assigns legal authority to particular roles to particular people, as detailed in the associated attachment. Thank you.

MAYOR STAPLETON: Thanks, Cr Phelps. And Cr Grist? Would any other Councillors like to speak to this item? We will put the motion to a vote. All those in favour? And the item is carried unanimously. Thank you, Councillors.

And item 4.13, Project Budget Adjustments and Cash Reserve Transfers for September 2026, and the purpose of this report is to present the 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 presents adjustments, including existing projects requiring adjustment, project closures, new projects to be initiated, CEO-approved transfers under delegation or corrections prior to reports being presented to Council. We do have a recommendation before us. Does anyone wish to move a motion? Cr Phelps. As per the recommendation?

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

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

CR PHELPS: Thank you, Mayor. No projects required, budget adjustments this month and there were no new projects requiring Council approval, and it does include a number of completed and closed projects and one project with a changed budget, and I am satisfied with the reasoning provided. That's it. Thank you.

MAYOR STAPLETON: Thank you, and Cr Crockett?

CR CROCKETT: Thank you. Just that the adjustments that are presented in the report provide transparency for the community and are always interesting to read.

MAYOR STAPLETON: Thanks, Cr Crockett. And would any other Councillors like to speak to this item? No? And any closing comments, Cr Phelps? I'll put the motion to a vote. All those in favour? And against? And the item is carried 6-1. Thank you,

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Councillors.

Item 4.14 is the Conflict of Interest Records, and the purpose of the report is to present these records that have been received since the previous Council Meeting. We do have a recommendation before us. Does anyone wish to move a motion? Cr Schonfelder, thank you. Is that as per the recommendation? Yes. And a seconder? Cr Walker. Thank you. And would you like to speak to the item?

CR SCHONFELDER: Mayor, I would like to simply note the report as it is tabled. I would also like to say, Mayor, that I've been informed that at the City of Greater Geelong Council Meeting tonight, the Deputy Mayor was rushed to hospital, so I would just like to say that we're sorry to hear that and hope that the Councillor Eddy Kontelj has an expeditious recovery.

MAYOR STAPLETON: Thank you, Cr Schonfelder. And, Cr Walker, did you want to speak to that item?

CR WALKER: No, thank you.

MAYOR STAPLETON: OK. Did any other Councillors want to speak to that item? No. We will put the motion to a vote. All those in favour, and the motion is carried unanimously. Thank you, Councillors. There are no Confidential Items for tonight's meeting and no Urgent Business for tonight's meeting, so there being no further items of business, I declare the meeting closed at 9.22pm. Thank you, everyone, and thanks to those still joining us online through the livestream.

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