

# **Draft Transcript**

## Surf Coast Shire Council Meeting

22 March 2022

### **About This Document**

This document contains a draft transcript only.

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

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

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

The draft transcript must not be published without The Captioning Studio's written permission.

MAYOR STAPLETON: At 8pm I might just call for an adjournment so we can take a short break and you can get a cup of tea. Alright. If governance could just turn on the livestreaming and then we'll make a start. So welcome to our first in-person meeting for 2022. I'm Mayor Libby Stapleton and it is a pleasure to open our doors and welcome the community into the chamber for the first time in 10 months. This meeting is also being livestreamed to a big welcome to those tuning in online, and of course welcome to my fellow Councillors. In line with our COVID Safe Work Plan, you'll find hand sanitiser in the chamber if you require it. Please attempt to seat 1.5m apart and all attendees are required to be fully vaccinated, which is in accordance with Victorian Government guidelines. Live captioning will accompany the livestream for a second time and the council chamber is fitted with a hearing loop, which transmits directly to hearing aids. So we hope that this assists those who may have any hearing difficulties. The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung people and the Gulidjan and Gadubanud peoples of the Maar Nation and the main council office here in Torquay is on Wadawurrung country. The Wadawurrung people have nurtured and protected these lands for thousands of generations and I'm so grateful for the opportunity for all of us to be able to work and live in such a beautiful part of the world. We also wish to acknowledge the traditional custodians of the lands on which each person is attending, acknowledge any Aboriginal and Torres Strait Islander people who may be viewing the meeting tonight, and pay our respects to Elders past, present and emerging. I'd like to take a moment to acknowledge the tragic death of 11-year-old Josh Ruff at a basketball game in Torquay almost two weeks ago. I know that Josh's family and friends and many people from our community attended Josh's funeral today to celebrate and honour the amazing person that he was. This tragedy touched our community far and wide and we send our love and support to the Ruff family at this time. I would also like to acknowledge Councillor Susan Salter, who sadly passed away last week. Susan was a former Mayor of the Borough of Queenscliff and served the Queenscliff community as a Councillor for nearly a decade, and later in this meeting, Councillor Rose Hodge will be saying a few words to pay our respects to Susan.

Hopefully most people in our community would be aware that we celebrated International Women's Day this month, with the 2022 campaign theme #BreakTheBias. I was lucky enough to attend events at the Anglesea Community House and the Anglesea Golf Club while some of our other Councillors joined the community in various events across the Shire. There are so many inspiring things that women in our community have been achieving, and I would just like to give a big shout out to all who strive for a world free of bias, stereotypes and discrimination. Earlier this month, along with some of our Councillors and staff, I was invited to attend community meetings in Winchelsea and Anglesea, where we heard about so many positive initiatives being undertaken by volunteers in both of these towns, so thanks to all of you, and to many others in the community, who are working alongside council as I know that together we really can achieve better outcomes. Council was also very excited to secure funding from the State Government to install four electric vehicle charging stations in Lorne, Anglesea, Aireys Inlet and Winchelsea and the charging stations will be close to community and commercial infrastructure and, importantly, will also use council's 100% renewable electricity supply. So please keep an eye out for more news on this project. And finally, how can I not mention how great it's been for the community and our visitors to have events back in the region. The Aireys Inlet Music Festival last weekend was a great success. We have the Meadow festival in Bambra this weekend as well as

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

The Sound Doctor this weekend with some great acts in Anglesea. And if you haven't been yet, I highly recommend you spend some time enjoying the Lorne Sculpture Biennale which closes on 3 April. I have been down there and it's absolutely brilliant, so please get along to have a look at that. Now, moving on to our meeting, the community should be aware that 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 3 minutes. If Councillors would like to ask a question or to move, second or speak to a motion, please physically raise your hand and keep it raised until I acknowledge you. While it is wonderful to be back in the chambers for tonight's council meeting, I would like to acknowledge that a few of our Councillors are unable to be here in person, but are still able to participate in the meeting via Zoom. So please be patient with me in my Chairing tonight because it may take a little longer and if you need to keep your hand up for a little longer for me to be able to capture the vote appropriately, that would be much appreciated. So thank you, Councillors. I would like to remind the community that as Councillors, we are bound by the behaviour and obligations of our Code of Conduct and will perform our duties with integrity, working collaboratively to achieve the best results for the surf coast Shire. We are committed to our roles, accountable to the community and at all times aim to be respectful and ethical in all that we do. Our decisions and debate tonight will adhere to those values and principles. With that in mind, and in line with our governance rules, I would 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. At tonight's meeting, we will be discussing many issues of interest to the community, including our advocacy priorities, the flag policy, a project update on Bob Pettitt Reserve Bike Park, the grants review, a report on how we're tracking against council plan, and so much more. So let's get started. We don't have any apologies for tonight. So we can move on to item 1.5, confirmation of minutes, and Councillors, we have a recommendation before us to note the minutes of the council meeting held on 22 February 2022 as a correct record of the meeting. Can I please have a mover? Councillor Allen, thank you. And a seconder? Councillor Bodsworth. And Councillors, please note that item 6.2 in the minutes with regard to the flag policy was deferred at the February meeting and that the flag policy will be reconsidered as item 5.1 on tonight's agenda. So all those in favour of noting the minutes, please raise your hand? And that motion is carried unanimously. Thank you, Councillors. Leave of absence requests. I am aware that Councillor Barker has a leave request. Councillor Barker?

CR BARKER: I would like to request leave from 1 April 2022 through 1 June 2022 to stand as a candidate in the Federal election. I'll be ceasing to receive my allowance throughout this period. People who put their hand up for politics may be a glutton for punishment...

MAYOR STAPLETON: Thank you, Councillor Barker. Can I please have a mover of a motion to accept this leave of absence request? Councillor Pattison and seconded by Councillor Gazzard. And all those in favour, please raise your hand. The motion is carried unanimously. Thank you, Councillors.

Conflicts of interest, if a Councillor has a conflict of interest, they must declare it now and do so again just prior to the item being discussed. The Councillor will be removed from the meeting if virtual or will be asked to step aside into the Councillor lounge whilst the matter is being considered, and once the matter is resolved, the Councillor can return to the meeting. Are there any declarations of conflicts of interest? Councillor Barker.

CR BARKER: I would like to make the comment that I don't have a conflict of interest with item 5.3, although I have announced as a candidate for the upcoming Federal election. I'm yet to nominate. Therefore, under section 129(A) of the Local Government Act 2020, it is an interest that is so remote or insignificant that it could not be reasonably regarded as capable of influencing my actions or decisions.

MAYOR STAPLETON: Thank you, Councillor Barker. Are there any other declarations of conflicts of interest? No? Thank you, Councillors. And presentations. Councillor Hodge, would you like to make your presentation?

CR HODGE: Thank you, Mayor Stapleton. Susan Salter, before becoming a Councillor for the Borough of Queenscliff, was already admired in her community. She was a former maths teacher at Bellarine Secondary School, and after Susan's passing, many ex-students paid their respects. Some of the words were "she was a fabulous teacher", "a mentor", "a powerful force", kind, caring and an inspiration". Susan also served on the committee of the Community House and also on the Corangamite Catchment Authority. Susan was elected as a Councillor in 2011 and she gave selflessly for nearly a decade before resigning to battle her illness. She leaves behind a legacy of being a Mayor of 2017 and 2018 and she was also a Deputy Mayor. She worked tirelessly for her community but also represented the region in Canberra as a G21 representative, meeting many Ministers, including the then Prime Minister Turnbull. She also represented at G21 in education and training, in which she was extremely experienced and learned in, and I know former CEO Elaine Carbines thought very highly of her. Locally she loved her environment, especially the areas of iconic trees and landscapes and the township character of Queenscliff. I know Mayor Ross Ebbels and others will feel the loss. The Geelong Advertiser on 18 March wrote a lovely tribute, and many kind words were quoted by Federal MP Libby Coker and State MP Lisa Neville, and CEO Lenny Jenner, who is sitting next to me, also has a lot of good memories and times of Susan's dedication to her community. We express our sympathy to her family and friends, and I'd just like to finish with Lisa Neville's quote actually: "Queenscliff has lost a true community champion whose legacy will never be forgotten". Rest in peace, Susan.

MAYOR STAPLETON: Thank you, Councillor Hodge. Are there any other presentations from Councillors? Thank you. We will now move on to public question time. Members of the public who wish to ask a question are able to submit their written question in accordance with council's governance rules, and we've had three community members submit questions with a total of five questions to address. So firstly we have a question from Gannon Middleton of Torquay in relation to the intersection at the corner of Coombes Road and Surf Coast Highway. As Gannon isn't able to be at the meeting tonight, I will read the question on his behalf. Question 1, at the meeting on 23 November 2021, you stated that: A, the design work was being finalised by the

developer; B, the designs would be approved by the Department of Transport soon; and C, tenders for the construction works were expected to go out in early 2022. Can you please advise on each stage, confirming whether the design work has been finished by the developer, confirming the date the designs were submitted to the Department of Transport for approval and approve date if received, and when you now expect the tender to go out. Thank you for the question, Gannon, and given that it is very specific to operations, I'll direct the question to our General Manager, Brendan Walsh, to respond to. Thank you, Mr Walsh.

MR WALSH: Thank you, Mayor Stapleton. I have got a response from our team that I'll read out as a response to this question. In early March, the developers have been in contact with Council again and they've advised they're just finalising the designs of the Department of Transport but they expect the approval of the designs to be imminent. Council does not have access to specific dates that designs were submitted by the developer. However, the design process has been ongoing for about two years. The process they're following is a multistep process where the developer is required to initially submit a functional layout of the intersection for approval prior to being able to undertake the detailed design. The design has been back and forth between the developer and the Department a number of times to get the design to the Department's satisfaction. So as soon as the design is approved, Council will commence the tendering process as soon as possible. It will be a Council-delivered project. It is worth noting the developer has significant incentive by way of a withheld bond to progress this work.

MAYOR STAPLETON: Thank you, Mr Walsh. Next we have two questions from Susan Cahir of Torquay, which I will also read out on Susan's behalf. So the first question: fact 1, Urban Heat Island Management is a Council responsibility under Climate Change Act 2017. Fact 2: the policy objectives in the above Act must be strictly interpreted. Under Victorian legislation, as stated in guidance for local government decision makers, on page 10, "At law, statutory requirements for 'must' are to be strictly interpreted. The use of the word "must" under section 9(1) of the Local Government Act 2020 indicates that the overarching governance principles are compulsory obligations rather than aspirational objectives. Fact 3: more people die from heat stress than through any natural disaster including bushfires and floods. The source Risk Frontiers Holdings Pty Limited 21/12/2021. Fact 4: under current climate change scenarios, tree canopy should not be less than 30%, from Dr Greg Moore Treenet 2017. Fact 5: from Council's own data, less than 1% of all infringements are for parking on nature strips. Given the above facts, why does the Council elect not to enforce the illegal parking of cars, boats, trailers, caravans on our nature strips (Victorian Road Safety Law) to protect our trees and grass from dying due to compacted soil preventing water from penetrating the surface." Thank you, Susan, for that question and for your interest. Council officers only enforce parking of vehicles on nature strips if it causes a safety issue or impacts amenity such as blocking footpaths or driveways, and our experienced rangers are provided with some discretion to determine if a vehicle is parked safely. This is consistent with the approach taken by the sector, including neighbouring Councils. And I understand our officers have done some benchmarking against those Councils. The practice of enforcing vehicles parking on nature strips only when there is a safety or amenity issue is a topic that's being reviewed this year. There is a lot of interest in the nature strip policy, and the scope of this review, including community engagement, is yet to be developed. But I can ensure that officers will keep you updated as this

progresses. The second part of Susan's second question was why has the Council prioritised the storage of private vehicles, boats and caravans over their statutory duty of the Victorian Road Safety Law and mitigation of climate change as defined in the Local Government Act 2020? This is pointing to similar things but talks to storage rather than parking. So in relation to the storage of vehicles in a public place, this is prohibited in accordance with clause 6.6 of the new local law, which Council has passed. However, you can park your boat, trailer or caravan, for example, safely on public land for up to 7 days as this is considered parking and not storage. So anything beyond 7 days would not be permissible. So thank you again, Susan, for those questions. And, finally, we have two questions from Martyn Gilbert of Lorne, and fortunately Martyn was able to join us in the meeting, so I encourage you, Martyn, to come forward to the table and you can ask your question directly. Thank you.

MARTYN GILBERT: My name is Martyn Gilbert and I speak on behalf of my wife, Dani, behind me there, and thank you for the opportunity to ask this question of Council, or these two questions. In the preface, I would just like to say we live in the Surf Coast Shire. Our neighbour built a boundary retaining wall and dividing fences affecting five neighbouring properties without required building or planning permits. Council required the developer subsequently to apply for a retrospective planning permit which was refused by the planning - by a planning decision in 2019. Now after three years, the illegal structures remain and Council have advised me, us, that no further action is to be taken. My question to Robyn, the CEO, who is aware of this issue, number one: is it legal advice, Council policy or both that has recently caused Council to change their stance on this matter and to refuse to take steps to enforce its planning decision and instead pass the responsibility of enforcing compliance on to neighbouring property owners?

MAYOR STAPLETON: So I will refer that directly to the CEO to answer, as you've directed your question to hear. Thank you, Ms Seymour.

CEO ROBYN SEYMOUR: Thank you, Mayor Stapleton. I'm really sorry that I'm not there to actually answer this question in person, given you have made all the effort to come up from Lorne to be at the meeting tonight. But I look forward to meeting you soon, I hope. In relation to your question, Council did rely on legal advice to arrive at its current position.

MARTYN GILBERT: OK. Could you please explain that legal advice that has brought Council to this decision where I believe that the planning decision really is incumbent on Council to follow up with compliance where this particular fence has been found to fail planning controls, being that it's a chainmesh fence that's 2.2m high with barbed wire on top in a residential space. Could we understand please the legal advice that Council follows not to seek compliance with having that fence either removed or modified?

CEO ROBYN SEYMOUR: Thank you, Martyn. As you know, this matter has been a subject of an enforcement process and I know that officers have both written to you and spoken to you about a lot of these issues. I intend to also catch up with you to talk to you about it. So it might actually better if you and I have a conversation in person about that and particularly in relation to Council's legal advice in relation to the matter.

MARTYN GILBERT: Robyn, I would like to do that but I would just respond by saying that I think this issue goes far deeper than just our particular issue, where it seems Council will make a decision not to enforce its own decision and that sets a horrible precedent, where we're concerned, in that this same developer is about to embark on a building of a major construction and there's certain conditions attached which I'm sure he's less inclined to want to comply with, given knowledge that the Council's lack of appetite for compliance --

MAYOR STAPLETON: Martyn, sorry I'll just have to interject there, because with our governance rules it is two questions that are allowed and I know it's a really important that you want to understand more about, but I'll ask the CEO to follow up with that with you directly after the meeting. Thanks, Martyn. Cheers. We will need to keep moving. Thanks, Martyn.

There being no further questions, we'll move on to petitions. We do not have any petitions or notices of motion tonight. So we are up to item 4.1, which is the Moriac Structure Plan and the report in front of us is to present the Moriac Structure Plan background report for noting, prior to the publication for community engagement purposes. Do I have a mover for this recommendation? Councillor Schonfelder. Is that as per the recommendation?

CR SCHONFELDER: Affirmative, Mayor.

MAYOR STAPLETON: Thank you, Councillor Schonfelder. And a seconder? Councillor Wellington. Thank you. And Councillor Schonfelder, would you like to speak to the motion?

CR SCHONFELDER: Thank you, Mayor. I'd just like to thank the Council officers for the work they've done pertaining to this report and the importance of having a structural plan and I'd just like to make a few brief notes, if I may, in relation to Moriac, the fact that Moriac is located in Wadawurrung Country. It is within the peri-urban region of Melbourne but also part of the Western Gateway region in the G21 plan. Moriac is a small town with a relatively young population in comparison with other Surf Coast townships. It's interesting to note that the census has been conducted last year and we'll await the findings of the census, but I trust that the figures won't change too much pertaining the Moriac itself. Moriac is not targeted - and it is not a targeted node for population growth at a regional or local level and current policy recommends limited growth only. There are significant new growth areas in close proximity in Torquay, Winchelsea and Mount Duneed. There is a high demand for housing and a limited diversity of dwelling type. It is part of the Surf Coast hinterland economy, with chief sections - sectors, rather, including agri business, construction, public administration and education. Retail within the township is limited and Moriac residents rely on larger population centres such as Geelong, Winchelsea and Torquay for many goods and services. Tourism including agri tourism is a focus but the hinterland economy does not currently receive a high share of the Shire's tourism visitation. Moriac has a basic range of community facilities commensurate with a population of less than 1,000 residents and generally good access to public open space, including sporting ovals nearby in Mount Moriac. The Mount Moriac Recreation Reserve is also home to the

Barwon Valley Pony Club. I could talk about Moriac until the cows come home, but we look forward to community engagement and I welcome this initiative. Thank you, Mayor.

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

CR WELLINGTON: Thanks very much, Mayor Stapleton. Just a question, if I may. On page 10 of 16 of the Council - of the agenda and also on page 20, it talks about the time frame for the development of the Structure Plan and it talks about three phases. Phase 1, which is I guess what we're doing now, and stage 2 is developing the Structure Plan and phase 3 is finalising it. But it doesn't actually say what the timing is. So I just wondered if somebody could first of all just tell us what's anticipated in terms of how long this process will take. It does say on page 20 of 610 the time line shown approximate guide for each of the phases but in fact there are no time lines shown.

MAYOR STAPLETON: I'll just refer that to our CEO, Ms Seymour.

CEO ROBYN SEYMOUR: Thanks, Mayor Stapleton. That's a good question, Councillor Wellington. I'll refer that to our General Manager Placemaking and Environment.

OFFICER: Thank you, and through you, Mayor Stapleton, so Councillor Wellington, pending approval or endorsement of this background report tonight, the team will commence community engagement in April with the Moriac community. They expect to then probably through May and June have a draft Structure Plan developed with probably - once that comes back through Council, to have that out for public submissions around August and then following that submission, the intention would be by later in the year, probably October/November to have a final Structure Plan back to Council for approval and then all going well, then 2023 would see that Structure Plan going through the formal process to amend the Planning Scheme.

CR WELLINGTON: Thanks very much. I wonder if that could be included in the background document. It's quite important to the community I think to know that, so it's good that those time lines exist, and it would be good to have that as part of this background paper. So effectively what we've got tonight is the background paper that was the community consultation to support the development of the Structure Plan. Moriac is just the most beautiful little township and it's a modest size and it's got a small business and commercial centre, which is valued by the community, but it's a real little country town with a beautiful atmosphere. It does have some structural issues with the road and its proximity to the quarries and the railway line running more or less sort of in close proximity to the town and I think all of those issues - the issues of traffic and how much development is going to be permitted or required in the future, and how the railway line is going to be dealt with and where future growth may occur - I mean, there's been modest and acceptable growth to the community over the last several years that I've been a Councillor. I think it's been quite welcomed and the new subdivisions are really nice and because - for various reasons, they're all on good blocks and people love that sense of country town, larger blocks and family orientation and beautiful playgrounds and public facilities and fabulous sporting facilities at Mount Moriac, so what we want to do with the Structure Plan is make sure we retain all the beautiful characteristics of Moriac and make sure that it just improves in accordance



with a robust framework in the future. I think the background paper gives a lot of terrific information for people to think about, as they think about what would the future of Moriac be, and it's a good process. In fact, we've pulled that information together from various sources and so it's a really good process for people to go through that and think about what does that mean for the town in its current form and what should it be like in the future. So I am really looking forward to this process. There's a really effective Moriac community network. Some terrific community leadership in Moriac and they'll be very keen to be involved and really active from a liaison point, I would imagine, between Council and community on the project. So I'm looking forward to this process of engagement and hopefully we'll come up with some great future - really good future stuff to plan for the township. Thank you.

MAYOR STAPLETON: Thanks, Councillor Wellington. Did any other Councillors want to speak to this motion? Councillor Gazzard?

CR GAZZARD: Thank you. I agree. Moriac is a lovely little town and I think the is a really good example of utilising the information from the People Place Future engagement processes and we've identified the top priorities for an ideal community, as identified by Moriac and district respondents, which I think there were over 60 of them in this engagement process, and their top priorities include shared open spaces, protected natural environment and sustainable built environment. The protecting the sense of character of their town, access to community amenities by bike and by foot, local-owned businesses and a well-maintained public domain, and of note it's a relatively young population in Moriac with a median age of 37 and 28% are aged 0 to 14, which I found surprising. But having a young family centred community really shows how important a lot of these priorities are and, yes, we encourage submissions from the community to partake in this process.

MAYOR STAPLETON: Thank you, Councillor Gazzard. Any other Councillors? We will now put the motion to -- sorry, thank you. Councillor Schonfelder, would you like to make some closing comments?

CR SCHONFELDER: I would simply like to reiterate the sentiments expressed by Councillor Wellington and Councillor Gazzard. I would even go a bit further and say that Moriac is magical, in my opinion, and keeping the small town feel is so important in relation to the Council plan going forward. So I really welcome once again this initiative. Thank you, Mayor.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. And we will now put the motion to a vote. All those in favour? And the motion is carried unanimously. Thank you, Councillors. We now have item 4.2, which is amendment C139 for the Torquay-Jan Juc DCP implementation, and the purpose of this report is for Council to considered a opting amendment C139 and to forward the amendment to the Victorian Minister for Planning for approval. Do I have a mover for this recommendation? Councillor Hodge. Thank you. And seconded by Councillor Gazzard, and Councillor Hodge, would you like to speak to the motion?

CR HODGE: Yes, thank you, Mayor. The purpose of this document is to list the infrastructure items to provide over time in Torquay and Jan Juc - it's to calculate

contributions and explain and justify all the infrastructure and the methods of calculating. So it's a very important piece of work that's been done and been revised. There were two submissions on this and they were resolved, so we did the - we started the review in 2019, voted on it in 2021 and here it is in front of us again. So it's an updated and a scope of costings for this area and it's improved clarity and I think that's really important for the community, especially for the improved clarity of works in kind by developers. So I recommend this report to all Councillors and for adoption. Thank you.

MAYOR STAPLETON: Thanks, Councillor Hodge. And Councillor Gazzard?

CR GAZZARD: Thank you. Yes, I think it's important that the new developments - that they contribute to the infrastructure of the community. If you read through all of the report, it's quite difficult to understand sections but the levies have all been decided on the Nexus principle. This is just a review of the plan and I endorse it to get it pushed through to the Minister.

MAYOR STAPLETON: Thanks, Councillor Gazzard. And would any other Councillors like to speak in Councillor Wellington?

CR WELLINGTON: I would like to ask a question. Just for context, there's an item later on the agenda where our current tendering process showed that the budget prediction was grossly under-predicted - if that's the correct way to say it - partly as a result of COVID, et cetera, that the actual tenders coming in has been - the costs coming in have been significantly higher than the anticipated costs. I just wondered what happens with the DCP, if the cost of this infrastructure is higher than predicted and there's insufficient funding in the DCP? Who bears the risk to of that? I am assuming it is Council. I'm just assuming it is Council but I am hoping I am wrong.

MAYOR STAPLETON: Thanks, Councillor Wellington. I'll refer that through to our CEO, Ms Seymour.

CEO ROBYN SEYMOUR: Sorry, I am not managing my mute very well tonight. Thank you for the question, Councillor Wellington. I think in the instances of - let me just refer that actually. I'll refer it to the GM of Place Making and Environment.

MR WALSH: Thank you. Through you, Mayor Stapleton, that is right, Councillor Wellington. The risk will fall onto Council. Part of the review of this DCP was to review the current costings. They were nine or so years old at this point, so the costings were reviewed, the levies were amended at that time to better look at the current cost, but once again, this work started in 2019, was finished through 2020 and the costs arrived to will be the ones that we have, and so with the huge fluctuation in pricing over the last 12 months, particularly the last six months specifically, Council will have a risk there with delivery of future infrastructure, no doubt.

MAYOR STAPLETON: Thanks, Mr Walsh.

CR WELLINGTON: Mayor, if I could just ask another question. I presume it's a financial risk because my understanding is with the DCP, we're locked into delivering the

infrastructure so we can't make a choice of not delivering it so we will carry the financial burden if we end up being 20, 30, 40% out in our predictions, which I think we have been, and I'm not suggesting that - it's the circumstance of the environment, but I'm just wondering if that's been taken into account, if these costings were done a year ago, before that escalation in building costs, has it been taken into account and once it gets locked into the Planning Scheme, are we then locked into a potential risk of a 30, 40% under-estimation of costs?

CEO ROBYN SEYMOUR: Mayor Stapleton, perhaps I can respond to this. Councillor Wellington, the prices have been fluctuating quite a lot and I guess they've escalated significantly even in the last few weeks and month as a result of world situations. So it's part of why the review of the DCP - doing this review, we are putting this in place because we needed to make sure that the costings were current for our current time. If we need to review it again in the future, then we may need to do that. But it has taken into account the fluctuations that have occurred in the last couple of - well, during the time of the review. It was 2019 when we started the review, but in terms of the future, in five, ten years time, if we - as we work through the delivery of the different infrastructure components, if we need to do another review, then we will.

MAYOR STAPLETON: Thank you, Ms Seymour. So Councillor Wellington, did you want to speak to the motion?

CR WELLINGTON: Yes, I am still a little bit unclear. If we review it again in - if we review this again in five years time and we find that we've under-estimated our costs, does that mean developers of the future pay for our under estimations of the past or does it mean that the developers who were involved have been hit with an additional levy at some time in the future when we realise the costs were under-estimated? I am not clear on that. And to me there's no discussion in the document about that, as far as I can --

MAYOR STAPLETON: Councillor Wellington, I might just refer that back to Ms Seymour to respond for you.

CEO ROBYN SEYMOUR: Councillor Wellington, in terms of the concern around the risks of the escalation of price, most of the infrastructure has now been delivered so actually the scale of risk is actually not as great as it would be if we were at the beginning of the process of the delivery, so it means that actually the risk we think is manageable and it's not very significant at this point. But we will continue to monitor it.

CR WELLINGTON: Thank you for that very much. I'm happy to support it on that basis, but I do think that that financial risk around locking ourselves into contributions presented to Councillors and the community, depending on (inaudible), depending on where in the process we are with the DCP, I think the DCP is hugely important because you can't have new development without community-funded infrastructure and the developers clearly ought to contribute in a way that is fair, and fairness to me in this circumstance means that Council doesn't bear all the risk of price variation, and so whether that can be looked at in future DCPs - I take your point that it's towards the end of this process and, therefore, the risk is low and on that basis I'm happy to support it, but I think it's worth thinking about because I was probably quite shocked to see the

agenda item later when we talk about the difficulty of getting contractors to do what seems to be even really basic work on community infrastructure. So we're in a difficult spot at the moment. But I'll support it on that basis, thank you.

MAYOR STAPLETON: Thanks, Councillor Wellington. Are there any other Councillors who would like to speak to the motion? Councillor Hodge, did you want to make any closing comments?

CR HODGE: Quickly. There is a built-in flexibility for the timing of infrastructure delivery so I would assume that with costing of anything, that there is a flexibility there, but that's all I would like to say, thank you, Mayor.

MAYOR STAPLETON: Thank you, Councillor Hodge. Sorry, Councillor Barker, I think you may have put your hand up to speak to the motion and I missed it. Councillor Hodge has now made closing comments. Did you want to speak to the motion?

CR BARKER: I just wanted to highlight that a lot of this is related to State Government policy that direct what I think is the overly regulated aspect of developer contributions, but that's outside of the realm of our control, so I just wanted to highlight that it's not totally as a result of Council policy decision making.

MAYOR STAPLETON: Thanks, Councillor Barker, and apologies, Councillor Hodge. You can make more closing statement?

CR HODGE: No, that's OK.

MAYOR STAPLETON: Thank you. So we'll now put the motion to a vote. All those in favour, please raise your hands. And the motion is carried unanimously. Thank you, Councillors. Now moving on to item 5.1 on the agenda, which is the flag policy SCS-035. So Councillors, as you know, this matter was considered at the 22 February Council meeting and deferred. Questions raised by Councillors at the February meeting have been investigated by officers and this information has now been incorporated into the report that we have here and the attached flag policy. So I have confirmed that the changes to the Council report does not impact on the motion moved by Councillor Hodge and seconded by Councillor Gazzard at February's meeting and after taking advice, I propose that Council progress the debate from the point of the motion being moved and seconded. So I'll start with you, Councillor Hodge, if you would like to please speak to the motion.

CR HODGE: Yes, thank you, Mayor, and that is the one with the added transgender flags on it.

MAYOR STAPLETON: Would you like us to put the motion up on the screen?

CR HODGE: No, I have it here.

MAYOR STAPLETON: We might put it up for all the Councillors to see. Thanks, Councillor Hodge.

CR HODGE: Yes I moved this last month and I'd like to thank the officers for the work that they've done just ensuring the clarity of the different flag polls that we have outside and I think it's made it a lot clearer. I've spoken on this last month and I hope - it is accepted by Council. These are two very important dates of people that have come to me over the time and I think it was just something that we accidentally left out but it's there now. But also the work, as I just said, the officers have done on really clarifying the policy, making sure that the national flag is flown with all the priorities in the workings of the national flag. It adds consistency. We've benchmarked against other Councils and we've reviewed the effectiveness in relation to community requests and I really do like it that if there is a request that comes in, the CEO now can have a look at that request and see if it's appropriate to do, flying a flag, and there has been requests in the past. I remember when Red Cross celebrated their 100 years, we flew their flag and in times before when we had a China and a Saudi Arabia team come out for the soccer, we could fly their flags. There could be a few people not keen on that at the moment. But there are times when we get requests. Why I wanted this one with the transgender, we had a community meeting here in November and, of course, they couldn't fly the transgender flag because it wasn't in our policy, so they had to just have it in the room. So I think this clears it up. It's only two days a year and I think it's very important and symbolic to people that like these flags and it adds to their symbolic of their diversity of our area and the minorities that they're in. Thank you.

MAYOR STAPLETON: Thanks, Councillor Hodge, and Councillor Gazzard?

CR GAZZARD: Thank you. I think the two parts to this motion are the raised awareness of the Australian Government flag protocols and that we - I didn't realise you weren't allowed to fly flags half-mast if they weren't all in the same group but I think our compromise is having the Aboriginal and Torres Strait Islander flag separate from the Australia flag on 26 January and flying those at half-mast. I think that's been overall positively received and really an important step in our journey towards reconciliation with First Nations peoples. So I think that this is something that we should continue to do.

And the second - the amendments that Councillor Hodge has added with Transgender Day of Visibility on March 31 and Transgender Day of Remembrance on 20 November - and, as I said, I reeled off some statistics in our last meeting - transgender people are among the most vulnerable in our community, and if by flying a flag two days of the year can help show them that they are included and accepted in our community, and if that can prevent even one death or one person from feeling alone, then I think that's really worthwhile. Transgender people are at far higher risk of unemployment, anxiety, depression and suicide, as well as higher death rates from transgender violence. I'll just read out an excerpt from a trans woman, Amity, that I spoke to you last time about. She's written about Trans Day of Remembrance. "Trans Day of Remembrance is preceded by Trans Awareness Week. The underlying messaging of both trans events on the calendar says it all: Please acknowledge us and please stop killing us. So please don't remember. Care me about while I'm still alive. Stop erasing me. Centre my experiences. Listen to my voice. Fight alongside me while there is still something to fight for because I don't want to be another trans death, another preventable tragedy, that will prompt your outrage and your pity. I don't want people to say my life could have meant something if you make my death the moment we finally

decide to do something to take action because my life already means something. In fact, it means everything". Thank you.

MAYOR STAPLETON: Thanks, Councillor Gazzard. And would any other Councillors like to speak? Councillor Allen?

CR ALLEN: Thank you, Chair. This may seem to many as unimportant in the total scheme of our responsibilities - rates and roads are seen perhaps by many as more people. But if I may for a moment draw upon my experience as a teacher and school administrator. Reading and writing are core responsibilities of an effective school, but so is the building of school culture, values and symbolism is a very important ingredient in developing important values. What distinguishes excellent schools from competent schools can be seen in their culture, their beliefs and their values. I believe the same is true of any organisation wishing to pursue a healthy and engaged community. Symbols speak to the majority but possibly more importantly, they give a voice to the marginalised. In supporting this motion, I believe we have got the correct balance. It has taken time and adjustments but it speaks to what we as the Surf Coast Shire symbolise - care for one another and inclusion. Thank you.

MAYOR STAPLETON: Thanks, Councillor Allen. Would any other Councillors like to speak to the motion? Councillor Wellington?

CR WELLINGTON: Excuse me, Mayor Stapleton, I have a procedural motion, please.

MAYOR STAPLETON: Go ahead, Councillor Schonfelder.

CR SCHONFELDER: I move that the motion be put.

MAYOR STAPLETON: Is there a seconder for that procedural motion? Councillor Pattison. Do we need to vote on that procedural motion? So all those in favour of the motion being put, please raise your hands? OK. Councillor Schonfelder, the motion has not been supported, so Councillor Wellington, you can go ahead and speak, thank you.

CR WELLINGTON: Thanks very much, Mayor Stapleton, and thank you to my Councillors for not supporting what is effectively a gag motion actually. The reason that I think I moved this item be deferred at the last meeting - the reason that I did so is because there was an inconsistency in it. The paper at the last meeting said that we wished to comply with the national (inaudible) and then it said we would be flying the Aboriginal and Torres Strait Islander - the Aboriginal flag at half-mast on Australia Day, and because the national protocol required the Aboriginal flag and the Australian national flag to fly together and because our protocol said we would fly them - actually, because our protocol said we would fly them together on the main flag poles at the entrance and to the north side of the building, if we put the Aboriginal and Torres Strait Islander - the Aboriginal flag at half-mast, we would have had to have flown - the Australian national flag at half-mast, and that was very unacceptable to me. Can I just clarify with officers again whether the national flag protocol requires the Aboriginal flag to be flown with the Australian flag? I think that's correct, isn't it?

MAYOR STAPLETON: I'll just refer that to our CEO, Councillor Wellington.

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

CEO ROBYN SEYMOUR: Thank you, Mayor Stapleton. That's not my understanding, but I'll refer it to the General Manager of Community Life for clarification.

OFFICER: Through you, Mayor Stapleton, no, that's not my understanding either from the protocols. They can be flown separately.

CR WELLINGTON: Thank you. So what we're proposing now is that on Australia Day we'll fly the Australian flag at full mast at both the front and the two main flag pole positions of the Shire and we'll fly the Aboriginal flag I think it would be the pole - the front lawn flag pole, which is separate from the Australian flag. If officers are correct and that is consistent with the national flag protocol, I'm happy with that. From my perspective, I would never, ever support a motion that required the Australian flag to be flown at half-mast on Australia Day. So I'm very happy that that's been addressed basically and I don't have - I mean, I don't have any problems at all with the rainbow flag, the LGBTQIA+ flag, the RSL flag, all of the other flags that we've got being flown at various times to acknowledge the importance of events to various groups in the Shire. So that's not my issue at all. My issue with flags in the Shire in the past have been their use as political advocacy tools and that's not what this is about either. So I'm happy with this policy, assuming that officers are correct and that we will be taking that on good faith and if it's not correct, I guess I'll bring it back. But I'll take that in good faith that it is correct, that we can do this and I'm happy to support it. And I really again - I am happy that Councillors didn't support a motion to put this motion of not allowing Councillors who wanted to speak to do so.

MAYOR STAPLETON: Thank you. Councillor Bodsworth? CR BODSWORTH: I would like to thank the other Councillors for their words on this, which I found very moving and compelling. I would also like to acknowledge Councillor Wellington's efforts from our last meeting to clear up the issue of the Australian flag protocol, which I think was a good thing for us to square away, so I agree we're in a good position with this and I do think it represents a good balance and I am very grateful to the other Councillors for their words.

MAYOR STAPLETON: Thank you, Councillor Bodsworth. Councillor Barker, I notice you had your hand up too.

CR BARKER: Thanks, Mayor. I would also like to thank fellow Councillors for not having the motion being put. I think it's essential that items are debated, whether or not you like to hear other points of view. The policy in the flag schedule at appendix 1 of the policy, while attempting to be inclusive, only creates a wedge in the community by advocating for small percentages of the community while plenty of other groups that could benefit from government advocacy are omitted. Councillors Hodge and Allen raised the symbolic nature of flying flags. I'd rather focus on pragmatic policy that lifts government's interference in people's lives rather than the symbolic nature. As such, I won't be able to support the motion.

MAYOR STAPLETON: Thank you, Councillor Barker. Councillor Hodge, would you like to make any closing comments?

CR HODGE: Yes. Just very quickly. I too - and I think everyone around the table - wanted to make sure that the national Australian flag was never involved in this and so that's good. And also when we put the motion, it is a procedural motion. It's in our governance rules so it is allowed but it was good to hear the debate tonight. So thank you, Councillors. If you support this, I think it will not only be symbolic, but it will be very, very gratefully received by the transgender and all the other groups out there that know they now can come and go through the CEO for any other wants or needs that they feel. So thank you, Mayor.

MAYOR STAPLETON: Thank you, Councillor Hodge. We'll now put the motion to a vote. All those in favour, please raise your hands? And all those against? And the motion is carried 8/1. Thank you, Councillors.

Moving on to item 5.2 on our agenda, which is Enabling Communities in Action and the grants review. So the Council's grants programs have been reviewed and recommendations are made to align the program with best practice, the current Council plan and community vision and to ensure good governance. This grants policy will provide centralised oversight of the program, ensuring it is more strategic and that the administration of grants is guided by governance best practice. Do I have a mover for the recommendation? Councillor Allen. Is that as per the recommendation?

CR ALLEN: As per the recommendation, Chair.

MAYOR STAPLETON: Thank you, and a seconder? Councillor Bodsworth, thank you. And Councillor Allen, would you like to speak to the motion?

CR ALLEN: Thank you, Chair. Council grants are a very important part of our support for grassroots community initiatives that foster engagement and innovation. They take advantage of the wealth of talent throughout the Shire and as is often the case with grant dollars spent, there will be a multiplier effect in the community, stimulating local enterprise and employment. The program most importantly supports organisations with smaller volunteer membership and the amounts allocated give a welcome boost to the work that they undertake. The review undertaken this year targets our small grants, arts seed funding and COVID recovery grants, excluding events grants, which were reviewed in 2020. I believe most Councillors would like to see additional funding for these grants, and that discussion will take part in our budgetary process. The consultation undertaken as part of the process last year indicated that the community members participating wanted to see more flexibility, accessibility and innovation in the program. There was a feeling that the application effort was often not commensurate to the funds sought and the groups could take greater ownership over the process with unnecessary time delays in gaining approval. From personal experience, I agree with these observations. Before becoming a Councillor, I was an applicant on many occasions and if I may modestly say, with great success! The review stresses that the grants should, as much as possible, be equitable, always transparent, properly acquitted with the outcomes effectively communicated in the community, and that the policy should be regularly reviewed. But I also note a major change, in that as part of this recommendation, if we accept it, that we as Councillors are not included in the approval process and, if the motion is passed, it will speed up the delivery of the grants and reduce any potential conflict of interest in the process. So I'm happy to support the



motion. Thank you, Mayor.

MAYOR STAPLETON: Thanks, Councillor Allen. And Councillor Bodsworth? CR BODSWORTH: Thanks, Mayor. I also strongly support this, the small grants, the grants program comprising small grants, arts grants and COVID recovery. It is an absolute winner. I think all of us have had the pleasure of participating either as applicants in the past, like Councillor Allen has just mentioned, or has been present at grants ceremonies and all of us have got contact with groups who benefit from the program. So I think in our municipality, we're really lucky with the social capital that we have, with the calibre of the people in our communities, so it only makes sense that we make the most of that and it's obvious that us Councillors are not always going to come up with all of the good ideas that are out there and that the community's often comes up with things that make us - that are just fantastic ideas that we strongly support. So I think that the move to a more strategic approach, the rigour that went into this review in 2021, noting that the Victorian Auditor-General's Office and the Local Government Inspectorate provided guidance on best practice in grant programs, and that's been incorporated, so it's a thorough, well-reserved review and, look, again I reiterate the point that I think it's just helping us make the most of the talent that's out in our communities. And finally I would just like to commend the effort that people put in and encourage them to keep it up and keep applying. Thanks.

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

CR BARKER: Thanks, Mayor. It appears we have an opium addiction within the organisation - grants that go to small sectors of the community and end up being paid by every ratepayer. Other people's money is not to be frittered away as proposed in this policy. A challenge (inaudible) that for every \$1 Council contributes to grant funding, a return of \$5 in value is contributed by the community. Had that money not been forcibly taken from the community through rates in the first place, it could have voluntarily been given to causes valued by individuals who made that money and potentially raised a whole lot more for those projects. We as a society need to learn that attempting to be noble by using funds that isn't ours is actually detrimental overall in the long term. Our per capita share of debt at the local level is currently sitting at around \$450. If we keep going down this path of big spending you can be guaranteed we are causing problems for future Councillors and the rate-paying community more broadly. I would like to move a motion to scrap this policy altogether but that would be inconsistent with our governance rules.

MAYOR STAPLETON: Thank you, Councillor Barker. And Councillor Wellington?

CR WELLINGTON: Yes, thanks, Mayor Stapleton. I've got a fair degree of sympathy with what Councillor Barker has said, but on the other hand, I also have - I know how much some of our small community associations who are doing really, really good work rely on these grants. I'd like to see more transparency and accountability around the grants and I think that this policy will actually improve that. So I'm going to support it. But I suppose the other thing I would like to see is that there is real outcome in terms of sustainable community change as a result of grants. So my view is we shouldn't be giving grants for events that last for a day and don't have sustainable - and

actually benefit a defined group of people but don't have a sustainable outcome for the community as a whole. So I'd like to see a more strategic approach and I think that's really what this policy is trying to achieve. And I'd like to see the grants - I do notice that we provide far less per capita than some of the other Councils quoted, and I just note that, I guess, but I don't think we're being overly generous with grants. I see some amazing projects coming through the community, like the walking arboretum project in Winchelsea. If that is funded - and it will be a combination of grants, small grants and large grants and what have you, and community contributions - that will make a sustained - a really long-term contribution to Winchelsea's health and wellbeing, the community's health and wellbeing and the attractive of the town for business and a whole lot of other outcomes that are really sustainable. So that probably started with a small grant - I can't quite remember - but to develop a proposal even. So I think that there are real benefits in those sorts of grants but they need to be very strategically allocated and I'd like to see a lot more data about where they go and which groups get the greatest benefit out of them and what the ongoing outcomes are, and I agree that the \$5 per \$1, I have never seen that substantiated anywhere. I don't know where that comes from but I would like to see it substantiated. So I'm supportive of this policy but with some sympathy for - quite a considerable sympathy for what Councillor Barker is saying. Thank you.

MAYOR STAPLETON: Thank you. Councillor Schonfelder?

CR SCHONFELDER: Yes, Mayor Stapleton, I have a question. I may have misheard Councillor Barker. Was he moving a motion saying that he didn't want this grants project or he was just simply saying that he didn't want it?

MAYOR STAPLETON: He did not move a motion, Councillor Schonfelder. Just to be clear. Councillor Barker spoke to his desire to do something like that but he didn't actually have move a motion in the debate. Thank you.

CR SCHONFELDER: Thank you, Mayor.

MAYOR STAPLETON: Councillor Schonfelder, were you wanting to speak or was it just the question?

CR SCHONFELDER: No thank you.

MAYOR STAPLETON: Thank you. Councillor Gazzard?

CR GAZZARD: I have to disagree with Councillor Barker on this one. I think grants are such an excellent way of enabling our community and taking some of the onus off Council as to providing community with services. The result of some of the Council grants - so Council grant funding has contributed toward a diverse social and environmental outcome such as electric vehicle charger at Moriac, arts projects including the development of choirs, production of recordings, murals and collaboration with First Nations artists, support of numerous community and tourism events, meaningful support of volunteers, for example, purchase of essential safety equipment for the local SES volunteers, development of varied and new sports and recreation opportunities, for example Torquay Little Athletics. So I think actually the broad

community do benefit from these things. For example, SES volunteers service everyone in the community and you don't know that you need them until you do. So I think the benefits to our community far outweigh the cost, the financial cost, of those grants and the return is really a lot better than some of the investments that we otherwise do. I'm really impressed with the grants review. I think ensuring our grants program remains effective and in line with best practice is really important and remaining flexible for the community to be able to continue to apply for these grants throughout the year is really guard. Thank you.

MAYOR STAPLETON: Thanks, Councillor Gazzard. And we'll now put the - sorry, Councillor Allen, would you like to make any closing comments?

CR ALLEN: No, thank you, Chair.

MAYOR STAPLETON: Thank you, Councillor Allen. We'll now put the motion to a vote. All those in favour, please raise your hand. And all those against? Thank you. And the motion is carried 8/1. Thank you, Councillors. Moving on to item 5.3, which is our advocacy priorities. So this next report is seeking Council's endorsement of its advocacy priorities. Council's advocacy program seeks and gains support for priorities and projects of importance to the Surf Coast Shire community. Council often advocates to other levels of government to create funding partnerships for projects or to influence policy outcomes that bring benefits to our communities. The report before us recommends three tiers of advocacy priorities ranging from strategic priorities such as seeking significant funding for the proposed Surf Coast Cultural Centre, to major priorities like increased rail services to Winchelsea, and, finally, the third tier of standard priorities that can be included at any time such as projects identified through Council's Community Project Development Program. So do I have a mover for the recommendation before us? Councillor Pattison, thank you. And is there a seconder? Councillor Barker. Thank you.

CR BARKER: No, I just need to make the comment about conflict of interest, Mayor.

MAYOR STAPLETON: Oh, thank you, Councillor Barker. Please go ahead.

CR BARKER: Although I've announced that I'm a candidate in the upcoming Federal election, I am yet to nominate. Therefore, under section 129A of the Local Government Act 2020, an interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing my actions or decisions.

MAYOR STAPLETON: Thank you, Councillor Barker, and thank you for the reminder there. Moved by Councillor Pattison. And seconded by Councillor Gazzard. Thank you. And would you like to speak to the motion, Councillor Pattison?

CR PATTISON: Yes, thank you. I'm trying to find the mute button but it's not there! Yes, these advocacy priorities are really important and these priorities ensure that our advocacy efforts are targeted and are aligned with our community goals, and they're drawn from obviously our Council plan and the direction and the strategy of our Council, and it's really great to ensure that our priorities are aligned so that we can - so that when we're negotiating or chatting or meeting up with relevant state or Federal

politicians, that we can clearly articulate whether our strategic priority, such as the Surf Coast Cultural Centre, or other issues such as the increased rail services and the like. And it's also really important in these upcoming state and Federal elections for 2022 that we have a really clear strategy and priority for our advocacy. So there's lots of opportunities through this aligned priority of advocacy - aligned advocacy priorities for partnerships with other levels of government and ultimately that really benefits our Surf Coast community. And it's set out in a really clear way, the priority documents, so it demonstrates how each of the priorities align with our Council themes from the Council plan. But obviously the most important one or our strategic one at the moment is the Surf Coast Cultural Centre, which is really important, and I do encourage our community to get behind this advocacy priority, our community needs more cultural facilities such as an increased library, as we grow. The library is the heart and soul of our community. And so ensuring that we can get the funds to provide the Surf Coast Cultural Centre is dependent on having it on the top of our advocacy priority. So for anyone who isn't familiar with the Surf Coast Cultural Centre, at our last Council meeting last month, we endorsed those designs and plans for that, so check it out on the website. It's easy to find. And I do also encourage you to contact your local candidates. Let them know how much you care about the Surf Coast cultural facility because when our politicians are aware that our community cares about our Cultural Centre, that's what's important and that's what helps them to make decisions about whether there's any additional assistance that may be forthcoming in this year. So it's a great priority document. It's worth everyone having a look at. And I endorse it for you all.

MAYOR STAPLETON: Thank you, Councillor Pattison. And Councillor Gazzard?

CR GAZZARD: Thank you. Yes, I agree with what Councillor Pattison has said. I think it really frames the strategy that we're trying to achieve and I like the different subtitles for First Nations reconciliation, a healthy connected community, environmental leadership, sustainable growth, robust and diverse economy, arts and creativity, and accountable and viable Council, which is all in keeping with our Council plan. The only thing - so there's a lot of emphasis on improving active transport, walking and cycling, provision of local services for family violence, mental health disability, aged, alcohol and drug use, environmental leadership. The only thing that I would change is going - our urgent reduction in greenhouse gas emissions, I would say to achieve at least 100% reduction by 2030, but we'll just leave it as it is. But moving towards a circular economy and all the things that have been outlined in our Council plan, really important. And, yes, I'll reiterate the plug for the Surf Coast Cultural Centre, so everyone listening out there, you should start talking about it and vying for more money, if you can. Thank you.

MAYOR STAPLETON: Thanks, Councillor Gazzard, and would any other Councillors - Councillor Barker?

CR BARKER: I think we should be able to stand on our own two feet financially. I'm sick of us having to put our hand up to get help paying for infrastructure that ostensibly only supports those who live within the Shire. I think it's unfair to taxpayers in Wollongong, Albany, Tamworth or Exton, that they should be financially contributing to what is being spent here. I am happy to hear any persuasive arguments to the contrary though. But we have an addiction that we need to get over.

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

MAYOR STAPLETON: Thanks, Councillor Barker. Councillor Wellington?

CR WELLINGTON: Thank you. We do have an addiction, but --

CR SCHONFELDER: Mayor Stapleton, I just have a point of order. Councillor Barker and Councillor Wellington referring to "addictions" I find is inappropriate and I'm hoping they're not making light of people with drug and alcohol problems.

MAYOR STAPLETON: Councillor Schonfelder, I'll take that as a comment rather than a point of order and just note that you perhaps were offended by the use of the word "addiction" and encourage Councillors Barker and Wellington to use that in I guess the way that it's intended. Thank you, Councillor Wellington. If you would like to --

CR SCHONFELDER: Mayor, I would just like to add that I would ask them through you to refrain from referring to the notion of "addiction" please.

MAYOR STAPLETON: Well, Councillor Schonfelder, I won't ask them to do that because the word "addiction" is something that can be used in other contexts rather than just drug and alcohol and I don't think there was any reference by Councillor Barker and Councillor Wellington to drug and alcohol addiction. So I take your point and acknowledge it but I will now allow Councillor Wellington to continue with her time.

CR WELLINGTON: Thank you, Mayor Stapleton. I certainly wouldn't make light of addiction to people with drug and alcohol, people with problems like that, but the word "addiction" can be used in many contexts and Councillor Barker was clearly talking about an addiction to Federal funding, and I can't see that there is anything wrong with that. So I'll just leave it at that. I see in these strategic advocacy priorities we have some good ones like funding for the walk, rest and play project in Winchelsea, expansion of eastern reserve, we've got various electric charging stations, we've got rail services, the shuttle, that's incredibly important for Winchelsea, and in the middle of it we've got a whole lot of political things like removal of the requirement for citizenship ceremony on 26 January, so we're pursuing an agenda which in my view is not ours to pursue. We could acknowledge the issues around 26 January but I have not had anybody in the community come to me and say, "This is one of my priorities for you as a Councillor". I haven't had anybody come to me to say, "I want you to really pursue the offshore - the secession of offshore resource exploration". Simply not an issue for anybody in the community that has ever spoken to me. So how on earth it gets on our strategic - well, I know how it gets there, but I don't support it being there. It's ridiculous. We're turning this Council into a political advocacy lobby group and it's driven by the politics of individual Councillors in my view. So we have some very legitimate, important things on this and all of these things are legitimate and important but they need to be addressed at different levels of government. They're not ours. And we should not be spending ratepayer resources, which Councillor Barker eloquently points to many, many times, about the way that we - we get a compulsory levy from ratepayers and we're going to spend it and advocating about offshore gas, amongst other things, about all sorts of other things that are really - that are important things for government but not this level of government. I don't support it. It makes these things - it legitimises - by putting them in the strategic priorities, it tries to legitimise them for local government

and I think if we went out and said to our community, "Here is a further - anyone can take part; let's ask you what your priorities are", I bet you that offshore gas wouldn't feature in it anywhere and I don't believe that some of these other things would feature in it either. So I'm not supporting this. I think it's just a political - it's a very good document interspersed with political ideology and I don't support it.

MAYOR STAPLETON: Thank you, Councillor Wellington. Councillor Hodge?

CR HODGE: Can I just have a point of clarification about the advocacy for the ceremony. Wasn't that voted on as a Councillor recommendation earlier this year? So it's actually been passed by our Council to advocate for - that's all.

MAYOR STAPLETON: Thanks --

CR WELLINGTON: Can I just have a clarification as well, Mayor Stapleton.

MAYOR STAPLETON: Go ahead, Councillor Wellington.

CR WELLINGTON: Just because something is voted on by the majority of Councillors doesn't make it any more legitimate. It basically means the majority of Councillors have a particular political view, that's all.

MAYOR STAPLETON: Thank you, Councillor Wellington. I think that it's reasonable to accept that decisions of count I will is are Council decisions, not necessarily the individual opinion of individual Councillors, but fair to acknowledge that if Council has to endorse something, it is a decision of Council. Would any other Councillors like to speak? Councillor Bodsworth?

CR BODSWORTH: Thanks, Mayor Stapleton. There's a few other perspectives that I'd like to pick out of the advocacy list, which I strongly support. One is that any list like this isn't going to contain every possibility for our advocacy, and I think it depends on our - hinges on our relationships as the document says with other agencies and other levels of government, but also with our community, and so it's really important that we foster those relationships and we stay in touch with our communities as local representatives so that we remain close to their cares and their aspirations and I think with regard to some of the issues, the advocacy possibilities that Councillor Wellington has mentioned, those are certainly things that come out strongly in my relationships with the local community and the Anglesea ward, so I'm confident that the inclusion of those items on our list does reflect the aspirations of a lot of people in the community, obviously not all. I'd like to also highlight one of the items, which is the inclusion of local knowledge and perspectives in strategic plans and frameworks, again harking to other agencies and higher levels of government and the importance of every level of government understanding what matters to communities and ensuring that communities aren't having things done to them from above without a strong level of community consent. So that's one important thing that I would like to highlight as an advocacy priority. Another thing is the Surf Coast Cultural Centre, I just wanted to highlight in relation to Councillor Barker's comments the importance of the Australian National Surfing Museum to our visitor economy and it's one of many advocacy priorities that directly relate to our visitor economy, so these are things that are enjoyed and

contributed to by people from all over the world, especially domestic tourists.

And while I'm on the Surf Museum, I'd just like to acknowledge the passing of Russell Graham, who was a legendary Torquay fibreglasser. Since the early '70s he has been glassing boards, at Moonlight Laminating doing 1,000 boards a week at their peak. So Russ glassed tens of thousands of surfboards, and knowing the quality of his work, a lot of them would still be in circulation. So I would like to acknowledge his passing as a legend of our legendary local surf scene and just to add my hopes that advocacy for our surf museum will be successful and that we manage to give the collection the care that it deserves. Thank you.

MAYOR STAPLETON: Thank you, Councillor Bodsworth. Are there any other Councillors? Councillor Allen?

CR ALLEN: Thanks, Chair. I'd like to highlight the issue of accommodation and housing as a really important advocacy issue for our Council. It is a national problem. It's a state problem, and it's a local problem. And we have it for a variety of reasons, partly due to the failure of the free market in solving these problems. If you actually look at productivity and real wages over the last 30 years, in western democracies they have declined dramatically, as opposed to, say, Scandinavian countries where they're high and where social housing and other issues aren't as relevant as they've become here today. We in our Shire have a real problem with affordable housing and accommodation, and therefore it is a legitimate cause for advocacy, and I'm also delighted that the Cultural Centre is getting a gig. As I've said many times, Councillor Hodge's jigsaw puzzle is almost completed! It's about time we start diverting away from sport and into cultural facilities within our Shire. And I'm delighted and I would encourage all residents to speak to their politicians, to support our advocacy work in this particular area. Thank you.

MAYOR STAPLETON: Thanks, Councillor Allen. And are there any other Councillors wanting to speak? Councillor Pattison, would you like to make any closing comments?

CR PATTISON: Thank you. I just wanted to clarify around our advocacy priorities and their basis, and so they are - as it's put in this report, they come from our Council plan, which is informed by our People Place Future work, and that's also informed by the community panel and the community vision, and also by Council motions. So there is a clear basis for the items within our advocacy priority. And in the context of those Council motions, they come because our community comes to their representatives and says that they care about something and they're concerned about something, and that's what happened with the offshore acreage release, that Councillor Gazzard and I put forward, and there were many, many, many residents that contacted Kate, myself, and I think many of you - of our fellow Councillors, put in their concerns and wanting Council to advocate on their behalf because, as residents in the community, you sometimes feel voiceless, and although it's not our day-to-day operations, giving our community a voice so that they feel heard and they can show what they support or don't support, I think that's really important, and I feel that that is our role as Councillors. So I think that's really important. Also, in the context of seeking funds from our state and Federal Governments, in a rate-capped environment, it is essential for our Council to make the most of the opportunities that are put forward to us. It would be inappropriate as a

Council not to seek avenues for funding, not to be able to work to provide facilities for our community. I think not having an advocacy priority list would be remiss of us as Councillors and a Council and we wouldn't be providing the best for our community. I think just that's important to consider in the context of the discussion tonight. Thank you.

MAYOR STAPLETON: Thank you, Councillor Pattison. I will now put the motion to a vote. All those in favour, please raise your hands? And all those against, please raise your hands? And the motion is carried 7-2. Thank you, Councillors. Moving on to item 5.4, which is the local roads and community infrastructure program, with regard to the oval drainage project update. This program supports local councils to deliver priority local road and community infrastructure projects, supporting jobs and resilience of local economies and communities. The recommendation in front of Council notes the nomination of the two recreation oval improvement projects, notes that they were tendered together and that there is a budget shortfall, so it is recommending that we authorise the CEO to seek approval to prioritise Mount Moriac oval 1, and to continue to communicate with the eastern reserve committee of management with regard to this project. Do I have a mover for the recommendation? Councillor Bodsworth, thank you. And a seconder? Sorry. Was there a seconder on the screen? No? Councillor Schonfelder. Thank you. And Councillor Bodsworth, would you like to speak to the motion?

CR BODSWORTH: Thanks, Mayor. Just confirming that as per the recommendation, look, not at any length, I think earlier in the meeting, we had a brief chat about the escalation of costs. I think it's well understood in the communities that the COVID period has led - and I guess now with the circumstances in the Ukraine, very sad, have led to amazing escalations in prices across all kinds of goods and services. So I think it's not surprising, unfortunately, that those escalations are hitting our project. I understand that these changes have been discussed with the project proponents in the Moriac and Winchelsea communities and that they're well understood and supported, so, no, I don't have any hesitation in supporting the recommendation. I think it's very unfortunate but it's something that we don't have any choice but to adapt to and do our best to deliver what we can.

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

CR SCHONFELDER: Thank you, Mayor. I'd just like to state that this item prioritises the Mount Moriac oval drainage and irrigation upgrade project and I know as someone who's visited a number of games in a 4WD with 20-inch tyres, I've had trouble navigating an area close to the reservoir road which urgently requires drainage upgrading. So I think this is a proper sensible option for us, and obviously we will look at making improvements at the Eastern Oval in Winchelsea in due course. Thank you.

MAYOR STAPLETON: Thank you, Councillor Schonfelder. Would any other Councillors like to speak to this motion? Councillor Wellington?

CR WELLINGTON: I've got a question. Are we upgrading the ovals or are we upgrading roads that people drive on in 4WDs?



MAYOR STAPLETON: It's drainage and irrigation upgrades, Councillor Wellington.

CR WELLINGTON: To the oval or to the surrounding areas?

MAYOR STAPLETON: To the oval, Councillor Wellington.

CR WELLINGTON: Right, OK. Yes, I would like to say a few words. I find this extraordinarily disappointing. I am not going to vote for this because it's basically asking me to preference one important project in the ward against another important project in the ward and I don't think that's fair. We were successful in July 2021 to achieving funding for this project. Why has it taken until March 2022 to discover that we can't proceed again? That's a question that's not obvious - the answer is not obvious to me from the reports here, and there's no commitment to Winchelsea at all. I would have thought, given that this has been going on - the project was submitted earlier than 2021 obviously. I think it was beginning of - anyway, the project has been ongoing for quite some time. We've recently been told they have to be completed by June 2022. I can't understand why we've only just discovered that we're short of funds and we're going to rob Peter to pay Paul. I don't support it. I think Council needs to pick up the shortfall. It represents about 0.2% or less of our budget, I suspect. Definitely I think in the circumstances we should be doing both these projects, and even if we have to carry one over and make a commitment to next year's budget, and we are able to negotiate with the funders, we should be doing that rather than just saying, "Oh, we can't afford it and we'll rob Peter to pay Paul and do one and then look at the other one in the future". I think that's fair. I'm just horrified, to be honest. I foreshadow a motion that we fund both projects, but we'll see how this motion goes.

MAYOR STAPLETON: Thanks, Councillor Wellington. Would anybody else like to speak to the motion? Councillor Barker?

CR BARKER: A quick question based on what Councillor Wellington was saying. Do we have a date when we were first aware that we wouldn't be able to complete the projects for the B & B in the required time frame?

MAYOR STAPLETON: I'll refer that question to the CEO, Ms Seymour. Thanks, Councillor Barker?

CEO ROBYN SEYMOUR: Thanks, Mayor Stapleton. I'll refer that to the General Manager Community Life.

OFFICER: Through you, Mayor Stapleton, we received the tender result back in the early part of this month, so March. So we sought the first available Council meeting in order to represent the dilemma to Councillors.

MAYOR STAPLETON: Yes, Councillor Wellington?

CR WELLINGTON: I guess the question is. Why did we only get the tender result in March when we knew the application was successful last July?

MAYOR STAPLETON: I will refer that back to the General Manager, thank you.

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

MR PIKE: Through you, Mayor Stapleton, the basic reason is that the Shire volume of projects that we had in the program for this financial year meant that they were spaced out across the 12 months of the year, and it's those that unfortunately that are in the second half of the year that are the ones that we're running into some difficulties with the costs. There were other projects that were commenced earlier than this and that is the nature of delivery of a program across a financial year, unfortunately.

MAYOR STAPLETON: Thanks, Mr Pike. And Councillor Barker?

CR BARKER: Follow-up question, please, Mayor.

MAYOR STAPLETON: Yes. Go ahead.

CR BARKER: So is it fair to say that we are trying to do too much with the current resourcing?

MAYOR STAPLETON: I will refer that to our CEO, Ms Seymour. Thanks, Councillor Barker.

CEO ROBYN SEYMOUR: It's an important question, Councillor Barker. I think there was a lot of funding made available to us through the COVID period but we were really looking to see how we could deliver outcomes to our community as well as deliver and respond to the COVID environment, and so there has been a lot of pressure with people off sick and having family responsibilities which has put a huge amount of pressure on our capacity to deliver the program. So whether or not we've tried to do too much, I think it might be suggested that perhaps we did take on an ambitious program and we have really struggled to deliver it in a couple of areas.

MAYOR STAPLETON: Thank you, Ms Seymour. And Councillor Wellington?

CR WELLINGTON: I just have another question. I just ask are any other projects in this half of the year being cancelled effectively because of this and have we done anything about advocacy to the funders to try and get an extension to the date and to try and get some additional - we've just endorsed our priorities and these ovals are not on the list. So important to the community. What have we done with advocacy in relation to --

MAYOR STAPLETON: Thanks, Councillor Wellington. I think the short answer is yes but I'll refer it so Ms Seymour to respond more fully to you.

CEO ROBYN SEYMOUR: So in relation to actually being able to delivered one of these projects, we're asking for an extension because we're going to have to retender for the one project. So we're seeking an extension until the end of the year so that we can get at least one of the two projects delivered, Councillor Wellington. And that is the advocacy through --

CR WELLINGTON: (Inaudible) for additional funding to enable us to complete the second project?

CEO ROBYN SEYMOUR: No, Councillor Wellington.

CR WELLINGTON: Thank you.

CR SCHONFELDER: Mayor Stapleton, I'd like to ask a question, if I may, just to confirm through the CEO that with the drainage of the Mount Moriac reserve, it actually is my understanding that it affects the surrounding car park area near and adjacent to reservoir road, and that was my point earlier, that you drive and park there, the flooding and water runs off the oval on to where people drive their cars, so I'd just like that confirmed, please, because I was referring to the oval. I wasn't necessarily referring to roads being upgraded in this agenda item.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. I'll refer that through the CEO for you. Ms Seymour?

CEO ROBYN SEYMOUR: Thank you, Mayor Stapleton. I'll refer that to the General Manager of Community Life.

OFFICER: And through you, Mayor Stapleton, I know it gets very wet there in winter on the oval and around the oval. I can't lay claim to knowing specifically about addressing the irrigation - sorry, the drainage issue on the oval, what kind of impact it will have on the surrounding car parking area. I'd have to actually get some more detailed information from those that understand how that works.

MAYOR STAPLETON: Thank you, Mr Pike. Were there any other Councillors wanting to speak to this motion? Councillor Barker?

CR BARKER: Thanks, Mayor. This carries on from what I have said before about relying on other sources of funding. The parameters are not in our control when the money isn't coming from a source in our control. Unfortunately, as raised with others, if this motion is passed, residents of Winchelsea who were hoping for the Eastern Reserve oval drainage and irrigation upgrade project to be funded through the LRCI program will not see this realised but we do operate in a space where resources are finite and we can't do everything for everyone.

MAYOR STAPLETON: Thank you, Councillor Barker. And Councillor Pattison?

CR PATTISON: Thanks, Mayor Stapleton. Look, I think it's really important, as Councillor Bodsworth stated, that we do look at what's happened here in the context of what's going on in our world with COVID, COVID pandemic and the impacts on shipping prices and materials, et cetera, have vastly inflated many, many projects, the costs of many projects, and then also what's going on in the Ukraine and the increase in petrol prices. If the price of tinned beans is going up 20%, I think we should also assume there will be significant cost increases on delivering of our infrastructure projects as well. It means sense, costs of supplies and the like are going up. So I don't think this is reflective of our Council officers who are doing their best to deliver as was already identified as an ambitious project of work. Some may criticise the Council officers for being too ambitious. Personally I think we should be grateful and thankful that our

Council officers knew they were taking on a lot of work, but in a COVID environment where there's money flowing, why wouldn't be making the most of it and doing what we can do to make it work? I think similarly in this recommendation here, officers are trying to do what they can to make the most of the situation - deliver one oval and advocate to allocate those funds to other projects, and I think we should trust the officers and work with them to deliver what we can in these constrained environments. We do live through strange times. It is more awkward for us to have an in-person Council meeting versus a Zoom meeting. There's a lot that's been going on in our world and I think we should take that into consideration before we're criticising the hard work that our officers are doing. So I think we should make the best of the situation and I think this motion is trying to do that.

MAYOR STAPLETON: Thank you, Councillor Pattison. Any other Councillors?

CR WELLINGTON: I just have a question, Mayor Stapleton.

MAYOR STAPLETON: That's OK, Councillor Wellington. You can ask your questions.

CR WELLINGTON: I did ask a question earlier about whether or not any other projects had been or were being cancelled. Mr Pike talked about the risk to projects in the second half of the year. Is this the only project that has been cancelled or have others and if so why aren't they in front of Council?

MAYOR STAPLETON: I think there was one at the last or an earlier Council meeting but I'll refer it to Mr Pike to respond to. MR PIKE: Through you, Mayor Stapleton, so, yes, there was a decision made by Council at the last meeting to allocate funds or to request of the Federal Government that funds could be allocated from the Lions Park project in Moriac to the Torquay Scouts Hall. This particular recommendation is written in such a way that if issues do arise with other projects that are currently in the - either in the tendering or procurement stage, that any funds that are not required for the oval upgrade can actually be used for that purpose in the first instance. So there are no others at this point that we know about. We're monitoring the situation very carefully, I hope sincerely that I'm not having to bring another report to Council. I think two in two months is enough.

MAYOR STAPLETON: Thanks, Mr Pike. And sorry, Councillor Gazzard, go ahead.

CR GAZZARD: Thank you. I agree it's unfortunate that this has happened and that the price is \$190,000 over budget, which we really don't have the capacity or the flexibility in our budget to accommodate for, and I agree with Councillor Wellington, that is disappointing. I would like to commend the Eastern Reserve committee of management and the Winchelsea cricket and football club who officers did meet with and they were understanding of the challenge and so I'm grateful to them for I guess coming along with us on this journey. Personally I think it's much better to deliver one project properly than sort of half or incompletely do both of them, so I think at this stage I will support this motion and we all hope that the Eastern Reserve oval drainage and irrigation upgrade will happen in the coming years.

MAYOR STAPLETON: Thanks, Councillor Gazzard. And Councillor Bodsworth, would you

like to make any closing comments?

CR BODSWORTH: No, thanks.

MAYOR STAPLETON: I'll put the motion to a vote. All those in favour, please raise your hands. And those against? And the motion is carried 8-1. Thank you, Councillors. Moving on to item 6.1, which is the Bob Pettitt bike park project update. This report provides an update to Council on the risk mitigation work undertaken by officers to provide confidence in the successful delivery of the chosen approach for the Bob Pettitt bike park. Do I have a mover for the recommendation? Councillor Bodsworth, thank you. And sorry, Councillor Barker, are you seconding it? Yes. Thank you. And Councillor Bodsworth, would you like to speak to the motion?

CR BODSWORTH: Yes, please, Mayor. So that's a motion in line with the recommendation. We debated this proposal for a community-led approach to the design and construction of the new Bob Pettitt bike park last year. Some important questions were raised around the risk implications for Council of that. It's a very common - it's a common question amongst Councils. I represent Surf Coast Shire Council on the G21 sport and recreation group and there was recently a presentation on bike jumps on that and I certainly got the impression from that that other Councils struggle with these issues and that skate parks as well are another example where there's a lack of high-level guidance and standards, or at least there has been historically. It's changing at the moment. But I think we've brought an approach which empowers the riding community to take a lead role, to take an important role in both the design and construction of this facility, that requires that we accept a level of risk which would not be the case had we got contractors to take care of those things. Contractors could have designed the facility. They could have constructed it. They could have signed off on it. Instead, we're handing that over to a certain extent to members of the riding community. So, of course, along with that comes an acceptance of an extra level of risk. What this work and the report makes clear to us is that the bodies that we've gone to for advice on this, being our insurers and the Municipal Association of Victoria risk management experts, have reassured us that the approach is appropriate. Their report found that the level of risk should be acceptable to Council, that the risk would be adequately addressed by implementing the report's recommendations, and that the area selected at Bob Pettitt reserve is suitable for this kind of work. My own experience over 15 years with Anglesea bike park has shown me that - which was designed and built by industry experts - has shown me that a well-informed expert community is capable of delivering safe and enjoyable and completely fit-for-purpose facilities. So I have no hesitation in recommending that we proceed with the approach that we were going to take, which was that community empowerment approach, but I'm really grateful for the debates that we had in the chamber or on Zoom about this issue and where it took us in clarifying the risk of exposure and the risk management requirements. So I think this project is going to be all the better for that, and I also think that those findings are really important for other sites and other projects, and I'm hoping that we can build on this and increase our capacity as a Council and across the staff, staff capacity and capabilities can be developed further through this project so that we're better placed to manage these facilities in the future. So I commend this recommendation to the Councillors. Thank you.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Councillor Barker?

CR BARKER: I would like to note that risk specialists were confident, not certain, that Council will be able to manage the risks of this project effectively. I would like to in good faith to these recommendations support this motion as a means of laying the foundation for more community-led design and volunteer constructed projects to occur in the future.

MAYOR STAPLETON: Thanks, Councillor Barker. And would any other Councillors like to speak to the motion? Councillor Wellington?

CR WELLINGTON: Thanks, Mayor. I just have a question as to why - Council tonight is being asked to endorse the community design, which hasn't yet been endorsed by the bike club experts, and I think what I'm reading here is that once Council has endorsed it, which was one of the risk management strategies proposed in the last report, it will then go to the bike clubs who designed it to endorse it. I am just wondering why it is proposed to happen in that order and why Council isn't receiving endorsement of the design from the bike clubs that are supposed to be putting themselves forward and I certainly don't diminish what they're doing and their expertise, but I thought that we were being told they had the expertise. I certainly don't have expertise to endorse the design. I don't know who else other than Councillor Bodsworth might have that expertise around the table, and on what basis we would endorse it at this point without sign-off by the designers?

MAYOR STAPLETON: Thanks, Councillor Wellington. I'll just refer that question through the CEO, Ms Seymour.

CEO ROBYN SEYMOUR: Thank you, Mayor Stapleton. I might refer that to the GM of Place Making and Environment.

OFFICER: Through you, Mayor Stapleton, so I understand that the team wanted to get Council's view on the matter first, knowing that there had been a request for this extra work to be done from a risk management perspective. The bike community has had involvement all the way through this and with the risk management processes as well. They are very comfortable with the design there at moment. It's just not a formal acceptance of the design to date. So that's the reasoning for the order in which this has come to you.

MAYOR STAPLETON: Thank you, Mr Walsh. And would anyone else like to - Councillor Wellington, did you want to speak to the motion?

CR WELLINGTON: Yes, I do. Look, I can't endorse this on this basis. I'm sorry. I think the risk work that has been done is really good. It gives us a bit of a benchmark really as to what should be done and presented to this Council when we're doing - we're looking at projects of this nature. I just don't feel that I as a Councillor, as a member of a government body, could put my hand up and endorse a design where I have been told the experts are the clubs and that the clubs will sign off on it. The clubs may well be thinking, "Oh, we'll sign off on it once Council has signed off on it because that will give us confidence". So it feels very secular to me. My view is that the information

that has been given to us is that the design - the design experts are the clubs and I would want to see sign off by the clubs, by their committees, before I would be willing to endorse this as a Councillor. Other than that I think there are really good risk suggestions there. The main thing that I think I am concerned about is the notion of voluntary assumption of risk when you're talking about young children, and there's also a suggestion that the risk management committee has signed off on this. I'm a member of that committee and my recollection of it is that the risk management committee noted it. I don't know if anyone - I don't think they signed off on it, so I don't think that people should take comfort from that. I can see the CEO is nodding. I think I'm correct in saying that, that they noted the report, and they thought that the report was valuable and worthwhile as well as I did, but I just think this is in the wrong order and how can we sign off on something where we haven't got any sign-off from any of the experts that are supposed to be advising us? I can't do that. I am happy with the proposal made but I am not prepared to do sign-off?

MAYOR STAPLETON: Thanks, Councillor Wellington. I know there was a question within that discussion. So just with regard to the Audit and Risk Committee, my recollection from the report was that it acknowledged that it had gone to them, but at the time the report was published we hadn't received feedback. I might just ask our CEO if she has any update on that, given I think there has been an Audit and Risk Committee meeting since the report came out. Is that correct?

CEO ROBYN SEYMOUR: Yes, that's right, Mayor Stapleton, and the GM of Strategy and Effectiveness was at that meeting. Unfortunately, I wasn't able to attend, so perhaps you can speak actually to the recommendation, and I understand the feedback was positive from the committee, but perhaps the GM of strategy and effectiveness can speak to it.

OFFICER: Through you, Mayor Stapleton, the comments that Councillor Wellington made were correct in the sense that the members of the Audit and Risk Committee were complimentary of the strategies and processes applied by Council officers to address the risks related to the design and operation of the bike park. My recollection is that Councillor Wellington, as she said tonight, also complimented the officers on their work but still held some residual concerns regarding Councillors being asked to sign off on the design of the park.

MAYOR STAPLETON: Thank you. And Ms Seymour, did you want to add something?

CEO ROBYN SEYMOUR: Sorry, Mayor Stapleton.

MAYOR STAPLETON: That's OK.

CEO ROBYN SEYMOUR: I am not sure if this would assist Councillor Wellington in terms of who provides the order of approval and how that's managed. One alternative would be to actually adjust the recommendation and make an alternative recommendation where Council at the moment - number 5 in the recommendation says endorses the community-led design, instead delegates responsibility to the CEO to approve the final design once the bike experts have endorsed it, or something like that, Councillor Wellington. I am not sure if that then is helpful.

CR WELLINGTON: I would be happy with that actually, to delegate approval of the final design to you, subject to it being approved by the two clubs. I would be happy with that.

MAYOR STAPLETON: So just for clarity, so the suggestion is that point 5 under the recommendation is that Council delegates responsibility to the CEO to endorse the community-led design for the Bob Pettitt bike park revamp project attached at appendix 3 following approval through the community design group. Is that correct? Just to make sure I've got that clear?

CR WELLINGTON: It was approval by the two clubs rather than the community design group. I think what we had intended was that each of the clubs' committees would sign off on this.

MAYOR STAPLETON: So as per the clubs identified at number 6?

CR WELLINGTON: Yes.

MAYOR STAPLETON: OK.

CR WELLINGTON: I'll just check with the CEO whether that's correct.

CEO ROBYN SEYMOUR: I am comfortable with that, unless the GM of Place Making and Environment is concerned.

MAYOR STAPLETON: I will need to go back to the mover, Councillor Bodsworth, and the seconder, Councillor Barker, to see if they're comfortable with those proposed amendments.

CR BODSWORTH: I'm OK with that. Say stay you're OK, Councillor Barker?

CR BARKER: Yes, Mayor.

MAYOR STAPLETON: Continuing the discussion on this item, did any other Councillors want to speak? Councillor Pattison?

CR PATTISON: Thank you. I'm really excited about this project. I think Council is endorsing a community-led design - as per the amendment - and now our CEO is delegated to endorse the community-led design, but in essence the process and what we're doing is being endorsed tonight. Our Council plan and general Council aspirations is around enabling our community and I think this is a great case study for that and I'm so proud of the work that our Council officers and that we as a Council are supporting to move forward around this enabling community. It is a trial and obviously there will be hurdles along the way, but the officers are really taking that on board and really doing the things that are needed to provide the certainty that we are managing the risks that we need to. So I think mitigating and addressing those potential risks through having the MAV insurers come and assess that, I think that was great and we've identified the need to grow and strengthen in our risk management approach and I



think there's lots of learnings that are coming through this project, and once again officers have been very diligent to get this right, evolving how the Shire manages risk and exploring new risk management approaches to mature our Council's understanding of risks, and I think it's important to note that we're bolstering the Council's approach to this and ensuring that we can deliver it appropriately with the additional \$30,000 for a project manager, and I think that's important, given that it is a new approach, working closely with our community. But ultimately, as Councillors, we're often talking about how can we engage with the young people in our community. Well, I think this project is an example. There's young riders in our community that are being listened to that are having a meaningful role in designing a bike park, and that's how we engage with young people in our community. This is the perfect, perfect example and I think it's great that we can come together and support this project.

MAYOR STAPLETON: Thanks, Councillor Pattison. Would any other Councillors like to speak in Councillor Allen?

CR ALLEN: Thanks, Chair. I'd like to endorse what Councillor Pattison said and also recognise the work of Councillor Bodsworth and the officers and the community in pursuing this matter, and I'd particularly like to thank Councillor Wellington. Her diligence in past meetings and tonight make me more comfortable in supporting the motion. So I'd like to thank her for her contribution. Thank you.

MAYOR STAPLETON: Thank you, Councillor Allen. Councillor Gazzard?

CR GAZZARD: Thank you. Yes, I agree with what's been said and thank you, Councillor Wellington, for clarifying and making a safe pathway forward. I think this is a really great example of enabling community and utilising the skill set in our community. The risks - so I guess there's risks inherent in everything. The main ones around it being a community-led project and the risk around design I think have been mitigated by the MAV insurance report and, as long as we have regular maintenance, appropriate signage, then I think that really does reduce the risk, and so I think it has been a really important process to go through to strengthen our risk management and make us all a bit more aware of how we mitigate risks such as these. Obviously the risk of any public playground - like, children fall off things all the time and that's just part of life. I think the risk-taking particularly in mountain biking and jumping sort of sports is inherently higher and working in the emergency Department at the Royal Children's, I have seen countless injuries from children comes off bikes but also from children running into walls, getting bitten by the family dog, falling over, hitting their head, dropping kettle bell on their finger. Look, there's risks in everyday life and I think particularly for teenagers and youth, we really want to be supporting them in as safe risk taking as possible, and they're going to do it regardless, so if we can do it in the safest way that reduces those risks, then I think that's the best thing that we can do.

MAYOR STAPLETON: Thanks, Councillor Gazzard, and were there any other Councillors wanting to speak to the motion? Councillor Bodsworth, would you like to make any closing comments?

CR BODSWORTH: Just a few, thanks, Mayor. So I think it's almost 30 years ago I studied a Masters degree in landscape architecture. My Masters thesis was on - it was

basically on the understanding that there's a whole lot of people out in communities who in their leisure time seek not relaxation but excitement, and yet public places are almost always designed for relaxation. So the thesis at that time - and it's just as reasonable today - is that there's a whole lot of people who are disenfranchised because those, like us, who are making the rules and shaping communities, aren't providing enough opportunities for people to seek the excitement that they crave in their spare time. So things like this - I'm passionate about this from that perspective as a professional in that space, but also as one of those people who tends to seek excitement rather than relaxation in my spare time, and I know I'm not alone because the petition to save Anglesea bike park is around about the 7,000 signature mark. The bike park has nearly 2,000 followers on Instagram. I can guarantee that at least 1,000 of those would be regular users of the Bob Pettitt bike park. So we don't want to under-estimate the impact that we can have through this approach and the joy that it's going to bring both to the people using the park and also to the people who are empowered to shape it, to design it and to dig it, and to look after it, and in closing, I'd like to make a shout out to the volunteers who keep these places humming. It's very hard work moving dirt like that and thousands of hours literally go into these places to keep them sweet. So I think this is a fantastic direction that we're heading and I thank you for your thoughts on it.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. I will now put the motion to a vote. All those in favour, please raise your hands. And the motion is carried unanimously. Thank you, Councillors. Now, we do have a number of very important items to continue with on our agenda but before we do that, I think it's important that we take a short break. So I'll call for a mover and a seconder to suspend Standing Orders for 10 minutes. Councillor Gazzard and Councillor Allen, thank you. And we will resume at 8.15 and please, I encourage those in the community watching on livestream to stick with us and return at 8.15, and Councillor Wellington, I think you've just got a question before we do suspend Standing Orders?

CR WELLINGTON: I just wanted to ask to be excused, Mayor Stapleton. I am not well as people can probably hear and I haven't got COVID but I'm really unwell, so I ask to be excused for the rest of the meeting, thank you.

MAYOR STAPLETON: That's fine. Thank you, Councillor Wellington, for letting us know.

CR SCHONFELDER: Mayor Stapleton, we need to vote on the motion to have a recess.

MAYOR STAPLETON: Thank you, Councillor Schonfelder.

(A short break until 8.15pm).

MAYOR STAPLETON: And if everybody is ready, I'll ask to turn on the livestreaming. Good evening and welcome back to our Council meeting and thank you for your patience as we took a short break. Can I please call for a mover and a seconder to resume Standing Orders? Councillor Pattison and Councillor Gazzard, thank you. And moving on to item 6.2, which is the community project development program, the March 2022 update, and the purpose of this report is to receive the program update - thanks. Apologies. I've done that again. I forgot to get us to vote on resuming Standing Orders.

All those in favour of resuming Standing Orders, please raise your hands. And the vote is carried unanimously. That would have been difficult if we had to go back and revisit all those agenda items! Thank you. And just to refresh, we're on the community project development program update and the program was paused, you may recall, last September for six months and during that time, a number of process improvements have been implemented and we now have a total of four community projects recommended for further investigation with key findings to be received at the June 2022 Council meeting. Do I have a mover for this recommendation? Councillor Pattison. And a seconder? Councillor Allen. Thank you. And Councillor Pattison, would you like to speak to the motion?

CR PATTISON: Thank you. So we only ever hear glowing feedback on the community project development program, so I'm so happy to hear that it started up again because honestly, when you talk to community, anyone that's been involved in this program, they just cannot stop raving about the amazing work that our officers do in this program and looking at the projects that we're putting forward for investigation, they all are amazing projects. I've been involved with some of the discussions around the Library of Things and I'm really excited about that proposal and getting those investigations done. Similarly I've heard about the work that's need it at the Freshwater Creek Riding Club and I know that the other two will be thoroughly investigated and we will understand more about those through this project. So I really encourage you to support this great work and I'm so glad that we're now able to continue with this program.

MAYOR STAPLETON: Thank you, Councillor Pattison. And Councillor Allen?

CR ALLEN: Thanks, Chair. As you said, the project was delayed due to the support for COVID recovery infrastructure stimulus funding, and one of the benefits of the delay has been the formation of a new initiatives assessment panel and an assessment matrix, and both of those should lead to an improvement in efficiency of the project and the delay has also seen some of these referred for some longer term projects on the master list to Council service managers for consideration, and I think that's a good move, and Councillor Pattison's highlighted the four areas and I have great pleasure in supporting the motion.

MAYOR STAPLETON: Thank you, Councillor Allen. Would any other Councillors like to speak to the motion? Councillor Bodsworth?

CR BODSWORTH: Thanks, Mayor. There's one thing I would like to highlight from the report, which was a phrase that really caught my eye and for me summed up what this program's about, which is that Council officers provide a small amount of guidance and then get out of the way. I think that we all appreciate the sentiment that underlies that because, as we talked about before, our communities are hugely capable and a program like this is really just about carefully listening to what they want to try and achieve, helping where help is needed, and then getting out of the way, and in some cases basking in the glory of the completed project, like a number of us did recently at the Anglesea War Memorial, where we got to enjoy a fantastic moving ceremony to open that War Memorial and I think at least half of Anglesea was there feeling similarly inspired by it. So that's the kind of thing that comes out of this program. So I really admire the staff who've worked on this. They work really hard. They've got a daunting

big list of projects and this pause enabled that list to get refined and some program improvements, like Councillor Allen just mentioned, and allowed the team to catch up, renew their vigour, and so I would also like to acknowledge the patience of community proponents, project proponents, who even had to wait while that pause took place, but now we're back into it, we're all super happy to be back into it, and I'm looking forward to those projects progressing as well. Thanks.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Councillor Hodge?

CR HODGE: Yes, thank you, Mayor. Just the three projects that are listed here, it's just the diversity of our Shire, the Library of Things, which I think was a passion of your area, Anglesea area, and I think that would be absolutely fantastic, and also the Freshwater Creek Riding Dressage Arena, that's a growing area out there with the horses, and of course the Cameron Park tree sculpture, which I think is Anglesea again. Those three things are really going to encompass different people in the community and I think that's really good and I know it's a team of terrific officers but I know Nikki Angus is one of the leaders of that and her work is terrific and I think I agree totally with what Councillor Pattison said, that anyone that's been involved in this process, they think very highly of the officers there, so congratulations to them and I look forward to the Library of Things and seeing what I can borrow in the future. Thank you.

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

CR BARKER: Thank you, Mayor. The projects listed are lovely ideas but they do come with a little bit of history where I think the Freshwater Creek riding club dressage arena is making application because other dressage arenas have had similar funding previously, but I think all these ideas could be better resourced by crowd funding or raising funds through user groups. You've heard me talk about using other people's money before so I won't go on too much longer. But they're great ideas but do we need to be investing all these ratepayers' funds into these concepts?

MAYOR STAPLETON: Thanks, Councillor Barker. And Councillor Pattison, did you want to make any closing comments?

CR PATTISON: I think everybody's - the majority of Councillors have confirmed their support for this great program, so I'm happy.

MAYOR STAPLETON: We'll put it to a vote. All those in favour, please raise your hands. And those against, please raise your hand. Thank you. And the motion is carried 7-1. Thank you, Councillors. Moving on to the next item on the agenda, which is 6.3, SCS-028 statutory planning fee waiver and rebate policy review. This report is requesting that Council consider the review and updating of this policy, and it provides an equitable basis for making decisions in accordance with legislative requirements. Do I have a mover for this recommendation? Councillor Barker. Is that as per the recommendation? Thank you. And a seconder? Councillor Allen, thank you. And Councillor Barker, did you want to speak to the motion?

CR BARKER: Just to do with the updates with law outside of our realm and this is just

keeping (inaudible).

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

CR ALLEN: Just to formally second it.

MAYOR STAPLETON: Thank you. Did any other Councillors want to speak to the motion? I'll put the motion to a vote. All those in favour, please raise your hands, the motion is moved unanimously. Item 7.1, which is under strategy and effectiveness. So this is performance reporting on our Council plan incorporating the health and wellbeing plan and local government indicators. And this report is something that I'm very excited to share with the community as it provides both Council and the community with an update on how Council is performing in relation to the Council plan and local government performance indicators. I note that the report advises that strategic indicators are still in the process of being developed and these indicators will be reported against in future reports to Council. I encourage the community to read the report which highlights some of our key achievements through this first period of our Council term, including the adoption of key strategies like the affordable accommodation action plan and what we're delivering through our climate emergency action plan, along with some of our key challenges, most notably the impact of COVID on our community. We do have a recommendation to note these reports. Do I have a mover? Councillor Pattison. And a seconder? Councillor Gazzard. Thank you, Councillor Pattison, would you like to speak to the motion?

CR PATTISON: I would. Performance reporting - today we're presenting the performance report on our Council plan and it's really important to demonstrate to the community that we are on track and committed to delivering on what we set out to do. I'm excited to be here today with our Council plan performance report as it demonstrates the comprehensive program of work undertaken and Council's achievements in delivering the strategic objectives of the Council plan. The outcomes of this positively contribute to the realisation of our community vision. For 2021-22 action plan outlines actions and deliverables that are intended to contribute to the achievements of the Council plan strategy. And firstly, I'm really proud to affirm that the Surf Coast Shire Council is committed to a meaningful journey in reconciliation. Some of the other highlights of the first 18 months are the cultural and library facility concept plans, the affordable accommodation action plan, recruitment of an Aboriginal engagement officer position, a 10 year VCO contract that's to do with 100% of renewable energy for all of the Shire's facilities and street lights and that's resulted in significant savings to our overall electricity bill, recognition of the immense significance of the National Surfing Museum, and I know that many of our other Councillors will tell you some of the other things. They're just a few things that jumped out to me. Then there's also things like our operational status. The percentage of planning applications received within the time frames continue to increase, so in June 2021, 84% were completed within the time frame and at December 2021, that's up to 96% and I think that's exceptional. We know that there's been a lot of planning applications and our planning team is really strained and so to achieve statistics like that I think is something that we should draw attention to. I also wanted to touch on a couple of key things. First Nations reconciliation is the first theme of our Council plan and it's one that I think is really important, and so there's been some key highlights I think in what's been

achieved or is underway through the last 18 months. So our Council has developed a Reflect Reconciliation Action Plan that's been endorsed by Reconciliation Australia and by the Wadawurrung Traditional Owners Corp and it's in discussions with Eastern Maar Aboriginal Corporation. Also, in that theme, we have recruited, as I mentioned earlier, an Aboriginal Engagement Officer. Our Council is now part of a network of Councils to identify opportunities to jointly support Wadawurrung traditional owner groups and we've got - there's a sign project underway to ensure there is Acknowledgment of Country signage throughout our Council sites, and obviously as we've already talked about with our flag policy, we flew the Aboriginal and Torres Strait Islander flags at half-mast on 26 January and we will continue to do that, thanks to the decision made today. And also there's further consideration with our traditional owners around how we continue to acknowledge the 26th of January, and we're working collaboratively with our traditional owners to determine that, which I think is also really important. Then we also - that's a few of those things. But if we also look at the other theme, healthy, connected community, which is something I feel really strongly about, I think it's a really key theme, and in the context of that, there's some huge things that we've been working on, developing a social infrastructure plan, and that's about having a prioritised plan of our social infrastructure across the Shire. That to me is massive and it means so much to our community to understand that decisions around social infrastructure are prioritised across the whole Shire. I think that's really special. And also looking at ensuring we have fair and equitable access to our facilities and those principles have been implemented through distributing reserve pavilion, Surf Coast aquatic and health centre as it's under design, reviewing how we can minimise the consumption of alcohol in our Council facilities in the context of the harm that can cause to our communities and then we can think about partnerships with children, youth and family services, allowing them to use the Campsea rooms free of charge to offer services for drug and alcohol use, mental health and family drop-in sessions, and that's open to all. I have just picked out a few and they are a broad range of things but what it demonstrates is our Shire does so many things and they are far reaching. And it's more than just rates, road and rubbish. So I encourage you to have a look at the performance report because there's lots of great things that our Shire is doing.

MAYOR STAPLETON: Thank you. Councillor Gazzard?

CR GAZZARD: Thank you, I'll echo Councillor Pattison's enthusiasm for this performance reporting on our Council plan. I'm really proud of what's been done, particularly over the last year. I think there's a real emphasis on environmental protection and concern around climate change and that's addressed in our climate emergency action plan, and I think that's really linked with a healthy, connected community who feel connected to the coastline and to the Wadawurrung traditional owners and the Maar Nation and so it's all intertwined. The things that I will particularly highlight, we've got a 10-year contract for 100% renewable energies in our climate emergency action plan, 15% of these actions have been completed and 72% are on track, and we're working to improve resilience of Council-managed land to the effects of climate change, and the significance of the Bells midden to the Wadawurrung people has been highlighted and submitted to the Victorian Heritage Register. Council has partnered with Torquay Landcare, Rip Curl Planet Day and Quiksilver Foundation for Environmental Projects. We've started undertaking an environmental assessment of the Karaaf Wetland and assembled a project control group for that. And within the

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

healthy connected community, a greater emphasis on active transport, particularly safer cycling and pathway strategies, and development of the G21 integrated transport strategy. So it's all really exciting things and I look forward to continuing to monitor our performance on this.

MAYOR STAPLETON: Thanks, Councillor Gazzard. Would any other Councillors like to speak to the motion? Councillor Hodge?

CR HODGE: Thank you, Mayor. I'm just going to talk briefly on the diverse and robust economy. COVID threw a huge curve ball, not only into our community but also our small businesses around right through the Shire and right throughout Victoria. But I'm really pleased with the work the officers did to get some of these small businesses back on track. The Inspired by Surf Coast By Local campaign was just amazing. There were 523 businesses listed and three marketing campaigns were delivered for Christmas, summer and Valentine's Day. A total of 38,000 people did this and it was generated over 6,000 clicks going through our website, which is just amazing. Businesses were impacted by the pandemic and received support through 25 Surf Coast business collective and COVID Safe business newsletters sent out to keep them all really well informed and that went over to 6,600 businesses which is amazing. Many positives were published up-to-date businesses and relevant COVID restriction and support information for them. The implementation of the fresh air dining resulted in 46 businesses being able to expand or keep practising when the indoor areas were out of bounds for COVID and this was the greatest assistance and you see most of it now and I think we realise that these outdoor extended dining areas were fantastic and hopefully will continue. And, of course, our Council business concierge program assisted another 31 new businesses with their inquiries. So going through COVID, we've got to keep our economy ticking along and this work by the officers and the work from the State Government that gave us some grants to do this really helped us and I really appreciate the community supporting our local businesses. I think we did really well, considering to many aspects of right through Victoria, but what I like about this report, there's actual ready, set and go, what we're actually doing. It's got very good status symbols on it and it just goes to show how much work's been done, even in COVID with our officers at home, and still a lot of work done, so I really thank them for that and thank the small businesses for continuing being so innovative in the different ways that they would still keep going with their business and look forward to all the events and all the people now going back to their small businesses, shop locally. It's really, really important. We've seen that and who knows, there could be another COVID wave. We've got these things in place now to help these businesses in the future and I think it's been a really congratulatory story for our locals and our businesses.

MAYOR STAPLETON: Thank you. Would any Councillors like to speak? Councillor Allen?

CR ALLEN: Thank you, Chair. I too would like to congratulate the people responsible for the writing of this report. It's very detailed, very comprehensive, and it really details 19 strategies that provide substance to our seven themes within our Council plan. I would like to just highlight a couple. As I mentioned before, the whole question of affordable accommodation really is a key issue facing the Shire but also the nation, and I think we should be very proud of the work that we've done to date. The officers supported both the Lorne and the - the Lorne and the Anglesea communities when we

declared a short-term worker accommodation crisis, and that work will probably have to opportunity a little longer. I thank Alicia Hooper for the work that she's done in establishing the Affordable Accommodation Action Plan that we adopted earlier this year where we're looking at strategies to accommodate our full-time workers. I know in Lorne, we had estimated that we'd need 40 houses or 40 apartments to meet the need now of our full-time workers. The fact that we can't, they have been pushed out by AirBnB - higher returns through AirBnB - and people have to travel long distances to work in our communities. Also related to that is the age-friendly strategy where we investigated the Community Land Trust as a model for helping with the accommodation. The Winanglo was a great example of what we achieved in Winchelsea for the ageing population there. But also again in Lorne, the committee for Lorne are working on a Community Land Trust model which will work hand in hand with the Shire to investigate these possibilities. So I'm very grateful for what we've done and it recognises the importance of this issue, also to our economic viability because if we can't house our workers, at the moment businesses are closed in Lorne. They're working three days a week at the time when they really should be working full-time and open full-time. And again I shout out for the Cultural Centre development. We're all very proud of what that can achieve and the work that's been done by the officers to bring it to this stage where we can advocate for additional funding is sensational. Thank you.

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

CR BODSWORTH: Thanks, Chair. One thing I'd like to highlight, which is not really listed in the report, but that underpins a lot of the content of the report is the relationship building that's gone on during this period and I'd like to particularly acknowledge the work that the CEO, Robyn Seymour, has done in that regard. I think it's been a real hallmark of her time here so far, her excellent relationship building skills and her determination to make that work for us all. And, of course, the relationships are with communities as well as with other agencies and all of the stakeholders at every level that influence what we're able to get done. So in that same vein, I would like to acknowledge the hard work put in by communities and the fact that the deliberative engagement process that we went through to develop the Council plan is sort of paying us back now through the relationships that were established and that have been built through that process and are ongoing. A few specific things I would like to mention with regard to - there's a couple of things I would like us to make more progress on. One is our path ways, so we have a couple of important strategies on the go. All of these are work in progress because it's an early review of a longer program, but I'm particularly keen to make more progress on the path ways, noting how important that always is in community communications. With regard to tourism, I think there's some great content in here about what the benefits of tourism can provide but we're also hearing out in the communities people wanting us to be on top of the risks of inappropriate tourism development. So again that's something that I'm sure we'll bring in as we continue through this plan because it's certainly embedded in the plan in the themes and strategies. Another thing is reducing waste to landfill and noting that in the first six months of the FOGO bins waste to landfill decreased 33%. So that's a fantastic result from that and, again, that relied on community doing the right thing. Climate change adaptation in the recent intense rainfall events in Lorne - Anglesea and areas particularly, we saw quite a lot of damage. I think that those parts of climate change adaptation are going to be really important for us over the next couple of years.

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639



That's about all I've got, I think. That'll do. Thank you.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. I think we've pretty much covered everything. Are there any other Councillors who want to speak to this motion? And Councillor Pattison, did you want to make any closing comments?

CR PATTISON: I think it's all well and truly covered. We're all really happy with the work.

MAYOR STAPLETON: All those in favour, please raise your hands. And the motion is carried unanimously. Thank you, Councillors. Moving on to item 7.2, which is project budget adjustments and cash reserve transfers for March 2022. This report contains proposed project budget adjustments and cash reserve transfers, recommended for Council approval. Councillor Allen, would you like to move a motion?

CR ALLEN: Thank you, Chair. As per the motion that was circulated earlier today, and I think governance will have a copy on the screen --

MAYOR STAPLETON: Thank you.

CR ALLEN: As per that recommendation, thank you, Chair.

MAYOR STAPLETON: So it's the original recommendation adding point 3.

CR ALLEN: That's correct. People may want to have time to --

MAYOR STAPLETON: A moment to read, yes.

CR ALLEN: Thank you. (Pause).

OFFICER: Madam Mayor, having just liaised with a staff member watching on the livestream, they can't read the livestream.

MAYOR STAPLETON: Councillor Allen, would you like to read out point 3 just for the benefit of people watching.

CR ALLEN: Thank you. "Approve the transfer of \$80,000 from the unallocated cash reserve to the Stribling Reserve Pavilions redevelopment project, to extend the scope of the project to enable the following works to be undertaken: one, complete the sealing of the road from Otway Street to the disabled car park and from there to the netball pavilion, and the reserve building, and the pathway from the netball court to the reserve building, the cost of 40,000. Secondly, to complete the landscaping of the immediate area surrounding the reserve building, an additional \$40,000."

MAYOR STAPLETON: Thank you, Councillor Allen. And do we have a seconder for that motion?

CR HODGE: Can I just ask a question? In the report, Stribling Reserve is not mentioned at all, so this is just getting money from unallocated and putting it into this report? OK,

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639

thank you. I won't second it.

MAYOR STAPLETON: Would any Councillor - is that seconding the motion? Thanks, Councillor Bodsworth. And Councillor Allen, would you like to speak to the motion?

CR ALLEN: Thank you, Chair. Councillors, the Stribling reserve complex is near completion and all concerned have done a magnificent job to complete a facility unique to the Shire, a facility that will not only serve the needs of the Lorne and district community but will be a Shire-wide asset that will attract events to the Surf Coast. To complete the reserve to such a level required, funding above that of a usual Council facility, and to this outcome, the Lorne community has raised over \$500,000, which is an outstanding effort. However, there are three elements to the project that are incomplete. The total amount to complete the work is \$110,000. The three elements are terraced seating, sealing pathways and roads and finally proper landscaping. I can see that completing the terrace seating of 30,000 can wait. However, I believe that the following items should be completed now for health and safety reasons and in recognition of the difficult terrain in Lorne and the site in particular, and taking Councillor Gazzard's point earlier that we should complete our projects before we move on to another, we shouldn't have an uncompleted project. The sealing of the pathways to and from the disabled car park is a safety matter for disabled people using the facility, and you only have to visit the site to see and appreciate the terrain. What may be satisfactory to complete landscaping work in maybe Anglesea or Torquay is quite different to Lorne, where the gradient is much steeper, and again if you visit the site, the need to complete the landscaping to a state that stabilises the area, particularly with winter approaching, and to make it ready to attract the functions that make that facility self funding, so we need to stabilise the area - if winter comes and there's a lot of damage to the landscaping, it's going to be an additional cost to the Council to rectify that matter. So what I'm suggesting is that we should allocate that money to solve those problems now rather than in the future. The Lorne community has a record of significant contributions to what are now Shire assets. The Lorne's Men's Shed was built at a cost of \$340,000, of which the Shire contributed 60, so \$280,000 was raised in the Lorne community. The Lorne Historical Society has a new facade to benefit the society but also the entrance to Lorne. We were asked to do a dollar for dollar, which membership of 30 people raised \$30,000 in cash and kind. We've raised \$500,000 for the Stribling Reserve. We're a compassionate community. When the trapped seasonal workers were in Lorne at the start of the first pandemic, within a week we had \$15,000 to support those people. We do not want to disincentivise a community from continuing this involvement. The community will ask why the facility is not complete when half a million dollars was raised by that community. So I urge Councillors, for you to support this motion, thank you.

MAYOR STAPLETON: Thank you, Councillor Allen. Do you have a question, Councillor Gazzard?

CR GAZZARD: May I ask a question of the CEO? What would the ramifications of taking this money out of the unallocated cash reserve be?

CEO ROBYN SEYMOUR: I'll refer it to the GM of strategy and effectiveness, but I don't - at a high level, Councillor Gazzard, it will mean that we will need to probably

have another look at our draft budget for next finance am year and remove something from that budget in order to accommodate this.

OFFICER: Through you, Mayor Stapleton, I just reinforce the comments that the CEO has made. The assumption that Council officers have at the moment is that the funds that were guaranteed by the Council on the basis of assuming that - or at the time that Council applied for the funds, there was agreement that the Lorne community would raise those funds. Council want guarantor, so this is the Lorne community returning those funds to Council. Council has assumed that they're coming back into the accumulated unallocated cash reserve, so Council would need to recast its budget in terms of the workshops that Council has participated in to work out where those funds would come from.

MAYOR STAPLETON: Thank you. And is that a question, Councillor Pattison?

CR HODGE: It needs to be seconded.

MAYOR STAPLETON: Yes, I wasn't sure if you were putting your hand up to speak or ask a question?

CR PATTISON: I did want to foreshadow that in the event this motion is lost --

MAYOR STAPLETON: Just a moment. You can't foreshadow a motion until our second speaker speaks. Go ahead, Councillor Bodsworth.

CR BODSWORTH: Thanks, Mayor, I would like to foreshadow a motion as well but I'll wait for Councillor Pattison. I'll foreshadow an alternate motion, which is the same as Councillor Allen's but omitting the allocation for landscaping. So that's what I'm foreshadowing, so I agree with Councillor Allen's comments. I think they're completely reasonable. For me the must-do addition is the pavement, the sealing, the landscaping to me is not a must do. Having said that, the facility which I visited with Councillor Allen and the Mayor recently with Peter Spring was absolutely exceptional. It's a fantastic achievement, so I have no hesitation in urging the Council to add some extra to it to complete that paving and if we had enough money, I would love to complete the other items as well, but given the position that we're in and heading into budgeting we're effectively saying that other things are going to miss out on budget that haven't had the benefit of debate, like we're doing over this, I don't find that I can support that. So just reiterating for me the paving is a must do. That's why I propose should this motion not get up an alternate that focuses on the paving as an extra, and not the landscaping. And with regard to the other project budget adjustments and cash reserve transfers, I have nothing to add. They all look fine.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. Councillor Pattison, did you want to speak to the motion? A

CR PATTISON: I think there's no point foreshadowing a motion after another foreshadowed motion so we'll let things pan out and that may happen down the track. I would like to speak to the motion at hand. The reserve pavilion is a wonderful building and the Lorne community has had \$6 million spent on this pavilion. That's a lot of

money in the schemes of our Shire and in the schemes of our budgets, and as has been reiterated by the CEO and our GM, acting GM, we're in a dire financial situation and I think at the 11th hour, coming in and seeking \$80,000 for a project, I don't think that's appropriate and I don't think that we're so close to putting for our budget to be finalised - I don't think it's OK that we do it this way. All projects should be assessed on their merit and put into the budget bid and if it's appropriate that it's funded, then it would come out in the budget process. If it's not appropriate to be funded, then it won't get funded in the budget process and I think sneaking it in through a cash transfers item in our agenda I don't think is appropriate. I think what the Lorne community does is wonderful. I think Gary's advocacy is wonderful and I think they're a great community and it's amazing, their ability to raise significant funds, and I don't mean to detract from the community or from Gary in the work that they all do. I'm really supportive of that. But I do think we're in a dire financial situation. By spending \$40,000 or \$80,000, it seems flippant when you think, "It's just 40,000 for an access track" or "It's just 40,000 more landscaping", but that \$80,000, that's two years of arts program funding which will potentially be cut. That's near to half the amount of money that's allocated for a strategic planner and these are items that we as Councillors have come together and said, "These are really important items. They're not funded in the budget. We need our Council to find money to fund these key projects", so they will be the projects that would be cut. So in choosing to vote for \$40,000 to asphalt and \$40,000 to landscaping, you're choosing to not fund two years of arts program funding, and that's the reality of it because there's only four or five items that have come above the line through the discussion around our budget process, so I think we need to think really clearly about it and I think we need to think about our officers are intelligent officers and I imagine a risk assessment has been done. Is the access track safe? If it is safe with the gravel access, it may not be perfect, but is it safe and adequate? I imagine our officers have done that assessment and it's fine with a gravel Councillor Pattison and down the track when funding is available, then funding could be spent on paving that and similarly, the garden may not be perfect but it will be adequate and I think that was clear to us in a briefing when the question was asked of officers, is it adequate, is the garden adequate? And yes, it is adequate. Obviously we can always spend more, but is it right to spend that money when \$6 million has already been spent in the Lorne community for this pavilion and there are a whole lot of other needy causes across our Shire. Thank you.

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

CR HODGE: Yes, thank you, Mayor. I'm also in awe of the Lorne community as I am in all communities around the Shire that raise money. My concern is sort of more the process of this. The Stribling Reserve is not mentioned in this report. All of a sudden, we want 80,000 for it and I've got nothing in front of me in this report that says that will cover the cost. I haven't got anything in front of me that says it gives me any information on the costings or anything like that, so I can't support this at present but I do hope in the future and going through the proper budget process, that we can look at this as soon as we can. Thank you.

MAYOR STAPLETON: Thanks, Councillor Hodge. Councillor Barker?

CR BARKER: Councillor Allen Councillor Allen proposes a very persuasive argument and my heart says yes but my head says no. I have a wireless mouse that we haven't been able to replace because there are none available and I think it's a bit unfortunate that that forms part of my argument for not supporting the motion to spend the money on what I think is a reasonable proposition but in the current position that we're in, I can't endorse the idea.

MAYOR STAPLETON: Thank you, Councillor Barker. And any other Councillors? Sorry, Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I feel the same way as Councillor Barker and I also would like to reiterate the comments of Councillor Hodge and Councillor Pattison and I'd also like to remind Councillor Allen that at a previous meeting, I believe it was the September meeting, when I moved a motion about Christmas decorations, Councillor Allen did say to go through the proper budgetary process. So I'd like to remind him of that. I believe there is merit behind spending the extra money in Lorne and in principle I do support it but once again, I believe there has to be a proper process that has to be followed. Thank you.

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

CR GAZZARD: Thank you. I tend to agree with Councillor Schonfelder. Yes, the Lorne community are very deserving and they've done a really amazing job of raising money for the Stribling Reserve and I think we would all like to see it completed to all three aspects but as has been discussed, our financial situation is limited and if we're taking money from other deserving projects or ongoing funding, then it's a difficult decision to make I guess on the fly in this item. I certainly agree with Councillor Bodsworth that the asphalt would be the priority, particularly for disabled access, and I think we'd have discussions in briefings that this was potentially slightly better in terms of asset renewal in the future, but I think - I can't justify the \$80,000, so I'll have to vote against this one. Sorry, Councillor Allen.

MAYOR STAPLETON: Thank you, Councillor Gazzard. And before I ask Councillor Allen to make his closing comments, as the Chair, I wouldn't normally comment on an item but I think it's important to note that in this instance, the thing that's become clear to me, just listening to the debate, is the process and how important it is for us to consider how we fund certain items and we've had multiple days in the past month deliberating extensively over the budget and we've seen multiple recommendations put forward by officers that we haven't been able to support, that don't fit into the budget purely because we don't have the money to do everything, and while I endorse and agree with the comments made with regard to the amazing contribution by the Lorne community and the facility that has been created out at Lorne is wonderful, I do think that as Councillors, it's important for us to understand the implications of making changes to a budget that officers have spent a long time preparing to help us to, I guess, understand the implications of moving money, and I would urge officers to consider the request that has been put forward by Councillor Allen tonight and perhaps between now and our next budget meeting, we could just have a look at what the implications would be with such a request on the budget, and also whether the costings would in fact be accurate. So on that note, Councillor Allen, I'll ask you to make any closing comments.

CR ALLEN: Thanks, Chair. This was a project - we say 6 million but it was a one for one on the building better regions fund. So the Shire didn't commit \$6 million. It committed \$3 million on a one-to-one basis, and as I said again, the Lorne community raised a half a million dollars of that funding. Whether something is adequate and completed, I'm sure we've sat through reasons why the pool at Torquay has to be expanded. It could have been adequate without the expansions that we approved, and the ongoing commitment that that's going to make to our budget for the next 20 years. The funding isn't made up. It is recognised by the officers that the funding of 40,000, for example, to complete the asphaltting is an estimate made by the officers, and so we're going to not complete a project, we're going to finish it incomplete, and I find that staggering. And very disappointing for the Lorne community. My only hope is that it doesn't disincentivise the community.

MAYOR STAPLETON: Thank you, Councillor Allen. We'll now put the motion to a vote. All those in favour of the motion? And all those against? So the motion is lost 2-6, and I know Councillor Bodsworth had foreshadowed an alternate motion. Would you still like to put that motion forward, Councillor Bodsworth?

CR BODSWORTH: I would.

MAYOR STAPLETON: OK. So Councillor Bodsworth's motion, just to be clear, was as per the motion put forward by Councillor Allen but without the landscaping element. So it was just for the \$40,000 for the bitumen, which was one part of the request from Councillor Allen. Is there a seconder for Councillor Bodsworth's proposed motion? Councillor Allen. I shouldn't laugh. Councillor Bodsworth, would you like to speak to the motion?

CR BODSWORTH: Look, it's been covered mostly. I would just say that I feel if we didn't do that paving, we'd regret it. I think that the project is a real standout and I can't understand why that paving wasn't in scope to begin with. To me, having been there, it clearly should have been. All I can say is given the quality, the comprehensiveness of the work, the ability for that facility to quite possibly pay its own way through functions and events and through the kind of usage that it will support, being such a versatile and high-quality facility, my belief in the value of that paving overcomes my unease about the process, which I share. I just think that the value that that would deliver and the importance of it to what would otherwise be a really exceptional piece of work stands up and I think it would stand up, and it's unfortunate that we can't debate it along with other budget possibilities but we can't, and in that case, I think - I just urge you to support that extra amount for paving to make that extra contribution towards the quality of the finished product.

MAYOR STAPLETON: Thank you, Councillor Bodsworth. Can I just ask a question just based on what you said to the CEO. Councillor Bodsworth stated that we were unable to debate this item as part of - up against other budget items and I'm just - it made me wonder, if the motion as it's been put is not passed tonight, would there be an opportunity for officers to come back to Councillors between now and the next budget briefing and give us some insight into the consequences of allocating that \$40,000 on the rest of the budget, is that something we could reasonably do and then this item

could be debated amongst Councillors along with all the other budget items?

CEO ROBYN SEYMOUR: Yes, we could definitely do that, Mayor Stapleton.

MAYOR STAPLETON: Thank you, Ms Seymour. Mr Pike?

MR PIKE: I think there's some important information to add as part of the consideration on that. Yes, we've talked about the cost estimate. So the cost estimate is an itemised thing provided by the contractor who is on-site now and I would be surprised if they would be able to hold that price if they decommission their site, which they're planning to do probably in the next couple of weeks. I think this is why Councillor Allen has brought this matter to this Council meeting as opposed to waiting for the budget.

CR ALLEN: That is the point I was going to make in seconding the motion. It is a working site now. It's a construction site now. And if we vote this money, this \$40,000 now, it will save us in the long run because it will enable them to complete the project, rather than having to come back at a later time and rebuild the site and it would cost more money. So there is an urgency and it's why we're talking about it now.

MAYOR STAPLETON: Councillor Pattison?

CR PATTISON: I just want to propose an amendment to the motion that Councillor Bodsworth has put forward. So the amendment that I'm proposing is that in the event that a risk assessment - that Council undertake a risk assessment of the site to determine if there is grounds for the paving, if that's required, and in the event that the risk assessment determines that paving is required, that then we spend the money to pave it and in the event that the risk assessment determines that it is adequate as is, then we don't spend the money. That's probably not worded right and if our governance could provide me with what I'm intending to put forward --

CR ALLEN: Could I ask a question.

MAYOR STAPLETON: You can ask a question.

CR ALLEN: Can I ask how much a risk assessment would cost, what additional cost that would be to the Council, 40,000 plus the risk assessment. Do we have a notion of what that would be?

MAYOR STAPLETON: We can put that to the CEO, Ms Seymour.

CEO ROBYN SEYMOUR: I think we could do that assessment ourselves, Councillor Allen, and look at it in relation to the DDA compliance requirements.

MAYOR STAPLETON: Thanks, Ms Seymour. And just on the back of that question, if perhaps Ms Walsh could confirm whether that assessment could be done in the time frame that would be required while the site is still open.

MR WALSH: We could have officers do that, yes, absolutely.

MAYOR STAPLETON: OK.

CR HODGE: I am happy to support once we get the words right.

OFFICER: Have you written anything up? Can you share the screen?

MAYOR STAPLETON: So not something you can share on the screen? Yes, please.

OFFICER: I was thinking in terms of the point that complete the sealing of the road, et cetera, et cetera, subject to a risk assessment being undertaken by Council --

CR HODGE: As soon as possible.

OFFICER: Yes, something like that.

CR HODGE: Subject to a risk assessment being undertaken to determine if the path is DDA compliant.

CR ALLEN: The road and the path.

CR HODGE: The road and the path are DDA compliant, full stop. If it is DDA compliant, then the progress - then the allocation of funds does not occur. If it is not DDA compliant, then the funds are allocated.

MAYOR STAPLETON: Councillor Bodsworth, as the mover of this motion, would you be comfortable with that as an amendment?

CR BODSWORTH: No.

MAYOR STAPLETON: OK, in which case we would need to debate the proposed amendment, starting with Councillor Pattison.

CR PATTISON: Look, as I've already reiterated, I think that spending \$40,000 on paving and road at the expense of most likely two years of arts program funding is not appropriate and not being fiscally responsible or fair to our Shire. So I think if there are safety issues with the road, as has been reiterated, then I think we should address it. But if it's about aesthetics and we're spending \$40,000 on the aesthetics of a gravel road to the - and then resulting in no arts program funding, I don't think that that's OK. So in the event that this amendment lapses, I will be foreshadowing that we revert to the original recommendation, if the actual motion also lapses.

MAYOR STAPLETON: Thanks, Councillor Pattison. Councillor Hodge?

CR HODGE: Thank you, Mayor. Yes, I thought this was a good sort of choice because in the original motion, OH & S I think was mentioned and I think there's nothing in the report to say yes or no, so if we'd done this amendment and it had got through, we would have been able to do that and seen if the original motion was true about OH & S. I hope that makes sense. So I do support this one, so I hope other Councillors do. I thought it was a good way out but I don't think it's been accepted.

DRAFT Transcript produced by The Captioning Studio  
W: [captioningstudio.com](http://captioningstudio.com) T: (08) 8463 1639



MAYOR STAPLETON: Thanks, Councillor Hodge. Any other Councillors like to speak to the moment? Sorry, Councillor Schonfelder?

CR SCHONFELDER: Mayor, the amendment was seconded by Councillor Hodge. Did the amendment need to be seconded?

MAYOR STAPLETON: Yes.

CR SCHONFELDER: I might have missed that.

MAYOR STAPLETON: And did you want to speak to the proposed amendment? No. Thanks, Councillor Schonfelder. Oh, you do?

CR SCHONFELDER: Yes, please. I concur with Councillor Pattison and Councillor Hodge, and in light of the disabled access that now influences me more towards supporting this, I think it's very important and I also take on board that Councillor Allen mentioned that there are work crews on the site at the moment, so I think this is a very good compromise and I support the amendment. Thank you, Mayor.

MAYOR STAPLETON: Thanks, Councillor Schonfelder. Would any other Councillors like to speak to the proposed amendment? Councillor Gazzard?

CR GAZZARD: Thank you. I'm just very uncomfortable without any officer recommendations but I think this is a reasonable amendment for an appropriate risk assessment that can still be done in an appropriate time frame to pave the road, so I think I will support that.

MAYOR STAPLETON: Thank you, Councillor Gazzard. Would any other Councillors like to speak to the proposed amendment? So we'll put the amendment to a vote, which is - maybe we could just ask governance to just remind us what the amendment is, if the words have now been captured.

OFFICER: Complete the sealing of the road from Otway Street to the disabled carpark and from there to the (inaudible) the reserve building (inaudible) netball courts (inaudible) \$40,000, subject to a risk assessment being undertaken to determine if the road and the path are DDA compliant, and if the risk assessment deems it is not DDA compliant, then the allocation of the funds is not allocated. If the risk assessment deems DDA compliant, then the funds are allocated.

MAYOR STAPLETON: Thank you. So I'll put the amendment to a vote. All those in favour, please raise your --

CR BODSWORTH: Can I just ask a question before we do that.

MAYOR STAPLETON: You can, Councillor Bodsworth.

CR BODSWORTH: I was the mover of the motion. What we've just heard doesn't align with that and that's - when I was asked if I supported that amendment, I said no. So

my understanding is that we're still on my amended motion, which was as per what was on the screen.

MAYOR STAPLETON: So your motion is the substantive motion. A proposed amendment was put forward. There's two options when an amendment is put forward. The mover and the seconder can accept them as amendments and then they're just added and they become part of the substantive motion. But if the mover and the seconder of the motion don't support the amendment, then the amendment is debated. And then it's up to us as a Council to vote whether or not we would like the amendment to be part of the motion. That then becomes the substantive motion and if you're not comfortable with that as a motion, you don't need to support it. Does that all make sense?

CR BODSWORTH: Thank you, yes.

CR ALLEN: That doesn't make sense to me because Councillor Bodsworth didn't accept the amendment. That motion should then be debated.

MAYOR STAPLETON: But the amendment has been debated. So we the amendment has been debated, not the motion. So if the amendment is accepted, that then becomes the substantive motion and the debate on that motion continues. So we're not voting on Councillor Bodsworth's motion. We're voting on Councillor Pattison's proposed amendment. If Council supports the amendment, then that becomes part of the substantive motion, which Council can then debate and we will have an opportunity to vote on. If you're unsure, I can ask our General Manager of strategy and effectiveness, who has some governance expertise, to confirm that I have interpreted and I'm following the correct process.

OFFICER: Can I just quickly refer to the governance rules. I think you are on the right track.

MAYOR STAPLETON: Thank you.

CR HODGE: So where are we now? You have closed?

MAYOR STAPLETON: You don't close on an amendment, so we will still need to vote on the amendment but on the back of Councillor Bodsworth's question, before we vote, it's reasonable for our General Manager just to clarify the process.

CR HODGE: Thank you, Mayor.

MAYOR STAPLETON: That's OK. It's good to get it right.

CR PATTISON: Sorry for keeping everyone here longer. I am just trying to get a good outcome for everybody.

CR BODSWORTH: Can I ask a question in the meantime, please.

MAYOR STAPLETON: Ask the question.

CR BODSWORTH: When we were debating the governance rules and we were debating the role of amendments, the key point was whether they represented a substantial change to the motion, substantial enough or not to make it a sort of a very different motion, and in my mind as the proposer of that motion, I see the amendment as being a big change because to me the value of that work is way beyond risk mitigation. In fact, when I was talking to the motion, I guess I spent most time on presenting it as potential unfinished business that we would regret, which I see as being a really different issue to risk mitigation, so I guess I'm asking whether that makes it an amendment or an alternate motion. I'm just putting it there. I don't want to complicate things and prolong the meeting.

MAYOR STAPLETON: I'll let our General Manager respond to the governance questions.

OFFICER: So I'll respond to the first question and then I'll respond to Councillor Bodsworth's question. So the Mayor's interpretation was correct. So you have the situation where there's a mover and a seconder of a motion. You have got the situation where there's an amendment to that motion and moved by a Councillor and seconded. So that becomes - if it's not accepted by the mover and the seconder of the motion, then that is debated. As a result of that, it's voted on and, if that vote is successful, then that becomes the motion and the motion moved by Councillor Bodsworth and Councillor Allen ceases to exist.

CR BODSWORTH: OK. I understand. Thanks.

OFFICER: In terms of your question, Councillor Bodsworth, it's up to the Mayor to determine whether the amendment is a contradiction to the original motion or is consistent with the original motion.

MAYOR STAPLETON: Thank you. And my interpretation is that it is consistent. I don't think it's alternate. I think it's providing an option for the motion to be considered on the grounds of an officer being able to go out and inspect and provide Councillors with reassurance that the money does need to be spent, and in an ideal world, this is a decision that would have been accompanied by an officer report so that we could actually give it due consideration and I think that's the most difficult part of it and I think that's probably why we're finding ourselves in the situation where there's amendments and foreshadowed motions and alternate motions and because we don't have all the information we need, it makes it really difficult to debate and discuss in a knowledgeable way. So I'll just add that. And we are now at the point of voting on the proposed amendment by Councillor Pattison. So all those in favour of it as an amendment, please raise your hands? So the amendment is carried 5-3, so that now becomes the substantive motion, which is as moved by Councillor Bodsworth with the amendment based on the risk assessment being carried out by officers, and we'll pick the debate up back where we were. So Councillor Bodsworth and Councillor Allen and Councillor Pattison had spoken to the motion and there is now an opportunity for any other Councillors who would like to speak to that motion to do so. No? OK. So Councillor Bodsworth, you have an opportunity to close that debate before we put it to a vote. Do Councillors need to see the - no?

CR BODSWORTH: I don't feel the need to see it again. The options are dwindling right down. So in that light, no, I have nothing really to say. The comments that I've already made about the value of that work stand and if it hinges on an assessment, then so be it.

MAYOR STAPLETON: Thanks, Councillor Bodsworth. So we'll put the motion to a vote. All those in favour, please raise your hands. And the motion is carried unanimously. Well done, Councillors, and thank you for your patience as we worked our way through a rather tricky item. Moving on to item 7.3, which is the instrument of delegation Council to staff, and the purpose of this report is for Council to exercise its powers conferred by the legislation referred to in the attached S6 instrument of delegation. Do I have a mover for the recommendation? Councillor Barker. Is that as per the recommendation?

CR BARKER: Yes, Mayor.

MAYOR STAPLETON: And Councillor Hodge, thank you. And Councillor Barker, would you like to speak to the motion?

CR BARKER: No, thanks, Mayor.

MAYOR STAPLETON: Councillor Hodge?

CR HODGE: No, Mayor.

MAYOR STAPLETON: Any other Councillors? We will now put the motion to a vote. It's carried unanimously. Thank you, Councillors. Then item 7.4, which is the instrument of appointment and authorisation under the Planning and Environment Act 1987, and the purpose of this report is to seek Council's endorsement for authorised officers under the Planning and Environment Act. Do I have a mover for this recommendation? Councillor Barker and Councillor Bodsworth. And would you like to speak to the motion, Councillor Barker?

CR BARKER: No, thanks, Mayor.

MAYOR STAPLETON: Councillor Bodsworth?

CR BODSWORTH: No, thanks, Mayor.

MAYOR STAPLETON: Any other Councillors? We will put the motion to a vote. All those in favour? Please raise your hands. The motion is carried unanimously. Thank you, Councillors. Item 7.5 is the conflict of interest records and that's self-explanatory. Do I have a mover and a seconder to note the conflict of interest records? Councillor Bodsworth, thank you. And Councillor Pattison. And would either of you like to speak to the motion?

CR BODSWORTH: No, thanks, Mayor.

MAYOR STAPLETON: Any other Councillors? We will put the motion to a vote. The motion is carried unanimously. Thank you, Councillors. There being no urgent

business, we are now up to the closed section of the evening, and Councillors, we have two confidential items to consider tonight, so we will now thank and say good night to everyone in the gallery. Thank you so much for coming and sticking with us. We really do appreciate it. And thank you also to all of you watching from home. Thanks for joining us this evening and we look forward to seeing you.