

Minutes

Meeting of Council

Tuesday 10 December 2024

Surf Coast Shire Civic Office

Council Chambers

1 Merrijig Drive, Torquay, Victoria 3228

Commenced at 6:00 pm

Council:

Cr Mike Bodsworth (Mayor)

Cr Paul Barker

Cr Rebecca Bourke

Cr Joel Grist

Cr Liz Pattison

Cr Tony Phelps

Cr Adrian Schonfelder

Cr Libby Stapleton

Cr Leon Walker

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1 Procedural Matters

1.1 Present

1.2 Opening

The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung People and the Gulidjan and Gadubanud Peoples of the Eastern Maar. The main Council offices in Torquay are on Wadawurrung Country. We wish to acknowledge the Traditional Owners of the lands on which each person is attending or viewing this meeting today, and pay respect to Elders past and present. Council also acknowledges other First Nations People that may be attending the meeting today.

1.3 Pledge

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.

1.4 Apologies

Nil.

1.5 Confirmation of Minutes

Council Resolution

Moved Cr Schonfelder, Seconded Cr Pattison

That Council notes the minutes of the Council Meeting held on 22 October 2024 and 26 November 2024 as a correct record of the meeting.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

1.6 Leave of Absence Requests

Council Resolution

Moved Cr Pattison, Seconded Cr Stapleton

That a leave of absence be granted to Mayor Mike Bodsworth from 24 December 2024 to 24 January 2025 inclusive.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

1.7 Conflicts of Interest

Nil.

1.8 Presentations

Cr Schonfelder made a presentation about Pat Collins OAM, who recently passed away.

1.9 Public Question Time

Question 1

Alan Manson - Torquay (Question 1 of 1)

There is mounting evidence indicating a significant increase in the world's Excess Death numbers due to contamination of the COVID-19 vaccines. It is also reported that millions of people have been injured by these vaccines.

On November 19th, I emailed ALL Surf Coast councillors about the dangerous levels of DNA contamination of the COVID-19 'vaccines' reported to Council in two separate letters from the Port Hedland Council. This devastating public health emergency is supported by over 50 eminent scientists throughout the world.

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

Answer provided by General Manager Community Life

Hi Alan, thank you for your question.

While Council has not considered this matter and does not have this item scheduled for upcoming consideration, officers can provide their advice and I will hand over to our General Manager Community Life who leads the Environmental Health Unit.

Thanks Alan, officers have considered your question, and we have arrived at the advice that we should take a different approach to the Town of Port Hedland for these reasons:

- We are very clear that the responsibilities for approving and administering COVID-19 vaccines is the remit of federal and state government and not the responsibility of local government.
- Given these responsibilities and the absence of experts at Surf Coast Shire Council on this topic, the officer advice is that we are not in a sound position to assess the content of the letter you have sent, the Town of Port Hedland's position or the range of views on the COVID19 vaccination programs.
- Our approach is generally not to project a message that is inconsistent with an organization responsible for delivering key public programs - in this case related to health services. Another example of this approach is in the emergency management context.
- Under the National COVID-19 Vaccine Program, COVID-19 vaccines cannot be provided by Local Councils;
- Surf Coast Shire Council did not, and does not provide COVID-19 vaccines at any of our community childhood immunisation sessions;
- The administration of the COVID-19 vaccine is not captured as a responsibility of Council under those legislations mentioned;
- The Therapeutic Goods Administration (Federal Government) and Department of Health (State Government) are the responsible authorities in relation to COVID-19 vaccines; and
- In the absence of subject matter experts, it is appropriate for Council to follow the medical advice provided by the Federal and State Governments.

Question 2

Lynn Manson - Torquay (Question 1 of 1)

Dear Surf Coast Councillors

It has come to my attention that the Port Hedland Council (WA) has communicated with every local council in Australia to advise of the discovery of DNA contamination in the COVID-19 vaccines.

According to the Victorian Department of Health, immunisation services are a function of local government under the Public Health and Wellbeing Act 2008 (PHWA), Part 3, Division 3, s.24. This states: 'the function of every council under this Act is to seek to protect, improve and promote public health and wellbeing within the municipal district.

1. Would you please confirm receipt of the letter sent by Port Hedland Council to every councillor?
2. Further to my first question, would you please indicate how the Surf Coast Shire Council is planning to respond to this disturbing information in light of your responsibility under the Victorian Health Department act. Whatever council's views towards COVID-19

vaccinations may be, it appears that the indisputable evidence presented to the port Hedland Council should, at the very least illicit a thorough investigative response for the safety and welfare of the Surf Coast community.

Answer provided by General Manager Community Life

Thanks Lyn.

Yes, Port Hedland's letter has been received.

I think the answer above applies to your second question in that we are not in a position to assess the letter from the Town of Port Hedland and the range of views on COVID 19 vaccination program.

You may be able to find more information or asks further questions to the Therapeutic Goods Administration or Victorian Department of Health and we can provide the contact details for these two organisations responsible for this program.

2 Petitions and Joint Letters

Nil

3 Notices of Motion

Nil

4 Reports

4.1 All Abilities Advisory Committee Member Appointment

Council Plan

Theme Two - Healthy Connected Community

Strategy 6 - Enable communities to strengthen their social connections and participate in community life.

Theme Seven - Accountable and Viable Council

Strategy 19 - Improve Council's credibility as a trusted decision maker through meaningful engagement.

Author's Title:

Access and Inclusion Officer

General Manager:

Damian Waight, General Manager Community Life

Division:

Community Life

Department:

Age Youth and Access

Attachments:

Nil

Purpose

1. The purpose of this report is for Council to consider appointing Rick Williams to the All Abilities Advisory Committee.

Recommendation

That Council appoints Rick Williams to the All Abilities Advisory Committee for a three year term commencing December 2024.

Council Resolution

Moved Cr Walker, Seconded Cr Phelps

That Council appoints Rick Williams to the All Abilities Advisory Committee for a three year term commencing December 2024.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

2. If Council accepts this recommendation, Council will support the All Abilities Advisory Committee (AAAC) to remain an effective source of advice and advocacy for Council to continue improving access and inclusion in the Surf Coast Shire, through the representation of people with disability from across the Shire.

Key Considerations

3. The AAAC is a voluntary committee which needs recruitment due to periodic resignations and completion of terms. Under the Committee's terms of reference, Council appoints members to the AAAC.
4. In early 2024, officers conducted an expression of interest process resulting in the appointment of five new members in February 2024. Due to four members completing their terms, and two resignations, the Committee still has up to seven vacancies.
5. The decision was made to keep applications open for the AAAC year-round through advertisement on our website, as well as continuing with more targeted recruitment drives every 18-24 months, with the goal of increasing committee membership.
6. Council received an expression of interest from Rick Williams, a local community member from Anglesea with lived experience of disability in June 2024, and an interview was held in August 2024. As a result of this recruitment process, Rick is being recommended for appointment to the AAAC.
7. All six candidates interviewed throughout 2024 (five in February and one in August), including Rick, were assessed against the following selection criteria;
 - 7.1. High level understanding of the barriers to access and inclusion for people with disability in the Surf Coast Shire (lived experience is preferred).
 - 7.2. Ability to acknowledge and celebrate the positive contribution of people with disability to our community.
 - 7.3. Strong connection to Surf Coast Shire (i.e. live, work, volunteer, study here).
 - 7.4. Ability to work well in a group setting, including: the ability to listen well, compromise, and provide constructive feedback and ideas.
 - 7.5. Ability to commit to 3-4 hours every month for attending meetings, reading documents, responding to occasional emails.
8. Rick has confirmed he will accept a position on the Committee if appointed by Council. Working with Children Checks are undertaken for all new members.
- 9.
10. The appointment of Rick to the AAAC aims to increase the breadth of representation of people with disability from across the Shire. It achieves this by:
 - 10.1. Increasing the total number of committee members. This is important as, due to the nature of the population group represented, and being a voluntary committee, members sometimes need to resign before the end of their term.
 - 10.2. Increasing the diversity of representation in the committee including different types of disability and increasing the gender balance.
 - 10.3. Continuing to prioritise people with a strong connection to our Shire, as Rick has lived in Anglesea for the past 10 years.
 - 10.4. Continuing to prioritise people with lived experience of disability, as experts in their own lives. As the Terms of Reference (2021-24) state: "Community

members with lived experience of disability will be prioritised, including people with disability, carers and family members”.

11. The AAAC is a voluntary Committee and as such financial impacts on Council are minimal.
12. The committee itself is an important source of community engagement for Council and aligns with the *Local Government Act 2020* Community Engagement Principles and Council's Community Engagement Policy SCS-017.

Background

13. The AAAC has been advising Council since 2002. The Committee provides valuable advice to Council to help improve access and inclusion outcomes for people across the Surf Coast Shire. Appointments were last made to the AAAC in April 2024.
14. The AAAC Terms of Reference allows for up to 12 community individuals to be members on the Committee, including community and service representatives, in addition to a Councillor, the Access and Inclusion Officer, and the Aged, Youth and Access Coordinator.
15. According to the Terms of Reference, members can re-apply after the first term for two further terms of three years (total of nine years).

Ongoing members:

Timothy Harte (Chair) (started August 2022) - Gnarwarre
Alex Edwards (Deputy Chair) (started August 2022) – Anglesea
Cheryl Middleton - Bellbrae
Jo Klemke – Armstrong Creek (works in Torquay)
Penny Cilento (Torquay)

Options

Alternative Option 1 – Council does not appoint the recommended candidate to the AAAC

This option is not recommended by officers as the recruitment panel have assessed the candidate as being able to make a strong contribution to the committee in terms of lived experience of disability, connection to the Surf Coast Shire, and passion and knowledge about access and inclusion issues.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Two - Healthy Connected Community

Strategy 6 - Enable communities to strengthen their social connections and participate in community life.

Theme Seven - Accountable and Viable Council

Strategy 19 - Improve Council's credibility as a trusted decision maker through meaningful engagement.

Financial Considerations

16. The Committee is voluntary and is supported by officers. There are only minor costs associated with the Committee's operation and these are funded from existing adopted budgets.

Community Engagement

17. The committee itself is an important source of community engagement for Council and aligns with the *Local Government Act 2020* Community Engagement Principles and Council's Community Engagement Policy SCS-017. It has a clearly defined objective and scope outlined in its Terms of Reference. Members have access to objective, relevant and timely information via key documents shared prior to meetings, and presentations from officers during committee meetings. Participants are able to provide meaningful and informed feedback and officers are available to provide support to address any access requirements for each individual member. Members are informed at each meeting about Council's response to their advice.
18. The appointment of new members increases Council's adherence to the Community Engagement Principles under the *Local Government Act 2020*, as it ensures members of the committee are representative of people with disability and their carers who are most affected by the access and inclusion issues that the committee provides advice on.

Statutory / Legal / Policy Considerations

19. It is a requirement under the Victorian Disability Act 2006 for councils to have a disability action plan. The AAAC has played a pivotal role in developing Council's various disability action plans over many years, and has been active in assisting Council to implement them. Currently our action plan sits under the 10-year Access and Inclusion Strategic Plan. The AAAC Terms of Reference outlines the role and function of the Committee in advising and advocating to Council to promote participation and improve access and inclusion for people with disability in Surf Coast Shire.

19.1. *Disability Act 2006 (Vic)*

19.2. *Surf Coast Access and Inclusion Strategic Plan 2014-2024.*

19.3. *AAAC Terms of Reference*

20. A Gender and Equity Impact Assessment was not conducted on the recruitment process for the All Abilities Advisory Committee, as the process was not new or being reviewed. However a GEIA will be conducted on the Committee as a whole when the AAAC Terms of Reference are reviewed in 2025, which may result in recommendations relating to future recruitment.

Strategic Risk

21. Failure to deliver outcomes in line with community needs
22. Inherent Risk Rating - *Serious*, Residual Risk Rating - *High*
23. By appointing new members to the All Abilities Advisory Committee when vacancies are present, Council will ensure the Committee remains an effective source of advice and advocacy for Council by supporting the broad representation of people with disability from across the Shire.

4.1 All Abilities Advisory Committee Member Appointment

24. The All Abilities Advisory Committee is a long standing committee that has been working with Council for over 20 years. All applicants went through a rigorous recruitment process including expression of interest, interview, and reference checks. All successful applicants will also have Working With Children Checks.

Risk Rating

25. Risk rating is low and can be managed at department level.

Risk Appetite

26. We must value and enable community to foster a thriving, connected, healthy municipality even if this means Council has less influence and control.

Sustainability Considerations

27. There are no major sustainability implications relating to this report.

Conflict of Interest

28. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

29. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

30. This is not in scope of the Audit and Risk Committee.

Councillor Briefings

31. Information on this was provided at the following Councillor briefing prior to being presented to Council for consideration. Councillor attendance at the briefing was as follows:

Councillor Briefing Date: 15 November 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Mike Bodsworth</i>	Y	<i>Cr Liz Pattison</i>	Y
<i>Cr Paul Barker</i>	Y	<i>Cr Adrian Schonfelder</i>	Y
<i>Cr Libby Stapleton</i>	Y	<i>Cr Joel Grist</i>	Y
<i>Cr Rebecca Bourke</i>	Y	<i>Cr Tony Phelps</i>	Y
<i>Cr Leon Walker</i>	Y		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.

4.2 AFL Funding Opportunity

Council Plan

Author's Title:

General Manager:

Division:

Department:

Attachments:

Theme Two - Healthy Connected Community

Strategy 3 Facilitate the provision of social infrastructure and open space to enable healthy lifestyles.

Coordinator Social Infrastructure & Open Space Planning

Chris Pike, General Manager Placemaking and Environment

Placemaking and Environment

Integrated Planning

Nil

Purpose

1. The purpose of this report is to seek Council's endorsement to submit a funding application to a grant round available through the Australian Football League (AFL).

Recommendation

That Council:

1. Submits an application to the Australian Football Facilities Fund (AFFF) for the Spring Creek Reserve Female Friendly Change Facilities Upgrade project on the following basis: \$75,000 from the AFFF (\$0 from Council).
2. Authorises the Chief Executive Officer to execute a funding agreement on behalf of Council should the application be successful.
3. Notes that, if the application is successful, this would bring the total project budget to \$775,000 including \$700,000 already committed by the Australian Government.

Council Resolution

Moved Cr Stapleton, Seconded Cr Pattison

That Council:

1. Submits an application to the Australian Football Facilities Fund (AFFF) for the Spring Creek Reserve Female Friendly Change Facilities Upgrade project on the following basis: \$75,000 from the AFFF (\$0 from Council).
2. Authorises the Chief Executive Officer to execute a funding agreement on behalf of Council should the application be successful.
3. Notes that, if the application is successful, this would bring the total project budget to \$775,000 including \$700,000 already committed by the Australian Government.

CARRIED 8|1

For	Against	Abstained
Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Cr Barker	Nil

Outcome

2. If Council accepts this recommendation, it would be taking positive action to try to improve Council facilities' capacity to meet growing community needs without requiring financial contributions from Council.

Key Considerations

3. The project recommended for submission is deemed the most suitable for this funding program.
4. The project has been assessed to meet the aims and funding criteria for the grant and is aligned to Council's strategic planning framework.
5. The project is listed in Council's Our Places & Spaces State of Play document (noted by Council in August 2024).
6. Staff resources are available to support the application process and project delivery as the project is already live with Australian Government funding.
7. The project has been discussed with AFL Victoria to ensure eligibility and alignment.
8. Contributions are not required from Council to apply to the fund.

Background

9. The fund aims to support the provision of well positioned, welcoming, accessible, fit for purpose football facilities that support the growing game's strategic priorities.
10. There is no closing date as the fund runs on a rolling cycle. The fund requires submission of a full application.
11. The recommended project for this fund is the Spring Creek Reserve Female Friendly Change Facilities Upgrade project. The project secured \$700,000 from the Australian Government. The AFL have identified the project as an opportunity that the AFFF could contribute to and have encouraged Council to submit an application.
12. The AFFF provides up to \$100,000 for the Project Delivery stage. It is recommended to apply for \$75,000 rather than the full \$100,000 available to increase the appeal for the AFL to financially support the project. A Council contribution is not required.
13. The project scope includes delivery of an essential female friendly upgrade of the change facilities featuring gender neutral shower and toilet cubicles to benefit football and cricket.
14. A female friendly redevelopment is critical to enable the Torquay Football and Cricket Clubs to provide the community with successful, enjoyable and comfortable female participation opportunities.
15. If sufficient budget is available, additional infrastructure changes including the potential for a new canteen and family shelter will be considered.

4.2 AFL Funding Opportunity

16. Other projects have not been considered for this fund as the AFL encouraged Council to submit an application for this project given its strong alignment to the objectives of the fund.
17. Council applied to the Victorian Government's Regional Community Sports Infrastructure Fund (RCSIF) in March 2024 for an additional \$1 million for the project, however the application was unsuccessful.
18. The focus of the project is to deliver the best possible community outcome with the Australian Government's \$700,000, plus any additional funding that can be sourced, including through this opportunity with the AFFF.

Options

19. **Alternative Option 1** – That Council does not submit an applications to the AFFF.

This option is not recommended as the AFFF is a value-adding fund as it has potential to bring an additional contribution to an existing priority project.

20. **Alternative Option 2** – That Council submits an alternate project to AFFF.

This option is not recommended as the recommended project for the AFFF has been identified by the AFL and already has \$700,000 confirmed through the Australian Government.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Two - Healthy Connected Community

Strategy 3 Facilitate the provision of social infrastructure and open space to enable healthy lifestyles.

21. The project will contribute to Strategy 3 in that upgraded / new infrastructure will provide participation opportunities, programs, services and/or activities to enable greater participation in community life and encourage people to adopt healthy living lifestyles.

Financial Considerations

22. There is no requirement for Council to contribute funds to the project in order to submit an application.
23. Council will be required to contribute resources to the project through officer time to undertake the application process, execute a funding agreement, manage all milestone reporting and directly manage the delivery of the project.

Community Engagement

24. The planning stage of the Spring Creek Reserve Female Friendly Change Facilities Upgrade project included engagement with the Torquay Football Club, Torquay Cricket Club and Torquay Netball Club, and this will continue as required. Nearby residents and other reserve user groups received communication in March 2024 about this project and other potential future projects for Spring Creek Reserve.

Statutory / Legal / Policy Considerations

25. The project recommended for submission is in line with relevant Council strategic documents, planning work and/or advocacy priorities.
26. If the application is successful, Council will execute a funding agreement and be responsible for reporting against grant and project milestones, providing a final grant acquittal at project completion and ensuring compliance with Government publicity and acknowledgement guidelines.
27. In compliance with the *Gender Equality Act 2020* a Gender and Equity Impact Assessment has been conducted on the Spring Creek Reserve Female Friendly Change Facilities Upgrade project.

Strategic Risk

28. Failure to deliver outcomes in line with community needs
29. Inherent Risk Rating - *Serious*, Residual Risk Rating - *High*
30. By endorsing submission of the above grant application, Council will be supporting efforts to secure external funding that will enable the provision of enhanced infrastructure and programs to meet community needs and support people to engage in community life.

Risk Rating

31. The risk rating for the application process is low and can be managed at department level.
32. If successfully funded, the project will have both common and specific risks. These will be identified, mitigated and monitored through Risk Management Plans developed by the project teams prior to delivery in line with Council's Project Management Framework.

Risk Appetite

33. No Risk Appetite Statements were selected as none were specifically relevant for this report.

Sustainability Considerations

34. The project will incorporate environmentally sustainable design principles in line with Council's Environmentally Sustainable Council Facilities Policy and best practice where possible.
35. This may include energy efficient lighting, equipment, environmentally friendly materials and products, recycled content products, and environmentally-sensitive policies and procedures during construction and delivery.

Conflict of Interest

36. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

37. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

38. This is not in scope of the Audit and Risk Committee.

Councillor Briefings

39. This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:

Councillor Briefing Date: 3 December 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Mike Bodsworth</i>	Y	<i>Cr Liz Pattison</i>	Y
<i>Cr Paul Barker</i>	Y	<i>Cr Adrian Schonfelder</i>	Y
<i>Cr Libby Stapleton</i>	Y	<i>Cr Joel Grist</i>	Y
<i>Cr Rebecca Bourke</i>	Y	<i>Cr Tony Phelps</i>	Y
<i>Cr Leon Walker</i>	Y		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.

4.3 Department of Education – Building Blocks – Minor Infrastructure grant opportunity

Council Plan

Theme Two - Healthy Connected Community

Strategy 4 - Improve access to local services and programs that support people to be healthy and well.

Author's Title:

Coordinator Early Years

General Manager:

Damian Waight, General Manager Community Life

Division:

Community Life

Department:

Community Strengthening

Attachments:

Nil

Purpose

1. The purpose of this report is to seek Council's ratification of an application for a state government grant to fund the design and redevelopment of the play space at Kurrambee Myaring Kindergarten which was submitted 2 October 2024.

Recommendation

That Council ratifies the \$150,000 grant application to the Victorian Government's Building Blocks Minor Infrastructure fund for the Kurrambee Myaring Kindergarten play space which was submitted in October 2024 with no matched funding required from Council.

Council Resolution

Moved Cr Pattison, Seconded Cr Stapleton

That Council ratifies the \$150,000 grant application to the Victorian Government's Building Blocks Minor Infrastructure fund for the Kurrambee Myaring Kindergarten play space which was submitted in October 2024 with no matched funding required from Council.

CARRIED 7/2

For	Against	Abstained
Cr Bodsworth Cr Bourke Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Cr Barker Cr Grist	Nil

Outcome

2. If successful, this grant will fund the design and rejuvenation of the Kurrambee Myaring Kindergarten (KMK) play space area with more defined activity zones, new play areas, and address gaps like an outdoor classroom and space for moveable equipment.
3. KMK opened in 2017 and has experienced growth due to increased housing in the area and a rise in births in recent years. This has resulted in increased use of the yard due to growth and the functionality of the yard is not meeting requirements. There are currently

some drainage issues, and site levelling work that can be resolved in this grant opportunity.

Key Considerations

4. The Victorian Government has established the Building Blocks Improvement grants and one of the fund's objectives is to help kindergartens upgrade, refurbish and renovate their early learning facilities so children can learn in a quality learning environment.
5. This application is seeking funding to redesign the kinder play space to create a better flow and fix issues such as drainage and site level improvements. Some additions proposed in the concept design include artificial turf, large logs, soft fall areas, planting shrubs / trees, disability access improvements and relaying of the pathways.
6. This grant application has been completed with input from multiple Council departments. Kindergarten staff and children have provided input on the play space concept design.
7. The application was submitted 2 October 2024 to meet the grant round deadline, so this report seeks Council's ratification of the application. There was not an opportunity to endorse the grant application in advance of the election period commencing in September 2024.
8. There is no Council matched funding required for the grant.

Background

9. In 2023 a consultant completed a functionality audit of the play space which outlined some issues such as narrow areas for climbing equipment, no opportunity for small slow play, dust bowls where the grass used to be, drainage issues near the sandpit and the general flow of the yard could be improved.
10. Officers have submitted an application for \$150,000 to re-develop the yard and fix the issues outlined in the report after consultation with the teaching staff and children.

Options

11. **Alternative Option 1** – That Council does not ratify the application.
This option is not recommended by officers because the grant requires no cash contribution from Council and will help deliver a play space that is inclusive to all children and fixes the functionality issues outlined by staff and the report.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Two - Healthy Connected Community

Strategy 4 - Improve access to local services and programs that support people to be healthy and well.

This application supports the council plan in theme 2 - Healthy Connected Community. These inclusive resources will improve access to local services and programs that support people to be healthy and well and provide an inclusive environment for all. It will enable children in their community to strengthen their social connections and participate in community life.

Financial Considerations

12. Council is not required to provide a cash contribution to the grant application.
13. Council's project management costs are included in the grant budget.
14. Ongoing maintenance costs are not expected to increase and no additional large equipment will need to be added to the asset register.

Community Engagement

15. The project team engaged with kindergarten staff and students on the concept design of the play space.

Statutory / Legal / Policy Considerations

16. Council receives ongoing operational state kindergarten funding, and this fits within state policy of the Best Start Best Life reforms which improves developmental and educational outcomes for young Victorians.
17. In compliance with the *Gender Equality Act 2020* a Gender and Equity Impact Assessment will be conducted on this project if successful in the grant application.

Strategic Risk

18. Failure to deliver outcomes in line with community needs
19. Inherent Risk Rating - *Serious*, Residual Risk Rating - *High*

Risk Rating

20. Risk rating is low and can be managed at department level.

Risk Appetite

21. There is not a risk appetite statement that closely aligns with the subject of this report.

Sustainability Considerations

22. One of the conditions of the grant is that product is sourced ethically and sustainability. This will be reflected in the RFQ and discussed with all stakeholders.

Conflict of Interest

23. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

24. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

25. This item was not considered by the Audit and Risk Committee.

Councillor Briefings

26. This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:

Councillor Briefing Date: 3 December 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Mike Bodsworth</i>	<i>Y</i>	<i>Cr Liz Pattison</i>	<i>Y</i>
<i>Cr Paul Barker</i>	<i>Y</i>	<i>Cr Adrian Schonfelder</i>	<i>Y</i>
<i>Cr Libby Stapleton</i>	<i>Y</i>	<i>Cr Joel Grist</i>	<i>Y</i>
<i>Cr Rebecca Bourke</i>	<i>Y</i>	<i>Cr Tony Phelps</i>	<i>Y</i>
<i>Cr Leon Walker</i>	<i>Y</i>		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting

4.4 Community Asset Committee - Annual Report 2023-24 and Committee Appointments

Council Plan

Theme Two - Healthy Connected Community

Strategy 6 - Enable communities to strengthen their social connections and participate in community life.

Author's Title:

Team Leader Community Facilities

General Manager:

Damian Waight, General Manager Community Life

Division:

Community Life

Department:

Community Life

Attachments:

1. 2023-2024 CAC Annual Report Table [4.4.1 - 1 page]

Purpose

1. The purpose of this report is to:
 - 1.1. Present Council the 2023-24 Community Asset Committee annual report; and
 - 1.2. To consider volunteer resignations from and appointments to Community Asset Committees during the 2024-25 financial year.

Recommendation

That Council:

1. Notes the 2023-24 annual report on Council's seven Community Asset Committees (**Attachment 1**).
2. Acknowledges the valuable contributions that all Community Asset Committee members have made to their community and thanks each volunteer for their dedicated support;
3. Appoints Kerrie Thomas, Tim Head and Anna Jenkins to the Modewarre Reserve and Hall Community Asset Committee;
4. Accepts the resignation of Sandra Tanner and Brian Tanner from the Modewarre Reserve and Hall Community Asset Committee;
5. Notes that the Mayor has written thank you letters to Brian Tanner and Sandra Tanner acknowledging and thanking them for their service to their local community.

Council Resolution

Moved Cr Stapleton, Seconded Cr Phelps

That Council:

1. Notes the 2023-24 annual report on Council's seven Community Asset Committees (**Attachment 1**).
2. Acknowledges the valuable contributions that all Community Asset Committee members have made to their community and thanks each volunteer for their dedicated support;
3. Appoints Kerrie Thomas, Tim Head and Anna Jenkins to the Modewarre Reserve and Hall Community Asset Committee;
4. Accepts the resignation of Sandra Tanner and Brian Tanner from the Modewarre Reserve and Hall Community Asset Committee;

Notes that the Mayor has written thank you letters to Brian Tanner and Sandra Tanner acknowledging and thanking them for their service to their local community. CARRIED

9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

2. If Council accepts this recommendation, it will receive and note the Community Asset Committee 2023-24 Annual Report which has been completed to achieve compliance with section 47(6) of the *Local Government Act 2020*.
3. Council will also accept the resignations from Brian and Sandra Tanner, and appoint Kerrie Thomas, Tim Head and Anna Jenkins to the Modewarre Reserve and Hall Community Asset Committee.

Key Considerations

4. In accordance with section 47(6) of the Act, a report needs to be presented to Council on the annual performance of the Community Asset Committees. The attached annual report (**Attachment 1**) contains activity from the 2023-24 financial year.
5. The report shows the majority of our Community Asset Committees performing well and many continue to meet the requirements of their Instrument of Delegation document which guides the committees' operations.
6. The report shows some Community Asset Committees are not meeting all of their responsibilities in the Instrument of Delegation including:
 - 6.1. Four committees have not met the requirement to hold five meetings per year;
 - 6.2. Not all volunteer committee members have had their Working with Children Check's completed;
 - 6.3. Three Community Asset Committees have not had their AGM's and financial statements audited on time as they were working to the calendar year cycle; and
 - 6.4. One asset register was not received on time.
7. Officers are working with those Community Asset Committees to provide support to meet these requirements.

Background

8. The Community Asset Committees were established by Council resolution at the 25 August 2020 meeting in accordance with s47(1) of the *Local Government Act 2020*.
9. The Community Asset Committees replaced the Section 86 Committees of Management that were in place under the previous legislation.
10. Council's seven Community Asset Committees play an integral role in maintaining and promoting community use of Council facilities.
11. The Committees are made up of volunteers, many have held a position on the Committee for a long period of time.
12. Whilst Surf Coast Shire volunteer numbers are reasonably strong, attracting and retaining Community Asset Committee members can be challenging for some committees.

Options

13. **Alternative Option 1** – That Council does not note the annual report and does not accept the resignations from and appointments to the Community Asset Committees.

This option is not recommended as not noting the 2023-24 Community Asset Committee annual report would be non-compliant with the requirements of the *Local Government Act 2020* (Act). Additionally, this option would not accept the wishes of committee members who are stepping away and would not appoint those people who have skills and energy to join the Modewarre Hall Committee. This option would negatively impact the work done by our Community Asset Committee's to attract new members from their local communities.

Additionally,

Council Plan (including Health and Wellbeing Plan) Statement

Theme Two - Healthy Connected Community

Strategy 6 - Enable communities to strengthen their social connections and participate in community life.

14. Volunteers are integral to a thriving community. Volunteering creates social opportunities for individuals and collectively, volunteers achieve many projects and initiatives which benefit many people within the community.

Financial Considerations

15. Financial information included in the reporting (**Attachment 1**) provides transparency regarding the financial status of each Committee.
16. Community Asset Committees' financial statements need to be independently audited each year. Council's finance department reviews the audit reports.

Community Engagement

17. Community Asset Committees operate close to the 'empower' level on the International Spectrum of Public Participation (IAP2) spectrum as they make decisions and operate facilities for the benefit of the community.

Statutory / Legal / Policy Considerations

18. Community Asset Committees are established by Council in accordance with section 65 of the *Local Government Act 2020*. Once a Committee is established, the Chief Executive Officer then delegates relevant powers, duties and functions to the Committees through an Instrument of Delegation as described in section 47 of the Act.
19. In accordance with section 47(6) of the Act, reporting is required to be presented to Council in relation to the activities and performance of the Committees. The reporting provided with this report (**Attachment 1**) contains information relating to the 2023-24 financial year.

Risk Assessment

20. By noting the annual report, Council mitigates risks of complying with the requirements of the Act as well as improving transparency.

Sustainability Considerations

21. The appointment of new committee members helps sustain Community Asset Committees who play an important role in managing community facilities.

Conflict of Interest

22. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

23. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

This report will be presented to the next Audit and Risk Committee meeting, and Councillors will be advised of any actions.

Councillor Briefings

24. This item was discussed at the following Councillor briefing prior to being presented to Council for consideration. Councillor attendance at the briefing was as follows:

Councillor Briefing Date: 15 November 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Paul Barker</i>	Y	<i>Cr Tony Phelps</i>	Y
<i>Cr Mike Bodsworth</i>	Y	<i>Cr Adrian Schonfelder</i>	Y
<i>Cr Rebecca Bourke</i>	Y	<i>Cr Libby Stapleton</i>	Y
<i>Cr Joel Grist</i>	Y	<i>Cr Leon Walker</i>	Y
<i>Cr Liz Pattison</i>	Y		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.

2023 / 2024 – Community Asset Committee Annual Report



Community Asset Committee	Committee Turnover	Committee members	No . Of meetings*	Opening Balance	Income	Expenditure	Closing Balance	Non Compliances **
Anderson Roadknight, Aireys Inlet	1 x Appointment	9	6	\$57,244.91	\$20,687.62	\$18,265.36	\$59,667.17	Nil issues
Anglesea Bike Park***	1 x Resignation	8	2	\$2,117.80	\$3,181.17	\$320.00	\$4,978.97	2 x Meetings 6 x Members - no WWCC
Connewarre Reserve	Nil	9	4	\$28,124.64	\$12,774.50	\$4,124.09	\$36,775.05	4 x Meetings 3 x Members - no WWCC 1 x Exp. WWCC
Deans Marsh Hall and Recreation Reserve	3 x Resignation	7	5	\$23,091.00	\$3,664.00	\$1,161.00	\$25,594.00	2 x Members - No WWCC 1 x Member Exp. WWCC
Eastern Reserve, Winchelsea***	1 x Resignation	5	2	\$177,486.43	\$25,402.29	\$25,490.35	\$177,398.37	2 x Meetings 4 x Members - No WWCC
Modewarre Hall and Reserve	1 x Resignation	6	4	\$13,600.00	\$2,311.00	\$5,681.00	\$10,230.00	4 Meetings
Stribling Reserve, Lorne***	Nil	9	6	\$4,292.50	\$89,580.60	\$88,347.56	\$5,525.54	2 x Members - with no WWCC 1 x Expired WWCC

Note:

- * In the Instrument of Delegation, Committees must hold at least 5 meetings, including an Annual General Meeting
- ** This refers to compliance with the Instrument of Delegation
- *** CAC has not had an AGM since end of financial year and therefore has not yet had their financials audited.

4.5 Heavy Vehicle Access to Hesse Street Winchelsea

Council Plan

Author's Title:
General Manager:
Division:
Department:
Attachments:

Theme Five - A Robust and Diverse Economy

Strategy 14 Enable people to run successful local businesses that grow and create jobs in our changing economy.

Manager Assets and Engineering

Chris Pike, General Manager Placemaking and Environment

Placemaking and Environment

Placemaking and Environment

1. Hesse Street Loading Zone Images [4.5.1 - 1 page]

Purpose

1. The purpose of this report is to respond to the petition received by Council at its September 2024 Council Meeting titled 'Heavy Vehicle Access to Hesse Street and Fixing of Loading Bay - Hesse Street Winchelsea'. This report is in response to that petition.

Recommendation

That Council:

1. Notes the actions which have been undertaken by Council officers and Powercor, as described in point 4 of this report, to address the concerns raised in relation to the safety of Hesse Street, Winchelsea.
2. Notes that Council and WorkSafe will revisit the site in six months to confirm that the changes made have been successful in improving the overall safety of the area.
3. Advises the lead petitioner of the actions proposed by Council and Powercor.

Council Resolution

Moved Cr Phelps, Seconded Cr Schonfelder

That Council:

1. Notes the actions which have been undertaken by Council officers and Powercor, as described in point 3 of this report, to address the concerns raised in relation to the safety of Hesse Street, Winchelsea.
2. Notes that Council and WorkSafe will revisit the site in six months to confirm that the changes made have been successful in improving the overall safety of the area.
3. Advises the lead petitioner of the actions proposed by Council and Powercor.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

2. If Council accepts this recommendation, it will have responded to the petition in accordance with its Governance Rules.

Key Considerations

3. Council officers and Powercor have committed to undertaking a number of actions to improve safety within Hesse Street Winchelsea. WorkSafe have indicated their support for these proposed actions.
4. Council officers investigated the concerns raised by WorkSafe and following discussions with both WorkSafe and Powercor, as the responsible authority for the powerlines, have identified a number of actions as follows:
 - 4.1. Powercor have temporarily lifted the powerlines to a safe clearance height. A permanent fix is due in 40 days.
 - 4.2. Officers will widen the loading bay to allow trucks to be more level when unloading. Further design investigations into reducing the camber to even out the loading bay/footpath interface are also underway.
 - 4.3. WorkSafe have confirmed that the turning movements of the trucks are the responsibility of the businesses receiving goods. Businesses offered (through the petition) to provide spotters. Council will assist by sharing advice on usage of spotters and keeping track of any future incidents.
5. WorkSafe have indicated their satisfaction with the proposed actions.
6. Council and WorkSafe to revisit the site in 6 months to confirm that the changes made have been successful in improving the overall safety of the area.

Background

7. Council received a petition at its September 2024 Council Meeting titled 'Heavy Vehicle Access to Hesse Street and Fixing of Loading Bay - Hesse Street Winchelsea'. The petition was in response to a local business being contacted by WorkSafe with regards to the Council loading bay adjacent to the business and general traffic issues within the street. The business through the petitioned called on Council to fix the traffic issues raised by WorkSafe.
8. Hesse Street is a no through road and is used by semitrailers (primarily for IGA and Post Office).
9. Council officers met with WorkSafe on site and WorkSafe identified three key risks:
 - 9.1. Sagging powerlines at risk of making contact with unloading vehicles.
 - 9.2. Designated loading bay camber being dangerously steep and unloading vehicles (forklifts) at risk of tipping.
 - 9.3. Truck turning movements on the narrow dead-end street are tight and at risk of impacting pedestrians and/or other vehicles.

Options

10. **Alternative Option 1** – That Council does not note the report provided by officers and directs officers not to undertake the outlined actions or undertake alternative actions.

This option is not recommended by officers as this would be contrary to agreed actions with WorkSafe and failure of Council to deliver on these actions will result in an official notice from WorkSafe.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Five - A Robust and Diverse Economy

Strategy 14 Enable people to run successful local businesses that grow and create jobs in our changing economy.

11. Undertaking the works outlined within this report will support the ability of local businesses to continue to receive deliveries in a safe manner.

Financial Considerations

12. There will be minor cost to Council resulting from the linemarking of the loading bay. Further costs will result if Council is to undertake works to alter the road camber at the loading bay. Officers are investigating funding sources for this work which could be \$100,000-200,000.

Community Engagement

13. Officers have been in touch with the lead petitioner in November. Council will advise the petitioner of the outcomes of this report. In addition, Council officers will discuss the need for spotters for deliveries with impacted businesses.

Statutory / Legal / Policy Considerations

14. As the responsible road authority Council has the responsibility of providing a safe road network for the community.

Strategic Risk

15. Failure to plan and deliver infrastructure and services which keep pace with growth
16. Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
17. Through implementation of the actions within this report Council will be improving safety at this location for both delivery operators and surrounding community.

Risk Rating

18. The risk rating has been identified as medium the risk can be managed at department level. Officers have been working with WorkSafe who are supportive of Council's approach.

Risk Appetite

19. To ensure our economy is sustainable and supports a diversity of local enterprises and people, we must balance tourism and support local businesses, even if it means fewer large scale employers.

Sustainability Considerations

20. There are no sustainability implications to these works.

Conflict of Interest

21. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

22. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

23. This is not in scope of the Audit and Risk Committee.

Councillor Briefings

24. This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:

Councillor Briefing Date: 15 November 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Paul Barker</i>	Y	<i>Cr Tony Phelps</i>	Y
<i>Cr Mike Bodsworth</i>	Y	<i>Cr Adrian Schonfelder</i>	Y
<i>Cr Rebecca Bourke</i>	Y	<i>Cr Libby Stapleton</i>	Y
<i>Cr Joel Grist</i>	Y	<i>Cr Leon Walker</i>	Y
<i>Cr Liz Pattison</i>	Y		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.



4.6 Safer Cycling Strategy and Action Plan 2022-2027 - Year Two Progress Report and Funding Applications

Council Plan

Author's Title:

General Manager:

Division:

Department:

Attachments:

Theme Two - Healthy Connected Community

Strategy 5 - Make it easier for people to move around our towns and in nature without relying on cars

Coordinator Road Strategy

Chris Pike, General Manager Placemaking and Environment

Placemaking and Environment

Assets and Engineering

1. Safer Cycling Presentation Council meeting December 2024 [**4.6.1** - 6 pages]
2. Safer Cycling Strategy Five Year Action Plan - Status as of 01.11.2024 [**4.6.2** - 11 pages]
3. Bristol Road Safe cycling-pathway cross section [**4.6.3** - 1 page]

Purpose

1. The purpose of this report is to:
 - 1.1. Update Council on the second-year progress of the Safer Cycling Strategy Action Plan and implementation of the Safer Cycling Strategy recommendations; and
 - 1.2. Position the Council to make timely applications for grant opportunities including to the Australian Government's Active Transport Fund to deliver a significant project identified in the action plan in Bristol Road, Torquay.

Recommendation

That Council:

1. Receives and notes the Year Two progress report on the Surf Coast Safer Cycling Strategy and Action Plan 2022-2027 (**Attachments 1 & 2**).
2. Approves the CEO (or their delegate) to apply for grant opportunities to deliver Safer Cycling Strategy and Action Plan 2022-2027 initiatives where they have a total project cost of no more than \$1,200,000 and Council's contribution is either zero or can be funded from Council budget allocations.
3. Approves the CEO (or delegate) to submit an application to the Australian Government's Active Transport Fund as follows:
 - 3.1. Pedestrian and cycling safety improvements in Bristol Road between Surf Coast Hwy and Fischer Street, Torquay – total project cost up to \$1.1million consisting of \$550,000 from the Active Transport Fund and \$550,000 from the Australian Government's 2025-26 Roads to Recovery Program allocation.
4. Should its application to the Australian Government's Active Transport Fund be successful, pre-allocates \$550,000 from the Australian Government's 2025-26 Roads to Recovery Program allocation to the Bristol Road pedestrian and cycling safety improvements project.
5. Authorises the CEO to execute grant funding agreements if any applications are successful.

Council Resolution

Moved Cr Pattison, Seconded Cr Stapleton

That Council:

1. Receives and notes the Year Two progress report on the Surf Coast Safer Cycling Strategy and Action Plan 2022-2027 (**Attachments 1 & 2**).
2. Approves the CEO (or their delegate) to apply for grant opportunities to deliver Safer Cycling Strategy and Action Plan 2022-2027 initiatives where they have a total project cost of no more than \$1,200,000 and Council's contribution is either zero or can be funded from Council budget allocations.
3. Approves the CEO (or delegate) to submit an application to the Australian Government's Active Transport Fund as follows:
 - 3.1. Pedestrian and cycling safety improvements in Bristol Road between Surf Coast Hwy and Fischer Street, Torquay – total project cost up to \$1.1million consisting of \$550,000 from the Active Transport Fund and \$550,000 from the Australian Government's 2025-26 Roads to Recovery Program allocation.
4. Should its application to the Australian Government's Active Transport Fund be successful, pre-allocates \$550,000 from the Australian Government's 2025-26 Roads to Recovery Program allocation to the Bristol Road pedestrian and cycling safety improvements project.
5. Authorises the CEO to execute grant funding agreements if any applications are successful.

CARRIED 8|1

For	Against	Abstained
Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Cr Barker	Nil

Outcome

2. This report provides an update on Council's progress within the second year of the Safer Cycling Strategy Action Plan outlining some positive achievements and some delivery challenges. If supported, the recommendation also positions Council officers to efficiently attract external funding in seeking to deliver on Council's safer cycling objectives.

Key Considerations

3. The Safer Cycling strategy is an ambitious strategy which aligns with state and federal targets. It also aligns strongly with community expectations and feedback. It places Surf Coast Shire Council in a strong position to collaborate with and attract funding opportunities from other levels of government through provision of clear strategic intent.

4. There is significant community benefit in the provision of safer pedestrian and cycling links connecting to key activity precincts. This was clearly demonstrated by the 600 survey responses during strategy development and the ongoing interest demonstrated by community in participating in annual projects.
5. Steady progress on actions has continued throughout the second year of the plan's implementation in designing and/or delivering safer infrastructure, speeds, and signs on the highest cyclist risk council roads.
6. 32% of actions within the strategy have been delivered within the first two years, a strong delivery rate given the ambitious nature of the strategy and time taken in developing, funding and planning works.
7. Council has been successful in securing external funding support to make cycling safer. Between November 2022-2024 \$2 million of externally funded works were delivered implementing the plan. Confirmed external funding for projects in 2024/2025 and beyond add up to \$2.717 million. These figures are supplemented by projects from the Torquay Jan Juc Development Contributions Plan and may be further boosted once current applications are assessed by funding bodies.
8. Project highlights over the past 12 months for Cycling improvements include infrastructure on Fischer Street, Beach Road and Grossmans Education Precinct.
9. Progress with the first two goals within the strategy (cycling safety & infrastructure) have exceeded expectations and delivery is ahead of targets. The third goal relating to tourism & economic benefit if cycling is on track for delivery. There are also several goals within the strategy (namely goals 4, 5 & 6) which are behind the planned delivery timelines. These actions relate to process change, education, and advocacy.
10. The original aspiration was engagement of an active transport officer role to progress these goals. Considering Councils financial constraints officers are investigating opportunities to find innovative ways to action these goals within existing Council delivery structures.
11. Connecting the Surf World Precinct to Torquay town Centre was identified as a high strategic priority within the safer Cycling strategy both for commuter, school aged cyclists and recreational cyclists. The recommended treatment was the provision of safe cycling pathways/ separated cycle lanes along Bristol Road connecting to a shared path along Surf Coast Highway through the signalisation of Bristol Road intersection. An analyses project undertaken in 2023/24 has included development of concept plans & detailed cost estimates to deliver this critical missing infrastructure link (action 1.10 in Safer Cycling Strategy). A typical cross section showing this proposed treatment on Bristol Road from the Surf Coast Highway to Pearl Street is provided in **Attachment 3**.
12. Currently the Federal Government has a 50/50 co-contribution Active Transport grant opportunity for Council to apply for in January 2025. Officers have identified the Bristol Road pedestrian and cycling improvement project within the Safer Cycling Strategy which aligns with this funding criteria at a total project cost of \$1.1million. Council can leverage some of its Federal Roads to Recovery allocation for 2025-26 as the matching 50%.

Background

13. In 2020, a Transport Accident Commission (TAC) grant opportunity became available for funding to support a project focussed on reducing cycling and/or pedestrian crash incidents on the road network within the Shire.
14. Officers identified this as an opportunity to deliver on the action from Council's 2016-2021 Road Safety Strategy with regards to cycling accidents and an application to develop a Safer Cycling Strategy was submitted. This application to develop a standalone Safer Cycling Strategy would guide planning and help prioritise cycling infrastructure in the Shire to improve safety for all road users was successful.
15. At its meeting in August 2022, Council adopted Surf Coast Shire's first Safer Cycling Strategy and Action Plan with a direction to provide a progress report on the delivery of the strategy action plan on a yearly basis.

Options

16. **Alternative Option 1** – That Council does not approve authorisation for the CEO (or delegate) to apply for grant opportunities or apply for the Australian Government active transport funding.

This option is not recommended by officers as projects and actions within the Strategy and Action Plan have been endorsed. Not providing approval to apply for funding on projects up to \$1.2 million where no Council contributions is required or can be funded through existing budgets could reduce the potential to gain much needed grant funding to deliver all the action recommendations within the Strategy.

Council Plan (including Health and Wellbeing Plan) Statement Theme Two - Healthy Connected Community

Strategy 5 - Make it easier for people to move around our towns and in nature without relying on cars.

17. The projects and strategy action plan will support improving the safety and efficiency of our road network, which supports our community to move around safely and connect and participate in community life.

Financial Considerations

18. Several of the actions identified in the Strategy will have financial and resource implications over the next 12 months.
19. The Strategy identifies funding an Active Transport Officer to ensure all actions within the strategy are progressed. This has been difficult to achieve. Officers are investigating opportunities to find innovative ways to action these goals within existing Council delivery structures.
20. Depending on the extent of success in attracting external funding, Council may need to consider contributions within its future budgets should it wish to achieve full delivery of identified actions.
21. The Bristol Road project will be equally funded by the Federal Roads to Recovery and Active Transport Fund programs, thus not requiring Council capital expenditure.

Community Engagement

22. Throughout the Safer Cycling Strategy development, officers held several engagement activities with the community, internal and external stakeholders, and Council partners. This engagement has included online surveys and feedback requests, stakeholder meetings and a community meeting. For projects completed within the first two years of the Strategy, officers have consulted and engaged with directly affect residents in circumstances where they have been impacted.

Statutory / Legal / Policy considerations

23. The Safer Cycling Strategy and Action Plan 2022-2027 supports the current State strategies: - Victorian Road Safety Strategy 2021-2030 and Victorian Cycling Strategy 2018-2028 and aligns with the long-term vision of the current Council Plan 2021-2025.
24. The actions proposed within Safer Cycling Strategy, refer to developing and maintaining a safe and connected road network.

Strategic Risk

25. Failure to plan and deliver infrastructure and services which keep pace with growth
26. Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
27. Standard risk assessment has been undertaken in accordance with engineering principles and practice as part of the Strategy development and for each of the projects within the Action Plan, including incorporation of contingency into estimates.

Risk Rating

28. Risk rating is low and can be managed at department level.

Risk Appetite

29. No relevant Risk Appetite Statement has been identified.

Sustainability Considerations

30. Projects and actions within the strategy support a transition to more active transport and support a reduction in vehicle emissions.

Conflict of Interest

31. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

32. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Audit and Risk Committee involvement

33. This item has not been considered by the Audit and Risk Committee

Council Briefings:

34. *This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:*

Councillor Briefing Date: 3/12/2024 (Active Transport Fund Opportunity)

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Paul Barker</i>	<i>Y</i>	<i>Cr Tony Phelps</i>	<i>Y</i>
<i>Cr Mike Bodsworth</i>	<i>Y</i>	<i>Cr Adrian Schonfelder</i>	<i>Y</i>
<i>Cr Rebecca Bourke</i>	<i>Y</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<i>Cr Joel Grist</i>	<i>Y</i>	<i>Cr Leon Walker</i>	<i>Y</i>
<i>Cr Liz Pattison</i>	<i>Y</i>		

Councillor Briefing Date: 15/11/2024 (Action Plan Progress)

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Paul Barker</i>	<i>Y</i>	<i>Cr Tony Phelps</i>	<i>Y</i>
<i>Cr Mike Bodsworth</i>	<i>Y</i>	<i>Cr Adrian Schonfelder</i>	<i>Y</i>
<i>Cr Rebecca Bourke</i>	<i>Y</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<i>Cr Joel Grist</i>	<i>Y</i>	<i>Cr Leon Walker</i>	<i>Y</i>
<i>Cr Liz Pattison</i>	<i>Y</i>		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.



Safer Cycling Strategy 2022-2027- Status Year 2

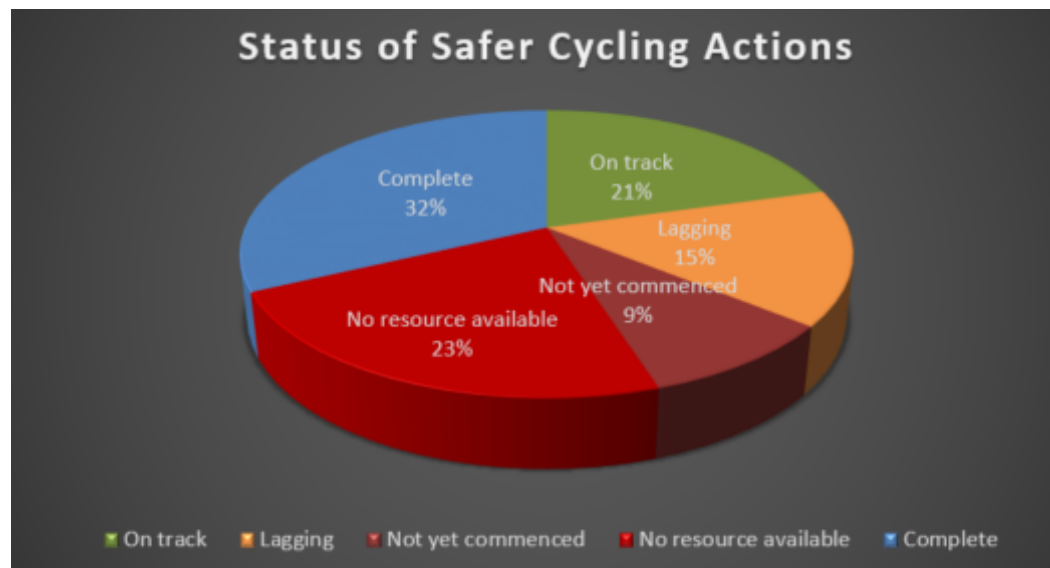
Council Meeting
10 December 2024

Action Plan Status Summary

Overview

The Safer Cycling Strategy has been in operation for two years.

- Approximately 32% of the total number of actions including sub-actions within the strategy have been completed.
- The vast majority of these actions are in the infrastructure space.
- Significant work has been undertaken to break down and develop a delivery strategy for actions within the plan and a further 21% of actions are tracking well for delivery within timeframes, while 15% are lagging behind the agreed timeframes.
- The remaining 32% of actions are either not yet commenced or do not have any resourcing allocated to allow them to commence/progress.



Key Concern:

Just under a quarter of the actions within the strategy have significant limitations on resourcing to support progression / commencement of actions .

Lack of resourcing is primarily in goals 4-6 participation, tourism, integrated planning and collaboration goals. Innovative opportunities are being sought to action these goals within existing Council resources in lieu of dedicated resourcing.

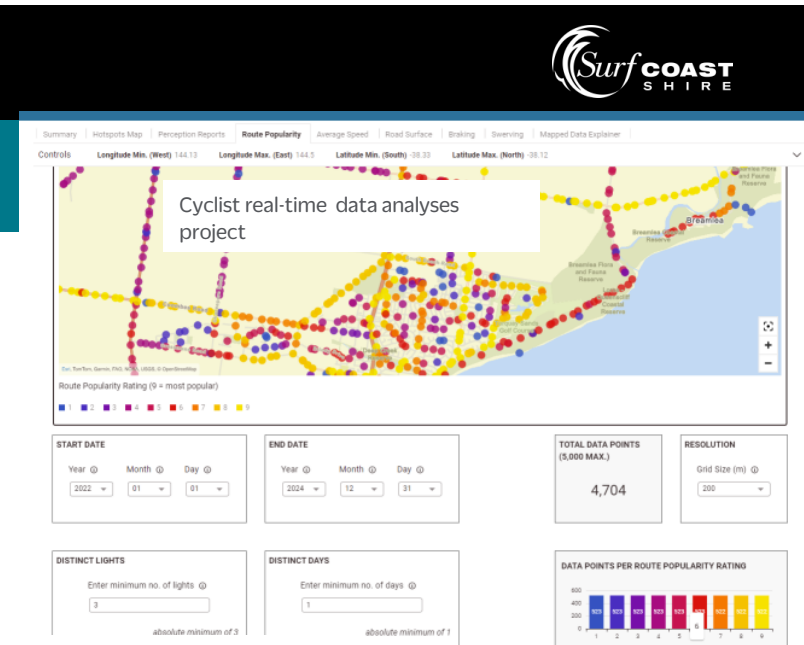
Note: The pie chart tracks percentages relative to the total number of actions including sub-actions (i.e. if one action is to construct shared pathway at six different locations, each location is accounted individually)..

Highlights: Year two Delivery

Snapshot of the highlights: Year 2

Design and investigation projects undertaken:

- Torquay to Geelong strategic Cycling Connect
- Bristol Road Cycle Lanes
- Lit Light Cyclist data analyses project
- **Successful/ in progress funding bids** to support future cycling infrastructure – some examples:
 - Anglesea active transport improvements Noble St – Cameron Road
 - School crossing safety – Stretton Drive, Camp Road, Horseshoe Bend Road
 - The Esplanade Black Spot (funding bid)
 - Darian Road Black Spot (funding bid)
- Installation of improved cyclist safety signs/ line-marking on high priority existing routes:
 - Noble Street, Anglesea
 - Fischer Street, Torquay
- Speed Limit changes approvals on cyclist priority routes:
 - Erskine Falls Road (80km/h)
 - Blackgate Road (80km/h)
 - Horseshoe Bend Road (50km/h)
 - Connewarre Precinct speed change
- Safe cycling infrastructure on cyclist priority routes:
 - Fischer St cycling and pedestrian improvements TAC
 - Shared path Geelong Road - Baines Cres to Bristol Rd



The Esplanade Cycle Lane Widening & separation



Fischer Street Roundabouts



Wombat Crossings connecting shared paths including Beach Rd., Grossmans, Fischer





Future Funding Bids/ Advocacy and Grants

Funding Bid Proposed 2025/2025

A funding bid will be submitted to the 2025/26 Council budget to continue resourcing the council component of the five-year plan for the strategy which supports:

- Scoping of future projects to support access to state and federal government grant opportunities allowing progression of key goals in the strategy. This work has helped support the \$2.2 Million dollars worth of funding achieved by Council in 2024/25.
- Delivery of low-cost actions which are of high priority to community or significantly reduce risk including signs and line-marking, wayfinding signs, speed changes where relevant and small missing link improvements.

At risk Connections requiring significant civil infrastructure investment:

There are a number of recommendations in the strategy which require significant infrastructure investment, these are at risk of failing to attract grant funding and may need a staged approach – examples include:

- Torquay to Geelong Cycling Connection - Delivery
- Bristol Rd & Fischer Street separated cycle lanes

A number of areas will require ongoing advocacy and collaboration to enhance/ facilitate outcomes including:

- Process changes to support an integrated planning approach for cyclist.
- Integrated planning with adjacent land managers such as GORCAPA & DTP.
- Some recent examples of where this gap has led to poor or delayed outcomes include:
 1. Connection of Bells Beach to GORCAPA trails
 2. Inadequate shoulder maintenance Great Ocean Rd with maintenance funding allocated elsewhere.
- There is a strong need for partnerships to ensure integration of the cycling network between land managers and to support safe cycling participation. This area of the strategy is lagging and we are seeking innovative ways to structure this into existing resourcing and projects across Council.



Upcoming Grant Opportunities/ Collaborative Projects

A number of potential future grant opportunities which may be considered to support infrastructure include:

- Annual blackspot funding opportunities – can be accessed where there are clear patterns of cyclist crashes – no co-contribution required
- Local Roads and Streets Program Innovative Grant Funds – can be utilized for innovative solutions such as asphalt art projects to enhance shared user spaces – requires co contribution
- Safe Local Road Infrastructure Program – rural road shoulders/ on road cycle lanes and/or intersection treatments – no co-contribution required
- Active Transport fund – federal grant opportunity for pathway construction requiring co-contribution
- TAC local government grants – analyses & concept design development grants and/or safer road crossings
- Advocacy opportunities as they arise

Note: No current grant opportunities have been identified to support Goals 3-6 of the strategy

A number of collaboration projects are also underway enhancing delivery:

- Collaboration & advocacy with MRPV on delivery of key road crossing infrastructure along the Great Ocean Road where it acts as a barrier to active transport connection including – road crossings at the following locations: Strathmore Dr, Torquay; O'Donoghue Rd, Anglesea & Top shops, Aireys Inlet.
- TAC Lit light collaboration project with Surf Coast – supporting enhanced cycling participation, safety and input into infrastructure decisions through the use of smart bicycle lights.
- Collaboration with City of Greater Geelong on future safe cycling connection Geelong to Torquay.

Recent Active Transport Projects

Recent Active Transport Projects

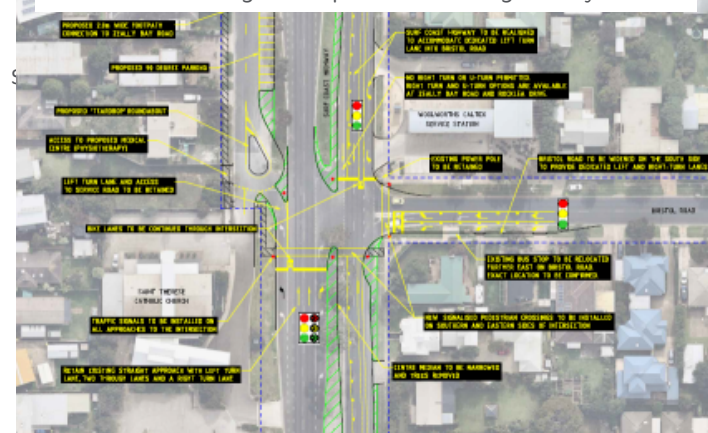
There have been a significant number of active transport projects delivered or under development in recent years which are not direct actions of the Safer Cycling Strategy, but which link to the infrastructure in strategy, examples include:

- Successful advocacy to DTP for pedestrian crossings on Great Ocean Rd at Jan Juc – complete.
- Grossmans School education precinct – complete.
- Beach Road Pedestrian Upgrade (Black Spot) – Complete.
- Construction funding obtained for TAC and IP43 project to improve pedestrian and cycling connection at major intersections of Fischer Street – is ready for tender.
- Bellbrae school TAC improvements includes raised pedestrian crossings and speed platforms on School Road and a speed limit reduction through the township to 40kph
- The Esplanade Black Spot improvements completed includes pedestrian crossing and cycle lane upgrades.
- Anglesea active transport improvements Noble street to Cameron Road – ready for tender.
- Bristol Rd signalization is progress which will deliver a safe pedestrian crossing on Surf Coast Highway and shared path from Baines crescent to Bristol Road.

Torquay Town Centre Pedestrian Improvements



Bristol Road Traffic lights with pedestrian crossing and bicycle boxes



Safer Cycling Strategy Status Reporting on Five Year Action Plan

Adopted:	Nov-22
Delivery Commenced	Financial Year 2023-2024
<i>Current Date :</i>	<i>1/11/2024</i>
<i>Current Status Yr 2:</i>	<i>Over 50% of five year action plan completed or on track for completion</i>
<i>% Complete</i>	<i>32%</i>
<i>% On Track for Delivery</i>	<i>21%</i>
<i>% Lagging behind original delivery timeframes</i>	<i>15%</i>
<i>% To commence/ be resourced in future years</i>	<i>31%</i>

CYCLING STRATEGY LEADERSHIP		
	ACTION	Status
L.1	Develop a business case for provision of an active transport officer on a part-time basis. This officer would be responsible for implementation and monitoring of actions identified in the Safer Cycling Strategy.	No resource available
L.2	Ensure Safe System principles are incorporated into planning and delivery of both Council and developer funded cycling infrastructure.	No resource available
L.3	Develop an overall business case for investment to priority cycling routes to support grant applications where required	On Track
L.4	Evaluate implementation of Action Plan and overall effectiveness of the Safer Cycling Strategy	Lagging

GOAL 1: A CONNECTED, ACCESSIBLE AND INTEGRATED CYCLING NETWORK		
	ACTION	Status
1.1	Develop funding applications and/or advocate to state/federal government for provision of high priority shared pathways, cycle pathways and on-road cycle lane connections as listed in 1.3, 1.6 and 1.11.	On Track
1.2	Develop business cases to fund provision of cycling network improvements as recommended by the Strategy.	Lagging
1.3	Provide new shoulders according to the width criteria provided in Table 3, in conjunction with upcoming renewal/upgrade/rehabilitation works where possible, to complete the missing link at the following high priority fitness/training cycling routes: - Cape Otway Road – Buckley Road South to Marshmans Outlet (approx. 1.3km)	Lagging
	- Cape Otway Road – Parish Lane to Winchelsea-Deans Marsh Road (approx. 4km)	Not yet Commenced

	- Forest Road – south of Gum Flats Road (approx. 6.9km)	On Track
1.4	Advocate to DoT for provision of new shoulders according to the width criteria provided in Table 3 to complete missing links at the following high priority fitness/training cycling routes: - Hendy Main Road – Anglesea Road to Greenfield Drive (approx. 13.5km) - Hendy Main Road – Princes Highway to Cape Otway Road (approx. 3.1km).	Complete Complete Complete
1.5	Leverage existing proposed capital works at the following high priority fitness/training cycling routes for provision of on-road cycling infrastructure according to the width criteria provided in Table 3: - Coombes Road (Surf Coast Highway to Ghazeepore Road) - Cape Otway Road (Lloyd Mews to Lowndes Road) - Grays Road (Hendy Main Road to Flaxbournes Road)	 On Track Complete Complete
1.6	Provide wider shoulders according to the width criteria provided in Table 3 in conjunction with upcoming renewal/upgrade/rehabilitation works where possible, at the following high priority fitness/training cycling routes: - Coombes Road – Ghazeepore Road to Anglesea Road (approx. 3km). - Cape Otway Road – Church Road/Hortips Road to Buckley Road South (approx. 6km). Consider options to reallocate road space to provide additional space for cycling facility (i.e. reduce traffic lane width) where funding for road widening is not available. For roads with speed limit of 60 km/h or less, traffic lane width could be reduced to 2.9 m. For roads with speed limit of 70 or 80 km/h or less, traffic lane width could be reduced to 3.1m where AADT is up to 1,000 vehicles per day or 3.3m where large trucks are present.	 Complete Not yet Commenced On Track
1.7	Advocate to DoT for the inclusion of the following priority commuter routes as Strategic Cycling Corridors with upgrades recommended to reach target of low stress cycling environment: - Fischer Street – South Beach Road to Bristol Road. - Horseshoe Bend Road – Mt. Duneed Road to The Esplanade.	Lagging On Track
1.8	Seek funding to deliver a strategic low-stress cycling link to Armstrong Creek via a shared pathway or separated cycle lanes along Horseshoe Bend Road from The Esplanade. The section north of South Beach Road is to be prioritised to enable both commuter and recreational connection to the City of Greater Geelong.	On Track
1.9	In collaboration with GORCAPA, seek funding to deliver a strategic low-stress and multi-purpose cycling link to the Thirteenth Beach bike trail from Torquay comprising: - a sealed and shared road (with a 30 km/h speed limit) for cars and cycles in the unsealed section of The Esplanade with separated pedestrian path. - a sealed shared pathway from The Esplanade to Pt Impossible Road.	No resource available Lagging No resource available

	<ul style="list-style-type: none"> - a sealed and shared road (with a 30 km/h speed limit) for cars and cycles on Pt Impossible Road. 	Not yet Commenced
	<ul style="list-style-type: none"> - a sealed shared pathway or separated/protected cycle lanes along Blackgate Road from Pt Impossible Road to Breamlea Road, or a shared pathway across Thompsons Creek and Karaaf wetlands . 	Not yet Commenced
1.1	Seek funding to deliver a strategic low-stress and multi-purpose cycling link between Surf City and Torquay Town Centre via a shared pathway or separated/protected cycle lanes along Bristol Road.	On Track
1.11	<p>Provide a shared pathway or protected cycle lanes according to the width criteria provided in Table 1 or Table 2 at the following high priority commuter and/or school cycling routes:</p> <ul style="list-style-type: none"> - Eton Road/Beach Road to the Spring Valley bike park, including bridge across Spring Creek, Torquay (DCP funded project). - Great Ocean Road to the Spring Valley bike park in drainage reserve. - Spring Creek bridge to Surf Coast Highway along the northern boundary of Spring Creek Recreation Reserve. - Darian Road – Surf Coast Highway to Fischer Street. - Beach Road – Eton Road to Fischer Street. - Eton Road – Beach Road to Grossmans Road. - Noble Street – McMahon Avenue to River Reserve Road. - Camp Road – Anglesea shops to Primary School/bike park (also catering for recreation cyclists). - Fairhaven to Aireys Inlet Primary School. 	<p>On Track</p> <p>Lagging</p> <p>Lagging</p> <p>On Track</p> <p>Lagging</p> <p>Not yet Commenced</p> <p>Lagging</p> <p>On Track</p> <p>Lagging</p>
1.12	<p>Advocate to DoT or seeking funding for provision of a shared pathway according to the width criteria provided in Table 1 to complete a missing link at the following high priority commuter cycling routes:</p> <ul style="list-style-type: none"> - Surf Coast Highway – Spring Creek Recreation Reserve to Grossmans Road. <p>Consider leveraging the service roads with appropriate traffic management treatments as part of this network connection.</p>	<p>Lagging</p>
1.13	Review movement and place classification of priority cycling routes to ensure they reflect appropriate desirable cyclist classifications.	No resource available
1.14	Advocate to DoT for provision of safe crossing points at the following priority locations:	

1.15	- The Great Ocean Road / Strathmore Drive (West), Jan Juc.	Complete
	- The Great Ocean Road at Spring Creek, Torquay.	Lagging
	Ensure provision of a safe cyclist crossing at the Surf Coast Highway/Bristol Road intersection through signalisation.	Complete

GOAL 2: SAFE CYCLING INFRASTRUCTURE		
	ACTION	Status
2.1	Submit funding applications (TAC, state or federal) for upgrades to priority cycling facilities, provision of safe crossing points and/or intersection treatments listed in 2.2-2.5, 2.7 and 2.8.	On Track
2.2	Develop and provide consistent Shared Path signage and/or pavement markings where pathways meet minimum standards outlined in Table 1. Priority paths from the cycling network maps (refer to Appendix A) for provision of signage/pavement markings are: - Nautical Rise, Torquay. - South Beach Road, Torquay. - North Torquay fronting Surf Coast Highway. - Deep Creek Reserve west of Fischer Street, Torquay. - Coogoorah park, Anglesea. - Anderson Street, Winchelsea. - Main Street, Winchelsea.	Not yet Commenced Complete Complete On Track Complete Complete Complete
2.3	Advocate to GORCAPA for provision of consistent Shared Path signage and/or pavement markings where Surf Coast Walk meets minimum standards for shared paths as outlined in Table 1. Priority sections of path from the cycling network maps for provision of signage/pavement markings are: - Torquay Foreshore Deep Creek Reserve to Beach Road. - Little Rock lookout point to Bells Beach. - Hurst Drive/Edgewater Crescent to Anglesea Caravan Park.	No resource available No resource available No resource available
2.4	Establish and install consistent signage (W6-V11), messaging boards, pavement marking (Share Road with Cyclists), etc. on the following rural roads if/when separation of cyclists and drivers (with cycle lane, shoulder, etc.) cannot be achieved due to physical or funding constraints: - Cape Otway Road between Hendy Main Road and Winchelsea-Deans Marsh Road. - Horseshoe Bend Road between Blackgate Road and Mt Duneed Road. - Forest Road north of the Great Ocean Road. Jarosite Rd & Bells Beach Rd - Blackgate Road between Horseshoe Bend Road to Pt Impossible Road.	Complete Complete Complete Complete Complete
2.5	Provide bicycle 'sharrow' pavement symbols at roundabouts on the following high priority cycling routes where cycle lanes are terminated prior to the roundabouts: - Bell Street, Torquay. - Fischer Street, Torquay. - Horseshoe Bend Road, Torquay. - Grossmans Road/Eton Road, Torquay. - Noble Street/Murray Street, Anglesea.	Complete Complete Complete Complete Complete
2.6	Advocate DoT to provide painted cycle lanes and bicycle boxes on priority cycling routes at the following signalised intersections: - Great Ocean Road/Duffields Road, Jan Juc - Great Ocean Road/Hoylake Avenue, Jan Juc	Lagging Lagging
2.7	Review 100km/h speed limits on key fitness cycling routes and seek a reduction in speed limits to a maximum of 80km/h where appropriate. The following list of routes should be reviewed as a priority: - Grossmans Road. - Cape Otway Road. - Ghazepore Road. - Coombes Road. - Blackgate Road west of Horseshoe Bend Road. - Atkins Road. - Buckley Road South. - Grays Road.	Complete Complete Complete Complete On Track Complete Complete Complete
2.8	Develop and implement a shared road zone and LATM treatments to encourage lower speeds (30 km/h or less) on priority cycling routes as follows: - River Reserve Road, Anglesea. - Strathmore Drive West, Jan Juc. - Pt Impossible Road, Torquay. - Unsealed section of The Esplanade, Torquay.	Complete Lagging On Track Complete

2.9	Seek changes to Road Management Plan to set criteria for intervention actions targeted to shoulders and cycle lanes on priority cycling routes as identified in the network maps to mitigate hazards/defects such as spillage/obstruction, potholes, rutting and water across roads and vegetation clearance if detected during reactive or proactive inspections.	No resource available
2.1	Seek changes to Road Management Plan to classify all shared paths in road, park and recreation reserves as identified in the network maps as Primary Pathway, and apply related inspection program and intervention actions.	Not yet Commenced
2.11	Seek changes to Road Management Plan to add intervention criteria for lateral vegetation clearance for primary pathways.	Not yet Commenced
2.12	Advocate increased maintenance of the following priority cycling routes on roads managed by DoT, including: - Hendy Main Road. - Great Ocean Road.	Complete Complete
2.13	Establish level of service agreement with DELWP/GORCAPA for maintaining priority cycling routes and mountain bike trails to a consistent standard.	Lagging
2.14	Encourage community to report maintenance issues through Council's website.	No resource available
2.15	Seek funding through Federal Blackspot Program or alternate funding source to implement the following along Horseshoe Bend Road: - Protected on-road cycle lanes between South Beach Road and Quay Boulevard. - Raised threshold or wombat crossings on Merrijig Drive, Quay Boulevard and Pacific Drive approaches to Horseshoe Bend Road. - The 50 km/h speed limit south of South Beach Road. - Sharrows pavement marking on each approach to and within roundabouts south of South Beach Road.	Complete Complete Lagging Complete
2.16	Seek funding through Federal Blackspot Program or alternate funding source to implement the following treatments along Bell Street, Torquay between Surf Coast Highway and The Esplanade: - Green surface treatment to cycle lanes. - Install removable speed cushions at regular intervals.	Complete
2.17	Review all road reconstruction and upgrade projects on priority cycling routes including new roundabouts for implications to cyclist safety.	On Track

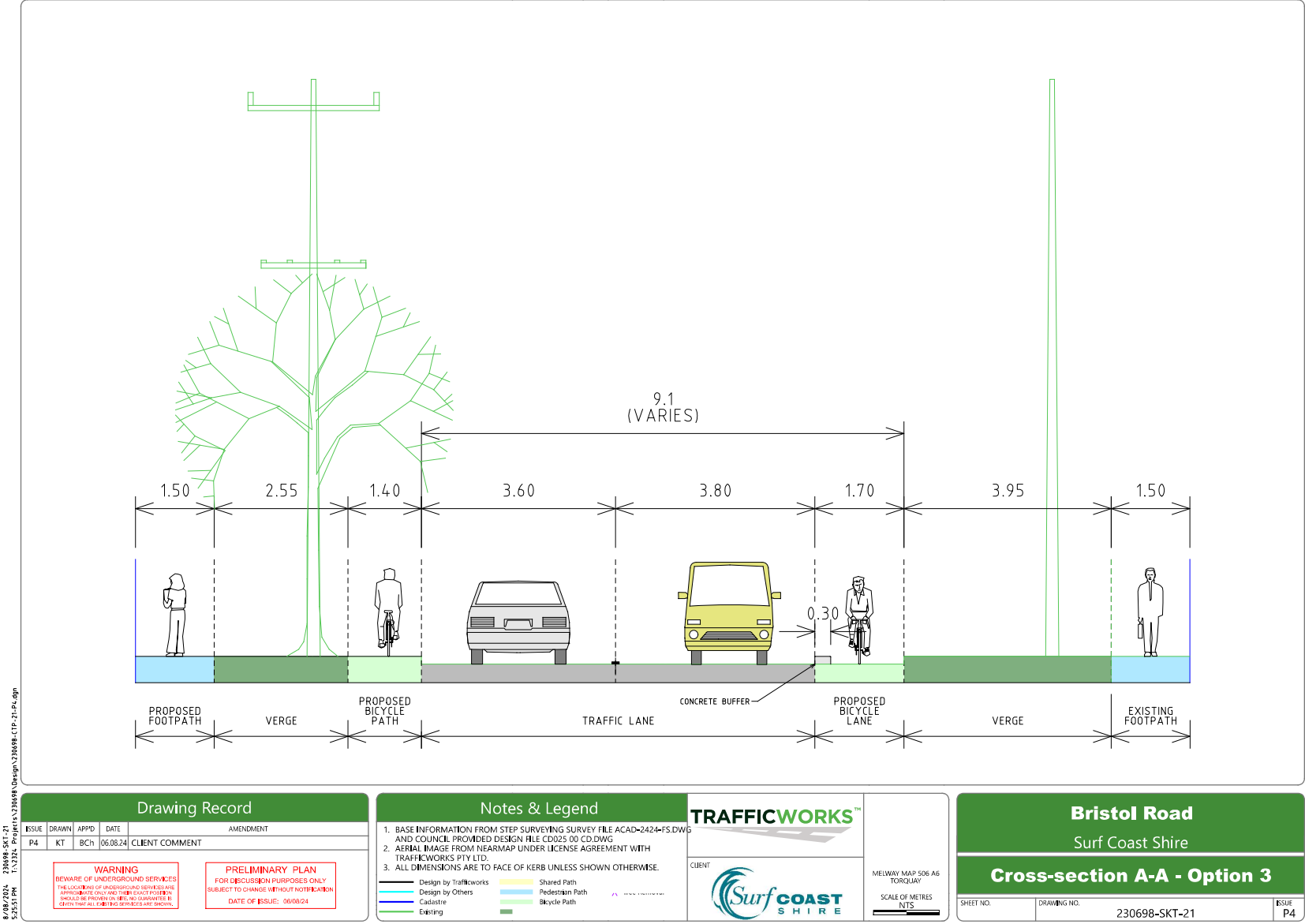
GOAL 3: AN ATTRACTIVE CYCLING DESTINATION		
	ACTION	Status
3.1	Develop and promote Surf Coast cycling video.	Complete
3.2	Develop/refresh maps of cycling routes for fitness and recreational cyclists that can be promoted/accessed on Council's website and GPS-enabled mobile/fitness devices with hardcopies available at Visitor Centre and major tourist destinations.	No resource available
3.3	Identify and prioritise key locations (e.g. at trailheads) where supporting facilities are desirable, such as toilets, water taps, information boards, shelters, etc.	On Track
	Develop a business case for provision of facilities.	Lagging
3.4	Provide cycling safety messaging on VMS, potentially with warning lights on targeted fitness cycling routes during holiday periods.	On Track
3.5	Review existing cycling safety messaging coinciding with cycling events to find opportunities for improvements.	No resource available
3.6	Review messaging and locations for improvements, to reduce disruption and improve safety and continue to provide event access and traffic management.	On Track

GOAL 4: INTEGRATED PLANNING FOR CYCLING		
	ACTION	Status
4.1	When planning for growth and new development consideration of the provision for cycling within and through the development to be incorporated into the planning process. This should include consideration of cycling connections to services, recreational spaces, key destinations and connect to the overall cycling network. This may occur at various stages in development planning, including but not limited to the preparation of Precinct Structure Plans, Structure Plans and Development Plans, and the consideration of planning permit applications including applications for subdivision.	No resource available
4.2	Adopt the minimum criteria set within Austroads Guide to Road Design Part 6A; Paths for Walking and Cycling and within IDM standard drawings for provision of shared cycling facility on designated cycling routes through new subdivisions i.e. currently: - 2.5m (minimum width) wide shared primary pathway with 0.5m clearance on each side of path on one side of proposed primary and secondary access roads as described in Council's Road Management Plan. - 2.5m shared primary pathway with 0.5m clearance on each side of path within proposed parks and recreation reserves.	Complete
4.3	Adopt the following minimum criteria for provision of cycling infrastructure in new subdivisions on all of the proposed primary and secondary collector roads as described in Council's Road Management Plan: - 1.5m wide on-road cycle lane in each direction. - Shared path to be provided on one side of the road. The shared path width to be in accordance with table 5.4 in Austroads Guide to Road Design Part 6A; Paths for Walking and Cycling taking into consideration projected pedestrian and cyclist volumes. A minimum clearance of 0.5m to be provided on each side of path.	Complete
4.4	Prepare submission to the Local Government Infrastructure Design Association to adopt modified minimum criteria for provision cycling facilities in new subdivisions in the Infrastructure Design Manual (IDM) to align with Austroads Guide to Road Design Part 6A; Paths for Walking and Cycling. Consideration should be given within the submission to increasing the offset from the property boundary from 500mm to 1m.	No resource available
4.5	Consider provision of cycling infrastructure in township place-making/urban renewal projects.	On Track
4.6	Advocate to DT/ state and federal government or seek funding for provision of low-stress shared use path along the Great Ocean Road between Bellbrae and Spring Creek to cater for commuter and recreational cyclists, and children riding to school. Consider leveraging Old Great Ocean Road and the Great Ocean Road Service Road (with appropriate traffic management treatments) as part of this connection.	On Track
4.7	Advocate to DELWP / GORCAPA to investigate width upgrades to Surf Coast Walk or complete missing links identified in infrastructure mapping (refer to Appendix A) according to the width criteria provided in Table 1 at high priority locations as follows: - New sealed cycling path – Torquay Playground/Zeally Bay Road to Sand Boulevard. - Wider pathway or separate cycling path – Spring Creek to Torquay Playground/Zeally Bay Road (where required).	No resource available No resource available

	- Wider pathway – Jan Juc to Spring Creek (where required). - New cycling path – southern side of Bells Beach Road between Jarosite Track and eastern end of the Bells Beach car park. - Wider pathway – Pt Roadknight to Anglesea shops.	No resource available
		Lagging
		No resource available
4.8	Advocate to DELWP / GORCAPA to investigate width upgrades to Shipwreck Trail in Lorne as identified in infrastructure mapping (refer to Appendix A) according to the width criteria provided in Table 1.	No resource available
4.9	Advocate to DEWLP / GORCAPA and DoT to investigate formalisation of an off-road cycling link between Anglesea bike park at Camp Road and Surf Coast Walk at Pt Addis via Firebreak track, Ixodia track, Great Ocean Road path and Jarosite track for recreational purposes, as shown in priority cycling route mapping (Refer to Appendix E).	No resource available
4.1	Seek funding for the investigation of safe crossing points at Merrijig Drive in Torquay North.	On Track
4.11	Seek funding for the investigation of safe and low-stress cycling connection options along Fischer Street.	Complete
4.12	Advocate to DoT to undertake a cyclist safety study along Great Ocean Road in Surf Coast Shire to identify opportunities to improve safety including the development of Safe System treatments to reduce fatal and serious injury crashes.	On Track

GOAL 5: IMPROVED CYCLING PATNERSHIPS AND COLLABORATION		
	ACTION	Status
5.1	At regular meetings with DoT, include 'Safer Cycling Strategy' as an agenda item to discuss strategy updates, Principal Bicycle Network (PBN) and Strategic Cycling Route (SCC) planning, infrastructure provision, safety programs and funding opportunities.	On Track
5.2	Collaborate with adjacent road authorities to share ideas in the cyclist safety space and alignment of messaging, education and promotion campaigns.	No resource available
5.3	Facilitate meetings every six months between planning, asset management, economic development, tourism, open space, social infrastructure and traffic departments to discuss the upcoming work and collaboration opportunities in the cycling space.	No resource available
5.4	Include cycling safety as an agenda item in regular road safety liaison meetings between G21 Councils, DoT, TAC and police to improve safety of cyclists in Surf Coast.	No resource available
5.5	At regular meetings with DELWP and GORCAPA, include cycling safety as an agenda item to discuss cycling issues, opportunities and upcoming works.	Lagging
5.6	Collaborate with community groups to support and promote cycling participation.	On Track

GOAL 6: A SAFE AND INCLUSIVE CYCLING CULTURE TO ENCOURAGE PARTICIPATION		
	ACTION	Status
6.1	Develop a strategy to educate all road users on cyclist safety and to educate cyclists on safe interactions with other road and path users.	No resource available
6.2	Support and develop a targeted program to increase awareness of cycling laws among all road users, including rules for riding on footpaths, and provide safe cycling messaging (such as, 'shared the road' and 'share the path') in partnership with cycling advocacy groups, partner land and road managers.	No resource available
6.3	Work with schools to encourage students and parents to safely ride to school and participation in Bike Ed programs.	No resource available
6.4	Continue to implement Active Paths to Schools program.	No resource available
6.5	Identify priority locations and deliver supporting infrastructure such as bicycle rails, drinking taps, repair stations and e-bike charging stations. Ensure bicycle parking is accessible and conveniently located at key destinations, e.g. shopping centres, recreation centres, schools, tourist attractions and bus stops, and is provided in accordance with Australian Standard AS2890.3.	On Track
6.6	Seek funding to deliver cycling wayfinding signage for destination-based route guidance at the following high priority recreational/tourist routes: - Surf Coast Walk, Pt Impossible to Bells Beach. - Bells Beach to Anglesea shops via Ironbark Basin, Pt Addis Road, Great Ocean Road path, Firebreak track and Camp Road. - Surf Coast Walk, Anglesea shops to Pt Roadknight. - Shipwreck trail, Lorne.	Not yet Commenced Not yet Commenced Not yet Commenced Not yet Commenced
6.7	Continue police presence on popular cycling routes during peak periods (e.g. holidays, during events).	No resource available
6.8	Include questions relating to cycling in State's annual survey to gauge cycling participation and highlight Council's commitment to cycling.	No resource available
6.9	Consult with local cycling clubs, shops and event organisers to identify opportunities to distribute safe and considerate cycling information developed through Actions 6.1 and 6.2.	No resource available
6.1	Develop and implement trial programs, such as pop-up cycleways, shared streets and active transport streets to promote cycling culture and improve acceptance and interactions between cyclists and other modes. Align with community road safety program.	Lagging



4.7 Award of Contract T25-001 – Drain Cleaning Services

Council Plan	Theme Seven - Accountable and Viable Council
Author's Title:	Strategy 18 - Establish a sustainable financial position.
General Manager:	Coordinator Civil Operations
Division:	Damian Waight, General Manager Community Life
Department:	Community Life
Attachments:	Operations
	Nil

Purpose

1. The purpose of this report is to seek Council's approval to award Contract T25-001 – Drain Cleaning Services.

Recommendation

That Council:

1. Awards Contract T25-001 – Drain Cleaning Services for the tendered schedule of rates (excl GST) for a 3-year period to the following tenderers:
 - [REDACTED] (ABN [REDACTED])
 - [REDACTED] (ABN [REDACTED])
2. Authorises the Chief Executive Officer to execute contract documents on behalf of Council.

Council Resolution

Moved Cr Barker, Seconded Cr Schonfelder

That Council:

1. Awards Contract T25-001 – Drain Cleaning Services for the tendered schedule of rates (excl GST) for a 3-year period to the following tenderers:
 - Asset Management Environmental Group Pty Ltd (ABN 53 665 485 512)
 - Total Drain Cleaning Services Pty Ltd (ABN 17 130 467 346)
2. Authorises the Chief Executive Officer to execute contract documents on behalf of Council.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

2. The establishment of a panel of two (2) qualified and experienced drain cleaning services contractors will support the ongoing maintenance of Council's drainage network.

Key Considerations

3. A public tender process was conducted in accordance with Council's Procurement Policy.
4. A total of eight (8) suppliers submitted tenders for this contract.
5. Each submission was assessed against pre-determined evaluation criteria, including price and non-price criteria.
6. The contract will operate on a schedule of rates with CPI adjustment panel arrangement for a 3-year contract term with no extension option.
7. The anticipated value of the contract exceeds officers' delegated authorities and therefore requires a decision by Council.

Background

8. Council has an ongoing requirement for external contractors to provide drain cleaning services on an as required basis, including programmed and emergency works.
9. Council is seeking to establish a panel of suitably qualified and experienced contractors to provide drain cleaning services.
10. Contractors are engaged for proactive and reactive work on Council's drainage system. Historically, work has included; clearing of blocked pipes using high pressure water jetting equipment and high-capacity suction, cleaning out gross pollutant traps and storm water investigation work which can involve inspections with robotic camera systems.

Options

11. **Alternative Option 1** – Do not award the contract as per the recommendations in this report.
This option is not recommended by officers as Council has attracted acceptable tender submission which allows the completion of this service to scope and budget. Not awarding this contracting will not enable important drainage work to occur. The officers' recommendation is as a result of considerable due diligence and is in accordance with published evaluation criteria and conditions of tender. Any decision that is not in accordance with the formal conditions of tender may compromise good governance and probity standards.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

Strategy 18 - Establish a sustainable financial position.

12. Through conducting a public tender process, Council has been able to test current market rates to ensure services delivered under this contract represent value for money.

Financial Considerations

13. The rates provided by the recommended tenderers will allow the services to be delivered within Council's approved budget allocation for the contracted services. The contract will operate on a schedule of rates basis with no commitment by Council to volume or frequency of services to any supplier.
14. A full description of the 'Financial and Resource Impact Analysis' is provided as part of Confidential Appendix A – Tender Evaluation Summary provided separately to Councillors. This is confidential to preserve commercial confidentiality whilst providing key information to Council.

Community Engagement

15. Community engagement was not undertaken as this report is a result of a procurement process and the contract relates to routine and operational recurrent services.

Statutory / Legal / Policy considerations

16. This tender was conducted in accordance with the requirements of section 108 of the *Local Government Act 2020* and Council's Procurement Policy.
17. In accordance with s.109 of the *Local Government Act 2020* the following information is provided in relation to any opportunities for collaborative procurement:
This tender was not appropriate for a collaborative procurement process, as it was offered as a panel contract based on a tendered schedule of rates, with an estimated value of less than \$500,000 per annum. Tendered rates were inclusive of travel costs and with no known quantities of current or future work that could have been leveraged from.

Strategic Risk

18. **Breadth and level of Council services exceeds Council's financial capacity**
19. Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
20. The schedule of rates and as-required nature of the contract will allow Council officers to manage the services delivered under the contract within the allocated operational budget.
21. The award of this contract is not anticipated to create any new significant risks to Council, as the matter relates to the re-contracting of operational services and there is a long history of external suppliers providing these services to Council.
22. A tender risk assessment was completed in accordance with Council's Procurement Policy.

Risk Rating

23. Risk rating is low and can be managed at department level.

Risk Appetite

24. As this matter relates to a routine operational contractual matter, no strategic Risk Appetite Statement applies.

Sustainability Considerations

25. Environmental sustainability was considered as a weighted tender evaluation criteria.

Conflict of Interest

26. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

27. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Audit and Risk Committee involvement

28. This item was not considered by the Audit and Risk Committee.

Council Briefings:

29. This report relates to a routine and operational matter and therefore has not been presented at a Councillor briefing.

Tender Details

Invitation to Tender

30. Council issued an open tender for Contract T25-001 – Drain Cleaning Services to appoint a panel of suitably qualified and experienced contractors to deliver drain cleaning services to Council's drainage network on an as required basis.

Table 1 Invitations to Tender

Medium	Date Advertised
Council eTendering Portal (Tenderlink)	21 September 2024
Geelong Advertiser	21 September 2024
Surf Coast Times	26 September 2024

Evaluation Panel

31. The Tender Evaluation Panel comprised the following officers {and external advisors}:

Table 2 Tender Evaluation Panel

Position / Title	Panel Role
Senior Procurement Officer	Chair Non-voting
Coordinator Procurement	Chair Non-voting
Coordinator Civil Operations	Voting Member
Coordinator Asset Management	Voting Member
Team Leader Civil Construction	Voting Member

Evaluation Criteria

32. Submissions were evaluated by the panel against pre-established selection criteria.

Table 3 Mandatory Evaluation Criteria

Mandatory Criteria	Assessment
Evidence of a documented Occupational Health and Safety (OH&S) Management System	Pass / Fail
Commitment to Child Safe Standards	Pass / Fail
EPA Victoria permissions for transport of reportable priority waste	Pass / Fail

33. Tenderers who satisfied the above mandatory criteria were then assessed against the following comparative criteria.

Table 4 Comparative Criteria

Comparative Criteria	Weighting
Tender Price (Schedule of Rates)	35%
Capability and Capacity (Relevant Experience, Resources and Commitment)	25%
Service Delivery	20%
Social and Sustainable Procurement (Local Content, Environmental Sustainability)	15%
Systems	5%

34. Details of submissions received, final scores and rankings of the evaluation have been provided to Councillors in **Confidential Appendix A – Tender Evaluation Summary**.

4.8 Project Budget Adjustments and Cash Reserve Transfers - December 2024

Council Plan

Theme Seven - Accountable and Viable Council

Author's Title:

Strategy 18 - Establish a sustainable financial position.

General Manager:

Management Accountant

Division:

Gail Gatt, General Manager Strategy and Effectiveness

Department:

Strategy and Effectiveness

Attachments:

Finance

Nil

Purpose

1. This report contains proposed project budget adjustments and cash reserve transfers for Council approval. The report presents adjustments including existing projects requiring adjustment, project closures, new projects to be initiated, Chief Executive Officer (CEO) approved transfers under delegation or corrections to prior reports presented to Council.

Recommendation

That Council approves the project budget adjustments outlined in Tables 1 to 6 of this report, with the net changes to cash reserves summarised below:

Funding Sources	2024-25 Transfers From/(To) Reserve \$
Waste Reserve	(3,595)
Asset Renewal Reserve	70,652
Torquay Jan Juc Development Contributions Reserve	149,872
Developer Contributions Reserve	230,000
Grand Total	446,929

Council Resolution

Moved Cr Stapleton, Seconded Cr Phelps

That Council approves the project budget adjustments outlined in Tables 1 to 6 of this report, with the net changes to cash reserves summarised below:

Funding Sources	2024-25 Transfers From/(To) Reserve \$
Waste Reserve	(3,595)
Asset Renewal Reserve	70,652
Torquay Jan Juc Development Contributions Reserve	149,872
Developer Contributions Reserve	230,000
Grand Total	446,929

CARRIED 8|1

For	Against	Abstained
Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Cr Barker	Nil

Outcome

2. This report regularly brings decisions to Council about material changes to project budgets and provides visibility about CEO approved project changes. Material project budget transfers or new projects endorsed by the Executive Management Team which not yet approved by Council are presented for approval. This process ensures that Councillors decide on changes and are kept informed; whilst allowing for smooth project delivery. The report also provides transparency for the community.

Key Considerations

3. This report contributes to Council's financial management principles by recording the allocation and movement of project funds that may impact on current and future budgets.
4. This report contributes to public transparency by ensuring that the allocation and movement of project funds is made available to the community.

Background

5. The project budget adjustments presented in this report relate to the 2024-25 financial year. All figures in this report are exclusive of GST.
6. The following project adjustments, detailed in Table 1, are projects that require adjustments to their approved budgets to allow achievement of project scope and objectives, or there is a request to adjust project scope. The project adjustments in Table 1 have been endorsed by the Executive Management Team.

Table 1 - Projects Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
FReeZA Project	Grant Funded	Grant funding confirmed with Regional Arts Victoria for the Lorne Theatre FReeZA event.	5,000

	Partner Contribution Funded	Ticket sales revenue for the Lorne Theatre FReeZA event. More than 230 people attended and heard indie rock headline act Stella Donnelly, supported by three Lorne youth bands and Surf Coast local Leah Senior. All grant funding and ticket sales contributed to the cost of administering the event.	3,948
Early Years School Readiness	Grant Funded	State grant funding from the Department of Education. School Readiness funding supports 3- and 4-year-old children in early childhood education services plan for and transition to school. Allocated funds are based on the enrolments attending the service the year previous.	2,712
Natural Disaster Funding Assistance (NDFA) – October 2022 Storm Event	Grant Funded	Natural Disaster Funding Assistance administering authority have confirmed certified project estimates provided by Council for each asset restoration project, including Blackgate Road Freshwater Creek, Arymtage Road Winchelsea, Ervins Road Moriac, Gnarwarre Road culvert reinstatements and Hall St Lorne landslip. Project adjustment aligns Council's Project Budget with agreed estimates. Bringing the total life to date budget under this program to \$3,821,127.	1,166,209
Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Cape Otway Road East - Considines Road to Hendy Main Road	Grant Funded	Blackspot road safety works. Project completed with all scope delivered in full compliance with the grant agreement (safety barrier installation, road safety improvements, shoulder/pavement widening, speed reduction). Works came in under budget. Officer investigated opportunities to use unspent grant funds however were unsuccessful in finding works that would qualify under the grant conditions. Grant agreement was for \$1,531,248. Actual expenditure of this grant amount was \$1,158,426.	(372,823)

Surf Coast Highway and Coombes Rd Intersection	Developer Contributions Reserve	Additional funds required as during excavation and proof testing for the road works component of this project it was discovered that the foundation sub grade soil from original highway construction was not compliant with bearing loads, so required remediation.	230,000
Footpath Renewal Program	Asset Renewal Reserve	Funds being returned to reserve based on detailed estimates for programmed works with allowable contingency. Allocation developed prior to the footpath condition audits being completed in February 2024. Audit data showed fewer footpaths required intervention, and therefore scope to budget was adjusted accordingly. Current program budget \$351,886 revised program budget \$231,886.	(120,000)
Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Building Renewal Program	Asset Renewal Reserve	Additional funding to the building renewal program to cover the increase in unplanned ad-hoc renewal items identified this financial year such as hot water service, air-conditioner failures and other associated building fit-out items.	100,000

Barwon River Reserve - Winchelsea Swimming Pool	Asset Renewal Reserve	The \$300k estimate is based on \$40k furniture, fixtures, fittings and equipment to operate the facility that was not included in original scope; \$15k for pace clock, drinking fountain, bike racks; \$13k for improved functionality and maintainability; \$200k provisional value due to forecast extension of time (62 days, which won't be confirmed until practical completion) associated with weather delays and a commencement delay that resulted from a change to planning overlay between original and subsequent planning permit advice (environmental significance overlay); \$32k additional contingency. Current program budget \$8,660,413 revised program budget \$8,960,413.	300,000
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The budget transfers, detailed in Table 2, are newly initiated projects and have been endorsed by the Executive Management Team.

Table 2 – New Projects

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Benwerrin Mt Sabine Rd through Erskine Falls Road key motorcycle access intersection	Grant Funded	State Government Department of Transport and Planning grant funding under the Motorcycle Safety Program to develop projects for improved motorcycle rider safety.	25,000
Bambra Aireys Inlet Road key motorcycle access intersection improvements			25,000
Bambra - Boonah, Bambra Cemetery Rd Road key motorcycle access intersection improvements			25,000

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
VicHealth Vaping Prevention Grant	Grant Funded	The City of Greater Geelong were successful in attracting a State Government (VicHealth) grant to increase awareness and rejection of vaping within the region. As part of an agreement with City of Greater Geelong, Surf Coast Shire will receive \$20,000 towards this initiative.	20,000
OR12 Torquay front beach access steps and ramps	Torquay Jan Juc Development Contributions Reserve	Great Ocean Road Coast and Parks Authority delivered project Torquay front beach access steps and ramps under the Torquay Jan Juc Development Contributions Plan. Council is required to reimburse the levies component of the project cost.	149,872

Project closures detailed in Table 3 have been endorsed at an Executive Management Team meeting.

Table 3 – Closed Projects

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Kindergarten Central Enrolment Development	Grant Funded	Scope complete. Life of project cost \$16,000.	Nil
Kindergarten Expansion Planning Project	Grant Funded	Scope complete. Life of project cost \$88,205.	Nil
Cockatoo Kerbside Bin Mechanism Roll Out – Lorne	Waste Reserve	Scope complete. Life of project cost \$215,443.	(3,595)
Cape Otway Road East - Considines Road to Hendy Main Road	Asset Renewal Reserve	Scope complete. Life of project cost \$1,609,077. Council contribution \$450,651 and Blackspot grant funding \$1,158,426.	(209,348)

Table 4 contains projects that have been endorsed under Council delegation by the Chief Executive Officer.

Table 4 – CEO Approved Transfers

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Nil			

Table 5 contains corrections or adjustments to prior reports presented to Council.

Table 5 – Corrections to Prior Reports

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Nil			

Table 6 – Accumulated Unallocated Cash Reserve Movements

Accumulated Unallocated Cash Reserve	2024-25 \$'000	2025-26 \$'000	2026-27 \$'000	2027-28 \$'000
Opening Balance	9,087	10,933	10,159	8,347
Budgeted Annual Surplus/(Deficit)	169	(774)	(1,621)	(1,742)
Transfer for Project Funding	-	-	(190)	(190)
Net Allocations During Year (From)/To	(52)	-	-	-
New Allocations Proposed (From)/To	-	-	-	-
Closing Balance *	9,204	10,159	8,347	6,416

Accumulated Unallocated Cash Reserve	2024-25 \$'000
Net Allocations During Year (From)/To	
325 Mousley Drive Winchelsea Divestment	(32)
Landscaping of Stribling Reserve Pavilion Grounds (which will be offset in Recurrent Operations)	(20)
Net Allocations (From)/To	(52)
New Allocations Proposed (From)/To	
Nil	
Total New Net Allocations (From)/To	-

*Note: Includes budgeted annual surplus/(deficit) as per Adopted Budget 2024-25.

Options

7. **Alternative Option 1** – Not approve transfers as recommended.

This option is not recommended by officers because transfers are necessary to allow ongoing delivery and closure of projects that have been through a series of governance checks.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

Strategy 18 - Establish a sustainable financial position.

Financial Considerations

8. This report contributes to Council's financial management principles by recording the allocations and movements of project funds that may impact on the budget, current and future, and the achievement the Council Plan strategies and objectives.

Community Engagement

9. Community engagement was not undertaken on the content of this report. Many projects are subject to community engagement on scope and project completion is regularly communicated to community members involved in projects and the wider community. This report contributes to public transparency by ensuring that the allocation and movement of project funds is made available to the community.

Statutory / Legal / Policy Considerations

10. Under the *Local Government Act 2020*, this report contributes to:
- 10.1. Financial viability by ensuring Council approves and is well informed about the allocation and movement of project funds to achieve the best outcomes for the municipal community;
 - 10.2. Transparency by ensuring that the allocation and movement of project funds is made available to the community;
 - 10.3. Financial management principles by recording the allocation and movement of project funds that may impact on the budget, current and future; and
 - 10.4. Performance for project delivery by considering the allocation and movement of project funds for successful project outcomes.

Strategic Risk

11. **Failure to deliver outcomes in line with community needs**
12. Inherent Risk Rating - *Serious*, Residual Risk Rating – *High*

Risk Rating

13. Risk rating is low and can be managed at department level.

Risk Appetite

14. This report relates to the ordinary business of Council and no Risk Appetite Statement is relevant.

Risk Assessment

15. If Council did not receive this report, this would risk public transparency and potentially reduce the financial rigour applied to managing projects.
16. Decisions in this report support project delivery and the implementation of the Council Plan (including Health and Wellbeing Plan 2021-25).

Conflict of Interest

17. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

18. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020* (Vic).

Transparency

Audit and Risk Committee involvement

19. This monthly Council Report item is not within the scope of matters considered by the Audit and Risk Committee.

Councillor Briefings

19. This item was discussed at the following Councillor briefings prior to being presented to Council for consideration. Councillor attendance at each briefing was as follows:

Councillor Briefing Date: 3 December 2024

<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Mike Bodsworth</i>	Y	<i>Cr Liz Pattison</i>	Y
<i>Cr Paul Barker</i>	Y	<i>Cr Adrian Schonfelder</i>	Y
<i>Cr Libby Stapleton</i>	Y	<i>Cr Joel Grist</i>	Y
<i>Cr Rebecca Bourke</i>	Y	<i>Cr Tony Phelps</i>	Y
<i>Cr Leon Walker</i>	Y		

Councillor attendance at briefings is not a statutory requirement. Councillors are able to access and request information through a number of mechanisms to understand matters being presented at a Council Meeting.

4.9 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

Council Plan

Theme Seven - Accountable and Viable Council

Strategy 19 - Improve Council's credibility as a trusted decision maker through meaningful engagement.

Author's Title:

Acting Governance Officer

General Manager:

Gail Gatt, General Manager Strategy and Effectiveness

Division:

Strategy and Effectiveness

Department:

Integrity and Governance

Attachments:

1. 2024-12-10 - 30 - S 11 A Authorisation (Planning and Environment Act 1987) - Clean Copy [4.9.1 - 1 page]
2. 2024-12-10 - 30 - S 11 A Authorisation (Planning and Environment Act 1987) - Tracked Changes [4.9.2 - 1 page]

Purpose

1. The purpose of this report is to seek Council's appointment of authorised officers under the *Planning & Environment Act 1987* through the updated Instrument of Appointment and Authorisation (the instrument). This instrument requires updating due to recent staff changes.

Recommendation

That Council:

1. Approves the Instrument of Appointment and Authorisation appointing the Council officers listed as authorised officers under the *Planning and Environment Act 1987* (**Attachment 1**).
2. Authorises the Chief Executive Officer to execute the instrument by affixing the common seal in accordance with Local Law No. 2 of 2020 Common Seal and Miscellaneous Penalties.
3. Notes that the instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. Notes that the previous Instrument of Appointment and Authorisation is revoked upon execution of the updated instrument.

Council Resolution

Moved Cr Phelps, Seconded Cr Walker

That Council:

1. Approves the Instrument of Appointment and Authorisation appointing the Council officers listed as authorised officers under the *Planning and Environment Act 1987* (**Attachment 1**).
2. Authorises the Chief Executive Officer to execute the instrument by affixing the common seal in accordance with Local Law No. 2 of 2020 Common Seal and Miscellaneous Penalties.
3. Notes that the instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. Notes that the previous Instrument of Appointment and Authorisation is revoked upon execution of the updated instrument.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

2. If Council accepts this recommendation, the updates identified in the instrument will be implemented. This will ensure that officers have the authority to carry out their roles within the legislated framework.

Key Considerations

3. Officers acting under the *Planning and Environment Act 1987* have authorisation for regulatory and enforcement work if required, as appropriate to their level of experience and qualifications.
4. The specific authorisations provided through this instrument include:
 - 4.1. under section 147(4) of the *Planning and Environment Act 1987* – appointment as an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
 - 4.2. under section 313 of the *Local Government Act 2020*, authorisation generally to institute proceedings for offences against the Act and/or any regulations.
5. The attached instrument has been reviewed and updated to reflect recent staff changes.

Background

6. Officers are appointed as authorised officers to exercise statutory powers under various Acts and regulations. Appointments of authorised officers are to individual staff members.
- 7.
8. The power to appoint authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be done through a resolution of Council.

Options

9. **Alternative Option 1** – That Council does not approve the updated instrument of authorisation.

This option is not recommended by officers as it will prevent new officers from being able to properly carry out their roles and provide services and support to the community.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

Financial Considerations

- 10. There are no financial implications arising from this report.
- 11.

Community Engagement

- 12. Community engagement is not required when updating the Instrument of Appointment and Authorisation - *Planning and Environment Act 1987*.

Statutory / Legal / Policy Considerations

- 13. The appointment of authorised officers under the *Planning and Environment Act 1987* ensures Council is compliant with the legislation and that officers are able to carry out their enforcement roles.

Strategic Risk

14. Failure to meet Councils Governance and Compliance obligations

- 15. Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*

- 16. By approving the Instrument of Appointment and Authorisation *Planning and Environment Act 1987 (Attachment 1)*, Council is mitigating the risks associated with officers not being properly authorised to carry out their roles as responsibilities. The risks mitigated include both legal and reputational risks.

Risk Rating

- 17. The risk rating associated with accepting the recommendation in this report is low and can be managed at department level.

Risk Appetite

- 18. No Risk Appetite Statement selected as this is an administrative report.

Sustainability Considerations

- 19. There are no sustainability considerations associated with this report.

Conflict of Interest

- 20. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

21. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

22. This report was not considered by the Audit and Risk Committee.

Councillor Briefings

23. This item was not discussed at Councillor Briefings.



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means –

Andrew Hewitt	Leah Protyniak
Anthony (Tony) Rolfs	Leanne Rolfe
Barbara Peppard	Lily Mackey
Ben Hynes	Mathew Mertuszka
Ben Schmied	Melinda (Mindy) Vardy
Benjamin Lowe Jabornik	Michelle Warren
Bianca Wilkin	Nick Helliwell
Carol Mitchell	Paul Elshaug
Chris Pike	Paul Sarapu
David O'Connor	Rhiannan Glenister
David Priddle	Rhonda Gambetta
Dee Gomes	Robert Pitcher
Emily Jolley	Robyn Neville
Emma Monteath	Rochelle Humphrey
Finn Tewson	Samantha Natt
Foti Dimopoulos	Sandra Tomic
Gabrielle O'Shea	Sarah Farrer
Genevieve Cooper	Sarah Storen
Guy Price	Shaun Barling
Jason Scammell	Susan Wlodarczyk
Jayde Whitten	Tim Waller
Jennifer Davidson	Travis Ferrari
Karen Campbell	Veronica Abbot
Kate Sullivan	William (Bill) Cathcart
Kristy Prothman	

By this instrument of appointment and authorisation Surf Coast Shire Council -

- under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Surf Coast Shire Council pursuant to the Council resolution dated 10 December 2024.

*The COMMON SEAL of SURF COAST
SHIRE COUNCIL was affixed in the
presence of:*

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

.....
Date

.....
Date



Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

In this instrument "officer" means –

Andrew Hewitt
Anthony (Tony) Rolfs
Barbara Peppard
Ben Hynes
Ben Schmied
Benjamin Lowe Jabornik
Bianca Wilkin
Carol Mitchell
Chris Pike
David O'Connor
David Priddle
Dee Gomes
Emily Jolley
Emma Monteath
Finn Tewson
Foti Dimopoulos
Gabrielle O'Shea
Genevieve Cooper
Guy Price
Jason Scammell
Jayde Whitten
Jennifer Davidson
Karen Campbell
Kate Sullivan
Kristy Prothman
Leah Protyniak

Leanne Rolfe
Lily Mackey
Mathew Mertuszka
Melinda (Mindy) Vardy
Michelle Warren
~~Narelle Tozer~~
Nick Helliwell
Paul Elshaug
Paul Sarapu
Rhiannan Glenister
Rhonda Gambetta
~~Robert Page~~
Robert Pitcher
Robyn Neville
Rochelle Humphrey
Samantha Natt
Sandra Tomic
Sarah Farrer
Sarah Storen
Shaun Barling
Susan Wlodarczyk
Tim Waller
Travis Ferrari
Veronica Abbot
William (Bill) Cathcart

By this instrument of appointment and authorisation Surf Coast Shire Council -

- under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Surf Coast Shire Council pursuant to the Council resolution dated 10 December ~~16 September~~ 2024.

The COMMON SEAL of SURF COAST
SHIRE COUNCIL was affixed in the
presence of:)
)
)

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

.....
Date

.....
Date

4.10 Conflict of Interest Records

Council Plan

Author's Title:

General Manager:

Division:

Department:

Attachments:

Theme Seven - Accountable and Viable Council

Strategy 19 - Improve Council's credibility as a trusted decision maker through meaningful engagement.

Acting Governance Officer

Gail Gatt, General Manager Strategy and Effectiveness

Strategy and Effectiveness

Integrity and Governance

1. Conflict of Interest Record - Councillor Induction Day 6 [4.10.1 - 1 page]
2. Conflict of Interest Record - Media Training for Mayor and Deputy Mayor [4.10.2 - 1 page]
3. Conflict of Interest Record - Councillor Induction Day 7 [4.10.3 - 1 page]
4. Conflict of Interest Record - Councillor Induction Day 8 [4.10.4 - 1 page]
5. Conflict of Interest Record - Councillor Briefing - 26 November 2024 [4.10.5 - 1 page]
6. Conflict of Interest Record - Councillor Briefing - 3 December 2024 [4.10.6 - 2 pages]

Purpose

1. To present conflict of interest records received since the previous Council meeting.
2. Conflict of interest records are required in accordance with the *Local Government Act 2020* (Act) and these records inform Council and the community if any conflicts of interest have been declared by Councillors at meetings held under the auspices of Council which are not Council meetings.

Recommendation

That Council notes the conflict of interest records as presented in **Attachments 1 to 6** for the following meetings:

1. Conflict of Interest Record – Councillor Induction Day 6
2. Conflict of Interest Record – Media Training for Mayor and Deputy Mayor
3. Conflict of Interest Record – Councillor Induction Day 7
4. Conflict of Interest Record – Councillor Induction Day 8
5. Conflict of Interest Record – Councillor Briefing – 26 November 2024
6. Conflict of Interest Record – Councillor Briefing – 3 December 2024

Council Resolution

Moved Cr Schonfelder, Seconded Cr Barker

That Council notes the conflict of interest records as presented in **Attachments 1 to 6** for the following meetings:

1. Conflict of Interest Record – Councillor Induction Day 6
2. Conflict of Interest Record – Media Training for Mayor and Deputy Mayor
3. Conflict of Interest Record – Councillor Induction Day 7
4. Conflict of Interest Record – Councillor Induction Day 8
5. Conflict of Interest Record – Councillor Briefing – 26 November 2024
6. Conflict of Interest Record – Councillor Briefing – 3 December 2024

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

Outcome

3. This report promotes public transparency by disclosing any conflicts of interest declared by Councillors during meetings conducted under the auspices of Council.

Key Considerations

4. The Act outlines requirements for Councillors to declare and manage conflicts of interests. Councillors disclosing conflicts of interests and following the prescribed requirements promote transparency in decision-making.
5. The attached conflict of interest records are prepared in accordance with the Act and Council's Governance Rules. The Act outlines that the procedure for disclosing conflicts must be included within the Governance Rules and Chapter 3 of these Rules prescribes that a record of any meeting held under the auspices of Council must be kept and presented to the next possible Council meeting.
6. Publication of these records is an important part of the overall management of conflicts of interest. By making these records publicly available, the community is made aware that interests are recorded and managed effectively. This helps Councillors perform their roles in a way that meets the requirements of legislation and is consistent with community expectation.

Background

7. Conflict of interest records are required to be presented to Council in accordance with the Act and Council's Governance Rules.
8. Council notes these conflict of interest records monthly. Declaring conflicts of interest helps Councillors comply with legal requirements and meet community expectation.
9. These records replace the previous requirement under the *Local Government Act 1989* to present an Assembly of Councillors to Council.

Options

10. **Alternative Option 1** – That Council does not note the conflict of interest records.

This option is not recommended as it would mean Council is not compliant with legislation.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council Financial Considerations

11. There are no financial considerations associated with presenting the conflict of interest records.

Community Engagement

12. Community engagement has not been undertaken as this report is a presentation of conflict of interest records.
13. Providing these records to the community provides information if any Councillor conflicts of interests are recorded.

Statutory / Legal / Policy Considerations

14. These records are published in accordance with section 131 of the Act.

Strategic Risk

15. **Failure to meet Councils Governance and Compliance obligations**
16. Inherent Risk Rating - *Serious*, Residual Risk Rating – *Medium*

Risk Rating

17. Risk rating is low and can be managed at department level. Individual departments are responsible for completing these records, mitigating risks of non-compliance.

Risk Appetite

18. The Risk Appetite statement is not applicable to this report.

Sustainability Considerations

19. There are no sustainability considerations associated with this report.

Conflict of Interest

20. No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Confidentiality

21. This report and attachments contain no confidential information under section 66(2) of the *Local Government Act 2020*.

Transparency

Audit and Risk Committee involvement

22. This report has not been presented to the Audit and Risk Committee.

Councillor Briefings

23. This item was not presented to a Councillor briefing.

File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record


Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Induction – Day 6
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Tuesday 19 November 2024
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	✓	General Manager Place Making & Environment - Chris Pike	✓
Cr. Rebecca Bourke	✓	General Manager Strategy & Effectiveness – Gail Gatt	✓
Cr. Joel Grist	✓	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	✓	Manager Government Relations and Strategic Projects – Darryn Chiller	✓
Cr. Tony Phelps	✓	Manager Integrity and Governance - Jake Brown	✓
Cr. Adrian Schonfelder	✓	Coordinator Communications and Community Engagement – Mark Macgugan	✓
Cr. Libby Stapleton	✓	Community Engagement Facilitator – Rochelle Harding	✓
Cr. Leon Walker	✓	Manager Community Support – Shannon Fielder	✓
		Manager Community Strengthening – Hinga Fletcher	✓
		Coordinator Environmental Health – Stuart Symes	✓
		Coordinator Community Emergency Management – Sharna Whitehand	✓

MEETING COMMENCED	9:30am	MEETING ADJOURNED	3:00pm approx
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Matters considered at the meeting		
Pre-brief		
Managing Government Relations and Key Stakeholders		
Communications and Community Engagement		
Working With Our Community		
Emergency Management and Building Resilient Communities		
Debrief		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil		
Responsible Officer Signature:		Print Name: Robyn Seymour
		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

Auspices of the Council

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- regular councillor briefings or forums,
- other briefing meetings,
- committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record


Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Media Training – Mayor and Deputy Mayor
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Wednesday 20 November 2024
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	X	General Manager Place Making & Environment - Chris Pike	X
Cr. Rebecca Bourke	X	General Manager Strategy & Effectiveness – Gail Gatt	X
Cr. Joel Grist	X	General Manager Community Life – Damian Waight	X
Cr. Liz Pattison	X	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	X	Coordinator Communications and Community Engagement – Mark Macgugan	✓
Cr. Adrian Schonfelder	X	Team Leader Communications – Sarah Gleeson	✓
Cr. Libby Stapleton	✓		
Cr. Leon Walker	X		
External Facilitator			
Alex First – First Communications			

MEETING COMMENCED	1:00pm	MEETING CONCLUDED	4:30pm approx.
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Matters considered at the meeting		
Media Training		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		
Responsible Officer Signature:		Print Name: Robyn Seymour
		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record

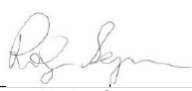
Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Induction – Day 8
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Thursday 21 November 2024
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	✓	General Manager Place Making & Environment - Chris Pike	✓
Cr. Rebecca Bourke	X	General Manager Strategy & Effectiveness – Gail Gatt	✓
Cr. Joel Grist	✓	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	✓	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	✓	Manager Integrity and Governance - Jake Brown	✓
Cr. Adrian Schonfelder	✓	Coordinator Governance and Council Business – Liberty Nash	✓
Cr. Libby Stapleton	✓	People and Culture Advisor – Gender Equity and Child Safety – Ariel Liddicut	✓
Cr. Leon Walker	✓	Coordinator Aged, Youth and Access – Abby Ellery	✓
		Manager Community Support – Shannon Fielder	✓
		Manager People and Culture – Sarah Lindsay-Field	✓
		First Nations Engagement Officer – Gerard Black	✓

MEETING COMMENCED	9:30am	MEETING ADJOURNED	3:00pm
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Matters considered at the meeting		
Pre-brief		
Key Policies for Councillors		
Child Safety		
Gender Equality		
First Nations Reconciliation		
Debrief		
Meeting Procedures 101		
Mock Council Meeting		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		
Responsible Officer Signature:		Print Name: Robyn Seymour
		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

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Auspices of the Council

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- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record

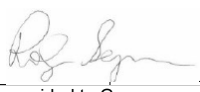
Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Induction – Day 9
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Friday 22 November 2024
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	✓	General Manager Place Making & Environment - Chris Pike	✓
Cr. Rebecca Bourke	✓	General Manager Strategy & Effectiveness – Gail Gatt	✓
Cr. Joel Grist	✓	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	X	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	✓	Manager Finance – Gabrielle Spiller	✓
Cr. Adrian Schonfelder	✓	Coordinator Management Accounting – Tim Dickson	✓
Cr. Libby Stapleton	✓	Manager Assets and Engineering – John Bertoldi	✓
Cr. Leon Walker	✓	Coordinator Asset Management – Tym Guthridge	✓
		Anya White – Financial Accountant	✓
		Evelyn Whitelaw – Acting Manager Economic Development, Arts and Tourism	✓

MEETING COMMENCED	9:30am	MEETING CONCLUDED	3:00pm approx..
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Matters considered at the meeting		
Pre-brief		
Financial Planning		
Asset Management		
Christmas Activations 2024		
Debrief		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		
Responsible Officer Signature:		Print Name: Robyn Seymour
		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

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- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

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File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record

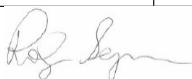
Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Briefings #4 Agenda Clarification Time
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Tuesday 26 November 2024
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	X	General Manager Place Making & Environment - Chris Pike	✓
Cr. Rebecca Bourke	X	General Manager Strategy & Effectiveness – Gail Gatt	✓
Cr. Joel Grist	✓	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	✓	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	✓	Manager Integrity and Governance - Jake Brown	✓
Cr. Adrian Schonfelder	✓	Manager Finance – Gabby Spiller	✓
Cr. Libby Stapleton	✓	Coordinator Governance and Council Business – Liberty Nash	✓
Cr. Leon Walker	✓	Coordinator Property and Legal Services – Heidi Mellar	✓

MEETING COMMENCED	9:30am	MEETING CONCLUDED	10:30am (approx.)
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Matters considered at the meeting		
Agenda Clarification Time for 26 November 2024 Council Meeting		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil		
Responsible Officer Signature: 		Print Name: Robyn Seymour
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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File No F18/225-4
Trim Reference Record Number



Conflict of Interest Record

Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Briefings #1
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: Tuesday 3 December 2024
In Attendance: Yes (✓) No (X)


Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	✓	General Manager Place Making & Environment - Chris Pike	✓
Cr. Rebecca Bourke	✓	General Manager Strategy & Effectiveness – Gail Gatt	✓
Cr. Joel Grist	✓	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	✓	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	✓	Manager Integrity and Governance - Jake Brown	✓
Cr. Adrian Schonfelder	✓	Coordinator Governance and Council Business – Liberty Nash	✓
Cr. Libby Stapleton	✓	Acting Governance Officer – Candace Martin-Burgers	✓
Cr. Leon Walker	✓	Climate Action Coordinator – Lauren Watt	✓
		Coordinator Waste Management – Neil Brewster	✓
External Presenter		Coordinator Strategic Planning – Tim Waller	✓
Charlotte Turner – Senior Associate & ESG, Herbert Smith Freehills	✓	Senior Social Infrastructure Planner – Paul Elshaug	✓
Elise Plunkett – Herbert Smith Freehills	✓	Manager Assets and Engineering – John Bertoldi	✓
Paige Cowles – Herbert Smith Freehills		Coordinator Road Strategy – Mark Gibbons	✓
		Coordinator Early Years – Melissa Iannazzo	✓
		Manager Community Strengthening – Hinga Fletcher	✓
		Manager Strategy and Program Delivery – Rowena Frost	✓
		Manager Finance – Gabby Spiller	✓
		Senior Project Manager - Capital and Operational Projects – Chris Leonard	✓
		Project Manager - Major Projects – Peter Stokoe	✓
		Senior Advisor – Organisation Performance – Rebecca Leonard	✓
		Coordinator Legal and Property – Heidi Mellar	✓
		Lawyer – Caitlin O'Loughlin	✓
		Coordinator Social Infrastructure and Open Space Planning – Genevieve Cooper	✓
		Environmentally Sustainable Design Officer – Hannah Belbasis	✓
		Coordinator Risk and Compliance – Mel Crellin	✓
		Climate Action Officer – Adrian Ford	✓

MEETING COMMENCED	10:01am	MEETING CONCLUDED	3:00pm (approx.)
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Matters considered at the meeting
External Presentation – Climate Risk
Overview of Grants/External Funding Opportunity Process, including Roads to Recovery and Grant Applications, Department of Education – Building Blocks – minor Infrastructure Grant Opportunity and AFL Funding Opportunity



File No F18/225-4
Trim Reference Record Number

Project Budget Adjustments and Cash Reserve Transfers, including Disaster Projects Funding		
Reports Coming to December Council Meeting		
Surf Coast Aquatic & Health Centre Stage 2 Pathway (Confidential)		
Crown Land Lease Agreement for Telecommunications Tower – 25 Ellimatta Road, Anglesea (Confidential)		
Councillor Topics		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		
Responsible Officer Signature:		Print Name: Robyn Seymour
		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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5 Closed Section

5.1 Closed Section

5.2 Closure of Meeting to the Public

Council Resolution

Moved Cr Stapleton, Seconded Cr Pattison

Recommendation

That Council, pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020*, close the meeting to members of the public to resolve on matters pertaining to items that deal with information that is confidential in accordance with section 3(1) of the Act, as follows:

Surf Coast Aquatic & Health Centre - Stage 2 Pathway

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains Council business information being information that would prejudice the Council's position in commercial negotiations.

Ellimatta Reserve Telecommunications Tower - Crown Lease to Telstra

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

CARRIED 7/2

For	Against	Abstained
Cr Bodsworth Cr Bourke Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Cr Barker Cr Grist	Nil

The following resolution was deemed to be no longer confidential and is displayed below.

Council Resolution

Moved Cr Barker, Seconded Cr Stapleton

That Council:

1. Notes that three submissions were received in response to the community engagement process undertaken in accordance with section 115 of the *Local Government Act 2020*, Council's *Property Use Agreements Policy* and Council's *Community Engagement Policy*.
2. Notes that all three submissions were in support of the proposed lease.
3. Approves the proposal to enter into a lease with Amplitel on behalf of Telstra for the existing Tower located at Ellimatta Reserve, Anglesea, on the following terms;
 - 3.1. Initial five (5) year term with three (3) further terms of five (5) years each;
 - 3.2. Rent of \$20,000 plus GST per annum; and
 - 3.3. Rent increases of 3% per annum to be applied annually on the anniversary of the commencement date.
4. Directs Council's Chief Executive Officer or delegate to negotiate other terms of the lease, take all necessary actions and execute all necessary documents to implement and finalise the lease.
5. Authorises Council's Chief Executive Officer to apply the rental income from the lease to the Accumulated Unallocated Cash Reserve in accordance with Council's *Property Use Agreements Policy*.
6. Deems that this resolution is no longer confidential.

CARRIED 9|0

For	Against	Abstained
Cr Barker Cr Bodsworth Cr Bourke Cr Grist Cr Pattison Cr Phelps Cr Schonfelder Cr Stapleton Cr Walker	Nil	Nil

6 Urgent Business

In accordance with Rule 25 of Council's Governance Rules, a report may be admitted as urgent business if it relates to a matter which has arisen since distribution of the agenda, and cannot safely or conveniently be deferred until the next Council meeting.

Any urgent business reports will be uploaded to Council's website separately to this agenda, and will be considered as part of the order of business at the meeting if Council so resolves.

7 Close of Meeting

The Council Meeting - 10 December 2024 closed at 7:31pm.