



## **AGM Friends of Lorne President's Report for 18 November 2023**

Welcome everyone. We meet today on the traditional lands of the Gadubanud people.

This is my third time presenting on the activities of the organisation. In past years, this was a talk with slides at the meeting, with full transcript appearing in the Minutes. This year, to save precious time at the meeting, my report is being circulated in advance. There will be time for questions and discussion at the meeting. Note, our financial report and your membership subscriptions are for the financial year. But the report on activities (this report) is from the last AGM to this one. If we did not do this, then I'd be reporting here on activities up until 5 months ago only. We hold AGMs closer to end of the calendar year, to allow time to review and report on the annual finances and because more people are in Lorne to attend.

### **1. Our priorities for the Committee**

Two of these remain the same as previous years: to increase the profile and membership of Friends of Lorne and to get our systems of administration and information management working efficiently. To this we have added to increase our (people) capacity to spread the workload and get things done.

We have revamped our website to make what we do under different categories of interest more obvious. We built a "comments" section into one of the project webpages (affordable housing) to promote conversation. We have created a new role for a Membership secretary (*Deb Burns*). Deb wrangles the spreadsheets which contain our members' information (contact details and your interests/issues). She also manages our bulk mailouts which use a special type of software. This allows the Secretary (*Mary Rose Yuncken*) to focus on "front of shop" issues (governance, policy, liaison etc). Three of us have undergone training on how to run our website and post documents etc, so that we are no longer dependent on any one of us for this. We have taken out a subscription to create a drive connected to our gmail account, which allows us to archive digital copies of minutes agenda etc in a common (digital) place in addition to our filing cabinet at Lorne Community Connect.

### **2. Membership**

We have seen a steady increase in membership, possibly due to more prominence through our articles in the *Lorne Independent*, the Newsletter (which goes wider than the members) and our webinars. But this year we will also conduct our first letterbox membership drive by a placing postcard size photo of the aerial shot of Lorne from our website (by Chris Farrell) with an introduction to Friends of Lorne on the flipside. Many thanks to *Marilyn McKenzie* and *Mike Anderson* for putting their hand up to do the walking.

### 3. The purpose of our organization

We reviewed this at the Committee this year to consider whether we were focused on the FoL purpose. To recap our two purposes are:

To encourage and contribute to the planning and development of the environment within Lorne and its environs consistent with the need for **preservation of the natural features, flora and fauna** of the district.

To encourage and contribute to the planning, development and maintenance of **community services and activities** within Lorne and its environs consistent with the balanced needs of permanent residents, holidaying residents, campers and tourists.

We are satisfied that our activities and communication further our purpose. For example, we are involved in affordable housing for livability and town viability reasons, plus we want to encourage solutions that preserve or have minimal impact on the environment. At Pt Grey, we want to prevent over development, to preserve cultural heritage, to promote understanding of the natural environment, and to make sure fishing and boating continue unimpeded.

But we concluded that we are a bit light on when it comes to environmental monitoring. *Mary Lush* was central to the setup of the successful platypus watch and *Colin Leitch* is representing us at discussions with Barwon Water on water planning for Lorne (which impacts the health of the St George River where the platypus live). But when GORCAPA presented its plans to remove the tea tree from the Foreshore we realized that neither they nor us had any evidence that had been systematically collected about the state of the habitat and the presence of different species. For example, rufous bristle birds are critically endangered and are only found on low coastal elevations between Torquay and the Murray River mouth. So, we have now reached out to see if we can get something going on this front.

### 4. Activities in the last year (from last AGM, Oct 2022 to now)

- 8 committee meetings
- 2 (wide distribution) Newsletters, plus member updates
- 4 articles in the *Lorne Independent*
- Participation in the Pt Grey Community Co-design group
- Participation in the Great Ocean Rd Communities Network
- Participation in the Committee for Lorne
- Participation in Barwon Water planning for Lorne
- 2 webinars/online community online meetings on affordable housing for key and essential workers
- One workshop on how to use *iNaturalist* to monitor plants and animals
- Compilation and communication of a photo guide and explanation of GORCAPA's tea tree removal plans on the foreshore
- Submission to GORCAPA (swimming pool re-lease)
- Submission to Victorian Electoral Commission on the electoral structure of Surf Coast Shire
- Submission to GORCAPA on updating/reconstruction of Grove Rd toilet block
- Submissions (2) to Surf Coast Shire Council on the planning review strategy and neighbourhood character overlay
- Submission to National Offshore Petroleum Safety and Environmental Management Authority on proposed seismic blasting in the Otway Basin

Please go to our website to check out the particulars of these events and activities. Below I highlight the main ones. An \* indicates that you can read more about it at [www.friendsoflorne.org.au](http://www.friendsoflorne.org.au).

#### **4.1 Pt Grey \***

The Community Co-Design Group (for the co-op building) has been disbanded and a new Community Advisory Committee for the whole-of-precinct is being put together by GORCAPA. There was a high level of community support for the concept plan. But there was disappointment that the wish to retain and reuse the original co-op building as much as possible was in doubt due to cost constraints. Instead, GORCAPA proposed to demolish the building and recycle the materials to create a look-alike structure. But in February this year we were advised that a further \$2m was being made available. So now the struggle is on for those funds to be used for the adaptive reuse of the existing building and return of the crane (as sculpture), instead of being gobbled up elsewhere. We're keen to keep a café as well (much like the restaurant we already had until recently) noting that a large wedding-reception style restaurant originally proposed by GORCAPA was scuttled by the VCAT ruling. Discussion is proceeding on how a café fits within the Marine and Coastal Act.

With concern we note that sea level rise will impact the site by increasing the water level on top of the rock platform allowing larger waves to reach the shoreline more often, increasing erosion. Modelling has shown that the erosion hazard at 2100 will be greatest at the backshore bluff and could impact the co-op building and the Aquatic Club. Further work is planned to better understand this risk and its impact on the project.

Right now, a pop-up art gallery (by the founders of Friends of Pt Grey) and a pop-up fishing history display (by the Lorne Historical Society) provide opportunities to engage visitors and to keep telling two types of stories, (1) the history of the site, and (2) the way community rallied around to save it.

#### **4.2 Affordable Housing for key and essential workers \***

The minutes of the last AGM record our contribution to the *Committee for Lorne* proposal for affordable housing and how the final proposal changed as a result of our input. This year, the purpose of the webinars/online community meetings (June and September) has been to promote community understanding of and engagement with different options and alternatives so that we can collectively, as a community, weigh up pros and cons systematically and choose the best path forward for Lorne. We also want to avoid pitfalls that have thwarted progress in other communities and take tips from communities that are further ahead.

We are learning a lot. It is clear that a lot of volunteer time and expertise is required to make it easier for key and essential workers to afford to live here. And we are not even halfway there yet. We were pleased with the attendance (about 70+ people in June and about 40 in September). We are also pleased to be learning about solutions that can use existing housing stock and don't need new builds on vacant land. *John Higgins*, from the Committee for Lorne, is taking carriage of various working groups investigating different options.

#### **4.3 Planning Scheme Review/Neighbourhood Character Overlay (NCO) \***

This year the Surf Coast Shire Council (SCSC) has been conducting a Planning Scheme Review which they describe as a "health check" of the planning scheme that is a legislated requirement for all councils under Section 12B of the Planning and Environment Act 1987. You can find out more [here](#).

The Council held coastal character workshops, the Lorne one being in February at Stribling Reserve. Twenty-one people attended, slightly fewer than in Anglesea and Aireys Inlet. Lorne has an NCO which seeks to preserve the tree canopy and vegetation and to prevent oversized and inappropriate development (buildings are intended to be recessive in the landscape).

Years of Friends of Lorne advocacy was responsible for the development of the Council's Lorne Strategy and NCO, with its strong environment-protection focus. But we are concerned that the overlay is not being implemented by Council Officers and that too much reliance is being placed on neighbours to object. "Recessive in the landscape" is *definitely not* what is on display in recent times with new builds and renovations in Lorne.

This is why the focus of discussion at our AGM will be on ways to preserve Lorne's beautiful, treed character. We are hosting some guest speakers from AIDA (*Aireys Inlet and District Association*). Should Friends of Lorne be more active in the space? AIDA is. They review every planning application. We want to uncover and weigh up the up and downside of this before we would consider doing it here. Special thanks to *Jane Orr* who has been researching this issue for us. Jane has been attending meetings with like-minded residents from Anglesea and Aireys Inlet to assess how we can work together to strengthen community voice to preserve coastal character. For more information, check out our April and August submissions to the SCSC.

#### **4.4 Great Ocean Road Communities Network (GORCN)**

GORCN is a grassroots network of community organisations like us. It formed in 2020 to identify and work on common issues and to create a direct "hotline" of information exchange between the community and GORCAPA. We range from Port Campbell to Torquay. GORCAPA (represented by Jodie Sizer and/or Libby Mears) meets with us four times a year. It's been a very useful for relationship-building, as a forum to find out who/what/where for problem-solving and to discuss Big Picture issues that none of us can tackle alone. An example of a Big Issue is (in our mind) the flawed funding model of GORCAPA. That is, while GORCAPA boasts of being self-sufficient funding wise (it derives 90+% of its funds from its caravan parks) we see that as contrary. That is, to maintain and protect the coast, GORCAPA has to lease and develop the coast. GORCN is developing a discussion paper on this to allow us to pursue the conversation.

Thus far, discussion and work with GORCAPA has been productive. For example, earlier this year GORCN's submission on GORCAPA's draft community engagement strategy led GORCAPA to commit to develop grievance resolution mechanisms (i.e., to solve issues prior to ending up in VCAT) and to produce case studies of best-case / worst-case problem-solving on the coast so as to encourage accountability, learning and best practice. GORCAPA has offered for us to co-design these guidelines and tools with them.

#### **4.5 Coast Tea Tree removal from the Foreshore and habitat restoration \***

A major undertaking this year, which seemingly paid off big time, was our explaining the GORCAPA tea tree removal plans on the Foreshore and putting together a photo guide to what goes and what stays along the 4.2km from Stony Creek to the pier. This was important because many people in the community were very upset, and what was making things worse was that people were not aware that not all of it is coming out. There is a different strategy for different zones.

Other woody weeds, like mirror bush and pittosporum, do not seem to have the same resonance with the Lorne identity/psyche. The tea tree also plays an important function for traffic screening, shade, and as a windbreak. Dense tall vegetation between the GOR and the beach is what makes

Lorne feel like a “natural” environment, instead of a beach adjacent traffic like in a town or city. GORCAPA explained that while tea tree was introduced to Lorne to stabilise dunes and prevent erosion, the science had moved on and now they were considered a weed because they spread create (dark) monocultures.

Our document allowed better community engagement/consultation. In response to community concern, GORCAPA elected to follow a more staged/gradual approach and to replant rather than leave denuded spaces to regenerate naturally (ie., more slowly). Our website contains the photo guide and our follow up submission which thanks GORCAPA for fact checking our guide and for adjusting their strategy in response to community input.

What we are still seeking, however, is some clarity around the timetable, types of replacement plantings, and the possibility of some citizen science to monitor the habitat restoration and adjust the tea tree removal strategy if needs be. In theory, woody weed removal should be having a positive impact. But in practice, niche-by-niche, the promised effect could be hampered, considering road traffic and beach pedestrians/dogs. So, we wish to tabulate habitat diversity gains made/lost. GORCAPA states that its coastal vegetation strategy is evidence based. But in truth they don't have the on-the-ground resources to collect evidence. This is where citizen science can step up, like with whale and platypus monitoring.

#### **4.6 AGM process and a proposed constitutional amendment to our Rules**

During the year we have reviewed the planning for and conduct of the AGM, given that concerns were raised just prior to the last AGM.

For example, issues raised included the manner of calling for nominations for positions on the Committee. We had adopted the practice of calling for nominations prior to the meeting date, so that we could work out if we needed to hold a ballot (and to make that easier to organise, especially for a hybrid meeting with some members online).

Calling for nominations in advance and having a “nominate by” date is a common convention. When we sought clarification with this our regulatory body, Consumer Affairs Victoria, their reply was:

“The Model Rules state that ‘Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position’ (51). It is not stipulated that these nominations must only take place during the annual general meeting. The Model Rules are silent on the timing of any call for nominations, other than to state that it must be done prior to the elections of office holder. This would not preclude nominations to be made in advance of the AGM as well as at the meeting itself. If you require any further legal interpretation, please seek independent advice through a solicitor/lawyer.”

We sought legal advice from a not-for-profit lawyer (pro bono), *Jonathan Casson*. Among other things, his advice was that we are unlikely to lose a case at VCAT by calling for nominations in advance and not holding a ballot at the AGM, if the number of nominations for office bearers received matched the number of positions vacant prior to the AGM. However, to sure things up and to make our procedures crystal clear he suggested we amend our rules. This would involve putting a motion to a Special General meeting of members. The committee resolved to do this in early 2024. Jonathan has provided some revised wording and he has marked up the existing rules to make it clear where we would be making an alteration. A change to our procedural rules would require a vote of a majority of 75% or more. Jon would be available at the meeting to answer questions and we would put out a lot of information prior to the meeting to enable clarity.

To be frank, procedural issues are not everyone's cup of tea. But we need to do things properly as custodians of your trust (and of your members fees!) We hope it is not too hard to get a quorum at the Special General Meeting.

We also advised Jon that we had neglected in past years to elect a Vice President (VP) as a separate office holder from Treasurer, Secretary and President. This was out of keeping with our rules. So, Jon has now drafted a rule change whereby we can have a VP as joint position held by the Treasurer or Secretary, if necessary. This will also be considered at our Special General Meeting.

This year, meanwhile, we followed the way we did it last year. We will propose an amendment to the Rules to formalise this path. That is, to call for nominations for office bearers and positions by a certain date. If there are sufficient office bearers nominated as there are positions, there will be no need for a ballot at the AGM. If there are more nominations than positions, then there is a ballot at the AGM and proxy voters will know the names of the candidate and can instruct their proxy accordingly. For the committee positions, those nominating by the nomination date will be accepted into the position. But if we get insufficient names for vacant positions by the nomination date, we will call for nomination from the floor of the AGM for the vacant positions and hold a ballot. Members have to be financial by the nomination date (2 weeks before the AGM).

We neglected, at the last AGM in 2022, to set the size of the Committee, including office bearers. During the year the Committee resolved that 5 is the ideal number – being an odd number for majority voting and not too big to make it hard to get everyone together. This number will govern our election processes this year. And at this year's AGM we will have formal motion that 5 be the size of the Committee including office bearers.

We thank Jon very much for lending us his time and expertise.

**Acknowledgements: many people make all this happen.**

You can see from the activities this year that the Committee does a ton of work. I am immensely grateful to them: *Lindy Pearce, StJohn Sutton, and Mary Rose Yuncken.*

*Steve Bayley*, a past president of Friends of Lorne, came off the Committee just prior to our AGM last year. Steve was excellent for bringing a small business perspective and for his links with the school and young families. *Jane Orr* retired from the Committee in October last year also. Jane continues to help us with planning policy issues; she was instrumental in researching and putting our Pt Grey work together, and in training us in how to use our website. In June, *Mary Lush* retired as secretary and resigned from the Committee. Mary renovated and/or devised our administration, management and communication systems. She has been a tireless advocate and leader on the natural environment side of our work, raising our profile and bringing in new members.

Happily, though, people don't have to be on the Committee to help us at Friends of Lorne. A big thank you also goes out to *Deb Burns, Colin Leitch, Eva Youl* and *Keith Edwards* for ongoing work on the administration and/or environment protection/advocacy side of things. Being our eyes and ears and voice out there really helps us make a difference in as many places that we can. *Charles Coates* is our IT and computer expert who looks after our systems and troubleshoots us as we learn new software. He's been extraordinary this year.

Finally, we thank *Cr Gary Allen*, a member of Friend of Lorne. Gary's clear and long range thinking, diligence, persistence, and advocacy for all of Lorne has turned whole problems around (e.g., Pt Grey). He is a champion of keeping our treed and coastal character. He's found ways to address

seasonal worker accommodation. He's always available for troubleshooting problems. Of course, on Saturdays, his number one focus is the bowling competition. So, he is an apology for this meeting. Go Dolphins!

Penny Hawe  
18 October 2023