

Draft Transcript

Surf Coast Shire Ordinary Council Meeting
Surf Coast Shire Civic Office
Council Chambers
1 Merrijig Drive, Torquay, Victoria

Tuesday, 22 July 2025 at 6pm

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CR BODSWORTH: Good evening and welcome to our July Council meeting. I'm Mayor Mike Bodsworth and it's a pleasure to welcome everyone joining us tonight. This meeting is also being live streamed, so a big welcome to those tuning in online, and of course welcome to my fellow Councillors.

We have two Councillors joining us online tonight, one of whom is in a horizontal format, as we can see, Councillor Bourke, but great that we're all together all nine Councillors.

Live captioning will accompany the live stream of this meeting. We hope that this assists those who may have hearing difficulties.

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

As many will know, during our June meeting, Council voted to freeze average farm rates at 2024-25 levels as part of our budget. Soon after, the Victorian Government announced a 40% rebate on farm rates for 11 drought-affected council areas, including Surf Coast Shire. We've received details about how the rebate will be administered during the past week. It's been confirmed that state funding to cover the rebates will be provided to councils, who can then directly apply a 40% discount on rates notices for farm land.

The good news for farm owners is this means you won't have to go through a process of applying for the rebate. The discount will be added straight to your rates notice. We're due to send out 2025-26 rates notices to all properties late this month. Farm land rates notices will now be issued slightly later to allow time for the 40% discount to be calculated and applied across about 1,000 properties.

Despite some recent rain, we understand conditions are still dry and the effects of the drought will be felt for some time. Don't forget also that our Hardship Policy is available to - sorry, I missed a line, but I'll keep going. Don't forget also that the Hardship Policy is available to all ratepayers experiencing financial distress. Please get in contact for a confidential discussion about what your options might be.

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And finally I'd like to welcome our new General Manager of Strategy and Effectiveness, Jo McNeill. Great to have you with us, Jo. And now we'll move on to our agenda.

Council meetings operate according to our adopted Governance Rules, which include the following procedures. During the meeting, the mover of a motion or an amendment may speak for a maximum of 5 minutes to open the debate and then a further 2 minutes to make a closing statement. Any other Councillor, including the seconder, may speak to a motion for no more than 3 minutes.

I ask that members of the gallery avoid using mobile phones during the meeting as this can be distracting for Councillors as well as other members of the gallery. I also note that any unauthorised recording of the meeting is prohibited under our Governance Rules. However, you can access a copy of the official recording on our website after the meeting.

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

I note that we have no apologies for tonight's meeting and can I please have a mover and a seconder to confirm the minutes of the Council meeting held on 24 June 2025? Thanks, Councillor Phelps. And a seconder? Thanks, Councillor Schonfelder. Does anybody wish to speak to that? No? All in favour? And against? Thank you, Councillors.

Sorry, I didn't get the vote online, actually. Councillor Bourke has dropped off. So you're voting in favour, Councillor Walker? Thank you. Alright, so that was 7-1, with Councillor Bourke not appearing on the screen. I'm just looking at the Governance team to confirm that. Thank you. Yes, so Councillor Bourke is getting the laptop swapped out so that she's joining us the right way up, hopefully. So I've got that vote as 7-1 in her absence.

Leave of absence requests - do we have any leave of absence requests? Yes, Councillor Stapleton?

CR STAPLETON: Mayor, I'd like to request a leave of absence as I will be away from mid-August to mid-September and will miss the August Council meeting.

CR BODSWORTH: Okay. Can I please have a mover and a seconder for that leave of absence? Moved by Councillor Phelps, thank you, and Councillor

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Pattison. Thanks. Would anybody like to speak to that? We'll put that to a vote. All in favour? Thanks, Councillors. That is carried unanimously.

Declarations of conflicts of interest - if a Councillor or an officer has a conflict of interest, they must declare it now and do so again just prior to the item being discussed. The Councillor and/or officer will be requested to leave chambers, or for those online to be placed by the host in a virtual waiting room, while the matter is being considered. Once the matter is resolved, the Councillor and/or officer will be returned to the meeting. Are there any declarations of conflicts of interest for tonight's meeting? No. Thank you. If any conflicts arise during the meeting, please make them known to me.

Are there any presentations from Councillors for tonight's meeting? No, thank you.

The next agenda item is public question time. Public question time is a time for community members to ask questions or make a submission at a Council meeting. We have two community members with one question and one submission total tonight and I'll start by inviting Brent McGregor to come forward from Torquay. Thanks for attending in person, Brent, and ask away when you're ready.

BRENT MCGREGOR: Okay. It's a statement. Surf Coast For Reconciliation applauds the Council's commitment to reconciliation and thanks the Council for holding the recent event Exploring the Dreaming through First Nations Art hosted by Gerard Black on Sunday, July 13 here in the chamber. Surf Coast For Reconciliation invites all Councillors and staff to another event to be held in the Shire Hall in Winchelsea on Sunday, August 17, 3 to 5pm. Art and Country will involve four artists talking about their creative work in relation to country. Arvo tea will follow the talk. Thank you.

CR BODSWORTH: Thanks very much, Brent, for your submission and thanks for joining us in person tonight. Next we have Andrew Vandenberg, from Jan Juc, who is also here. Hi, Andrew.

ANDREW VANDENBERG: Some of you might know I'm also from Surf Coast For Reconciliation and I hope it's okay if I can read my phone, if it will just cooperate. Can Council update us on progress with correspondence to the Prime Minister and other national MPs calling for a national conversation about changing the date of Australia Day? Will this correspondence be made available for public access on the Council website?

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CR BODSWORTH: Thanks for the question, Andrew. I wrote to the Prime Minister earlier this month requesting the Government change the date on which Australia Day is celebrated. The letter made the point that 26 January is a troubling date for First Nations people and that a national celebration on a different date would be a positive step forward for the nation. The letter also highlighted how attributes such as fairness, unity and respect are held to be quintessentially Australian and a change of date would enable our national day to better align with those attributes. My letter to the Prime Minister was followed up with a letter to Senator Malarndirri McCarthy, Minister for Indigenous Australians. We have not yet received a reply. Correspondence between Council and Government ministers is generally not shared publicly and so we don't have plans to publish the letters on Council's website. Thanks, Andrew, for your question and for joining us in person.

So we now move to petitions and item 2.1, Receipt of Petition Titled 'Planning Wombat Crossing Construction - Loch Ard Drive Torquay'. We have a petition that's been submitted relating to the proposed plan of removing car park spaces in Loch Ard Drive for the purpose of the construction of a wombat crossing. We have a - actually, before I go to that, I'll just explain, for anybody who doesn't realise, that a wombat crossing is essentially an elongated speed hump that has a pedestrian crossing down the middle of them. They're pretty common, but it's kind of an unusual name. We have a recommendation. Does anyone wish to move a motion? Thank you, Councillor Stapleton. Is it as per the recommendation?

CR STAPLETON: It is.

CR BODSWORTH: Thank you. And do we have a seconder? Councillor Schonfelder, thank you. Councillor Stapleton, do you wish to speak to the motion?

CR STAPLETON: No, at this point in time it's just acknowledging receipt of the petition and accepting it for officers to come back to report on.

CR BODSWORTH: Okay, thank you. And Councillor Schonfelder?

CR SCHONFELDER: No, thank you.

CR BODSWORTH: No, thank you. Do any other Councillors wish to speak to the motion? Councillor Pattison.

CR PATTISON: Thank you. The park where this wombat crossing is, where the petition and the crossing is that the petition is about, it's a real important

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asset for the community and it's used a lot and so it will be really interesting to understand officers' perspectives around it when we investigate this petition. So I thank the community for putting forward their concerns and, yes, I look forward to hearing the response from officers around that.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak?
Councillor Barker.

CR BARKER: I'm not going to be supporting it. I've said it before, like if we've got rules, we should follow them. If we don't, we're just making a hypocrite of ourselves and when it comes to trust in the organisation, that's just one key component that adds to that. I personally despise the fact that there's going to be removal of car parking in that vicinity should the wombat crossing go ahead. So I am supportive of the intent that the petitioners have, but we've got a very clear format on how we accept petitions and if we keep going outside of our Governance Rules, we may as well just throw the whole Governance Rules away.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to the motion? Thank you. We'll now put that motion - oh, sorry, closing comments from Councillor Stapleton.

CR STAPLETON: Thanks, Mayor. I just add that our Governance Rules do actually allow for the acceptance of a petition outside of those guidelines, so it's not actually against the rules. The rules allow for it.

CR BODSWORTH: Thank you. So we'll now put that motion to a vote. All in favour? Thank you. And against? Thank you, Councillors. So that motion is carried 7-1.

There are no notices of motion for tonight's meeting, so we move on to our reports. 4.1, Proposed Optus Telecommunications Monopole - Lease Agreement. The purpose of this report is to advise Council of the outcome of community engagement and to seek Council's authorisation for the Chief Executive Officer to enter into a lease agreement with Optus Mobile Pty Limited permitting the installation of a 26 metre telecommunications monopole and associated infrastructure at Bob Pettitt Reserve, 89-91 Sunset Strip, Jan Juc, Victoria.

Officers have advised of a minor amendment to the recommendation, so I'll invite the Governance team to share that on the screen for Councillors' information. Can we enlarge that a little bit? Thank you. Is everybody able to see that? Thanks. So we have that recommendation before us. Does anyone

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wish to move a motion? So if there's no mover, this motion will lapse. Okay, there is no mover. Going once, going twice. Okay, the motion --

CR PHELPS: I'll move it.

CR BODSWORTH: Oh, Councillor Phelps has moved it. Do we have a seconder? Councillor Schonfelder. That was close. Councillor Phelps?

MS ROBYN SEYMOUR: As per the recommendation?

CR BODSWORTH: Oh, sorry, yes. Is the motion as per the recommendation?

CR PHELPS: As per the recommendation, yes.

CR BODSWORTH: Okay, thank you.

CR PHELPS: And that's the adjusted one we're talking about?

CR BODSWORTH: Yes, correct.

CR PHELPS: Yes.

CR BODSWORTH: Thanks.

CR PHELPS: Thank you, Mayor. So I'll just start it's good to see community feedback has been acted on with a reduction in the number of antennae on this monopole and the overall size at the top with a nod to colour coding as well.

The monopole provides additional phone coverage and capacity, which is increasingly important in this day and age and especially along the coast during the busy summer seasons, months, and that additional capacity would be critical in the event of a significant bushfire. I'm happy to accept the science and the scientific reports that we've been presented that this installation of the monopole does not represent a threat to health and complies with current standards and accordingly I support the recommendation. Thank you.

CR BODSWORTH: Thank you, Councillor Phelps. Councillor Schonfelder?

CR SCHONFELDER: Reserve my right, thank you.

CR BODSWORTH: Do any other Councillors wish to speak to this motion? Councillor Barker.

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CR BARKER: A question. Is it legally compliant?

MS ROBYN SEYMOUR: What aspect, Councillor Barker?

CR BARKER: The whole thing.

MS ROBYN SEYMOUR: Yes, the advice that we've had is it's legally compliant.

CR BODSWORTH: Councillor Barker, do you wish to speak to the motion?

CR BARKER: I'll wait for a sec.

CR BODSWORTH: Okay, Councillor Stapleton.

CR STAPLETON: So I think this is a difficult decision. We know that the proposed monopole would enhance service coverage for the Optus Network in the Jan Juc area, which has been identified as part of the State Government's mobile program, and that it may provide residents with greater choice of telecommunications providers.

I appreciate that Optus has listened to community feedback and come back to Council with a much less imposing structure and a sleeker design to be less obtrusive. I also understand that officers have worked with Optus to provide Councillors and the community with as much information and evidence as possible to assist with this decision, so thank you to everyone for that. And I believe that Optus has explored other private properties which were deemed unsuitable, hence their choice of Bob Pettitt Reserve as the best location.

However, even with those considerations in mind, I'm also aware that Bob Pettitt Reserve is a very special location for the Jan Juc community and most of those surrounding the reserve are really opposed to the proposed monopole tower. Essentially, it's just at odds with the vibe of the place.

In recent years, Council has worked hard with the community to enhance the ambience and the recreational opportunities of Bob Pettitt Reserve. We opened the beautiful outdoor performance space known as Under the Yellow Gums Stage and we worked in partnership with community to support a revamped bike park, which has become a much loved space for kids in the area.

The Bob Pettitt Reserve sits at the heart of the Jan Juc community and a 26 metre monopole isn't something that many have asked for. As part of the

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engagement process, Council received 89 submissions, of which 79 objected and only 10 supported the application.

If you look at point 35 in the agenda, under Risk Appetite, it says, "We will manage and support population growth in the municipality, but not at the expense of the most important elements of our environment or the unique heritage and character of the different areas of our shire". To me, it appears that the argument for the tower is at odds with Council's own risk statement. The need to cater for increased telecommunications demand due to population growth would, in this instance, be at the expense of the character and the nature of the Bob Pettitt Reserve.

Ultimately, I can't see the benefits of the proposed tower outweighing the impacts to local community amenity and satisfaction. The community have told us they don't want it, so I think it's up to Council to reflect that in our decision tonight. Thank you.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak?

CR SCHONFELDER: Mayor, I have a question to ask because I reserved my right to speak. The actual tower or the pole, the colour of it was going to be painted green?

CR BODSWORTH: Correct.

CR SCHONFELDER: And was it just that one pole or the other poles around it are going to be green?

CR BODSWORTH: I'll refer that question to the CEO, thanks, Councillor Schonfelder.

MS ROBYN SEYMOUR: So my understanding, Councillor Schonfelder, is it's just that pole at this point and yes, green. In the future, with upgrades to the other poles, there's possibilities that we can colour those poles as well, but that's my understanding in relation to that.

CR SCHONFELDER: Thank you.

CR BODSWORTH: Thank you, CEO. Thanks for the question. Do any other Councillors wish to speak to this motion? Councillor Walker.

CR WALKER: Thanks, Mayor. Thank you, everyone. There's been extensive consultation, as we're aware of the strong feedback from the community. I

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appreciate Optus taking on the feedback from the 89 submissions in reducing the headframe from 4 metres to 1.4 metres and reducing the number of antennas from 15 to 9. However, the revised design will not provide the level of service coverage that the original design would have provided. So what is the point of something that's not going to be as strong as what they need?

Out of 89 submissions, 79 objected and 10 supported, but out of the 10 supported, there was only 2 out of the 10 in support who live in Jan Juc. Having grown up around Jan Juc, it's a beautiful township with a strong connection and protection of the environment as key. People live more there because of this just really hasn't changed in size and it can't really expand or grow outside its boundaries, which people love.

The proposed monopole raises some concerns with the community, as we've heard. Is it really needed if the area isn't expanding, especially if the new design is implemented with reduced capacity? Will it actually make a difference or just a hindrance? The need for a monopole would be an option if the community was significantly expanded, but it isn't.

We've heard the reception is fine there and the online mapping that has 4G and 5G services also reiterates this. The proposed area of the Bob Pettitt Reserve is a community hub - cricket, leisure, community garden, bike riding, and close to residential areas. We've heard from the community pretty clearly valid concerns around electromagnetic energy levels with varying scientific research as well as the detrimental visual impact of increased 8 metre high pole, environmental as well as concerns. But the proposed location of Bob Pettitt Reserve is in the middle of Juc's community hub and does not sit well with the township character.

I note that the proposed monopole is part of the Victorian State Government's Connecting Victoria Mobile Program and fast tracking better mobile broadband connectivity. However, Jan Juc has reception already. There are many other areas that not just need better reception, but don't even have a signal. The major road of Deans Marsh and Lorne has a mobile black spot of nearly 5 kilometres where there's simply no reception at all and the Great Ocean Road between Lorne and Apollo Bay loses reception over 10 times in the most iconic road in the world and now the regional areas around Bambra and the hinterland have no reception. This isn't just about the connectivity, but safety also. Let's concentrate on these areas that actually need mobile reception.

Given the community's strong feedback and lack of justification for the service, I can't support the monopole in the proposed location. Thanks.

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CR BODSWORTH: Thanks, Councillor Walker. Do any other Councillors wish to speak to this item? Councillor Barker.

CR BARKER: I'm conflicted with this because there's obviously demand because a company wouldn't be investing this money if there wasn't sufficient customers to fund it.

We have had some communication from a local resident that makes me somewhat concerned as to the veracity of the claims in the agenda. Personally, I'd like to see better mobile coverage around the shire, but given the behaviour and actions of some within the leadership of this organisation, I can't trust that the information that we're getting is frank and without any error. So I won't be supporting this or anything else based on that and until those behaviours are remedied, I don't think that my position is going to change too much.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to this motion? Councillor Pattison.

CR PATTISON: Thank you. And we've heard already from Councillor Stapleton and Councillor Walker about what a wonderful place Bob Pettitt Oval is. I often frequent the area as well and it is really special. It's a wonderful natural environment and I think that needs to be cherished because it is very - it's a very special place in the heart of Jan Juc and as we've talked about, there was consultation and Optus did listen to the concerns of residents and have reduced the scope, which I think is to be commended, and in all of their engagements with Council and Councillors explaining concerns and responding to community feedback they have done that very well and really worked to try to find a solution that would be acceptable.

I think ultimately Bob Pettitt is just a really special place, though, and I don't know that we can find a solution that is acceptable because it will change that amazing natural environment.

So I have spent a lot of time thinking through this because I felt like, you know, we should be supporting this because it's important for people to have choice in their Telecom provider and there's a number of reasons why we should be, as we talked about, supporting improved coverage and the like. However, I think this location at Bob Pettitt is not an appropriate location given the really special nature of this natural environment and it is the hub of Jan Juc and every day, morning, noon, night, there are families, kids, young people, old people, everybody is there because of what it is and where it is located and I think that that's something that we should really look after and cherish. So unfortunately I won't be supporting this motion either tonight.

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CR BODSWORTH: Thanks. Do any other Councillors wish to speak to this motion? No? So are there any closing comments, Councillor Phelps?

CR PHELPS: Oh, just a couple. So I do agree with Councillor Barker that the monopole, I wouldn't imagine the monopole would be sought unless it was felt to be needed commercially. I'd also refer to the photographs that we've seen with the difference between a light pole and a monopole. I wouldn't say that's drastically different. I know there are - the monopole is bigger.

Now, I'm not familiar with Juc, so I can't say about the special nature of the place, but I just think visually there's not that much of a difference between the two, particularly given it has been shrinking to a much smaller head unit. Having said that, of course, I appreciate the comments from those who do know. So that's it, thank you.

CR BODSWORTH: Thank you, Councillor Phelps. We'll now put that motion to a vote. All in favour? Thanks. And against? Thank you. So that motion is lost 3-6.

The next item is 4.2, Anglesea River and Alcoa Australia Groundwater Application - Council Submission. The purpose of this report is to seek Council's endorsement of the attached submission to Southern Rural Water in response to Alcoa of Australia's application to amend its existing groundwater extraction licence at Anglesea. We have a recommendation before us. Does anyone wish to move a motion? Councillor Stapleton. Is it as per the recommendation?

CR STAPLETON: Yes, as per the recommendation, thank you.

CR BODSWORTH: Thank you. And a seconder? Councillor Phelps, thanks. Councillor Stapleton.

CR STAPLETON: Thank you, Mayor. This is a critically important submission by Council and for our community. It's not a new issue, but it has reached a critical juncture.

Broadly speaking, Alcoa is seeking a licence amendment to use groundwater to fill its old mine void in Anglesea. Specifically, they want to extract 1500 megalitres of groundwater per year from the Upper Eastern View Formation Aquifer for a period of 10 years and have made an application to Southern Rural Water to approve this.

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The submission by Council being considered here tonight is in response to Alcoa's application and restates our existing position from 2022 that we do not support extraction unless such extraction is proven not to have a detrimental impact on the Anglesea River or its catchment. Many in our community are deeply concerned by the prospect of further groundwater extraction by Alcoa. Council's submission identifies potential risks that cannot be ignored.

The river and its dependent ecosystem are already vulnerable and the opportunity for the system to recover from historical pumping is likely to be reduced if future pumping by Alcoa is permitted. The security of our future potable water supply for the region is also dependent on the healthy groundwater system. Barwon Water has told us that they will soon need to recommence groundwater pumping from the Lower Eastern View Aquifer to supplement the existing Greater Geelong water supply.

Alcoa's application also fails to address the potential impact on the endangered vegetation community within the Anglesea Estuary, specifically with regard to the salt wedge assemblage which is protected under the Australian Government's Environment Protection and Biodiversity Conservation Act.

Our community is distressed by the unhealthy state of the Anglesea River and I'm so grateful for the effort that so many have taken over recent years to shed light on and draw attention to the issues and challenges impacting the river's health.

I'd also like to acknowledge the Wadawurrung traditional owners, who cared for and nurtured this waterway in a sustainable manner for so many thousands of years. It was once known as Kuarka Dorla, a place to catch mullet. Water extraction is identified in the Wadawurrung Country Plan as a very high threat to Wadawurrung country and culture.

We sat in this chamber three years ago and listened to Councillor Bodsworth make a heartfelt speech about the health of the Anglesea River and its importance to the wellbeing, economy and sense of place for our community, not to mention the fragile natural ecosystem it sits within. At that time, Council voted unanimously on a submission to Southern Rural Water to stop any further pumping by Alcoa. I hope we see the same level of support tonight from Councillors here to acknowledge community concerns and endorse this latest submission to Southern Rural Water.

It is important to note that as part of its application Alcoa is requesting a change in the purpose for its extraction of groundwater. Previously it was needed for the mine operations, but now they are asking for water to fill the

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mine void. The proposed use is an important consideration for Southern Rural Water. Is it really necessary, especially in light of drying conditions in the catchment?

The only benefit I'm aware of in Alcoa's application is that the mine void would fill in 10 years with groundwater extraction, versus 26 years to fill the mine void naturally, relying on rainfall and inflow from the catchment. Given that we know the water body will be too acidic for any community use, I can't see how this faster fill offers any real benefit, particularly in light of the risks it brings.

Rapidly filling the mine pit is not a necessity, it is just Alcoa's preference. One must ask what other options have genuinely been explored to rehabilitate the mine site to achieve the best environmental outcomes and social outcomes for the Anglesea community.

The Anglesea River and its catchment must be protected not only for its critical environmental values and for our future water security, but also for the social and economic prosperity of the township. The health of the river is key to our wellbeing, to wildlife and to vegetation.

The river is integral to Anglesea's sense of place. It flows through the heart of the township and brings people together for recreation, education and in its most simple way just to enjoy the natural beauty of the area. A dead river is not a particularly attractive way to encourage tourism. It also has significant implications for Anglesea's outdoor recreation and camp industry, which then has flow-on effects for other local businesses.

We know that Southern Rural Water must in its decision making address section 40 of the water Act, which seeks to protect the environment and any adverse effect on the Anglesea River waterways or aquifers. Council's submission draws attention to many of the significant considerations that relate to this.

I'm proud to endorse this submission and ask that my fellow Councillors also lend their support to protect the river and help ensure a sustainable future for the Anglesea community and environment. Thank you, Mayor.

CR BODSWORTH: Thank you, Councillor Stapleton. Councillor Phelps?

CR PHELPS: Thank you, Mayor. As Councillor Stapleton has outlined, in the face of significant community concern, it does seem to me there are questions and options that have not been fully explored with regard to the future of the

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Alcoa mine pit. A long-term rehabilitation plan needs to lead to something of community benefit without causing surrounding damage along the way. Anglesea deserves a more confident and evidence-based solution to the future of this mine pit, so I do endorse the submission to Southern Region Water expressing Council's concerns and I encourage Councillors to do likewise.

CR BODSWORTH: Thank you, Councillor Phelps. Do any other Councillors wish to speak to this motion?

CR BARKER: Alcoa has been wedged into this because we've got a Federal Government that's afraid of the boogiemans that doesn't actually exist. Nuclear power combined with a desalination plant in Anglesea or Torquay or somewhere in between would help - well, broadly would improve the water security of south-western Victoria, but also greatly assist Alcoa with filling the mine void. Because of that, they've been wedged into this position where they either extract from the weir or the void just is left.

I don't think that there's been enough clarification around the costings of who would be responsible for any long-term assessment of the water quality in the aquifer or the river, but I think largely we're just dealing with the by-product of federal policy that is limiting our ability to have desalinated water in the region.

CR BODSWORTH: Thanks, Councillor Barker. Do any other Councillors wish to speak to this item?

CR SCHONFELDER: Councillor --

CR BODSWORTH: Councillor Schonfelder?

CR SCHONFELDER: Councillor Barker brings up some very pertinent points and I think possibly the elephant in the room is the drought that has been declared and the fact that in areas more so west of where we are located it's the worst drought in recorded history since European colonisation and I think during a drought especially I feel very uncomfortable about water being extracted from the aquifer.

It should be noted that Barwon Water releases 50 billion litres of sewage, which I assume is treated, I'm not sure to what extent it's treated, but into Bass Strait and I know we've been working with different or other levels of government, with the State Government and with other stakeholders like Barwon Water looking at possibilities of recycling water and I know that the

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Mayor has had a very strong interest in this matter along with other Councillors, which Councillor Stapleton highlighted earlier.

The Anglesea River is sacred. First Nations people, they believe that waterways are sacred and I think that the respect for those waterways is paramount and I think that once again with what Councillor Barker purported about the information and I think the process needs to be thought out further. So having recycled water in theory in the former mine site would make sense, but I understand the costs involved in that and I know that the Federal Government has helped in relation to the Karaaf and possibly the Federal Government could help in relation to this matter also.

So once again, this really illustrates the importance of advocacy on our behalf in relation to matters that also affect other tiers of government. Thank you, Mayor.

CR BODSWORTH: Thanks, Councillor Schonfelder. Do any other Councillors wish to speak to the motion? Councillor Paterson.

CR PATTISON: Thank you. The changing state of the Anglesea catchment and declining health of the Anglesea River is something that our Council and community are concerned about, as demonstrated through the submission that's being proposed tonight. A declining river system will impact the economic, social and environmental wellbeing of the community and it's important that we take into consideration our natural environment and the compounding impacts of climate change on the river system as well as that potential causal link with extraction from the Upper Eastern View Aquifer.

So I think with these things in consideration, it's important that we support this motion tonight. I'm proud that our Council has taken the time to listen to our community members and listen to, you know, broader experts in the field and really dig deep and explore what's going on and to then form up the basis for this submission. There's been a lot of work that's gone into it and I commend our officers for taking the time to do that.

CR BODSWORTH: Thanks, Councillor Pattison. Do any other Councillors wish to speak to this motion? Are there any closing comments, Councillor Stapleton?

CR STAPLETON: I'll make a few closing comments, thank you, Mayor. Councillor Pattison just said the submission that's been prepared by Council officers is excellent, it's thorough and it clearly lays out the reasons why Alcoa's application should be rejected. The Water Act tells us that water

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resources must be conserved and properly managed for sustainable use for the benefit of present and future Victorians, yet Alcoa's proposal does not seem to meet this purpose.

The aquifers are a precious limited water resource and while there remains any uncertainty about the interaction between surface and groundwater in the area and the elevated risks associated with concurrent pumping by Barwon Water for the regional's potable water supply, the precautionary principles should really apply. Essentially, this means that if there is any doubt about the potential risks of further groundwater extraction, authorities should take a conservative approach and not allow Alcoa's pumping to proceed.

Our community has told us through the Community Vision and the Council Plan that we have a responsibility to protect, conserve and restore our natural environment and to protect significant habitats, landscapes and biodiversity. This submission by Council aims to achieve that.

One of the many concerns raised in Council's submission is the possible causal link with Alcoa's historical groundwater extraction. Alcoa's modelling shows that since it stopped pumping in 2016, the Upper Eastern View Aquifer groundwater levels have been slowly recovering. The Anglesea catchment ecosystem relies on this groundwater for its health. This is good news. We know that without pumping, the system can recover. Now is the time to dump the pump and give the Anglesea River and its catchment the best chance of a sustainable future.

CR BODSWORTH: Thank you, Councillor Stapleton. We now put this motion to a vote. All in favour? And against? Thank you, Councillors. That motion is carried 8-1.

Item 4.3, Project Budget Adjustments and Cash Reserve Transfers - July 2025. The 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 approved transfers under delegation or corrections to prior reports presented to Council. We have a recommendation. Does anyone wish to move a motion? Councillor Phelps, thank you. And a seconder? Councillor Pattison, thanks. Councillor Phelps?

CR PHELPS: Oh, just to note that as usual at the meetings, this is simply a public record of what's moving around in between the various accounts and I'm happy as presented to accept it.

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CR BODSWORTH: Thanks. Councillor Pattison?

CR PATTISON: Similarly, I was wanting to point out about the transparency that this report provides for the community around changes to the budgets. Projects that require additional funds or have come in under budget and therefore money can be returned and also when we get grant money for different projects, that's listed out on these tables and so really it's about transparency for the community and people to understand the movement of money for our projects - less around the specifics of those projects, but the rounding out or grant money coming in or those sorts of things. So, yes, it's a great opportunity for our community and Councillors and the like to understand the movements of funds around projects.

CR BODSWORTH: Thanks, Councillor Pattison. Do any other Councillors wish to speak to this motion? Councillor Barker.

CR BARKER: Not going to be supporting it because it does involve grants which uses broader taxpayer money funneled into the Surf Coast from people that are paying for things that they'll never benefit from, but additionally, it looks like it's a puff piece for the Allan Labor Government and I'm not going to be supporting anything like that.

CR BODSWORTH: Thank you, Councillor Barker. Do any other Councillors wish to speak to this motion? And are there any closing comments, Councillor Phelps?

CR PHELPS: No, thank you.

CR BODSWORTH: Thank you, Councillors. We'll put that to a vote. All in favour? And against? Sorry, Councillor Grist, against or --

CR GRIST: Against.

CR BODSWORTH: Against. So that motion is carried 7-2.

Item 4.4, Councillor Request to Attend Interstate Conference - TreeNet Urban Trees for All 2025 National Street Tree Symposium. The purpose of this report is to present a Councillor request to attend interstate professional development to Council for consideration, in accordance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy. We have a recommendation. Does anyone wish to move a motion? Councillor Schonfelder. What is your motion?

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CR SCHONFELDER: As read.

CR BODSWORTH: So for yourself to attend the symposium?

CR SCHONFELDER: Yes, please, Mayor.

CR BARKER: Point of order, conflict of interest.

CR SCHONFELDER: Mayor, may I just ask that it was my understanding in the report, and I understand where Councillor Barker is coming from. I believe there wasn't a conflict of interest.

CR BODSWORTH: So I'm just going to refer that question to the CEO for referral to our Governance - maybe straight to the Governance team, please, to advise us on this question.

OFFICER: Apologies. Sorry, I wasn't prepared for the question.

With this one, I don't see a personal benefit for Councillor Schonfelder in moving this motion. It is my understanding to support his role as a Councillor and the performance of that role, rather than a personal benefit that would trigger a conflict of interest.

CR BODSWORTH: Thank you, Governance. So on that basis, Councillor Barker, I won't uphold the point of order and so I had a mover in Councillor Schonfelder and do I have a seconder for that motion? Councillor Stapleton, thank you. So Councillor Schonfelder, do you wish to speak to that motion?

CR SCHONFELDER: Yes, please, Mayor. I would like to say from the outset that it is a tremendous honour to be a Councillor and the opportunity that we have in executing our roles is unique and I really delight in the fact that you get the opportunity to meet people that normally you would not meet within our own community and also when we are involved in attending conferences either within Victoria locally, such as G21 conferences, and also interstate.

I did have the - I had the great pleasure of attending ALGA last year with Councillor Stapleton and Councillor Pattison and I was just astounded at the workload and the frantic pace and there were three Councillors from Surf Coast that attended and Corangamite had five Councillors and with various workshops and the make-up of the conferences, to be able to attend as many of those meetings as possible I felt was very productive and very fruitful. So that's just a reflection.

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In relation to this item, it does say that I request to attend the 26 Annual Street Tree Symposium to be held in Adelaide in September for the following purpose in a nutshell and that is to learn about equity in Australian urban forestry, benefits urban trees deliver, current research, increasing benefits of green infrastructure, species trials, and practical applications of new knowledge.

I must say that the Branching Out initiative that our Council has initiated is really a legacy project and I did have the honour of meeting the late John Cain, former Premier of Victoria coincidentally just at Parliament Station one night and I actually said to him that I felt that Landcare that was created by the Bob Hawke Labor Government and by the John Cain Labor State Government in Victoria, I felt that was one of the greatest initiatives that have ever transpired because deforestation has been overwhelming and the way we live, the environment has been forever changed because of introduced species and the modern way we live, but I do believe that revegetation is very important.

Now, I could easily speak tonight, Mayor, for 50 minutes on this and I realise I have 5 minutes, so I'll try and be concise. It is important for us to adhere to the principles of the Council Plan and the current Council Plan includes First Nation reconciliation and a health and wellbeing pillar. Advocacy is also important with our role and learning and to be able to learn is very important.

I also note strategic direction on a high level and attending conferences is crucial for local government Councillors as it provides opportunities to learn about best practices, network with peers and gain insights into new ideas that can benefit their communities. These events also foster professional development and enhance their ability to make informed decisions.

I also had the pleasure of attending a Victoria Walks conference with Councillor Stapleton and I learnt from that conference one fact that stays with me. If we all walk 20 minutes a day, it's likely, medical research has shown, that we can live an extra 20 minutes. Our life expectancy can increase. And with the pandemic, I noticed that more people were walking in our communities and that's active transport which is separate to the Branching Out and urban forest challenges, but they are somehow related as well.

As a Councillor group, we did in the last term visit Aireys Inlet and we looked at the private arboretum there and we'd all be also familiar with the Winchelsea arboretum, which has had wonderful gains and the community are so enthusiastic about it and it's important for us to understand these

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initiatives, the community benefits and to support community, also with the Deans Marsh streetscape as well to be mindful of that, to learn about urban forest management.

There's Professor Black who's speaking at the conference about the value of urban forests. There's an issue about species selection in a changing environment. Another professor by the name of Professor Bourne is talking about inclusive greening. There are panel sessions as well about knowledge gaps and engineering for urban trees.

I'd also like to say that I will be reporting back to the Council on my visit to the conference and I thank you for considering this matter on my behalf.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to this? Councillor Stapleton.

CR STAPLETON: Yes, no worries. I'm happy to support Councillor Schonfelder's request to attend the street tree symposium. Councillors do have an allocation for professional development to enhance their knowledge and performance of their role and while this would normally be approved or declined by the CEO, there's been a recent update to the policy which means that the attendance of any training or conferences that are held interstate need to come into the Council chamber for approval and to demonstrate that they meet the requirements of the policy.

So this is the first time that Council has actually had to consider a colleague's request to do some training. Councillor Schonfelder has explained the reasons for wanting to attend, which I think can be reasonably supported in light of Council's strategic commitment to the shire wide ranging out project, which will run across six years to help create a greener, cooler place for our community to live.

We know that our community is highly invested in street trees and having a Councillor increase their knowledge and expertise in this area can only be helpful. We have community groups already invested in greater tree planting through the Winchelsea arboretum trail and, as Councillor Schonfelder mentioned, the Deans Marsh streetscaping project.

And I do hope that Councillor Schonfelder is able to bring back new insights and increased understanding to further support our community in their endeavours. I do look forward to receiving the report upon his return from the conference, if he's approved to go, and hope that he can share current research on urban trees and help ensure that Council's investment over this

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six-year Branching Out program is successful given it involves growing 1,200 new street trees. So it's a significant investment and I think it's worthwhile having a Councillor that understands a bit more about that involved. Thanks, Mayor.

CR BODSWORTH: Thank you, Councillor Stapleton. Do any other Councillors wish to speak to this motion? Councillor Barker.

CR BARKER: While it might be compliant with SCS-001, the fact is that it's 2,500 grand. A lot of people struggle to save up all year to pay their rates bill, which is approximately that value, and I can't see how we could justify spending that money on one Councillor's education on a specific topic.

We've got officers that have experience and qualifications in specialist fields and if we can't trust them to deliver accurate information and we need to go out and search for it ourselves, I think that's a failing on the organisation.

CR BODSWORTH: Thank, Councillor Barker. Councillor Phelps.

CR PHELPS: Thank you, Mayor. Yes, to steal a phrase from Councillor Barker earlier on, I'm a bit conflicted about this. We adopted a revised Councillor Entitlements Expenses and Facilities Policy in May and as Councillor Stapleton pointed out, this is the first time the interstate aspect has been applied. I do wonder about the efficiency of this particular aspect given that such motions can only be approved at once-a-month public Council meetings and sometimes interstate opportunities may not be foreseen several months ahead. As most will know, booking flights and accommodation close to a date is usually more expensive.

No such motion is required for an identical event were it located anywhere in Victoria and in this instance the event is in Adelaide, not much further than Mallacoota. I do understand the intention of the policy, though, in scrutinising the expenditure of public money for best value.

On that front, there's generally immense value in attending conferences, both in terms of the subject matter itself and more broadly in understanding all the varieties of how other organisations do things. The TreeNet conference is pertinent to urban forests, which is definitely of application to our towns, the growing ones of Torquay and Winchelsea in particular. Accordingly, I support the motion and look forward to a full report on how Surf Coast Shire Council can apply learnings from the conference.

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CR BODSWORTH: Thank you. Do any other Councillors wish to speak to this motion? Councillor Schonfelder, do you have any closing comments?

CR SCHONFELDER: I'd just like to thank the Councillors for their input into this item and thank Councillor Pattison for mentioning about the 1,200 trees, which is - oh, sorry - and also the Winchelsea Place Plan as well, which Councillor Phelps referred to is so important and there's opportunities there for linear parks and we've got our first panel meeting tomorrow night, which is exciting, and the trees - people are very fond of the trees as well. So thank you, Mayor.

CR BODSWORTH: Thank you, Councillor Schonfelder. We'll now put that motion to a vote. All in favour? And against? Thank you. So that motion is carried 6-3.

Item 4.5, Councillor Expenses and Attendance at Meetings - April to June 2025. The purpose of this report is to present the Councillor expenses, attendance at meetings, and relevant professional development activity for the June 2025 quarter. We have a recommendation before us. Does anyone wish to move a motion? Councillor Phelps, thank you. And seconded by Councillor Stapleton. Is that as per the recommendation?

CR PHELPS: Yes.

CR BODSWORTH: Thank you. Seconded by Councillor Stapleton. Councillor Phelps, would you like to speak?

CR PHELPS: Yes. I very much encourage the public to review and assess Councillor expenses and attendance. While they're hardly the only measures of involvement and effectiveness by Councillors or of Councils, they're all the same significant indicators and Council publishes them for that reason. That's all.

CR BODSWORTH: Thank you, Councillor Phelps. Councillor Stapleton?

CR STAPLETON: No, I don't have anything to add.

CR BODSWORTH: Do any other Councillors wish to speak to this motion?

CR BARKER: Just a question.

CR BODSWORTH: A question?

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CR BARKER: The car mileage allowance, there's a payment for nearly \$4,000 and a payment for nearly \$2,500 and I believe that Councillor Phelps would have to travel significantly farther than Councillor Stapleton, so I just want to get an understanding of why the disparity.

CR BODSWORTH: I can refer that question to the CEO, but I note that it's probably a bit hard to answer, but I'll refer the question to the CEO.

MS ROBYN SEYMOUR: So my understanding, Councillor Barker, is that it's actually two quarters of mileage, not one, because the timing of when the mileage claims were submitted.

CR BODSWORTH: Thank you, CEO. Do any other Councillors wish to speak to this motion? Thank you. Are there any closing comments, Councillor Phelps? No. Thank you. We'll now put this motion to a vote. All in favour? Thank you. And against? Thanks. That motion is carried 8-1.

4.6, Instrument of Appointment and Authorisation - Planning and Environment Act 1987. The purpose of this report is to seek Council's appointment of authorised officers under the Planning and Environment Act 1987 through the updated Instrument of Appointment and Authorisation. This instrument requires updating due to recent staff changes. We have a recommendation. Does anyone wish to move a motion? Councillor Schonfelder - is that as per the recommendation?

CR SCHONFELDER: Yes, Mayor.

CR BODSWORTH: Thanks. And is there a seconder? Councillor Pattison, thank you. Councillor Schonfelder.

CR SCHONFELDER: I'd just like to congratulate the Council officers on their appointment to the respective bodies.

CR BODSWORTH: Thank you. Councillor Pattison?

CR PATTISON: No.

CR BODSWORTH: No. Do any other Councillors wish to speak to this motion? Councillor Barker.

CR BARKER: We get these at Council meetings quite often. Why is there any particular reason the frequency that these come to Council?

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CR BODSWORTH: I'm happy to put that question to the CEO.

MS ROBYN SEYMOUR: So when staff move between roles or we get new staff appointed or when there's changes in legislation, we have to bring them back to Council for approval and there tends to be movement within the organisation and semiregular changes to the legislation as well.

CR BARKER: Is it possible that the specifics could be annotated on the reports?

MS ROBYN SEYMOUR: Absolutely.

CR BARKER: Thanks.

CR BODSWORTH: Thank you. Do any other Councillors wish to speak to this motion? Thank you. Are there any closing comments?

CR PHELPS: No, thank you.

CR BODSWORTH: I put that motion to a vote. All in favour? Thank you. And against? Thanks. That's carried 8-1.

MS ROBYN SEYMOUR: I think Rebecca was against.

CR BARKER: No, she was for.

CR BODSWORTH: No. Thanks. 4.7, Conflict of Interest Records. The purpose of this report is to present conflict of interest records received since the previous Council meeting. We have a recommendation before us. Does anyone wish to move a motion? Thank you, Councillor Schonfelder. Is that as per the recommendation? Thank you. And a seconder? Councillor Phelps, thanks. Councillor Schonfelder?

CR SCHONFELDER: I don't want to speak, thank you.

CR BODSWORTH: Thanks, and Councillor Phelps? No. Do any Councillors wish to speak to this motion? No closing comments? We'll put that to a vote. All in favour? Thanks, that's carried unanimously.

Next up we move into a closed section of tonight's Council meeting. So that's all the items for the open section of the meeting. We have one confidential item to consider tonight, so we'll now be closing the meeting to the public and

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we will end our live stream. I wish to thank everyone who has joined us tonight, both in person and online.

Can I have Councillors to move and second a motion to move into confidential, please? Moved by Councillor Schonfelder ... (end of live stream)