

Minutes

Meeting of Council

Tuesday 22 July 2025

Surf Coast Shire Civic Office

Council Chambers

1 Merrijig Drive, Torquay, Victoria 3228

Commenced at 6:00pm

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

Cr Mike Bodsworth (Mayor)
Cr Paul Barker
Cr Rebecca Bourke (via video-conference)
Cr Joel Grist
Cr Liz Pattison
Cr Tony Phelps
Cr Adrian Schonfelder
Cr Libby Stapleton
Cr Leon Walker (via video-conference)

Chief Executive Officer - Robyn Seymour
General Manager Placemaking and Environment - Chris Pike
General Manager Community Life - Damian Waight
General Manager Strategy and Effectiveness - Joanne McNeill
Manager Government Relations and Strategic Projects - Darryn Chiller
Acting Manager Integrity and Governance - Liberty Nash
Acting Coordinator Governance and Council Business - Sharon Busuttil
Acting Governance Officer - Candace Martin-Burgers

1.2 Opening

Mayor Mike Bodsworth made the following Acknowledgement to Country:

"I would 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."

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.

Cr Rebecca Bourke's online connection was lost at 6:04pm.

1.4 Apologies

Nil.

1.5 Confirmation of Minutes

Council Resolution

Moved Cr Phelps, Seconded Cr Schonfelder

That Council notes the minutes of the Council Meeting held on 24 June 2025 as a correct record of the meeting.

CARRIED 7|1

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

1.6 Leave of Absence Requests

Council Resolution

Moved Cr Phelps, Seconded Cr Pattison

That a leave of absence be granted to Cr Libby Stapleton from 11 August 2025 to 19 September 2025 inclusive.

CARRIED 8|0

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

1.7 Conflicts of Interest

Nil.

1.8 Presentations

Nil.

1.9 Public Question/Submission Time

Submission

Brent McGregor - Torquay

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, 3:00pm to 5:00pm. Art and Country will involve four artists talking about their creative work in relation to country. Arvo tea will follow the talk. Thank you.

Question 1

Andrew Vandenberg - Jan Juc (Question 1 of 1)

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?

Answer provided by Mayor Mike 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.

2 Petitions and Joint Letters

2.1 Receipt of Petition Titled 'Planning Wombat Crossing Construction - Loch Ard Drive Torquay'

Author's Title:	Acting Coordinator Governance and Council Business
General Manager:	Chris Pike, Acting General Manager Strategy and Effectiveness
Department:	Integrity and Governance
Division:	Strategy and Effectiveness
Attachments:	1. Full Petition Redacted Planned Wombat Crossing Construction - Loch Ard Drive Torquay [2.1.1 - 9 pages]

Officer Conflict of Interest: No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

Purpose

1. The purpose of this report is to receive and note the petition requesting that Council does not proceed with the proposed plan of removing car park spaces in Loch Ard Drive, for the sole purpose of the construction of a wombat crossing. Full wording of this petition is provided in **Attachment 1**.
2. The petition consists of 162 signatures. A breakdown of location was not possible as the addresses of signees were not included.

Background

3. In accordance with Rule 23.2 of Council's Governance Rules, petitions which do not meet the definition of a petition under the Governance Rules may still be accepted if Council so resolves. The definition includes a requirement that the petition be '*signed or electronically endorsed by at least 10 people whose names and physical addresses also appear*'.
4. The petition as attached to this report (**Attachment 1**) does not comply with the above requirements, however officers have recommended that Council resolves to accept the petition in the interest of facilitating public participation in democratic process. Officers have assessed the petition and consider that any risks associated with non-conformity are low. The non-conformity is related to phone numbers being provided in lieu of addresses.

Recommendation

That Council, in accordance with its Governance Rules;

1. Receives and notes the petition objecting to the planned wombat crossing construction in Loch Ard Drive, Torquay;
2. Receives the petition in a non-conforming format, in accordance with Rule 23.2 of Council's Governance Rules;
3. Refers the petition to the General Manager Placemaking & Environment for consideration; and
4. Requires a report addressing the petition be presented to a Council meeting within three months of this Council meeting; and
5. Advises the lead petitioner of this resolution.

Council Resolution

Moved Cr Stapleton, Seconded Cr Schonfelder


That Council, in accordance with its Governance Rules;

1. Receives and notes the petition objecting to the planned wombat crossing construction in Loch Ard Drive, Torquay;
2. Receives the petition in a non-conforming format, in accordance with Rule 23.2 of Council's Governance Rules;
3. Refers the petition to the General Manager Placemaking & Environment for consideration; and
4. Requires a report addressing the petition be presented to a Council meeting within three months of this Council meeting; and
5. Advises the lead petitioner of this resolution.

CARRIED 7|1

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

We, the undersigned object to the proposed plan of the Torquay Shire removing car park spaces in Loch Ard Drive for the sole purpose of the construction of a wombat crossing.

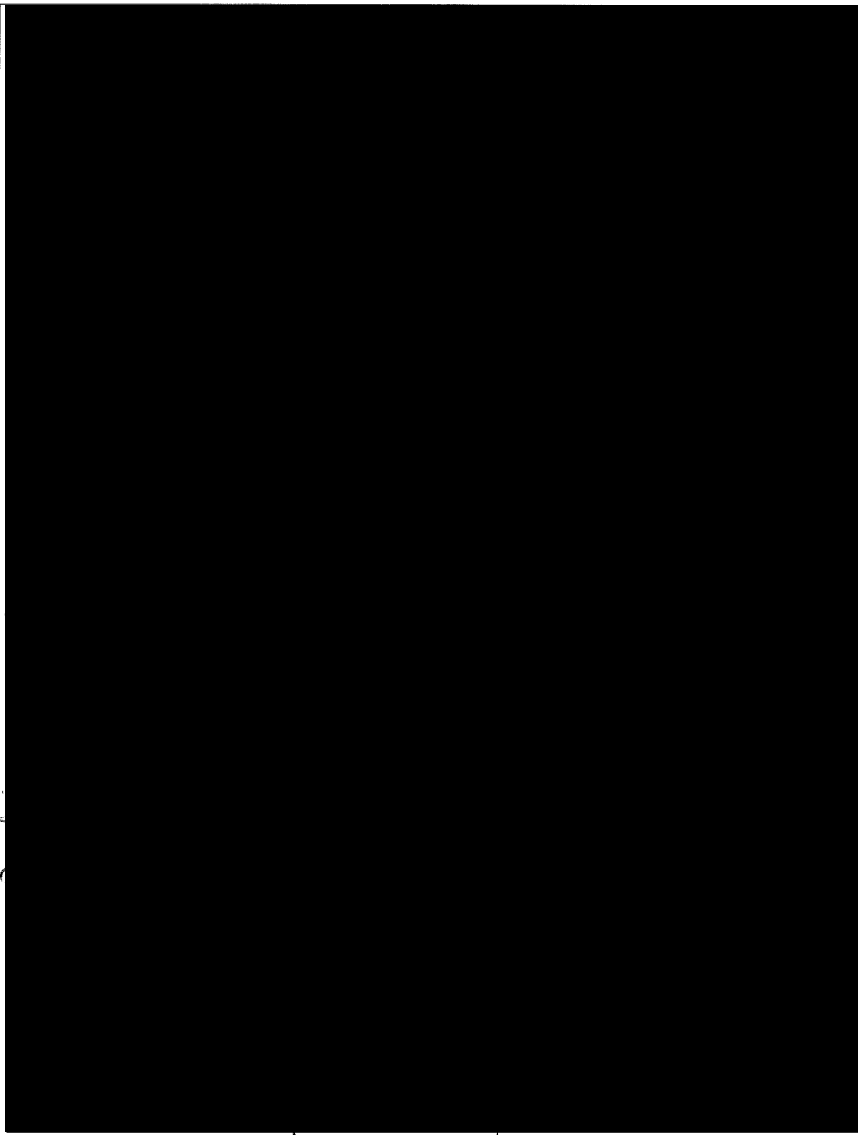
NAME	PHONE	DATE
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		5.5.2025

We, the undersigned, object to the Torquay Shire removing street parking space in Loch Ard Drive for the sole purpose of constructing a wombat crossing.

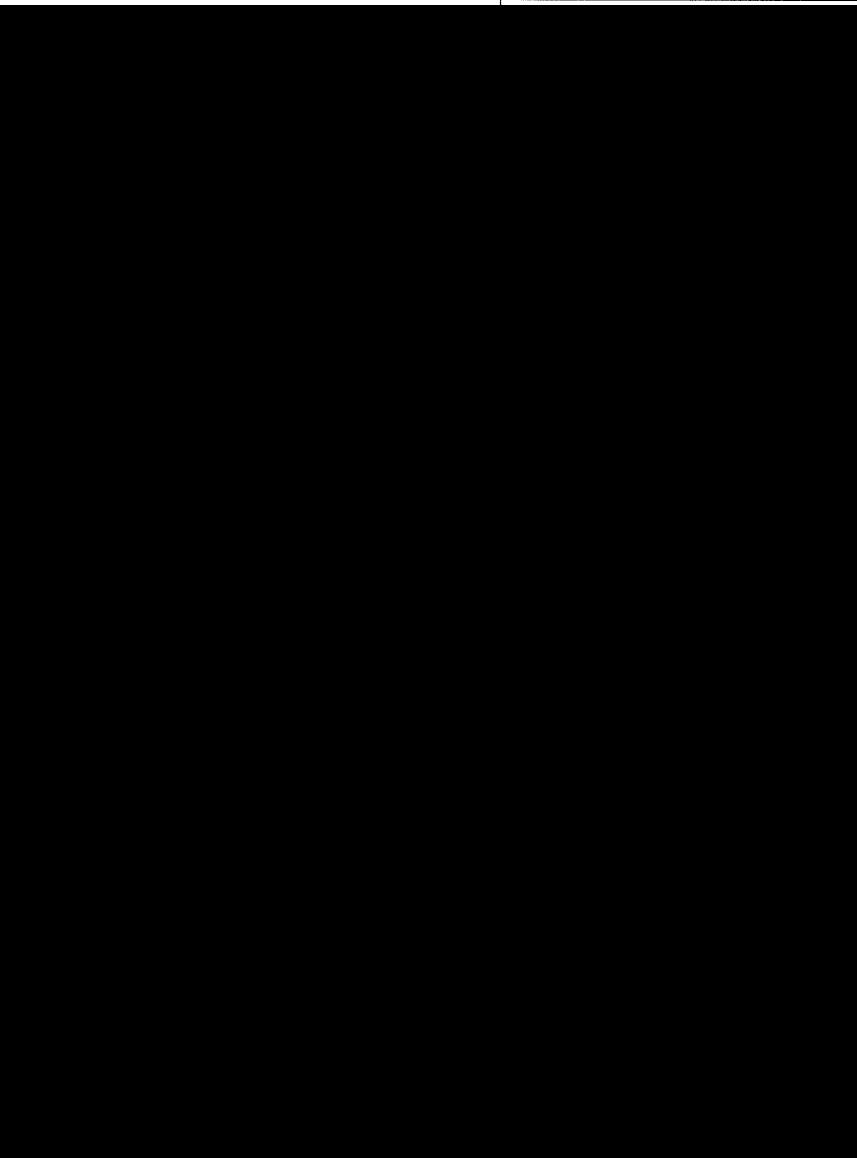
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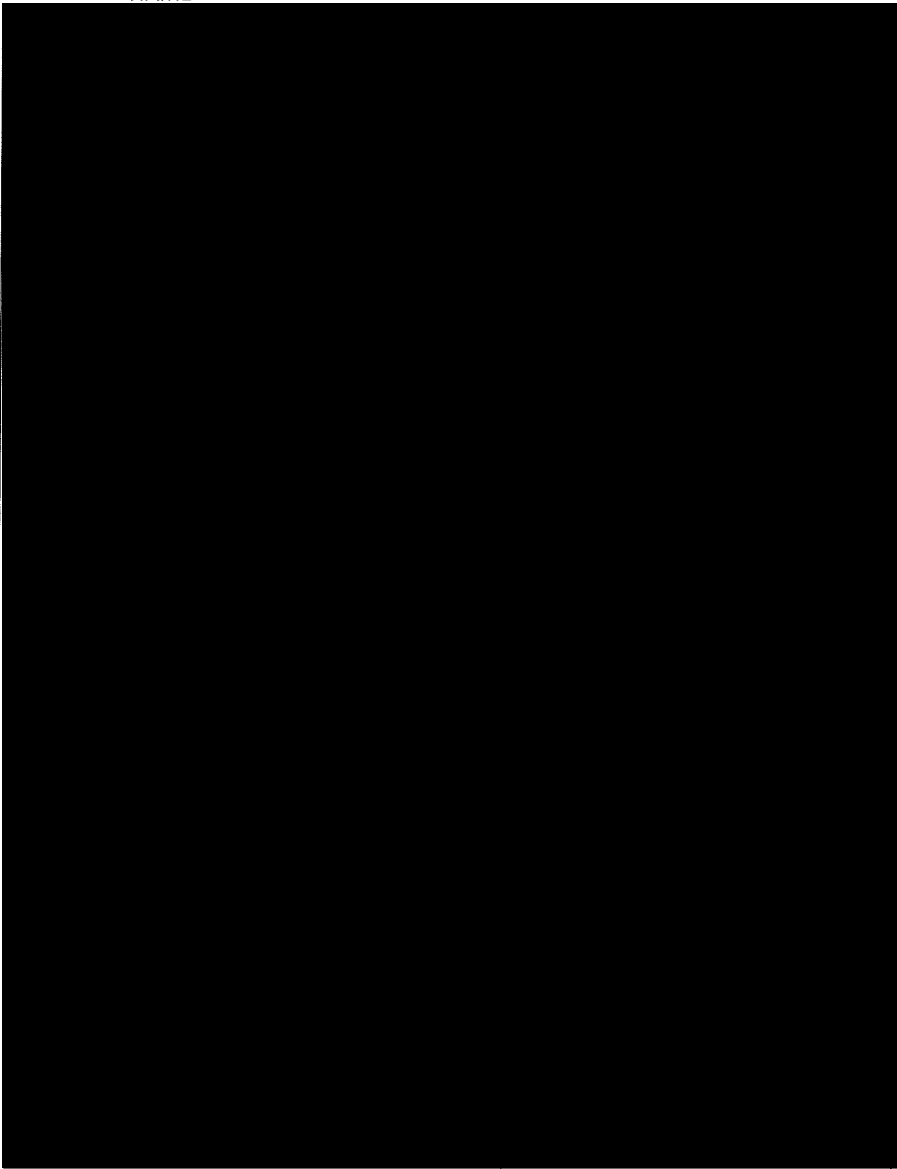
We, the undersigned object to the proposed plan of the Torquay Shire removing car park spaces in Loch Ard Drive for the sole purpose of the construction of a wombat crossing.

NAME	PHONE	DATE
		6/05/2025
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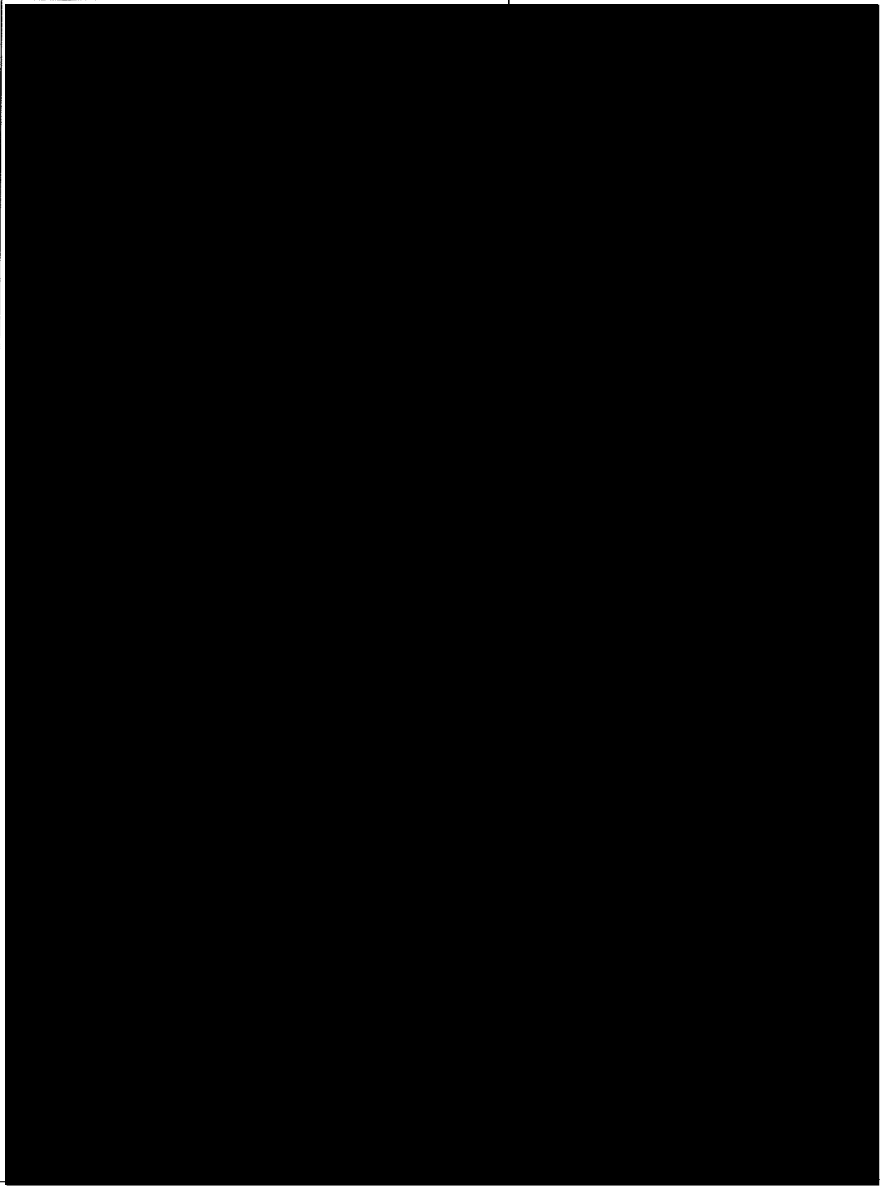
We, the undersigned object to the proposed plan of the Torquay Shire removing car park spaces in Loch Ard Drive for the sole purpose of the construction of a wombat crossing.

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We, the undersigned object to the proposed plan of the Torquay Shire removing car park spaces in Loch Ard Drive for the sole purpose of the construction of a wombat crossing.

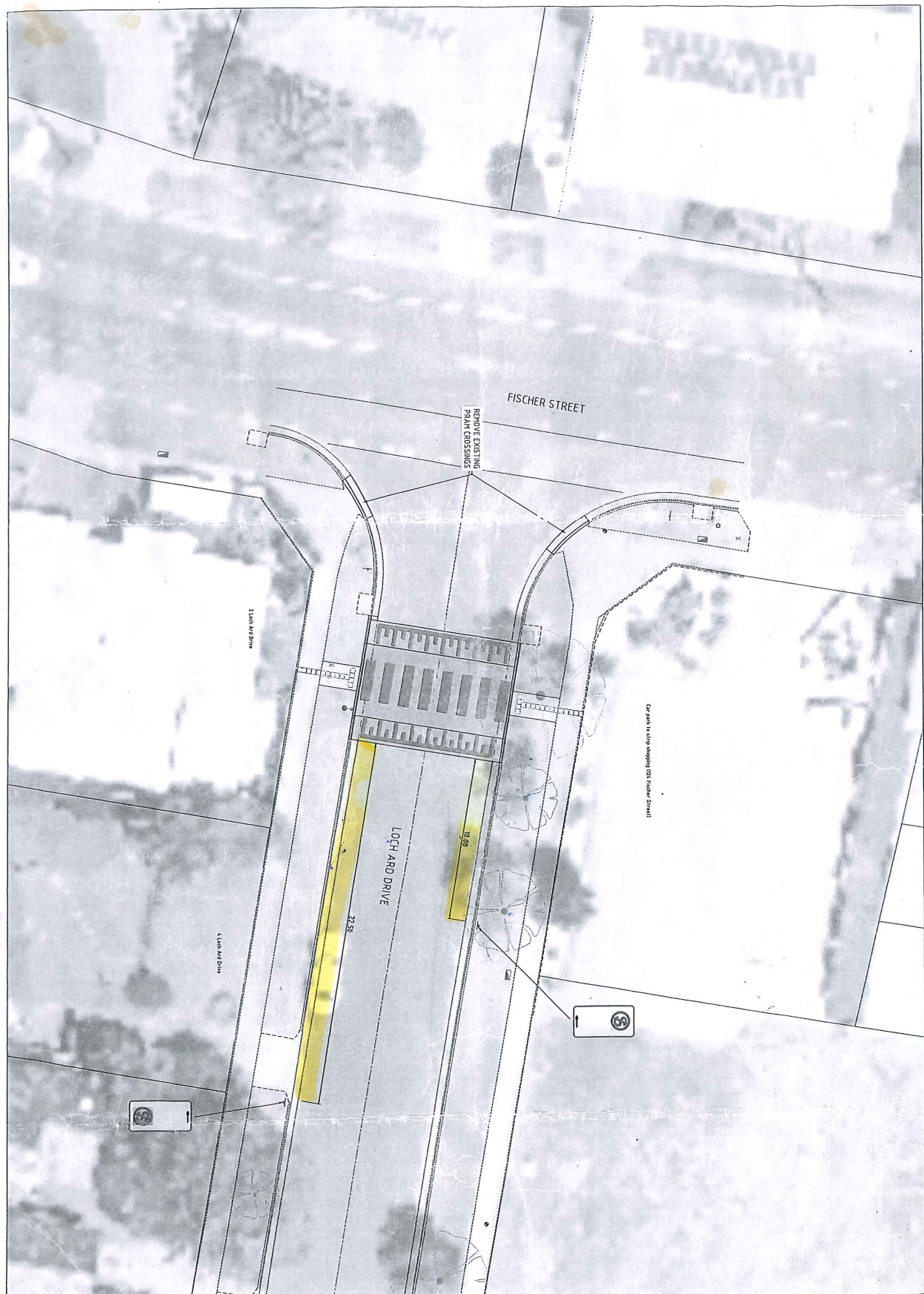
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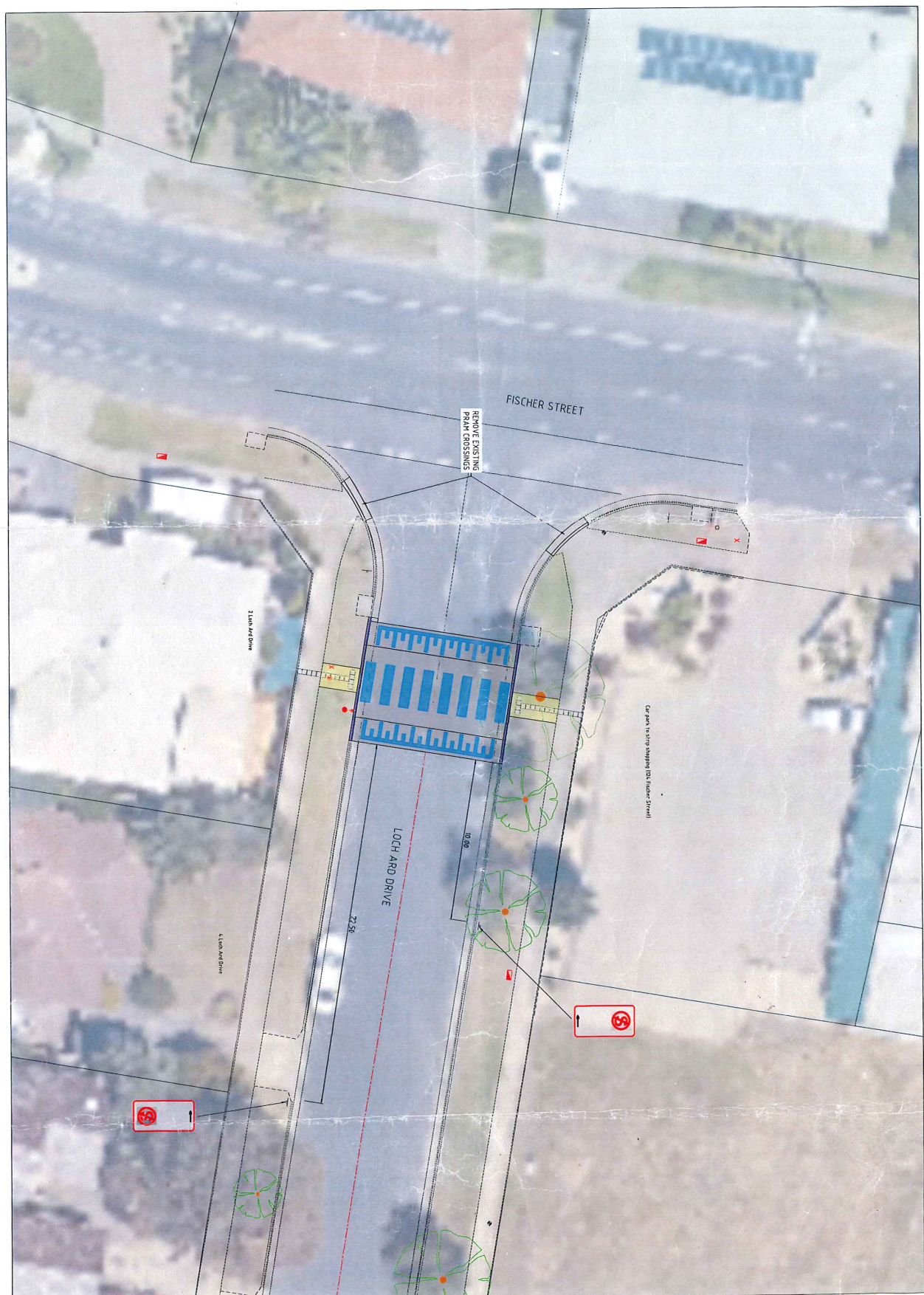
We, the undersigned object to the proposed plan of the Torquay Shire removing car park spaces in Loch Ard Drive for the sole purpose of the construction of a wombat crossing.

NAME	PHONE	DATE
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We, the undersigned, object to the Torquay Shire removing street parking space in Loch Ard Drive for the sole purpose of constructing a wombat crossing.

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		8/5/25 car park max. crossing!!!
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		12/05/25
		12/08/25
		13/5/25
		13/5/25





3 Notices of Motion

Nil.

4 Reports

4.1 Proposed Optus Telecommunications Monopole - Lease Agreement

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:

Property Officer

General Manager:

Joanne McNeill, General Manager Strategy and Effectiveness

Division:

Strategy and Effectiveness

Department:

Integrity and Governance

Attachments:

1. Proposed Optus Telecommunications Monopole Location [4.1.1 - 1 page]
2. Design Images [4.1.2 - 2 pages]
3. Consultation Report [4.1.3 - 4 pages]

Purpose

1. 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 Ltd (ACN 054 365 696) (**Optus**), permitting the installation of a 26 metre telecommunications monopole and associated infrastructure at Bob Pettitt Reserve, 89-91 Sunset Strip, Jan Juc, Victoria (Lot 2 on Plan of Subdivision PS831813).

Recommendation

That Council:

1. Notes that community engagement for the proposal to enter into a lease agreement with Optus Mobile Pty Ltd (ACN 054 365 696) has been undertaken in accordance with section 115 of the *Local Government Act 2020* and Council's Community Engagement Policy.
2. Approves an exemption from the initial terms described in section 7 of Council's Property Use Agreement Policy, permitting a 20 year term.
3. Authorises the Chief Executive Officer to enter into a lease agreement with Optus Mobile Pty Ltd (ACN 054 365 696) to lease a portion of 89-91 Sunset Strip, Jan Juc as shown in **Attachment 1**, permitting the removal of the existing light tower and installation of a telecommunications monopole no greater than 26 metres in height and not exceeding eight metres greater than the existing light tower height, and associated infrastructure including a replacement light and separate ground level equipment cabinet, as shown in **Attachment 2**, with the following terms:
 - 3.1 A 20 year lease term; and
 - 3.2 A rental fee of \$17,500 plus GST per annum; and
 - 3.3 Rental fee increases of 3% per annum to be applied annually on the anniversary of the commencement date; and
 - 3.4 That Council will have direct access to the monopole for the purpose of maintaining council fixtures.
4. Authorises the Chief Executive Officer or delegate to negotiate all other terms of the lease agreement, and to take all necessary actions and execute all necessary documents to implement and finalise the agreement.
5. Notes that the income from the lease will form part of consolidated revenue.

Cr Rebecca Bourke was back online at 6:15pm

Council Resolution

Moved Cr Phelps, Seconded Cr Schonfelder

That Council:

1. Notes that community engagement for the proposal to enter into a lease agreement with Optus Mobile Pty Ltd (ACN 054 365 696) has been undertaken in accordance with section 115 of the *Local Government Act 2020* and Council's Community Engagement Policy.
2. Approves an exemption from the initial terms described in section 7 of Council's Property Use Agreement Policy, permitting a 20 year term.
3. Authorises the Chief Executive Officer to enter into a lease agreement with Optus Mobile Pty Ltd (ACN 054 365 696) to lease a portion of 89-91 Sunset Strip, Jan Juc as shown in **Attachment 1**, permitting the removal of the existing light tower and installation of a telecommunications monopole no greater than 26 metres in height and not exceeding eight metres greater than the existing light tower height, and associated infrastructure including a replacement light and separate ground level equipment cabinet, as shown in **Attachment 2**, with the following terms:
 - 3.1 A 20 year lease term; and
 - 3.2 A rental fee of \$17,500 plus GST per annum; and
 - 3.3 Rental fee increases of 3% per annum to be applied annually on the anniversary of the commencement date; and
 - 3.5 That Council will have direct access to the monopole for the purpose of maintaining council fixtures.
4. Authorises the Chief Executive Officer or delegate to negotiate all other terms of the lease agreement, and to take all necessary actions and execute all necessary documents to implement and finalise the agreement.
5. Notes that the income from the lease will form part of consolidated revenue.

LOST 3|6

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

Outcome

2. If Council accepts this recommendation, the installation of the telecommunications monopole and associated infrastructure would provide an increase to the current service coverage of Optus and TPG (formally Vodafone) network in the Jan Juc area.

Key Considerations

3. The proposed monopole is part of the Victorian State Government's [Connecting Victoria Mobile Program](#) (CVMP). This program is a partnership between the Victorian Government and telecommunications providers to increase telecommunications service and coverage in parts of Victoria which have been identified by the program following an extensive [consultation process](#).

4.1 Proposed Optus Telecommunications Monopole - Lease Agreement

4. Jan Juc is a location which has been identified as part of the CVMP, and the Bob Pettitt Reserve sporting oval, located at 89-91 Sunset Strip, Jan Juc, Victoria (Lot 2 on Plan of Subdivision PS831813) has been identified by Optus as the most suitable location for the installation of infrastructure to increase service coverage. It is noted that multiple private properties were assessed and were discounted due to poor coverage performance outcomes.
5. The sporting oval currently has four existing 18 metre light towers. If Council resolves in accordance with the officer recommendation, one of these light towers will be replaced with a 26 metre telecommunications monopole, with the required lighting attached.
6. It is noted that the recommendation for this report requests an exemption from section 7 of Council's Property Use Agreement Policy, to enable the proposed lease agreement to be for a term of 20 years. While this term is outside of the framework provided within section 7 of the Policy, this exemption is recommended due to the nature of the proposed infrastructure, the ongoing need for appropriate telecommunications coverage, as well as the significant expense associated with the installation of this infrastructure.
7. Community engagement has been undertaken on this proposal, and the engagement and outcomes are described in the Community Engagement section of this report.
8. Councillors have been provided with a full copy of each submission provided to Council and to Optus.
9. A Special Council Meeting for Hearing Submissions was held on 1 April 2025, where submitters were provided the opportunity to present their submission to Councillors. At this meeting four submitters presented their submissions. Councillors were provided the opportunity to discuss and raise questions directly with submitters. As part of this meeting, Council also formally received and noted all submissions.
10. At the conclusion of the consultation process, Optus requested additional time to consider community feedback and have provided Council with an amended design to reduce the visual impact of the monopole in the landscape as shown in **Attachment 2**. The key changes being:
 - 10.1 Reduction in the headframe from 4 metres in width across each face to 1.4 metres in width (reduction of about two-thirds).
 - 10.2 Reduction in the number of antennas from 15 to 9.
 - 10.3 Colour of monopole to be green-grey.
11. While the revised design will not provide the level of service coverage that the original design would have provided, it will still provide a significant improvement from current levels, whilst also significantly reducing the visual impact of the monopole.

Background

12. Optus approached Council with the proposal to remove an existing 18 metre light pole and replace with a 26 metre telecommunications monopole and associated infrastructure in Jan Juc, as need for the increased service had been identified through the CVMP.

4.1 Proposed Optus Telecommunications Monopole - Lease Agreement

13. Council resolved at its meeting held on 28 May 2024 to commence community engagement on the proposal for Council to enter a 20 year lease agreement with Optus, for the purpose of the installation of a telecommunications monopole and associated infrastructure at Bob Pettitt Reserve in accordance with section 115 of the *Local Government Act 2020*, Council's Property Use Agreement Policy and Community Engagement Policy.
14. Community engagement commenced on 7 February 2025 for a period of 28 days and was undertaken concurrently with Optus' own engagement in compliance with the Victorian Government Telecommunications (Low-impact Facilities) Determination requirements.
15. Following the range of matters raised through the community engagement, Optus have revised the design significantly.

Options

16. **Alternative Option 1** – That Council does not endorse entering into a lease agreement with Optus Mobile Pty Ltd for the purpose described in the officer recommendation.

This option is not recommended as the Jan Juc area has been identified as a target area and installation of the monopole will provide improvement to service coverage within the area for Optus and TPG customers.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

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

Financial Considerations

17. An independent valuation was undertaken to determine the annual lease rental. The annual rental would provide \$17,550 revenue annually with a three percent increase on the anniversary of the agreement. These funds would form part of Council's annual consolidated revenue. This would amount to \$470,231 over the 20 year period.
18. Should the proposal be approved, Optus will be responsible for all costs of the installation and maintenance of the monopole and associated infrastructure.

Community Engagement

19. Community engagement was undertaken in accordance with section 115 of the *Local Government Act 2020*, Council's Property Use Agreement Policy and Community Engagement Policy for a period of 28 days by the following methods:
 - 19.1 Written notification to landowners and community groups within an 800-metre radius of the proposed site;
 - 19.2 The 'Your Say' page on Council's website;
 - 19.3 Social media post on Council's Facebook page; and
 - 19.4 Print advert in the Surf Coast Times newspaper publication.

20. It is noted that, due to a technical error, the submission form on the Your Say page was not operational at the commencement of the consultation period. A review has been undertaken, which has concluded that, due to the range of feedback avenues available and the extensiveness of the consultation process, this temporary error is not considered to have materially compromised the engagement process.
21. Optus undertook their own engagement in accordance with the State Government's Telecommunications (Low-impact Facilities) Determination requirements via the following methods:
 - 21.1 Advertising notice placed on the preferred light pole at Bob Pettitt Reserve.
 - 21.2 Print advert in the Surf Coast Times newspaper publication.
 - 21.3 Letter to residents within a 400-metre radius of the proposed site including FAQ's and Environmental Electromagnetic Energy (EME) report.
22. Council received 89 submissions. Of these submissions the breakdown was as follows:
 - 22.1 79 objections
 - 22.2 10 supportive
23. The submissions in support of the proposal all identified a need for greater telecommunications service coverage in the Jan Juc area.
24. The key issues raised in the objecting submissions are as follows:
 - 24.1. Health Concerns (EME and 5G).
 - 24.2. Location selected and alternative locations.
 - 24.3. Environmental/visual impact concerns.
 - 24.4. Impact on property values.
 - 24.5. Belief the existing infrastructure is sufficient.
 - 24.6. Fire and emergency management.
25. Optus conducted their own engagement concurrent with Council and received five written submissions, which raised the following matters:
 - 25.1. Electromagnetic Energy (EME) and 5G.
 - 25.2. Visual impact.
 - 25.3. Location selected and alternative locations.
 - 25.4. Impact on property values.
26. Submissions have been summarised into key themes and responses are detailed in **Attachment 3**.

Statutory / Legal / Policy Considerations

27. The proposal has been advertised in accordance with section 115 of the *Local Government Act 2020* and Council's Community Engagement Policy by advertising the proposal and inviting feedback from members of the community.
28. The officer recommendation aligns with the overarching governance principles described in section 9 of the *Local Government Act 2020*, particularly section 9(2)(b) which states that '*priority is to be given to achieving the best outcomes for the municipal community, including future generations*'. This is achieved through both the facilitation of improved telecommunications service coverage, as well as the income over the 20 year period.
29. It is also noted that an exemption from section 7 of Council's Property Use Agreement Policy is required to enable the proposed lease agreement to be for a term of 20 years. The rationale for this exemption request is provided at point 6 of this report.

Strategic Risk

30. Failure to plan and deliver infrastructure and services which keep pace with growth
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
31. If Council resolves in accordance with the recommendation, this will support the mitigation of the identified strategic risk by facilitating the delivery of infrastructure which is currently required, with need expected to increase in the future.
32. The implementation of the recommendation is not expected to create any new significant risks to Council.

Risk Rating

33. Internal consultation with key stakeholders including Infrastructure, Open Space Planning, Environment, Community Emergency Management and Sustainability has been undertaken as part of the risk assessment process.
34. While this proposal risks some community dissatisfaction, it is considered that the risk is balanced by the potential to provide increased mobile coverage to the Jan Juc area. The risk has been mitigated to some extent through the design modifications.

Risk Appetite

35. 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.

Sustainability Considerations

36. There is no sustainability consideration associated with this report.

Conflict of Interest

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

Confidentiality

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

Transparency**Audit and Risk Committee involvement**

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

Councillor Briefings

40. 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:

Briefing Date: 1 July 2025

<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>N</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>N</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>		

Briefing Date: 17 June 2025

<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>N</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>N</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<i>Cr Joel Grist</i>	<i>N</i>	<i>Cr Leon Walker</i>	
<i>Cr Liz Pattison</i>	<i>Y</i>		

Briefing Date: 1 April 2025

<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>N</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>Cr Liz Pattison</i>	<i>Y</i>		

Briefing Date: 14 January 2025

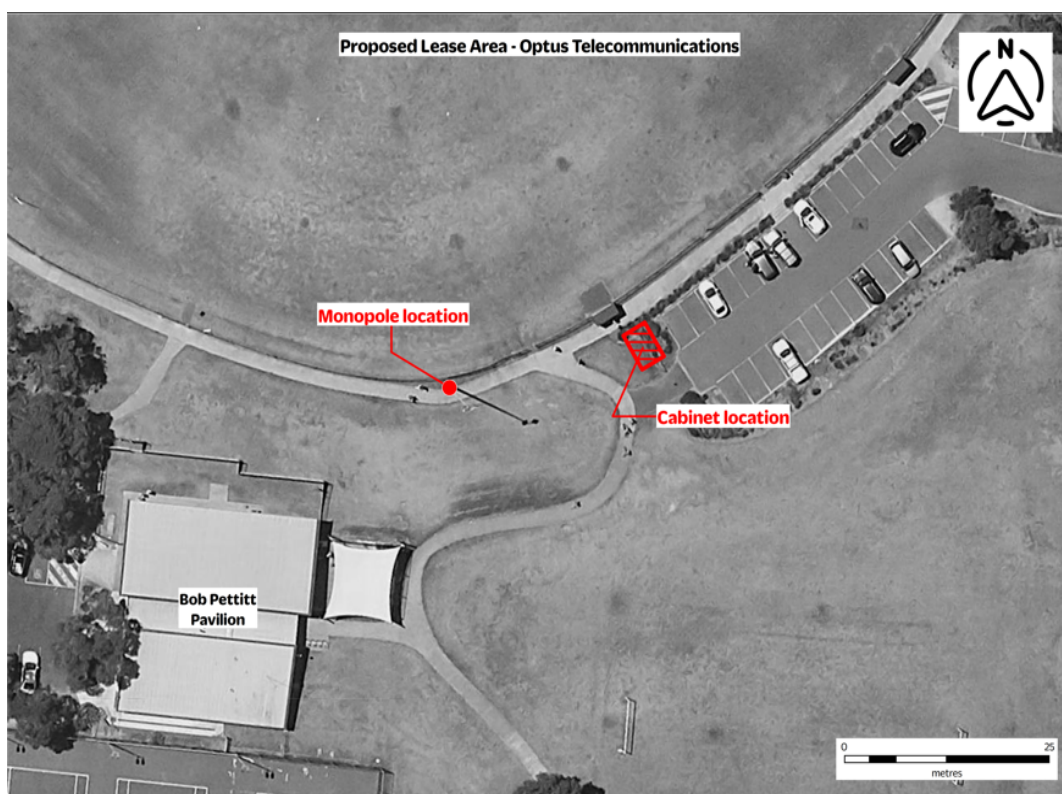
<i>Councillor name</i>	<i>In attendance (Y/N)</i>	<i>Councillor name</i>	<i>In attendance (Y/N)</i>
<i>Cr Paul Barker</i>	<i>N</i>	<i>Cr Tony Phelps</i>	<i>Y</i>
<i>Cr Mike Bodsworth</i>	<i>N</i>	<i>Cr Adrian Schonfelder</i>	<i>Y</i>
<i>Cr Rebecca Bourke</i>	<i>Y</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<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.

Proposed Optus Telecommunications Monopole

Bob Pettitt Reserve, 89-91 Sunset Strip Jan Juc

Proposed telecommunications monopole and associated infrastructure location



Proposed Telecommunications monopole images



Current view of 18-meter light pole



Original design photomontage

Revised design photomontage



Original design photomontage above

Revised design photomontage below



Response to key topics raised in objecting submissions received by Council

Matters raised	Officer responses
<p><u>Location selected and alternative locations</u> Submitters raised concerns with the suitability of the proposed location and questioned why a higher location was not the preferred location.</p>	<ul style="list-style-type: none"> <i>The existing facility on the Great Ocean Road was considered to be too far away from the target area to provide an increase to coverage within the residential area in Jan Juc and nearby foreshore area, due to limitations posed by the topography and vegetation of the landscape.</i> <i>The proposed monopole is not intended to provide coverage to a wide area but to provide a dedicated service to the residential area surrounding Bob Pettitt reserve and not to rely on solely on the existing facility. The proposed monopole is deemed to meet the desired outcome of the Connecting Victoria Mobile Program and will provide increase to coverage to permanent residents as well as during busy periods in the holiday season when there is an increase of demand on the mobile network system.</i> <i>Prior to Optus approaching Council, Optus investigated several private properties and existing locations and were dismissed due to the distance from the target area identified by the CVMP program for improvement.</i>
<p><u>Visual impact concerns</u> Submitters raised concerns around the visual impact of the proposed monopole in the surrounding landscape.</p>	<ul style="list-style-type: none"> <i>In response to concerns raised regarding the overall size of the headframe and equipment, Optus have provided Council with a revised design with the key changes being:</i> <ul style="list-style-type: none"> <i>Reduction of the headframe size from 4 meters wide to 1.4 meters in width (reduction of about two thirds)</i> <i>Reduction in the number of antennas from 15 to 9</i> <i>It is to be noted that the revised design will reduce the service coverage when compared with the original design, however the service coverage of the revised design is still considered a significant increase from the levels currently available in the Jan Juc area.</i> <i>Landscaping design has been included in the revised design to soften the visibility of the cabinet.</i>
<p><u>Impact on wildlife and the environment</u> Submitters have raised concerns relating to the potential impact of wildlife and the natural environment.</p>	<ul style="list-style-type: none"> <i>The Jan Juc Creek is a naturally ephemeral waterway, the creek corridor and reserve area consists of a mixture of remnant and planted indigenous and non-indigenous vegetation.</i>

	<ul style="list-style-type: none"> <i>Habitat within the Jan Juc Creek corridor and reserve area is likely to be used for foraging and fly over for an estimated 58 different species of birds, however it is unlikely to be used for breeding or nesting purposes.</i> <i>Council officers have not received any reports or know of any incidences of fauna colliding or being negatively impacted by the other exiting telecommunication monopole or towers within the municipality.</i>
<p><u>Impact on property values</u> Submitters expressed concern their property would decrease in value due to the proposed telecommunications monopole.</p>	<ul style="list-style-type: none"> <i>Property valuation is a complex issue, with fluctuations in price being subject to several factors. Many of these are subjective, and may be as diverse as aspect, views, condition of the property, local amenity and access to services, which includes access to high quality communications.</i> <i>It is noted that many developers now actively work with infrastructure providers to ensure residents have access to mobile services as it is increasingly being considered 'essential infrastructure'.</i> <i>It is also noted that the proposed facility is not immediately adjacent to a residential property and is set amongst other vertical infrastructure, with use of sporting ovals for such infrastructure common across Australia.</i>
<p><u>Fire and emergency management</u> Concern mobile towers are a fire hazard, particularly in areas prone to bush fire or where equipment malfunctions could cause electrical fires.</p> <p>Submitters also raised concerns that the proposed tower may limit access for emergency services, as the oval is used as a landing place for police, ambulance and Westpac rescue helicopters to collect patients from waiting ambulances in the carpark.</p>	<ul style="list-style-type: none"> <i>The proposed facility is not constructed with flammable materials and is not susceptible to ember attack should a fire incident occur near the facility.</i> <i>Vic Police and Ambulance Victoria were contacted and have advised that the proposed monopole would not pose any issues for the use of the oval for a landing site. Should the proposal be approved, the monopole will be reported to the Civil Aviation and Safety Authority for inclusion on obstacle mapping.</i>
<p><u>Sufficiency of existing infrastructure</u> A number of submissions advised existing towers located nearby the reserve in Stuart Avenue and Great Ocean Road adequately serve the area, while</p>	<ul style="list-style-type: none"> <i>Optus have confirmed the Jan Juc area is currently served by an existing facility located at 250 Great Ocean Road, approximately one km from the reserve this facility is too far away and can not be upgraded to overcome the service limitation seeking to be addressed by the proposal.</i>

<p>another mentioned they find their devices work extremely well.</p>	<ul style="list-style-type: none"> • <i>Optus have confirmed the Jan Juc area is currently served by an existing facility located at 250 Great Ocean Road. This is approximately one km from the reserve, is too far away and cannot be upgraded to overcome the service limitation seeking to be addressed by the proposal.</i>
<p><u>Health Concerns (Electromagnetic Energy and 5G technology)</u></p> <p>A number of submissions raised concerns in relation to the potential impact to community members from the electromagnetic energy (EME) emitted from the proposed monopole and the 5G technology.</p>	<ul style="list-style-type: none"> • <i>The relevant public safety standard in Australia, known as RPS S-1 is set by the Australian Radiation Protection and Nuclear Safety Authority (ARPANSA). The purpose of the RPS S-1 standard aims to prevent adverse health effects from exposure to radiofrequency (RF) by setting exposure limits. The standard ensures that exposure limits are set well below levels where adverse health effects are known to occur.</i> • <i>Mobile carriers are not involved in the setting of the standard, but compliance with the standard is mandatory. The proposed monopole is required to be fully compliant with the RPS S-1 standard at all times and at all distances from the monopole.</i> • <i>The EME report below was provided to council with the updated revised design, and shows compliance with the standard, with the calculated maximum level from the monopole to be 5.06% (measured at 1.5 meters above the ground).</i> • <i>With regard to 5G technology, this has been progressively rolled out on Australian mobile networks since 2019 and new 5G services will also be deployed using frequencies freed up by the closure of 3G networks in 2024. However, 5G is not a new technology but more a marketing term to differentiate its capabilities from 3G and 4G, namely much lower latency, faster data speeds and ability to serve a greater number of customers at once.</i> • <i>While higher frequencies are also used for 5G, the ARPANSA RPS S-1 standard already includes these frequencies and as a result the public safety limits encompass 5G services, including mmWave technology.</i> • <i>In real life testing, the Australian Communications and Media Authority (ACMA) has found 5G signal levels from base stations to be very similar to those from 3G and 4G and well below the maximum allowable levels.</i>

Electromagnetic energy report

Location	Bob Pettitt Reserve, 89-91 Sunset Strip, JAN JUC VIC 3228		
Date	03/06/2025	RFNSA No.	3228032

This report contains calculated electromagnetic energy (EME) exposure levels from the wireless technology base station listed above.

EME levels for this site have been calculated as a percentage of the limit given by the [Australian Safety Standard](#). This report is produced according to a technical [methodology](#) developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

EME levels below 100% comply with the Australian Safety Standard and are safe for the public.

Service operators and technology at the site

Optus	Vodafone			
4G, 5G	4G, 5G			

For more information on the infrastructure at this site, such as specific wireless technologies, visit <http://www.rfnsa.com.au/3228032>.

Calculated EME levels

Areas of interest	Maximum EME level (% of limit)	Safe level (<100%)
Environmental EME Level (1.5m above ground out to 500m from site)	5.06%	YES
Bob Pettitt Pavilion	4.70%	YES
Jan Juc Cricket Club Oval	0.98%	YES
Children's playground	5.14%	YES
Residential Area east	3.94%	YES
Jan Juc Kinder	5.98%	YES
Residential Area SW	4.41%	YES
Residential Area NW	1.33%	YES
Residential Area north	0.56%	YES
Residential Area south	2.11%	YES

About electromagnetic energy

Many things in our everyday lives produce electromagnetic energy including natural sources like the sun, and artificial sources like broadcast media, electric power, microwave ovens, and wireless technology like Wi-Fi and mobile phones.

The EME that you are exposed to from mobile phone towers is low, and similar to your exposure from broadcast transmissions such as radio and TV.

It is the [assessment of ARPANSA](#) that there is no credible health risk from exposure to the low-level EME associated with telecommunications and wireless technology below the limits set in the Australian Safety Standard.

Issued by: Service Stream Mobile Communications, NAD (v1.0.205165.60572)
Environmental EME report (v13 Jan 2025)

Produced with RF-Map 2.2 (Build 1.2)

4.2 Anglesea River & Alcoa Australia Groundwater Application - Council Submission

Council Plan

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

Theme Three - Environmental Leadership

Strategy 7 - Protect significant habitats, landscapes and biodiversity Strategy.

Manager Environment and Sustainability

Chris Pike, Acting General Manager Strategy and Effectiveness

Placemaking and Environment

Environment

1. 2025 Council submission to Southern Rural Water - Alcoa groundwater extraction application [4.2.1 - 5 pages]

Purpose

1. 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.

Recommendation

That Council:

1. Acknowledges community concerns about the health of the Anglesea River and its catchment and possible causal links with historical and current groundwater extraction from the Upper Eastern View Formation Aquifer.
2. Endorses the submission to Southern Rural Water in response to Alcoa of Australia's application to amend its groundwater licence (**Attachment 1**).

Council Resolution

Moved Cr Stapleton, Seconded Cr Phelps

That Council:

1. Acknowledges community concerns about the health of the Anglesea River and its catchment and possible causal links with historical and current groundwater extraction from the Upper Eastern View Formation Aquifer.
2. Endorses the submission to Southern Rural Water in response to Alcoa of Australia's application to amend its groundwater licence (**Attachment 1**).

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. By endorsing the submission to Southern Rural Water (**Attachment 1**), Council is;
 - 2.1 Acknowledging community concerns about the health of the Anglesea River and its catchment and possible causal links with Alcoa's historical and current groundwater extraction from the Upper Eastern View Formation (UEVF) aquifer.
 - 2.2 Acknowledging the risk of extraction of groundwater to the groundwater dependent ecosystems of the Anglesea River catchment and potable water supply for the region and advising use of the precautionary principle in this matter.
 - 2.3 Addressing concerns that the proposal does not meet the purpose of the *Water Act 1989* that 'water resources are conserved and properly managed for sustainable use for the benefit of present and future Victorians, especially in the light of drying conditions in the catchment.
 - 2.4 Encouraging Southern Rural Water (SRW) to engage with the Wadawurrung Traditional Owners Aboriginal Corporation, noting that water extraction is identified in the Wadawurrung Healthy Country Plan as a very high threat to Wadawurrung Country and culture.

Key Considerations

3. The changing state of the Anglesea catchment and declining health of the Anglesea River with the resulting impact on the economic, social and environmental wellbeing of the community.
4. Socio-economic values supported by the Anglesea River include tourism (a primary economic driver of the town), as well as active and passive recreation, amenity and education.
5. The possible causal links of Alcoa's cumulative historic and proposed groundwater extraction on the catchment and waterway health.
6. Community concerns around the health of the river and the impact of further pumping from the UEVF aquifer on the groundwater dependent ecosystems in the Anglesea River catchment.
7. The estimated time for a fast fill by groundwater pumping from the UEVF aquifer to fill the mine void (10 years) versus the slow fill option reliant on rainfall, catchment inflow and natural recharge of the mine void (estimated to be 26 years).
8. The benefit of the proposed fast fill option - the site transferred to the Victorian Government ~16 years sooner for potential future public access and recreational opportunities.
9. The change in designated purpose for the groundwater licence; from use in Alcoa's mine operations, to filling the mine void.
10. Alcoa has indicated that if the mine void is filled with groundwater the pH of the filled void will be acidic (estimated pH 3 – 5.5) due to the nature of the soils in the surrounding catchment. EPA Victoria's Environmental Reference Standards indicate that at this pH the filled void will not be safe for primary or secondary recreational contact or purposes (swimming, boating, fishing).

11. Alcoa's Groundwater Impact Assessment (GIA) modelling and pump testing has indicated that the UEVF aquifer groundwater levels have been slowly recovering since pumping stopped in 2016. Groundwater dependent ecosystems in the Anglesea catchment rely on this water for their health.
12. Alcoa's GIA modelling indicates that under high climate change projections and with concurrent pumping from the Upper (by Alcoa) and Lower aquifer (by Barwon Water), the risk of impact on the recovery of the groundwater from historical pumping is elevated.
13. Barwon Water has announced that groundwater pumping from the Lower Eastern View Aquifer will recommence in July 2025 to supplement the existing Greater Geelong water supply system in response to dry conditions.
14. Alcoa's GIA has indicated that there is connectivity between the UEVF aquifer and groundwater dependent ecosystems (GDE's) in the Anglesea River catchment.
15. Alcoa's GIA has not addressed or acknowledged the potential impact of the proposed groundwater extraction on the endangered vegetation community – "*Assemblage of species associated with open-coast salt wedge estuaries of western and central Victoria*" - present within the Anglesea estuary. The salt wedge community is protected under the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
16. Southern Rural Water must address the *Water Act 1989* section 40 in their decision making which seeks to protect the environment and any adverse effect on the Anglesea River waterways or aquifers.
17. The beneficial use of this limited water resource for filling the mine void in light of the current need for potable water in a drying climate must be carefully considered alongside the risk to the local environment.
18. Council has been in discussions with a range of community stakeholders through the Anglesea River Advisory Group.
19. Outcomes included in the Draft Council Plan 2025 – 2029 seek to protect local natural ecosystems and support Council decisions that are weighted towards long term positive environmental outcomes.

Background

20. The Anglesea River and its catchment are of significant environmental, social and economic value to the local community. In Wadawurrung language, the river is known as 'Kuarka Dorla' or 'place to catch mullet'. Once renowned as a fish breeding estuary and recreational fishery, the river is now periodically acidic (Anglesea River and Estuary Environmental Flow Study Final Report 2021, GHD) and devoid of fish. The river has experienced multiple acid events and fish kills in the past, including 2000, 2007, 2010, 2013 and 2022.
21. Rainfall records in the upper catchment from 1965 to 2020 show a significant decrease in average annual rainfall and a drier climate since the Millenium drought of 1997-2010. This has resulted in a significant reduction in surface water flows in Salt Creek and Anglesea River (Anglesea River and Estuary Environmental Flows Study 2021). Surface water flows to the Anglesea River were supplemented annually during the Alcoa mine operation. Three to four ML/d pumped from the UEVF aquifer and used for cooling

towers with on average 1.7 ML/d released from storage ponds into the river up until 2016.

22. Since December 2016, the Department of Energy, Environment and Climate Action (DEECA), Corangamite Catchment Management Authority (CCMA) and Alcoa have been coordinating supplemental flows, with water collected over winter, stored, then provided to the estuary over summer to help maintain amenity, support recreational activity and avoid exposing coastal acid sulphate soils. This past summer water levels in the storage area were low and the short-term solution is being reviewed in the light of drought conditions. CCMA are currently undertaking an acid sulphate soil study to determine longer term options to mitigate acidification in the future.
23. Low flows are fundamentally changing estuary function. Since discharges from the mine stopped in 2016, the sand berm at the mouth of the estuary has migrated inland by 200-300 metres, and its height increased to a current average of 1.9m AHD from a previous 1.5m AHD (Anglesea River and Estuary Environmental Flow Study Final Report 2021, GHD). The estuary is now transitioning from an intermittently open and closed estuary to a near permanently closed estuary (Flow Study).
24. Other potential contributing factors to low flows and acidic river conditions in the waterway include:
 - 24.1 Climate change, including changes in rainfall patterns, increasing temperature and evaporation.
 - 24.2 Historic and current groundwater extraction.
 - 24.3 The presence of naturally occurring acidic soils in the catchment.
 - 24.4 Changes to surface water flows due to the presence of Alcoa's mine pit (approximately 10% of the catchment which no longer drains to the Anglesea River).
 - 24.5 Cessation of Alcoa's historical discharge into the river (4 ML/d and neutral pH).
 - 24.6 Land use changes, including planned burns, vegetation changes, urbanisation, which all change the way water moves in the catchment (catchment runoff).

Decision making framework

25. Alcoa's ability to extract groundwater and use it to fill the mine void must be approved under a 'take and use' groundwater licence issued by SRW under the *Water Act 1989*. Under this type of licence, groundwater may be extracted for industrial and commercial use, as well as domestic and stock use.
26. In the assessment of all matters required under the *Water Act 1989*, SRW must have regard for submissions from referral authorities and the public. Surf Coast Shire Council has been referred Alcoa's application as part of this submission process.

Southern Rural Water decision making criteria

27. Southern Rural Water's decision criteria for granting licences to use groundwater are based on section 40 of the *Water Act 1989*. In particular, the following considerations must be made:

- 27.1 The existing and projected availability of water in the area.
 - 27.2 Any adverse effect that the allocation of water under the entitlement may have on existing authorised uses, a waterway or an aquifer.
 - 27.3 The need to protect the environment.
 - 27.4 The conservation policy of the government.
 - 27.5 The proper management of the aquifer.
 - 27.6 The purpose for which the water is to be used.
28. In addition to these criteria, the purpose of the *Water Act 1989* must be considered in particular “to make sure that water resources are conserved and properly managed for sustainable use for the benefit of present and future Victorians”.

Alternative Options for Filling

29. Several options for filling the mine void have been considered by Alcoa. An overview of these options is provided below:
- 29.1 Soil – not feasible to source the amount of soil needed to fill the mine void.
 - 29.2 Lower Eastern View Aquifer – reserved for potable water. Barwon Water have a groundwater entitlement to use this water for supplying Geelong during drought.
 - 29.3 Re-diversion of Salt Creek – current regulations and environmental protection laws do not permit redirection of waterways.
 - 29.4 Recycled water – would require a new pipeline connection to Black Rock water reclamation plant.
 - 29.5 Desalinisation – would require government to build a desalinisation plant.
 - 29.6 Seawater – government regulations do not permit filling of the mine void with seawater.
 - 29.7 Slow fill option – estimated to take 26 years based on a medium risk climate model devised by Alcoa for the mine void to fill naturally.

Community concern

30. Friends of Anglesea River (FOAR) formed in December 2021 in response to concerns related to the health of the Anglesea River and have been actively advocating for the river in local and national media.
31. FOAR's key concerns are:
- 31.1 Anglesea river has frequent acid events and both the river and Salt Creek have experienced a significant reduction in flow since the 1970's.

- 31.2 There is no current plan being developed or implemented to address this situation.
- 31.3 Climate change has been accepted by Alcoa as the primary cause of acidic river and catchment conditions – this assumption should be challenged and tested.
- 31.4 Alcoa's historical groundwater extraction is a major contributor to the problem.
- 31.5 Continued groundwater extraction by Alcoa could further harm the Anglesea River, its tributaries and surrounding swamplands.
- 31.6 Groundwater should be prioritised to support river health, not diverted to fill Alcoa's mine void.

Council's 2022 submission regarding this matter

- 32. In 2022, Alcoa applied to SRW to amend an existing licence for a groundwater pumping trial by six months. Council was referred the application and provided a formal submission. Key items from Council's position submitted to SRW in 2022 were that:
 - 32.1 Council does not support extraction unless such extraction is proven not to have a detrimental impact on the Anglesea River and/or its catchment.
 - 32.2 There is an urgent need for hydrogeological modelling that properly explains the interactions between surface and groundwater in the Anglesea River catchment and how surface and groundwater assets have been, and are likely to be, impacted by factors such as past and current groundwater extraction, past mining practices and other land use changes, the mine pit, climate change and any other substantial factors.
 - 32.3 The findings of the hydrogeological model should be shared with the Anglesea community.
- 33. It is notable that the groundwater and surface water impact assessment that has been presented to support the 2025 application by Alcoa is not required to address these previously communicated concerns. The assessment only considers impacts to the current state of the Anglesea catchment not the healthy past state of the river and catchment.

Options

- 34. **Alternative Option 1** – That Council does not endorse a submission to SRW.

This option is not recommended by officers as the matter is of significant concern to members of the Anglesea community and members of the Anglesea community are seeking advocacy support from Council. This would be inconsistent with our Community Vision 'Principle 1 – Protect, conserve and restore our natural environment' or Council Plan Strategy 7 - Protect significant habitats, landscapes and biodiversity.

- 35. **Alternative Option 2** – Endorse a different submission to SRW.

This option is not recommended by officers as there would be a reputational risk to Council by not supporting a cautionary approach that considers both the environmental risk and community concerns.

This option may enable land managed by Alcoa to be transferred to the Victorian Government for management ~16 years sooner. Officers advise that the benefit realised does not outweigh the enhanced risk.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Three - Environmental Leadership

Strategy 7 - Protect significant habitats, landscapes and biodiversity Strategy.

- 36. In advocating for Anglesea River catchment health, Council's submission supports delivery of Strategy 7.
- 37. This submission also aligns to the Draft Council Plan 2025-2029 Strategic Direction Climate and Environmental leadership – Local ecosystems are thriving, and biodiversity is protected.

Financial Considerations

- 38. There are no direct budget implications for Council in endorsing this submission. The financial costs of undertaking the actions called for would likely be borne by others. The Anglesea River estuary's significant economic value (tourism, fishing, recreation and enjoyment) is impacted by poor river health.

Community Engagement

- 39. Community engagement on Alcoa's application is being coordinated by SRW and Council's submission is being made as part of that engagement process. Officers have reviewed Friends of the Anglesea River's discussion paper and met with them to discuss their concerns and their alternative hypothesis for ongoing river and catchment acidity and low flow. Their concerns and hypothesis are referenced in Council's submission.
- 40. Council has provided community support in the form of the Anglesea River Advisory Group by chairing regular meetings to discuss the communities' concerns around river health with Alcoa and agencies (Corangamite Catchment Management Authority, Department of Energy, Environment and Climate Action, Barwon Water). The group includes representatives from ANGAI, local businesses e.g. School Camp providers, Ecologic, Friends of Anglesea River and Wadawurrung Traditional Owners Aboriginal Corporation.
- 41. Council has engaged with Alcoa and relevant agencies during the submission process.

Statutory / Legal / Policy Considerations

- 42. Alcoa holds an existing permit to extract groundwater under a 'take and use' groundwater licence issued by SRW under the *Water Act 1989*. The existing licence is for 4,000 megalitres a year to support mining operations. To enable groundwater extraction for the purpose of mine rehabilitation, rather than operations, requires a change to the licence issued by SRW. Alcoa's current application is to amend both the use and the volume of the licence. Alcoa have applied to decrease the volume to 1,500 megalitres a year, and to change the use to enable the water to be discharged into the mine void for a period of ten years.

43. Alcoa's current application to amend its existing licence is governed by the *Water Act 1989*. In reviewing this application, SRW must give weight to issues raised by interested parties as they relate to section 40 matters within the *Water Act 1989*.
44. Section 40 matters include, but not limited to, the existing and projected availability of water, the quality of water, any adverse impacts that the water use will have on other users, any other water the applicant is entitled to, the need to protect the environment, current government policies and the purpose of which the water is to be used.
45. In addition to Council Plan Strategy 7, Council's submission aligns with our Community Vision 'Principle 1 – Protect, conserve and restore our natural environment' and our Council Purpose 'to help our community and environment to thrive'.

Strategic Risk

46. Failure to protect the environment, values and character of our places
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
47. By adopting the proposed submission and advocating for Anglesea River catchment health, Council will be supporting the health of the environment and avoiding the risk of damage to the environmental values of the river and its surrounding environment.
48. No new significant risks would be created for Council by implementing this recommendation.

Risk Rating

49. Risk rating is high – it is possible that environmental damage could occur from long term pumping of groundwater from the Upper Eastern View Formation Aquifer and the consequences of that damage would be high.

Risk Appetite

50. We have a higher appetite to increase the prominence of environmental leadership in our decision making even if it means disrupting traditional and current assumptions/patterns of expenditure and effort.

Sustainability Considerations

51. This proposed submission considers the sustainability of water use for future generations of Victorians and advocates for sustainable use of groundwater resources in a drying climate.

Conflict of Interest

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

Confidentiality

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

Transparency**Audit and Risk Committee involvement**

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

Councillor Briefings

55. 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: 1 July 2025

<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>N</i>	<i>Cr Libby Stapleton</i>	<i>Y</i>
<i>Cr Joel Grist</i>	<i>N</i>	<i>Cr Leon Walker</i>	<i>Y</i>
<i>Cr Liz Pattison</i>	<i>N</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.



Our Ref: A Wood D25/117082
Your Ref: AC 1818772
Contact: Apanie Wood 03 5261 0600

22 July 2025

Alisha Clark
Manager Water Licensing
srw@srw.com.au
PO Box 153
Maffra 3860

Dear Alisha,

Council submission to Southern Rural Water – Alcoa of Australia – Application for Groundwater Licence amendment – Jan Juc Groundwater Management Area

As Southern Rural Water (SRW) has advised, Alcoa of Australia (Alcoa) is seeking a licence amendment to extract 1500 ML/year to be discharged into the Anglesea mine void for a period of ten years. All groundwater that will be extracted will be sourced from the Jan Juc Groundwater Management Area.

Council appreciates the opportunity to provide a submission regarding Alcoa's application. This submission is framed in accordance with Surf Coast Community Vision 'Principle 1 – Protect, conserve and restore our natural environment' and the Council Plan strategy to 'Protect significant habitats, landscapes and biodiversity'. Both are a product of extensive community engagement during 2021 and the Community Vision was developed by a representative community panel of shire residents. We encourage you to reference these documents, particularly the Community Vision, which is a succinct expression of our community's 'voice', as vital context for this submission.

Council, and members of the Anglesea community are concerned about the health of the Anglesea River and its catchment and possible causal links with Alcoa's historical groundwater extraction from the Upper Eastern View Formation aquifer.

Whilst Alcoa has undertaken extensive research and modelling on the impact of groundwater extraction on the Anglesea River catchment there remain uncertainties around the interaction between surface and groundwater in the area and the elevated risk associated with concurrent pumping by Barwon Water for the regions potable water supply.

Alcoa's Groundwater Impact Assessment (GIA) acknowledges the connection between the Upper Eastern View Formation aquifer and the alluvial swamp aquifer in some parts of the catchment, yet it does not fully consider the consequences of pumping on sensitive receiving environments. For example, the Anglesea River estuary supports the Endangered vegetation community "Assemblage of species associated with open-coast

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salt wedge estuaries of western and central Victoria", listed under the Australian Government's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Salt wedge estuaries are typically ecosystems of high ecological value that are increasingly under threat from factors such as climate change and water extraction, which can impact the salt wedge and overall ecological integrity. Alcoa's GIA does not acknowledge the presence of the salt wedge community nor address the potential risks to this groundwater dependent ecosystem.

Council further encourages SRW to carefully consider the beneficial use of this limited water resource for filling the mine void in light of the current need for potable water security in a drying climate.

Matters related to Wadawurrung Country are Wadawurrung business and Council cannot and does not speak for the traditional owners of this land. Council does not make any assumptions about the extent of Southern Rural Water's (SRW) engagement with the Wadawurrung Traditional Owners Aboriginal Corporation regarding this licence application. However, Council will always strongly urge water authorities to undertake respectful engagement, noting that water extraction is identified as a very high threat to Wadawurrung Country and culture in Paleert Tjaara Dja (Wadawurrung Country Plan 2020 -2030). Victorian Government policy; Water is Life: the Traditional Owner Access to Water Roadmap and the Sustainable Water Strategies reflect this focus and direct water authorities to undertake meaningful engagement in relation to both ground and surface water. Traditional owners have cared for Country and waterways, maintaining the health and flow of water and sustaining connections to place, each other, animals, culture and Country for millennia.

The state of the Anglesea River

The Anglesea River and its catchment is of significant environmental, social and economic value to the local community. During the 2015-2018 Anglesea Futures Community Conversations, Anglesea River emerged as one of three key engagement themes, particularly concerns regarding water management and river health. The socio-economic values of the river are highlighted in the Anglesea River Estuary Management Plan 2012-2020 and include tourism (a primary economic driver for the town), as well as active and passive recreation, amenity and education. The river forms a critical part of the economy. It provides both direct and indirect income and employment year-round through tourism and visitation. These values are being threatened by the current state of the river and its poor health is a source of distress for many community members. Alcoa's GIA does not acknowledge these values or the community concern around the future health of the Anglesea River.

In August 2014, Surf Coast Shire Council formed the Anglesea River Advisory Group in response to community concerns about how the river was being managed, especially during acid water events and related fish deaths. The role of the community advisory group was to provide advice and feedback to agencies involved in the management of the Anglesea River. In December 2021, Friends of Anglesea River (FOAR) was formed in response to ongoing and continued concerns related to the health of the Anglesea River. This community group has been working with government agencies, academics and the media to advocate for the health of the river.

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Anglesea River once provided significant social and economic value as a recreational fishery. The river was known as 'Kuarka Dorla' in Wadawurrung language, meaning 'place to catch mullet'. Once renowned as a fish breeding estuary, the river is now periodically acidic. During these acid events the river is devoid of fish and most other life. When acid events affect the river the biodiversity of the river is unbalanced giving rise to masses of mosquito larvae which pose risk to the health of the Anglesea community. The river can be healthy and abundant for long periods between acid events, as it is at the time of writing, however continued depletion of the Upper Eastern View Formation aquifer may delay or reverse the recovery of groundwater levels and ecosystems. Other stressors such as historical groundwater extraction, changes in rainfall and runoff over the past several decades and the future impacts of climate change including further drying of the climate, reductions in rainfall and streamflow, and sea level rise must be fully considered during the decision-making process.

The river now barely flows. Despite a string of normal or wetter years, the river flows have been reduced to around 10% of the long-term averages (based on DEECA data for Salt Creek, one of the two major Anglesea tributaries). In 2015 there was no flow in Salt Creek, and in 2018 just 1.15ML/year, compared to 1967 – 1982 average annual flows which were above 3,250 ML/year. Flows are now so low that supplemental water must be collected over winter, stored and then provided to the estuary over summer to help maintain amenity, support recreational activity and avoid exposing coastal acid sulphate soils.

Low flows are fundamentally changing and unbalancing estuary function. The estuary mouth sand berm is growing and the lack of flow is reducing natural openings which are an important part of a healthy estuary system.

The Anglesea River has experienced multiple acid events and fish kills in the past, including 2000, 2007, 2010, 2013 and 2022. Persistent acidity has been attributed to climate changes activating acid sulphate soils and the cessation in 2015 of Alcoa's daily licenced discharge into the river of ~4 ML. The prevailing official view has been that long dry spells, followed by heavy rain, resulted in acidification of the river and that this was a natural but temporary occurrence, and the river would recover. This has not been the case.

Community Concerns and an alternative explanation

For some time, community members have been raising their concerns with Council and the Victorian Government that Alcoa's historical and current extraction of groundwater from the upper aquifer have contributed to current river health issues, including the now ongoing acid and low flow conditions. They are now concerned that continued groundwater extraction by Alcoa will further harm the Anglesea River, its tributaries and surrounding swamplands and that groundwater, which should be prioritised to support catchment health, is instead being diverted to fill the mine void.

In a 2022 discussion paper, Friends of the Anglesea River and University of Melbourne Professor of Environmental Geochemistry, Ralf Haese presented their case that Alcoa's historical groundwater extraction from the Jan Juc Groundwater Management Area is a major contributor to the ongoing acidity in the Anglesea River and swamplands and to significant reductions in flow to the river system. They offer an alternative hypothesis,

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contrary to the findings of previous studies which asserted these changes are solely or primarily due to climate change. It should be noted that previous studies also conclude that the acidification of the river is a temporary phenomenon, and that the system recovers over time. Whilst experience supported that hypothesis in the past, it appears that due to the lack of flow, almost permanent closure of the estuary mouth and ongoing erratic wetting and drying, the river now experiences regular and devastating acid events.

Have these concerns been addressed?

Council is concerned that the groundwater and surface water impact assessment that has been presented to support this application by Alcoa does not address the concerns and hypothesis put forward because the assessment will only consider impacts to the current state of the Anglesea catchment not, as it should, the healthy past state of the river and catchment.

Council is concerned about:

- The cumulative impact of ground water extraction over many years, the changing state of the Anglesea catchment and the resulting impact on the economic, social and environmental wellbeing of the community
- The adequacy of data on, and the understanding of this cumulative impact on the ecological health of the Anglesea River in particular the EPBC listed salt wedge assemblage of the Anglesea estuary
- The lack of thorough exploration of alternative options for rehabilitation of the mine site with a view to the best environmental and social outcomes for the Anglesea community
- The elevated risk associated with concurrent pumping from the Upper and Lower Eastern View Formation aquifers; and
- Decisions regarding the extraction of groundwater into the future in the absence of thorough data and evidence-based agreements about causal relationships of the extraction and the health of the catchment in the past, present and future.

Council's position

Council submits to SRW the following:

- a) Council is concerned that this proposal does not meet the purpose of the Water Act 1989 that 'water resources are conserved and properly managed for sustainable use for the benefit of present and future Victorians' especially in the light of the drying conditions in the catchment.
- b) Council is concerned about the health of the Anglesea River and its catchment and possible causal links with Alcoa's past groundwater extraction from the Upper Eastern View Aquifer and the risks associated with further pumping from this source.
- c) Council does not support extraction unless such extraction is proven not to have a detrimental impact on the Anglesea River and/or its catchment.
- d) Council expects that in reviewing the application, SRW will consider the risks to the environment and apply the precautionary principle to this matter to determine whether the benefits sought outweigh the risks to the groundwater dependent

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ecosystems, the Anglesea River catchment, and the security of potable water supply to the region.

- e) Council urges respectful engagement with the Wadawurrung Traditional Owner Aboriginal Corporation, noting that water extraction is identified as a very high threat to Wadawurrung Country and culture in Paleert Tjaara Dja (Wadawurrung Country Plan 2020-2030).

If you wish to discuss this submission, please contact Apanie Wood, Manager Environment and Sustainability on 5261 0600.

Yours faithfully

Robyn Seymour
Chief Executive Officer

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4.3 Project Budget Adjustments and Cash Reserve Transfers - July 2025

Council Plan	Theme Seven - Accountable and Viable Council
Author's Title:	Strategy 18 - Establish a sustainable financial position.
General Manager:	Management Accountant
Division:	Joanne McNeill, 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 \$
Asset Renewal Reserve	(317,763)
Developer Contributions Reserve	(160)
Accumulated Unallocated Cash Reserve	(35,107)
Grand Total	(353,030)

Council Resolution

Moved Cr Phelps, Seconded Cr Pattison

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 \$
Asset Renewal Reserve	(317,763)
Developer Contributions Reserve	(160)
Accumulated Unallocated Cash Reserve	(35,107)
Grand Total	(353,030)

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. 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) \$	Amended Project Budget \$
Spring Creek Reserve - Towards Female Friendly - Phase 1	Project Savings Account	Project funded by Department of Infrastructure, Transport, Regional Development, Communications and the Arts \$700,000. Grant funded agreement does not allow for project management costs, this allocation will increase Council contribution to project management to \$40,000 (5%).	25,000	740,000
Spring Creek Reserve - Towards Female Friendly - Phase 1	Partner Contribution Funded	Partner contribution funding from Australian Football League's Facilities Funding program for the Spring Creek Reserve Female Friendly Change Facilities Upgrade. The project will improve provision of amenities for women and girls in both football and cricket.	75,000	815,000
Anglesea Flood Study	Grant Funded	Corangamite Catchment Management Authority variation to grant.	200	180,200

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$	Amended Project Budget \$
Community Flood Recovery Hub	Project Account	Following the 2022 flood events, Emergency Recovery Victoria, Colac Otway Shire, Corangamite Shire and Surf Coast Shire jointly provided funds for community engagement, training, community resilience survey and flash flooding engagement. Emergency Recovery Victoria grant funds were expended, and the remaining funds are the three councils' cash contribution to the project. Emergency teams in each council have approved the remaining funds to be reallocated to the Municipal Emergency Resourcing Program for further resilience activities across the three municipalities.	(11,896)	81,104
Municipal Emergency Resourcing Program			11,896	269,616

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$	Amended Project Budget \$
Banyul Warri Fields Cricket Training Facility	Grant Funded	State Government grant funding from the Allan Labor Government's Regional Community Sports Infrastructure Fund to deliver a new cricket training facility at Banyul Warri Fields to support the growth of the Surf Coast Cricket Club, including junior and women's programs, provide Surf Coast Secondary College with another facility in the precinct to aid their curriculum and provide casual participation opportunities for all community members.	379,500	519,500
Wurdi Baierr Aquatic and Recreation Centre	Interest Earnt	In line with grant funding agreements, interest earnt on upfront grant funding not yet spent will be assigned to the project each financial year.	881,667	48,851,255
Hockey Pitch Banyul Warri Fields	Interest Earnt	In line with grant funding agreements, interest earnt on upfront grant funding not yet spent will be assigned to the project each financial year.	29,841	6,169,841
Torquay Town Centre to Surf World Shared Pathway Connection	Interest Earnt	In line with grant funding agreements, interest earnt on upfront grant funding not yet spent will be assigned to the project each financial year.	1,611	231,951

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) \$
South Western Victoria Storms 2 Feb 2025 -(NAGRN Reference 1180)	Grant Funded	Officers have completed the claim estimate for the value of emergency storm damage response works incurred by Council from the 2 February 2025. The joint Australian, State and Territory government Disaster Recovery Funding Arrangements (DRFA) provide a range of financial assistance to natural disaster-declared events such as this instance for Surf Coast Shire. The officer assessment has considered the claim guidance available. The claim will be submitted for assessment and funds will be received following claim assessment by DRFA. The claim is for the reactive emergency works required immediately after the storm event across the Shire.	27,000
Developer Bond retention Surf Views Estate trees and The Quay weed management.	Partner Contribution Funded	Developer Bond retention Surf Views Estate trees and The Quay weed management to be delivered by Open Space operations.	68,600

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) \$
PowerMaD: Renewable Energy for the Marsh and Districts	Grant Funded	Scope Complete. Life of project cost \$45,000. Project delivered facilitated community-led development of a renewable energy action plan for Deans Marsh and district. The action plan included helping local residents understand the energy efficiency of their homes and identify improvements. The second phase will encourage households to make suggested improvements by connecting them with initiatives like Geelong Sustainability's Electric Homes program.	Nil
Local Operational Response Plans	Project Savings Account	Scope Complete. Life of project cost \$170,000. Project delivered Bushfire Response plans for eight townships across the shire was grant funded. Council contribution for project management \$9,001 not required as project managed by Resilient Communities Officer.	(9,001)

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Safe System Concepts at High Risk Pedestrian Crossing Locations	Grant Funded	Scope Complete. Life of project cost \$34,400. Project delivered an analysis of high risk pedestrian crossing locations across Surf Coast Shire and concept design plans to upgrade six priority pedestrian crossing locations.	Nil
Library of Things Community Grant	Project Savings Account	Scope complete. Life of project cost \$0. Following closure of the grant application period there were no suitable applicants' proposals that met the eligible criteria, therefore funds are returned to funding source.	(20,000)
Minor Capital works - Funded from Globe Theatre Community Asset Committee Dissolved Funds	Adopted Strategy Implementation Reserve	Scope complete. Life of project cost \$1,384. Project delivered updated signage and microwave oven replacement for Globe Theatre Community Building.	Nil
Community Flood Recovery Hub	Partner Contribution Funded	Scope complete. Life of project cost \$81,104. Project delivered community training and awareness for future flooding events, focusing on trauma informed training, community resilience survey and flash flooding engagement.	Nil

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Moriac Structure Plan	Project Savings Account	Scope complete. Life of project cost \$72,182. Project delivered a strategic framework plan for the town, to guide land use and development decisions for the next 10 years. The Plan ensures that future incremental growth is responsive to the constraints of the landscape and respectful of the rural character of the town.	(21,318)
Landscaping of Stribling Reserve Pavilion Grounds	Project Savings Account	Scope complete. Life of project cost \$40,000. Project delivered landscaping to the steep batters adjacent to the pavilion in Stribling Reserve, including large rocks, jute matting and plants.	Nil
Occasional Care - Early Childhood Education and Care Workforce Paid Practicum and Professional Development Grant	Grant Funded	Scope complete. Life of project cost \$8,121. Project delivered professional development to Occasional care staff including first aid and CPR training and a paid practicum subsidy to enable care worker to undertake an external placement.	Nil

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Surf Coast Shire Library Strategy Review	Project Savings Account	Scope complete. Life of project cost \$26,450. Project delivered a Library Services Plan that lays out options for innovating library services into the future and will lay the groundwork to explore library service level agreements. Using many different data services, we now have a clear picture of our current library services and needs, and what the needs will be for our growing community.	(13,550)
Active Play Item Renewal	Asset Renewal Reserve	Active Play Items Renewal Program complete for 2024-25. Carry forward for detailed design currently underway of \$47,045. Funds returned are unallocated program savings as initial allowance for design exceeded quoted prices. Program expenditure \$67,463.	(29,752)
Condition Audits Renewal	Asset Renewal Reserve	Condition Audits Renewal Program complete for 2024-25. Funds returned are unallocated. Program expenditure \$151,409.	(4,871)
Drainage Renewal	Asset Renewal Reserve	Drainage Renewal Program complete for 2024-25. Carry forward of \$75,000. Funds returned are unallocated based on project estimates. Program expenditure \$87,773.	(21,177)

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Facility Fencing Renewal	Asset Renewal Reserve	Facility Fencing Renewal Program complete for 2024-25. Funds returned are unallocated program savings. Program expenditure \$133,110.	(4,389)
Facility Signage Renewal	Asset Renewal Reserve	Facility Signage Renewal Program complete for 2024-25. Funds returned are unallocated. Program expenditure \$1,420.	(11,577)
Footpath Renewal	Asset Renewal Reserve	Footpath Renewal Program complete for 2024-25. Carry forward of \$35,000 due to additional design requirements. Funds returned are unallocated based on project estimate. Program expenditure \$154,679.	(22,205)
Guardrail Renewal	Asset Renewal Reserve	Guardrail Renewal Program complete for 2024-25. Funds returned are unallocated project savings. Program expenditure \$54,190.	(22,740)
Hard Court Renewal	Asset Renewal Reserve	Hard Court Renewal Program complete for 2024-25. Funds returned are unallocated program savings. Program expenditure \$1,381,715.	(81,064)

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Park Furniture Renewal	Asset Renewal Reserve	Park Furniture Renewal Program complete for 2024-25. Carry forward of \$21,348 for works that are committed. Funds returned are unallocated based on project estimates. Delivery was limited due to resource constraints. Program expenditure \$3,453.	(61,198)
Skate Park Renewal	Asset Renewal Reserve	Skate Park Renewal Program complete for 2024-25. Funds returned are unallocated program savings. Program expenditure \$19,820.	(3,055)
Unsealed Road Renewal	Asset Renewal Reserve	Unsealed Road Renewal Program complete for 2024-25. Funds returned are unallocated as full program was delivered; additional candidates were not able to be completed due to resources constraints and unsuitable weather later in the season. Program expenditure \$1,113,055.	(152,879)
Water Sensitive Urban Design Renewal	Asset Renewal Reserve	Water Sensitive Urban Design Renewal Program complete for 2024-25. Carry forward of \$165,000 for works that are in detailed design phase. Funds returned are unallocated based on project estimate. Program expenditure \$143,985.	(23,171)

Project Name	Funding Source	Basis for Variation	Project Allocation Increase/ (Decrease) \$
Asset Management Engineer Labour Capitalisation	Asset Renewal Reserve	EOFY adjustment for project management charged across 2024-25 renewal programs now completed.	120,315
Streetlight Replacement - Non Standard Streetlights	Developer Contributions Reserve	Scope complete. Life of project cost \$74,069. Project delivered the replacement of 18 LED non-standard lights and 2 replacement non-standard poles.	(160)
Ranger Services Pilot	Project Savings Account	Conclusion of the Ranger Services Pilot. Temporary role was fully funded from 997 infringements issued during the financial year. The role also completed 294 CRMs.	(15,130)
Project Savings Account	Accumulated Unallocated Cash Reserve	During 2024-25, net project savings were generated via completed projects presented to Council that were originally funded from the Accumulated Unallocated Cash Reserve. During the year, Council considers how such savings are managed, for example, to fund adjustments on other projects that would otherwise be funded from the Accumulated Unallocated Cash Reserve. At the end of the financial year, any savings remaining in this project savings account are returned to the Accumulated Unallocated Cash Reserve.	(35,107)

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	10,924	13,064	10,981
Budgeted Annual Surplus/(Deficit)	1,854	2,140	(1,893)	(3,098)
Transfer for Project Funding	-	-	(190)	(190)
Net Allocations During Year (From)/To	(52)	-	-	-
New Allocations Proposed (From)/To	35	-	-	-
Closing Balance *	10,924	13,064	10,981	7,693

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	
Project Savings Account 2024-25	35
Total New Net Allocations (From)/To	35

()

*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
Inherent Risk Rating - *Serious*, Residual Risk Rating – *High*

Risk Rating

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

Risk Appetite

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

Risk Assessment

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

Conflict of Interest

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

Confidentiality

17. 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

18. 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 not discussed at a Councillor briefing.

4.4 Councillor Request to Attend Interstate Conference - TreeNet Urban Trees for All 2025 National Street Tree Symposium

Council Plan

Author's Title:

General Manager:

Division:

Department:

Attachments:

Theme Seven - Accountable and Viable Council

Strategy 18 - Establish a sustainable financial position.

Acting Manager Integrity and Governance

Joanne McNeill, General Manager Strategy and Effectiveness

Strategy and Effectiveness

Integrity and Governance

Nil

Purpose

1. 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.

Recommendation

That Council

1. [Approves OR Declines] in accordance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy, the request from Councillor Adrian Schonfelder to attend the 'TreeNet Urban Trees for All 2025 National Tree Symposium', to be held in Adelaide on 4 and 5 September 2025;
2. Notes that the estimated cost of attendance is \$2,486.50, with the cost breakdown as follows:
 - 2.1. Event registration: \$1,590.00
 - 2.2. Travel costs: \$438.00
 - 2.3. Accommodation: \$458.50

Council Resolution

Moved Cr Schonfelder, Seconded Cr Stapleton

That Council

1. Approves, in accordance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy, the request from Councillor Adrian Schonfelder to attend the 'TreeNet Urban Trees for All 2025 National Tree Symposium', to be held in Adelaide on 4 and 5 September 2025;
2. Notes that the estimated cost of attendance is \$2,486.50, with the cost breakdown as follows:
 - 2.1. Event registration: \$1,590.00
 - 2.2. Travel costs: \$438.00
 - 2.3. Accommodation: \$458.50

CARRIED 6|3

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

Outcome

2. The decision of whether the councillor professional development request is supported will be made by Council in accordance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy.

Key Considerations

3. Cr Adrian Schonfelder has requested to attend the 26th Annual Street Tree Symposium to be held in Adelaide in September. More information about this symposium is available here: <https://treenet.org/26th-national-street-tree-symposium/>
4. The following purpose has been provided by Cr Schonfelder as part of his application: *'[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.'*
5. In determining an outcome for these requests, the Policy requires consideration of the following factors:
 - 5.1. Participation and attendance must be in the interests of the Surf Coast Shire community;
 - 5.2. Participation provides a demonstrable public benefit;
 - 5.3. The content is directly relevant to the Councillor's role;
 - 5.4. The conference, program or event takes place, and the knowledge or benefit is able to be utilised during the Councillor's term of office; and
 - 5.5. Whether the benefit justifies the cost to Council.
6. As stated in the Policy, applications that meet the requirements of the policy will not be unreasonably refused.

Background

7. Following recent updates to SCS-001 Councillor Entitlements, Expenses and Facilities Policy, all requests to attend professional development activity outside of Victoria must be determined through Council resolution.
8. The updated policy also requires all Councillors who undertake professional development activity to prepare a report on the benefit to Council, which is summarised and presented to Council quarterly.

Options

9. **Alternative Option 1** – That Council does not consider the professional development request from Councillor Schonfelder.

This option is not recommended by officers as the Policy clearly states that such requests must be determined by Council resolution.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

Strategy 18 - Establish a sustainable financial position.

Financial Considerations

10. The estimated cost of attendance is \$2,486.50, with an estimated cost breakdown as follows:

10.1. Event registration: \$1,590.00

10.2. Travel costs: \$438.00

10.3. Accommodation: \$458.50

11. The above estimate does not include costs associated with meals, local travel and other claimable associated costs. All costs will be reported to Council through quarterly expenses reporting.

Community Engagement

12. Community engagement is not a requirement of this report and has not been undertaken.

Statutory / Legal / Policy Considerations

13. This report is presented to achieve compliance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy, which requires all requests to attend professional development activity outside of Victoria to be determined by Council resolution.

Strategic Risk

14. Failure to deliver outcomes in line with community needs
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*
15. The assessment criteria, as detailed in the Policy and point 5 of this report, ensure that any professional development applications are assessed to ensure outcomes will align with community needs.

Risk Rating

16. The risk rating is low and can be managed at department level.

Risk Appetite

17. There is no Risk Appetite Statement applicable to this report.

Sustainability Considerations

18. There are no significant sustainability considerations associated with this report. It is noted that the policy includes requirements around transport choices which are designed to mitigate environmental impacts.

Conflict of Interest

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

Confidentiality

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

Transparency

Audit and Risk Committee involvement

21. This report is not within the scope of the Audit and Risk Committee, however it is noted at all Councillor expenses are reported to the Audit and Risk Committee.

Councillor Briefings

22. This item was not discussed at a councillor briefing.

4.5 Councillor Expenses and Attendance at Meetings - April to June 2025

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:

Joanne McNeill, General Manager Strategy and Effectiveness

Division:

Strategy and Effectiveness

Department:

Integrity and Governance

Attachments:

1. Councillor Allowances and Expenses Summary Q4 [4.5.1 - 1 page]
2. Councillor Professional Development Summary Q4 [4.5.2 - 1 page]
3. Councillor Attendance at Meetings Summary Q4 [4.5.3 - 1 page]

Purpose

1. The purpose of this report is to present the Councillor expenses, attendance at meetings, and relevant professional development activity for the June 2025 quarter.

Recommendation

That Council:

1. Notes the Councillor Allowances and Expenses Summary for the June 2025 quarter (**Attachment 1**);
2. Publishes the Councillor Allowances and Expenses Summary (**Attachment 1**) on Council's website;
3. Notes the Councillor Professional Development Summary for the June 2025 quarter (**Attachment 2**); and
4. Notes the Councillor Attendance at Meetings Summary for the June 2025 quarter (**Attachment 3**).

Council Resolution

Moved Cr Phelps, Seconded Cr Stapleton

That Council:

1. Notes the Councillor Allowances and Expenses Summary for the June 2025 quarter (**Attachment 1**);
2. Publishes the Councillor Allowances and Expenses Summary (**Attachment 1**) on Council's website;
3. Notes the Councillor Professional Development Summary for the June 2025 quarter (**Attachment 2**); and
4. Notes the Councillor Attendance at Meetings Summary for the June 2025 quarter (**Attachment 3**).

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. The adoption of this recommendation will ensure compliance with SCS-001 Councillor Entitlements, Expenses and Facilities Policy. The publication of these records provides transparent, accountable, and open communication of Council information.

Key Considerations

3. Councillor allowances and expenses are defined in the *Local Government (Planning and Reporting) Regulations 2020* by the following categories:
 - 3.1. Travel expenses;
 - 3.2. Professional development expenses; and
 - 3.3. Expenses to support the performance of the role.
4. These expenses are further broken down in **Attachment 1** to ensure that the reporting is presented in a format which is as transparent as possible.
5. Any contributions paid by Councillors towards phone and internet usage are also included in the summary. It should be noted that payments are included at the time they are paid rather than when the expense is incurred.
6. Council reports on Councillor attendance at meetings in its Annual Report, as well as quarterly to Council. Councillor attendance is recorded for Council meetings (including Special Council Meetings for Hearing Submissions) as well as other meetings held under the auspices of Council (e.g. Councillor briefings).
7. Following recent changes to Council's SCS-001 Councillor Entitlements, Expenses and Facilities Policy, Councillors are now required to provide the CEO with a report, within 14 days of undertaking professional development activity, which includes the cost to Council and a summary of what the Councillor learned and the associated public benefit. The CEO is required to include summaries of these reports as part of the quarterly Councillor expenses report. This summary is presented at **Attachment 2**. It is noted that the comments in the 'Summary of Learning and Public Benefit' column are complete verbatim comments provided by the Councillors.

Background

8. The *Local Government Act 2020* (the Act) outlines that the Mayor and Councillors are paid an allowance and are provided with the appropriate tools and support to enable them to properly undertake their statutory obligations.
9. The Act requires councils to adopt and maintain a policy in relation to the reimbursement of expenses to councillors.
10. The Councillor Entitlements, Expenses and Facilities Policy (SCS-001) outlines the level of resources and support that is provided to Councillors to enable them to effectively carry out official duties, as well as the requirements for reporting back to Council.

Options

11. **Alternative Option 1** – That Council does not note or publish quarterly summary of Councillor allowances and expenses.

This option is not recommended by officers as it limits public access to Councillor reporting and does not align with government regulations and best practice reporting.

Council Plan (including Health and Wellbeing Plan) Statement

Theme Seven - Accountable and Viable Council

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

Financial Considerations

12. Councillor allowances and reimbursement of expenses are included in the annual budget and managed in accordance with the Act and Council's Councillor Entitlements, Expenses and Facilities Policy.

Community Engagement

13. No community engagement has been undertaken on this report as it relates to a statement of expenses, attendance and associated reporting.
14. In line with public transparency principles outlined in the Act, quarterly and annual reporting on Councillor allowances and expenses and Councillor attendance promotes transparency with the community.

Statutory / Legal / Policy Considerations

15. The *Local Government (Planning and Reporting) Regulations 2020* requires Council to disclose the details of allowances and expenses for each Councillor, divided into certain defined categories in its annual report.

16. Council resolved to make Councillor allowances and expenses available to the public through quarterly reporting to Council and to publish these reports on Council's website.
17. Councillor allowances and reimbursement of expenses are managed in accordance with the Act and Council's Councillor Entitlements, Expenses and Facilities Policy.
18. The addition of the information provided in **Attachment 2**, which is included following recent changes to the Policy, further promotes public transparency and accountability.

Strategic Risk

19. Failure to meet Council's governance and compliance obligations
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*

Risk Rating

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

Sustainability Considerations

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

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

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

Council Briefings

25. This item was not discussed at a Councillor briefing.

Surf Coast Shire Council Councillor Expenses Summary Between 1 April 2025 to 30 June 2025							
Councillor	Allowances (\$)	Travel (\$)	Professional Development (\$)	Car Mileage (\$)	Civic Duty or Event (\$)	Expenses to Support the Performance of the Role (\$)	Total (\$)
Cr Adrian Schonfelder	9,423	576	770	832	-	163	11,765
Cr Gary Allen	-	-	-	-	-	-	-
Cr Heather Wellington	-	-	-	-	-	-	-
Cr Kate Gazzard	-	-	-	-	-	-	-
Cr Libby Stapleton **	15,506	329	-	3,944	132	119	20,030
Cr Liz Pattison	9,423	-	-	-	-	92	9,515
Cr Mike Bodsworth *	31,012	1,455	764	-	890	3,306	37,427
Cr Paul Barker ^	6,020	-	-	-	-	92	6,112
Cr Rose Hodge	-	-	-	-	-	-	-
Cr Joel Grist	9,423	-	-	-	-	163	9,586
Cr Leon Walker	9,423	-	150	1,330	-	163	11,066
Cr Rebecca Bourke	9,423	757	-	-	-	163	10,343
Cr Tony Phelps	9,423	-	-	2,490	-	163	12,076
Total	109,078	3,118	1,684	8,597	1,022	4,421	127,920

Notes:

* Cr Mike Bodsworth (Mayor period: 11/2024 - present).

** Cr Libby Stapleton (Deputy Mayor period: 11/2024 - present).

^ Reduced allowance reflects the period where Cr Barker took an unpaid leave of absence while a formal candidate in the 2025 Federal Election.

Figures exclude GST.

Information presented is preliminary as the figures presented are subject to Council's annual external independent audit.

Surf Coast Shire Council Councillor Professional Development Expenses Summary Between 1 April to 30 June 2025					
Councillor	Date attended	Name of Event	Summary of Learning and Public Benefit	Type	Total (Incl GST)
Cr Adrian Schonfelder	21.05.25 to 23.05.25	MAV Rural and Regional Planning Conference	The conference promoted best-practice case studies, showcased examples and delved into planning policy issues impacting rural and regional Victoria. I learnt about the importance of navigating complex changes in local communities from protecting agricultural systems, planning for climate change to engaging with Traditional Owners, housing affordability and rapidly changing demographics. I attended a bus guided tour of Cowes which had a new library and multipurpose Arts Centre built which was part of revitalising the town centre and Torquay faces similar challenges. I witnesses plans first hand to pedestrianise areas of Cowes which I found interesting and insightful.	Conference	\$1,362.06
Cr Mike Bodsworth	11.06.25	Everyday Habits for Transforming Systems – Online Session	I learned a number of key habits and approaches for collaboration and leadership in the field of systems change. I intend to apply these approaches in my role as Mayor, specifically to pursue change in mobility norms and shift from car to walk and bike mobility, to normalise involvements of younger voices in community conversations and planning, and to pursue high productivity in town centres in the Shire.	Webinar	\$14.99
Cr Rebecca Bourke	28.05.25 to 03.06.25	AICD Company Directors Course	Thorough understanding of board dynamics, governance, fiscal responsibility and upholding the reputation of the organisation.	Training	\$11,003.21

June Quarter 2025			
	Council Meetings Scheduled by Resolution	Other Council Meetings*	Meetings Held Under the Auspices of Council **
Total meetings held (in quarter)	3	2	14
Cr Paul Barker	2	1	6
Cr Mike Bodsworth	3	2	14
Cr Rebecca Bourke	3	1	10
Cr Joel Grist	3	2	13
Cr Liz Pattison	3	2	11
Cr Tony Phelps	2	0	11
Cr Adrian Schonfelder	3	2	14
Cr Libby Stapleton	3	2	14
Cr Leon Walker	3	1	12

* Note - Includes Special Council Meetings for Hearing Submissions and Council meetings not scheduled by Council resolution.

** Meetings held under the auspices of Council generally refer to Councillor briefings.

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

Council Plan

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

Theme Seven - Accountable and Viable Council

Strategy 18 - Establish a sustainable financial position.

Acting Coordinator Governance and Council Business

Joanne McNeill, General Manager Strategy and Effectiveness
Strategy and Effectiveness

Integrity and Governance

1. S11 A Authorisation (Planning and Environment Act 1987) - Clean Copy [4.6.1 - 1 page]
2. S11 A Authorisation (Planning and Environment Act 1987) - Tracked Changes [4.6.2 - 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; and
4. Notes that the previous Instrument of Appointment and Authorisation is revoked upon execution of the updated instrument.

Council Resolution

Moved Cr Schonfelder, Seconded Cr Pattison

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;
4. Notes that the instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it; and
5. Notes that the previous Instrument of Appointment and Authorisation is revoked upon execution of the updated instrument.

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, 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 authorisation 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. 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

8. **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

Strategy 18 - Establish a sustainable financial position.

Financial Considerations

9. There are no financial implications arising from this report.

Community Engagement

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

Statutory / Legal / Policy Considerations

11. 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

12. Failure to meet Council's governance and compliance obligations
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*

13. 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 and responsibilities. The risks mitigated include both legal and reputational risks.

Risk Rating

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

Risk Appetite

15. No Risk Appetite Statement selected as this is a procedural report.

Sustainability Considerations

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

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*.

Transparency

Audit and Risk Committee involvement

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

Councillor Briefings

20. This item was not discussed at Councillor Briefings.



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

In this instrument "officer" means –

Adrienne Golaboski
Andrew Hewitt
Anthony (Tony) Rolfs
Barbara Peppard
Ben Hynes
Ben Schmied
Benjamin Lowe Jabornik
Bianca Wilkin
Chris Pike
David O'Connor
David Priddle
Dee Gomes
Ella Sjogren
Emily Jolley
Emma Monteath
Finn Tewson
Foti Dimopoulos
Gabrielle O'Shea
Gabrielle Spiller
Genevieve Cooper
Guy Price
Jason Scammell
Jayde Whitten
Jennifer Davidson
Jordan Tartaglia
Karen Campbell

Kate Sullivan
Kristy Prothman
Kyi Laing Aye
Leah Protyniak
Leanne Rolfe
Mathew Mertuszka
Melessia McMillan
Melinda (Mindy) Vardy
Michelle Warren
Nicole Van Velzan
Paul Elshaug
Paul Sarapuu
Rhiannan Glenister
Rhonda Gambetta
Robert Pitcher
Robyn Neville
Rochelle Humphrey
Samantha Natt
Sandra Tomic
Sarah Farrer
Shaun Barling
Susan Wlodarczyk
Tim Waller
Travis Ferrari
Veronica Abbot
William (Bill) Cathcart

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

1. under section 147(4) of the *Planning and Environment Act 1987* - authorises the officers to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under section 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 -

- (a) comes into force immediately upon its execution;
- (b) 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 22 July 2025.

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 –

Adrienne Golaboski
Andrew Hewitt
Anthony (Tony) Rolfs
Barbara Peppard
Ben Hynes
Ben Schmied
Benjamin Lowe Jabornik
Bianca Wilkin
Chris Pike
David O'Connor
David Priddle
Dee Gomes
Ella Sjogren
Emily Jolley
Emma Monteath
Finn Tewson
Foti Dimopoulos
Gabrielle O'Shea
Gabrielle Spiller
Genevieve Cooper
Guy Price
Jason Scammell
Jayde Whitten
Jennifer Davidson
[Jordan Tartaglia](#)
Karen Campbell

Kate Sullivan
Kristy Prothman
Kyi Laing Aye
Leah Protyniak
Leanne Rolfe
Mathew Mertuszka
Melessia McMillan
Melinda (Mindy) Vardy
Michelle Warren
Nicole Van Velzan
Paul Elshaug
Paul Sarapuu
Rhiannan Glenister
Rhonda Gambetta
Robert Pitcher
Robyn Neville
Rochelle Humphrey
Samantha Natt
Sandra Tomic
Sarah Farrer
Shaun Barling
Susan Wlodarczyk
Tim Waller
Travis Ferrari
Veronica Abbot
William (Bill) Cathcart

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

1. under section 147(4) of the *Planning and Environment Act 1987* - authorises the officers to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under section 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 -

- (a) comes into force immediately upon its execution;
- (b) 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 [22 July](#) 2025.

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

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

.....
Date

.....
Date

4.7 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.

{position}

Joanne McNeill, General Manager Strategy and Effectiveness

{directorate}

{department}

1. Conflict of Interest Record - Councillor Briefings - 24 June 2025 [4.7.1 - 1 page]
2. Conflict of Interest Record - Councillor Briefings - 1 July 2025 [4.7.2 - 2 pages]
3. Conflict of Interest Record - Councillor Briefings - 8 July 2025 [4.7.3 - 2 pages]
4. Conflict of Interest Record - Councillor Briefings - 15 July 2025 [4.7.4 - 1 page]

Purpose

1. The purpose of this report is 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 4** for the following meetings:

1. Conflict of Interest Record – Councillor Briefings – 24 June 2025
2. Conflict of Interest Record – Councillor Briefings – 1 July 2025
3. Conflict of Interest Record – Councillor Briefings – 8 July 2025
4. Conflict of Interest Record – Councillor Briefings – 15 July 2025

Council Resolution

Moved Cr Schonfelder, Seconded Cr Phelps

That Council notes the conflict of interest records as presented in **Attachments 1 to 4** for the following meetings:

1. Conflict of Interest Record – Councillor Briefings – 24 June 2025
2. Conflict of Interest Record – Councillor Briefings – 1 July 2025
3. Conflict of Interest Record – Councillor Briefings – 8 July 2025
4. Conflict of Interest Record – Councillor Briefings – 15 July 2025

CARRIED 9|0

4.7 Conflict of Interest Records

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

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

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 Council's governance and compliance obligations
Inherent Risk Rating - *Serious*, Residual Risk Rating - *Medium*

Risk Rating

16. 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

17. No Risk Appetite statement is applicable to this report.

Sustainability Considerations

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

Conflict of Interest

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

Confidentiality

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

Transparency

Audit and Risk Committee involvement

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

Councillor Briefings

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

File No F18/225-7
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 24 June 2025
In Attendance: Yes (✓) No (X)

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

MEETING COMMENCED	9:30am	MEETING CONCLUDED	10:30am
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Matters considered at the meeting		
24 June 2025 Council Meeting Agenda		
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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- other briefing meetings,
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- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

File No F18/225-7
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 1 July 2025
In Attendance: Yes (✓) No (X)


Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer – Robyn Seymour	✓
Cr. Paul Barker	✓	Acting General Manager Place Making & Environment – Gabby Spiller	✓
Cr. Rebecca Bourke	✓	Acting General Manager Strategy & Effectiveness – Chris Pike	✓
Cr. Joel Grist	X	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	X	Manager Government Relations and Strategic Projects – Darryn Chiller	✓
Cr. Tony Phelps	✓	Acting Manager Integrity and Governance – Liberty Nash	✓
Cr. Adrian Schonfelder	✓	Acting Governance Officer – Candace Martin-Burgers	✓
Cr. Libby Stapleton	✓	Manager Integrated Planning – Kate Sullivan	✓
Cr. Leon Walker	✓	Manager Assets and Engineering – John Bertoldi	✓
		Manager Environment and Sustainability – Apanie Wood	✓
External Presenters		Coordinator Environment – Jessica Miller	✓
Michal J Bailey, Executive Director Maintenance, Barwon South West & Grampians – Department of Transport and Planning (DTP)	✓	Property Officer – Sheree Seiffert	✓
Laura Jo Mellan, Director Regional Operations – DTP	✓	Project Manager – Major Projects – Peter Stokoe	✓
Sarah O'Dwyer, Director Regional Operations – DTP	✓	Senior Social Infrastructure Planner – Paul Elshaug	✓
Keith Shipton – Friends of Anglesea River	✓	Manager Economic Development – Matt Taylor	✓
Alex Murray – Department of Energy, Environment and Climate Action	✓	Environment Officer – Biodiversity – Leanne Rolfe	✓
Penny Winbanks – Southern Rural Water	✓		
Amber Clarke – Corangamite Catchment Management Authority	✓		
Andrew Harrison – Corangamite Catchment Management Authority	✓		
Richard O'Hanlon – Friends of Anglesea River	✓		

MEETING COMMENCED	10:34am	MEETING CONCLUDED	2:53pm
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Matters considered at the meeting
External Presentation – Department of Transport and Planning Meet and Brief Our Councillors
External Presentation – Anglesea River and Alcoa Australia Groundwater Extraction
Proposed Optus Telecommunications Monopole – Bob Pettitt Reserve



File No F18/225-7
Trim Reference Record Number

Coalmine Road, Anglesea Closure		
Confidential – Wurdi Baierr Aquatic & Recreation Centre Update		
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

- 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;
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 - whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
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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 #2
Responsible Officer: Chief Executive Officer Robyn Seymour
Date: 8 July 2025
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Paul Barker	X	Acting General Manager Placemaking & Environment – Gabby Spiller	✓
Cr. Rebecca Bourke	X	Acting General Manager Strategy & Effectiveness – Chris Pike	✓
Cr. Joel Grist	X	General Manager Community Life – Damian Waight	✓
Cr. Liz Pattison	X	Manager Government Relations and Strategic Projects – Darryn Chiller	X
Cr. Tony Phelps	✓	Acting Manager Integrity and Governance - Liberty Nash	✓
Cr. Adrian Schonfelder	✓	Acting Coordinator Governance and Council Business – Sharon Busuttill	✓
Cr. Libby Stapleton	✓	Manager Economic Development - Matt Taylor	✓
Cr. Leon Walker	✓	Manager Integrated Planning - Kate Sullivan	
		Manager Planning and Compliance - Dee Gomes	✓
External Presenters		Manager Asset and Engineering - John Bertoldi	✓
Andrea Tomkinson – Director – Tomkinson	✓	Acting Manager Finance - Tim Dickson	✓
Tim Gleeson – Senior Valuer - Preston Rowe Paterson Pty Ltd	✓	Coordinator Revenue - Jade McKenzie	✓
Kerrie Owen – Specialist Valuer – Valuer-General Victoria	✓	Acting Manager Community Support - Mark Macgugan	✓
		Acting Coordinator Customer Experience - Nicola Banks	✓
		Coordinator Strategic Planning - Tim Waller	✓
		Coordinator Community Health and Development - Monika Geall	✓
		Community Development Advisor - Laura Hunt	✓
		Principal Strategic Planner - Samantha Natt	✓
		Project Manager – Major Projects - Peter Stokoe	✓
		Senior Social Infrastructure Planner - Paul Elshaug	✓

MEETING COMMENCED	10:00am	MEETING CONCLUDED	3:21pm
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Matters considered at the meeting		
External Presentation – Development Economics		
External Presentation – Update on Valuations for the 2025-26 Rates Notices		
Reports Coming to July Council Meeting		
Results of Customer Satisfaction Survey		
Community Planning Process - Anglesea		
Winchelsea Place Plan Issues and Opportunities		
Staff Engagement Survey Overview		
Wurdi Baierr Aquatic & Recreation Centre Update (Confidential)		
Councillor Topics		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		

File No F18/225-7



Responsible Officer Signature:

A handwritten signature in black ink, appearing to read "Robyn Seymour".

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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- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
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File No F18/225-7
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 #3 – Strategic Conversations
Responsible Officer: Senior Continuous Improvement and Innovation Officer – Bill Cathcart
Date: Tuesday 15 July 2025
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Mike Bodsworth (Mayor)	✓	Chief Executive Officer – Robyn Seymour	✓
Cr. Libby Stapleton (Deputy Mayor)	✓	Acting General Manager Placemaking & Environment – Gabrielle Spiller	✓
Cr. Paul Barker	X	Acting General Manager Strategy & Effectiveness – Chris Pike	✓
Cr. Rebecca Bourke	X	Acting General Manager Community Life – Hinga Fletcher	✓
Cr. Joel Grist	✓	Manager Government Relations and Strategic Projects – Darryn Chiller	✓
Cr. Liz Pattison	X	Senior Continuous Improvement and Innovation Officer – Bill Cathcart	✓
Cr. Tony Phelps	✓	Senior Advisor – Organisation Performance – Rebecca Leonard	✓
Cr. Adrian Schonfelder	✓	Coordinator Economic Development – Simon Loone	✓
Cr. Leon Walker	X		

MEETING COMMENCED	11:00am	MEETING CONCLUDED	3:30pm
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Matters considered at the meeting		
Service Review Framework		
Update from Drought Coordinator Group		
Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil.		
 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Responsible Officer Signature:</div> <div>Print Name: William Cathcart</div> </div>		
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 Schonfelder, Seconded Cr Stapleton

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:

CARRIED 6|3

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

5.3 Wurdi Baierr Aquatic Recreation Centre Stage Two

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.

6 Urgent Business

Nil.

7 Close of Meeting

The Council meeting - 22 July 2025 closed at 7:20pm.