



# **Bass Coast Shire Council Council Meeting Minutes**

**Wednesday 17 September 2025**

**Council Chamber**

**Bass Coast Civic Centre**

**Baillieu Street East, Wonthaggi**

**Commencing at 1:00 pm**



The meeting commenced at 1:01 pm.

Cr. Rochelle Halstead read the Mobile Telephone Reminder.

Cr. Ron Bauer read Statement of Acknowledgement.

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## I Present and Apologies

Councillors: Cr Rochelle Halstead, Western Port Ward (Mayor)  
Cr Brett Tessari, Bunurong Ward (Deputy Mayor)  
Cr Meg Edwards, Bunurong Ward  
Cr Mat Morgan, Bunurong Ward  
Cr Ron Bauer, Island Ward  
Cr Tracey Bell, Island Ward  
Cr Tim O'Brien, Island Ward  
Cr Jan Tompson, Western Port Ward

Officers: Mr Greg Box, Chief Executive Officer  
Mr Patrick Dillon, General Manager Innovation & Engagement  
Ms Jodi Kennedy, General Manager Communities & Culture  
Ms Donna Taylor, General Manager Future Places  
Ms Jade Glen, Manager Governance & Communications

Apologies: Cr Jon Temby, Western Port Ward

## **2 Declarations of Interest**

Cr. Mat Morgan declared a conflict of Interest in agenda item 8.2 under section 127 of the *Local Government Act 2020*.

## **3 Confirmation of Minutes**

### **3.1 Council Meeting 20 August 2025**

**That the minutes of the Council Meeting held on 20 August 2025 be confirmed.**

#### **Council Decision**

**Moved: Cr. Jan Thompson / Seconded: Cr. Meg Edwards**

**That the minutes of the Council Meeting held on 20 August 2025 be confirmed.**

**CARRIED UNANIMOUSLY**

## 4 Mayor and Councillor Reports

### 4.1 Cr Rochelle Halstead - Mayoral Report

This report covers the period from 20 August 2025 to 17 September 2025

#### Acknowledgements

##### Vale - Stanley McGeagh

We extend our condolences to the family and friends of Stanley McGeagh, a long-serving and dedicated member of the Coronet Bay Residents & Ratepayers Association (CBRRA).

An Irish-born actor, Stanley moved to Coronet Bay in the late 1990s and went on to serve as CBRRA President for approximately ten years from 2002.

During that time, he was a tireless advocate for the local community and played a key role in addressing numerous issues of significance. His leadership was instrumental in:

- Opposing the Sporting Village proposal, a development that threatened to destroy the banksia grove. Through persistent campaigning, the proposal was ultimately defeated, setting a precedent for future applications to include the infill housing we see today
- Resisting the closure of the local boat ramp and later championing the introduction of a rollout ramp for smaller vessels
- Opposing inappropriate development, including a proposed three-storey building in the business zone
- Leading the successful campaign to allow dogs back on the beach, a cause close to many in the community
- Supporting several other community-driven efforts, such as extending off-leash dog areas, retaining the mobile library service, and preserving local bus routes

Beyond these larger battles, Stanley was deeply involved in the day-to-day activities that strengthen community spirit. He was a regular presence at the shed on market days, took part in the Easter Fair, Clean Up Australia Day, and the Fun Run.

Perhaps most memorably, Stanley was the driving force behind *Unplugged*, a beloved open mic night that he ran for many years. It gained a reputation as one of the best of its kind, attracting performers and audiences from far and wide.

In the late 1960s, Stanley auditioned for the role of James Bond in *On Her Majesty's Secret Service*. Although the role went to George Lazenby, it was a notable moment in his acting career.

Stanley's energy, passion, and unwavering commitment to the Coronet Bay community have left a lasting mark. He will be remembered not only for the causes he championed, but for the heart and soul he brought to all he did.

**Vale – Fallen Officers at Porepunkah, Victoria**

We are deeply saddened by the tragic loss of two Victoria Police officers killed in the line of duty during an operation in Porepunkah on 26 August 2025.

We extend our heartfelt condolences to their families and acknowledge the deep impact this loss has on Victoria Police and the wider policing community.

Our thoughts are with the officers loved ones, colleagues, and all those affected during this incredibly difficult time.

In brief the Mayoral activities have included the following:

**Activities**

- 2025 Bass Coast Business Awards, Silverwater
- Official opening Orange Sky's new laundry pod
- Official Opening of Waterline Community Library
- Kernot Farmers Lunch
- Gippsland Business Awards, Churchill
- Receive 2025 Auststab Award for Bass Coast Shire Council
- Celebrate Learning Together – Bass Coast Adult Learning
- Salvation Army Opening
- Councillor Dinner, Silverwater
- Tree Planting, Landcare
- Beyond the Bricks - free guided tours of Berninneit
- Farmers Lunch
- Kevin Love, Phillip Island Nature Park – Farewell Dinner
- Pink Bowls Day – Corinella Bowling Club
- R U OK Day Morning Tea

**Meetings**

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- Coronet Bay Community Association General Meeting
- Introduction Meeting with Patrick Dillon, General Manager, Innovation and Engagement
- Coronet Bay Community Garden Meeting
- VLGGC Circular 4 - Statewide Info Session
- TIDAL Festival General Meeting
- Kara Williams, Foodies on Phillip Island
- MAV Board Meeting
- Kevin Love, Phillip Island Nature Parks
- TAFE Gippsland and Bass Coast Shire Council Discussions
- The Mayors Institute - State Election Roundtable

**Other**

Media Enquiries/Interviews

- Anne Stone Triple M – Cowes Foreshore Precinct

Phone calls, emails and letters

## 4.2 Cr Jan Thompson - Councillor Report

### Meetings

- Myli Board meetings 5<sup>th</sup> September
- Myli Skills Matrix Session 5<sup>th</sup> September
- Myli Director Appointments Sub Committee – ongoing meetings
- Myli Sub Committee CAC meetings 25<sup>th</sup> August
- Visits to Libraries - 4
- Access and Inclusion Advisory Committee meeting – 25<sup>th</sup> August

### Internal Briefings WPW

- Western Port Ward and Officers – 8<sup>th</sup> September

### Briefings & Training

- Council briefings – three missed two due to time off.

### Council Meetings

- 20<sup>th</sup> August 2025
- 17<sup>th</sup> September 2025

### Other

- Corinella Residents & Ratepayers AGM 2<sup>nd</sup> August
- Coronet Bay Community Gardens Club Chaired AGM 20<sup>th</sup> August
- VLGGC Statewide Grants Session 21<sup>st</sup> August
- Opening of Orange Sky Laundry at Salvation Army 25<sup>th</sup> August
- Official opening Waterline Community Library 26<sup>th</sup> August
- Grantville Business & Community AGM 12<sup>th</sup> September
- Phillip Island & San Remo Tourism Roundtable 15<sup>th</sup> September

### Ongoing

- Dealt with constituent issues and queries
- Preparation for Meetings
- Research

### **4.3 Cr Tracey Bell - Councillor Report**

In late August, I attended a meeting of the Bass Coast-South Gippsland Reconciliation Group as the Council delegate. This group continues to be very active in organising events to raise awareness of our region's First Nations history.

I was invited to speak about my experience of being a Councillor and my journey to this position at the Trades, Tools and Tricks Men's Group. The group meets monthly at the Phillip Island Baptist Church for dinner and a guest speaker. They have had a variety of speakers this year including the founder of 3D Hands, the founder of a tourism business geared around protecting orangutans in southeast Asia, and now me. I encourage men to get along to these monthly gatherings as they offer fantastic fellowship as well as good stories – September's speaker is an ex-policeman and the preview we heard sounded fascinating.

The highlight for this past month must be the 2025 Bass Coast Business Awards. It was a wonderful celebration of our local businesses, and I congratulate all the finalists.

It was my pleasure to welcome local businesses who were exhibiting at the Bass Coast Local Jobs and Careers Expo 2025 at Berninnet. I heard about some exciting initiatives and look forward to seeing opportunities prosper in our shire. The event was supported by the Small Business Bus parked outside Berninnet, offering advice to business owners.

The Phillip Island Nature Parks Community Open Day was another wonderful day of community celebration. It was so fun to go to the penguin parade on Saturday evening and run into so many people I know from right across the shire.

At this month's meeting, I am bringing my first Notice of Motion to the chamber. As a representative for the residents of Wimbledon Heights, I am urging council and the Department of Transport to make the crossing across Phillip Island Road safe for school kids to walk or bike to school. Parents have been asking for a safer crossing for many years and, with at least 64 children travelling to school every day, it is imperative that action is taken before one of those children is injured.

### **4.4 Cr Mat Morgan - Councillor Report**

To mark World Drowning Prevention Day, I was proud to join City of Casey Councillor Anthony Walter and Cardinia Shire Council Deputy Mayor Alanna Pomeroy at Gurudwara Siri Guru Nanak Darbar in Officer. Bass Coast has beautiful beaches, but without accessible education we lose far too many lives.

I'd like to offer my appreciation for South Gippsland Conservation Society and Trevor Forge who opened their doors to locals concerned about coastal erosion in Inverloch. Trevor ran through the State Government's plans and took questions for over an hour, sharing science and data with anyone who wanted to hear.

I'd also like to say a huge thanks to everyone who showed up in Wonthaggi on Aug 31 to celebrate our inclusive, diverse community. Fascism has no place in our society and I was very proud to stand with so many lovely people to have a peaceful sing and dance in opposition to the racist rallies being held across the country.

## 5 Public Question Time

### 5.1 Peter Fogarty, Community Engagement

What action does the Bass Coast Council take toward reviewing & ensuring the results of surveys done by member(s) of the community aren't skewed through malicious activity or special interest groups attempting to manipulate data through fraudulent participation?

**Response:**

**Council values its community engagement and has taken steps to ensure feedback is genuine. We use trusted survey platforms with strong information security standards, to help protect against fraudulent activity such as bots, fake accounts or multiple submissions from the same person. Survey data is hosted securely, with safeguards in place to protect information at rest and in use.**

**On top of this, Council staff carefully review data for unusual patterns to help ensure results reflect genuine community views.**

### 5.2 Louise Lyell, Speed Limits

Council is proposing to reduce speed limits in a number of residential estates on Phillip Island to 30kph. Will council please provide pedestrian crash data for the proposed estates where a reduction in speed limits is proposed to verify this is actually a problem?

**Response:**

**The proposed 30 kilometre per hour speed zones are not in response to pedestrian crash data. The proposal is proactive, in response to community feedback regarding pedestrian and cyclist safety within estates with limited footpath infrastructure. Traffic data confirms that traffic in these streets is currently slow moving. The proposal is intended to enhance safety for cyclists and pedestrians.**

### 5.3 Louise Lyell, Special Charge Calculations

In the special charge benefit ratio calculations. How is it that the number of vehicles/ day are less in the peak times, ie christmas holidays than at other times of the year, when council states 60% of homes are owned as holiday homes? These figures do not compute.

**Response:**

**The number of vehicle trips per property is less in peak times. This is due to higher levels of tourist traffic including on Phillip Island Road resulting in fewer property owner trips. There are more vehicle movements along the roads in peak times, but this is due to external tourist traffic.**

#### 5.4 Philip Davy, Contractor Rates

Council states costs to construct a narrow 5.4m wide residential street have doubled in cost from \$2million to \$4million per kilometre in less than 2 years. This is not cost of living but appears contractor gouging. What is council doing to ensure contracts are value for money for ratepayers.

**Response:**

**Construction costs increased across all sectors after the COVID-19 pandemic due to labour and material shortages, and prices are now beginning to stabilise. Council has several measures in place to ensure value for money for the community.**

**Council's Procurement Policy requires it to source capital expenditure projects with a value of more than \$300,000, including roads projects, through a public tender process. Minor capital works projects are subjected to a competitive quotation process. Council has also established annual supply contracts to secure construction rates for up to three years.**

**Additionally, Council works with industry bodies such as the MAV to review construction rates and, according to the September Council agenda, is considering participation in the MAV statewide roads contract to access volume discounts and collaborative buying group opportunities.**

#### 5.5 Sue Chadwick, Volunteer Plaque

For many years a plaque honouring the service of volunteer ambulance drivers existed on a Memorial Garden outside the old 'Civic Centre' in Cowes. Councillors, will you find this plaque and restore it outside Berninnet? As unpaid volunteers will always be the nucleus of any community and rarely acknowledged.

**Response:**

**Council recognises and values the substantial contribution made by volunteers to our community. This plaque was installed on a fountain at the front of the former Cowes Civic Centre and removed some time before the building was demolished. The present location of this plaque is unknown.**

#### 5.6 Fred Morris, Social Housing Contracts

How many contracts has council in its own right signed to build Social and Affordable Housing over the last 3 years after the State Government provided \$25million to Bass Coast.

**Response:**

**Council does not build Social and Affordable Housing. The \$25 million assigned to Bass Coast is a program entirely managed by Homes Victoria. Council facilitates social housing outcomes through advocacy, leveraging the Planning Scheme, and contribution of Council land.**

**Bass Coast has signed contracts to contribute land for 2 funded social housing developments.**

**Council works closely with community stakeholders, Community Housing Providers and the Victorian Government to maximise investment through the Big Housing Build. At present, 12 homes have been completed with 56 more underway, representing a total investment of \$37.5 million.**

### 5.7 Graham Jolly, Cowes Streetscape

Stage I, Cowes Streetscape final construction design has been issued to a contractor after recent design modifications. Engage Bass Coast does not show the final construction design. Please provide the actual final construction design plan for public viewing to stage I.

**Response:**

**Refinements made during tendering have allowed us to reach the best return on investment for the project for Bass Coast. The changes do not diminish the delivery of a new town centre that will transform Cowes.**

**An updated render will be published on Engage Bass Coast, in the coming days.**

### 5.8 Gina Rosamilia, Organisational Structure

The CEO has restructured the organizational employment of Council to establish 3 Senior Managerial positions. Previous being 4.

Future Places, Community and Cultural and Innovation and Engagement are the 3 departments. Please provide an explanation for this reduction.

**Response:**

**The change from four to three divisions supports a stable, sustainable structure and enhances collaboration between and within divisions. The organisational structure offers Council improved efficiency and service delivery, clearly defined roles and responsibilities, and greater financial sustainability.**

### 5.9 Ernie Westergard, ESVF

Councils across Victoria including Bass Coast Council is saying property owners must pay the Emergency Service Volunteers Fund (a tax) and rates upon issuing of rates notices. What is the legislation that informs and supports payment timing of the ESVF.

**Response:**

**Bass Coast Shire Council is legislated under the *Emergency Services and Volunteers Fund Act 2012* post the *Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025* to collect these fees on behalf of the Victorian Government.**

**Council must pay all levy amounts and levy interest received to the Commissioner in 4 instalments, due 28 days after the due date of the Council rates.**

### 5.10 Mario Boffa, MAV

Is the Mayor the council's representative to the Municipal Association of Victoria. If not who is. Please provide the names of persons.

**Response:**

**Yes. The Mayor was appointed Council's representative to the MAV on 11 December 2024. The Deputy Mayor was appointed a substitute representative on 16 April 2025. This is in accordance with the MAV Terms of Reference.**

**5.11 Mario Boffa, Traffic Turning Lane**

Would council please provide the construction design details for the new safety traffic turning lane into the Hilton Chadwick Reserve and the Carnival Land in Cowes that was approved by the Transport Authority when issuing council a permit to construct.

**Response:**

**The Department of Transport and Planning have provided additional feedback on the turning lane designs to Council. The designs require further adjustment before they can be finalised and resubmitted to the Department of Transport and Planning for endorsement.**

**5.12 Graham Jolly, Wonthaggi Landfill Rehabilitation Works**

Would council please provide a progress construction report for the project Wonthaggi Landfill Rehabilitation Works, tender 24020 that has an overall cost of \$8.333million.

**Response:**

**The Wonthaggi Landfill Rehabilitation (Tender 24020) remains on schedule and within the approved budget. Despite recent wet weather, construction has progressed as planned. A key milestone has been achieved with the completion and compliance testing of all 325 rolls of cusped geocomposite sheeting. Of these, 305 rolls have been shipped, with deliveries scheduled to arrive in stages from October to November 2025. Approximately 70% of the site is now prepared for installation, pending material arrival and suitable weather conditions.**

## **6 Notices of Motion**

### **6.1 262/25 Urgent Safety Concerns Regarding School Crossing Near Gap Rd, Cowes, Cr Tracey Bell**

#### **Motion**

#### **That Council:**

- 1. Receive a report by no later than 19 November regarding the progress of establishing a school crossing on Phillip Island Road at Wimbledon Heights, including options and the timeframes for delivery.**
- 2. Expedite all grant applications to secure funding to implement the preferred crossing design.**
- 3. Send a letter to Jordan Crugnale MP, noting the advocacy efforts of community, council, and Cowes Primary School for this crossing and seeking her support in securing the required funding from the Victorian state government.**

**Cr. Tracey Bell moved an amendment**

#### **Council Decision**

**Moved: Cr. Tracey Bell / Seconded: Cr. Jan Thompson**

#### **That Council:**

- 1. That council officers report to Council by no later than 19 November on actions taken to establish a school crossing on Phillip Island Road at Wimbledon Heights.**
- 2. As part of this process, council expedite all grant applications to secure funding to implement the preferred crossing design.**
- 3. That council advocate to Jordan Crugnale MP for immediate action on addressing this safety risk, noting the long advocacy efforts of community, council, and Cowes Primary School for this crossing**

**CARRIED UNANIMOUSLY**

**6.2 263/25 Rabbit plague on Phillip Island, Cr Ron Bauer**

**Motion**

**That Council Officers provide a report for the eradication of the rabbit plague on Phillip Island.**

**Cr. Ron Bauer moved an amendment**

**Council Decision**

**Moved: Cr. Ron Bauer / Seconded: Cr. Mat Morgan**

**That Council Officers provide a report on possible eradication and population control options regarding rabbits, feral cats and deer in Bass Coast**

**CARRIED UNANIMOSLY**

**6.3 264/25 Notice of Motion - Bass Coast Unlocking Rural Tourism scheme (BURT), Cr Tim O'Brien**

**Council Decision**

**Moved: Cr. Tim O'Brien / Seconded: Cr. Mat Morgan**

**Motion**

**That Council receive a report on the Bass Coast Unlocking Rural Tourism Strategy (BURT) no later than 19 November 2025, including how the BURT will be impacted by the intent of the Distinctive Areas and Landscapes (DAL) to preserve character, protect environment and curtail development in sensitive areas.**

**CARRIED UNANIMOUSLY**

## **7 Petitions and Joint Letters**

There were no Petitions and Joint Letters.

## **8 Reports Requiring Council Decision**

### **8.1 Planning Application PDPLANPER-2025/000449 - Removal of two trees in the Vegetation Protection Overlay (VPO2) - 24 Hastings St, VENTNOR**

#### **Council Decision**

**Moved: Cr. Jan Thompson / Seconded: Cr. Meg Edwards**

**That in relation to Planning Permit application PDPLANPER-2025/000449 for the removal of two trees in the Vegetation Protection Overlay located at 24 Hastings Street, Ventnor, Council resolves to issue a Notice of Decision to Grant a Permit, subject to the following conditions:**

#### **Amended plans required**

- 1. Before the tree removal commences, a Replacement Planting Plan drawn to scale with dimensions must be submitted to and approved by the responsible authority. The plans must be generally in accordance with the plans submitted but modified to show:**
  - a. Location of the trees to be removed**
  - b. The replacement of eight canopy trees is to be selected from the Type 'B' and Type 'C' Bush Coastal list contained within the Bass Coast Preferred Canopy Tree Species List or to the satisfaction of the responsible authority. See permit Note A for more guidance on list details.**
  - c. The planting of 52 Indigenous species consisting of a combination of shrubs, groundcovers and grasses selected from the Indigenous Plants of Bass Coast Shire list or to the satisfaction of the Responsible Authority.**
  - d. New trees to be planted within open ground clear of all hard surfacing, buildings, structures and other tree canopies**
  - e. Proposed canopy trees should be capable of reaching a minimum mature height of six (6) at 5-10m and two (2) at 15m+ and of advanced stock (minimum 35cm pot size and 2 metre tall at time of planting).**
  - f. The soil from the hole should be replaced around the tree root ball and firmed in and watered in well. The area, a minimum of 1 metre radius from the trunk of the tree, should be mulched with composted mulch at a minimum depth of 50-75 millimetres and watered well during dry periods for a minimum of 12 months to ensure the new tree establishes in its new position.**
  - g. All species selected must be to the satisfaction of the Responsible Authority.**
  - h. Only the trees marked "Trees to be removed" on the Endorsed Plan may be removed.**

**All to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of this Permit.**

**No damage to surrounding vegetation**

2. **Vegetation removal and disposal must not cause damage to vegetation stands to be retained.**

**No other trees to be removed**

3. **Only Tree 1 *Eucalyptus saligna* and Tree 2 *Eucalyptus globulus* as labelled in the submitted arborist report dated 16/04/2025 prepared by Urban Forestry Victoria Pty. Ltd. may be removed from the site. No other trees on site that are protected by the Planning Scheme or Local Law may be destroyed, felled, lopped, uprooted or be subject to any other tree damaging activities without the written consent of the Responsible Authority (other than in accordance with a Notice given pursuant to the *Local Government Act 2020*). All existing trees to be retained and trees required by this permit to be planted shall be maintained to the satisfaction of the Responsible Authority.**

**Timeframe for completing new planting**

4. **The new plantings are required to be completed within three months of the hereby approved tree removal. The replanting shown on the endorsed plans must be thereafter maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced within two months of any failing and any trees to be retained or planted are to remain in situ for the life of this permit.**

**Photographs of completed landscaping**

5. **High quality photographs (from various angles and distances) to be provided within 3 months from when the tree removal is complete demonstrating the trees as being planted in accordance with the endorsed plans. The Responsible Authority may require this to be accompanied by additional evidence including but not limited to receipts of the purchased trees or a formal written statement by an arborist confirming the landscaping has been undertaken in accordance with the endorsed plans.**

**Pruning of trees to be retained**

6. **Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996.**

**Briefing of contractors**

7. **Works engineers, design engineers, surveyors, works crews, contractors and plant operators must be properly briefed on all relevant conditions contained within this permit, before any works start.**

**Permit expiry**

8. The vegetation removal is not complete within 12 months of the date of this Permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with *Section 69 of the Planning and Environment Act 1987*.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six months after the expiry date if the tree removal has not commenced.

**Permit Notes**

- A. The preferred canopy tree species lists can be found on Bass Coast Shires website on the Native Vegetation Lists webpage found at [Native Vegetation Lists | Bass Coast Shire](#)

**B. Planning permission**

Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.

**C. Failure to Comply**

Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

**CARRIED**

## 8.2 Planning Application 2023/000649 - 158 Reed Cres Wonthaggi

Cr Mat Morgan declared a conflict of interest in agenda item 8.2 Planning Application 2023/000649 - 158 Reed Cres Wonthaggi under section 127 of the *Local Government Act 2020*. They left the meeting at 1:56pm and took no part in the debate or decision.

### Council Decision

**Moved: Cr. Brett Tessari / Seconded: Cr. Jan Thompson**

**Amended plans required**

- I. Before the development starts/plans are endorsed for the hereby approved development, an electronic copy of an accurately dimensioned Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The Landscape Plan must show:**
  - a) stage 1 and Stage 2 of the subdivision.**
  - b) a survey (including botanical names) of all existing vegetation to be retained and/or removed;**
  - c) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary or whose Tree Protection Zones (TPZ) enters the site;**
  - d) details of surface finishes of pathways and driveways;**
  - e) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;**
  - f) landscaping and planting within all open areas of the site;**
  - g) 27 canopy trees at 2m tall at time of planting in the following areas: 3 per Lot;**
  - h) planting of Trees**
    - i) Location of the any trees to be removed.**
    - ii) Location of canopy trees selected from the species in the list under Permit Note-B or to the satisfaction of the responsible authority.**
    - iii) New tree set back a minimum of 3 metres from buildings on the site (10 metres where site falls under BMO) and within open ground clear of all hard surfacing, buildings, structures and other tree canopies.**
    - iv) Proposed canopy trees should be capable of reaching a minimum mature height of 15m and of advanced stock (minimum 45-52L/50cm pot size and 2 metre tall at time of planting).**

- v) **The hole for the new tree needs to be 2-3 times wider than the pot the tree was grown in and about the same depth as the pot, the tree must not be planted any deeper than the soil level in the pot.**
- vi) **The soil from the hole should be replaced around the tree root ball and firmed in and watered in well. The area, a minimum of 1 metre radius from the trunk of the tree, should be mulched with composted mulch at a minimum depth of 50-75 millimetres and watered well during dry periods for a minimum of 12 months to ensure the new tree establishes in its new position;**
- vii) **All species selected must be to the satisfaction of the responsible authority.**

**When approved, the plan will be endorsed and will then form part of the permit.**

2. **Before certification of the plan of subdivision for stage 1, an amended Storm Water Management Strategy (SWMS) is to be submitted for review and approval to the satisfaction of the responsible authority. When approved, the SWMS will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted but modified to show:**
  - a) **RL for the top of bank of the retarding basin to feature a 300mm freeboard above the TWL of the 1% AEP.**
  - b) **Assessment of any backflow effect on the outfall drainage design based on the current water levels in the Reed Crescent open drains. Tailwater value to reflect the downstream TWL.**
  - c) **Drainage computation to show that the downstream open drain has capacity to discharge the 1% AEP with the appropriate freeboard.**

#### **Street Tree Landscape Plan**

3. **Before the issue of Statement of Compliance for the plan of subdivision for each stage, a Street Tree Landscape Plan prepared by a qualified landscape architect or suitably qualified person/company must be prepared and submitted to the responsible authority. The Street Tree Landscape Plan must be drawn to scale with dimensions and an electronic copy in PDF format must be provided to the responsible authority. The Street Tree Landscape Plan plans must incorporate:**
  - a) **Street trees on both sides of roads/streets at a minimum spacing of 3m intervals with consideration to the following:**

- i. **40% canopy cover target in accordance with Council's urban forest strategy,**
  - ii. **Minimum requirement of one tree planted outside each residential allotment, where practicable, with more on those verges/nature strips that allow.**
  - iii. **Centralising to verge / nature strip width.**
  - iv. **A minimum clear area of 900mm is maintained from invert of kerb.**
  - v. **2 metres from driveway crossovers, ensuring lines of sight are satisfactory;**
  - vi. **2 metres from fire hydrants, commercial and residential services, pits or junctions;**
  - vii. **Small trees (less than 8 metres in height) if overhead powerlines present;**
- b) **A schedule of proposed species that are to be planted on the site including scientific names, taking into consideration Bushfire Management Overlays;**
  - c) **The incorporation of locally indigenous species where possible and suitable, taking into consideration verge / nature strip width and Bushfire Management Overlays;**
  - d) **Quantities of all species to be planted on site including their size when mature; and**
  - e) **A notation on the Street Tree Landscape Plan providing that the permit holder will maintain all landscaping (including any replacement of dead or diseased plants) as per the endorsed Street Tree Landscape Plan for a period of two years to the satisfaction of the responsible authority.**
  - f) **The type of species to be used for street tree planting. All proposed street-tree planting to use semi-advanced trees, with minimum container size of 45 litres, to be single stem trees to Australian Standard AS2303 and planted with a minimum of 2 stakes, strapping and mulch well around base**
  - g) **Access to each lot in the subdivision. Once to the satisfaction of the responsible authority, the Street Tree Landscape plan will be endorsed and will form part of this permit.**

#### **Commencement of permit**

4. **This permit does not come into operation until the unused road licences 2018651, 2016717, 2016714 (west of Broome Crescent), have been cancelled and the road opened for traffic.**

### General Conditions

5. The layout and site dimensions of the hereby approved subdivision as shown on the endorsed plan/s must not be altered without the written consent of the responsible authority. There are no requirements to modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plan/s.
6. The subdivision must proceed in the numerical order of stages as shown on the endorsed plan, and in accordance with the unless otherwise agreed in writing by the Responsible Authority.

### Easements

7. The plan of subdivision submitted for certification for each stage under the *Subdivision Act 1988*, must show appropriate easements set aside for drainage purposes in favour of lots on the plan of subdivision, to the satisfaction of the responsible authority.

### Civil Constructions Plans

8. Before certification of the Plan of Subdivision for stage 1, detailed Civil Construction Plans (CCP) must be prepared and submitted to the responsible authority. The CCP must be drawn to scale with dimensions and an electronic copy in PDF must be provided to the responsible authority. The CCP must be consistent with the plans submitted with the application and must conform with the requirements of all relevant servicing and road authorities and show:
  - a) Drainage of the subject land, including levels or contours of the land (including relevant external catchments) and all hydraulic computations. The drainage plan must be prepared in accordance with the endorsed SWMS and the requirements of the Infrastructure Design Manual (IDM) as amended and must provide for the following:
    - i. How the land including any buildings, open space and paved areas within each lot will be drained for the 20% & 1% AEP storm events to the legal point of discharge.
    - ii. An underground drainage system conveying stormwater to the legal point of discharge and connecting into Bass Coast Shire Council's stormwater drainage system.
    - iii. Provision of an underground pipe drain to service the lowest corner of each lot with easement drains provided with a grated pit.

- iv. **Reconstruction of the open drain between the proposed detention basin for the site and the outfall culvert across Reed Crescent.**
  - v. **Upgraded outfall culvert across Reed Crescent in accordance with endorsed SWMS.**
  - vi. **The provision of a drainage retardation system within the site (or with RA approval within Broome Cres road reserve) and prior to the point of discharge into Bass Coast Shire Council's drainage system. The stormwater retardation system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to predevelopment flow rates for storm events up to and including the 1% AEP. The retardation system must be maintained during the maintenance period to the satisfaction of the responsible authority.**
  - vii. **Provision of over-land surcharge routes for all storm events (including storm events exceeding the 1% AEP). This must include cut-off drains and associated infrastructure for the safe and effective passage of stormwater flows arising from areas upstream of the subject land discharging into Bass Coast Shire Council's drainage system.**
  - viii. **Compliance with the Best Practice Environmental Management Guidelines for Urban Stormwater including any quality treatments proposed in accordance with these Guidelines and the Bass Coast Planning Scheme.**
- b) **Vehicle and pedestrian access and car parking designed in accordance with IDM standards including:**
- i. **Engineering plans and specifications of the proposed works including all roads, intersections, traffic calming, traffic circulation, signage, open space reserves, footpaths and pedestrian linkages.**
  - ii. **Broome Crescent to be widened from Brown Street intersection and extended to the proposed court bowl and sealed all the way through.**  
  
**The Broome Crescent road upgrade is to have a minimum 7m sealed width with 1.5m shoulders and table drains.**
  - iii. **The road within the subject land (including the court bowl) is to be kerbed including along the bends, asphalted with underground drainage where required. Internal road to have a carriageway width in accordance with the road hierarchy in the IDM (7.3m).**

- iv. **Turning for emergency service vehicles and garbage trucks must be provided at the road bend and Court heads (minimum carriageway radius of 10.5 metre.**
- v. **Concrete driveway crossovers serving each lot in accordance with IDM standard drawings (i.e. SD 240/SD 260)**
- vi. **All frontages of the subject site facing Broome Crescent to have a 1.5m concrete footpath in accordance with IDM standard drawing 205.**
- vii. **Fencing of the basin must be provided to prevent public access.**
- c) **Standard street lighting to be provided on Broome Crescent in accordance with IDM requirements.**
- d) **Primary cadastral marks (PCMs) to be placed no further than 100 metres apart with 1 in 3 to be Permanent Survey Marks (PSMs). RLs to Australian Height Datum (AHD) must be included.**
- e) **Fire hydrants, spaced no further than 200 metres apart. Fire hydrants must be located to be within 120 metres from the farthest corner of each lot in the subdivision. This distance is to be measured around lot boundaries.**

**All works must be constructed or carried out in accordance with those plans before the issue of Statement of Compliance for the Plan of Subdivision**

#### **Construction Management Plan**

- 9. Before certification of the Plan of Subdivision for each Stage, a Construction Management Plan (CMP) must be prepared and submitted to the responsible authority. The CMP must be drawn to scale with dimensions and an electronic copy in PDF must be provided to the responsible authority. The CMP must incorporate:**
- a) **Address occupational health and safety, traffic management, environmental controls and cultural protection measures to the satisfaction of the responsible authority.**
  - b) **Include the proposed route for construction vehicle access to the site including a program for the upgrade and maintenance works required along this route while works are in progress.**
  - c) **Include measures to reduce the impact of noise, dust and other emissions created during the construction process.**
  - d) **Measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system.**

- e) **Include means by which foreign material will be restricted from being deposited on public roads by vehicles associated with the building and works on the land to the satisfaction of the responsible authority.**
- f) **Address any recommendations of any approved Cultural Heritage Management Plan applying to the land.**
- g) **Identify the location and method of any Tree Protection Zones.**
- h) **All machinery bought on the site must be weed and pathogen free.**
- i) **A truck wheel-wash must be installed and used or a similar arrangement employed so vehicles leaving the site do not deposit mud or other materials on roadways. All machinery wash down, lay down and personnel rest areas must be clearly fenced and located in disturbed areas;**
- j) **Contractors working on the site must be inducted into an environmental management program for construction works.**
- k) **Best practice erosion and sediment control techniques must be used to protect any native flora and fauna.**
- l) **Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of subdivision.**
- m) **Landscaping, re-vegetation and construction works carried out on the site must be supervised by a person with recognised environmental qualifications;**
- n) **Hours of construction work. The CMP must provide that such hours are to be 7.00am to 6.00pm Monday to Friday and 7.00am to 1.00pm Saturday, with no construction on Sunday or public holidays. The CMP must provide that the hours of construction from Monday to Saturday (inclusive) may be extended with the consent of the responsible authority provided all adjoining residents are notified prior to the extended hours of construction. All deliveries, unloading and collection of materials associated with the construction phase of the development must occur within the hours of construction work, unless further permission is given in writing by the responsible authority;**
- o) **Location of the construction worker's compound. The compound must be located a reasonable distance from any neighbouring residence to minimise amenity impacts. The compound must be used for the storage of building materials, parking for construction workers and as the location for the site offices and amenities;**

- p) **Management of all building and construction waste, including any measures to recycle materials generated during construction;**
- q) **Locations of cut and fill stockpiles;**
- r) **The gravel and any other approved soil-derived material used in the construction of pedestrian links and paths must be guaranteed *Phytophthora* free;**
- s) **a liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;**
- t) **timing of bulk earth works. The **CMP** must detail conditions that will cause bulk earth works to be suspended (for example after significant and prolonged rain event);**
- u) **reporting requirements to demonstrate compliance with the latest revision of the following documents:**
  - i. **EPA guidelines for Major Construction Sites and Techniques for Sediment Pollution Control and other provisions of the approved EMP;**
  - ii. **Best Practice Environmental Management Guidelines for Urban Stormwater;**
  - iii. **Environmental Guidelines for Urban Stormwater (EPA Publication)**
  - iv. **Construction Techniques for Sediment Pollution Control (EPA Publication)**

**The **CMP**, once endorsed, will form part of the permit. All works constructed or carried out must be in accordance with the endorsed **CMP**. All care must be taken to minimise the effect of construction activity on the amenity of the surrounding neighbourhood. Once endorsed the **CMP** must not be altered except with the written consent of the responsible authority.**

#### **Amenity Condition**

- 10. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
- a) **transport of materials, goods or commodities to or from the land;**
  - b) **appearance of any building, works or materials;**
  - c) **emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise;**
  - d) **presence of vermin;**

**Mud on roads**

- 11. No mud, dirt, sand, soil, clay, stones, oil, grease, scum, litter, chemicals, sediments, gross pollutants, animal waste or domestic waste shall be washed into, allowed to enter or discharged to the stormwater drainage system, receiving waters or surrounding land and road reserves, during the construction works hereby approved to the satisfaction of the Responsible Authority.**

**Traffic & Parking during construction**

- 12. Provision for the parking of all contractors, subcontractors and staff vehicles must be provided within the subject land to the satisfaction of the responsible authority.**

**Public Open Space Contribution**

- 13. Before the Statement of Compliance for the plan of subdivision for Stage 1 is issued under the *Subdivision Act 1988*, the applicant or owner must pay a monetary contribution for public open space of five percent of the value of all the land in the subdivision. The monetary public open space contribution must be determined by a current valuation prepared by a qualified property valuer and paid to the responsible authority within 12 months of the date of that valuation or before the issue of a statement of compliance for Stage 1, (whichever occurs first), including the resolution of any dispute to the valuation within that period. The applicant or owner must contact Council in writing to obtain a valuation undertaken by a qualified property valuer at the expense of Council and allow at least 30 days for a valuation to be conducted for the purpose of public open space contribution. Any subsequent or additional re-valuations will be at the expense of the applicant/landowner.**

**Mandatory Subdivision Conditions**

- 14. The owner of the land must enter into an agreement with:**
- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

- 15. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:**
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 16. Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:**
- a lot that will not be used for, or include, a dwelling; or**
  - a lot that contains an existing dwelling or apartment; or**
  - a lot where a permit has been granted for a dwelling or apartment on the land in the lot.**

**This condition continues to have force and effect after a statement of compliance under the *Subdivision Act 1988* has been issued.**

#### **S173 Agreement - stormwater tanks**

- 17. Before the issue of a Statement of Compliance for stage 1, the owner of the land must enter into an Agreement with the responsible authority pursuant to Section 173 of the *Planning and Environment Act 1987*. The cost of the preparation, lodgement and registration and any subsequent removal of the Agreement shall be borne totally by the owner of the land. The Agreement must be registered on the certificate of title for the land. Evidence of the registration of the agreement must be provided to the responsible authority prior to the issue of a Statement of Compliance authorised by this permit. The Section 173 agreement must provide for the following:**
- a) Before an Occupancy Permit is issued for a dwelling on lots 1,2,3,4,5,7,8,9, a stormwater tank must be installed in accordance with the endorsed drainage plans;**

#### **Public works must be completed**

- 18. Before the issue of a Statement of Compliance for each stage, all public works must be completed in accordance with IDM standard drawings to the satisfaction of the responsible authority including:**

- a) all roads, paths, drainage, open space and other public infrastructure in accordance with the endorsed civil design plans.
- b) redundant infrastructure must be removed and the area reinstated to the satisfaction of the responsible authority including appropriate kerbing and channelling, footpath and landscaping;
- c) standard street lighting must be provided in accordance with the IDM and the approved lighting plans;
- d) all landscaping works in accordance with the endorsed Street Tree Landscape Plan.
- e) the boundary of the allotments abutting the area to be reserved for public open space must be fenced. Such fencing must be constructed to the standard required by the Responsible Authority and must be constructed so that the fence posts and rails are not exposed on the side of the land so reserved and must be compatible with other residential fences within the subdivision;
- f) any reserves must be cleared of all rubbish, weeds, debris and spoil and must be landscaped to the satisfaction of the responsible authority. Such landscaping must be in accordance with a plan approved by the responsible authority.
- g) A Permanent Mark sketch plan, including RLs, as approved under the *Survey Co-ordination Act 1958* and/or *Surveying Act 2004* shall be completed and registered with Land Victoria. Such registration shall be deemed not to have taken place until notarised advice has been forwarded to Bass Coast Shire Council.

#### **Landscaping and vegetation protection conditions**

19. Before the Statement of Compliance is issued for each stage of the subdivision under the *Subdivision Act 1988*, the landscaping for that stage must be completed in accordance with the endorsed Landscape Plan.
20. The landscaping shown on the endorsed Landscape Plan must be thereafter maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced within two months of any failing.
21. No other trees on site that are protected by the Planning Scheme/Local Law may be destroyed, felled, lopped or uprooted without the written consent of the responsible authority (other than in accordance with a Notice given pursuant to the *Local Government Act 2020*).

- All existing trees to be retained and trees required by this permit to be planted shall be maintained to the satisfaction of the responsible authority.
22. Works engineers, design engineers, surveyors, works crews, contractors and plant operators must be properly briefed on all relevant conditions contained within this permit, before any works start.
  23. The removal of vegetation must only be to the minimum extent necessary to carry out the development, allow the construction of roads, allow the provision of services, allow the construction of fences, provide for essential firefighting protection works to the satisfaction of the responsible authority. Except where impractical, services must not be located near vegetation and trenching must be conducted outside the drip-line of any tree to be retained and where services must be provided within the drip-line boring must be used.
  24. Vegetation removal and disposal must not cause damage to vegetation stands to be retained and to drainage lines and/or water courses.
  25. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist

#### Civil works fees

26. Before the issue of a Statement of Compliance for each stage the developer must pay:
  - a) 0.75% of the total estimated cost of the civil and landscaping works of the project for the checking of engineering plans associated with the development by this permit; and
  - b) 2.5% of the total estimated cost of the civil and landscaping works of the project for the supervision of works associated with the development approved by this permit.
  - c) A refundable bond of 5% of the total estimated cost of the civil works of the project for the purposes of ensuring any works defects are rectified during the 12-month defects liability period.
  - d) A refundable bond of 35% of the total cost of the landscaping works for the purposes of ensuring soft engineering (e.g. plantings) are maintained including weeding and replacement of missing plants during the 24-month landscaping maintenance period

**As Constructed plans**

**27. Before the issue of a Statement of Compliance for each stage, the following must be provided to the responsible authority:**

- a) **Copies of the “as constructed” engineering roads, drainage, lighting, water reticulation and landscaping drawings as follows:**
  - **Collated electronic PDF format.**
- b) **“As constructed” digital data measurements of all public works in a GIS ready format.**

**The format required is:**

- **ESRI Shapefile format complying with Council’s template (subset of A-Spec Digital Data Specification).**
  - **Horizontal Datum: GDA94 on MGA94 Zone 55.**
  - **Vertical Datum: AHD.**
- c) **Location of any permanent survey marks**

**Defect liability period – maintenance of public assets**

**28. All works to serve the subject land must be maintained for defects to the satisfaction of the responsible authority until asset ownership handover in accordance with the IDM.**

**South Gippsland Water Authority conditions**

**29. The owner / applicant shall enter into a formal agreement with the South Gippsland Water Corporation for the provision of a reticulated water and sewer supply to service each and every allotment to the design and satisfaction of the Corporation.**

**30. The owner / applicant shall provide a sewer and water property connection point for each and every allotment lot to the satisfaction of the South Gippsland Water Corporation.**

**31. Prior to Certification easements shall be created no less than 3.0 metres wide, in favour of the South Gippsland Water Corporation, over the Corporation’s existing and proposed infrastructure located within the proposed subdivisional lots.**

**32. The plan of subdivision submitted for certification must be referred to the Corporation in accordance with Section 8 of the Subdivision Act.**

**33. Prior to the issue of Statement of Compliance, the owner / applicant shall provide a sewer property connection point for each proposed lot unless the subdivision is by way of an Owners Corporation.**

34. Prior to the issue of Statement of Compliance, the owner shall pay to the South Gippsland Water Corporation “New Customer Contributions for Sewer and/or Water for each new lot created, inaccordance with the Corporation’s approved tariffs.
35. Prior to the issue of Statement of Compliance, the existing wastewater system on proposed lot 6 must be decommissioned, and evidence of such given to the corporation.
36. Prior to the issue of Statement of Compliance, the owner / applicant shall carry out works to ensure the existing water property service pipe is contained solely within the boundary of the lot to which it relates, and any interconnecting pipework shall be disconnected from
37. all other lots.
38. The location of the Corporation’s existing sewer infrastructure is to be proven on site prior to works commencing.
39. Any damage caused to the Corporation’s sewer infrastructure during the construction of the proposed plant or ancillary works, shall be rectified and all costs borne by the owner.

If the Corporations assets are exposed at any time during construction, works must stop immediately, and the Corporation informed by calling 5682 0444

#### **Ausnet Electrical Services conditions**

40. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.
41. The applicant must
  - a) Enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot under 16Ha on the endorsed plan.
  - b) Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
  - c) Enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.

- d) **Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.**
- e) **Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.**
- f) **Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.**
- g) **Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for any electric substations or Isolating Transformers.**
- h) **Provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.**
- i) **Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.**
- j) **Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.**

#### **Country Fire Authority Conditions**

##### **42. Hydrants**

**Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:**

- a) **Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured as a hose would be laid on the ground. Not over obstructions and obstacles, such as fences, or over side and rear boundaries.**
- b) **The hydrants must be identified with marker posts, blue road reflectors and white road triangles (as applicable).**

**Note: CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under 'About us' then 'Publications' on the CFA website ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).**

#### **42. Roads**

**Roads must be constructed to the following requirements:**

- a) **The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.**
- b) **Curves must have a minimum inner radius of 10 metres.**
- c) **The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a load limit of at least 15 tonnes.**
- d) **Encroachments must be clear for at least 0.5 metres on each side and 4 metres vertically.**
- e) **Where the distance to the nearest intersection exceeds 60 metres then a turning area for firefighting vehicles must be provided by one of the following:**
  - i) **A turning circle with a minimum radius of 8 metres.**
  - ii) **The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre service vehicle.**
- f) **Where the distance to the nearest intersection exceeds 200 metres then passing bays must be provided. Passing bays must be at least 20 metres long and be at least 6 metres wide.**

**Permit Expiry**

43. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:

- a) The plan of subdivision for the first stage has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit;
- b) All stages of the plan of subdivision have not been certified within 4 years of the issued date of this permit;
- c) A statement of compliance is not issued within 5 years of the date of certification of a particular stage of subdivision.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

**PERMIT NOTES****A. Planning permission**

Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals. This may include (but not limited to):

- Road Occupation Permits.
- Asset Protection Permits.
- Local Law Permits.
- Legal Point of Stormwater Discharge.

For further information please contact Bass Coast Shire Council on 5671 2211.

**B. Replacement Tree Schedule**

Large canopy trees (>15 metres in height at maturity)

<b>Botanical Name</b>	<b>Common Name</b>	<b>Origin</b>
<i>Angophora floribunda</i>	Rough Barked Apple	AN
<i>Banksia Integrifolia</i>	Coast Banksia	I

<i>Corymbia citriodora</i>	Lemon Scented Gum	AN
<i>Eucalyptus leucoxylon</i>	South Australian Blue Gum	AN
<i>Corymbia maculata</i>	Spotted Gum	AN
<i>Eucalyptus obliqua</i>	Messmate	I
<i>Eucalyptus ovata</i>	Swamp Gum	I
<i>Eucalyptus pauciflora</i>	Snow Gum	VN
<i>Eucalyptus polyanthemos</i>	Red Box	VN
<i>Eucalyptus pyroriana</i>	Coast Manna Gum	I
<i>Lophostemon confertus</i>	Brush Box	AN

VN – Victorian Native; AN – Australian Native; I – Indigenous to Bass Coast

### Medium sized canopy trees (5-10 metres in height at maturity)

Botanical Name	Common Name	Origin
<i>Acacia melanoxylon</i>	Blackwood	I
<i>Agonis flexuosa</i>	Willow Myrtle	AN
<i>Allocasuarina littoralis</i>	Black Sheoak	VN
<i>Allocasuarina verticillata</i>	Drooping Sheoak	I
<i>Banksia marginata</i>	Silver Banksia	AN
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	AN
<i>Eucalyptus kitsoniana</i>	Gippsland Mallee	VN
<i>Hymenosporum flavum</i>	Native Frangipani	AN
<i>Leptospermum laevigatum</i>	Coastal Ti-tree	I
<i>Leptospermum lanigerum</i>	Woolly Ti-tree	I
<i>Melaleuca lanceolata</i>	Moonah	I

VN – Victorian Native; AN – Australian Native; I – Indigenous to Bass Coast

### C. Failure to Comply

Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

**CARRIED**

Cr. Mat Morgan returned to the meeting at 1:58 pm.

### **8.3 The Esplanade (Sunderland Bay Road to Batman Street) Road and Drainage Upgrade Project - Notice of Declaration**

#### **Council Decision**

**Moved: Cr. Tracey Bell / Seconded: Cr. Jan Thompson**

**That Council:**

- 1. Following consideration by Council of written submissions received under sections 163A and 223 of the *Local Government Act 1989 (Act)* and taking account of written objections received under section 163B of the *Act* (as those submissions and objections are respectively summarised in Attachment AT-6 to this report and otherwise noting that no person in their written submission requested that they be heard in support of their submission) hereby declares (in accordance with the form of the declaration set out in Attachment AT-4) a special charge under section 163 of the *Act* in relation to the construction and improvement of roads and drainage of The Esplanade, between Sunderland Bay Road and Batman Street, Surf Beach to be known as the 'The Esplanade (Sunderland Bay Road to Batman Street) Road and Drainage Upgrade Project' (Scheme and Declaration of the Special Charge).**
- 2. Directs that notice be given to all property owners included in the Scheme and all persons who lodged a written submission and/or an objection of the decision of Council in relation to the Declaration of Special Charge.**
- 3. Specifies that the reasons for Council's decision are as follows –**
  - (a) It is considered that there is minimal objection to the Scheme and that there is otherwise a broad level of support for the Special Charge from the property owners;**
  - (b) It is considered that Council is acting in accordance with the functions and powers conferred on Council under the *Act* (and the *Local Government Act 2020*) having regard to the role, purposes and objectives of Council, particularly in relation to the provision of proper, safe and suitable road and drainage infrastructure and property services in the Scheme area;**
  - (c) It is considered that all persons who are liable to pay the Special Charge and the properties respectively owned by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;**
  - (d) It is considered that the basis of the distribution of the Special Charge amongst the persons who are liable to pay the Special Charge is fair and reasonable;**

- (e) It is considered that the works proposed by the Scheme are consistent with policies and objectives set out in the Bass Coast Planning Scheme; and
- (f) It is considered that the works proposed under the Scheme are necessary, reasonable, not excessive, sufficient, suitable and not costly having regard to the locality or environment and to the probable use of the roads and the drainage in the area.
4. Directs that the Special Charge be levied on those persons who are liable to pay the Special Charge.

**CARRIED UNANIMOUSLY**

**8.4 Award of Tender No. 25003 Road Renewal Upgrade - Grantville Glen Alvie Road, Almurta (Stage 2)**

**Council Decision**

**Moved: Cr. Jan Thompson / Seconded: Cr. Mat Morgan**

**That Council:**

1. **Accept the tender from Sure Constructions (Vic) Pty Ltd and award Contract No 25003 Road Renewal Upgrade - Grantville Glen Alvie Road, Almurta (Stage 2) for the contract sum of \$2.232 million plus GST of \$223,200 which includes lump sum and provisional amounts.**
2. **Authorise the Chief Executive Officer to execute Contract 25003 Road Renewal Upgrade - Grantville Glen Alvie Road, Almurta (Stage 2) between Council and Sure Constructions (Vic) Pty Ltd.**

**CARRIED UNANIMOUSLY**

**8.5 Award of Tender No. 25013 MAV Statewide Roads Panel (RD7214-2024)**

**Council Decision**

**Moved: Cr. Tracey Bell / Seconded: Cr. Brett Tessari**

**That Council:**

1. **Accept the recommendation to opt-in to the MAV Statewide Roads Panel Contract (RD7214-2024) for bitumen, asphalt, surface rehabilitation and associated materials and services for a contract term of five years with an extension option of a further five years should the use of the contract continue to meet Council's needs;**
2. **Authorise the Chief Executive Officer to execute the MAV Contract Commitment Form for MAV Statewide Roads Panel Contract (RD7214-2024).**

**CARRIED UNANIMOUSLY**

**8.6 Kilcunda Bass Netball Club Pavilion Construction****Council Decision****Moved: Cr. Jan Thompson / Seconded: Cr. Mat Morgan****That Council:**

- 1. Accept the tender from Allchin Construction Pty Ltd and award Contract No 25010 Kilcunda Bass Netball Club Pavilion Construction for the contract sum of \$1,234,120 plus GST of \$123,412.**
- 2. Authorise the Chief Executive Officer to execute Contract No 25010 Kilcunda Bass Netball Club Pavilion Construction between Council and Allchin Construction Pty Ltd.**

**CARRIED**

Cr. Ron Bauer abstained

**8.7 Review of Governance Policies****Council Decision****Moved: Cr. Mat Morgan / Seconded: Cr. Tracey Bell****That Council adopts the revised:**

- 1. Council Support and Resources Policy**
- 2. Gifts, Benefits and Hospitality Policy**

**CARRIED UNANIMOUSLY****8.8 Instruments of Appointment and Authorisation****Council Decision****Moved: Cr. Brett Tessari / Seconded: Cr. Jan Thompson****That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:**

- 1. The members of Council staff referred to in the attached instrument be appointed and authorised as set out in the instrument:**
  - Rhys Loughran**
- 2. The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.**

**CARRIED UNANIMOUSLY**

## **9 Statutory Reports**

### **9.1 Informal Meeting of Councillors**

#### **Council Decision**

**Moved: Cr. Brett Tessari / Seconded: Cr. Tracey Bell**

**That Council receive the attached Informal Meeting of Councillors records.**

**CARRIED UNANIMOUSLY**

### **9.2 Planning and Building Statistics - July 2025**

#### **Council Decision**

**Moved: Cr. Jan Thompson / Seconded: Cr. Ron Bauer**

**That Council:**

- 1. Receives and notes the Planning Permits issued under delegation report for July 2025; and**
- 2. Receives and notes the Planning and Building Activity Report for July 2025.**

**CARRIED UNANIMOUSLY**

### **9.3 Contracts Awarded and or Extended under CEO Delegation for July 2025**

#### **Council Decision**

**Moved: Cr. Ron Bauer / Seconded: Cr. Tracey Bell**

**That Council notes that no contracts were awarded or extended during July 2025.**

**CARRIED UNANIMOUSLY**

**10 Urgent Business**

There was no Urgent Business.

**11 Mayoral Announcement of Next Meeting of Council**

The next Council Meeting will be held on 8 October 2025 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

**12 Meeting Closed**

The meeting closed at 2.28pm