

Bass Coast Shire Council
Council Meeting Agenda

Wednesday 20 November 2024

Council Chamber

Bass Coast Civic Centre

Baillieu Street East, Wonthaggi

Commencing at 1:00 pm



Community Vision 2041

Vision Statement

From its flowing hills to its wild unspoiled coastlines, the Bass Coast is a source of celebration for all who live in and visit the region.

Our townships are vibrant, rich with culture and full of life, each with its own distinct character. Drawing on our creativity, innovation and resilience we've created a thriving and diverse economy that supports sustainable agriculture and industry.

We live proudly on Bunurong Country, and build on learnings from our First Peoples and their knowledge. We coexist in harmony with our environment, and are prepared for future challenges and changes.

We are the people of the Bass Coast. Experience ou cultures and history, and contribute to our story.



Notice of Meeting

Notice is hereby given that the next **Council Meeting** of the Bass Coast Shire Council will be held at the Council Chamber Bass Coast Civic Centre Baillieu Street East, Wonthaggi on 20 November 2024 at **1:00 pm**

Date of Notice – 15 November 2024

Greg Box

CEO

Mobile Telephone Reminder

Please turn off all mobile telephones or in the case of an emergency, please advise the Chair and switch to silent mode.

Statement of Acknowledgement

Bass Coast Shire Council acknowledge the Bunurong as the Traditional Owners and Custodians of the lands and waters, and pays respect to their Elders past, present and emerging, for they hold the memories, the traditions, the culture and Lore.

Bass Coast Shire Council celebrates the opportunity to embrace and empower the Aboriginal and/or Torres Strait Island Communities in their diversity.

Bass Coast Shire Council will create opportunities for future recognition and respectful partnerships that will honour the Traditional Owners and Custodians, and Aboriginal and/or Torres Strait Islander Peoples.

Councillor Statement

All members of this Council pledge to the Bass Coast Shire community to consider every item listed on this agenda:

- Based on the individual merits of each item;
- Without bias or prejudice by maintaining an open mind; and
- Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.

Any Councillor having a conflict of interest in an item will make a proper, prior disclosure to the meeting and will not participate in the debate or vote on the issue.

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1 Present and Apologies

2 Declarations of Interest

3 Confirmation of Minutes

3.1 Council Meeting 16 October 2024

That the minutes of the Council Meeting held on 16 October 2024 be confirmed.

Reports Requiring Council Decision

4 Reports Requiring Council Decision

4.1 Determination of the Period of Office for Mayor and Deputy Mayor

Division	**Business Transformation**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

Section 25 of the *Local Government Act 2020* requires Councillors to elect a Mayor of the Council. Before a Mayor is elected, section 26(3) states that Council must determine by resolution whether the Mayor is to be elected for a one year or a two year term.

Section 27 refers to any reference to the Mayor in sections 25 and 26 of the Act other than section 25(3)(a) is also a reference to the Deputy Mayor. Therefore, if the Mayor is elected for a one year term, it is taken that the Deputy Mayor is also elected for that period.

This report recommends that the Council elect a Mayor for a one year term from 20 November 2024.

The next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.

Recommendation

That Council determine the term of office for the Mayor and Deputy Mayor as being for one year.

Background

The current Council was declared to Office 8 November 2024 and undertook their Oath or Affirmation of Office on 11 November 2024. This Oath or Affirmation allowed each elected Candidate to take up their position of Councillor.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

The Mayor, Deputy Mayor and Councillors are entitled to an allowance, training and education opportunities, as well as reimbursement of expenses incurred in completing their role. These costs are included in Council's operating budget.

Stakeholders

- Councillors
- Community Members
- Council Officers

Conclusion

It is recommended that Council determine the term of office for the Mayor as being for one year.

Governing Documents

Governance Rules 2022

Local Government Act 2020

Attachments

Nil

4.2 Election of Mayor

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The purpose of this report is to call for nominations for the election of the Mayor, undertake the election process (if more than one nominee) and appoint a Councillor to the position of Mayor

Recommendation

That Council:

1. **Calls for nominations for the election of the Mayor and, if required undertakes the election process**
2. **Confirms Cr _____ to the position of Mayor effective immediately until the next election of the Mayor which must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.**

Background

Section 25 of the Local Government Act 2020 (the Act) requires Councillors to elect a Mayor of the Council. Section 26 determines the timing for the election. Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.

The election of the Mayor must be chaired by the Chief Executive Officer and subject to section 25, be conducted in accordance with the Governance Rules.

Once the Mayor has been elected, he or she will assume the position of Chair.

Section 18 of the Act sets out the role of the Mayor:

(1) The role of the Mayor is to -

(a) chair Council meetings; and

(b) be the principal spokesperson for the Council; and

(c) lead engagement with the municipal community on the development of the Council Plan; and

(d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and

(e) promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct; and

(f) assist Councillors to understand their role; and

(g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and

(h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and

(i) perform civic and ceremonial duties on behalf of the Council.

(2) The Mayor is not eligible to be elected to the office of Deputy Mayor.

Section 19 of the Act sets out the specific powers of the Mayor:

(1) The Mayor has the following specific powers -

(a) to appoint a Councillor to be the chair of a delegated committee;

(b) to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;

(c) to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.

(2) An appointment under subsection (1)(a) prevails over any appointment of a chair of a delegated committee by the Council.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

The Mayoral allowance is set by the Victorian Independent Remuneration Tribunal. Bass Coast Shire Council is a category 2 Council.

The Mayoral allowance is currently set at $109,114 until 17 December 2024.

This increases to $111,987 for the period 18 December 2024 to 17 December 2025.

The Mayor is provided with resources and support as outlined in the Council Support and Resources Policy. These costs are contained within Council's operating budget.

Stakeholders

- Councillors
- Community members
- Council Officers

Conclusion

It is recommended that the Chief Executive Officer calls for nominations for the election of the Mayor.

Governing Documents

Governance Rules

Local Government Act 2020

Attachments

Nil

4.3 Election of Deputy Mayor

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The purpose of this report is to call for Deputy Mayor nominations, undertake the election process (where required) and appoint a Councillor as Deputy Mayor.

Recommendation

That Council:

1. **Calls for nominations for the election of Deputy Mayor and, if required, undertakes the election process.**
2. **Confirms Cr _____ to the position of Deputy Mayor effective immediately until the next election of the Deputy Mayor which must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.**

Background

Section 20A of the Local Government Act 2020 (the Act) allows for Council to establish an office of Deputy Mayor.

Section 25, other than subsection (3)(a), applies to the election of a Deputy Mayor by the Councillors as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

Section 26 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

Section 21 of the Act sets out the role of the Deputy Mayor:

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if -

(a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or

(b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or

(c) the office of Mayor is vacant

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

The Deputy Mayor allowance is set by the Victorian Independent Remuneration Tribunal. Bass Coast Shire Council is a category 2 Council.

The Deputy Mayor Allowance is currently set at $54,558 per annum until 17 December 2024.

This increases to $55,994 for the period 18 December 2024 to 17 December 2025.

The Deputy Mayor is provided with resources and support as outlined in the Council Support and Resources Policy. These costs are contained within Council's operating budget.

Stakeholders

- Councillors
- Community members
- Council Officers

Conclusion

It is recommended that Mayor calls for nominations for the election of the Deputy Mayor.

Governing Documents

Governance Rules

Local Government Act 2020

Attachments

Nil

4.4 Recording of Oath or Affirmation of Office by Councillors

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The purpose of this report is to record the taking of the Oath or Affirmation of Office by Councillors elect on Monday 11 November 2024.

Attached are the dated and signed Oath or Affirmation of Office by each Councillor and Chief Executive Officer for recording.

Recommendation

That Council notes the attached Oath or Affirmation of Office taken by each individual Councillor.

Background

Section 30 of the Local Government Act 2020 states a person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the Oath or Affirmation of office in the manner prescribed by the regulations.

Monday 11 November 2024 Greg Box, Chief Executive Officer administered proceedings for the taking of the Oath or Affirmation of Office in accordance with the *Local Government (Governance and Integrity) Regulations 2020*.

The Councillors elect took the Oath or Affirmation which included a declaration to abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

Bunurong Ward

- Brett Tessari
- Meg Edwards
- Mat Morgan

Island Ward

- Ronnie Bauer
- Tracey Bell
- Tim O'Brien

Western Port Ward

- Rochelle Halstead
- Jon Temby
- Jan Thompson

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

There are no financial implications associated with this report.

Stakeholders

- Councillors
- Community Members
- Council Officers

Conclusion

It is recommended that Council notes the attached Oath or Affirmation of Office taken by each individual Councillor.

Governing Documents

Councillor Code of Conduct

Local Government Act 2020

Local Government (Governance and Integrity) Regulations 2020

Attachments

1. Affirmation of Office [**4.4.1** - 9 pages]

4.5 Appointments to Council Committees and External Committees

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

Council appoints representatives to several Council committees and external committees to meet its legislative obligations, enhance its involvement in community activities, and advocate on behalf of the community.

This report recommends that Council appoints the Mayor or Councillor representatives to the Audit and Risk Committee and Myli – My Community Library Board.

A report appointing Councillors to all other Council and external Committees will be tabled at the December 2024 Council Meeting.

Recommendation

That Council

1. **appoints Councillor representatives to the following Council committees for a period of 1 year:**

Audit and Risk Committee	**Mayor & One Councillor**

2. **appoints Councillor representatives to the following external committees for a period of 2 years:**

Myli – My Community Library	**One Councillor**

Background

A number of Council committees exist where the Mayor or Councillors are invited to participate across a broad interest area. Some of these committees have legislative requirements, but most committees operate in an advisory capacity.

It is important for the Mayor and/or Councillors to be represented on committees and networks for a number of reasons including:

- Some committees are legislated to provide input into strategic plans
- Committees provide opportunities for Councillors and the organisation to stay connected to advocacy groups and understand emerging issues
- Provide advice to Council on a variety of issues
- Help Council achieve its Council Plan objectives

Discussion

The committees being tabled for Councillor appointments as part of this report are listed below.

Council committee:

Audit and Risk Committee	**Mayor & One Councillor**

External committee:

Myli – My Community Library	**One Councillor**

Due to the timing of scheduled meetings, Councillor appointments to the Audit and Risk Committee and Myli Board are required prior to consideration of the full list of Committee appointments. The remainder of the Committee appointments will be presented to the December Council meeting.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

Councillors participation in these committees is covered by their general reimbursement as outlined in the Council Support and Resources to Councillors Policy. These costs are contained within Council's operating budget.

Stakeholders

- Councillors
- Myli – My Community Library
- Community members
- Council Officers

Conclusion

An appointment to the Audit and Risk Committee and Myli – My Community Library is required prior to the December Council meeting. It is recommended that Council appoint the required delegates to provide representation and ensure the operation of these Committees.

Governing Documents

Local Government Act 2020

Attachments

Nil

4.6 Instruments of Appointment and Authorisation

Division	**Business Transformation**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The purpose of this report is to recommend that Council resolve to appoint the named officer/s as an Authorised Officer and approve the execution of the attached Instrument of Appointment and Authorisations.

Instruments of Appointment and Authorisation are appointed to people, not positions.

Recommendation

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:**
   - **Nicholas Felstead**
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.**

Background

Council currently exercises its powers to appoint Authorised Officers.

Discussion

Authorisation facilitates the achievement of good governance for the community by empowering appropriate members of staff to make decisions.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

There are no financial implications associated with this report.

Stakeholders

Council – ensuring they can focus on high level strategic and Council planning.

Staff – ensuring the ability to undertake their roles.

Community – knowledge that appropriate delegations and authorisations are in place to allow for the effective and efficient running of Council.

Conclusion

It is recommended that Council adopt the attached Instrument of Appointment and Authorisation to the named officer/s as an Authorised Officer and approve the execution of the attached Instrument of Appointment and Authorisations.

Governing Documents

Section 313 Proceedings of the *Local Government Act 2020*.

Section 188 Planning authorities and responsible authorities may delegate powers of the *Planning and Environment Act 1987*.

Attachments

1. Nicholas Felstead S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987 [**4.6.1** - 1 page]

4.7 Quarterly Performance Report - Quarter One - July - September 2024

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The Quarterly Performance Report provided in Attachment 1 presents a summary of Council's performance for the quarter ending 30 September 2024.

This is the first report of the Annual Action Plan for 2024/25. Two out of 21 actions have been completed. One action is at risk, one action needs attention and one has not started yet. The remaining sixteen are on track to be completed by 30 June 2025.

This report also provides an overview of Council's year to date and forecast 2024/25 financial performance. Council's forecast full year Operating Surplus of $9.9 million, is $6.7 million favourable to budget.

Recommendation

That Council receive the September 2024 Quarterly Performance Report.

Background

Section 96 of the *Local Government Act 2020* (the Act) requires councils to prepare a quarterly financial report that includes a comparison of its actual and budgeted financial results for the year to date, including explanations of any material variances and updated financial forecasts for the full financial year.

Council uses this opportunity to provide a summary of performance against the Annual Action Plan and celebrate achievements to provide transparency in its performance and maintain good governance practices.

Council's quarterly reports are published on its website and can be accessed by the public at any time.

Discussion

The purpose of this report is to provide advice on Council's performance for the three months ending 30 September 2024, including its performance against the Annual Action

Plan 2024/25, financial performance against its 2024/25 Budget and capital works project delivery.

Annual Action Plan Performance

The Annual Action Plan 2024/25 contains 21 activities and initiatives planned to be delivered by 30 June 2025.

Some highlights include;

- Reviewed the Open Space and Pathways Asset Management Plan.
- Developed a Crown Land Policy.
- Completed Stage 2 construction of the Cowes Rhyll Shared Path.
- Commenced development of the Event Funding Framework.
- Installed standalone solar and battery system at one community facility.

Of the 21 actions two have been completed, one is at risk, and one has not started yet. The remaining seventeen actions are on track to be completed by 30 June 2025.

Financial Performance

Council's year to date operating surplus is $64.1 million, $9.0 million favourable to budget. This is mainly due to Operating Grants being $5.5 million more than the Year-to-Date budget following the receipt of the bulk of the 2024/25 Financial Assistance Grant in July 2024.

Council's forecast full year Operating Surplus of $9.9 million, is $6.7 million favourable to budget due to it recognising $8.0 million of unbudgeted Capital Grants.

Council's forecast full year adjusted underlying net result (which excludes capital grants) is a $1.4 million deficit compared to a budgeted underlying deficit of $114,000. The adverse projection for Council's full year results is due to the delivery of the operational programs carried forward from previous financial years.

This has resulted in a $53,000 deficit for the Council's forecasted funding statement result. The deficit compared to the budgeted balanced result, is due to lower than budgeted revenue for statutory fees and fines.

The Forecast Financial Sustainability risk indicators for 2024/25 prepared by the Victorian Auditor General are in the low-risk zone, with the following exceptions:

- Council is reporting an Adjusted Underlying deficit of $1.4 million (or –1.3%). This result is due to the timing difference or operational programs carried forward from previous financial years.
- The Capital Replacement (forecast to be 1.4) and Renewal Gap metrics (forecast to be 0.9) are both medium risks. The result reflects the capital programs

inclusion of new asset expenditure, consistent with the needs of a growing council.

Full details are provided in the attached quarterly report.

Stakeholders

- Bass Coast Shire community
- Councillors

Conclusion

The Quarterly Performance Report (Attachment 1) provides information on Council's financial and corporate performance for the three months ending 30 September 2024.

The delivery of progress updates against all annual activities of the Council Plan 2021-25 and a financial report contribute to the ongoing enhancement of good governance across the Council.

The September 2024 Quarterly Performance Report will be available on Council's website.

Governing Documents

Local Government Act 2020

Attachments

1. Quarterly Report to the Community July -September 2024 [**4.7.1** - 28 pages]

5 Public Question Time

The virtual forum will not provide the opportunity for submitters to ask their questions directly. Questions must be submitted in writing prior to the Meeting and questions and responses will be published in the minutes.

Please note:

Questions relating to an item in the agenda will be provided with the following response

- ***Councillors will consider and debate all aspects and implications of this issue as part of Council's agenda.***

Governance Rules

Part C – Meetings Procedure

Division 8 – Public Question Time

54. Question Time

54.1 Public question time must be held at each Council meeting fixed under Rule 9 to enable members of the public to submit questions to Council.

54.2 Sub-Rule 54.11 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the Act.

54.3 Questions submitted to Council must be:

54.3.1 in writing, state the name and address of the person submitting the question and generally be in a form approved or permitted by Council; and

54.3.2 be lodged 48 hours prior to the Council meeting.

54.4 No person may submit more than two questions at anyone meeting.

54.5 The Chair or a member of Council staff nominated by the Chair may read a question and response at the meeting which has been submitted in accordance with this Rule. Not all questions are required to be read at the meeting.

54.6 A question may be disallowed by the Chair if the Chair determines that it:

54.6.1 relates to a matter outside the duties, functions and powers of Council.

54.6.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance.

54.6.3 deals with a subject matter already answered.

54.6.4 is aimed at embarrassing a Councillor or a member of Council staff.

54.6.5 relates to personnel matters.

54.6.6 relates to the personal hardship of any resident or ratepayer.

54.6.7 relates to confidential information as defined in Section 3 of the Act

54.6.8 relates to matters affecting the security of Council property; or

54.6.9 relates to any other matter which Council considers would prejudice Council or any person.

54.7 Any question which has been disallowed by the Chair will not be read at the meeting.

54.8 Any question which has been disallowed by the Chair must be made available to Councillors.

54.9 All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.

54.10 Questions must be limited to 50 words inclusive of any preamble and additional information.

54.11 Like questions may be grouped together and a single answer provided.

54.12 The Chair may nominate a Councillor or the Chief Executive Officer to respond to a question.

54.13 A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is put on notice, a written copy of the answer will be sent to the person who asked the question.

54.14 A Councillor or the Chief Executive Officer may advise Council that it is their opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or Chief Executive Officer (as the case may be) must briefly state the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

Notices of Motion

6 Notices of Motion

7 Petitions and Joint Letters

Statutory Reports

8 Statutory Reports

8.1 Planning and Building Statistics - September 2024

Division	**Future Places**
Council Plan Strategic Objective	**Sustainable Development** *Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained*

Declaration

The author has no general or material interests in relation to this report.

Summary

The below provides a list of all Planning Permit, Amendment and VicSmart applications (i.e. both under delegation and by Council) refused or approved for this month.

PLANNING PERMITS, AMENDMENTS AND VICSMARTS REFUSED:

Application Number	Address	Proposal
N/A		

PLANNING PERMITS, AMENDMENTS AND VICSMARTS ISSUED:

Island Ward

Application Number	Address	Proposal
PDPERAMD-2024/220415-1	1821 Phillip Island Rd, Cowes	Amendment to Planning Permit to modify deck design of a building in a Rural Activity Zone (RAZ)
PDPERAMD-2024/160160-1	66 Bruce Rd, Silverleaves	Addition of a 7m x 8m steel colorbond shed in the rear corner of the block
PDPLANPER-2024/002041	96 Pembrey Loop, Cowes	Construction of a single dwelling in a Bushfire Management Overlay (BMO)
PDPLANPER-2024/001831	86 Pembrey Loop, Cowes	Two lot subdivision (SPEAR: S230756B)

PDPLANPER-2024/001889	83 Ocean Reach, Cape Woolamai	Construct a dwelling in a Bushfire Management Overlay (BMO1)
PDPLANPER-2024/002067	81 Pembrey Loop, Cowes	Construction of a dwelling in the Bushfire Management Overlay (BMO)
PDPLANVIC-2024/001979	18 Bridgeview Dr, Cape Woolamai	Remove one tree in a Vegetation Protection Overlay (VPO2)
PDPLANPER-2023/001287	39 & 40 Stradbroke Av, Cowes	Construction of a second dwelling in the General Residential Zone (GRZ1) and Design and Development Overlay (DDO1) and removal of vegetation pursuant to the Vegetation Protection Overlay (VPO2)
PDPLANPER-2024/001938	47 Harris Rd, Ventnor	Extension and alteration of a dwelling within a BMO (BMO1)
PDPERAMD-2024/190320-1	1/7 Shorland Way, Cowes	Modification to permit preamble, new conditions, and subsequent renumbering of remaining conditions.
PDPLANVIC-2024/001829	35 Alexander Av, Cowes	Remove one tree in a Vegetation Protection Overlay (VPO2)
PDPLANPER-2024/001881	1255 Phillip Island Road, Newhaven	Construction of a dwelling extension (bungalow) and two outbuildings associated with an existing dwelling in the Farming Zone (FZ1) and Significant Landscape Overlay (SLO2)
PDPLANPER-2024/001901	2185 Phillip Island Rd, Cowes	Use of land for a Restaurant in the Farming Zone (FZ)
PDPLANPER-2024/002044	1801 Phillip Island Rd, Cowes	Construction of two buildings (pavilions) and works in a Rural Activity Zone (RAZ) and Bushfire Management Overlay (BMO)
PDPLANPER-2024/002107	40 Red Rocks Rd, Cowes	Buildings and works to construct a dwelling in the Bushfire Management Overlay (BMO1)
PDPLANVIC-2024/002270	26 Hill St, Sunderland Bay	Removal of one tree in the Vegetation Protection Overlay (VPO2)

PDPLANVIC-2024/002250	13 Poulter Av, Rhyll	Removal of one tree in the Vegetation Protection Overlay (VPO2)

Western Port Ward

Application Number	Address	Proposal
PDPERAMD-2024/220049-1	1430 Bass Hwy, Grantville	Amendment of bushfire management plan to include non-habitable building and amendment to wording of permit preamble.
PDPLANPER-2023/001112	11 Turnbull-Woolamai Rd, Kilcunda	Buildings and works to extend an existing dwelling and retrospective works for an outbuilding associated with an existing dwelling, and for a dwelling extension, in the Farming Zone (FZ)
PDPLANPER-2023/000212	130 Smythe St, Corinella	Use and development of a restricted place of assembly (club house) in the Public Park and Recreation Zone (PPRZ)
PDPLANPER-2023/000410	33-37 Cuthbert St, Corinella	Four lot subdivision and creation of a restriction (SPEAR S213528A)
PDPLANPER-2024/002137	72 Shetland Heights Rd, San Remo	Construct an agricultural outbuilding in a Farming Zone (FZ1) and Significant Landscape Overlay (SLO1)
PDPLANPER-2024/001928	13 Turner St, North Wonthaggi	Two lot subdivision (SPEAR: S232470T)
PDPLANPER-2024/002021	170 Payne Rd, Glen Alvie	Buildings and works to an existing dwelling in a Farming Zone (FZ) and Significant Landscape Overlay (SLO1)
PDPLANPER-2023/000687	131-141 Shetland Heights Rd, San Remo	Use and development of group accommodation, and removal of vegetation in the Low-Density Residential Zone (LDRZ1) and

		Significant Landscape Overlay (SLO1)
PDPLANPER-2024/002082	580b Densley Rd, Woolamai	Buildings and works (Rural Worker Accommodation) in the Erosion Management Overlay (EMO1) and Significant Landscape Overlay (SLO1)
PDPLANPER-2024/001712	2-4 Kilcunda Ridge Rd, Kilcunda	Construction of a second dwelling and two lot subdivision in a Township Zone (TZ1)
PDPERAMD-2024/210121-1	1528-1536 Bass Hwy, Grantville	Amendment to Planning Permit's use of the land to sell packaged liquor pursuant to a liquor licence to be issued in association with a bottle shop
PDPLANPER-2024/001975	8 Shanty Lane, Kilcunda	Extension to a dwelling in a Significant Landscape Overlay (SLO1) and Environmental Significance Overlay (ESO4)
PDPLANPER-2023/000489	13 Hamelin Cl, Corinella	Construction of a dwelling in a Design and Development Overlay (DDO1) and Heritage Overlay (HO28)

Bunurong Ward

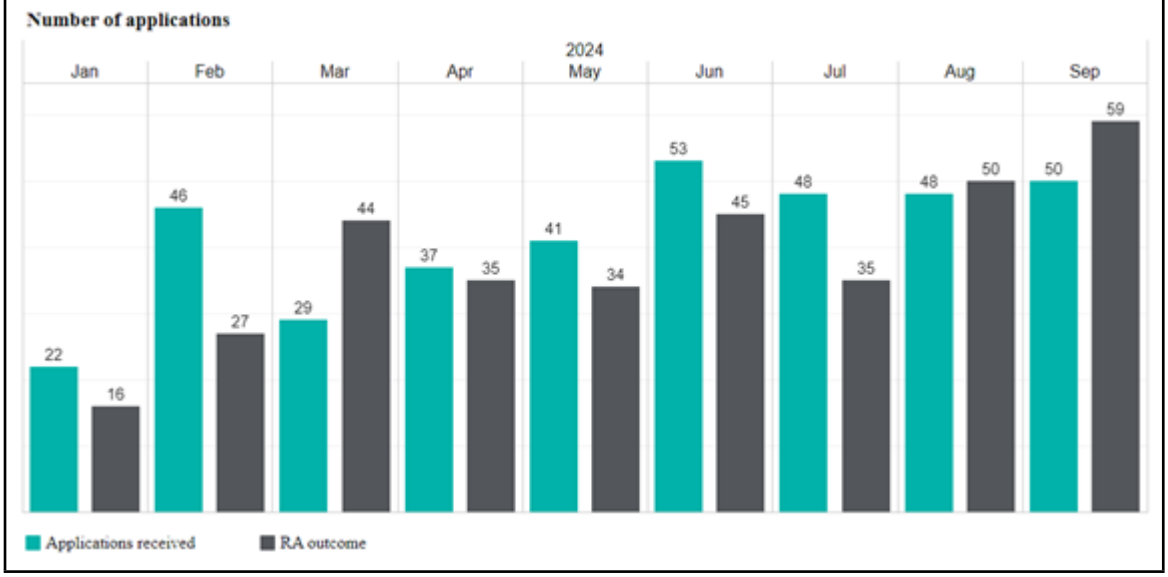
Application Number	Address	Proposal
PDPLANPER-2024/001595	32 Merrin Crescent, Wonthaggi	Use of land for a Market, reduction of car parking spaces and display of business identification signs in the General Residential Zone (GRZ1)
PDPLANPER-2024/002024	33 Blue Water Cir, Cape Paterson	Extension to a dwelling in a Bushfire Management Overlay (BMO1)
PDPLANPER-2024/002158	40 McGibbonys Rd, Wonthaggi	Creation of an easement
PDPLANPER-2024/001997	1 A'Beckett Street, Inverloch	Alterations and additions to a Hotel in a Commercial 1 Zone (C1Z) and Heritage Overlay (HO) and display of business

		identification signage on a building in a HO82
PDPERAMD-2024/001886-1	76 Cashin Street, Inverloch	Amendment to a planning permit to reduce car parking requirements
PDPLANPER-2024/001861	41 Toorak Rd, Inverloch	Buildings and works (extension to a dwelling and construction of an outbuilding) in a Design and Development Overlay (DDO9)
PDPLANPER-2024/002175	1/33-35 Murray St, Wonthaggi	Three lot subdivision each containing an existing building in Commercial 1 Zone (C1Z) (SPEAR: S236088S)
PDPLANPER-2024/001701	31 Daniels Rd, Wattle Bank	Buildings and works to construct a dwelling in the Rural Living Zone (RLZ) and removal of native vegetation
PDPLANPER-2023/001216	48 Dunn St, Wonthaggi	Development of land for four dwellings on a lot in a General Residential Zone (GRZ1)
PDPLANPER-2024/002031	211 Graham St, Wonthaggi	Two Lot Subdivision (SPEAR: S234025M)
PDPLANVIC-2024/002246	139 Cameron St, Wonthaggi	Construction of an outbuilding associated with an existing dwelling in the Farming Zone (FZ1)
PDPLANPER-2024/001791	740 Lynnes Rd, Wattle Bank	Creation of access to a road in the Transport Zone 2 (TRZ2) and removal of native vegetation
PDPLANPER-2024/001932	67 Reed Cr, Wonthaggi	Two lot subdivision and the creation of a restriction in the General Residential Zone (GRZ1) (SPEAR: S232637V)
PDPERAMD-2024/220473-1	176 Surf Pd, Inverloch	Buildings and works to construct a dwelling in a Design and Development Overlay (DDO9) and remove 2 trees in a Vegetation Protection Overlay (VPO3)

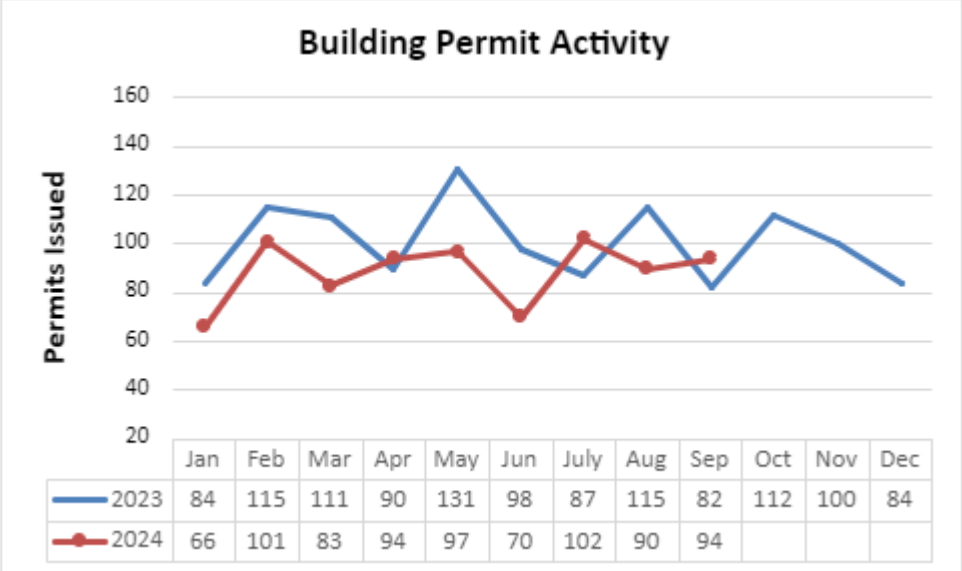
PLANNING AND BUILDING ACTIVITY REPORT FOR SEPTEMBER 2024

Statutory Planning	This month	Last month	Year to date

	(September)		(financial year)
% of applications determined within statutory timeframe	67.80%	61%	72.92%
Average Gross Days (Average processing days to RA Outcome)	143.3	173	154.2
Average Gross Days to final outcome (Average processing days to final outcome)	139.2	162	154.2
Number of live applications (Planning Permit, s72 Amendments, VicSmarts, Ending/Amending S173 and Appeals)	189	189	N/A
Number of applications received for the month (Planning Permit, Amendments, VicSmarts and s173 End or Amend)	51	49	N/A
Number of Responsible Authority outcomes (Planning Permit, Amendments, VicSmarts and s173 End or Amend)	56	53	144



Municipal Building Services & Enforcement	This month (September)	Last month	Year to date (financial year)
Essential Safety Measure inspections	0	1	1
Report & Consent applications • Siting • Build Over Easement • Demolitions	 24 0 9	 24 2 9	 69 5 30
POPE and Siting consents issued for temporary structures	0	1	1
Complaints received requiring investigation	3	12	28
New building enforcement cases	3	1	5
Current open building enforcement cases	25	25	n/a
Building permits issued by Council	0	0	0



Planning Enforcement	This month (September)	Last month	Year to date (financial year)
New complaints/case files opened	6	16	38
Complaints/case files closed	15	11	34
Current open complaints/case files	8	5	21

STATUTORY PLANNING DEFINITION:

Statutory days: In accordance with the *Planning and Environment Act 1987*, a Council is permitted 60 statutory days to determine a planning application. The 60 statutory days includes weekends, public holidays and commences when the application is lodged. The legislation allows for the 60-day statutory clock to be stopped (e.g., when further information is requested) and re-started in certain circumstances (when further information or amended plans are received).

Gross days: The total number of days to determine a planning application inclusive of weekends and public holidays.

Recommendation

That Council:

1. **Receives and notes the Planning Permits issued under delegation report for September 2024; and**
2. **Receives and notes the Planning and Building Activity Report for September 2024.**

Attachments

Nil

8.2 Contracts Awarded and Extended via CEO delegation

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

Contracts Awarded

For the period from 1 September 2024 to 30 September 2024, one contract was awarded under the Chief Executive Officer's financial delegation in accordance with Council's Procurement Policy.

Contract No.	Description	Contractor	Contract Sum
24014	Thompson Avenue, Cowes - Foreshore Public Toilet Waterproofing	Johns Lyng Make safe Builders	$296,749.68

Contracts Extended

For the period from 1 September 2024 to 30 September 2024, the following contracts were extended under the delegated authority for contract variations and extensions in accordance with Council's Procurement Policy.

Contract No.	Description	Contractor	Contract Sum
22010A	Annual Supply of Stabilsation Works	Stabilised Pavements of Australia	Schedule of Rates
22010B	Annual Supply of Stabilsation Works	Sure Constructions	Schedule of Rates

Governing Documents

Procurement Policy 2023

Recommendation

That Council notes the above contracts were awarded and extended under the delegated authorities in accordance with the Procurement Policy during September 2024.

Attachments

Nil

8.3 Informal Meeting of Councillors

Division	**Governance & Finance**
Council Plan Strategic Objective	**Leading for our Community** *Demonstrating leadership through good governance, transparency and accountability*

Declaration

The author has no general or material interests in relation to this report.

Summary

The *Bass Coast Shire Council Governance Rules 2020,* requires all Informal Meetings of Councillors records to be reported at the next practicable Council Meeting and to be recorded in the minutes of that meeting. The purpose of this report is to meet this requirement.

Recommendation

That Council receive the attached Informal Meeting of Councillors records.

Introduction

Chapter 6 of the *Bass Coast Shire Council Governance Rules 2020* defines an Informal Meeting of Councillors as a meeting of Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors and contains three or more Councillors;

1.2 is a meeting of a Council Committee that a Councillor is appointed to;

1.3 is attended by at least one member of Council staff; and

1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient Council meeting; and

(b) recorded in the minutes of that Council meeting.

Governing Documents

Local Government Act 2020

Governance Rules

Attachments

1. IMOC - 9 October 2024.docx [**8.3.1** - 2 pages]
2. IMOC - 16 October 2024.docx [**8.3.2** - 2 pages]
3. IMOC -13 November 2024.docx [**8.3.3** - 2 pages]

9 Urgent Business

10 Mayoral Announcement of Next Meeting of Council

The next Council Meeting will be held on 11 December 2024 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

11 Meeting Closed

That the meeting be closed.