

Bass Coast Shire Council
Council Meeting Minutes

Wednesday 11 December 2024

Council Chamber

Bass Coast Civic Centre

Baillieu Street East, Wonthaggi

Commencing at 1:00 pm

The meeting commenced at 1:01pm.

Cr. Rochelle Halstead read the Mobile Telephone Reminder and Statement of Acknowledgement.

Cr. Ron Bauer read the Councillor Statement.

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1 Present and Apologies

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

Officers: Mr Greg Box, Chief Executive Officer
Ms Robyn Borley, Executive Manager Governance and Finance
Ms Teena Hale Pennington, General Manager Innovation and Culture
Ms Donna Taylor, General Manager Future Places
Ms Jodi Kennedy, General Manager Communities and Culture
Ms Chelsea Wilson, Coordinator Governance

Apologies: Nil

2 Declarations of Interest

There were no Declarations of Interest.

3 Confirmation of Minutes

3.1 Council Meeting 20 November 2024

That the minutes of the Council Meeting held on 20 November 2024 be confirmed.

Council Decision

Moved: Cr. Meg Edwards / Seconded: Cr. Jon Temby

That the minutes of the Council Meeting held on 20 November 2024 be confirmed.

CARRIED

4 Mayor and Councillor Reports

4.1 Cr Rochelle Halstead - Mayoral Report

This report covers the period from 20 November 2024 to 11 December 2024

Acknowledgements

Nil

In brief the Mayoral activities have included the following:

Activities

- Westernport Woodlands Family Day
- 16 Days of Activism – Community Walk
- Christmas Giving Tree Photo
- Tenby Point Christmas Lunch
- Ukele Festival
- Corinella Bowls Club Men's Final
- Corinella & District Community Centre Christmas Party
- Vietnam Veterans Museum Photo
- Community Grants 2024 Celebration
- Screw Creek Trail Launch
- Rotary Gala Day
- Corinella Fire Brigade – Annual Awards Presentation Dinner
- Local Flavours Event – Berninneit
- Grantville Christmas Carols
- Phillip Island Carols by the Bay
- Filming for Deliberative Engagement Invitations

Meetings

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- 2024 Victorian Tourism Awards
- Arts and Culture Advisory Committee Meeting
- Audit and Risk Committee members only Meeting
- Audit and Risk Committee Meeting
- Executive Media & Communication Training
- Warehouse 3922 Project Meeting, Bryden Banks
- Coronet Bay Community Association Meeting
- Annual Report 2023/24 – Graham Jolly
- Jims Bait & Tackle Meeting, Amanda Keilar

Other

Media Enquiries/Interviews

- Triple M Interview - South Gippsland Community Leadership Program
- ABC Gippsland Interview – Women's Public Art Vote
- Triple M Gippsland Interview – Community Grants Celebration

Phone calls, emails and letters

4.2 Cr Ron Bauer - Councillor Report

11/11 Taking of the Oath of office
Remembrance Day laying of the wreath at Cowes cenotaph

12/11 compulsory induction Governance, Relationship building

13/11 Councillor only time and briefings in Wonthaggi

19/11 Planning masterclass, Financial masterclass Ward Catch up

20/11 Councillor briefings, Agenda run though in Wonthaggi,
November Council meeting

23/11 Special meeting of Rhyll residents: Re disabled ramp at the mechanics hall

24/11 Western Woodlands Festival

26/11 Fleet car induction. Island Ward catchup

27/11 Island Voice meeting

1/12 Island Ward Briefings

3/12 Community Grants Celebrations

4/12 Council briefings in Wonthaggi

11/12 Council Agenda run through
December Council meeting

4.3 Cr Jon Temby - Councillor Report

Report Nov-Dec 2024

Attended all Bass Coast Shire Council Induction sessions

Attended WPW councillors Planning briefings re

Grantville Childcare centre/Service station

San Remo Office block

Stanley Road vegetation removal

Broader community contact / meeting community leaders

Visited Silverleaves erosion sites with other councillors

Visited Inverloch erosion site with other councillors

Attended Western Port Woodlands Family day and led walks in Grantville reserve

Attended Community Grants celebration -Cape Patterson

Attended Corinella Ratepayers Assn general meeting

Attended Grantville Christmas Carols

Joined the 16 Days of Activism -Walk against Violence -Corinella

Sourced potential speaker for Councillors/Exec team re scientific significance of Western Port Woodlands

Received numerous calls and discussions re objecting to Stanley Rd vegetation removal

Received several calls and discussions re erosion at Silverleaves and Inverloch and contributed to the draft motion regarding erosion issues resulting from climate change.

Discussion with members of Bunurong Land Council re dogs and people trampling nests and/or frightening nesting birds in coastal areas

Other contacts from residents that shall remain private

4.4 Cr Mat Morgan - Councillor Report

This being my first councillor report, I'd like to take this opportunity to thank everyone who supported me in the journey to this position of privilege.
It's been a busy first month, full of briefings and meetings. Some of the highlights so far have been:

-Joining Gippsland Women's Health on the annual walk against family violence in Corinella

-Speaking to the need for urgent gambling reform in the wake of shocking statistics showing gambling losses to pokies have increased by $900,000 in Bass Coast over the last financial year.

-Attending the community grants awards event to thank our wonderful volunteers and community groups.

I'm excited to have my feet firmly under the desk now, ready for a big 2025.

4.5 Cr Jan Thompson - Councillor Report

20 November 2024 to 11 December 2024

Meetings

- Council meeting 20th November and December 11th
- WPW planning briefing 3rd December
- Myli Board – Introduction with Director Simon Waller 2nd December (phone)

Briefings

- Weekly Wednesday Council Briefings

Training

- Fleet induction
- Media Training 5th December

Functions

- SBWN - Woman In Politics – Dinner Wonthaggi 21st November
- Tenby Point Community Christmas Lunch at La Provincia 30th November
- Western Point Woodlands Family Day 24th November
- Christmas Lunch at Corinella & District Community Centre 2nd December
- Community Grants Presentation at Cape Paterson Surf Life Saving Club 3rd December
- Grantville Christmas Carols 8th December

Other

- 16 days of activism – Community Walk and presentation at Corinella & District Community Centre 25th November
- Visit Inverloch Surf Life Saving Club for discussion on erosion 3rd December
- Visit Silverleaves for discussion on erosion

Ongoing

- Prepared for monthly Councillor meeting.
- Dealt with constituents' issue and queries – email, phone.

4.6 Cr Meg Edwards - Councillor Report

It has been a full schedule of various briefings and induction training which has provided opportunity to get to know the council staff and each other as Councillors. Below are some of Council life in community so far:

- Bass Coast Cycle Challenge which aside from being a great annual event in itself raises money for RYDA
- Remembrance Day at the Cenotaph in Inverloch where I proudly joined my son who also had a role with the First Inverloch Scout Group. I thank the RSL for organising the important day which acknowledges the those who died or suffered while serving in wars, conflicts and peace operations
- Was a "Frolicker" with the 8am crew that swim everyday at Cape Paterson followed by chat at the wonderful local business Zeal & Flow Cafe
- Joined other Crs in celebrating the beauty and value of the Westernport Woodlands at the Fun-Day walks, concert and activities
- Celebrated the contribution of our community groups at Cape Paterson Life Saving Club where the grants presentations were carried out.
- Joined Bass Coast Community Foundation for their End of Year Celebration at their new home of ArtSpace Gallery in Wonthaggi. It was wonderful to catch up with Deb, meet Phil and others and in such an inspiring venue. A great organisation supporting our community.
- Invited all female Crs from South Gippsland Shire Council and Bass Coast to me at the Southern Business Women's Network function in Wonthaggi of "Women in Politics"
- Celebrated the opening of Screw Crew Interpretative Trail

By far the highlight has been working collaboratively with community and councillors (particularly the collaboration with Cr Tim O'Brien) in leading the change in Council's position to one of advocacy to protect our communities at most imminent risk of coastal erosion being Silverleaves and Inverloch. Some of the correspondence that was shared between community leaders and councillors is attached to this report for context when reading the relevant item of this meeting.

Inc. correspondence dated

- 6 December 2024
- 11 December 2024

Outlook

Re: Messages for Council on Beach Erosion

From Cr Meg Edwards <Meg.Edwards@basscoast.vic.gov.au>
Date Fri 6/12/24 1:29 PM
To [redacted]>
Cc [redacted]

Good afternoon Councillors,

Thank you each again for connecting with the geography and key community leaders of Inverloch on Tuesday.

Please find the following actions from local leaders which my contributions in council will reflect.

Warm regards

Meg

Cr Meg Edwards
Bunurong Ward

BASS COAST

m 0497 287 171 | t (03) 5671 2211 | e meg.edwards@basscoast.vic.gov.au

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From: [redacted]
Sent: 06 December 2024 10:37 AM
To: Cr Meg Edwards <Meg.Edwards@basscoast.vic.gov.au>
[redacted]
Subject: Fwd: Messages for Council on Beach Erosion

To the Mayor and Councillors-Bass Coast Council

Thank you to all those Councillors who met our collective group on-site last Tuesday to familiarise yourself with the coastal erosion threat at our beloved beach.
The question was rightly asked of us-What do we want Council to do?

Our answer is set out below with the over-riding action being a clear one- " Protect our town's future " .

We need Councillors to;
(1) Accept that Inverloch-as a beach, town,economy and community- is under immediate threat of being lost due to coastal erosion and therefore we need Council to adopt the objective of "adapting" and "protecting" Inverloch surf beach and not accepting a retreat mindset .The decade long long erosion of the surf beach is now at a critical stage . We need Council to support the Communityt to ensure beach recreation can continue as a key drawcard of Inverloch. Action is required NOW.
(2) Instigate the urgent work needed to allow the beach to safely operate this summer. We have a 7 point plan that needs your Officers to commit to and undertake. They have our plan (which is included in our Action Table) and we just now need it done. We are willing to help. Councillors can ensure the Officers undertake the 7 point plan urgently.
(3) Put all the pressure possible on both sides of State Politics and DEECA to properly fund the work needed over the next 12 months. The allocated $3.3M is just nowhere near enough!

We have lost 2+ years waiting for this report and at the same time, our beach has continued to disappear. Action Now is what is needed.

Our detailed list of actions by Council are as follows;

Immediate and Long-Term Actions for Surf Beach
A. Immediate Actions for This Summer Season at Surf Beach

Action	Rationale
Ensure Beach Accessibility and Safety within 2 weeks	Rebuild the main access ramp to ensure safe use during the peak beach usage season
Start Dune Stabilisation within 4 weeks to ensure preparation for next spring tides. Support the SGCS in their revegetation works.	Continued beach erosion on both sides of the Club is a serious immediate threat. Consolidate sand and stabilise dunes in front of Inverloch Surf Life Saving Club (ISLSC) using proven methods to mitigate ongoing erosion risk .
Effective closure of paths to the beach between Wave street and the Club, and place	Dunes are a real threat to public safety by collapsing on unsuspecting beach users.

warning signs at base of dunes and at closed access points within 2 weeks	
Communication and Community Engagement over the next 3 months	Develop and implement a communications plan to inform the public about safe beach access and dune conditions. Initiate a community revegetation program by engaging local volunteers to plant native vegetation, stabilise dunes and support long term ecological restoration.
Promote continued ongoing dialogue between Council Officers and our **I*CAN** Community Group within 2 weeks	Constructive interaction has helped inform people of upcoming Council activities.
Utilise community Volunteers to inform beachgoers of the dangers	Eager volunteers are a low-cost option of informing the public.
Introduce community buses at peak times to transport beachgoers safely to patrolled areas such as the ISLSC.	Overcomes the inconvenience of walking long distances to access the beach.

B. Longer Term Strategy Development Actions over next 12 months

Action	Rationale
Support revitalised real Community Consultation through I*CAN	Current proposal is with DEECA to reform a strengthened group with real reach, influence, and more effective public engagement.
Recognise that Climate Action is required now because we are seeing more severe wave action, more frequently	The TRIGGER referred to in DEECA reports may have already been reached this season.With 80% of the dunes lost since 2013 this requires immediate protective action of the beach from further erosion.
Reject all references to RETREAT in strategies going forward. Strategy should be based on ADAPT AND PROTECT .	Our Surf Beach is too valuable an asset to lose, so only protection strategies should be considered.
Support urgent sand renourishment program asap	Ensure the long term protection to achieve a

	restored dune that fosters regrowth, supports wildlife and enhances the natural environment.
Challenge the C2C report by using the thorough science contained in the report to have an assessment of Engineering options for long term protection of the surf beach.	A three-month study by design engineers is required to develop the best long-term erosion protection strategies and NOT DRIVEN BY COST ALONE
Learn from the many successful beach protection works in Victoria,Australia, and overseas	There are many examples of successful beach protection works we could learn from, for example Apollo Bay works in 2012.
Develop funding options for the most effective solution covering private contributions/local govt/state govt and federal government	The costs will be an issue if we are to do this effectively. Federal Government has allocated $3.3M, and options need to be developed for somewhere close to $1OM+ for a long-term fix.

Regards,

[redacted]

[redacted]

Outlook

Re: EMAIL TO MEG EDWARDS+COUNCILLORS

From Cr Meg Edwards <Meg.Edwards@basscoast.vic.gov.au>
Date Wed 11/12/24 7:38 AM
To [redacted]
Cc

Thank you for your email Glenn,

As you can see from this email, I have included all Councillors in my response. You are welcome to communicate with any / all Councillors individually directly, however please note that if an email is sent to all as a group that it would be the Mayor, not individual Councillors who respond on behalf of council.

Thank you for your email last night which will feed into our discussions this morning prior to the formal meeting.

With your permission, I would like to explore the possibility of inclusion of our correspondence including both your email below from last night and that from Paul Dougas on 6 December 2024 to be submitted with my monthly written Councillor report, which gets tabled not read at the council meeting. If that is possible from a council perspective, would that be ok with yourself, Paul and those included in your email below?
Please let me know if any email addresses should be redacted for privacy purposes. Personally, I believe it is important to have on public record for the wider community engagement and transparency to demonstrate the ongoing community led actions and how council is listening and responding to these.

Cr Tim O'Brien and I have been working with officers on an amended recommendation to that which is in the council agenda for today (to include Silverleaves erosion also in the response) which took points from the email from Paul on 6 December. It focuses on the actions that council is being requested to take that it isn't already. I will speak to some of the other points at the table.

On another note, I raised internally yesterday that I believe it would be beneficial where possible, that I and other ward Councillors if they are available, be invited join (as observers) your meetings with council officers on the ground in Inverloch (& likewise for Silverleaves) to enhance the effectiveness of our advocacy work as Councillors. Your consideration of this is welcome.

Warm regards

Meg

Cr Meg Edwards
Bunurong Ward

m 0497 287 171 | t (03) 5671 2211 | e meg.edwards@basscoast.vic.gov.au

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From: [redacted]
Sent: 10 December 2024 8:18 PM
To: Cr Meg Edwards <Meg.Edwards@basscoast.vic.gov.au>

[redacted]

EMAIL TO MEG EDWARDS+COUNCILLORS

Hi Meg,
Thanks for advising us of your communications to Councillors of our Actions required from Council.

We are now writing to update you on a development with DEECA which Glenn Morris mentioned to you at the Screw Creek Trail Launch on 6 December.

ITA, together with South Gippsland Conservation Society (SGCS) and INVERLOCH Surf Life-Saving Club (ISLSC), hold the view that our organisations need to collectively be closely involved with the next stages of the project for INVERLOCH.

We therefore developed and proposed a model for an INVERLOCH Community Advisory Network (I*CAN) which serves the purpose of representing the local community working in partnership with DEECA on the planning,design and implementation program for the Cape to Cape Resilience Plan pathway relating to INVERLOCH (Flat Rocks, Surf Beach and Anderson Inlet).

The four key responsibilities of I*CAN are:

- ADVISORY Role-Reviewing technical and non-technical documentation/proposals and policies and providing informed constructive advice/feedback and recommendations aimed at ensuring community representation and “best interest” alignment.
- MONITORING Role-Monitoring of project implementation activities to ensure alignment and identify potential opportunities for improvement.
- COMMUNITY ADVOCACY Role- Acting as the lead community advocacy partner group ensuring that local community perspectives and needs are sought and accounted for in the

project stages going forward.(This includes re-engaging with the local community on the Cape to Cape Resilience Plan pathway proposals.)
- COMMUNITY PARTICIPATION Role-Mobilise community resources to participate (where feasible) in works implementation.

We have prepared and submitted to DEECA a draft Terms of Reference for I*CAN and we are now close to agreement with DEECA on the final Terms of Reference.

We will soon be writing separately to Greg Box (at suggestion of DEECA) and alerting him to the TOR and our nearing agreement on the final version.

We are happy to forward you the agreed final version of the TOR which we expect will be early next week.

This is a big win for our INVERLOCH community!

Having all three community groups (as well as two community representatives and specialists)) making up I*CAN is critical given the knowledge base that I*CAN is able to draw on.

By way of example, SGCS (member of I*CAN) has been running a project called the INVERLOCH Coastal Resilience Project (ICRP) which has been monitoring and analysing changes at the Surf and Inlet beaches since 2012. This has been an important input to the Cape to Cape Resilience Plan. Key actions of the ICRP have included;

- Major Report in 2019 drawing on commissioned expert consultant studies
- Dissemination of regular beach monitoring reports including two major reports in 2021
- Public Exhibition and Community Survey at The Hub, Surf Club and Wonthaggi in 2020
- Video documentaries in 2020 and 2021, including 'Coastline in Crisis'
- Rally Round our Dunes beach rally and video in 2022
- Petition for urgent Safe Beach Action presented to Jordan Crugnale MP in 2022
- Active participation in the Cape to Cape Resilience Plan Study as a member of the Stakeholder Reference Group
- Continue to lobby hard for funding and urgent action to protect the remaining dune vegetation.

You have the detailed immediate and 4-6 month Actions from our previous correspondence.

We want to reiterate how important it is that Council support the community in adapting to the coastal erosion threat INVERLOCH is facing.

With this in mind , we want to ensure that the I*CAN submission issued to Councillors via yourself on 6 December 2024 is understood in the right context. We trust the following points further clarify our previous submission.

We now finally have the Cape to Cape Resilience Plan which I*CAN supports in principle. We agree with the planned Pathway approach for the Surf Beach with its initial focus on dune reconstruction, active dune management and revegetation. We agree also Retreat being nominated as the last action to be implemented in the longer term if the preceding Protect pathway actions prove to be unable to cope with sea level rise and other related Triggers. I*CAN holds the view that Trigger Points are already in play which needs Plan implementation to be brought forward and significant

works undertaken in the immediate future. This needs proper FUNDING at a level significantly higher than currently allocated.

I*CAN seeks Council support,assistance and action on all immediate priorities, including;

(1) Actively engage with all necessary parties for gaining full funding for implementation of the Cape to Cape Resilence Plan.

(2) As part of (1), implementing in Spring 2025, the full-scale Dune reconstruction work recommended in the INVERLOCH Region Coastal Hazard Assessment prepared by Water Technology. This work will cost well in excess of the $3.2M funding allocated by the Federal Government as DEECA has already highlighted to I*CAN. Additional funding from State and Local Government is therefore critical.

(3) Assist I*CAN to ensure Dune Reconstruction Engineering Design and Works Tendering is completed to our satisfaction to enable works to commence no later than Spring 2025 as per DEECA timetable. An earlier start is preferred.

(4) I*CAN to start immediate work with Council on beach management to ensure daily,safe and enjoyable recreation through the 2024/25 summer as outlined in the I*CAN publicly-released 7 Point plan.

(5) Council support the final Terms of Reference for I*CAN as agreed with DEECA and that will be forwarded to Council's CEO.

(6) Support I*CAN to commence work in early 2025 on Stage One of the INVERLOCH Coastal Restoration Project (as developed by SGCS in 2024) which features weed control in the coastal reserve behind the Surf Beach to build dune resilience and to reduce weed spread into the planned constructed dune vegetation planting areas.

(7) Council to work with DEECA (and the INVERLOCH Coastal Protection Interagency Working Group) to implement immediate works to protect the Surf Lifesaving Club buildings and assets against tidal erosion risk. Various methods can be undertaken -some of which have been raised with Council officers during our 7 Point Plan site inspection on 26 November. We are very concerned that the current approach of sand placement/renourishment will continue to be washed away.

(8) Referring to I*CAN's submission of 6 December 2024 we wish to explain our advocating of a 3 month Engineering Study. I*CAN is requesting DEECA provide detailed information to enable a review by I*CAN of the various Coastal Engineering options considered in the Cape To Cape Resilience Plan. Such information to include Scope, Costings(Capital and Life Cycle), Economic Analysis and Pro's/ Cons assessment for each option. We are seeking more complete analysis than what is presented in the INVERLOCH Region Coastal Hazard Assessment.

I*CAN seeks to understand;

- explanation on each option and why various options were dismissed, eg a shorter Point Norman Groyne.
- why the nature-based dune reconstruction/ management/revegetation option was identified as the preferred protection action for INVERLOCH Surf Beach in the short and medium terms.
- why other feasible proven options such as a Submerged Artificial Offshore Reef (as installed at Narrowneck on the Gold Coast) have not been subject to detailed assessment in the

INVERLOCH Region Coastal Hazard Assessment.

- Explanation of why an Apollo Bay-style Rock Revetment and groyne approach was not considered appropriate for INVERLOCH Surf Beach.
- The applicability to INVERLOCH Surf Beach of the Byron Bay Dune Recovery project-successes and lessons learnt.

This information is critical for I*CAN to undertake its Community Advocacy to the broader INVERLOCH community.

We appreciate the efforts you have taken to raise the awareness level of Councillors to our coastal erosion challenge at INVERLOCH.
I*CAN stands ready to work together with the Councillors on compleing the various Actions.

Thanks
Glenn Morris-ITA,Ed Thexton-SGCS,Glenn Arnold-ISLSC
(Members of I*CAN)

Sent from my iPad

5 Public Question Time

5.1 Philip Davy, Berninneit Construction

Council stated that the Berninneit construction contract had a 12 month liability period but no specified date for rectification of deficiencies. Were funds withheld by council to cover rectification costs in case the company could not rectify deficiencies or the company becoming insolvent. If not why not?

Response:

Yes, the contract includes retention of funds to cover the cost of repairing defects.

5.2 Philip Davy, Live-streamed Council Meeting

At the RSL meeting for prospective Island Ward Councillors there was unanimous agreement from prospective councillors, that the councillor meeting prior to the official Council Meeting each month should be live-streamed with minutes of the meeting recorded, as this meeting is where interactions take place. When will this happen?

Response:

Council has no plans to livestream informal meetings of Council. The record of the Informal Meeting of Council, including topic of discussion and attendees, are published in the Council agenda.

5.3 Louise Lyell, Cultural Heritage and Flora and Fauna Overlays

Q1. I have found that Cultural Heritage and Flora and Fauna Overlays exists over all of The Esplanade and a large portion of Sunderland Bay and Surf Beach. When were these Overlay's imposed?

Q2. What are the requirements for road and property constructions and reconstructions in the affected areas?

Response:

Q1. The *Aboriginal Heritage Act* 2006 came into effect on 28 May 2007.

The Vegetation Protection Overlay (VPO) has applied since before 2000, with VPO2 relating specifically to the protection of indigenous and large native trees in Phillip Island.

The Significant Landscape Overlay (SLO) was applied on 3 March 2011 and relates to both the western and southern coast (SLO2) and the eastern cost (SLO3) of Phillip Island.

Q2. Cultural heritage and flora and fauna assessments are required on affected areas to inform individual project approval requirements, including requiring a planning permit to construct a building or construct or carry out works and removal of some vegetation, with some exemptions noted.

5.4 John Kuzma, Hilton Chadwick Reserve

How much would it cost to rezone the Carnival Land and Hilton Chadwick Reserve in Cowes?

Response:

The cost associated with a planning scheme amendment to rezone property is estimated at between $200k-$300k.

Rezoning of the land is not required in order to facilitate development of the site as all of the proposed uses can be accommodated within the Farming Zone.

Council is focussed on using any available funding for the provision of infrastructure on the land.

5.5 Joe Waralow, Hilton Chadwick Reserve

Would council please provide a descriptive step by step staged process council must adhere to for the rezoning of the Hilton Chadwick Reserve and the Carnival Land owned by council.

Response:

The process for amending the planning scheme is set out by the *Planning and Environment Act* 1987, the process includes seeking the approval of Council and the Minister for Planning, community exhibition of the amendment could also be required.

https://www.planning.vic.gov.au/planning-schemes/amendments/amending-a-planning-scheme

5.6 Fred Morris, Hilton Chadwick Reserve

Council has had hay bailed on the Hilton Chadwick Reserve and the Carnival land in Cowes. Would council please provide details that include round bale numbers and the sell price per bale.

Response:

Council does not sell the hay from the named sites. The contractor who cuts and bales the hay, receives the product in lieu of payment.

5.7 John Trigt, Quarterly Community Report

Councillors, in the Council Quarterly Community Report ending: June 2024 page 30 item Ext Grt - Regional Anti-Vaping Campaign $ 180,000. How is this campaign being presented to the Bass Coast community and WHY?

Response:

In partnership with Gippsland Councils, and the Gippsland Public Health Unit, Council has been successful in securing VicHealth funding to develop behaviour-change campaigns with the aim of reducing harm from vaping and e-cigarettes for young people in Gippsland.

Vape-Free Victoria, in partnership with VicHealth, will see 29 local councils, 5 universities, 5 sporting bodies and teams, the Alcohol and Drug Foundation, Quit Victoria and the Victorian Government work together to support young people aged 14 to 25 to understand the harms of vaping.

5.8 John Trigt, Monthly Community Connection Sessions

Councillors, monthly community connection sessions were discontinued due to the COVID epidemic. Will council reinstate these monthly session for the community to enable them to present matters of concern to Council officers and Councillors face to face?

Response:

Additional community engagement opportunities are being considered.
There are a variety of ways for the community to connect with Council including via Engage Bass Coast, at community pop-ups and events, social media or customer requests.
Community members with concerns are also welcome to contact customer service or reach out to their Ward Councillors directly.

5.9 Mario Boffa, Capital Works Program

Councils first quarter capital works program spreadsheet has a section "Buildings". Within that section it shows project 100863 - Major Projects Capital Advancement with allocated funding of $892,000. Where did the money come from, what is it for.

Response:

Capital advancement is an additional contingency set up in response to significant volatility in the construction industry.
The capital advancement allocation is rates funded.
Council has included a budget allocation for capital advancement within its capital works program over the last three financial years.

5.10 Gina Rosamilia, Hilton Chadwick Reserve

If council receives no objections to a planning change to rezone the Hilton Chadwick Reserve and the Carnival Land then how long would it take to complete the rezoning from farming to recreational.

Response:

Depending on the level of public interest an amendment could take between 6 and 18 months to finalise.

5.11 Terry Parkin, GPS trackers

Would council please explain. How many council workers vehicles is council in the process of fitting GPS trackers to at an approximate cost of $450,000.

Response:

Council is not in the process of fitting GPS trackers to Council vehicles. There is no budget allocation in the 2024-25 budget for GPS implementation.

5.12 Joe Waralow, External Auditors

Why did council obtain 2 external auditors reports recently costing a large sum of rate payers funds when only one report was accepted by council.

Response:

Council did not pay for two external audits. Council pays for the financial and performance statements to be audited, prior to submission to the Victorian Auditor General's Office (VAGO) for independent verification.

5.13 Bill Wilson, Electric Vehicles

Council has 8 electric vehicles. Would council please provide the work titles of the council people who drive these vehicles and take them home.

Response:

Council has a fleet of 12 electric vehicles. This includes four general pool vehicles, the Mayoral vehicle and seven vehicles that are allocated to senior officers on a salary sacrifice basis.

Council will not release the officer details as this forms part of their employment contract.

5.14 Ernie Westergard, Building Permit Activity

The agenda to the 11 December 2024 council meeting Page 111 provides a graph of "Building Permit Activity" November 100. Why is the above table for "Building permits issued by Council" showing 0, 0, 0 in three columns.

Response:

Since the privatisation of the building surveying industry all building permits are typically issued by private building surveyors.

5.15 John Kuzma, Annual Report

The 2023/24 Annual Report page 107 reports "Contributions Non - monetary - Land $5.875 million". Please provide the names of the individual land addresses for a site visit.

Response:

Council acquired 14 parcels of land through the construction of new estates in 2023-24. The addresses of the land acquired;

1 Ash Grange North Wonthaggi

Ashburton Av Corinella

Ashburton Av Corinella

1 Colonnades Rd Wonthaggi

34 Connection Rd Wonthaggi

9 Dowson Dr Wonthaggi

Inverloch-Venus Bay Rd Inverloch

Karkalla Dr Inverloch

Reed Cr Wonthaggi

Scout Ct San Remo

The Esplanade Sunderland Bay

2 Tidal Av Wonthaggi

White Wave Lane San Remo

5.16 Graham Jolly, Strategic Objectives

The Council Plan 2021/25 lists 6 Strategic Objectives. Please provide for each Strategic Objective a listing showing the headings with their budget plus carryover allocations of funding for 2024/25.

Response:

The 2024/25 budget available on Council's website includes the budget allocation aligned to each Strategic Objective.

Council's financial systems map expenditure at a divisional and departmental level rather than to the Strategic Objectives.

Council does not report carryover allocations against Strategic Objectives.

5.17 Bill Wilson, Annual Report

Council reported in its Annual Report on page 107 Contributions non monetary for infrastructure with an asset value of $6.395 million.
What is this infrastructure and where is or are they located.

Response:

Property developers may be required to provide infrastructure as part of the planning permit conditions of individual Section 173 agreements or the Wonthaggi North East Precinct Structure Plan.

Bridges	**$0.500M**
Drainage	**$4.107M**
Pathways	**$1.481M**
WSUD	**$0.307M**
TOTAL	**$6.395M**

5.18 Terry Parkin, infrastructure maintenance

Please explain. What is council's understanding of its structure of infrastructure maintenance.

Response:

During the Council induction program Councillors are provided with an organisational structure, including Infrastructure Maintenance.

5.19 Ernie Westergard, Governance Rules

What are the governance rules that determines that the Mayor can rule that a Councillor's notice of motion presented to council for a meeting will not be allowed.

Response:

Section 23 of the Governance Rules outlines the requirements for Notice of Motions. The Chief Executive Officer is responsible for accepting or rejecting a Notice of Motion.

5.20 Joe Waralow, Operating Carryover

Council's fourth quarterly ending 30 June 2024 provides a listing of Operating Carryover to 2024/25. One listing is for "Urban Forest Fund $156,000. What is this going to be expensed towards.

Response:

The Urban Forest Fund allocation for 2024/25 is funding the coordinated delivery of actions under Council's Urban Forest Strategy. This includes the launch of Bass Coast's first Significant Tree Register, and the planting of more than 1,400 new advanced street trees in townships this year.

5.21 Kevin Griffin, Governance Rules

The Bass Coast Shire Council Governance Rules were last reviewed and endorsed by Councillors in July 2022 and are now overdue for review by Councillors.
As per past its practice, when will Council be seeking community submissions on proposed changes to the Governance rules?

Response:

The Governance Rules were due for review in August 2024. The review was held over pending the elections and will be conducted in the first half of 2025 in conjunction with the new Council.

5.22 Kevin Griffin, South East Councils Climate Change Alliance Inc

The 2019 Memorandum of Understanding between South East Councils Climate Change Alliance Inc. and Bass Coast Shire Council was due to expire on June 30, 2024, unless extended.
What date has the MoU been extended to?

Response:

The current MoU is effective through June 30, 2028.

5.23 Prudence Scholtes, Powlett Ridge Wonthaggi

Powlett Ridge Estate Residents wish to know where their promised park will be located and the works begun by Council? We believe the developers gave the money to Council for Council to do the job. Planning regulations exclude the drain area off Connection Rd being considered usable public space.

Response:

Council officers have required the developer of Powlett Ridge Estate to provide a cash contribution for public open space, to contribute towards embellishing of public parks. The Wonthaggi North East Precinct Structure Plan identifies future parkland across the precinct. It does not identify a new park within Powlett Ridge Estate.

6 Notices of Motion

There were no Notices of Motion.

7 Petitions and Joint Letters

There were no Petitions and Joint Letters.

8 Reports Requiring Council Decision

8.1 PDPLANPER-2024/001870 - 1517-1529 Bass Hwy GRANTVILLE - Use and development of land for service station, convenience restaurant, retail premises, and childcare centre in the Mixed Use Zone (MUZ1); alteration of access to a road in the Transport Zone

Council Decision
Moved: Cr. Jon Temby / Seconded: Cr. Jan Thompson

Recommendation

That in relation to Planning Permit application PDPLANPER-2024/001870 for the use and development of land for service station, convenience restaurant, retail premises, and childcare centre in the Mixed Use Zone (MUZ1); alteration of access to a road in the Transport Zone 2 (TRZ2); and removal of native vegetation, located at 1517-1529 Bass Highway, Grantville Council resolves to issue a Planning Permit subject to the following conditions:

Amended plans required

1. Before the use and/or development commences, amended plans 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 but modified to show:
   - **a)** The provision of a shower/change room for the Convenience Restaurant as required by Clause 52.34-5 (Bicycle Facilities) of the Bass Coast Planning Scheme.
   - **b)** Amended Site Landscape Plans in accordance with condition 11.
   - **c)** Amended Stormwater Management Strategy in accordance with condition 31.
   - **d)** Fencing along the frontage to Grantville-Glen Alvie Road to be altered to withstand vehicle collision, or other alternative solution to the satisfaction of the responsible authority.

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

Layout/use not to be altered

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. The removal of vegetation must be in accordance with the endorsed Native Vegetation Removal Report ID: 304-20241018-FJ5, dated 10/20/2024.

General conditions

4. Once building and works have commenced, they must be completed to the satisfaction of the Responsible Authority.
5. Upon completion of the buildings and works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.
6. Prior to the occupation of the building/ commencement of use, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Use conditions

8. Except with the prior written consent of the responsible authority, the use of land for the Convenience Restaurant and Service Station may operate 24 hours a day, seven days a week.
9. Except with the prior written consent of the responsible authority, the use of the land for the retail premises (Tenancies 1-6) may only operate between the hours of:
    a) 6.00am – 12.00am, seven days a week.
10. Except with the prior written consent of the responsible authority, no more than of 50 patrons may be allowed in the Convenience Restaurant premises at any one time.

Landscaping conditions

11. Concurrent with the submission of plans required by Condition 1, and before the use and development starts, an amended Site Landscape Plan drawn to scale with dimensions must be submitted to and approved by the responsible authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The plans must be generally in accordance with Landscape Plan Rev A prepared by Etched Project Pty Ltd, but amended to show the following details:
    a) any design changes as required by Condition 1;
    b) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
    c) a survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site. details of surface finishes of pathways and driveways;
    d) 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;
    e) 14 canopy trees at 2m tall at time of planting in the following areas on the subject land:
        i. 3 across the rear of the service station car parking area.
        ii. 8 along the Northwestern boundary abutting Bass Hwy.
        iii. 3 along the Northeastern boundary abutting Grantville-Glen Alvie Rd.
    f) Replacement canopy trees must be selected from the species in the list under Permit Note-A or to the satisfaction of the responsible authority.
    g) The trees must not be removed until replacement planting is shown on the landscape plan.
    h) Location of all trees to be removed.
    i) All species selected must be to the satisfaction of the responsible authority.
    j) Only the trees marked "Trees to be removed" on the Endorsed Plan may be removed.
12. Within 3 months from when the development is complete, the site whether occupied or not, must be landscaped in accordance with the endorsed site landscape plan.
13. The landscaping 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 the permit.
14. 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.

15. Within 3 months form the completion of development, high quality photographs (from various angles and distances) demonstrating the trees as being planted in accordance with the endorsed plans, must be submitted to the responsible authority.
16. 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.

Car parking, bicycle facilities and loading

17. Before the commencement of the use or occupation of the development, the areas set aside for the parking of vehicles, bicycles and associated facilities, and access lanes as shown on the endorsed plans must be:
    a) constructed to the satisfaction of the responsible authority;
    b) properly formed to such levels that they can be used in accordance with the plans;
    c) surfaced with an all-weather sealcoat;
    d) drained and maintained; and
    e) line marked to indicate each car space and all access lanes to the satisfaction of the responsible authority.
16. Parking areas and access lanes must be kept available for their designated purposes at all times.
17. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and in a manner that limits interference with other vehicular traffic to the satisfaction of the responsible authority.
18. The loading bay must remain free for the purpose of loading and unloading at all times.

Amenity conditions

19. The operator of this permit (including all occupiers of businesses operating at the premises) must ensure that litter originating from the premises is not deposited or present beyond the boundary of the premises.
20. The amenity of the area must not be detrimentally affected by the use or development 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, wastewater, waste products, grit, or oil;
    d) Prescence of vermin.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
22. No permanently fixed sound amplification equipment, juke boxes or loudspeakers may be used for the purpose of announcements, broadcasts, playing of music (whether recorded or otherwise) or similar purposes so as to be audible on adjoining public or private land, except with the prior written permission of the responsible authority.

23. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol 1826.4 to the satisfaction of the responsible authority.
24. All external plant and equipment must be acoustically treated and/or insulated to minimise noise and vibration to ensure compliance with noise limits determined by the *EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4* or result in unreasonable and aggravated noise as defined by Part 5.3 of the *Environment Protection Regulation 2021*, or other equivalent policy to the satisfaction of the responsible authority.
25. Prior to the occupation of the development, all acoustic treatments as shown on the endorsed plans must be installed to the satisfaction of the responsible authority.
26. No plant, equipment, services, or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the prior written consent of the Responsible Authority.
27. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service to the satisfaction of the responsible authority.
28. External lighting must be designed, baffled, and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

Waste management

29. Except with the prior written consent of the responsible authority, waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the responsible authority.
30. All waste and waste storage bins must be stored within the building or placed in a suitable location outside that is screened from public view. The waste material must be regularly removed from the land. All vehicles removing waste must have fully secured and contained loads so that no waste material is spilled, and no dust or odour is created to the satisfaction of the responsible authority.

Engineering conditions

31. Before the commencement of any works and before the endorsement of the civil design plans, an amended stormwater management strategy (SWMS) must be submitted to the satisfaction of the Responsible Authority for endorsement by the Responsible Authority. The plan must generally be in accordance with the SWMS (prepared by DPM, dated November 2024) submitted but amended to show, as a minimum:
    a) Demonstration that flows from the entire site, up to and including the 1% AEP storm event are meeting predevelopment flow levels.
    b) Review of proposed LPOD located in the southwest corner of the subject site and the possibility of relocating it.
    c) A cut and fill plan of the subject site and that shows the viability of adequate pipe covers and intended overland flow paths.

    When approved, the plan will be endorsed and will then form part of the permit.
32. Before the issue of a Building Permit by a relevant building surveyor, detailed civil construction plans must be prepared to the satisfaction of the Responsible Authority for endorsement by the Responsible Authority. All construction plans submitted for approval must be consistent with this permit and must conform with the requirements of all relevant servicing and road authorities, and in particular water, sewerage, drainage, telephone, gas and power authorities, DTP (VicRoads) and Council. The plans must be

drawn to scale with dimensions. An electronic copy (PDF) must be provided. The plans must 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 requirements of the Infrastructure Design Manual (IDM) as amended and must provide for the following:

   i. How the land including all buildings, open space and paved areas will be drained for a 10% AEP storm event to the legal point of discharge.

   ii. An underground pipe drainage system conveying stormwater to the legal point of discharge and connecting into Bass Coast Shire Council's stormwater drainage system.

   iii. The provision of a drainage retardation system within the site 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 pre-development flow rates for storm events up to and including the 1% AEP. Retardation should also be in accordance with the capacity of the existing culvert discharging across Bass Highway.

   iv. Proposed Council drainage assets on the new service road and connection into existing drainage system.

   v. Delivery of the Melbourne Water scheme assets on the frontage of Grantville-Glen Alvie Road.

   vi. Provision of over-land surcharge routes for all storm events up to and including the 1% AEP. This must include 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.

   vii. Compliance with the Best Practice Environmental Management Guidelines for Urban Stormwater including any quality treatments proposed in accordance with these Guidelines.

   viii. Computational evidence proving proposed grate pits can capture 1% AEP storm event flows assuming 50% blockage.

b) Vehicle and pedestrian access and car parking in accordance with IDM standards and to the satisfaction of the Responsible Authority, including:

   i. Engineering plans and specifications of the proposed works including all roads, intersections, traffic calming, traffic circulation, signage, footpaths, and pedestrian linkages.

   ii. All public roads to have asphalt wearing course pavement with kerb and channel. Proposed Service Road must be sealed throughout (including any interim treatment until the land to the south has been developed).

   iii. Intersection treatments for traffic channelization including entry threshold treatments with Statcon signage, splitter islands and turn lanes primarily for Grantville Glen Alvie Road;

   iv. Roads to have a carriageway width in accordance with the road hierarchy in the IDM.

   v. Concrete footpaths in accordance with the endorsed Development Plan (DPO3) for the subject land, including all path linkages to existing network.

c) Standard street lighting to be provided in accordance with IDM requirements.

All works must be constructed or carried out in accordance with those plans before the issue of a building permit.

33. Before the issue of a Building Permit and commencement of any works, a Construction Management Plan (CMP) must be prepared to the satisfaction of the Responsible Authority for endorsement by the Responsible Authority. The plans must be drawn to scale with dimensions. An electronic copy (PDF) must be provided. The plan must address, but not be limited to following:

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) Demonstrate all environmental and cultural protection measures identified on a drawing(s) drawn to scale and prepared in accordance with Melbourne Water standards for such drawings.

e) Measures to ensure that no mud, dirt, sand, soil, clay, or stones are washed into or allowed to enter the storm water drainage system.

f) 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.

g) Address any recommendations of any approved Cultural Heritage Management Plan applying to the land.

h) Identify the location and method of any Tree Protection Zones.

i) All machinery bought on the site must be weed and pathogen free.

j) 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.

k) Contractors working on the site must be inducted into an environmental management program for construction works.

l) Best practice erosion and sediment control techniques must be used to protect any native flora and fauna.

m) Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of subdivision.

n) Landscaping, re-vegetation and construction works carried out on the site must be supervised by a person with recognised environmental qualifications.

34. Before the issue of a Building Permit by a relevant building surveyor and commencement of use, all works must be completed in accordance with IDM standard drawings to the satisfaction of the responsible authority including:

a) All roads, paths, drainage, and any 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 kerb and channel, footpath, and landscaping;

c) Standard street lighting must be provided in accordance with the IDM and the endorsed civil design plans;

35. Before the issue of a building permit by a relevant building surveyor, the following must be provided to the responsible authority:

a) CCTV footage of the Council drainage assets in accordance with the IDM.

b) Copies of the "as constructed" engineering roads, drainage, lighting, water reticulation and landscaping drawings as follows:

i. One A1 film tracing per drawing.

ii. Collated electronic PDF format.

c) "As constructed" digital data measurements of public works in a GIS ready format. The format required is:

i. ESRI Shapefile format complying with Council's template (subset of A-Spec Digital Data Specification).

ii. Horizontal Datum: GDA94 on MGA94 Zone 55.

iii. Vertical Datum: AHD.

d) Location of any permanent survey marks.

36. Before commencement of works, a Quality Management Plan must be submitted to and approved by the Responsible Authority. All Inspection and Test Plans and Checklists associated with the works are to be submitted as part of the Quality Management Plan. When approved the Quality Management Plan is to be endorsed and will form part of the permit. The Plan must include, but is not limited to:

a) The Quality management plan is to be structured in accordance with the ISO9001.1.

b) A Work Breakdown structure of all construction deliverables and how the quality documentation under each element will fulfill the quality control requirements of each construction deliverable.

c) All Inspection and Test Plans and associated checklists for the construction deliverables; at a minimum these are to include but are not limited to the following works:

i. Road Pavement Construction:

- Minimum 1 no. Inspection and Test Plan Worklot for Subgrade works.
- Minimum 1 no. Inspection and Test Plan Worklot for each Pavement Layer installed.
- Minimum 1 no. Inspection and Test Plan Worklot for each Asphalt Layer installed.

ii. Concrete Works:

- Minimum 1 no. Inspection and Test Plan Worklot for all kerbs.
- Minimum 1 no. Inspection and Test Plan Worklot for all other concrete elements.

iii. Earthworks: Minimum 1 no. Inspection and Test Plan Worklot to cover all earthworks.

d) All works carried out by external contractors are to be included in the Quality Management Plan including but not limited to any certificates, quality control documentation, manuals, and insurances for the works.

e) All materials and quality checks from external material providers are to be included in the Quality Management Plan – these include but are not limited to Rock Quarry Material Testing, Clean Fill Certificates, Delivery dockets and any associated testing required.

f) Contractor obligations and the delegation of responsibility at each stage of the Quality Management Plan.

g) Asset Demarcation Plans detailing contractors understanding of asset demarcation between Council/VicRoads/West Gippsland Catchment Management Authority and Melbourne Water.

h) A commitment from Management to deliver each Construction Deliverable as per the Quality Management Plan.

37. Before the issue of a building permit by a relevant building surveyor, the following works must be completed to the satisfaction of the responsible authority:

a) All Work Lot Submissions as per the Endorsed Quality Management Plan must be completed and submitted to the satisfaction of the responsible authority.

b) All associated IDM Checklists must be signed off by the responsible authority where required under the Quality Management Plan.

c) All documentation to be submitted onto the council SharePoint file system

38. 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.

39. 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.

40. Before the issue of a building permit by a qualified building surveyor, 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 provided on both sides of roads/streets in accordance with and not exceeding the following average intervals:

i. Small trees (less than 10 metre canopy), at an 8-10 metre interval;

ii. Medium trees (10-15 metre canopy), at a 10-12 metre interval; and

iii. Large trees (canopy larger than 15 metres), at a 12-15 metre intervals

b) A schedule of proposed species that are to be planted on the site including scientific names;

c) The incorporation of locally indigenous species;

d) Quantities of all species to be planted on site including their size when mature; and

e) A notation on the landscape plan providing that the permit holder will maintain all landscaping (including any replacement of dead or diseased plants) as per the endorsed

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.

Once to the satisfaction of the responsible authority, the Street Tree Landscape plan will be endorsed and will form part of this permit.

DEECA – removal of native vegetation conditions

Notification of permit conditions

41. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Protection of vegetation to be retained

42. Before works start, a plan identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be approved and endorsed by the responsible authority.

Protection of patches of native vegetation to be retained

43. Before works start, a native vegetation protection fence must be erected around all patches of native vegetation to be retained on site. This fence must be erected around the patch of native vegetation at a radius of 12 × the diameter at a height of trunk of tree from retained native vegetation. The protection fence must be constructed of star pickets/ chain mesh/or similar to the satisfaction of the responsible authority. The protection fence must remain in place until all works are completed to the satisfaction of the responsible authority.

    Within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:

    a) vehicular or pedestrian access

    b) trenching or soil excavation

    c) storage or dumping of any soils, materials, equipment, vehicles, machinery, or waste products

    d) entry and exit pits for underground services

    e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Offset requirements

44. To offset the removal of 0.235 hectares of native vegetation, as identified in Native Vegetation Removal Report 304-20241018-FJ5, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

    a) A general offset of 0.076 general habitat units;

    b) located within the Port Phillip and Westernport Catchment Management Authority boundary or Bass Coast municipal district;

    c) with a minimum strategic biodiversity score of at least 0.32; and

    d) provide protection for at least 3 large trees

Offset evidence and timing

45. Before any native vegetation is removed, evidence the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:

    a) credit extract(s) allocated to the permit from the Native Vegetation Credit Register and/or

    b) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site.

    A copy of the offset evidence must be endorsed by the responsible authority and will form part of this permit.

    Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Energy, Environment, and Climate Action at pe.assessment.vic.gov.au.

Country Fire Authority condition

46. Prior to occupation of the childcare centre and prior to occupation of the service station the following requirements must be met, unless otherwise agreed in writing by CFA and the responsible authority:

    a) Above or below ground operable hydrants must be provided as street hydrants adjacent to the main vehicle entrances to the childcare centre and service station;

    b) This condition need not apply, for the specific part of the site, where a building permit will require a building to be provided with a fire service and a fire hydrant installed on the property.

    c) Street 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).

Head, Transport for Victoria conditions

47. A one-way service road fronting the property at 1517-1529 Bass Highway (Lot 1 on LP 143125) must be designed and constructed to the satisfaction of the Head, Transport for Victoria, and the Responsible Authority. The service road must extend a minimum of 30m past the existing median opening on the Bass Highway.

48. Access to the site from the Bass Highway must be via the proposed service road.

49. Provide V3 lighting on the Bass Highway to the satisfaction of and at no cost to the Head, Transport of Victoria.

50. If required the Bus Stop and associated footpath is to be relocated at no cost and to the satisfaction of the Head, Transport for Victoria.

51. All construction access must be via Grantville-Glen Alvie Road.

52. Prior to design plans beginning, the applicant's consultants must attend a pre-design meeting with the Department of Transport and Planning (Gippsland Region). Pre-Design Meeting Requests must be submitted via email: nriw.eastern@transport.vic.gov.au.

53. Prior to the above ground building works commencing, the Functional Design must be submitted, and endorsed by the Head, Transport for Victoria. The Functional Design must be submitted generally in accordance with the External works Review and Certification process as outlined on the Transport Victoria Website.

54. Prior to the works beginning in the road reserve, the Detailed Design must be submitted, and endorsed by the Head, Transport for Victoria. The Detailed Design must be submitted generally in accordance with the External works Review and Certification process as outlined on the Transport Victoria Website.
55. The existing Arterial Road Pavement and Surrounds must be upgraded to include the new service road to accommodate the change in traffic loadings and movements at no cost and to the satisfaction of the Head, Transport for Victoria. These works include, but are not limited to:
    - Pavement reconstruction
    - Pavement Asphalting / Re-Sealing
    - Drainage Works
    - Roadway Lighting
    - Line Marking
    - Signage
56. Prior to the endorsement of the Functional Layout Plan a Memorandum of Authorisation (MoA) must be obtained for any major traffic control devices, which will require Head, Transport for Victoria authorisation.
57. Prior to the construction of the bus stop, the Bus Infrastructure Team must be contacted to ascertain the requirements for the construction of the bus stop including any temporary bus stop location. The new location of the bus stop must be compatible with the required service road and Department of Transport and planning requirements. Contact email: bus.stop.relocations@transport.vic.gov.au.
58. The construction of the bus stop must comply with the Disability Standards for Accessible Public Transport 2002 Act and DDA compliant at no cost and to the satisfaction of the Head, Transport for Victoria.
59. Within 2 months of the construction of the bus stop, a safety audit of the bus stop must be prepared by a suitably qualified auditor at no cost and to the satisfaction of the Head, Transport for Victoria. The audit must:
    a) state whether the bus stop complies with the *Disability Discrimination Act 1992* (Cth);
    b) outline any modifications required to the bus stop to ensure it complies with the *Disability Discrimination Act 1992* (Cth);
    c) provide GPS co-ordinates of the bus stop; and
    d) the findings and recommendations of the audit must be complied with to the satisfaction of the Head, Transport for Victoria.
60. Prior to the commercial operation of the development, all required roadworks including the bus stop relocation must be completed at no cost and to the satisfaction of the Head, Transport for Victoria.
61. The safety barrier on the Bass Highway must be modified using a pre-qualified contractor and reinstated at no cost and to the satisfaction of the Head, Transport for Victoria.
62. The discharge of any stormwater from the site into the arterial road table drain will not be permitted unless approved in writing by the Head, Transport for Victoria.
63. Prior to the commencement of earthworks on the site, a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.

64. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development.
65. Any vegetation removal within the arterial road reserve must be referred and approved by the responsible authority.

Melbourne Water conditions

66. Prior to the commencement of works, the owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
67. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses.
68. Stormwater runoff from the development must achieve the objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO)'.
69. Prior to the issue of an Occupancy Permit under the Building Act 1993, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
70. Prior to the commencement of works for the development, Council approved engineering plans of the development (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 1% AEP storm event.
71. Prior to the issue of an Occupancy Permit under the Building Act 1993, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
72. The development is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
73. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water and Council.
74. Prior to the issue of an Occupancy Permit under the Building Act 1993, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
75. Prior to the commencement of works on site, Melbourne Water requires evidence demonstrating that appropriate interim drainage solutions have been implemented to mitigate the risk to downstream landowners. Council acceptance of any temporary drainage infrastructure should be forwarded to Melbourne Water.

Westernport Water conditions

76. Provision of easements in favour of Westernport Region Water Corporation over existing sewer infrastructure located along the southern boundary of Development site.
77. The operator under this permit must enter into Build Over Agreement with Westernport Region Water Corporation relating to any construction over or near Westernport Water's sewerage or water easement or infrastructure; Approval will be not granted to construct structures within the exclusion zones of the existing sewer infrastructure located along the southern boundary.

78. Payment of a New Customer Contribution Fees for water and sewer services for the development, such amounts being determined by the Corporation at the time of payment.
79. Provision of water and sewerage connections from existing water and sewer reticulations to service the proposed development and associated construction works at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Westernport Region Water Corporation. As constructed drawings to be provided as per the requirements of Westernport Region Water Corporation for the new water tapping and new sewer points created and internal sewer pipe alignments if applicable to service the proposed development.
80. The operator under this permit must enter into an Agreement with Westernport Region Water Corporation relating to the design and construction of any sewerage or water works required to service the proposed development.
81. The form of such Agreement shall be to the satisfaction of Westernport Region Water Corporation. A copy of the format of the Agreement will be provided on request.
82. Disconnection of any existing water tapings over existing allotment boundaries, shall be to the satisfaction of Westernport Region Water Corporation.
83. Disconnection of any existing sewer tapings and house connection drains crossing over proposed development locations, shall be to the satisfaction of Westernport Region Water Corporation.

Expiry of permit

84. This Permit will expire if one of the following circumstances apply:
    a) The development does not start within 2 years from the date of this Permit; or
    b) The development is not completed within 4 years of the date of this Permit; or
    c) The use is not commenced within 2 years after the completion of the development; or
    d) The use is discontinued for a period of 2 years or more

    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 use/development has not commenced.

    If the development has lawfully commenced, the responsible authority may extend the time referred to if a request is made in writing within twelve months of the expiry date.
85. The permit will expire if one of the following circumstances applies:
    a) the removal, destruction or lopping of native vegetation does not start within two years of the date of this permit; or
    b) the removal, destruction or lopping of native vegetation is not completed within four years of the date of this permit.

    In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be made to the responsible authority to extend the periods referred to in this condition.

Permit Notes

A. Re-planting of trees

The replacement tree selected from the following species.

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

Botanical Name	Common Name	Origin
Eucalyptus obliqua	Messmate	I
Eucalyptus ovata	Swamp Gum	I
Eucalyptus pryoriana	Coast Manna Gum	I
Eucalyptus radiata	Narrow Leaved Peppermint	I
Eucalyptus viminalis	Manna Gum	I

I – Indigenous to Bass Coast

B. Street trees

All street and nature strip tree removal and replacement planting must be undertaken in accordance with the Bass Coast Guidelines for Planting in Nature Strips. This is to include obtaining any subsequent road occupation permits that would be required.

C. Building permit may be required

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

D. 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.

E. Other permits may be required

Nothing in the grant of this permit should be constructed 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.
- Building Permits.
- Legal Point of Stormwater Discharge.

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

F. Memorandum of Authorisation

Pursuant to Regulations under Part 2 – Installation of Traffic Control Devices – of the Road Safety (Traffic Management) Regulations 2009, the permit operator will need to apply to Council's Operations Team for authorisation to erect, display, place, remove or alter Traffic Control Devices.

G. Environmental Health

As the development is to be used for a commercial enterprise involving handling of food or drink, then the applicant must contact Council's Environmental Health Department for further advice concerning legislative requirements.

Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health & Wellbeing, Food or Tobacco Acts.

H. 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.

I. Flora and Fauna Guarantee Act 2998

Some plants, fish and plant communities are protected under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act). Please check the current listings for threatened species and communities, as well as the protected flora list to ensure you obtain all necessary approvals before starting works on public land.

Should the responsible authority grant a permit to remove, destroy or lop native vegetation from within public land, the permit holder may need to obtain a permit to take protected flora under the FFG Act. To submit a FFG Act permit application or for further information, please contact the Gippsland Natural Environment Program on Gippsland.Environment@delwp.vic.gov.au.

J. Bushfire Prone Area

The development controls of the 2022 National Construction Code requires the applicant to:

a) Consider the risk of bushfire to people, property, and community infrastructure for specific Class 9 buildings; i.e., including Early Learning Centres;

b) Implement appropriate bushfire protection measures to address the identified bushfire risk;

c) Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

The current proposal shows a direct interface between the proposed development and hazardous vegetation until the development of residential land to the East occurs. Municipal fire prevention controls may likely address any required management. The immediate area may be considered a low threat location however, the applicant should address the relevant controls early in the process. Particularly where it may require review to the Building Appeals Board to resolve lessening the requirements

K. Stormwater

a) Runoff from the site is to be treated through onsite treatment works to Best Practice Standards for pollution removal, complying with Clause 53.18 of the Victorian Planning Provisions, and as contained within the Bass Coast Planning Scheme.

b) Prior to the issue of an Occupancy Permit under *the Building Act 1993*, Melbourne Water requires the submission for our records, a copy of the MUSIC Model and entailed designs for the stormwater quality works along with written confirmation of acceptance of the stormwater quality works by the responsible authority. If an alternative arrangement has been negotiated with the responsible authority, Melbourne Water requires a copy of any written documentation detailing that arrangement for our records.

L. Head, Transport for Victoria Note

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:

- Service Road
- Bus Stop
- Roadway Lighting
- Major traffic control devices

For more information and forms relating to External Works, including Functional Layout Plans, Detailed Layout Plans & Traffic Signal Plans please visit the VicRoads Website. Refer to: https://transport.vic.gov.au/Business/External-works-on-the-road-network

M. Signs

Unless a permit is not required under the Bass Coast Planning Scheme, signs must not be constructed or displayed without a further planning permit.

N. Environment Protection Act 2017

The E*nvironment Protection Act 2017* came into effect on 1 July 2021.

The general environmental duty (GED) is a centerpiece of the new laws. It applies to all Victorians. If you engage in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take reasonably practicable steps to eliminate or minimise them. EPA will work with industry and the community to help them understand how to fulfil their obligations, by providing guidance, advice, and other support.

CARRIED

8.2 Planning Application 220136 - 151 Marine Parade, San Remo - Buildings and works associated with the construction of a four-storey building in the Commercial 1 Zone (C1Z) and Design and Development Overlay (DDO4) and a waiver of car parking.

Council Decision
Moved: Cr. Jan Thompson / Seconded: Cr. Jon Temby

That in relation to Planning Permit application 220136 for Buildings and works associated with the construction of a four-storey building in the Commercial 1 Zone (C1Z) and Design and Development Overlay (DDO4) and a waiver of car parking requirements under Clause 52.06 located at 151 Marine Parade, San Remo VIC 3925, Council resolves to issue a Notice of Decision to Grant a Permit subject to the following conditions:

Amended Plans Required?

1. Before the development commences, amended plans 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 with the application, but modified to show:
   a) A Construction Management Plan in accordance with Condition 3.
   b) An Amended Landscape Plan in accordance with Condition 4.

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

Layout Not to be Altered

2. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

Construction Management Plan

3. Concurrent with the submission of plans required by Condition 1 and prior to the commencement of any buildings and works allowed by this permit the owner and/or developer must submit a Construction Management Plan to the satisfaction of the responsible authority. The Construction Management Plan must include details on how the construction will be undertaken so it has minimal impact on the environment. Details to be provided in the Construction Management Plan will include, but are not limited to:
   a) Full work schedule/construction management plan for each individual stage to ascertain impacts on surrounding properties.
   b) Public/worker access and safety issues.
   c) Hours of construction activity (including at what stage "out of hours works" are proposed and what type of works are to be conducted outside the hours of operation.
   d) The location of hoardings, hoists and workers amenities;
   e) The location of public precautions, loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
   f) Details as to how traffic and pedestrian safety and amenity will be controlled within the vicinity of the site and its surrounds.

g) The provision of a traffic management plan, including detailed plans that show all items to be placed on any street during all stages of construction in accordance with approval by the responsible Building Surveyor, entry and exit points for construction vehicles (including temporary and permanent vehicle crossings), traffic management during construction including road closures/road occupation/footpath closures, work zones/construction zones to accommodate vehicles and deliveries.

h) Service connections/road and footpath openings and anticipated impact on public land during the connection of different services.

i) Measures to be used to protect the Council infrastructure from damage.

j) Existing services and environmental management.

k) A list of all environmental hazards that the activities on-site pose i.e.; contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, construction noise, hours of operation, vibration, washing of concrete trucks and other vehicles and machinery, spillage from refueling cranes and other vehicles and machinery etc.

l) Protection measures that will be undertaken to minimise the risk of the above hazards being realised.

m) Regular monitoring/inspections of the above protection measures.

n) Identification as to who will be responsible for managing all of the above issues.

o) Anticipated staging of the development.

p) Any construction lighting to be baffled to minimise intrusion on adjoining lots.

q) Measures to ensure that subcontractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan.

The Construction Management Plan must be submitted to the responsible authority prior to commencing construction and all buildings and works must be carried out in accordance with the approved Construction Management Plan.

Amended Landscape Plan

4. Concurrent with the submission of plans required by Condition 1 and before the commencement of buildings and works an electronic copy of a Landscape Plan (drawn to scale with dimensions) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The Landscape Plan must be generally in accordance with the landscape concept plan submitted with the application prepared by Thai Tongue, dated 30 March 2023, except that the plan must show:
   a) Planter boxes to be located on each of the balconies on the first, second, and third floors.

   b) The incorporation of native creepers in the elevated planter boxes.

   c) The inclusion of details for an automated irrigation system which takes into account the following:

      i. The type of irrigation system to be an automatic fixed drip system, with an irrigation controller self-operated via a soil moisture sensor.

ii. The requirements to comply with any water use restrictions dictated by the relevant authorities.

iii. Water saving and conservation components.

iv. Control of water flow to deliver only the necessary volume to sustain plant vigor.

Landscaping Completion and Maintenance

5. Within three months of the completion of the development, the site, whether occupied or not, must be landscaped in accordance with the endorsed landscape plan.
The landscaping 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.

Photographs of Completed Landscaping

6. High quality photographs (from various angles and distances) are to be provided within 1 month from when the development is complete, demonstrating the trees as being planted in accordance with the endorsed plans to the satisfaction of the responsible authority. 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.

Environmentally Sustainable Design

7. Prior to the occupation of the building, all measures specified on the endorsed plans related to Environmentally Sustainable Design must be implemented in accordance with the approved plan.

Waste Management

8. The collection of waste must be in accordance with the Waste Management Plan as approved by the responsible authority. Collection of waste must be undertaken by a private contractor and must not cause unreasonable disturbance to nearby properties to the satisfaction of the responsible authority in accordance with the endorsed Waste Management Plan.

9. All waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no waste is spilled, or dust or odour is created to the satisfaction of the responsible authority.

10. Collection of waste must be constructed so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:

    a) Monday to Friday: 7:00am to 7:00pm

    b) Saturday & Public Holidays: 9:00am to 5:00pm

    c) Sunday: No collection allowed

    All to the satisfaction of the responsible authority

11. Adequate provision must be made for the storage and collection of garbage, bottles and solid waste in bins or receptacles to the satisfaction of the responsible authority.

12. Storage bins shall be screened from the view of the street and adequately covered to the satisfaction of the responsible authority to minimise dispersal of material by wind or water and vermin and pest insect access.
13. Appropriate controls shall be implemented to restrict the movement of windblown litter and prevent the site from appearing unsightly.
14. No litter shall be discharged beyond the boundaries of the site.
15. All storage areas shall be surfaced and capable of being washed down with wastewater being directed to sewer via an appropriate litter trap.
16. No odour shall be emitted from any waste storage areas so as to cause offence to adjoining property occupiers to the satisfaction of the responsible authority.

Storage and Services to be Obscured

17. All gas bottles, hot water service, water storage tanks, bin storage; and any other storage unit or service box associated with the development must be obscured from view to the satisfaction of the responsible authority.

Concealment of Pipes and Vents

18. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Plant /Equipment or Features on Roof

19. All air conditioning plant and equipment and services shall be located so as to be incorporated within the building and should not project beyond the roofline or from an external wall and be appropriately located and baffled to minimise noise levels to the satisfaction of the responsible authority.

Amenity

20. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
21. External lighting must be designed, baffled, and located so as to prevent any adverse effect on the adjoining land, to the satisfaction of the responsible authority.
22. All utility services to the subject land and buildings approved as part of this permit must be provided underground to the satisfaction of the responsible authority by completion of the development.
23. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock, or other debris being carried onto public roads or footpaths from the subject land to the satisfaction of the responsible authority.
24. 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.

25. The development must be managed to the satisfaction of the responsible authority, 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 buildings works or materials.
    c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapor, steam, soot, ash, dust, wastewater, waste products, grit, or oil.
    d) Presence of vermin.

Maintenance

26. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Boundary walls

27. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the responsible authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.

Site Civil Design Plans

28. Before the issue of certificate of final inspection by a relevant building surveyor, detailed civil construction plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. All construction plans submitted for approval must be consistent with this permit and must conform with the requirements of all relevant servicing and road authorities, and in particular water, sewerage, drainage, telephone, gas and power authorities, VicRoads and Council. The plans must be drawn to scale with dimensions. An A3 plan and an electronic copy (PDF) must be provided. The plans must 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 requirements of the Infrastructure Design Manual (IDM) as amended and must provide for the following:
        i. How the land including all buildings, open space and paved areas within each lot will be drained for a 10% AEP storm event to the legal point of discharge.
        ii. An underground pipe drainage system conveying stormwater to the legal point of discharge and connecting into Bass Coast Shire Council's stormwater drainage system by the existing underground drainage property connection.
        iii. The provision of stormwater detention within the site and prior to the point of discharge into Bass Coast Shire Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to pre-development flow rates. The rate of pre-development stormwater discharge shall be calculated using an allowable discharge rate for the site 37 l/sec/ha.
        iv. Provision of over-land surcharge routes for all storm events up to 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.

v. No part of any above ground stormwater detention system is to be located within a stormwater drainage easement or a sewerage easement unless with the responsible authority's written approval.

b) Car parking and pedestrian access to the satisfaction of the responsible authority including:

i. An accessible parking bay to be designed in general accordance with AS2890.5.

ii. A pram ramp to be DDA compliant designed in accordance with IDM Standard SD 270.

Construction

29. Any poles, service pits or other structures/features on the footpath required to be relocated to facilitate the development must be done so at the cost of the applicant and subject to the relevant authority's consent.

30. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires, or cable under the control of the public authority without the prior written consent of the relevant authority and/or the responsible authority

31. Before the issue of a certificate of final inspection, the following works must be completed to the satisfaction of the responsible authority including all necessary permits being obtained and inspections undertaken:

a) All civil construction works, must be constructed in accordance with the civil design plans for the property as endorsed by the Responsible authority pursuant to this Planning Permit

b) All drainage works are in accordance with the endorsed civil plans.

c) Photographic evidence of the legal point of connection to Council's drainage system must be provided if Council inspection cannot be arranged prior to backfilling.

d) Areas for disable parking, pram crossings within the land must be constructed in accordance with the endorsed civil design plans.

e) All proposed parking bays, pram ramps must be constructed in general accordance with the endorsed plans and IDM and Australian standards.

f) All redundant infrastructure (including vehicle crossings) abutting the site shall be removed and the kerb, channel, nature strip and footpath shall be reinstated.

Maintenance of Onsite Drainage

32. The onsite stormwater drainage system including stormwater detention, installed in accordance with the endorsed plans, must not be removed or modified without further approval (in writing) of the responsible authority.

Permit Expiry

33. This Permit will expire if:

a. The development does not start within two years from the date of this Permit; or

b. The development is not completed within four years of the date of this Permit.

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. Building permit may be required

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

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. This may include (but is not limited to):

- Road Occupation Permits.
- Asset Protection Permits.
- Legal Point of Stormwater Discharge.
- Footpath Trading Permits.

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.

D. Build Over Easement

Separate consent is required to build over the easement. It will be necessary to obtain consent from all relevant authorities prior to construction. Please note that consent may or may not be given, depending on specific site circumstances and conditions.

E. Signs require a further permit

Unless a permit is not required under the Bass Coast Planning Scheme, signs must not be constructed or displayed on the development without a further Planning Permit.

F. Retention of Existing Street Trees

Nothing in the permit hereby issued may be construed to allow the removal of, damage to or pruning of any street tree without the further written consent of the Bass Coast Shire Council. Contact Council Arborists on BCOAST (226 278) or (03) 5671 2211 for further information.

G. Permit to Building Surveyor

The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit."

CARRIED

8.3 Immediate Protection of key assets in Inverloch in response to Coastal Erosion

Council Decision

Moved: Cr. Tim O'Brien / Seconded: Cr. Meg Edwards

1. Council notes the findings in this Report.
2. In relation to the protection of key assets from coastal erosion in Inverloch:
   a) Officers continue to monitor the Inverloch foreshore;
   b) That Council:
      - Seeks for DEECA to bring forward dune stabilisation works as a matter of urgency to ensure adequate protection from storms and the Easter high tides;
      - Assess the engineering options for medium and long-term protection of the surf beach to develop the best long-term erosion protection strategies;
   c) That Council undertake the urgent works needed to allow the beach to safely operate this summer, viz:
      - Develop and implement a communications plan to inform the public about safe beach access and dune conditions and the ongoing foreshore management;
      - Implement a community engagement plan to initiate a community revegetation program by supporting the South Gippsland Conservation Society in their revegetation works and engaging local volunteers to plant native vegetation, stabilise dunes and support long term ecological restoration;
3. In relation to the coastal erosion concerns in Silverleaves:
   a) Officers continue to monitor the Silverleaves foreshore, should conditions deteriorate further, immediately undertake necessary emergency works;
   b) Council advocates to secure urgent funding for the emergency protection of the Silverleaves foreshore.
   c) Advocate to ensure that by June 2025 that there is a longer-term plan in place for protection and rehabilitation of this valuable public environmental asset.
4. Council prioritises the following advocacy and communication activities in support of the above clauses:
   a) That Council advocate to DEECA and other state and federal government agencies and Ministers to secure immediate funding to commence the large-scale dune restoration as soon as practicable;
   b) Nominate a delegation, being the Mayor and Deputy Mayor or nominees, to meet with the Victorian Minister for the Environment (The Hon. Steve Dimopoulos) at

the earliest opportunity to request the urgent commencement of the large-scale dune restoration at Inverloch, and, urgent commitment to funding the recommended Geotech sandbag revetment solution proposed as interim protection for the Silverleaves foreshore;

c) Keep Inverloch and Silverleaves communities fully informed on progress via Council's website.

CARRIED

Cr Bauer Called a division

For: Cr Rochelle Halstead, Cr Brett Tessari, Cr Ron Bauer, Cr Jan Thompson, Cr Mat Morgan, Cr Tracey Bell, Cr Tim O'Brien, Cr Jon Temby

Against: Nil

8.4 Appointments to Council Committees and External Committees

Council Decision
Moved: Cr. Brett Tessari / Seconded: Cr. Jon Temby

That Council:

1. **Appoints Councillor representatives to the following Council committees:**

Access & Inclusion Advisory Committee	Cr. Jan Thompson
Arts & Culture Advisory Committee	Cr. Meg Edwards, Cr Jon Temby
Bass Coast Natural Environment Advisory Working Group	Cr. Jon Temby
Chief Executive Officer Employment Matters Committee	Mayor, Deputy Mayor, Cr. Ron Bauer
Rural Engagement Group (REG)	Cr. Tim O'Brien – Cr. Meg Edwards (substitute)

2. **Appoints Councillor representatives to the following external committees:**

Australian Coastal Councils Association Inc. (ACCA)	Mayor, Cr. Meg Edwards
Bass Coast South Gippsland Reconciliation Group	Cr. Tracey Bell, Cr Mat Morgan (substitute)
Municipal Association of Victoria (MAV)	Mayor
Municipal Emergency Management Planning Committee	Cr Jon Temby

One Gippsland	Mayor
Peri Urban Group of Rural Councils (PUGRC)	Mayor, Deputy Mayor
Phillip Island Nature Park Community and Environment Advisory Committee	Cr. Tracey Bell, Cr. Mat Morgan (substitute)
South East Councils Climate Change Alliance	Mayor, Cr. Mat Morgan (Substitute)
Western Port Biosphere Reserve	Cr. Jon Temby

CARRIED

8.5 Council Meeting Schedule 2025

Council Decision
Moved: Cr. Jan Thompson / Seconded: Cr. Brett Tessari

That Council adopt the meeting schedule for 2025 as follows:

Date	Venue	Time
19 February 2025	Wonthaggi, Civic Centre Chamber	1.00pm
19 March 2025	Wonthaggi, Civic Centre Chamber	1.00pm
16 April 2025	Cowes, Berninneit	1.00pm
21 May 2025	Wonthaggi, Civic Centre Chamber	1.00pm
18 June 2025	Wonthaggi, Civic Centre Chamber	1.00pm
16 July 2025	Cowes, Berninneit	1.00pm
20 August 2025	Wonthaggi, Civic Centre Chamber	1.00pm
17 September 2025	Wonthaggi, Civic Centre Chamber	1.00pm
15 October 2025	Cowes, Berninneit	1.00pm
19 November 2025	Wonthaggi, Civic Centre Chamber	1.00pm
10 December 2025	Wonthaggi, Civic Centre Chamber	1.00pm

CARRIED

8.6 Audit and Risk Committee Charter Review

Council Decision
Moved: Cr. Brett Tessari / Seconded: Cr. Jon Temby

That Council adopt the updated Audit and Risk Committee Charter, which will supersede the previous version.

CARRIED

9 Statutory Reports

Council Decision
Moved: Cr. Ron Bauer / Seconded: Cr. Brett Tessari
That agenda items 9.1, 9.2, 9.3 and 9.4 be considered as a block.

CARRIED

9.1 Informal Meeting of Councillors

That Council receive the attached Informal Meeting of Councillors records.

9.2 Planning and Building Statistics - October 2024

Council Decision
That Council:

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

9.3 Contracts Awarded and Extended via CEO delegation

That Council notes that the above contract was extended under the delegated authorities in accordance with the Procurement Policy during October 2024.

9.4 Councillor Expenses for the Council Term - 9 November 2020 to 25 October 2024

That Council receive the report on Councillor Expenditure for the Council term between 9 November 2020 and 25 October 2024.

Council Decision
Moved: Cr. Ron Bauer / Seconded: Cr. Brett Tessari
That the recommendations attached to agenda items 9.1, 9.2, 9.3 and 9.4 be adopted.

CARRIED

10 Urgent Business

There was no Urgent Business.

11 Mayoral Announcement of Next Meeting of Council

The next Council Meeting will be held on 19 February 2025 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

Council Decision

Moved: Cr. Jon Temby / Seconded: Cr. Tracey Bell

That the meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider an item/s as they deal with:

> (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

CARRIED

Meeting adjourned

That the meeting be adjourned at 1.54pm

Meeting resumed

That the meeting be resumed at 1.55pm

Items Closed to the Public

Excerpt of Section 66 of the Local Government Act 2020.

(5) If a Council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection—

(a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and

(b) an explanation of why the specified ground or grounds applied.

confidential information means the following information—

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;

(b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;

(c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;

(d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;

(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;

(g) private commercial information, being information provided by a business, commercial or financial undertaking that—

i. relates to trade secrets; or

ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

(h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);

(i) internal arbitration information, being information specified in section 145;

(j) Councillor Conduct Panel confidential information, being information specified in section 169;

(k) information prescribed by the regulations to be confidential information for the purposes of this definition;

(l) information that was confidential information for the purposes of section 77 of the **Local Government Act 1989;**

12 Reports Requiring Council Decision Closed to the Public

12.1 PDPLANPER-2023/000851 - 1, 2 & 3/63 McKenzie St WONTHAGGI, 65 & 67 McKenzie St WONTHAGGI - Use and development of the land for a Service Station, construct and put up for display signage (internally illuminated, business identification and pole sign

It is recommended that the meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider this item for the following reason:

(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

13 Meeting Closed

The meeting closed at 2:02pm.