

Bass Coast Shire Council
Council Meeting Minutes

Wednesday 20 August 2025

Council Chamber

Bass Coast Civic Centre

Baillieu Street East, Wonthaggi

Commencing at 1:00 pm

The meeting commenced at 1:02 pm.

Cr. Rochelle Halstead read the Mobile Telephone Reminder.

Cr. Meg Edwards read Statement of Acknowledgement.

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1 Present and Apologies

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

Officers: Mr Greg Box, Chief Executive Officer
Ms Jodi Kennedy, General Manager Communities & Culture
Ms Donna Taylor, General Manager Future Places
Ms Jade Glen, Acting General Manager Innovation & Engagement
Mr Joesph Kay, Manager Financial Services
Ms Kristy Grattan, Coordinator Governance

Apologies: Nil

2 Declarations of Interest

There were no Declarations of Interest.

3 Confirmation of Minutes

3.1 Council Meeting 16 July 2025

That the minutes of the Council Meeting held on 16 July 2025 be confirmed.

Council Decision

Moved: Cr. Ron Bauer / Seconded: Cr. Jon Temby

That the minutes of the Council Meeting held on 16 July 2025 be confirmed.

CARRIED

4 Mayor and Councillor Reports

4.1 Cr Rochelle Halstead - Mayoral Report

This report covers the period from 16 July 2025 to 20 August 2025

Acknowledgements

Nil

In brief the Mayoral activities have included the following:

Activities

- Bendigo Bank Opening
- Top Tourism Town Awards
- Trivia Night - Corinella and District Community Centre
- Opening of 2025 Festival of Stories
- Coronet Bay Christmas in July
- Corinella Fire Brigade Family Fun Day
- Sod Turning Event - BCH Staff Accommodation Facility
- Bass Coast Local Jobs and Careers Expo 2025 – Wonthaggi
- 2025 Tour of Gippsland Victorian Time Trial and Road Race Championships
- Gilbert & Sullivan Opera Victoria "The Mikado" Bass Valley Musical Festival
- South Coast Leadership Program - Celebration and Graduation

Meetings

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- CEO Employment and Remuneration Committee - Induction and meeting
- Mayoral Meetings, Jade Glen, Manager Communications & Governance
- Australian Society of Travel Writers Convention Opportunity
- ACT Delegation Planning Briefing
- Canberra Delegation Meetings
- Mary Aldred Maiden Speech
- Corinella Residents & Ratepayers Association AGM & General Meeting
- Regional Energy Accord – Gippsland Roundtable

- MAV Board Briefing
- TIDAL General Committee Meeting
- Kevin Love, Phillip Island Nature Parks
- Kelly Grigsby, Municipal Association of Victoria (MAV)
- MAV Board Meeting
- Bass Coast Business Awards Pre Event Briefing
- Jordan Crugnale MP

Other

Media Enquiries/Interviews

- ABC Gippsland – Kilcunda Viaduct Bridge
- Photo Shoot for EV Chargers
- Council Documents Filming

Phone calls, emails and letters

4.2 Cr Tracey Bell - Councillor Report

It was wonderful to celebrate some stars in our community at the Bass Coast Community Awards at the end of May. Our shire is fortunate to have a higher-than-average volunteering rate, and this was reflected in the calibre of nominations. Congratulations to the winners.

The State Government finally released the Distinctive Area and Landscape policy. This will allow council to move forward with introducing some of the strategies our strategic planning department have been working on, such as the Neighbourhood Character Strategy.

I want to acknowledge all our community members who have contributed so meaningfully to several council projects. Special mentions include:

- The deliberative engagement workshops that have done amazing work towards building the Council Plan
- The community reference group for the San Remo structure plan
- The reference group for the Mountain Bike, Pump and BMX Strategy Implementation plan
- The community groups and individuals who took the time to present in person to council on their budget submissions.

The work you have put in is deeply appreciated and I'm excited to start seeing the fruits of your labours as we start enacting these plans.

There were a few big weekends in July with NAIDOC week, the Whale Festival, and the Festival of Stories. I attended events across all three weekends and enjoyed having these opportunities for community to come together and celebrate in such varied ways. Even winter is becoming a season not to be missed on the Island! Thank you to all the people involved in organising the events that keep us gathering in community.

The end of July saw the one-year anniversary of the establishment of the Significant Tree Register, which was marked with a small celebration in Kilcunda. The team presented a slide show of some of the highlights of the register, and we heard from the residents who registered the first privately-owned tree.

This month I attended the celebration and graduation of the South Coast Leadership Program. It was wonderful to learn about the projects the participants had been working on and I congratulate them for their innovation, creativity, and tenacity in launching such a range of ideas. The keynote, delivered by Jen Smith of the Gippsland Agricultural Group, urged participants to utilise the investment made in them and that they have made in themselves. It was a good reminder for all present to be mindful of getting out what we put in.

This month as we send the Council Vision, Council Plan, Long Term Financial Plan and other key documents out for consultation, I strongly encourage the community to review and feed back to us your thoughts. They will guide us for the rest of our term, so please help us get them right.

4.3 Cr Jon Temby - Councillor Report

Attended all Bass Coast Shire Council meetings

Including Special Council Meeting to decide on the DAL SPP

Attended WPW councillor's meetings and briefings incl:

Additional sessions on the budget ands planning issues

Attended broader councillor only time meetings

Broader community contact / meeting community leaders

Attended/Chaired Joint Biosphere councils Strategic Planning meeting

Attended/ spoke at the Significant Tree celebration, Kilcunda

Attended Festival of Stories, Berninneit

Visited Silverleaves to see the erosion issues

Attended South Coast leadership Program project on Bush Food/planting, Inverloch

Attended Joint Biosphere councils meeting in Berwick re Biolinks matters

Discussions with key knowledge holders re Western Port Woodlands/DAL SPP

Discussed Urban gardens concepts with a board member

Attended Riding Life's Waves Berninneit re Mens mental health

Participated in the Careers sessions for Wonthaggi Secondary school students

Discussed environmental related issues with Bunurong works team

Attended Western Port Ward councillors meeting re WPW projects and concerns

Attended South Coast leadership Program completion celebrations

Assisted with a Risk Review for the Westernport Biosphere

Received additional calls and further discussions on off leash dogs interfering with wildlife - again, potential collaboration on Biolinks etc with surrounding shires, Concerns regarding vegetation loss, builders rubbish and materials impeding pedestrian and vehicular traffic etc

5 Public Question Time

5.1 Susie Wickes, Petitions

If a petition containing 50% of signatures from ratepayer/owners in a street is submitted and accepted by council, is it then factually possible for a special charge scheme to be implemented and completed in that street with a complete absence of any further participation by any ratepayers in that street?

Response:

No. Once a petition is received Council officers work with the landowners to confirm their preferred design for the upgrade project. The designs are costed, and a formal vote is conducted as required by the Local Government Act.

5.2 Ross Bencraft, Hardship Payment Plan

Q1. BCSC is offering ratepayers a hardship payment plan for the special charge schemes on the Esplanade at an interest rate which is one percent above council's own borrowing rate. What approximate percentage range can ratepayers expect council's borrowing percentage rate for this plan to fall into?

Q2. Option 4 of this BCSC hardship plan gives ratepayers potentially 20 years to repay a hardship loan. Based on the percentage range quoted by BCSC in response to the above question, can BCSC advise approximately how much interest a ratepayer would repay over 20 years on a loan of $25,000?

Response:

Council borrowings and the interest rates are market dependent. The available quoted interest rate as of 18 August 2025 is 4.605%, for a 10-year principal and interest loan.

A $25,000 hardship plan repaid via monthly instalments over 20-years, with an effective interest rate of 5.605% would equate to a repayment of approximately $16,630 interest.

5.3 Amanda Noske, Special Charge Schemes

In concept plans for the Esplanade Special Charge Schemes, BCSC claims each scheme provides "community benefits" by "...improvements in surface and stormwater quality discharging to the existing drainage outfalls" but then states that drainage via existing outfalls will continue unchanged. Without upgrading existing outfalls how is this possible or realistic?

Response:

Sealed roads, kerb and channel and drainage pipes are included in the design. If the upgrade project proceeds, stormwater outflows will be much cleaner than if the road remained unsealed with unconstructed drainage. Council contributes financially to this added community benefit as calculated in the benefit ratio statement.

5.4 Philip Davy, Special Charge Scheme Benefit Calculations

Why is council using assumed vehicle trips per day for special charge scheme benefit calculations instead of actual traffic counts that were taken over Xmas 2021 and Xmas 2024 even with there being only one month between peak and off-peak traffic counts in January and February?

Response:

Council uses a variety of methods to estimate the usage and associated benefits for both adjacent property owners within the potential special charge schemes and the wider community benefit. These include community surveys, census data, parking surveys, site observations and traffic count data.

5.5 Louise Lyell, PINP Charge

In the council declarations for The Esplanade Surf Beach Sunderland Bay, council states, relationship to non-rateable properties such as Council or Crown land. No such properties exist. PINP land extends along the length of the projects. Who pays for drainage, kerbing and road construction along PINP frontage?

Response:

The special charge scheme excludes coastal reserve land on the southern foreshore l managed by Phillip Island Nature Parks (PINP) along The Esplanade, as only privately owned northern properties are deemed to receive a significant special benefit. While the southern coastal reserve may gain minimal advantages from the works, these are considered marginal and not sufficient to justify inclusion in the Scheme area.

5.6 Peter McMahon, Recreation Land Phillip Island

Q1. Can Council please outline the costs involved to re zone the recreation land on Phillip Island, a recent response from the planning ministers seem to conflict with the previous answer given by the CEO regarding costs ($200,000)?

Q2. Given the information available from the minister's office re costings, can the costs be itemised and why is it to take up to 10yrs before the rezoning is to take place as previously stated by the CEO.

Response:

The costs mentioned by the Planning Minister refer to the standard statutory fees for any State Planning Scheme Amendment, set by the State Government.

Council may also face additional expenses during the amendment process, such as expert reports, community consultation, reviewing submissions, hiring an independent panel, and general administration.

Council can start a planning scheme amendment at any time, but this is unlikely in the next 10 years since most early site uses either don't need planning permission or can proceed with a permit.

5.7 Terry Burke, Bass Coast Affordable Housing Strategy

Attachment 1 of the Bass Coast Affordable Housing Strategy outlines an Action Plan for the that strategy. Could council provide an update on progress with respect to the 11 actions in the Action Plan?

Response:

Council is well-progressed in the implementation of the Strategy and on track for full implementation of the Action Plan. There are ten actions within this plan, seven of which are complete or currently being implemented, with the remaining actions on track for delivery. These actions are supporting affordable housing and service support outcomes for local community members across the Shire.

5.8 Graham Jolly, Rate Capping

The MAV, a peak body is advocating to the State Government to scrap the rate cap. Is the council through the Mayor and Deputy Mayor as members of the MAV supporting the scrapping of the rate cap so that higher rates can be charged.

Response:

No. Council is a member of the MAV, this Council has not resolved an advocacy position on rate capping.

5.9 Melissa Dagg, Bonds

Q1. What bonds have Bass Coast Council purchased?

Q2. When will these bonds pay out?

Response:

Council does not purchase bonds. Council holds investments in shares and term deposits. The term deposits are listed, along with their maturity date, in the quarterly financial report under section 1.4 Treasury.

5.10 John Kuzma, Wonthaggi North East Precinct Plan

Council's Wonthaggi North East Precinct Plan has been in place for a number of years now. What is the progress of new infrastructure to this precinct.

Response:

The Wonthaggi North East Precinct Structure Plan was adopted on 18 January 2024, with most key infrastructure funded by land developers via subdivision approvals. As development grows, further essential infrastructure will be delivered to support it.

Key infrastructure delivered includes:

- **Intersection at McGibbonys Road and Korumburra-Wonthaggi Road**
- **Section of McGibbonys Road east of this intersection**
- **Drainage reserve in Parklands and Powlett Ridge Estates**
- **Culvert crossing on McGibbonys Road over this drainage reserve**

- **Local parks in Summerfields, Powlett Ridge, and Parklands Estates (under construction)**
-

5.11 Joe Waralow, Old Wonthaggi Secondary College

The old Wonthaggi Secondary College is a building and land owned by the State Government. Why is council continuing cost shifting practices when council asked for a $660,000 grant for a feasibility study for the old college.

Response:

Council has not assumed ownership or management responsibilities for the site. The current federal funding application is intended to support the development of a business case, as well as a land use and partnership framework for the site. One objective of this business case is to ensure that Council avoids accepting unreasonable financial risks by acquiring the site without a comprehensive plan in place.

5.12 Fred Morris, Canberra

The Mayor and CEO travelled and stayed in Canberra attending meetings with members of parliament. The meetings were to focus on obtaining grant funds for multiple projects. How much money for each project did council actually receive.

Response:

Funding decisions are not made during these meetings, Council's previous delegations to Canberra have been very successful. The recent delegation to Canberra initiated continued discussions with Ministers to advance a number of Council priorities.

5.13 Graham Jolly, Hilton Chadwick Reserve

The Hilton Chadwick Reserve and the Carnival land is to have a new safety traffic turning lane built most likely before site infrastructure can commence. Council has $440,000 towards development on the land. When did council submit plans for the safety turning lane to the Transport Authority.

Response:

The plans for the entry treatment were submitted to the Department of Transport and Planning (DTP) in February 2025. Feedback was received back from DTP in August 2025. This feedback is currently being actioned.

5.14 Sue Chadwick, Hard Rubbish

Why can't Bass Coast Council provide a free hard rubbish collection once a year? We on the Island had this free service for years. We pay high rates so if Councillors say we listen to community concerns, then please act now and provide our community with this free necessary service.

Response:

Council delivers all its Waste Services on a cost-recovery basis. Hard rubbish collection is currently available once per year, on request, to all properties that receive a kerbside collection, with costs recovered directly via a fee for service.

Offering a 'free' hard rubbish collection for all properties would mean raising the annual garbage charge to all ratepayers.

This approach would be less equitable than the current fee for service arrangement.

5.15 Marnie Chadwick, Public Question Time

Is it true that Bass Coast Council plans to modify community question time, as stated in draft governance rule 53.5, requiring questioners to be present at the meeting? This change disadvantages significant local contributors and risks silencing important voices within our community.

Response:

The Governance Rules will be considered at this Council Meeting. Following community feedback on the draft rules, the rules tabled for Council decision do not require questioners to be present for their question to be answered and published in the meeting minutes.

5.16 Terry Parkin, Rubbish

I Travel to Bass Coast as a tourist regularly throughout the year. Multiple roads I and other tourists travel on have numbers of road kills (marked red) and paper rubbish to roadsides. What can council do daily to remove these unsightly visible issues.

Response:

Council responds to reports of rubbish in Council's road reserves, open spaces and Council managed foreshores. Any rubbish on other roads is forwarded to the responsible road manager, either Council or Regional Roads Victoria for action. Roadkill is removed from Council roadways as per the Road Management Plan 2022.

5.17 Terry Parkin, Community Satisfaction Survey

Council's community satisfaction survey results over 6 prior years has been determined by contacting 800 people in the shire. Why was only 400 people contacted for the 2025 survey that quite clearly distorted the 2025 results.

Response:

This is a State-wide Local Government Community Satisfaction Survey. Councils have various options regarding content of the questionnaire and the sample sizes to be surveyed. The smaller survey sample is still reflective of the diverse demographics of the Bass Coast Community and the quality of data is not compromised.

Council has undertaken significant community engagement over the last 12 months to inform the preparation of key strategic plans. Additional survey questions will be added to future surveys so that Council can track its progress delivering on the priorities of its new Council Plan.

5.18 Graeme Dark, Social Housing

Would Council please explain the rationale for the approval of a 5th petrol station in Wonthaggi given:
The current number already and the move to EVs as the means of transport of the future;
And given the approved location would have been an ideal situation for a social housing development.

Response:

The application in question was originally refused by Council but ultimately overturned through a subsequent VCAT Hearing.

Guidelines within the Planning Scheme outline what matters Council officers can consider in the assessment of land use and development proposals. The co-location of similar land uses is not included within these guidelines, and all applications are assessed on their individual planning merits.

6 Notices of Motion

There were no Notices of Motion.

7 Petitions and Joint Letters

7.1 Petition relating to Queen Street (Merrin Crescent to Broome Crescent), Wonthaggi

Council Decision

Moved: Cr. Mat Morgan / Seconded: Cr. Meg Edwards

That Council:

1. **Receive the petition, Interim Dust Only Treatment for Queen Street (Merrin Crescent to Broome Crescent) and resolve to deal with this matter at this Council Meeting.**
2. **Commence work with the head petitioner and other property owners to investigate treatment options and potential costs to upgrade the road through an interim dust only treatment.**
3. **Note that a potential interim only dust treatment upgrade project would need to be considered in accordance with the Urban Roads and Drainage Improvement Policy at a future meeting.**
4. **Advise the head petitioner of Council's decision.**

CARRIED

8 Reports Requiring Council Decision

8.1 Draft Community Vision, Draft Council Plan and Draft Annual Action Plan

Council Decision

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

That Council:

1. **Approve the draft Community Vision 2045 for a period of community consultation from 20 August 2025 to 9 September 2025;**
2. **Approve the draft Council Plan 2025-2029 for a period of community consultation from 20 August 2025 to 9 September 2025;**
3. **Approve the draft Annual Action Plan 2025-2026 for a period of community consultation from 20 August 2025 to 9 September 2025; and,**
4. **Consider adoption of the final Community Vision 2045, Council Plan 2025-2029 and Annual Action Plan 2025-26 at a future Council Meeting before 31 October 2025.**

CARRIED

8.2 Draft Long Term Financial Plan

Council Decision

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

That Council:

1. **Approve the draft Long Term Financial Plan for a period of community consultation from 20 August 2025 to 9 September 2025; and,**
2. **Consider adoption of the final Long Term Financial Plan at a future Council Meeting before 31 October 2025.**

CARRIED

8.3 Draft Asset Plan

Council Decision

Moved: Cr. Mat Morgan / Seconded: Cr. Jon Temby

That Council:

1. **Approve the draft Asset Plan for a period of community consultation from 20 August to 9 September 2025; and,**
2. **Consider adoption of the final Asset Plan at a future Council Meeting before 31 October 2025.**

CARRIED

8.4 Draft Healthy, Safe and Resilient Bass Coast Plan 2025-2029

Council Decision

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

That Council:

1. **Approve the draft Healthy, Safe and Resilient Bass Coast Plan 2025-2029 for a period of community consultation from 20 August 2025 to 14 September 2025; and,**
2. **Consider adoption of the final Healthy, Safe and Resilient Bass Coast Plan 2025-2029 at a future Council Meeting before 31 October 2025.**

CARRIED

8.5 Draft Disability Action Plan 2025 – 2029

Council Decision

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

That Council:

1. **Approve the draft Disability Action Plan 2025-2029 for a period of community consultation from 20 August 2025 to 14 September 2025; and,**
2. **Consider adoption of the final Disability Action Plan 2025-2029 at a future Council Meeting before 31 October 2025.**

CARRIED

8.6 Draft Domestic Animal Management Plan 2025-2029

Council Decision

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

That Council:

1. **Approve the draft Domestic Animal Management Plan 2025-2029 for a period of community consultation from 20 August 2025 to 14 September 2025; and,**
2. **Consider adoption of the final Domestic Animal Management Plan 2025-2029 at a future Council Meeting before 31 October 2025.**

CARRIED

Cr Meg Edwards left at 2:01pm

8.7 Request for authorisation to commence planning scheme amendment for the Bass Coast Industrial Land Use Strategy

Council Decision

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

That Council:

1. **Under Section 8A of the *Planning and Environment Act 1987*, requests authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to implement the Bass Coast Industrial Land Use Strategy (August 2024) and associated changes into the Bass Coast Planning Scheme.**
2. **Subject to Ministerial authorisation, prepares and exhibits the planning scheme amendment to the Bass Coast Planning Scheme in accordance with Section 19 of the *Planning and Environment Act 1987*.**
3. **Authorises the General Manager Future Places as delegated under Section 8A of the *Planning and Environment Act 1987*, to make changes to the Planning Scheme Amendment to meet any conditions of authorisation from the Department of Transport and Planning (DTP), as well as make minor editorial changes, prior to submitting the amendment to the Minister for Planning for exhibition. The General Manager Future Places is to inform Councillors of such changes.**

CARRIED

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

Cr Meg Edwards returned at 2:07pm

Council Decision

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

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

Amended plans required

1. **Before the tree removal commences, a Replacement Planting Plan drawn to scale with dimensions must be submitted to and approved by the responsible authority. The plans must be generally in accordance with the plans submitted but modified to show:**
   a. **Location of the trees to be removed**
   b. **Replacement planting of eight (8) canopy trees selected from the species in the list under Permit Note-A or to the satisfaction of the Responsible Authority.**
   c. **The planting of 52 Indigenous species consisting of a combination of shrubs, groundcovers and grasses selected from the Indigenous Plants of Bass Coast Shire list or to the satisfaction of the Responsible Authority.**
   d. **New trees to be planted within open ground clear of all hard surfacing, buildings, structures and other tree canopies**
   e. **Proposed canopy trees should be capable of reaching a minimum mature height of six (6) at 5-10m and two (2) at 15m+ and of advanced stock (minimum 35cm pot size and 2 metre tall at time of planting).**
   f. **The soil from the hole should be replaced around the tree root ball and firmed in and watered in well. The area, a minimum of 1 metre radius from the trunk of the tree, should be mulched with composted mulch at a minimum depth of 50-75 millimetres and watered well during dry periods for a minimum of 12 months to ensure the new tree establishes in its new position.**
   g. **All species selected must be to the satisfaction of the Responsible Authority.**
   h. **Only the trees marked "Trees to be removed" on the Endorsed Plan may be removed.**

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

No damage to surrounding vegetation

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

No other trees to be removed

3. **Only Tree 1 *Eucalyptus saligna* and Tree 2 *Eucalyptus globulus* as labelled in the submitted arborist report dated 16/04/2025 prepared by Urban Forestry Victoria Pty. Ltd. may be removed from the site.**

   No other trees on site that are protected by the Planning Scheme or Local Law may be destroyed, felled, lopped, uprooted or be subject to any other tree damaging activities without the written consent of the Responsible Authority (other than in accordance with a Notice given pursuant to the *Local Government Act 2020*). All existing trees to be retained and trees required by this permit to be planted shall be maintained to the satisfaction of the Responsible Authority.

Timeframe for completing new planting

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

Photographs of completed landscaping

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

Pruning of trees to be retained

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

Briefing of contractors

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

Permit expiry

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

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with *Section 69 of the Planning and Environment Act 1987*.
The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six months after the expiry date if the tree removal has not commenced.

Permit Notes

A. The replacement canopy trees are to be selected from the following species.

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

Botanical Name	Common Name	Origin
Angophora floribunda	Rough Barked Apple	AN
Brachychiton acerifolius	Illawarra Flame Tree	AN
Corymbia citriodora	Lemon Scented Gum	AN
Corymbia maculata	Spotted Gum	AN
Eucalyptus botryoides	Southern Mahogany	VN
Eucalyptus camaldulensis	River Red Gum	VN
Eucalyptus leucoxylon	South Australian Blue Gum	AN
Eucalyptus obliqua	Messmate	I
Eucalyptus ovata	Swamp Gum	I
Eucalyptus pauciflora	Snow Gum	VN
Eucalyptus polyanthemos	Red Box	VN
Eucalyptus pryoriana	Coast Manna Gum	I
Lophestemon confertus	Brush Box	AN
Ulmus parvifolia	Chinese Elm	EX

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

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

Botanical Name	Common Name	Origin
Acacia mearnsii	Black Wattle	I
Acacia melanoxylon	Blackwood	I
Agonis flexuosa	Willow Myrtle	AN
Allocasuarina littoralis	Black Sheoak	VN
Allocasuarina verticillata	Drooping Sheoak	I
Banksia Integrifolia	Coast Banksia	I
Banksia marginata	Silver Banksia	AN
Elaeocarpus reticulatus	Blueberry Ash	AN
Eucalyptus kitsoniana	Gippsland Mallee	VN
Hymenosporum flavum	Native Frangipani	AN
Leptospermum laevigatum	Coastal Ti-tree	I
Leptospermum lanigerum	Woolly Ti-tree	I
Melaleuca lanceolata	Moonah	I
Metrosideros excelsa	Pohutakawa	EX

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

B. Planning permission

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

C. Failure to Comply

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

LOST

Cr. Ron Bauer called for a division

For: Cr. Brett Tessari, Cr. Jan Thompson, Cr. Meg Edwards and Cr. Rochelle Halstead
Against: Cr. Jon Temby, Cr. Mat Morgan, Cr. Ron Bauer and Cr. Tim O'Brien and Cr. Tracey Bell (abstained)

8.9 DEVPLNAMD-2024/DPO18-1 - Amendment to Development Plan 18 - 28 Station St DALYSTON

Council Decision

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

That Council:

1. **Supersede the currently endorsed Development Plan applying to the land at 28 Station Street, Dalyston, that was approved at the 19 December 2018 Council Meeting and endorsed on behalf of the Responsible Authority on 07/01/2019.**
2. **Request an amended Development Plan generally in accordance with the plan prepared by prepared by Limit State Pty Ltd, dated 23 July 2025, Revision B as submitted but amended to include the following:**
    a. **All lots with a boundary abutting onto the Rail Trail Reserve must only use a post and rail fence along the boundary shared with the Rail Trail Reserve.**
    b. **Any future planning permit applications for lots with a boundary abutting onto Station Street must include a condition which prohibits no lot access to Station Street.**

Once an amended Development Plan that satisfies the recommendations is submitted it will be endorsed.

CARRIED

8.10 Governance Rules and Election Period Policy 2025

Council Decision

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

That Council adopt the Governance Rules 2025 including the Election Period Policy 2025, subject to the inclusion of the below within Section 53 - Public Question Time:

53.5 - The person who submitted the question may be present in the Chamber at Public Question Time when the Chair will call their name.

The submitter will have an opportunity to read out the previously submitted question or request the Chair read their question. The question and the response will then be included in the minutes.

53.5.1 The submitter may not raise any additional questions or alter the previously submitted question.

53.5.2 Speakers must abide by the direction of the Chair and in accordance with these Governance Rules.

53.5.3 If the person is not present, the question may be read out. The question and answer will be included in the meeting minutes. They will not be afforded another opportunity to read their question.

Cr. Meg Edwards proposed an amendment

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

within Section 7 - Election of Mayor and Chairs of Delegated Committees:

7.3.1 The Chief Executive Officer on declaring the elected councillor as mayor, shall present the mayoral collarette to the incoming mayor.

LOST

The motion before Council

That Council adopt the Governance Rules 2025 including the Election Period Policy 2025, subject to the inclusion of the below within Section 53 - Public Question Time:

53.5 - The person who submitted the question may be present in the Chamber at Public Question Time when the Chair will call their name.

The submitter will have an opportunity to read out the previously submitted question or request the Chair read their question. The question and the response will then be included in the minutes.

53.5.1 The submitter may not raise any additional questions or alter the previously submitted question.

53.5.2 Speakers must abide by the direction of the Chair and in accordance with these Governance Rules.

53.5.3 If the person is not present, the question may be read out. The question and answer will be included in the meeting minutes. They will not be afforded another opportunity to read their question.

CARRIED

8.11 Review of Instrument of Delegation – Council to Chief Executive Officer

Council Decision

Moved: Cr. Mat Morgan / Seconded: Cr. Meg Edwards

In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Bass Coast Shire Council (Council) resolves that:

1. **There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.**
2. **The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
3. **On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.**
4. **The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

8.12 Instruments of Appointment and Authorisation

Council Decision

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

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. **The members of Council staff referred to in the attached instrument be appointed and authorised as set out in the instrument:**
   - **Nicholas D'Angelo**
2. **The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.**
3. **Revokes the instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* to:**
   - **Angela Gleeson**
   - **Damian Prendergast**
   - **Ellen Whatley**
   - **Ramsay Jurdi**
   - **Rewa Smith**
   - **Patrick Doyle**

CARRIED

8.13 Award of Tender No. 25002 Cowes Streetscape Master Plan Delivery of Stage 1

Council Decision

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

That Council:

1. **Subject to the completion of negotiations to the satisfaction of the Chief Executive Officer, awards Contract No 25002 Cowes Streetscape Master Plan Delivery of Stage 1, for the contract sum of $8,265,985 plus GST of $826,598.**
2. **Authorise the Chief Executive Officer to execute Contract No 25002 Cowes Streetscape Master Plan Delivery of Stage 1 on behalf of Council between Council and Fulton Hogan Construction Pty Ltd.**
3. **Pursuant to Section 125(2) of the Local Government Act 2020, resolves to make the full details of Contract 25002 (including the name of the successful tenderer) and this resolution publicly available immediately following Council's notification to tenderers of this resolution.**

CARRIED

9 Statutory Reports

9.1 Informal Meeting of Councillors

Council Decision

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

That Council receive the attached Informal Meeting of Councillors records.

CARRIED

9.2 Planning and Building Statistics - June 2025

Council Decision

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

That Council:

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

CARRIED

9.3 June Contracts Awarded and or Extended under CEO Delegation for August 2025 meeting

Council Decision

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

That Council notes that no contracts were awarded and/or extended under the delegated authorities in accordance with the Procurement Policy during June 2025.

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 17 September 2025 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

Council Decision

Moved: Cr. Meg Edwards / Seconded: Cr. Mat Morgan

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:

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

CARRIED

Meeting adjourned

That the meeting be adjourned at 2:55pm

Meeting resumed

That the meeting be resumed at 3:09pm

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 Confirmation of Closed Minutes

12.1 Closed Council Meeting held on 16 July 2025

13 Reports Requiring Council Decision Closed to the Public

13.1 Planning Application 2024/001850 - 13 Warley Av, 44-46 & 48 Thompson Av COWES

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:

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

14 Meeting Closed

The meeting closed at 3:19pm