



Bass Coast Shire Council Council Meeting Minutes

Wednesday 19 February 2025

Council Chamber

Bass Coast Civic Centre

Baillieu Street East, Wonthaggi

Commencing at 1:00 pm

The meeting commenced at 1.00pm .

Cr. Rochelle Halstead read the Mobile Telephone Reminder

Cr. Matt Morgan read the Statement of Acknowledgement.

Cr. Ron Bauer read the Councillor Statement.

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I Present and Apologies

Councillors: Cr Jon Temby, Western Port Ward
Cr Rochelle Halstead, Western Port Ward
Cr Jan Thompson, Western Port Ward (Virtual)
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 Teena Hale Pennington, General Manager Innovation and Culture
Ms Donna Taylor, General Manager Governance and Finance
Ms Jodi Kennedy, General Manager Communities and Culture
Mr Damian Prendergast, General Manager Future Places
Ms Chelsea Wilson, Coordinator Governance

Apologies: Nil

2 Declarations of Interest

Cr. Ron Bauer declared a conflict of Interest in agenda item 6.I under section 127 of the Local Government Act 2020.

3 Confirmation of Minutes

3.1 Council Meeting 11 December 2024

Council Decision

Moved: Cr. Meg Edwards / Seconded: Cr. Brett Tessari

That the minutes of the Council Meeting held on 11 December 2024 be confirmed.

CARRIED

4 Mayor and Councillor Reports

4.1 Cr Rochelle Halstead - Mayoral Report

This report covers the period from 11 December 2024 to 19 February 2025

Acknowledgements

Vale Neville Goodwin – OAM

The Bass Coast community has lost a dedicated leader, tireless advocate, and true community champion with the passing of Neville Goodwin OAM. Neville's legacy is one of unwavering service, generosity, and commitment to the people and places he cared so deeply about.

Neville played a pivotal role in shaping the Bass Coast we know today. As a Commissioner during the amalgamation of councils and later serving as a Councillor for the Shire of Bass (1992–1994) and the Bass Coast Shire Council (2003–2008), including multiple terms as Mayor, Neville was a passionate advocate for his community. He worked at every level to ensure residents were supported, infrastructure was improved, and the region continued to thrive.

Beyond his work in local government, Neville's contributions to the community were vast. He was a driving force behind many important initiatives, serving as a Board Member of Bass Coast Health, a dedicated member of the Rotary Club of Wonthaggi, a leader within the Grantville Hall Committee, and a longstanding Board Member of the National Vietnam Veterans Museum. Through these roles, he helped shape services, championed local projects, and ensured countless community organisations had the support they needed to succeed.

At the time, Neville also served as Chair for Ken Smith's election campaign while Ken was the Member for South Eastern Province. Neville had an extraordinary ability to bring people together and make things happen. He was so well respected across all political parties that if there was a need, he could simply pick up the phone, and things would move. That was the power he held through the relationships he built and the respect he earned.

Just this morning, Ashley Lamers reflected on a moment that encapsulated Neville's influence. During the COVID-19 pandemic, Ashley spoke to Neville about much-needed funding for the showgrounds. Without hesitation, Neville called the Minister for Health—while the Minister was on a plane—and managed to secure the funding. That was the kind of respect Neville commanded at every level, from grassroots community needs to the highest offices in the country. His ability to connect with people, advocate for causes, and get things done was simply remarkable.

There are so many people who would turn to Neville when they needed help. His impact was immense, and his absence will leave a significant void. It's hard not to ask the question—who do we call now when we need something done? Neville was truly one of a kind—impressive, hardworking, and deeply committed to his community.

His success and dedication were also made possible through the incredible support of his wife, Lynne. Together, they were a formidable team. Lynne was often the quiet presence behind the scenes, but her unwavering support played a vital role in everything Neville achieved. Her loss will be profound, and our hearts go out to her.

To Lynne, Shelly, Wayne, and Daniel, we extend our deepest and most heartfelt condolences during this sad time. Neville's legacy will live on in the many lives he touched, the projects he championed, and the community he helped build.

Vale Neville Goodwin OAM—your contributions will never be forgotten.

Chelsea Wilson

I wish to acknowledge this is the last council meeting for Chelsea Wilson. Chelsea has sat beside me providing governance support when needed both in this chamber and with the broader Bass Coast Shire needs. She has shown efficiency and professionalism in her role and she will be very much missed.

In brief the Mayoral activities have included the following:

Activities

- Corinella Community Ratepayers Christmas Carols
- Coronet Bay Community Garden Christmas
- Wonthaggi Christmas Carols
- Video Shoot - Deliberative Engagement
- Launch of Lifestyle Communities Phillip Island Clubhouse
- Kernot Farmers Lunch Christmas Breakup
- Community Bank San Remo Carols
- Rotary Christmas Lunch
- Thank You CFA!! Santa Run
- 6th PICES Pop Up Exhibition, Berninnet
- Bass Coast Agriculture Show
- 15 Minutes of History - Wonthaggi through the lens of a camera
- Tunnerminnerwait & Maulboyheenner Event
- Yawa (Long Journey) Collaborative Art Workshop – Maree Clarke
- Pet registration photo & promotion
- One Gippsland Member Dinner, Canberra
- Isle of Wight Hotel Trophy Presentations
- Its on at The Union – Strikebound Screening
- South Gippsland Legacy Changeover Luncheon

Meetings

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- MAV Mayor and Deputy Mayor Orientation and Training Day 1
- MAV Networking event for Mayor & Deputy Mayor
- MAV Mayor and Deputy Mayor Orientation and Training Day 2
- Kevin Love, Chair, Phillip Island Nature Parks
- MAV Welcome and Introduction for Councillors
- Inverloch Foreshore Action Group Rally
- Silverleaves Rally
- Wellbeing Leadership Project Online Briefing 1 & 2
- Advocacy Meeting with Deb Leonard
- Advocacy Meeting with Russell Broadbent MP
- Advocacy Meeting with Mary Aldred
- Simone Alexander, Interim CEO, Bass Coast Health
- San Remo Foreshore Committee Meeting
- Bass Coast Citizenship Ceremony
- Meeting with Minister Steve Dimopoulos
- One Gippsland: Closed Mayoral and Councillor Discussion
- One Gippsland - Mayoral and Councillor Induction
- One Gippsland - Board Meeting
- Stroke Association of Victoria Meeting
- CRRA General Meeting
- Meeting with Ian Hitchings
- Phillip Island Neighbourhood Battery Project Update – Online
- Phillip Island San Remo Advertiser Meeting
- Meeting with Cheryl Owens
- South Gippsland Sentinel Times Meeting
- One Gippsland - Federal Delegation, Canberra
- Meeting with Don Paproth
- Jordan Crugnale MP
- Meeting with Jordan Crugnale/Amanda Keilar/Ben Dennis - Newhaven Jetty

- Tour of Bass Coast Adult Learning Centre
- Meeting with David Cox
- Think Tank Meeting
- Site Visit to Kilcoy, Lance Creek
- Wonthaggi Lifestyle Precinct Meeting

Other

Media Enquiries/Interviews

- ABC Gippsland Interview - Water Safety this Summer
- ABC Interview with Raf Epstein - Meet the Mayor
- South Coast FM Interview – Community Grants
- Renew Magazine Interview - Phillip Island's Sustainable Progress
- Phone calls, emails and letters

4.2 Cr Jan Thompson - Councillor Report

January – 13th February 2025

Meetings

- Myli meetings – four
- Myli two-day seminar
- Access and Inclusion Advisory Committee meeting - one
- Myli Birkman Test with psychologist

Internal briefings & training

- Western Port Ward and Officers – four

Briefings & Training

- Council briefings – five

Ongoing

- Dealt with constituent issues and queries
- Research- Question Time and Parking Overlays
- Preparation for Meetings

4.3 Cr Mat Morgan - Councillor Report

I've had a wonderful time attending local events this summer! My highlight was definitely the screening of Strikebound for the Union Theatre's 100th anniversary. From edible gardens to astronomy presentations, it's been wonderful to see so many folks out and about enjoying all there is to love about Bass Coast.

Back in the world of politics, we've had some big wins! Notably, the state government changing the town boundary recommendation for Cape Paterson. This has been an issue for many years and bringing the boundary back to Seaward Dr was something I took to the election. Affordable, sustainable housing doesn't have to be at odds with our precious environment. I'm glad to see our state government moving in the right direction after a long-fought community campaign.

I will also note that January 26th was my first invasion day as an elected representative. I chose not to participate in any celebrations, and I look forward to the outcomes of successful Treaty negotiations. This always was and always will be Bunurong land.

4.4 Cr Jon Temby - Councillor Report

Completed all Bass Coast Shire Council Induction sessions and signed off

Attended WPW councillor's meetings and briefings incl:

Budget

WP Ward budget priorities, San Remo Structure Plan, parking etc

Attended 1:1 feedback session re first 3 months as Councillor

Attended BCSC briefing re Western Port Biosphere

Attended broader councillor only time meetings re representation and possible BCSC submissions to MAV and similar organisations

Broader community contact / meeting community leaders

Attended Western Port Biosphere tour and meeting with key leaders in related organisations

Attended BCCAN meeting

Attended Coronet Bay Ratepayers Assn AGM and conducted election of office bearers

Attended 100-year anniversary of Union Theatre incl 'Strikebound'

Attended Western Port Woodlands for discussions

Attended Mine Whistle Restoration launch

Attended U3A Story-Boards event in Grantville

Edible Gardens open days included our own garden - lots of BCSC related environmental etc questions from visitors

Received additional calls and discussions from individuals and organisation reps re Stanley Rd vegetation removal as well as Climate Change readiness, dogs in off leash beach area in San Remo, 'Dark Skies' options, mangrove revegetation challenges, 'Urban Gardens for Wildlife', parking, passive public open space etc

5 Public Question Time

5.1 Dean Hurlston, Topic: Catering Costs

What is the approximate cost per public COUNCIL meeting FOR Councillor and Staff MEALS, REFRESHMENTS AND BEVERAGES? (If applicable).

Response: Council spends approximately \$200 on catering for Councillors.

5.2 Stefan Frey, Topic: Silverleaves Coastal Erosion

Why is Silverleaves receiving funding for coastal protection when homeowners knew the risks of shoreline erosion? Other suburbs, like Surf Beach, must pay for basic infrastructure like roads and drainage. Why the disparity? If council funds part of infrastructure, this approach should apply equally across all areas.

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

Council officers continue to work closely with the Department of Energy, Environment and Climate Action (DEECA) to monitor changes in the Silverleaves coastline, including through the Victorian Coastal Monitoring Program. Officers continue to advocate directly with their counterparts within DEECA, and since the December meeting of Council, the Mayor, Deputy Mayor and CEO have met with the relevant Minister to emphasise the need for immediate funding of works at Silverleaves.

The proposed works at Silverleaves are primarily aimed at preserving the foreshore reserve, as public open space. These works are being designed and led by DEECA. Council will continue to advocate for a timely, evidence-based response, and provide delivery support when the design, permits and approvals are complete, and adequate funding made available.

Council has consistently called on both the Commonwealth and State Government to resource and work with Local Governments to develop a framework for staged relocation of coastal assets and infrastructure in vulnerable locations. As sea levels continue to rise, our coastal communities need a process that is equitable, inclusive, fair, straight forward and efficient.

DEECA was recently successful in securing \$1.52M in Disaster Ready Funding from the Commonwealth to develop a policy for property and assets impacted by coastal hazards and sea level rise.

Council continues to advocate for a state-wide Coastal Inundation and Erosion Control, in the form of an overlay similar to the Bushfire Management Overlay

5.3 Tristan White, Topic: Silverleaves Coastal Erosion

1. Silverleaves residents in Woodland Ave whose properties are under threat of inundation have not been given advice by Council as to what Council will do should inundation occur. Why has Council not provided this advice to threatened residents? Council to consider following, buyback, value of property, rates, asset recovery.
2. FSC Range identified former BCSC works including the stone revetment as contributing to the loss of Silverleaves shoreline along Woodland Avenue. Does Council accept responsibility to protect residents now threatened by these former Council works? Council to consider, natural climate change verses stone revetment wall works. Residents require transparency.

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

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5.4 Stephen Lapin, Topic: Silverleaves Coastal Erosion

1. What is the specific measurement the Council will use to determine 'further deterioration of the Silverleaves shoreline' and therefore trigger the necessary emergency works?
2. Will the emergency works be performed under the advice of DEECA's marine engineering consultants?

Response:

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5.5 Lindsay Byrne, Topic: Silverleaves Coastal Erosion

Is the BCSC able and willing to provide the Silverleaves Conservation Association and interested property owners with detailed topographical information about the Silverleaves area?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

Council officers continue to work closely with the Department of Energy, Environment and Climate Action (DEECA) to monitor changes in the Silverleaves coastline, including through the Victorian Coastal Monitoring Program. Officers continue to advocate directly with their counterparts within DEECA, and since the December meeting of Council, the Mayor, Deputy Mayor and CEO have met with the relevant Minister to emphasise the need for immediate funding of works at Silverleaves.

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5.6 Glenys Byrne, Topic: Silverleaves Coastal Erosion

1. Does the Council believe that the foreshore and private land east of the rock revetment is at risk of tidal inundation, and does it have a plan to minimize that risk?
2. What methods, other than aerial photography, has the BCSC used to measure the loss of foreshore at Silverleaves?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

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5.7 Claerwen Jones, Topic: Silverleaves Coastal Erosion

1. The Silverleaves Conservation Association is grateful that the Council, at its December Council Meeting, committed to “immediately undertake necessary emergency works” should the shoreline at Silverleaves “deteriorate further”. Is Council aware that the shoreline has “deteriorated further” with another 0.5-1m loss along the foreshore since December 2024?
2. 2. Given that the Silverleaves shoreline is continuing to deteriorate, at what point will the emergency works be triggered?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

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5.8 Barbara Hoban, Topic: Silverleaves Coastal Erosion

1. Is the Council measuring and monitoring the rate of erosion along the Silverleaves foreshore particularly along the Woodlands area where homes and habitat are under immediate threat?
2. What attempts at attracting funding from State and Federal Governments have been made?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

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5.9 Louise Hill, Topic: Silverleaves Coastal Erosion

What assistance has the Bass Coast Shire Council requested from the Commonwealth or Victorian Governments in relation to protection or rehabilitation of the Silverleaves foreshore?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

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5.10 Daryl Hill, Topic: Silverleaves Coastal Erosion

Has the Silverleaves coastal erosion been formally identified as a strategic risk? If so, what is the planned action to address this risk?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

Council officers continue to work closely with the Department of Energy, Environment and Climate Action (DEECA) to monitor changes in the Silverleaves coastline, including through the Victorian Coastal Monitoring Program. Officers continue to advocate directly with their counterparts within DEECA, and since the December meeting of Council, the Mayor, Deputy Mayor and CEO have met with the relevant Minister to emphasise the need for immediate funding of works at Silverleaves.

The proposed works at Silverleaves are primarily aimed at preserving the foreshore reserve, as public open space. These works are being designed and led by DEECA. Council will continue to advocate for a timely, evidence-based response, and provide delivery support when the design, permits and approvals are complete, and adequate funding made available.

Council has consistently called on both the Commonwealth and State Government to resource and work with Local Governments to develop a framework for staged relocation of coastal assets and infrastructure in vulnerable locations. As sea levels continue to rise, our coastal communities need a process that is equitable, inclusive, fair, straight forward and efficient.

DEECA was recently successful in securing \$1.52M in Disaster Ready Funding from the Commonwealth to develop a policy for property and assets impacted by coastal hazards and sea level rise.

Council continues to advocate for a state-wide Coastal Inundation and Erosion Control, in the form of an overlay similar to the Bushfire Management Overlay

5.11 Christine Irvine, Topic: Silverleaves Coastal Erosion

1. The shoreline continues to deteriorate due to coastal erosion; when will Council undertake emergency works to stabilise this shoreline.
2. FSC Range identified former BCSC works including the stone revetment as contributing to the loss of Silverleaves shoreline. Does Council accept responsibility to protect residents now threatened by these works?

Response:

A significant portion of Silverleaves has had a Land Subject to Inundation Overlay since 2017, which was introduced following significant community consultation and engagement. Officers have continued to meet with concerned residents and respond to enquiries.

Council officers continue to work closely with the Department of Energy, Environment and Climate Action (DEECA) to monitor changes in the Silverleaves coastline, including through the Victorian Coastal Monitoring Program. Officers continue to advocate directly with their counterparts within DEECA, and since the December meeting of Council, the Mayor, Deputy Mayor and CEO have met with the relevant Minister to emphasise the need for immediate funding of works at Silverleaves.

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Council continues to advocate for a state-wide Coastal Inundation and Erosion Control, in the form of an overlay similar to the Bushfire Management Overlay

5.12 Kim White, Topic: Coastal Erosion Advocacy

With the recent change in councillors and the new council's commitment to supporting communities in protecting towns rather than retreating, will the coastal erosion retreat policy (outlined on page 17 of the advocacy document) be formally reviewed or amended? If so, what is the process and timeline?

Response:

Council's advocacy priorities will be reviewed as part of the development of the 4-year Council Plan.

5.13 Craig Rogers, Topic: 151 Marine Pde, San Remo

The traffic report relies on public transport, and bikes to visit the new offices, yet the current tenant parks on-site. Assuming users will only bike or take buses is unrealistic and shouldn't justify eliminating onsite parking. The development should be scaled to the land size, not depend on existing infrastructure.

Response:

The availability of public transport services and provision of bicycle parking are only one element that contribute to planning decisions relating to car parking. Limited site constraints restrict the ability to cater for on-site car parking. A planning permit for the proposal was issued whilst considering the broader policy direction for Marine Parade.

5.14 Linda Marston, Topic: Bernnineit Art Exhibit

As part of the 'KIDS as Catalysts' program some Newhaven primary students created posters promoting awareness of Wildlife on Phillip Island. They were unable to exhibit these at Bernnineit for free. As BCSC is partnered with this program, shouldn't Council promote such projects as examples of young leadership?

Response:

Council does provide support and access for KIDS as Catalyst program, however, not every request is able to be accommodated.

The group was advised that the best option was to hire a community space in the building. Staff also spent some time with the group advising how best to promote their work and provided key contacts within media.

5.15 Linda Marston, Topic: Speed Review

Stage 2 of the Speed Review has been promised for several years. Please provide the schedule to progress it?

Response:

Stage 2 of the Phillip Island speed review involves removing all of the default 100kph speed limits from unsealed roads. Council has scoped the project and is continuing to seek funding for its implementation.

5.16 Prudence Scholtes, Topic: Powlett Ridge Wonthaggi

How much money was the Powlett Ridge Wonthaggi developer required to contribute for Open Space/Park for the estate, and how much has been spent so far to deliver the .85ha local park adjacent to the Western Construction Waterway as stated in the VPA Table Open Space delivery guide?

Response:

No financial contribution was required as the provision of the land was deemed to satisfy the relevant planning requirements.

5.17 Kevin Griffin, Topic: Key Performance Indicators

In November 2024 the CEO advised that the CEO key performance indicators would be made available on Council's website once they were endorsed by the new Council.

Please advise where the CEO Key Performance Indicators can now be found on Council's website.

Response:

Key Performance Indicators can be found at the below link, under subheading Chief Executive Employment Matters.

[Key Information | Bass Coast Shire](#)

5.18 Kevin Griffin, Topic: SECCCA

Council Watch advises that South East Councils Climate Change Alliance (SECCCA) organises forums and publishes reports but has limited tangible outcomes and that climate adaptation funding remains largely unchanged despite SECCCA's lobbying.

Please advise if SECCCA has provided any tangible outcomes for the ratepayers of Bass Coast Shire.

Response:

As a council owned and operated organisation, SECCCA is dedicated to supporting an efficient, scaled response to emissions reduction and climate adaptation. For example, the Asset Vulnerability Assessment tool developed by SECCCA has been applied to Bass Coast's asset management plans to deliver insights that would not have been available within Council's resources acting alone.

In 2024, SECCCA secured \$4.2M from the Disaster Ready Fund to continue reducing risk and building resilience across Melbourne's southeast councils, under the Financing Flood Resilient Infrastructure (FFRI) project. A full list of SECCCA initiatives is included in the Strategic Plan located on the SECCCA website.

5.19 Lindsay Byrne, Topic: Foreshore Works

How is the need for foreshore works determined by the BCSC, DEECA and the other Stakeholders responsible for the management of Crown Land, and how is the implementation of those works prioritised?

Response:

Council is one of 8 land managers appointed by DEECA to manage foreshores throughout the shire. Management of Crown Land foreshores is ultimately governed by state legislation and policy, including the Marine and Coastal Act 2018, and Marine and Coastal Policy 2020.

5.20 Eve Kelly, Topic: Dog Regulations

1. The Phillip Island Dog Association appears to have influence at council in terms of off-leash dog regulations and how they might change in the future. For balance, was there an ecological survey done of the San Remo foreshore before it was opened to dogs 24hrs a day?
2. Dogs are allowed off-leash on the San Remo foreshore 24 hours, except during holidays. The dunes provide habitat for wildlife including wombats and their joeys. Before improved signage is arranged, will the council consider reassessing the hours, to give the wombats a break, particularly between the hours of 7am-9pm?

Response:

1. **Council regularly reviews all off-leash regulations and works with community and subject matter expert stakeholders to ensure that they continue to meet community needs. In 2025, Council is developing a new Domestic Animal Management Plan, which will provide the opportunity to review guidelines and a program to support best outcomes relating to domestic animals across the Shire. Consideration of the hours at San Remo and other beaches will be included in this process.**
2. **Council develops off-leash dog regulations in consultation with subject matters experts, land managers and community groups, for a balanced approach. Council has considered ecological impacts in the establishment of all off-leash regulations and will continue to do so in reviewing and establishing these regulations going forward.**

5.21 Ann Grose, Topic: Carnival Site

Email sent to Team Leader/Community Safety January 23rd asking if BCSC applied for funding through DECCA for round of "New/Upgraded Dog Parks" (\$13.4 million). Reply received January 30th "the Carnival site failed the application criteria due to design and infrastructure constraints". Please detail what the design/infrastructure constraints were?

Response:

Council conducted site assessments in relation to the "New and Upgraded Dog Park" funding criteria through DECCA, including the Phillip Island site. At the time of the funding, Phillip Island Recreation Reserve did not meet the criteria.

The site required further design and delivery of critical connecting civil infrastructure, such as roads, site drainage, carparking etc, prior to being able to apply for funding. Council continues, further designs work to position the site for future funding opportunities.

5.22 Ross Bencraft, Topic: Parking Spaces

BCSC waived more than 900 parking spaces for the Isle of Wight redevelopment. Research indicates parking to accommodate 900 cars requires approximately 2 hectares of space, Where is council proposing these 900 cars will be alternatively accommodated?

Response:

The Isle of Wight redevelopment was ultimately approved by the Minister for Planning as part of Amendment C164basc to the Bass Coast Planning Scheme on 14 March 2024.

The scale of parking proposed is one element which contributes to planning decisions. The decision to issue a planning permit for the proposal made by the Minister, considered the broader policy direction for the subject site and the contribution to employment and local economy. The submission of a green travel plan is a condition of the permit.

5.23 Ross Bencraft, Topic: Commercial Developments

Could BCSC please provide the exact number of commercial developments council has approved specifically with parking space waivers on Phillip Island and in San Remo in the period spanning 1/1/2021 to 31/12/2024, and the exact total number of waived parking spaces for all of these approved developments in this period?

Response:

There have been 22 Planning Permit applications determined in the requested period across Phillip Island and San Remo which have resulted in a total of approximately 1209 car parking spaces waived this includes 900 for the Isle of Wight redevelopment.

The ability to apply for parking reductions is a feature across the Victorian planning system. Whilst the planning scheme provides a guide on car parking, a case-by-case assessment based on each individual site, its location and physical constraints is used to determine whether a reduction is appropriate.

5.24 Peter Fogarty, Topic: Community Safety

1. Do Councillors support the enforcement of the Bass Coast Council By-Laws pertaining to the significant issue of persons not complying with offences relating to the ownership of domestic animals?
2. Do Councillors support additional funding for greater staffing and resources for the Community Safety Team in order that Community Safety Officers can effectively relevant by-laws?

Response:

1. **Council enforces all relevant regulations throughout the Shire, including Bass Coast Shire Local Law. Enforcement of domestic animal regulations remains a key priority for Council.**
2. **Council regularly reviews staffing levels to ensure that adequate resources are dedicated to enforcement of the Local Law. Through the 2025-26 budget process, Council will review resource allocations to ensure that Council continues to meet community enforcement needs.**

5.25 Louise Lyell, Topic: Special Charge Schemes

At November 2024, Council Question 5.6, the CEO stated information regarding a number of special charge schemes would be added on the engage bass coast website over the following two months, it is now three months. Why is this information not available as was stated by the CEO?

Response:

Due to resourcing, there has been a delay in processing the information. Details will be published in March 2025.

5.26 Louise Lyell, Topic: Purchased Land

In response to question 5.15 at the December Council Meeting 2024. CEO Box stated, council has purchased 14 parcels of land but failed to adequately identify each and every parcel of land as per the original question. Will council please state individual addresses including individual reasons for each purchase?

Response:

The details of each parcel of land acquired was included in the minutes of the December 2024 Council meeting. All properties were acquired through the construction of new estates and the land will be used for drainage and open space purposes.

5.27 Susie Wickes, Topic: Stormwater Infiltration

At the August 2024 Council Meeting the CEO stated that stormwater infiltration into the sewer is not council's problem. Westernport Water stated their system is designed to manage flows with emergency relief structures protecting the environment. Why in the 2024URDI Priority Scoring is there a 15 point environmental penalty for Surf Beach properties?

Response:

15 points reflects a high score for environmental risk as the area has a history of overflows into Western Port.

5.28 Philip Davy, Topic: Wetland Treatment

Wetlands consist of water- loving plants, soils and pools of water that filter pollutants and treat stormwater through natural ecological processes before slowly releasing downstream. Why in the 2024 URDI Priority Scoring, (Environmental), does council rate direct stormwater pipe discharge to oceans and bays more beneficial than wetland treatment?

Response:

The benefits of the treatments are not rated. The scores are based on environmental risk and prioritising which outfalls should be considered for an upgrade first.

5.29 John Cantone, Topic: Sports Facilities

1. How can the Council justify 30 years of neglecting essential sports facilities—leaving generations without access to proper ovals, pools, and recreation spaces—while millions in funding have been spent elsewhere? What immediate steps will you take to prioritize the development of high-quality sporting infrastructure for Phillip Island and the wider community?
2. With \$1.8 billion spent over 30 years yet infrastructure remains the same. What concrete steps will you, as Mayor and CEO of Bass Coast Shire, take to finally deliver on 30-year-old requests for football fields, swimming pool, pump tracks, cricket fields, and basketball stadiums?

Response:

1. **Approximately \$4 million has been invested in sporting infrastructure on Phillip Island since 2018. Upgrades to sporting infrastructure with major contributions from Council, State Government and local sporting clubs include:**
 - **Oval refurbishment at Cowes Recreation Reserve**
 - **New oval flood lighting at Cowes Recreation Reserve**
 - **New netball pavilion at Cowes Recreation Reserve**
 - **New netball courts and flood lighting at Cowes Recreation Reserve**
 - **Football pavilion refurbishment at Cowes Recreation Reserve**
 - **Refurbishment of skate park at Cowes Recreation Reserve**
 - **New Croquet pavilion**
 - **Refurbishment of soccer pavilion at Newhaven Recreation Reserve**
 - **New flood lighting for Newhaven Recreation Reserve**

Council adopted the Phillip Island Recreation Reserve Masterplan in September 2023. Advocacy for funding will continue to implement the Masterplan and its associated sporting infrastructure.

2. **Council will continue to advocate at both a State and Federal level for funding to deliver new sporting infrastructure across the Shire.**

5.30 Bill Wilson, Topic: Performance and Financial Report

Page 11, Performance and Financial Report ending 31/12/2024 reports an error. A 50% completion to progress the review towards a new Council Plan. The Community Panel of 45 people is to attend the first meeting on 19/3/2025 to start the review process with a consultant. Please explain the 50% completion.

Response:

As a part of this project, broader community engagement was undertaken between July and August 2024 and the report made available on Council's website. Planning for the recruitment of the panel was completed in Quarter Two. The Community Panel will be convened between March and May 2025. The percentage marked complete on this action in the Quarter Two report reflects the work undertaken to date in this project and includes the preparation for the Community Panel and other stages of the project.

5.31 Melissa Dagg, Topic: Waste Contract

Council's 10 year waste contract expires in 2026. The contract includes a \$1.2 million cost to the waste charge to ratepayers for council buildings and foreshore collection etc. After the recent Councillor briefing meeting what councillors have read the confidential full waste contract at the council office.

Response:

Briefings on Council's waste management services, including contracted elements, will continue throughout the induction process and preparation of the 2025/26 budget. Councillors are not expected or required to read in full every contract entered by the organisation, but rather to inform the strategic direction, resourcing and priority outcomes for the community.

5.32 Melissa Dagg, Topic: Mayor Expenses

The Mayor of the Bass Coast Shire Council is entitled to an electric vehicle for Mayoral duty use. Would council please provide details as to the 'Travel Expense of \$2,459.18' claimed by the Mayor reported by council.

Response:

The Travel Expense reported for the Mayor in the Councillor Expenses report to 31 December 2024 is the internal recharge for the Mayoral vehicle. No other travel expenses were claimed by the Mayor.

The internal recharge is based on whole of life running costs for the vehicle. These include registration, insurance, servicing, tyres, repairs & maintenance, and depreciation.

5.33 John Kuzma, Topic: Confidentiality Policy

Would council please provide its Confidentiality Policy.

Response:

Council does not have a Confidentiality Policy. The Local Government Act and Privacy and Data Protection Act stipulate confidentiality requirements that Council must adhere to. Council also has a Privacy policy which is available on our website.

5.34 Joe Waralow, Topic: Turning lane along Ventnor Road

In 2012 Council identified a safety requirement consisting of a turning lane along Ventnor Road for the entry of Hilton Chadwick Reserve and the Carnival Land in Cowes. What progress of permits and a detailed plan has council achieved.

Response:

The new entry and turning lane designs are currently being finalised. Once finalised, Council will work with Department of Transport and Planning to obtain permits required for delivery.

5.35 Gina Rosamilia, Topic: Gurdies Reserve

A local newspaper reported council was receiving \$1.1 million income from the sale of offset credits to permit holders for the Gurdies Reserve in perpetuity (forever). Where does the \$1.1 million show in the Annual Reports.

Response:

The scheme commenced in 2014 and has collected funds in relation to the sale of the credits. The Credits create an obligation for Council to deliver works in accordance with set conditions. As the obligations are settled, the income is recognised as Monetary contributions in the Council's income statement per the Annual Report.

5.36 Graham Jolly, Topic: Councillor Briefings

Briefing meetings are held to inform Councillors of matters of importance to Council. What briefing, list topics has Councillors workshopped to assist in decision making after the councillor election in 2024.

Response:

All Councillor Briefings are listed in the Informal Meeting of Councillors attachments attached to item 9.1 of the agenda.

5.37 Graham Jolly, Topic: Statutory Matters

Council has appointed Mosaiclab, a consultant to review Statutory matters as defined in the Local Government Act 2020. Would council please provide the full scope of work subjects and instructions that were provided to the appointed consultant heading the Community Panel 4 meetings starting on 19/3/2025.

Response:

Council appointed MosaicLab to work with Council to deliver the deliberative engagement to support the refresh of Council's Vision and development of the Council Plan 2025-29, Financial Plan and Asset Plan as required under the Local Government Act 2020. MosaicLab were engaged to:

- **Develop an engagement plan**
- **Support community engagement**
- **Manage the recruitment of the Community Panel**
- **Manage communication with panel members**
- **Plan and deliver the four Community Panel sessions**
- **Provide a report from Community Panel**
- **Provide strategic advice for the project**

5.38 Fred Morris, Topic: Council Meeting

The Council image at meetings requires attention. For good governance when will the Mayor insist the Senior Governance Manager sit directly next to the Mayor with the CEO seated on the other side and all other council officers seated away from the Mayors public meeting table.

Response:

Thank you for your feedback. The setup of the Council meeting is organised in consultation with the Mayor and is continually reviewed.

5.39 Mario Boffa, Topic: Annual Report

The 2023/24 Annual Report page 57 advises a Service of "Finance" with a budget figure of "(7,464)". Please explain why a negative \$7.464 million can be reported as a budget funding allocation.

Response:

The Budgeted Net Result for the Finance function is a negative cost of \$7.464 million due to it including revenue from the Victorian Grants Commission and Interest received on Council's investment portfolio.

5.40 Gina Rosamilia, Topic: Public Art Plan

The 2023/24 Annual Report page 45 reports “Develop a Public Art Plan to provide a clear outline of the Council’s approach to public art in the municipality is 35% complete”. What is the current status as it is not reported as of 31/12/2024.

Response:

In January a consultant has been engaged to develop the new 10-year strategic plan by the end of the 2024-2025 financial year. The Strategy will be developed in consultation with an Internal Project Steering Group, Arts Advisory Committee and the local community.

5.41 Ernie Westergard, Topic: Costs to State Government

Council collects funds from ratepayers for the Fire Levy on behalf of the State Government. Please list details of other costs to State Government departments council pays.

Response:

Council has commenced the collection of the 7.5 per cent short stay levy for accommodation bookings made through our Visitor Information Centres with effect from January 2025.

Council is also liable for land tax, where applicable, on properties that it owns.

5.42 Terry Parkin, Topic: Capital Works Projects

In 2023 Council allocated in its Capital Works Projects for year 2023/24 fundings for Capital Advancements. The rates funding allocation was \$4.410 million. What has happened to the \$4.410 million of rates when the 4th Quarterly Report ending 30/6/2024 reports no expenditure.

Response:

The capital advancement allocation was established to enable Council to manage the volatile market for capital works.

In 2023/24 the \$4.41 million was expended on multiple projects in line with the purpose of capital advancement fund.

6 Notices of Motion

6.1 256/25 Protection of shoreline vegetation and habitat from Cowes to Ventnor

Cr Ron Bauer declared a conflict of interest in agenda item 6.1 256/25 Protection of Shoreline vegetation and habitat from Cowes to Ventnor under section 127 of the Local Government Act 2020. They left the meeting at 1.40pm and took no part in the debate or decision.

Council Decision

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

That Council:

1. Recognise the value of the fragile foreshore reserves between Cowes and Ventnor, the value of the indigenous vegetation and habitat they support and the shorelines they protect;
2. Ensure that the foreshore from Osborne Rd Cowes to Grossard Point Ventnor be protected in perpetuity from shoreline development, and that existing foreshore reserves be enhanced and rehabilitated with indigenous planting and ongoing management;
3. That this management include appropriate oversight and community engagement relating to formal and informal beach access paths to preserve the integrity of vegetation along coastal dunes and sand banks;
4. That shoreline reserves between Cowes and Ventnor, which are narrow and degraded over much of the route and under increased pressure from population growth and increased density of nearshore housing, be excluded from tracks and trails developments;
5. That the proposed Cowes/Ventnor trail be removed from proposed future projects.

CARRIED

Cr Ron Bauer returned to the meeting at 1.48pm

7 Petitions and Joint Letters

7.1 Petition - Urban Road & Drainage Infrastructure Improvement Project on Anglers Rd, Sunderland Bay

Council Decision

Moved: Cr. Ron Bauer / Seconded: Cr. Tim O'Brien

That Council:

1. Receive the petition, Road and Drainage Infrastructure Improvement for Anglers Road and resolve to deal with this matter at this Council Meeting.
2. Commence work with the head petitioner and other property owners to investigate a preferred treatment option and potential costs to upgrade the road.
3. Note that a potential 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

7.2 Petition - Short Stay Rental Accommodation

Council Decision

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

That Council:

1. Receive the petition, Short Stay Rental Accommodation issues to lie on the table with a report to be presented to the March 2025 Council Meeting.
2. Advise the head petitioner of Council's decision.

CARRIED

8 Reports Requiring Council Decision

8.1 Quarterly Performance Report - Quarter Two - October - December 2024

Council Decision

Moved: Cr. Mat Morgan / Seconded: Cr. Tracey Bell

That Council receive the September 2024 Quarterly Performance Report.

CARRIED

8.2 Planning Application 220321 - Stanley Road and McGrady Road Road Reserves, generally located between Bass Highway and 115 McGrady Road GRANTVILLE AND GLEN FORBES

Council Decision

Moved: Cr. Jon Temby / Seconded: Cr. Tim O'Brien

That in relation to Planning Application 220321 proposing the removal of native vegetation pursuant to Clause 52.17 resolve to issue a Notice of Refusal on the following grounds:

1. The proposal does not satisfy the purpose of clause 52.17 as it fails to adequately demonstrate that the removal of native vegetation has been avoided and therefore does not demonstrate that impacts from the removal of native vegetation have been reasonably minimised.
2. The proposal is inconsistent with state and local planning policy at clauses 12.01-IS and 12.01-IL that seeks to protect and enhance Victoria's biodiversity.
3. The proposal is inconsistent with the objective of clause 12.01-2S to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
4. The proposal does not satisfy the decision guidelines required to be considered for applications in the Detailed Assessment Pathway for removal of native vegetation as required in the *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines)*.
5. The proposal is inconsistent with the Farming Zone decision guidelines in relation to environmental issues.
6. The application is inconsistent with expectations in relation to native vegetation removal described in the decision guidelines of Clause 65.01.

CARRIED

8.3 Planning Amendment Application 2024/000214-I - 225-243 Thompson Avenue, Cowes

Council Decision

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

That in relation to Planning Permit amendment application PDPLANPER-2024/000214-I for buildings and works to expand the existing development, an expansion of the licensed area, and a reduction of car parking spaces in the General Residential Zone located at 225-243 Thompson Avenue, Cowes, Council resolves to issue a Notice of Decision to Grant an Amended Permit subject to the following conditions:

Amended plans required

- I. Before the expanded use and 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. Eight Bicycle Parking Spaces in accordance with the requirements of Clause 52.34 of the Bass Coast Planning Scheme
 - b. An amended whole site plan which provides clear annotations for the following:
 - i. An increased fence height along the eastern boundary where proposed.
 - ii. External lighting to be designed, baffled, and located so as to prevent any adverse effect on surrounding residential land.
 - b. An Amended Landscape Plan which provides for the following
 - i. Appropriate screening buffer planting along the eastern boundary of the site at the residential interface.
 - ii. Additional planting to include native canopy trees of advanced stock with a minimum 35-centimetre pot size, and a height of 2 metres at time of planting.
 - iii. An updated landscape legend/planting schedule to clearly show any amendments to planting and additionally proposed planting including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - iv. No environmental weeds as identified in the Bass Coast Landcare Weeds of Gippsland Document must be planted on the site or allowed to invade the site and the site managed and maintained to exclude weeds.

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

Landscaping Completion and Maintenance

2. Within 3 months from the date of the amended permit the site must be landscaped in accordance with the endorsed landscape plan.
3. 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.

4. High quality photographs (from various angles and distances) to be provided within 3 months from when the development 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.

Site Civil Design Plans

5. Before the issue of a building permit by a relevant building surveyors 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 authorities. The plans must be drawn to scale with dimensions and an electronic copy (PDF) must be provided. The plans must show:
 - a. All newly proposed structures to be plumbed to the existing drainage system on site which in turn should discharge into Council's drainage system.

Construction

6. Before the commencement of use, 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 to be in accordance with the endorsed civil plans.
 - c. As-constructed levels must be provided to AHD for any new Council assets constructed with the development.

Mud on Roads

7. 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.

Maintenance of Onsite Drainage System

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

Layout not to be altered

9. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Waste Management Plan

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

residential properties to the satisfaction of the responsible authority in accordance with the endorsed Waste Management Plan.

Noise Management Plan

11. The Noise Attenuation Measures contained within the endorsed acoustic report must be implemented in full and maintained to the satisfaction of the responsible authority for the life of the development.

No buildings or works over easements

12. No buildings or works shall be constructed on any existing easement (including implied sewer, drainage, telephone, gas, power, and water easement) or proposed easement without the further approval in writing of the responsible authority and/or the relevant service provider.

Amenity

13. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, goods, or commodities to or from the land;
 - b. Appearance of any building, works or materials;
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, or oil, or otherwise;
 - d. Presence of vermin.

Liquor Licence

14. The licensed area as shown on the endorsed plans as approved by this permit shall not be altered except with the written consent of the responsible authority.
15. No more than 800 patrons may be present on the property unless with the prior written consent of the responsible authority.
16. The owner/operator must take all reasonable measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to the surrounding area.
17. At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'The Manager').
18. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the Responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such officer.
19. The hours of operation must be clearly displayed in a prominent position on the exterior window of the premises and also within the interior of the premises.
20. The Licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use to which the license relates, during or immediately after the trading hours authorised under this permit.

Permit Expiry

21. This permit will expire if:

- 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.

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 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.

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.

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. Native Vegetation Control

A Planning Permit is required to remove, destroy or lop native vegetation on the land, except in accordance with an exemption specified in the Bass Coast Shire Planning Scheme.

F. 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

8.4 Planning Application 2024/001850 - 13 Warley Av, 44-46 & 48 Thompson Av COWES**Council Decision****Moved: Cr. Ron Bauer / Seconded: Cr. Brett Tessari****Recommendation**

That in relation to Planning Permit Application PDPLANPER-2024/001850 for the Use and development of a Residential Hotel in the CIZ and DDO11, reduction in car parking associated with the Restricted Retail Premises, and provision of car parking associated with the Residential Hotel on another site at 13 Warley Avenue, 44-46 & 48 Thompson Avenue, Cowes, Council resolves to issue a Notice of Decision to Refuse to Grant a Permit on the following grounds:

1. The proposal is inconsistent with Clauses 18.02-4S (Roads) and 18.024L (car parking) of the Planning Policy Framework of the Bass Coast Planning Scheme that relate to the impacts of traffic generation and the provision of car parking.
2. The proposal is inconsistent with the Purpose and Decision Guidelines of Clause 34.01-8 (Commercial 1 Zone) of the Bass Coast Planning Scheme as they relate to the impacts of traffic generation and the provision of car parking.
3. The proposal is inconsistent with the Purpose and Decision Guidelines of Clause 52.06 (Car Parking) of the Bass Coast Planning Scheme as they relate to the impacts of traffic generation impacts, the provision of car parking, and the future growth and development of the broader Activity Centre.
4. The proposal is inconsistent with the requirements of Clause 65.01 as they relate to the approval of an application or plan.

CARRIED**8.5 Sale of Discontinued Road Parcel - 29 Park Road, San Remo****Council Decision****Moved: Cr. Brett Tessari / Seconded: Cr. Mat Morgan**

That Council:

1. Resolves that the parcel of land known as Lot 1 TP 971768C and contained in Certificate of Title Volume 12476 Folio 100 be sold to the Registered Proprietors of 29 Park Road, San Remo; and
2. Authorises the Chief Executive Officer to sign any transfer and other documents required to complete the transfer to the adjoining owner.

CARRIED

8.6 Review of Instrument of Delegation - Council to Staff and Instrument of Sub-Delegation Environment Protection Act 2017 – Council to Staff**Council Decision****Moved: Cr. Mat Morgan / Seconded: Cr. Brett Tessari**

That Council

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Bass Coast Shire Council (Council) resolves that:
 - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately upon the resolution being made and is to be signed by the Council's Chief Executive Officer.
 - c. On the coming into force of the instrument, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
 - d. 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.
2. In the exercise of the power conferred by s 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Bass Coast Shire Council (Council) resolves that:
 - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately upon the resolution being made and is to be signed by the Council's Chief Executive Officer.
 - c. 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

8.7 Bass Coast Shire Council motions for Municipal Association of Victoria State Council Meeting and Australia Local Government Association National General Assembly**Council Decision**

Cr Rochelle Halstead removed herself from the position of Chair at 2:18pm

Cr Brett Tessari assumed the position of Chair at 2:18pm.

Moved: Cr. Rochelle Halstead / Seconded: Cr. Tracey Bell

That Council:

1. submits the following motions to the Municipal Association of Victoria (MAV) State Council 16 May 2024 meeting:
 - 1.1 The Municipal Association of Victoria calls on the State Government to clearly articulate its role and actions to manage coastal erosion along the Victorian Coastline. In addition, the State Government establish an ongoing fund for emergency works required to address the impacts of coastal inundation activities occurring more frequently and for longer durations, impacting critical infrastructure, services and the wellbeing of coastal communities.
 - 1.2 The Municipal Association of Victoria calls on the State Government to assume direct responsibility for collecting the Emergency Services and Volunteers Fund (ESVF), ensuring a more streamlined and efficient process for all stakeholders.
 - 1.3 The Municipal Association of Victoria calls on the State Government to urgently review its Development Facilitation Program to provide greater transparency for the community and to ensure Council is compensated for review of applications.
2. Submits the following motion to the Australian Local Government Association 2025 National General Assembly being held 24-27 June 2024:

This National General Assembly calls on the Australian Government to establish a National Coastal Adaptation Strategy and associated funding to develop and implement a national program to coordinate coastal adaptation planning, hazard data collection and analysis and disaster prevention projects, to mitigate the increasing risks associated with projected sea level rise and more frequent and severe extreme weather events.

It is proposed the National Coastal Adaptation Strategy focusses on developing a collaborative approach to improving coastal resilience through the Australian Government, working in partnership with the States and Territories and local governments. This Strategy will be the mechanism by which an intergovernmental agreement defining the roles and responsibilities (including funding) of each tier of government in relation to coastal resilience and risk reduction, is achieved.

Cr Brett Tessari removed himself from the position of Chair at 2:27pm

Cr Rochelle Halstead returned to the position of Chair at 2:27pm.

CARRIED

9 Statutory Reports

Council Decision

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

That agenda items 9.1, 9.2, 9.3, 9.4 and 9.5 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 - November 2024

That Council:

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

9.3 Planning and Building Statistics - December 2024

That Council:

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

9.4 Councillor Expenses for the Council Term 11 November 2024 to 31 December 2024

That Council receive the report on Councillor Expenditure for the Council term between 11 November 2024 and 31 December 2024.

9.5 Contracts Awarded and Extended via CEO delegation

That Council notes the above contracts were awarded and / or extended under the delegated authorities in accordance with the Procurement Policy 2023 during November and December 2024.

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Ron Bauer

That the recommendations attached to agenda items 9.1, 9.2, 9.3, 9.4 and 9.5 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 March 2025 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm.

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Meg Edwards

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:

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

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

CARRIED

Meeting adjourned

That the meeting be adjourned at 2.31pm

Meeting resumed

That the meeting be resumed at 2.34

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**;

13 Reports Requiring Council Decision Closed to the Public

13.1 Award of Tender No. 24009 Operation and Management of Bass Coast Shires Leisure Facilities

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:

(g) private commercial information, being information provided by a business, commercial or financial undertaking that— (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

13.2 Award of Tender 24016 Management and Delivery of Youth Services

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:

(g) private commercial information, being information provided by a business, commercial or financial undertaking that— (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

14 Meeting Closed

The meeting closed at 2.42pm