

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Agenda

Wednesday 15 April 2026



Council Chambers, Leongatha
Commencing at 2:00 PM



*South Gippsland
Shire Council*

OUR COUNCIL PLAN VISION STATEMENT

Our South Gippsland community is connected, resilient and empowered. We value our unique townships, our rural and coastal landscapes, while balancing growth.

A prosperous region, we draw strength from: visitor experience, emerging and creative industries, our agricultural sector and natural environment. We lead with purpose, are forward thinking, and deliver consolidated and sustainable services for our community.

The Council Agenda relates to the following Strategic Objectives of the Council Plan 2025-2029.



Leading with Integrity



Developing a Sustainable Future



Empowering Communities

SOUTH GIPPSLAND SHIRE COUNCIL

Notice is hereby given that Council Meeting of the
South Gippsland Shire Council will be held on Wednesday 15 April 2026
in the Council Chambers, Leongatha, commencing at 2:00pm

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Allison Jones
Chief Executive Officer

Privacy Statement

Council is required to keep minutes of each Council meeting. The minutes contain details of proceedings which may include personal information about community members disclosed as part of presentations, submissions and questions. The minutes of Council meetings are a public record and can be inspected by members of the public.

1. PRELIMINARY MATTERS

1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER

This Council Meeting is being streamed live, recorded and published in accordance with Council's *Live Streaming in Council Meetings Policy*.

Access to the live stream through Council's Internet is an option to view the 'open' component of a Council Meeting. Link to the Live Stream on Council's website: [Live Streaming | Live Streaming | South Gippsland Shire Council](#)

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Today's Meeting is being streamed live as well as recorded and published on Council's website.

Thank you

1.2. WELCOME TO THE COUNCIL MEETING

Public Questions

In accordance with Council's *Governance Rules, clause 57.6 the submission of agenda public questions has now closed. Questions must be received by Council, 24 hours prior to the commencement of the Council Meeting. Questions received within 24 hours of the commencement of the Meeting will be considered at the next Council Meeting.*

1.3. OPENING PRAYER

As we gather here from diverse backgrounds and beliefs, may we hold privilege with good care and trust. As we deliberate and discuss, may we be wise in our discernment, fair in our decisions and visionary in our planning. May we be guided by our common goal of a strong and united South Gippsland.

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

We acknowledge the Bunurong and Gunaikurnai people as the Traditional Custodians of South Gippsland and pay respect to their Elders, past, present, and future, for they hold the memories, traditions, culture, and hopes of Aboriginal and Torres Strait Islander people of Australia.

1.5. APOLOGIES

Councillor John Schelling was granted a request of leave of absence at the 18 February 2026 Council Meeting.

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 18 March 2026 in the Council Chambers, Leongatha be confirmed.

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to declaring a Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor, member of a delegated committee who is not a Councillor and a member of Council staff.

Council's Governance Rules, Chapter 5 – Clause 2 - Disclosure of a Conflict of Interest at a Council Meeting sets out the prescribed manner required to disclose a conflict of interest at South Gippsland Shire Council.

Council's Governance Rules require a Councillor and/or staff member who has a conflict of interest in a matter being considered at a Council Meeting to announce before the matter is considered and disclose this in a written notice to the Chief Executive Officer. The details included in the disclosure, explain the nature of the conflict of interest, whether it is classified as general or material (s.127 and s.128), the name of the relevant person(s) and their relationship to them.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at www.legislation.vic.gov.au.

Council's Governance Rules can be accessed from [Council's Policies](#) webpage.

Mayor Nathan Hersey has declared a general conflict of interest in Agenda Item 5.3 Planning Scheme Amendment Authorisation Request - 8A to 62 Bena Road Korumburra - Development Plan Overlay, as he part-owns land in the area, which may be impacted by significant development.

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to declaring a Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor, member of a delegated committee who is not a Councillor and a member of Council staff.

Council's *Governance Rules, Chapter 5, clause 6, 7 and 8* sets the prescribed manner required for staff to disclose a conflict of interest when:

- Preparing Reports for Meetings
- Exercise of Delegated Power
- Exercise of a Statutory Function

Council staff must immediately upon becoming aware of a conflict of interest provide a written notice to the Chief Executive Officer disclosing the conflict of interest, explain the nature of the conflict and how it will be managed. Upon becoming aware and declaring a conflict of interest, a staff member may not exercise a power or perform a function in the matter. All prepared reports will record that staff member(s) have considered a conflict of interest and include if any, the details of a disclosure.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at www.legislation.vic.gov.au.

Council's *Governance Rules* can be accessed from [Council's Policies](#) webpage.

Nick Moore, Acting Executive Director Empowering Communities, declared a general conflict of interest for Agenda Item 5.2 - Planning Application 2025/44 - 89 Beach Parade, Sandy Point - Subdivision and construction of dwelling etc (Sandy Point Caravan Park Site), as a family member was involved in a previous planning application relating to the subject land.

2. AGENDA PUBLIC QUESTIONS

2.1. PETITIONS AND JOINT LETTERS

Petitions and Joint Letters are written requests that have been signed by a number of community members. According to the *Governance Rules Division 9 - clause 58 – Petitions and Joint Letters*, members of the community may submit a valid petition or joint letter to a Councillor or to Council addressed to the Chief Executive Officer.

The Councillor presenting the petition or joint letter is responsible for ensuring that they are familiar with the contents and purpose of the petition or joint letter and that it does not contain language disrespectful to Council.

The requirements of the lead petitioner are detailed in the *Governance Rules*, available on Council's website.

2.2. ANSWERS TO PREVIOUS AGENDA PUBLIC QUESTIONS ON NOTICE

Answers to previous questions taken on notice at a former Council Meeting, may be included in the Minutes of this Meeting or alternatively responded to as a customer request inline with Council's *Customer Service Charter and Governance Rules*, available on Council's website.

Background material submitted with a question will not be recorded in the Council Meeting minutes.

2.3. SUBMITTED AGENDA PUBLIC QUESTIONS

All community member questions for Council Meetings are to be written and submitted 24 hours prior to the commencement of a Council Meeting to allow time for a response to be prepared. Reasonable efforts will be made to answer pre-submitted questions at the Meeting. Any question received after the closing time of 24 hours prior to the commencement of a Council Meeting, will be held over to the next scheduled Council Meeting.

When further time is required to prepare an answer, questions may be taken-on-notice and responses will be included in the minutes of the next Council Meeting or alternatively responded to as a customer request in line with Council's *Customer Service Charter* and *Governance Rules*, available on Council's website.

At the Meeting, the person submitting the question(s) may have the option to read out their question(s) and will be recorded in the minutes. Questions may not be allowed where the question(s) is deemed to be:

- is not relevant to any Council agenda topic
- relates to a matter outside the duties, functions and powers of Council;
- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- deals with a subject matter already publicly answered; or is repetitious or vexatious questions from the same *Questioner*;
- is aimed at embarrassing a Councillor or a member of Council staff;
- relates to personnel matters; personal hardship of any resident or ratepayer;
- industrial matters; contractual matters; proposed developments; legal advice; law enforcement matters; or
- relates to confidential information as defined under the Act; or
- relates to matters affecting the security of Council property;
- is illegible, vague, not make sense or not be a question;
- relates to council business information and operational matters not specific to Council meeting agenda topics; and/or
- relates to any other matter which Council considers would prejudice Council or any person

A person may submit up to three (3) questions, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 200 words or fewer. Background material submitted with a question will not be read out or recorded in the Council Meeting minutes.

The CEO, in consultation with the Mayor, may decide not to refer a question to a Council Meeting if there is a more appropriate way to respond. Questions and responses may be read out by the Chair or a nominated Councillor or Council staff.

Public question time in the agenda will not exceed 15 minutes in duration, unless extended by a further 15 minutes by a resolution of Council.

Council received three Public Questions in relation to Council's Governance Rules and Public Questions process. Responses to these questions will be provided in the minutes of the Council Meeting.

3. NOTICES OF MOTION AND/OR RESCISSION

3.0. NIL

4. URGENT BUSINESS

Normally no motion should be debated by Councillors unless the matter is already included as an item on the Agenda. However, in some circumstances it is possible to raise urgent motions.

Council's *Governance Rules 2020, clause 23 - Urgent Business*, allows for where a situation has not been provided for under the *Governance Rules*, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Council Meeting or by Officers under delegation.

It is necessary for the Councillor wishing to raise a matter of urgent business to raise a motion similar to the following:

'That consideration of (the issue) be dealt with as a matter of urgent business and Councillor....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Council's *Governance Rules 2020, clause 23* will apply.

If the motion to accept the item as a matter of urgent business is passed by Council, the motion relating to the specific issue can then be put and debated in the normal way.

5. COUNCIL REPORTS

5.1. DRAFT 2026/27 ANNUAL BUDGET; INCLUDING LONG TERM FINANCIAL PLAN (10 YEAR PLAN) AND 2026/27 COUNCIL PLAN ACTIONS

| | |
|--------------|--------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Governance and Integrity |

Council Plan

Theme - Leading with Integrity

The Draft 2026/27 Annual Budget, including the Financial Plan 2026/27 - 2035/36 and the Year 2 Council Plan Actions, provide the resources to progress the achievement of the Strategic Objectives and Strategies outlined in the 2025 - 2029 Council Plan.

EXECUTIVE SUMMARY

The purpose of this report is to present the Draft 2026/27 Annual Budget (**Attachment [5.1.1]**); including the Financial Plan 2026/27 - 2035/36 (10 Year Plan), and the Year 2 Council Plan Actions (**Attachment [5.1.2]**) (*Drafts*) for consideration and endorsement for community consultation from 16 April 2026 to 3 May 2026.

RECOMMENDATION

That Council endorses the Draft 2026/27 Annual Budget (Attachment [5.1.1]) including the Financial Plan 2026/27 – 2035/36 and 2026/27 Council Plan Actions (Attachment [5.1.2]) for a period of community consultation from 16 April 2026 to 3 May 2026, in accordance with Council’s Community Engagement Strategy 2020 - 2024.

REPORT

Proposed Financial Plan and Budget

The Draft 2026/27 Annual Budget (**Attachment [5.1.1]**); including the Long Term Financial Plan and 2026/27 Council Plan Actions (**Attachment [5.1.2]**) outlines Council’s aspirations for the year ahead (and the following three years) and demonstrates how we intend to serve the community with the services and facilities that Council provides. These documents have been prepared in accordance with s.91, s.94 and s.96 of the *Local Government Act 2020* (the Act).

These documents follow the *Better Practice Guidelines* and *Model Budget* issued by Local Government Victoria (LGV) in accordance with the *Local Government (Planning and Reporting) Regulations 2020*.

Councils are required to set targets for the Local Government Performance Reporting Framework (LGPRF). Section 5 of the 2026/27 Annual Budget

document (**Attachment [5.1.1]**) includes indicators with a target for the budgeted year and subsequent three financial years.

The *Drafts* that are being presented for endorsement in this Council Meeting include:

- 2026/27 Annual Budget (**Attachment [5.1.1]**); including the long-term Financial Plan 2026/27 - 2035/36, and
- Council Plan 2025 – 2029; including Year 2 Council Plan Actions (**Attachment [5.1.2]**).

Following the endorsement of these *Drafts* a community consultation process will take place from 16 April 2026 to 3 May 2026. Details will be available online at Council's website or by contacting Council on (03) 5662 9200 during business hours.

CONSULTATION / COMMUNITY ENGAGEMENT

The *Local Government Act 2020* requires councils to take an integrated approach to strategic planning and reporting, including deliberative community engagement practices.

Councillors have worked together to articulate and represent the voice of their constituents and communities, and provide recommendations and direction, while being mindful to responsibly manage resources. They will be engaging with the community through various activities during the exhibition of the *Draft* documents.

Council's *Drafts* will be available and promoted for community feedback from 16 April 2026 to 3 May 2026. Further details are available on Council's website.

The community feedback will be analysed and incorporated into the *Final Plans* and will be considered for adoption at the 17 June 2026 Council Meeting.

RESOURCES / FINANCIAL VIABILITY

The 2026/27 Annual Budget is a key strategic document that outlines the priorities and resources required to achieve the Council's direction in the Council Plan and the range of services provided. This includes a Financial Plan that provides an outlook of Council's financial position for at least the next ten years.

RISKS

The risk of not adopting these Plans by the statutory deadline of 30 June is that Council will suffer reputational damage and be constrained in its ability to raise the necessary funds to carry out its functions and meet its objectives.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following [LINK](#).

1. 2026/27 Annual Budget, Including Long Term Financial Plan - Draft - 15 April 2026 Council Meeting [5.1.1 - 88 pages]
2. Council Plan - 2025 to 2029 - Year 2 Actions - Draft - 15 April 2026 Council Meeting [5.1.2 - 25 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership

Pillar 8. Monitoring & Performance Review

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Long-Term Financial Strategies

Annual Budget

Council Plan 2025-2029

Community Engagement Plan 2022-2024

Legislative Provisions

Local Government (Governance and Integrity) Regulations 2020

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

5.2. PLANNING APPLICATION 2025/44 - 89 BEACH PARADE, SANDY POINT - SUBDIVISION AND CONSTRUCTION OF DWELLING ETC (SANDY POINT CARAVAN PARK SITE)

| | |
|--------------|--------------------------------|
| Directorate: | Empowering Communities |
| Department: | Planning and Building Services |

Council Plan

Theme - Developing a Sustainable Future

A planning application for the subject site must be assessed against the South Gippsland Planning Scheme to ensure the application is consistent with these requirements.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider and determine this planning application, which seeks approval for the subdivision of the land into thirteen (13) lots, the construction of eleven (11) dwellings, associated buildings and works and the removal of native vegetation.

The proposal has attracted 30 submitters, (29 objections and 1 submission in support) with a range of concerns and objections raised as part of the submissions received.

The key areas of consideration in assessing the proposal against the South Gippsland Planning Scheme relate to natural hazards including bushfire and inundation, climate change adaptation and mitigation, vegetation and strategic settlement planning and neighbourhood character.

In summary, the proposed application provides an acceptable planning outcome for the site (subject to conditions) having regard to the various provisions of the South Gippsland Planning Scheme. The proposal:

- Has suitably responded to the matters raised in the previous application determined by the Victoria Civil and Administrative Tribunal.
- Provides a subdivision layout consistent with the character of the immediate and surrounding area of Sandy Point.
- Provides dwelling development outcomes for each allotment consistent with the character and built form existing and emerging within Sandy Point.
- Provides adequate vehicle access arrangements for each proposed allotment.
- Provides sufficient area for future on-site wastewater management systems for each proposed allotment / dwelling and also avoids development of Lot

12/13 (Easement E1/E2) maintaining the status quo of wastewater disposal for the existing townhouses to the north-east of the subject site.

- Will manage stormwater drainage matters through appropriate conditions of permit.
- Provides an acceptable level of vegetation removal having regard to the applicable environmental considerations of the Environmental Significance Overlay, Native Vegetation provisions and Bushfire Management Overlay.
- Manages bushfire risk through the implementation of the Bushfire Management Plan submitted with the application and supported by CFA (subject to conditions).

RECOMMENDATION

That Council:

- 1. Issue a Notice of Decision for a Multi-lot subdivision, Buildings and Works associated with the construction of eleven (11) dwellings, Removal of Native Vegetation and Creation of Restrictions subject to the following conditions:**

| Planning Scheme Clause | Matter for which a permit is granted |
|------------------------|--|
| Clause 32.05-5 | Subdivision under the Township Zone. |
| Clause 42.01-2 | Buildings and Works, Subdivision and Remove, Destroy or Lop Vegetation under the Environmental Significance Overlay. |
| Clause 43.02-2 | Buildings & Works under the Design and Development Overlay. |
| Clause 43.02-3 | Subdivision under the Design and Development Overlay. |
| Clause 44.06-2 | Subdivision and Buildings and Works under the Bushfire Management Overlay |
| Clause 52.02 | A permit is required to create, vary or remove an easement of restriction. |
| Clause 52.17-1 | Remove destroy or lop Native Vegetation |

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| 1. | <p>Before certification, amended plans to the satisfaction of the Responsible Authority 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. The plans must be drawn to scale with dimensions and must be generally in accordance with the amended plans submitted by the applicant on 30 July, 2025 prepared by P&J Milkins Building Designers (Ref. 02439, dated 29/07/2025, total 56 sheets) but modified to show:</p> <p>a) An amended Bushfire Management Plan in accordance with Country Fire Authority condition 25 of this permit.</p> |
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| | <ul style="list-style-type: none"> b) Proposed Lot 12 and Lot 13 combined into a single allotment with Easement E-1, E-2 and E-3 clearly delineated and notated on the plan with the wording of this notation to replicate the purpose and benefitting land that is nominated on PS537365N. c) All trees identified for removal and retention in line with Map 2 Overview Development Impact Assessment contained within the Ranges Environmental Tree Assessment Report dated June 2025 clearly illustrated on the plans. d) The following amendments to dwelling layouts: <ul style="list-style-type: none"> i. The dwelling on Lot 2 amended so that the car port is located behind the front entry door of this dwelling with a separate pathway from the driveway to the front porch also provided to Council's satisfaction. ii. The dwelling on Lot 3 amended so that the car port is located behind the front façade of this dwelling to Council's satisfaction. iii. The dwelling on Lot 4 amended so that the car port is located behind the front entry door of this dwelling with the front entry door/area of this dwelling located so as to not require residents to have to walk through the car port to enter the dwelling to Council's satisfaction. iv. The dwelling on Lot 5 amended so that the front entry door/area of this dwelling located so as to not require residents to have to walk through the car port to enter the dwelling to Council's satisfaction. v. The dwelling on Lot 9 amended so that the front entry door/area of this dwelling located so as to not require residents to have to walk through the car port to enter the dwelling to Council's satisfaction. vi. The dwelling on Lot 11 amended so that the front entry door/area of this dwelling located so as to not require residents to have to walk through the car port to enter the dwelling to Council's satisfaction. e) The colour and building materials proposed as part of the dwellings clearly depicted on the materials and colour schedule. f) All internal boundary fencing nominated as maximum 1.2 rural post and wire type fencing. g) All recommendations from the Tree Management and Protection Plan required by Condition 3 implemented into the subdivision and dwelling development. h) The following notations added on the plans: <ul style="list-style-type: none"> i. The northern-most wastewater system on the land that is used for wastewater disposal by Lots 1-8 and common property 1-2 on PS537365N is the regulatory responsibility of the Environmental Protection Authority Victoria and South Gippsland Shire Council is not the |
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| | <p>Responsible Authority for any wastewater related matters associated with this existing system or associated easements.</p> <p>ii. No front fencing approved as part of this development.</p> |
| 2. | The subdivision, buildings and works and vegetation removal under this permit must be undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority |
| 3. | The subdivision, buildings and works and vegetation removal as shown on the endorsed plans must not be altered or modified except with the written consent of the Responsible Authority. |
| 4. | <p>Prior to the certification of the plan of subdivision, including demolition and/or the removal of vegetation, a Tree Protection Plan (drawing) for each stage of the development (Demolition, Construction and Landscaping) and Tree Management Plan (report) to the satisfaction of the Responsible Authority and prepared by a suitably qualified and experienced arborist must be submitted to and approved by the Responsible Authority. When approved, the Tree Management and Protection Plan will be endorsed and form part of the permit. The Tree Management and Tree Protection Plan must be specific to the trees located on the site and street trees, be prepared in accordance with <i>Australian Standard 4970-2025</i> or its successor, and provide details of tree protection measures that will be utilised to ensure all trees to be protected remain viable post-construction. The Tree Protection and Management Plan must consist of:</p> <p>a) The Tree Protection Plans (drawing) for each stage of the development (Demolition, Construction and Landscaping) and must be drawn to scale, appropriately notated and reference the Tree Management Plan (report) and provide details of:</p> <ol style="list-style-type: none"> i. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ), calculated in accordance with <i>Australian Standard 4970-2025</i> or its successor, for all trees to be protected on site or within the abutting road reserve. ii. Tree protection fencing, or ground protection where required, provided in accordance with <i>Australian Standard 4970-2025</i> or its successor. iii. Any other specific measures such as site access points or material storage areas as required in the Tree Management Plan (report). <p>b) The Tree Management plan (report) must be prepared by a suitably qualified arborist, reference the Tree Protection Plan (drawing) and provide details of:</p> <ol style="list-style-type: none"> i. All tree protection and management actions required during each stage of the development (Demolition, Construction and Landscaping). |

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| | <ul style="list-style-type: none"> ii. How excavation impacts, including soil level changes, within the TPZ of trees to be retained will be managed or minimised. iii. Proposed tree protection measures including fencing or ground, trunk or branch protection as required during each stage of the development. iv. Any pruning to be undertaken being in accordance with relevant <i>Australian Standard</i>. v. How the canopy of trees nominated on the Tree Protection Plan will be protected or managed during each stage of the development. vi. Appropriate signage on any tree protection fencing. vii. Any non-destructive root investigation previously undertaken to determine the location and distribution of roots of trees nominated on the Tree Protection Plans. viii. Proposed footings and construction methods for any buildings or structures (including but not limited to, driveways, paths retaining walls or other hard infrastructure) within the TPZs nominated on the Tree Protection Plans. ix. Details of suitable driveway/path materials and construction methods (i.e., permeable paving above grade) and the timing of works within the TPZs. x. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified. xi. Appropriate methods of certification by a suitably qualified Arborist of the required tree protection measures during the development including details of site visits, actions and photographic evidence. xii. The process that will be followed if any damage occurs to a protected tree, including reporting of damage for any Council owned tree. xiii. Any other measures required to demonstrate the successful ongoing retention and viability during and post-construction of any trees nominated on the Tree Protection Plan. |
| <p>5.</p> | <p>Before the subdivision starts, including demolition or removal of vegetation, the name and contact details of the Project Arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority or included on the Tree Management and Protection Plan to the satisfaction of the Responsible Authority</p> |
| <p>6.</p> | <p>Before the subdivision starts (including demolition or removal of vegetation), all tree protection measures and recommendations identified in the approved Tree Management and Protection Plan must be implemented, and the subdivision and construction of</p> |

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| | <p>dwellings must be undertaken in accordance with the Tree Management and Protection Plan, to the satisfaction of the Responsible Authority. Any damaged tree must be inspected by the Project Arborist immediately and actions must be undertaken to rectify any damage where all actions are to be documented by the Project Arborist, to the satisfaction of the Responsible Authority.</p> |
| 7. | <p>a) To offset the removal of 0.107 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the <i>Permitted clearing of native vegetation - Biodiversity assessment guidelines</i> (DEPI 2013) and <i>Native vegetation gain scoring manual</i> (DEPI 2013) as specified below:</p> <ul style="list-style-type: none"> i. Must be located within the West Gippsland Catchment Management Authority boundary or South Gippsland municipal district. ii. Must be a general offset of 0.034 general biodiversity equivalence. iii. Must have a strategic biodiversity score of at least 0.5757. <p>b) Before any native vegetation is removed, evidence that the required offset for the vegetation removal has been secured must be provided to the satisfaction of the Responsible Authority. The offset evidence can be:</p> <ul style="list-style-type: none"> i. a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10-year offset management plan or ii. an allocated credit extract from the Native Vegetation Credit Register <p>A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit.</p> <p>c) In the event that a security agreement is entered into as per condition 6. b) i), the offset provider must provide the annual offset site condition report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.</p> |
| 8. | <p>A 5% cash in lieu contribution for public open space must be paid to Council in accordance with Clause 53.01 of the South Gippsland Planning Scheme and Section 18A of the Subdivision Act 1988, prior to the issue of a Statement of Compliance.</p> |
| 9. | <p>The plan of subdivision submitted for certification must be referred to the Authority in accordance with Section 8 of the Subdivision Act.</p> |

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| 10. | All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created. |
| 11. | The owner of the land must enter into an agreement with: a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. |
| 12. | Before the issue of a Statement of Compliance for any stage of the subdivision under the <i>Subdivision Act 1988</i> , the owner of the land must provide written confirmation from: a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. |
| 13. | Before approving the engineering plan/s submitted under section 15(1) of the <i>Subdivision Act 1988</i> , an amount equivalent to 0.75% of the estimated cost of constructing the works proposed on the engineering plan must be paid to Council. |
| 14. | Before the statement of compliance is issued for any subdivision stage, an amount equivalent to 2.5% of the estimated cost of the works which are subject to supervision in accordance with section 17(2)(b) of the <i>Subdivision Act 1988</i> must be paid to Council. |
| 15. | Prior to the issue of Certification, engineering plans developed by a suitably qualified person must be submitted to and approved by the Responsible Authority showing: a) The proposed locations of property crossovers, located in such a way as to minimise the loss of existing vegetation. |

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| | <ul style="list-style-type: none"> b) Treated timber bollards to be provided on Beach Parade along the entire length of the south boundary of the subdivision, located nominally 6.0m from the existing road centreline and at 1.5m centre to centre spacing. Gaps in the line of bollards are to be provided at the appropriate locations to suit the proposed property crossovers. c) Suitable soakage pits for the onsite disposal of excess stormwater on the lot. d) Calculations and percolation test results for the proposed soakage pit based on the soil structure, percolation rate, level of the water table and the extent of future buildings at the proposed site. e) Minimum 2000 litres capacity stormwater detention tank must be installed and connected to the dwelling in each lot. This stormwater detention tank could be either provided as an additional capacity within the tank that must be provided to meet the CFA firefighting requirements or as a separate stormwater detention tank as shown in the plan submitted by the applicant. |
| 16. | <p>Prior to requesting Statement of Compliance, the following items must be completed to the satisfaction of South Gippsland Shire Council:</p> <ul style="list-style-type: none"> a) The owner of the lot must construct the proposed property crossovers as per IDM SD 255 and install bollards as described by the approved engineering plans. b) Carry out and complete all the works mentioned in condition 15. |
| 17. | <p>Prior to the issue of a Statement of Compliance for the subdivision, either:</p> <ul style="list-style-type: none"> a) The development of the land approved under this permit must be completed in accordance with the plans endorsed under this permit; or b) A restriction on the plan of subdivision must be created requiring that the construction of dwellings hereby approved by this permit must be in accordance with Planning Permit 2025/44, or any amended or subsequent permit otherwise approved by Council. |
| 18. | <p>Prior to the issue of a Statement of Compliance for the subdivision, a restriction on the plan of subdivision must be created requiring:</p> <ul style="list-style-type: none"> a) No small second dwelling can be developed on the land. b) No structures to be developed within 7.5 metres of the front property boundary of the respective lot. c) Defendable space is maintained in the areas shown on the endorsed Bushfire Management Plan within Lots adjoining fire hazards. |

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| | <p>d) No works may be carried out, no permanent buildings or structures may be erected and no vehicles or boat may be parked, garaged or stored within effluent disposal areas.</p> <p>e) A consent mechanism for each of the above requirements.</p> |
| 19. | <p>Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the Responsible Authority under Section 173 of the <i>Planning and Environment Act 1987 (Vic)</i>. The agreement must:</p> <p>a) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the South Gippsland planning Scheme.</p> <p>b) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.</p> <p>c) State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the Responsible Authority on a continuing basis.</p> <p>The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.</p> |
| 20. | <p>The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.</p> |
| 21. | <p>The northern-most wastewater system on the land that is used for wastewater disposal by Lots 1-8 and common property 1-2 on PS537365N is the regulatory responsibility of the Environmental Protection Authority Victoria and South Gippsland Shire Council is not the Responsible Authority for any wastewater related matters associated with this existing system or associated easements.</p> |
| 22. | <p>Prior to the to the issue of the Statement of Compliance –</p> <p>a) The wastewater system(s) associated with the existing Caravan Park development must be decommissioned, and all associated parts including holding tanks, septic tanks and associated pipework must be removed from the site by a suitability qualified person. Confirmation of these decommissioning works must be provided to Council within 14 days of completion, in accordance with the <i>Environment Protection Act 2017 (Vic)</i>.</p> <p>b) Any existing bores associated with the Caravan Park development must be decommissioned and removed by a</p> |

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| | <p>suitability qualified person in accordance with Section 67 of the <i>Water Act 1989 (Vic)</i>. Written confirmation of these decommissioning works is to be provided to Council to confirm all bores have been removed.</p> <p>c) A suitable environmental report must be provided for the area where the decommissioned wastewater system was located confirming that this land is clear of contamination and suitable for residential purposes. Any recommendations of this report including any remediation of this area is required to be undertaken prior to the issue of a Statement of Compliance for the subdivision.</p> |
| 23. | <p>Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.</p> |
| 24. | <p>Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:</p> <p>a) a lot that will not be used for, or include, a dwelling; or b) a lot that contains an existing dwelling or apartment; or c) a lot where a permit has been granted for a dwelling or apartment on the land in the lot.</p> <p>This condition continues to have force and effect after a statement of compliance under the <i>Subdivision Act 1988 (Vic)</i> has been issued and the subdivision authorised by this permit has been completed.</p> |
| 25. | <p>Country Fire Authority conditions require that:</p> <p>a) Prior to certification under the <i>Subdivision Act 1988</i>, an amended Bushfire Management Plan must be prepared then submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the Section 173 Agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.</p> <p>The plan must be generally in accordance with that provided by Ranges Environmental, dated 7 February 2025, but amended for the conditions for Water Supply with:</p> <ul style="list-style-type: none"> • Add the line: 'Include a separated outlet for occupant use.' • Edit the wording to read: 'Incorporate a separate ball or gate valve' <p>Before the statement of compliance is issued under the <i>Subdivision Act 1988</i>, the defendable space shown on the</p> |

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| | endorsed Bushfire Management Plan must be implemented to the satisfaction of the Responsible Authority. |
| 26. | <p>Multinet Gas conditions require:</p> <p>A Statement of Compliance be obtained from Multinet Gas prior to the plan of subdivision being released from the Titles Office.</p> |
| 27. | <p>Ausnet Electricity Services conditions require that:</p> <p>a) The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the <i>Subdivision Act 1988</i>.</p> <p>b) The applicant must –</p> <ul style="list-style-type: none"> i. Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required. ii. Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required. |
| 28. | <p>Department of Energy, Environment and Climate Action conditions require:</p> <p>a) Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.</p> <p>b) The native vegetation identified in NVRR ID 361_20250628_QYG. Dated 28 June 2025 and permitted to be removed, destroyed or lopped under this permit is 0.107 hectares of native vegetation, which is comprised of:</p> <ul style="list-style-type: none"> i. 0.107 hectares patches of native vegetation <p>c) To offset the removal of 0.107 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017). The permit holder must secure the following offsets:</p> <ul style="list-style-type: none"> i. A general offset of 0.034 general habitat units: <ul style="list-style-type: none"> ▪ located within the West Gippsland Catchment Management boundary or South Gippsland municipal area ▪ with a minimum strategic biodiversity value of at least 0.5757 <p>d) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must be one or both of the following:</p> |

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| | <ul style="list-style-type: none"> i. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, ii. credit extract(s) allocated to the permit from the Native Vegetation Credit Register. <p>e) A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit.</p> <p>f) Prior to commencement of native vegetation removal, a Native Vegetation Removal and Retention Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of this permit. The plans must include:</p> <ul style="list-style-type: none"> i. an amended site plan, drawn to scale with dimensions and georeferenced (such as VicGrid94 co-ordinates), that clearly shows: <ul style="list-style-type: none"> ▪ the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land ▪ the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit ▪ all areas of native vegetation to be retained – considered lost through consequential loss but physically retained. <p>g) Before works start, a native vegetation protection fence must be erected around all patches of native vegetation of native vegetation to be retained on site. This fence must be erected around the patch of native vegetation at a distance of 2 metres from retained native vegetation or at a distance that is not less than the tree protection zone for scattered trees. The protection fence must be constructed of star pickets/chain mesh/or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. All tree protection zones must comply with AS 4970-2025 Protection of Trees on Development Sites, to the satisfaction of the Responsible Authority.</p> <p>h) Except with the written consent of the Responsible Authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:</p> <ul style="list-style-type: none"> i. vehicular access ii. trenching or soil excavation iii. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products |
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| | <ul style="list-style-type: none"> iv. entry and exit pits for the provision of underground services v. any other actions or activities that may result in adverse impacts to retained native vegetation. |
| 29. | <p>This permit will expire if either of the following applies:</p> <ul style="list-style-type: none"> a) The subdivision is not certified within three (3) years of the date of this permit; or b) The registration of the subdivision is not completed within five (5) years of the date of certification. c) The development is not started within three (3) of the date of this permit, or d) The development is not completed within five (5) of the date of this permit. <p>The Responsible Authority may extend the periods referred to in accordance with Section 69 of the <i>Planning and Environment Act 1987</i>, if a request is made in writing.</p> |
| Notes: | |
| | <p>South Gippsland Shire:</p> <ul style="list-style-type: none"> • The appropriate “Consent to work within the Road Reserve” permit must be obtained from Council for the construction of the new driveway crossover. • The applicant should carry out a “Dial Before You Dig” enquiry to check the location of underground services before any works are commenced on-site. <p>Ausnet Electrical Services</p> <ul style="list-style-type: none"> • It is recommended that, at an early date the applicant commences negotiations with AusNet Services for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued). • Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing. • Prospective purchasers of lots on this plan should contact AusNet’s office to determine the availability of a supply of electricity. Financial contributions may be required. |

REPORT

The Subject Site

The subject land is currently utilised as a tourist caravan park (no permanent residents). The land has three primary road frontages being Beach Parade,

Ocean View Parade and Park Avenue. A small section of the land (essentially a pedestrian walkway) also fronts Surfers Walk. The land subject to this application is provided in **Figure 1**.



Figure 1 – Subject land relating to planning application within the orange boundary on map

The Proposal

The application seeks approval for:

- The subdivision of the land into thirteen (13) lots;
- The construction of eleven (11) dwellings;
- Buildings and works; and
- Removal of native vegetation

at 89 Beach Parade, Sandy point (being the Sandy Point Caravan Park).

The subdivision and development component of the application has been arranged in the following manner:

- Lots 1-6 have been orientated in a north-south alignment and will face (and be accessed) via Beach Parade. These lots will be developed for a mix of single and double storey dwellings.
- Lots 7-9 have been orientated in an east-west alignment and will face and be accessed via Park Avenue. These lots will be developed for a mix of single and double storey dwellings.
- Lots 10 and 11 have been orientated in a north-south alignment and will face and be accessed via Ocean View Parade. These lots will be developed for a mix of single and double storey dwellings.
- Lots 12 and 13 have been orientated in a north-south alignment and will remain vacant with these lots being encumbered by Easements (Lot 12 = E-2, Lot 13 = E-1). Easement E-3 is also located on proposed Lot 13.

An extract of the proposal at a high level is provided at **Figure 2**.



Figure 2 – Proposed subdivision and development plan

Planning Controls

The subject land is within the Township Zone (TZ) and is subject to the Bushfire Management Overlay (BMO), Design and Development Overlay Schedule 3 (DDO3) and the Environmental Significance Overlay Schedule 7 (ESO7) of the South Gippsland Planning Scheme.

The proposal triggers the need for a planning permit at the following clauses:

| Planning Scheme Clause | Matter for which a permit is required |
|------------------------|--|
| Clause 32.05-5 | Subdivision under the Township Zone. |
| Clause 42.01-2 | Buildings and Works, Subdivision and Remove, Destroy or Lop Vegetation under the Environmental Significance Overlay. |
| Clause 43.02-2 | Buildings & Works under the Design and Development Overlay. |
| Clause 43.02-3 | Subdivision under the Design and Development Overlay. |
| Clause 44.06-2 | Subdivision and Buildings and Works under the Bushfire Management Overlay |
| Clause 52.02 | A permit is required to create, vary or remove an easement of restriction. |
| Clause 52.17-1 | Remove destroy or lop Native Vegetation |

Assessment

A detailed assessment of the application against the relevant sections of the South Gippsland Planning Scheme and Section 60 of the *Planning and Environment Act 1987* is provided in the Officer's report that can be viewed at **Attachment [5.2.1]**.

The following considerations are relevant to the assessment of this application:

- Neighbourhood character with respect to subdivision and development;
- Vehicle access and traffic implications;
- Impact on vegetation;
- Effluent management with respect to each proposed lot / dwelling and the existing townhouse development to the north-east of the site;
- Stormwater management; and
- Public open space.

CONSULTATION / COMMUNITY ENGAGEMENT

The application was advertised to adjoining and adjacent owners and occupiers, plus a site notices displayed on the subject site.

The application attracted 30 submitters, (29 objections and 1 submission in support) with a range of concerns and objections raised as part of the submissions received (see **Confidential Attachment [10.2.1]** –Submissions).

The matters raised by objectors can be generally summarised as follows:

- Appropriateness of the subdivision and development within the context of the site and surrounds;
- Impacts to the roadside and on-site vegetation;
- Loss of on-street car parking as a result of the additional crossovers and traffic related concerns;
- Wastewater Management both for the proposed lots and the existing townhouses to the north-east of the site which rely on Easement E1 and E-2 for wastewater management;
- Future development design considerations;
- Appropriateness of the increase to permanent population and the one access into Sandy Point;
- Whether the proposal is consistent with the relevant policies and provisions of the planning scheme; and
- The closure of the caravan park and the impact on commercial activities in the Sandy Point town centre noting the caravan park is privately owned and operated and whether the park remains open is commercial decision for the owner / operator.

The permit application has not been modified in response to the submissions received following the formal notification process of the application. Council provided the applicant with the opportunity to formally review and provide a response to the objections received. The applicant provided the following brief response with respect to the objections received:

- The application has been through a detailed Council RFI process to enable public notice.
- In relation to key objector issues, it is noted that many of the matters raised have previously been considered by VCAT.
- The application addresses key concerns raised in the original VCAT Decision with the main issues being neighbourhood character and vegetation removal.
- Likewise, it appears that the issues raised by the WGCMA remain the same as those raised at the VCAT Hearing and which were dismissed by the Tribunal.
- The existing waste system:
 - was previously approved by Council – with supporting technical reports and assessments being required at the time.
 - has been subject to numerous review and compliance enquiries over the years – with background reports having been provided.
 - has little to do with the current application to subdivide the subject site for residential purposes – as previously cited by VCAT.

RESOURCES / FINANCIAL VIABILITY

Should Council issue a Notice of Decision to grant a Planning Permit for the proposal, any objector may elect to appeal to the Victorian Civil and Administrative Tribunal (VCAT) to review Council's decision.

Should Council determine to refuse to grant a permit for the proposal, the permit applicant may elect to appeal to the VCAT to review Council's decision.

There is a cost to Council to attend VCAT Hearings.

RISKS

Should Council fail to decide this application, there is a risk that the applicant may appeal to VCAT against Council's failure to determine the application within statutory timeframes. Such an appeal could affect Council's reputation and opens Council to a potential cost claim for its failure to determine.

STAFF DISCLOSURE

Nick Moore, Manager Planning and Building Services has declared a General Conflict of Interest - Private Interest (s.127(1&2)) in this matter, as a business who

had worked for the applicant on the previous planning application is owned by a relative of the Officer.

ATTACHMENTS

Attachments are available on Council's website at the following [LINK](#).

1. 2025/44 - 89 Beach Parade Sandy Point - Officer Report [5.2.1 - 54 pages]
2. 2025/44 - 89 Beach Parade Sandy Point - Advertised Plans Only [5.2.2 - 58 pages]

CONFIDENTIAL ATTACHMENTS

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachment [10.2.1] – 2025/44 - 89 Beach Parade Sandy Point - Copy of Submissions Objections – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) – personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The grounds for designation have been made to protect the privacy of an individual's personal information.

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership

Pillar 3. Decision Making

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment Act 1987

Subdivision Act 1988

Regional, State and National Plan and Policies

Nil

5.3. PLANNING SCHEME AMENDMENT AUTHORISATION REQUEST - 8A TO 62 BENA ROAD KORUMBURRA - DEVELOPMENT PLAN OVERLAY

| | |
|--------------|--------------------------------|
| Directorate: | Empowering Communities |
| Department: | Planning and Building Services |

Council Plan

Theme - Developing a Sustainable Future

The planning scheme requires the identification of areas for future residential growth. Planning for the future development of the Bena Road long lots area is consistent with orderly planning and developing a sustainable future

EXECUTIVE SUMMARY

The purpose of this report is to seek authorisation from the Minister for Planning to prepare a planning scheme amendment to the South Gippsland Planning Scheme to apply a Development Plan Overlay (DPO12) to the land at 8A–62 Bena Road Korumburra. This report was initially included in the Council Agenda for the 18 February 2026 Council Meeting but was deferred to the 15 April 2026 Council Meeting to allow Councillors more time to consider the complex issues raised in the proposal.

The DPO12 (**Attachment [5.3.1]**) is required to guide the long-term subdivision of the area into an urban density more typical of the General Residential Zone Schedule 1 (GRZ1). The DPO will set out the requirements for a future Development Plan that must be approved by Council before subdivisions can be approved in accordance with the approved Development Plan.

RECOMMENDATION

That Council:

- 1. Request authorisation from the Minister for Planning to prepare a planning scheme amendment to:**
 - a. Apply Development Plan Overlay (Schedule 12) to 8A–62 Bena Road and part 54 Valley View Parade, Korumburra;**
 - b. Delete Development Plan Overlay (Schedule 6) from 54 to 62 Bena Road Korumburra and include those lots in the new Development Plan Overlay (Schedule 12); and**
 - c. Apply the Environmental Audit Overlay to 26 and 30 Bena Road Korumburra.**

2. Following approval of Ministerial Authorisation, exhibit the Planning Scheme Amendment in accordance with the requirements of the *Planning and Environment Act 1987*.

REPORT

Council was presented this report at the 18 February 2026 Council Meeting where the following recommendation was made:

That Council defer consideration of the Bena Road Long Lots Planning Scheme Amendment Authorisation Request to a future Council meeting to enable further Councillor review and consideration of the broader strategic, planning and community implications associated with progressing the amendment process.

This report is now being presented again as further information and review has been provided to Councillors.

The land at 8A–62 Bena Road, Korumburra (the Bena Road Long Lots) is unusual, comprising predominantly very long and narrow allotments, approximately 200 metres in length and 20 or 40 metres in width; these are significantly larger than typical GRZ1 lots (see **Figure 1**).



Figure 1 Bena Road Long Lots project aerial map, Korumburra

The area was originally subdivided into its current configuration more than 100 years ago and has been zoned for residential use and development since the early 1970s, with the exception of 54–62 Bena Road, which were more recently zoned Farming. The larger lots are approximately 8,000 square metres in area, whilst the narrower lots, clustered toward the eastern end of the precinct, are approximately 4,000 square metres. At these sizes, seventeen lots in the proposed DPO area have the potential to be further subdivided to achieve an urban density more consistent with the surrounding area.

The key challenge for the precinct is that, in the absence of an integrated development plan, individual landowners could pursue subdivision of their land

independently, without consideration of the development potential or orderly development of adjoining properties.

This concern is demonstrated by a current subdivision planning permit application (2025/299) (**Attachment [5.3.2]**), which proposes the creation of 23 lots across two of the long lots. The proposed lots are of a size that would enable further subdivision if the application were approved.

Replicating this form of development across multiple lots within the long lots area would result in a poor urban design outcome. It would lead to a series of excessively long driveways, a lack of east–west connectivity, stormwater management constraints, and access challenges for service and emergency vehicles (including garbage trucks), as well as car-parking issues. Council officers are aware of additional subdivision interest within the long lots area, and there is concern that approval of a multi-lot subdivision in the manner currently proposed could significantly constrain the ability to achieve an integrated subdivision outcome across the broader precinct, as envisaged by the exhibited draft masterplan.

To address the risks associated with piecemeal subdivision of individual sites, the purpose of DPO12 is to require the preparation of a Development Plan that demonstrates how the area can transition over time to a more conventional urban subdivision pattern. This would include an internal road network, integrated drainage, and an open space network that maximises lot yield whilst delivering a high-quality urban design outcome. Facilitating this form of development within the township boundary is consistent with the objectives of the South Gippsland Planning Scheme and Plan for Victoria, which seek to promote higher-density development within established urban areas.

Draft Masterplan and Community Consultation

To explore with the community how the area could be subdivided, Council prepared a draft masterplan concept which uses an internal road network to achieve an indicative 112 residential lots, a public open space reserve of 0.75ha and a drainage reserve sufficient to service a full development scenario (refer to **Attachment [5.3.3]**).

The draft masterplan was used as a basis for consultation (a conversation starter) with long lot landowners, and adjoining landowners, between 8 August and 5 September 2025. A community meeting was held in September to explore how the area can be subdivided and what the challenges are. A total of 15 written submissions were received (refer to **Confidential Attachment [10.1.1]**).

The key themes revealed in the submissions indicated a desire that the area not be further subdivided, and it retain its current rural residential lifestyle, and that the draft masterplan will not work because of the existing fragmented ownership pattern. A summary of the submitter issues, and the Planning Department's response is provided in **Attachment [5.3.4]**.

A petition containing 50 signatures was received on 9 February 2026 on behalf of local residents who object to the proposal to apply a Development Plan Overlay to the subject land parcels, detailing concerns around process, timelines, and decision-making touch points. A copy of the petition has been made available as **Confidential Attachment [10.1.2]**.

Development Plan Overlay Schedule 12

Drawing on elements from the draft masterplan and information gained during the consultation process, Council officers have prepared the DPO Schedule 12 control (**Attachment [5.3.1]**) to guide how the area should be subdivided. A planning scheme amendment is required to introduce the DPO12 into the South Gippsland Planning Scheme.

Planning schemes commonly use DPO schedules to guide how subdivisions occur and preliminary consultation with the Department of Transport and Planning has indicated support for applying a DPO to the long lots area. A similar DPO (Schedule 6) already applies to a cluster of six similarly sized long lots located at 84 to 100 Bena Road Korumburra. This provides a precedent for the DPO12.

It is important to note that a Development Plan Overlay (DPO) schedule does not, in itself, trigger the requirement for a planning permit. A DPO only applies where a planning permit is required under another control, typically a zone or overlay. As the long lots area is zoned General Residential Zone Schedule 1 (GRZ1), the application of DPO12 will not trigger the need for a planning permit for a single dwelling on a lot or for dwelling extensions. The DPO will only apply where a planning permit is required for subdivision, the construction of two or more dwellings, or the establishment of a non-residential use that is not ancillary to an existing dwelling.

Importantly, DPO12 will not affect any existing use rights that landowners may have accrued. In summary, the proposed planning scheme amendment will not impact landowners who wish to continue living on their land, nor does it compel any landowner to subdivide or otherwise develop their property.

DPO12 identifies a range of matters that must be addressed through a future Development Plan before land can be subdivided. Whilst the proposed DPO12 Schedule is broadly consistent with other Development Plan Overlay schedules in the Planning Scheme, it has been tailored to respond to site-specific considerations. These include the waterway buffer, pedestrian connectivity to surrounding land, the provision of east–west internal road connections, and bushfire planning requirements, particularly as they relate to drainage and open space reserves.

Once implemented, Council will be unable to approve a planning permit that is inconsistent with an approved Development Plan. In this way, the DPO12 overlay provides a strong statutory mechanism to prevent the poor subdivision and urban design outcomes identified above.

Other Amendment Changes

Development Plan Overlay 6 (DPO6) currently applies to the long lots at 54 to 62 Bena Road (four lots) located at the western end of the masterplan area (**Attachment [5.3.5]**). The DPO6 was applied when these lots were rezoned from the Farming Zone to General Residential Zone Schedule 1 (GRZ1) in 2012. As these lots form part of the project area, it is proposed to replace the DPO6 with DPO12 to ensure a consistent and logical planning control applies across the subject land. The DPO6 that applies to the six long lots at 84–100 Bena Road, located at the western end of Bena Road (but outside the subject land), will remain in place and can continue to guide the integrated subdivision of that area should landowners choose to pursue development.

Historic aerial photography indicates strong evidence of intensive agricultural use (horticulture) having occurred over a number of years on the land at 26 and 30 Bena Road. To address the requirements of Minister's Direction No. 1 – Potentially Contaminated Land, Council is required to apply an Environmental Audit Overlay (EAO) to these lots (**Attachment [5.3.5]**). This will ensure Council can be satisfied that the land is suitable, or can be made suitable, for a sensitive land use such as residential development. Past agricultural practices can result in soil contamination, which may pose a risk to human health.

Developer Contributions

Council commonly requires a development contributions agreement be placed on land identified for residential subdivision. This is to ensure funds are available to Council to provide community and development infrastructure upgrades in the area surrounding the subject land necessary to support the additional demand expected to result from the subdivision of land. This typically occurs when land is rezoned.

A development contributions agreement is not proposed for the long lots land. The land is already zoned GRZ1 which means its subdivision potential is already established, removing Council's ability to negotiate a development contributions agreement before Council agrees to rezone the land. Additionally, a formal Development Contributions Plan Overlay (DCPO) is not suitable for the subject land because a high degree of certainty is required regarding when subdivision will occur, and in what order, for a DCPO to be an effective and low risk planning tool.

Subdivision of the area in the manner set out in the DPO12 will be complex and is likely to be more expensive for developers than a typical greenfield residential subdivision. This is largely due to the added costs of site assembly (noting the existing fragmented ownership) and the provision of temporary infrastructure where staged development occurs. Not placing a development contributions agreement on the land will assist in promoting its development as a more financially viable development opportunity. The State Government's windfall land tax will also not apply to the subject land because the trigger for the levy (the rezoning of land) will not occur. This is an additional factor that will promote the development of the land.

CONSULTATION / COMMUNITY ENGAGEMENT

Council will exhibit the amendment in accordance with the standard requirements of the *Planning and Environment Act 1987*. This includes postal notification to adjoining and surrounding owners and occupiers, public notice in the newspaper and notice on Council's website. Exhibition will occur for one month.

RESOURCES / FINANCIAL VIABILITY

It is likely, indicated from the consultation already undertaken, that some affected landowners may object to the amendment when it is exhibited. If there are objector submissions which cannot be resolved, and if Council wishes to continue with the amendment following formal exhibition, the Minister for Planning will appoint a planning panel to consider the submissions.

Panel costs are paid by Council and can vary depending on the complexity of the amendment. It is not possible to accurately estimate panel costs at this time, but they are likely to range between \$10,000 and \$30,000. A more accurate estimate can be made following the completion of exhibition. There is currently no specific budget allocation for panel fees and, in the absence of budget allocation, panel costs will be paid from existing operational budgets.

RISKS

The most significant risk is the likely outcome of development in this area if a DPO is not introduced to enable coordination of development. Development of the long lots independently will result in a poor and disjointed urban design outcome and a sub-optimal subdivision environment for all incoming residents.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following [LINK](#).

1. Draft Development Plan Overlay Schedule 12 [5.3.1 - 5 pages]
2. Subdivision permit application 2025/299 - 26 - 30 Bena Road Korumburra [5.3.2 - 5 pages]
3. Bena Road Long Lots Consultation Plan 1 August 2025 [5.3.3 - 1 page]
4. Bena Road Long Lots - Submission Issues and Council Response [5.3.4 - 2 pages]
5. DPO6 and EAO Map [5.3.5 - 2 pages]

CONFIDENTIAL ATTACHMENTS

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachment [10.1.1] – Bena Road Long Lots – Submissions – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Confidential Attachment [10.1.2] – Petition - Planning Scheme Amendment - 8A to 62 Bena Road Korumburra - Development Plan Overlay – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The grounds for designation have been made to protect the privacy of an individual's personal information.

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment (Planning Schemes) Act 1996

Planning and Environment Act 1987

Regional, State and National Plan and Policies

Nil

5.4. IURC WORLD CITIES SUMMIT SINGAPORE - ONE GIPPSLAND INVITATION

| | |
|--------------|------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Regional Partnerships |

Council Plan

Theme - Developing a Sustainable Future

This report relates to Council's role in supporting regional advocacy through One Gippsland and the delivery of initiatives and actions from the Economic Development Strategy, which encourages new industry and investment in Gippsland.

EXECUTIVE SUMMARY

The purpose of this report to Council is to consider the International Urban and Regional Cooperation (IURC) European Union - Asia and Australasia and Singaporean Government's invitation to One Gippsland to participate in the World Cities Summit 2026 (WCS 2026) from 14 to 16 June 2026, in Singapore.

Councillors undertaking international travel in relation to Council business require Council endorsement prior to the event. As South Gippsland Shire Council's Councillor representative and Chair of One Gippsland, Councillor Nathan Hersey has been invited to attend.

RECOMMENDATION

That Council:

- 1. Endorse Councillor Hersey to attend the World Cities Summit 2026 (WCS 2026) from 14 to 16 June 2026, in Singapore, as South Gippsland Shire Council's Councillor representative and Chair of One Gippsland;**
- 2. Provides a financial contribution or reimbursement related to costs incurred by Councillor Hersey capped at \$500.00 for his participation and attendance at the World Cities Summit 2026 (WCS 2026) in Singapore; and**
- 3. Receives a report from Councillor Hersey on the outcomes from One Gippsland's participation, and how they align with Council objectives and strategies, at the World Cities Summit 2026 (WCS 2026) to Council after the travel occurs, as per Council's Councillor Support and Expenditure Policy (C51).**

REPORT

The International Urban and Regional Cooperation (IURC) is a program of the European Union (EU) promoting multi-city cooperation on sustainable urban development, building partnerships between EU and non-EU cities.

The IURC is implemented in the Americas, China, Asia, and Australasia, with a central coordination service in Brussels, the EU capital. The IURC EU-Asia and Australasia project operates in Japan, the Republic of Korea, China, Hong Kong SAR, Taiwan, Singapore, Australia, New Zealand, India, and Malaysia.

Activities to be implemented include geographic and thematic partnerships, training, advanced cooperation visits, networking events, and thematic reports. Activities started in September 2025 and are proposed to continue for two more years.

One Gippsland

One Gippsland was approached by the IURC to lead the Gippsland participation in the Program. At its September 2025 Board Meeting, One Gippsland members unanimously supported involvement on a provisional basis, entering discussions in good faith, with a six-month review to occur. This review has been further extended to September 2026. One condition includes that there is no-cost to One Gippsland members (Councils) to participate.

The Program is consistent with One Gippsland's position to encourage new industry and investment in the region. The focus areas being investigated through the Program include potential partnerships with European regions related to industries including Agriculture (Western Greece) and Energy (Bremen, Germany).

Since August 2025, One Gippsland members have participated in several events and discussions through the IURC Program, including an online international launch, in-person Australian launch, (hosted by Melbourne City Council), introductory presentations, several online meetings and delegation participation at the Smart City Expo World Congress (SCEWC) 2025 in Barcelona, Spain.

Outcomes

The IURC Program promotes the following outcomes for participating regions:

- **Dissemination of Best Practices:** Publications on best practices in regional development will be developed and disseminated throughout the project. These publications will serve as valuable resources for pilot cities/regions, promoting knowledge sharing and informing future initiatives.
- **Concrete Action Plans:** The project will facilitate the creation of concrete and operational cooperation action plans (U-RCAPs) between pilot cities/regions. These action plans will identify potential joint pilot projects between relevant stakeholders in the selected regions that are economically viable and address shared priorities.
- **Long-Term Partnerships and subnational diplomacy (decentralised cooperation):** By fostering collaboration, the project will support the establishment of long-term partnerships between cities/regions. These partnerships, formalised through Memorandums of Understanding (MoUs) Letters of Intent (LoIs) or Twinning Agreements, are expected to extend beyond the project timeframe, ensuring lasting collaboration

Council received a Councillor tabled report from Councillor Hersey at its Meeting on 10 December 2025. The report provided a summary on One Gippsland's delegate participation, meetings and discussions during the time spent at the Congress in Barcelona, Spain.

IURC and Singaporean Government's invitation

As a part of the IURC Program, One Gippsland has again been invited to participate and send a representative to attend the World Cities Summit 2026 (WCS 2026) from 14 to 16 June 2026, in Singapore.

An invitation has also been extended from the Singaporean Government for three delegates to attend the Summit - specifically the South Gippsland Mayor/Chair of One Gippsland and two accompanying One Gippsland member delegates, one of which is likely to be a representative from Food and Fibre Gippsland and one yet to be determined (refer **Attachment [5.4.1]** and **Attachment [5.4.2]**).

The invitation includes One Gippsland participating in a *Thematic Networking Conference* in Singapore as part of the World Cities Summit 2026 (WCS 2026). This will include workshops that will continue the work commenced following the Barcelona Smart Cities Expo World Congress 2025 and will support cities and regions to gather more ideas and inspiration to scale pilot project activities. The Chair of One Gippsland has also been invited to attend Mayoral Forum hosted by the Singaporean Government.

It is anticipated that over 3,000 delegates and trade visitors will attend the Summit with around 100 delegates from IURC cities and regions from the European Union (EU), Asia and Australasia. It will involve high level speakers from the EU and relevant non-EU partner countries, including mayors and governors. The event is supported by the EU Service for Foreign Policy Instruments and the Directorate General for Regional and Urban Policy of the European Commission.

CONSULTATION / COMMUNITY ENGAGEMENT

IURC has engaged with Council through its representation on One Gippsland and with other member Gippsland Councils and organisations, including Food & Fibre Gippsland and Federation University.

Invest Victoria and Austrade have been contacted by Council and have advised that, while they will not have a formal presence at the Summit, they are available to support Australian delegations attending the event through their Singapore office.

One Gippsland Mayoral representatives have also confirmed their support for attendance at the Summit.

RESOURCES / FINANCIAL VIABILITY

Under its *Councillor Support and Expenditure Policy (C51)*, Councillors undertaking international travel in relation to Council business require Council endorsement prior to the event.

Travel and accommodation costs related to the event will be covered by the Singaporean Government and/or IURC through the Program. This includes:

- Accommodation in Singapore for three nights from Saturday 13 June to Tuesday 16 June 2026;
- Air travel expenses for return economy flight from Australian City to Singapore Airport;
- Airport Transfer costs from Changi International Airport to designated hotel on arrival, and from designated hotel to Changi International Airport on the day of departure;
- Access to the Summit, networking events and IURC organised activities; and
- Breakfast, Lunch and Dinner meals during Day One of Summit and Breakfast and Lunch meals during Day Two of Summit.

Incidental costs to cover public transport and taxi fares, telephone and some meals are not included and would be reimbursed by Council.

Not included are any other expenses than those mentioned above.

RISKS

South Gippsland Shire Council is a member of One Gippsland, and its Councillor representative is also Chair.

Council may wish to consider this opportunity and support the invitation offered by IURC, representing the region and attending the Summit. To not attend may limit some opportunities to learn from other international regions in pursuing agri-food and energy related initiatives and foster partnerships to benefit the region.

International travel for Council related business is rarely required. One consideration is cost. IURC has offered to cover most of the travel and accommodation costs associated with the trip.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 3. Decision Making

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Councillor Support and Expenditure Policy (C51)

Council Plan 2025-2029

Economic Development Strategy 2021-2031

Advocacy Priority Projects 2026

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Gippsland Regional Plan 2020-2025

5.5. AUDIT AND RISK COMMITTEE - 2 DECEMBER 2025 MINUTES AND BIENNIAL CHAIR REPORT - JUNE - DECEMBER 2025

| | |
|--------------|------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Financial Strategy |

Council Plan

Theme - Leading with Integrity

Objective – Leading with Integrity

Council's risk management and governance is strengthened by effectively monitoring and reporting on the activities and advice provided by the Audit and Risk Committee.

EXECUTIVE SUMMARY

The purpose of this report is to present the Audit and Risk Committee minutes from the Audit and Risk Committee meeting on 2 December 2025 and to receive the Audit and Risk Committee Biannual Chair Report from Committee Chair, Ms Marilyn Kearney.

RECOMMENDATION

That Council:

- 1. Receives and notes the Audit and Risk Committee Minutes – 2 December 2025 (Attachment [5.5.1]); and**
- 2. Receives and notes the Audit and Risk Committee Biannual Chair report June to December 2025 to Council by Audit and Risk Committee Chair, Ms Marilyn Kearney (Attachment [5.5.2]).**

REPORT

The Audit and Risk Committee support Council in meeting its oversight and governance obligations under the *Local Government Act 2020*. It provides independent advice across financial reporting, risk management, fraud prevention, internal controls, audit assurance and regulatory compliance – ensuring transparency, accountability, and continuous improvement in Council operations.

Audit and Risk Committee Minutes – 2 December 2025

The minutes of the Audit and Risk Committee meeting held on 2 December 2025 (refer to **Attachment [5.5.1]**) are provided to Council for noting.

Audit and Risk Committee members at the meeting included:

- Ms Marilyn Kearney (Acting Audit and Risk Committee Chair for the meeting)
- Mr Mick Jaensch
- Cr Sarah Gilligan
- Cr Nathan Hersey (Mayor) (Ex-officio Council Member)

Biannual Chair Report June 2025 to December 2025

The Audit and Risk Committee Charter requires the Committee Chair to provide a report to Council twice each year. These reports summarise activities undertaken and raises any findings and recommendations. The report from the Audit and Risk Committee chair is provided (Refer to **Attachment [5.5.2]**).

CONSULTATION / COMMUNITY ENGAGEMENT

The minutes of the Audit and Risk Committee Meeting held on 2 December 2025 (refer to **Attachment [5.5.1]**) have been presented to the Audit and Risk Committee for feedback and were formally noted by the Audit and Risk Committee at the 17 March 2026 Meeting.

The Biannual report from the Audit and Risk Committee Chair (refer to **Attachment [5.5.2]**) was circulated to the Committee as part of the 2 December 2025 meeting and was noted by the Committee.

RESOURCES / FINANCIAL VIABILITY

Budget allowances for Council's three Independent Audit and Risk Committee Members' attendance fees are included with Council's current and forward budgets.

RISKS

Council must establish an Audit and Risk Committee under s.53 of the *Local Government Act 2020*. The Committee supports Council in discharging its oversight responsibilities as set out in the Audit and Risk Committee Charter, including risk management.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following [LINK](#).

1. Minutes Audit and Risk Committee Meeting 2 December 2025 [**5.5.1** - 16 pages]
2. Biannual Chair Report Audit and Risk Committee June-December 2025 [**5.5.2** - 13 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 7. Risk & Compliance

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Audit and Risk Committee Charter (C08)

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

5.6. 2025/26 COUNCILLOR APPOINTMENT TO ACCESS AND INCLUSION ADVISORY COMMITTEE

| | |
|--------------|--------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Governance and Integrity |

Council Plan

Objective - Leading with Integrity

This report ensures Councillors are represented on internal and external committees, boards and advisory committees to provide leadership, advocacy, support and active engagement with the community and to have access to relevant strategic advice and information that can inform Council.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider representation to the Access and Inclusion Advisory Committee. The Committee was established to ensure that all members of the community have equitable access to public spaces, goods, services, and facilities. It also provides advice to Council on the development of the South Gippsland Access and Inclusion Action Plan.

RECOMMENDATION

That Council appoints Councillor Brad Snell to the Access and Inclusion Advisory Committee, until November 2026. This appointment replaces the previous Councillor appointment.

REPORT

Background

Councils may resolve to appoint Councillors as representatives on internal advisory Committees and external organisations to strengthen collaboration, transparency, and informed decision-making.

These appointments ensure that Council's views are effectively communicated and that feedback from community groups, industry bodies, and partner organisations is shared with the broader Council.

By participating in committees and external forums, Councillors gain valuable insights into emerging issues, foster partnerships, and help align external initiatives with Council's strategic priorities.

Council resolved to appoint a number of internal and external advisory groups, boards and committees at the 19 November 2025 Council Meeting. As part of these appointments, Councillor Sarah Gilligan was appointed as Council's representative on the Access and Inclusion Advisory Committee for the 2025/26 term. Councillor Clare Williams was also appointed as the Councillor substitute

for this Committee. This appointment of substitute will continue for the 2025/26 term.

A 'substitute' attendance role requires the second Councillor nominated as 'Substitute' to provide back-up support should the first Councillor be unable to attend a meeting. The primary appointed Councillor is to advise the substitute Councillor in advance of the meeting if they are unable to attend.

Since this Council Meeting, Council has determined to reconsider this appointment. Accordingly, Council is required to appoint an alternative Councillor to the Access and Inclusion Advisory Committee.

Once appointed there is an expectation and obligation that the nominated Councillor/s will attend as many scheduled meetings as practicable, then report back to Council on their attendance and any significant or noteworthy outcomes; this is usually in the form of a verbal report in the Council Meeting.

CONSULTATION / COMMUNITY ENGAGEMENT

There was no consultation or community engagement in relation to this report.

RESOURCES / FINANCIAL VIABILITY

Funds are allocated in current and forward annual budgets for required membership fees and any subscriptions, as part of the memberships of the approved committees.

RISKS

The investment of Councillors' time and resources returns positive outcomes and opportunities for Council and the community through access to strategic information and supports Councillors in their community advocacy and leadership roles.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Nil

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

5.7. SUMMARY OF STRATEGIC BRIEFINGS - 13 FEBRUARY 2026 - 12 MARCH 2026

| | |
|--------------|--------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Governance and Integrity |

Council Plan

Theme - Leading with Integrity

Council's transparency and governance is strengthened by regularly reporting on summaries of briefings held, that assist Council to make informed decisions in Council Meetings on behalf of the community.

EXECUTIVE SUMMARY

The purpose of this report to Council is to provide a summary of the information presented to Councillors between 13 February 2026 and 12 March 2026.

This aligns with the principles of the *Local Government Act 2020* and supports transparency around Council decisions and actions.

RECOMMENDATION

That Council receives and notes this report, the Summary of Strategic Briefings - 13 February 2026 - 12 March 2026.

REPORT

| Meeting Title | Details |
|--|--|
| Wednesday 18 February 2026 | |
| Sustainable Building Asset Management Strategy Workshop 4 | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Nil Conflict of Interest: Nil</p> |
| Property Leasing Training | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Nil</p> |

| Meeting Title | Details |
|--|--|
| | <p>Conflict of Interest: Nil</p> |
| Wednesday 25 February 2026 | |
| <p>Economic Development Strategy Workshop</p> | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Clare Williams Conflict of Interest: Nil</p> |
| <p>Aquatic Strategy Discussion</p> | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Clare Williams Conflict of Interest: Nil</p> |
| Wednesday 4 March 2026 | |
| <p>Planning – Monthly Briefing</p> | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Clare Williams Conflict of Interest: Nil</p> |
| <p>Integrated Planning – 2026/27 Budget and Council Plan Actions Workshop 3</p> | <p>Councillor Attending John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: Nil Conflict of Interest: Nil</p> |
| <p>Connect with Councillors Community Session</p> | <p>Councillor Attending</p> |

| Meeting Title | Details |
|--|---|
| | <p>Sarah Gilligan, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: John Schelling Conflict of Interest: Nil</p> |
| <p>Expression of Interest to Present to Council</p> <ul style="list-style-type: none"> • Friends of Agnes Falls • Gippsland Agroforestry • Eat, Drink, Play Event Presentation | <p>Councillor Attending Brad Snell, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae</p> <p>Apology: John Schelling, Sarah Gilligan, Clare Williams Conflict of Interest: Nil</p> |
| Wednesday 11 March 2026 | |
| <p>Integrated Planning – 2026/27 Budget and Council Plan Actions Workshop 2</p> | <p>Councillor Attending Sarah Gilligan, Clare Williams, Brad Snell, Bron Beach, Nathan Hersey, John Kennedy and Scott Rae</p> <p>Apology: John Schelling, Steve Finlay Conflict of Interest: Nil</p> |
| <p>Planning Scheme Amendments Workshop</p> | <p>Councillor Attending John Schelling, Sarah Gilligan, Clare Williams, Brad Snell, Bron Beach, John Kennedy and Scott Rae</p> <p>Apology: Steve Finlay and Nathan Hersey Conflict of Interest: Nathan Hersey</p> |

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 3. Decision Making

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Public Transparency Policy (C75)

Legislative Provisions

Local Government Act 2020

5.8. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 FEBRUARY 2026 - 12 MARCH 2026

| | |
|--------------|------------------------|
| Directorate: | Strategy and Integrity |
| Department: | Financial Strategy |

Council Plan

Theme - Leading with Integrity

Council's transparency of financial decisions made and overall financial sustainability is strengthened by regularly reporting on documents sealed, contracts awarded, varied or extended under the CEO's delegation.

EXECUTIVE SUMMARY

The purpose of this report to Council is to document the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period 13 February 2026 - 12 March 2026. Council's *Procurement Policy (C32)*, *General Local Law 2024* and *Planning and Environment Act 1987* requires the CEO to report to Council any of the following actions undertaken to the next appropriate Meeting:

- Documents sealed;
- Contracts awarded by Council after a public tender process;
- Contracts awarded after a public tender process within the CEO's delegation; and
- Contract variations approved by the CEO above contingency.

RECOMMENDATION

That Council receives and notes this report Documents Sealed, Contracts Varied, Awarded or Extended by CEO - 13 February 2026 - 12 March 2026 those being:

1. **Documents Sealed:**
 - a. **Section 173 Agreement between South Gippsland Shire Council and the owner of 61 to 63 Whitelaw Street, Meeniyan for a four lot subdivision. Seal applied 5 March 2026.**
 - b. **Deed of Amendment to Section 173 Agreement between South Gippsland Shire Council and the owner of 66 and 80 Bena Road, Korumburra for subdivision of land. Seal applied 5 March 2026**

2. **Contracts awarded by Council after a public tender process:**
 - a. **CON/456 - Construction of Longstaff Rd Landslip Repair awarded to Huitema Plumbing and Excavation, trading as Huitema Civil, for a Lump Sum of \$98,686.70, signed 26 February 2026.**
3. **Contracts awarded after a public tender process within the CEO's delegation:**
 - a. **Nil**
4. **Contract variations approved by the CEO above contingency:**
 - a. **Nil**

REPORT

Under the *Local Government Act 2020* (the Act), s.14 states that each Council is a body corporate with perpetual succession; and must have a common seal. Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, leases or any other contractual or legally binding document that binds Council to another party.

Use of the *General Local Law 2024*, Part 5 - Administration, clause 65 – Common Seal of Council, states that if the Chief Executive Officer (CEO) uses the Common Seal in a manner described by sub-clause (5), this means on the authority of a Council resolution, then Council must be advised of such use on a regular basis.

In accordance with the *General Local Law 2024*, Part 5 - Administration, clause 65 (6), the following are presented to Council as documents sealed during the period from 13 February 2026 - 12 March 2026.

Nil

Section 173 Agreements are prepared in accordance with s.173 of the *Planning and Environment Act 1987*, allowing Council to enter into agreements relating to the use or development of land, conditions to which the land be used or developed or any matter that relates to planning or planning schemes in Victoria. Section 174 of the *Planning and Environment Act 1987* requires that such an agreement be under seal and must bind the owner to the covenants specified in the agreement.

In accordance with the Instrument of Delegation and *Planning and Environment Act 1987*, the following are presented to Council as documents sealed during the period from 13 February 2026 - 12 March 2026.

1. Documents Sealed

- a. Section 173 Agreement between South Gippsland Shire Council and the owner of 61 to 63 Whitelaw Street, Meeniyah for a four lot subdivision. Seal applied 5 March 2026.
- b. Deed of Amendment to Section 173 Agreement between South Gippsland Shire Council and the owner of 66 and 80 Bena Road, Korumburra for subdivision of land. Seal applied 5 March 2026.

Contracts Awarded, Varied or Extended

In accordance with Council's Procurement Policy, where contracts are awarded after public tender, they are to be reported publicly. Where contracts above the CEO's delegation are varied or extended, they are required to be reported to the next practicable Council Meeting.

2. Contracts awarded by Council after a public tender process:
 - a. CON/456 - Construction of Longstaff Rd Landslip Repair awarded to Huitema Plumbing and Excavation, trading as Huitema Civil, for a Lump Sum of \$98,686.70, signed 26 February 2026.
3. Contracts awarded after a public tender process within the CEO's delegation:
 - a. Nil
4. Contract variations approved by the CEO above contingency:
 - a. Nil

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 3. Decision Making

Council Policy / Strategy / Plans

Documents are available on Council's website at the following [LINK](#).

Governance Rules (C82)

General Local Law 2024

Procurement Policy (C32)

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

6. COUNCILLOR REPORTS

6.1. COUNCILLOR REPORTS

6.2. REQUESTS FOR LEAVE OF ABSENCE

6.3. COUNCILLOR UPDATES

7. CLOSED SESSION

The *Local Government Act 2020* (the Act), section 66 provides that 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.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

That Council pursuant to section 66(5)(a) and (b) of the Local Government Act 2020 close the Council Meeting to the public to consider the following confidential information:

1. **Per s.3(1)(a) Agenda item 9.1 – COMMERCIAL NEGOTIATIONS - Expression of Interest Submission - Property Leasing - 4-6 Power Street, Foster, designated as Council business information;**
 - a. **being information that would prejudice the Council's position in commercial negotiations if prematurely released; and**
 - b. **The grounds for designation have been made as the information is deemed commercial-in-confidence, being information that would prejudice Council's position in commercial negotiations if prematurely released.**
2. **Per s.3(1)(a) Agenda item 9.2 – COMMERCIAL NEGOTIATIONS - Award Contract Extension - CON/365A and CON/365B - Aquatic Services Contract, designated as Council business information;**
 - a. **being information that would prejudice the Council's position in commercial negotiations if prematurely released; and**
 - b. **The grounds for designation have been made as the information is deemed commercial-in-confidence, being information that would prejudice Council's position in commercial negotiations if prematurely released.**

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 20 May 2026 commencing at 2pm in the Council Chambers, Leongatha.