

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 15 April 2026



Council Chambers, Leongatha
Commenced 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

Wednesday 15 April 2026
Council Chambers, Leongatha, commenced 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.

PRESENT

COUNCILLORS:	<p><i>Coastal Promontory Ward</i> Councillor Sarah Gilligan Councillor Steve Finlay Councillor Scott Rae</p> <p><i>Strzelecki Ward</i> Councillor Nathan Hersey, Mayor Councillor John Kennedy Councillor Bron Beach</p> <p><i>Tarwin Valley Ward</i> Councillor Brad Snell, Deputy Mayor Councillor Clare Williams</p>
NOT PRESENT:	<p>Councillor John Schelling</p>
OFFICERS:	<p>Allison Jones, Chief Executive Officer Tony Peterson, Executive Director, Strategy and Integrity Nick Moore, Acting Executive Director, Empowering Communities David Fice, Executive Director, Infrastructure Sustainability Michelle Jorgensen, Executive Manager, Culture and Capability Rhys Matulis, Manager Governance and Integrity Jodi Cumming, Governance Coordinator Ally Low, Governance Officer Thomas Henderson, Desktop Support Officer</p>

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.

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.

The Opening Prayer was read by Councillor Rae

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.

The Acknowledgment of Traditional Custodians was read by Councillor Beach

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.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Beach

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

CARRIED UNANIMOUSLY

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.

Nil

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.

Nil

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 by Mr Donald Hill, in relation to Councils Governance Rules and Public Questions process. Question 1 and 3 have been combined.

Question 1:

Were the current governance rules which ruled questions must be specific to the current agenda at Council designed to avoid ratepayers asking difficult questions on topics considered by Council to be risking damage to Council's reputation?

Question 2:

Does Council consider the 2 day period which ratepayers are able to see and read the agenda a reasonable time to review and submit questions?

Question 3:

Does Council not think it more open and transparent to allow ratepayers to ask any legitimate question of Council in the meeting as has been done for at least since 2012?

Response to Question 1 and 3:

Residents can ask questions of Council and the organisation whenever they want. Council provides multiple channels for community members to ask questions of Council and individual Councillors. Changes to Public Question Time at Council meetings were introduced to encourage questions relating to Council agenda items and to improve response times for general enquiries on other Council matters.

In addition to Public Question Time, Council offers a range of other opportunities for community members to engage directly with Councillors, including:

- Councillor Briefing Presentations – Community members can register each month to present to Councillors, either in an open or closed setting, on any topic at a Councillor briefing day.
- Meet with the Mayor – Community members can register to meet with the Mayor on a regular basis.
- Connect with a Councillor Sessions – Held three times a year, these informal sessions provide an opportunity for community members to ask questions and speak directly with Councillors. The next Connect with a Councillor session is scheduled to be held in Loch on 3 June 2026.

Information on how to register for all of these engagement opportunities or submitting an Agenda Public Question is available on Council's website

Response to Question 2:

Council publishes the Council agenda on the Friday prior to the Council meeting on the Wednesday. As part of its Governance Rules review, Council sought feedback from the community, based on this feedback, Council increased the word limit and extended the timeframe for submitting Agenda Public Questions.

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.

Nil

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.

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Snell

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.

CARRIED UNANIMOUSLY

Nick Moore, Acting Executive Director Future Communities left the room at 2:33pm due to declared conflict of interest for Agenda item 5.2.

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 adaption 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> <ol style="list-style-type: none"> a) An amended Bushfire Management Plan in accordance with Country Fire Authority condition 25 of this permit. 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: <ol 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
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	<p>residents to have to walk through the car port to enter the dwelling to Council's satisfaction.</p> <p>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.</p> <p>e) The colour and building materials proposed as part of the dwellings clearly depicted on the materials and colour schedule.</p> <p>f) All internal boundary fencing nominated as maximum 1.2 rural post and wire type fencing.</p> <p>g) All recommendations from the Tree Management and Protection Plan required by Condition 3 implemented into the subdivision and dwelling development.</p> <p>h) The following notations added on the plans:</p> <p>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 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</p>

all trees to be protected remain viable post-construction. The Tree Protection and Management Plan must consist of:

- 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:
 - i. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ), calculated in accordance with *Australian Standard 4970-2025* 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 *Australian Standard 4970-2025* 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).
- b) The Tree Management plan (report) must be prepared by a suitably qualified arborist, reference the Tree Protection Plan (drawing) and provide details of:
 - i. All tree protection and management actions required during each stage of the development (Demolition, Construction and Landscaping).
 - 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 *Australian Standard*.
 - 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.

	<ul style="list-style-type: none"> 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.
5.	<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>
6.	<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 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.	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. Must be located within the West Gippsland Catchment Management Authority boundary or South Gippsland municipal district.

	<ul style="list-style-type: none"> 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.	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.
9.	The plan of subdivision submitted for certification must be referred to the Authority in accordance with Section 8 of the Subdivision Act.
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: <ul style="list-style-type: none"> 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

	<p>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.</p>
12.	<p>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:</p> <ul style="list-style-type: none"> 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.	<p>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.</p>
14.	<p>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.</p>
15.	<p>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:</p> <ul style="list-style-type: none"> a) The proposed locations of property crossovers, located in such a way as to minimise the loss of existing vegetation. 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.

	<p>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.</p> <p>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.</p>
16.	<p>Prior to requesting Statement of Compliance, the following items must be completed to the satisfaction of South Gippsland Shire Council:</p> <p>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.</p> <p>b) Carry out and complete all the works mentioned in condition 15.</p>
17.	<p>Prior to the issue of a Statement of Compliance for the subdivision, either:</p> <p>a) The development of the land approved under this permit must be completed in accordance with the plans endorsed under this permit; or</p> <p>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.</p>
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> <p>a) No small second dwelling can be developed on the land.</p> <p>b) No structures to be developed within 7.5 metres of the front property boundary of the respective lot.</p> <p>c) Defendable space is maintained in the areas shown on the endorsed Bushfire Management Plan within Lots adjoining fire hazards.</p> <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> <ul style="list-style-type: none"> 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. b) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit. 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>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> <ul style="list-style-type: none"> 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>b) Any existing bores associated with the Caravan Park development must be decommissioned and removed by a 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>
<p>23.</p>	<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>
<p>24.</p>	<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>
<p>25.</p>	<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 defensible space shown on the endorsed Bushfire Management Plan must be implemented to the satisfaction of the Responsible Authority.</p>
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 NVRID 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 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: <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. e) A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. 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: <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. 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
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	<p>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 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.
<p>29.</p>	<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>
<p>Notes:</p>	
	<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.
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RESOLUTION

Councillor Gilligan raised a motion different to the Officer recommendation.

MOVED: Councillor Gilligan

SECONDED: Councillor Williams

That Council issue a Notice of Refusal to Grant a Permit for Planning Application 2025/44 - 89 Beach Parade, Sandy point for a Multi-lot subdivision, Buildings and Works associated with the construction of eleven (11) dwellings, and Removal of Native Vegetation based on the following grounds:

- 1. The proposal is contrary to Clause 02.03-1 in that it does not balance the growth or development of the Sandy Point Coastal Village against the associated impacts on existing vegetation, water quality and the risks of climate change;**
- 2. The proposal does not achieve a development outcome which is sympathetically designed to complement the built form character, environmental and landscape values of its location as sought by Clause 02.03-5;**
- 3. The proposal fails to adequately consider the bushfire risk to the site, property and human life as required under Clause 13.02 and Clause 44.06 (Bushfire management Overlay);**
- 4. The proposal is inconsistent with Clause 17.04-2S in that it does not ensure that a diverse range of accommodation options are maintained in Sandy Point by the closure of the existing tourist holiday park;**
- 5. The proposal is inconsistent with the purpose of the Township Zone (Clause 32.05) in that it does not provide a development outcome which is responsive to the neighbourhood character of the area;**
- 6. The proposal fails to adequately address the objectives and decision guidelines of the Environmental Significance Overlay – Schedule 7 (Clause**

42.01) and the Design and Development Overlay – Schedule 3 (Clause 43.02) with respect to development and subdivision outcomes including protection of vegetation;

- 7. The proposal has a detrimental impact on existing native vegetation resulting in an inappropriate loss of biodiversity as part of the application;**
- 8. The proposal fails to adequately address issues relating to effluent management; and**
- 9. The proposal fails to consider and properly address the impacts of future climatic conditions in relation to access concerns identified by the West Gippsland Catchment Management Authority.**

Councillor Gilligan requested additional speaking time.

MOVED: Councillor Williams

SECONDED: Councillor Beach

That Councillor Gilligan be granted an extension of speaking time for 3 minutes

CARRIED

The motion was LOST on the casting vote of the Mayor

Councillor Gilligan called for a division

FOR: Councillor Beach, Councillor Gilligan, Councillor Williams,
Councillor Snell

AGAINST: Councillor Finlay, Councillor Kennedy, Councillor Rae, Mayor Hersey

The motion was LOST on the casting vote of the Mayor

The Motion as per Officer recommendation was put before the Council

MOVED: Councillor Rae

SECONDED: Councillor Finlay

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

30.	<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> <ul style="list-style-type: none"> i) An amended Bushfire Management Plan in accordance with Country Fire Authority condition 25 of this permit. j) 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. k) 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. l) The following amendments to dwelling layouts: <ul style="list-style-type: none"> vii. The dwelling on Lot 2 amended so that the car port is located behind the front entry door of this dwelling with a
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	<p>separate pathway from the driveway to the front porch also provided to Council's satisfaction.</p> <p>viii. The dwelling on Lot 3 amended so that the car port is located behind the front façade of this dwelling to Council's satisfaction.</p> <p>ix. 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.</p> <p>x. 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.</p> <p>xi. 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.</p> <p>xii. 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.</p> <p>m) The colour and building materials proposed as part of the dwellings clearly depicted on the materials and colour schedule.</p> <p>n) All internal boundary fencing nominated as maximum 1.2 rural post and wire type fencing.</p> <p>o) All recommendations from the Tree Management and Protection Plan required by Condition 3 implemented into the subdivision and dwelling development.</p> <p>p) The following notations added on the plans:</p> <ol 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 Responsible Authority for any wastewater related matters associated with this existing system or associated easements. ii. No front fencing approved as part of this development.
31.	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

32.	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.
33.	<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> <ul style="list-style-type: none"> d) 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: <ul 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). e) The Tree Management plan (report) must be prepared by a suitably qualified arborist, reference the Tree Protection Plan (drawing) and provide details of: <ul style="list-style-type: none"> i. All tree protection and management actions required during each stage of the development (Demolition, Construction and Landscaping). ii. How excavation impacts, including soil level changes, within the TPZ of trees to be retained will be managed or minimised.

	<ul style="list-style-type: none"> 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.
34.	<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>
35.	<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</p>

	<p>must be implemented, and the subdivision and construction of 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>
36.	<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"> iv. Must be located within the West Gippsland Catchment Management Authority boundary or South Gippsland municipal district. v. Must be a general offset of 0.034 general biodiversity equivalence. vi. 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"> iii. 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 iv. 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>f) 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>
37.	<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>

38.	The plan of subdivision submitted for certification must be referred to the Authority in accordance with Section 8 of the Subdivision Act.
39.	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.
40.	<p>The owner of the land must enter into an agreement with:</p> <ul style="list-style-type: none"> c) 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 d) 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.
41.	<p>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:</p> <ul style="list-style-type: none"> c) 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 d) 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.
42.	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.
43.	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.
44.	<p>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:</p> <ul style="list-style-type: none"> f) The proposed locations of property crossovers, located in such a way as to minimise the loss of existing vegetation. g) 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. h) Suitable soakage pits for the onsite disposal of excess stormwater on the lot. i) 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. j) 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.
45.	<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"> c) 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. d) Carry out and complete all the works mentioned in condition 15.
46.	<p>Prior to the issue of a Statement of Compliance for the subdivision, either:</p> <ul style="list-style-type: none"> c) The development of the land approved under this permit must be completed in accordance with the plans endorsed under this permit; or d) 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.
47.	<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"> f) No small second dwelling can be developed on the land. g) No structures to be developed within 7.5 metres of the front property boundary of the respective lot. h) Defendable space is maintained in the areas shown on the endorsed Bushfire Management Plan within Lots adjoining fire hazards. i) 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. j) A consent mechanism for each of the above requirements.
48.	<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> <ul style="list-style-type: none"> d) 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. e) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit. f) 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>The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.</p>
49.	<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>

50.	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.
51.	<p>Prior to the to the issue of the Statement of Compliance –</p> <p>d) 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>e) Any existing bores associated with the Caravan Park development must be decommissioned and removed by a 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>f) 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>
52.	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.
53.	<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>d) a lot that will not be used for, or include, a dwelling; or</p> <p>e) a lot that contains an existing dwelling or apartment; or</p> <p>f) 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>
54.	<p>Country Fire Authority conditions require that:</p> <p>b) 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 endorsed Bushfire Management Plan must be implemented to the satisfaction of the Responsible Authority.</p>
55.	<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>
56.	<p>Ausnet Electricity Services conditions require that:</p> <p>c) 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>d) The applicant must –</p> <ol 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.
57.	<p>Department of Energy, Environment and Climate Action conditions require:</p> <ul style="list-style-type: none"> i) 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. j) 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: <ul style="list-style-type: none"> i. 0.107 hectares patches of native vegetation k) 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: <ul style="list-style-type: none"> ii. 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 l) 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: <ul style="list-style-type: none"> iii. 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, iv. credit extract(s) allocated to the permit from the Native Vegetation Credit Register. m) A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. n) 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:

	<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. o) 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) 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: <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 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.
58.	<p>This permit will expire if either of the following applies:</p> <ul style="list-style-type: none"> e) The subdivision is not certified within three (3) years of the date of this permit; or f) The registration of the subdivision is not completed within five (5) years of the date of certification.

	<p>g) The development is not started within three (3) of the date of this permit, or</p> <p>h) The development is not completed within five (5) of the date of this permit.</p> <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.

The motion was CARRIED on the casting vote of the Mayor

Councillor Gilligan called for a division

FOR: Councillor Finlay, Councillor Kennedy, Councillor Rae, Mayor Hersey

AGAINST: Councillor Beach, Councillor Gilligan, Councillor Williams,
Councillor Snell

The motion was CARRIED on the casting vote of the Mayor

Nick Moore, Acting Executive Director Future Communities, returned to the Council Meeting at 3:04PM

Councillor Nathan Hersey, Mayor, left the meeting at 3:04PM due to a declared conflict of interest for Agenda Item 5.3.

Councillor Brad Snell, Deputy Mayor, assumed the Chair.

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*.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Beach

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*.**

CARRIED

Councillor Nathan Hersey, Mayor, returned to the meeting at 3:15PM and resumed the Chair.

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).

RESOLUTION

MOVED: Councillor Snell

SECONDED: Councillor Rae

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).**

CARRIED

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]).

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Beach

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]).**

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Snell

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

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Williams

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

CARRIED UNANIMOUSLY

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, Meenian 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

RESOLUTION

MOVED: Councillor Williams

SECONDED: Councillor Beach

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

CARRIED UNANIMOUSLY

6. COUNCILLOR REPORTS

6.1. COUNCILLOR REPORTS

Nil

6.2. REQUESTS FOR LEAVE OF ABSENCE

Nil

6.3. COUNCILLOR UPDATES

Councillor Snell addressed Council by reporting on attendance at or made comments on:

- Attended Sandy Point Arts Show
- Attended MAV Healthy Communities conference accompanied by Mayor Hersey
- Attended Citizenship Ceremony and celebrated 15 conferees. Shared reflections of the event.
- Reflected on current fuel and cost of living crisis and encouraged individuals to invest in their best efforts during difficult times

Councillor Beach addressed Council by reporting on attendance at or made comments on:

- Acknowledged ongoing overseas conflicts, the current cost of living pressures, and encouraged the community to support and care for one another during this time

Councillor Gilligan addressed Council by reporting on attendance at or made comments on:

- Attended Victorian Independent Remuneration Tribunal and presented verbal and written submission
- Attended a Sector Stakeholder Round Table regarding gender equity across Councils in next election
- Attended Walkerville CFA Fire Safety Community Meal
- Attended Audit and Risk Committee Meeting
- Attended Climate Futures Advisory Committee
- Acknowledged Venus Bay Petition to State Government

Councillor Kennedy addressed Council by reporting on attendance at or made comments on:

- Reflected on current fuel and cost of living crisis

Councillor Rae addressed Council by reporting on attendance at or made comments on:

- Reflected on current fuel and cost of living crisis
- Attended presentation on a project run by Australian Food Sovereignty Alliance and Landcare, regarding micro abattoirs
- Attended Sandy Point Art Show
- Attended Foster Hospital Fundraiser Chariry Golf Day at Foster Golf Club
- Attended presentation by Food & Fibre Gippsland
- Attended Toora Cropfest Short Film Festival

Mayor Hersey addressed Council by reporting on attendance at or made comments on:

- Attended and participated in the South Gippsland Shire Council Jobs Expo
- Attended MAV Healthy Communities conference accompanied by Councillor Snell
- Attended Farm World accompanied by Council Officers and Executives - acknowledging the launch of Food & Fibre Gippsland's new brand
- Attended and participated in the new Westpac Bank opening
- Met with Korumburra locals with regards to the Safer Local Roads and Streets Program with support of the TAC
- Attended conference in Melbourne as Chair of One Gippsland with CEO Jones
- Attended and participated in the Citizenship Ceremony. Sharing reflections of the event, as they celebrated 15 conferees.

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*.

RECCOMENDATION

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.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Snell

That the meeting be moved to closed session

CARRIED UNANIMOUSLY

The Council Meeting moved into closed session at 4:10PM

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 20 May 2026, commencing at 2:00pm in the Council Chambers, Leongatha.

The Council Meeting concluded at 4:27PM

These minutes were confirmed at the Ordinary Meeting of Council held 20th May 2026.

Councillor Nathan Hersey, Mayor