



Minutes

Council Meeting

Tuesday 11 April 2023 at 6:00 pm

**Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875**

Councillors

Crs Mark Reeves (Mayor), Arthur Allen (Deputy Mayor)
Sonia Buckley (Online), Jane Greacen OAM, Trevor Stow, Mendy Urie,
and John White (Online)

Attachments referenced in these minutes can be located in the meeting agenda on East Gippsland Shire Council's [website](#).

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity.
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services.

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1 Procedural

1.1 Recognition of Traditional Custodians

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.2 Apologies

Cr Tom Crook
Cr Kirsten Van Diggele

1.3 Declaration of Conflict of Interest

Fiona Weigall General Manager Assets and Environment declared a conflict of interest in item 7.3 *Personnel Matter* as a material interest due to the matter relating to her employment remuneration.

Peter Cannizzaro General Manager Business Excellence declared a conflict of interest in item 7.3 *Personnel Matter* as a material interest due to the matter relating to his employment remuneration.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 21 March 2023 be confirmed.

Moved: Cr Arthur Allen

Seconded: Cr Trevor Stow

CARRIED

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 2 May 2023 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

Nil

1.7 Open Forum

1.7.1 Petitions

1.7.1.1 Construction of Stairs Christmas Street, Metung

Authorised by General Manager Business Excellence

Motion

That Council:

- 1. receives and notes this report;***
- 2. receives the petition lodged by Ms Katrina Roberts-Podporin requesting “We the undersigned, hereby petition East Gippsland Shire Council to construct stairs made out of natural materials at the eastern end of Christmas Street (at the end of the road reserve) down to Metung Road”;***
- 3. refers the petition to the General Manager Assets and Environment for a report to a future Council meeting; and***
- 4. notes that Council Officers will write to the head petitioner advising them of these actions.***

Moved: Cr Mendy Urie

Seconded: Cr Arthur Allen

CARRIED

1.7.2 Questions of Council

Item 1.7.2.1 Planning Application 488/2022/P

Mr Neil Robertson asked the following question:

"What does Council or the Councilors gain from approving this Planning Application?"

Stuart McConnell General Manager Place and Community provided a response which is summarised below:

In exercising its statutory obligations under the *Planning and Environment Act 1987* (Act), Council does not consider any question of what it "gains" in determining an application.

In accordance with the Act, Council must consider:

- the relevant planning scheme;
- the objectives of planning in Victoria;
- all objections and other submissions which it has received, and which have not been withdrawn;
- any decision and comments of a referral authority which it has received;
- any significant effects which the Council considers the use or development may have on the environment or which Council considers the environment may have on the use or development; and
- any significant social effects and economic effects which Council considers the use or development may have.

1.7.3 Public Submissions

Nil

1.8 Items for noting

Nil

2 Notices of Motion

Nil

3 Deferred Business

Nil

4 Councillor and Delegate Reports

4.1 Cr Arthur Allen

Cr Arthur Allen spoke to his written report at page 9.

4.2 Cr Sonia Buckley

Cr Sonia Buckley provided a verbal update.

4.3 Cr Jane Greacen OAM

Cr Jane Greacen OAM spoke to her written report at page 10.

4.4 Cr Mendy Urie

Cr Mendy Urie spoke to her written report at page 12.

4.5 Cr Mark Reeves

Cr Mark Reeves spoke to his written report at page 14.

Councillor Reports

Cr Arthur Allen

22 March 23 - I attended the Centenary House Breakfast at St Mary's Parish Centre hosted by Rotary Club of Mitchell River. The support this annual breakfast receives is extraordinary, this year raising \$11,000 for Centenary House, Traralgon. Centenary House offers affordable accommodation for patients undergoing treatment at Traralgon. This Rotary project has grown from six rooms to its capacity of 26 and has been utilised by countless patients over the years, particularly from East Gippsland where distance means patients cannot commute to receive treatment.

24 March 23 - East Gippsland Shire hosted Maroondah City Council including a reception and Memorandum of Understanding signing and dinner. As part of their visit, Maroondah gifted East Gippsland Shire a Marveloo which is currently situated at the foot bridge in Lakes Entrance. Indeed, a marvellous gift to our communities, especially the adult disabled.

26 March 23 - In a first for me, I along with my wife attended the Bairnsdale Cup as guests of the Bairnsdale Racing Club (BRC). Thank you to the BRC for making us very welcome and for a most enjoyable day. As an observation I was pleased to see two ladies from the Transport Accident Commission offering indicative breath testing to patrons leaving the grounds. A very worthwhile initiative.

30 March 23 - It was a very good day, representing the Mayor, I along with Council Officers hosted a group of year 11 and 12 students from Orbost Secondary College in the Council Chamber. It was a most enjoyable session explaining how Council operates and the many careers available in Local Government. Later that evening, again representing the Mayor, Dianne and I attended a function at Sale RAAF to celebrate the 80th anniversary of the base. It was a great experience, and we met some inspirational people.

31 March 23 - I joined the Mayor Cr Mark Reeves at the Snowy Campus of the Alpine School for their end of term Community Learning Project Presentation. As always, the students were impressive, not only in the projects they will take back to their own school communities but in their maturity and presentation.

04 April 23 - I had the honour of attending the Police Service Award Presentation. It was great to see these Officers who serve our community receive recognition for their dedicated service.

05 April 23 - I had the pleasure of attending the IQ Club breakfast held at the Community Club. Again, there was a line-up of quality speakers on a range of issues of consequence to the business. Thanks to Cr Trevor Stow for arranging this most informative meeting.

06 April 23 - I joined Cr Mendy Urie and Mayor Cr Mark Reeves for the "soft" opening of stage one of the Omeo Mountain Bike Track. If this was a soft opening, we had best get more chairs for the official opening!

Cr Jane Greacen OAM

22/03/23 - This was a busy day starting with the annual Rotary Centenary House fundraising breakfast held by the Rotary Club of Mitchell River. I arrived to see St Mary's Parish Centre in Bairnsdale full of people being entertained by Bob Yeates who was MC'ing the many prizes being handed out to participants. It was Bob's 70th birthday that day as well. I do not know the total that was donated by the many businesses in the region, but it must have been a lot. Centenary House is a community-based not-for-profit accommodation facility, for patients and their families who are attending the Gippsland Cancer Care Centre at Latrobe Regional Hospital. 60% of those who access the accommodation are residents of our Shire.

22/03/23 - The second event I attended was "Voice Treaty Truth Telling. What? When? How?" This was a Conversations at the Crossroads event launching voices, convened by Prof Joseph Camilleri as part of the Lunchtime series. It featured two powerful voices representing two different perspectives about the Voice. Marcus Stewart, Co-chair of the First People's Assembly of Victoria, and Dr Tjanara Goreng Goreng, National Convenor of the Foundation for Indigenous Recovery Australia. Marcus talked about the Voices in Victoria, the Truth Telling that has begun through the Yoorook Commission established by the Victorian government. He also talked about the fact that treaty will begin soon in Victoria.

Dr Tjanara has served as National Co-Convenor of the Australian Greens First Nations Network. She gained her PhD at the Australian National University and lectures in their School of Public Policy. She holds a very strong position that Treaty should come first. She said that the BlakGreens went to the Greens Party with the position of Truth, Treaty, Voice – they want truth-telling to be a part of treaty and to come first. They tasked Senator Lidia Thorpe to represent this position, which she did. She believes that recognition of sovereignty can only come with Treaty. She described Treaty as covering five things:

- land;
- recognition of sovereignty;
- compensation;
- power-sharing; and
- First Nations cultural heritage.

She talked about building systems that remove discrimination and discriminatory structures. Respect, Economics. Help us live better together. The other position expressed that The Voice will do the work of Treaty.

22/03/23 - OffShore Wind Energy. This was an industry briefing seminar by State Government, called Victoria's Offshore Wind Implementation Statement 2. We were advised that it is expected that there will be a government support package. Offshore Wind Evidence and Change programme – competitive process bid by 2025.

Port of Hastings is the preferred port – deep water, railway line, and sufficient land appropriately zoned. Vic Renewable Energy Supply Chain Hub. The Victorian Government invested \$6 million to fund a Wind Worker Training Centre, and provided funding to Federation University.

There will be 3 phases/stages:

Crown land rezoning and electricity installation on crown land and offshore (by end 2023).

Administration solutions – designed by Victorian Government – improve efficiencies and reduce duplication. Guidance materials. (To start 2023).

Victorian Government will undertake targeted stakeholder consultation and then stand-alone legislation – the Offshore Wind Act. (By end 2024).

The HESC project (hydrogen) also want to use Port of Hastings. They will have a different piece of land. It is possible the two projects can work together as there will be a lot of interactions between the two.

The road network capacity will be reviewed to ensure the project can respond.

Cooper Energy is 200 kms east of Melbourne and covers 46,000 square kms – 2/3rd of the basin is off-shore. Has 8 offshore tenements plus the Orbost Gas processing Plant onshore near Orbost.

24/03/23 and 25/03/23 – I attended the Gippsland Forest Dialogue field trips and discussions at the Orbost Exhibition Centre. This event brought together a range of people with different forest management or forest use backgrounds. The discussions were open and rich. Excellent informative presentations by Graham Dear, Ian Cane and Tom Crook about the state of the forests, and ongoing risks to them. Euan Waller chaired a round table discussion, and I hope that the documentation that will be prepared from this event will be available soon, as it be very valuable.

24/03/23 - The visit by the Maroondah City Council Councillors and CEO as part of their gifting of the Marveloo was a wonderful formal event in the afternoon at Palmers Road office, with signing of a Memorandum of Understanding, speeches and much goodwill, followed by the handover at the Marveloo in Lakes Entrance near the footbridge. It is a very large mobile toilet for people with disabilities that require the use of a hoist and other special equipment. What it means is that people who otherwise could not attend community events, will now be able to.

27/03/23 - Reconciliation Action Plan (RAP) workshop for the Councillors. This was an introductory workshop basically setting the scene. It is as yet unclear about the direction of the RAP. Liz Allen Consultancy and Cameron Spence presented, with a Welcome by Courtney Pettersen. Liz provided a lot of information about the various Aboriginal agreements and organisations. Including the Victorian Aboriginal and Local Government Strategy 2021 – 2026, which I had not heard of, and must read.

She talked about;

- reporting back to our Aboriginal Communities and developing an accountability framework;
- the Whole of Country Plan which is the single strategy that all Recognised Aboriginal Parties are covered by;
- that employment is always a focus;
- that there is a lack of clarity from Council Staff about how Council engages with the Aboriginal Community;
- referred to the Traditional Owners Collaboration Framework and also that there are 550 Aboriginal industries that are very diverse;
- suggested building a RAP - a mixture of low hanging fruit - take existing policies; review Aboriginal employment and procurement policies; go out and spend time listening and talking through some of the things. Go with Kinaway for example – Victorian Aboriginal Chamber of Commerce. Find out about the local Aboriginal businesses in the area;
- rebuild Aboriginal confidence – it is five years since we had a RAP, and it as a weak one.

What is Council's policy on racism? What is Council's explicit statement about the Aboriginal Community here?

28/03/23 - I was very impressed with the work being undertaken by Tambo Waste and Cranes Asphaltting to build their capacity to recycle waste. They are both making massive changes to their business, and hopefully will be highly successful as a result.

29/03/23 - Meeting with Cann River Community Group about the need for Waste Transfer Station. The agreements that were reached during that meeting are addressed in the paper tonight. I wish to acknowledge the goodwill and constructive comments and commitments made by the Cann River representatives and commend the Mayor, Mark Reeves on how he chaired this meeting, and his expression of the genuineness of our commitment to work collaboratively with the Cann River people over this issue, and his placement of an olive branch on the table which was accepted in the spirit for which it was intended.

30/03/23 - I attended a day long online meeting delivered by SGS Economics and Planning on Economic Development Leadership Essentials. Cr Urie was also online. It was a long day, and impossible to summarise. I noted some stand-out comments;

- economics is about well-being, about martialling resources to give best possible quality of life;
- minimise waste. matching resources to investment;
- macroeconomic management = vibrancy and fluidity;
- fluid mobile resources that flow to where they can work best/produce best dividends. therefore, aim to reduce impediments to this flow; and
- dynamic capital and labour markets.

03/04/23 - I attended the Gippsland East Local Learning and Employment Network Inc (GELLEN) annual general meeting, which was informative. GELLEN delivers quite a range of services and opportunities and employs quite a few staff.

Cr Mendy Urie

22 March 2023: Participated in "Conversations at the Crossroads" hosted by Joseph Camilleri, one of a series of online events, exploring crucial, often neglected questions. This was an interesting and insightful presentation of different perspectives on the upcoming referendum titled, "Voice, Treaty, Truth-Telling". I have recommended it for Councillors and others, and I have shared the link with my colleagues to the recording.

24 March 2023: Visit by Maroondah City Council, Councillors, executive and partners. I joined several other Councillors and senior staff for the Memorandum of Understanding signing, the presentation of the Marveloo at the Lakes Entrance footbridge and later for dinner. This has been a most generous donation to East Gippsland which will make a big difference to many of our visitors (and East Gippsland residents) and will assist in Council's progress to making our beautiful area more inclusive for all. As always when we meet with other Councils, there is a lot to discuss, share and learn about and it was a most enjoyable exchange.

27 March 2023: Happy to attend (with most other Councillors) a workshop to progress Council's development of a plan to replace our long-expired Reconciliation Action Plan. It's great to see progress in this important area for Council and I look forward to next steps.

28 March 2023: I joined a Council organised visit to Tambo Waste Recycling facility and Cranes Asphaltting, two of our important contractors who are in the front line of responding to the developing circular economy in Victoria. It was heartening to see these two organisations rising to the challenges of rapidly changing environments and initiating many new sustainability ventures in their businesses. Innovation and flexibility are both very much required to ensure thriving, now and into the future.

29 March 2023: I joined the Council delegation to Cann River to meet with community representatives about the siting of a new, yet-to-be-developed transfer station. As always, it was good to sit, face-to-face in the same room and I trust, thanks to all those present, a good way to work forward has been found.

30 March 2023: I attended an all-day on-line forum hosted by Economic Development Australia and SGS Economics. This proved to be an interesting information-dense presentation with a focus on understanding global macro-economic trends over the years and their more-local implications. Small break-out groups provided opportunities to share more localised solutions to what often seem like insurmountable obstacles for rural/regional areas.

Community Wealth Building was briefly covered as well as 'Leading in Resilience and Recovery'. Other themes:

- the shift (away from agriculture and manufacturing) to service provision as a share of national gross domestic product;
- increasing technology and automation with AI / big data / the Cloud and the Internet of Things;
- increasing specialisation; and
- mobile labor markets.

Key Issues for us in Council: Digital Literacy, Digital Coverage, Education

Electrification and Community Renewal: A lot of media attention has been given to Saul Griffith's compelling proposal to electrifying everything in Australia and with good reason, in my view. I have shared this link with Councillors with a strong recommendation to listen to the 50-minute interview.

[Saul Griffith's electrifying mission - ABC Radio](#)

Griffith's has a great gift for clearly communicating the economic figures to point out the possibility of a tremendous economic transition for our communities by rapidly switching to electricity from renewables. The benefits to our communities when the flow of money paid out to energy providers and petroleum companies outside our local government areas stops, will be enormous and that is not to mention the other benefits like health.

3 April 2023: I attended the Gippsland East Local Learning & Employment Network annual general meeting at the Hub, in Bairnsdale where a successful year was reported, and new positions made to the board.

6 April 2023: With the Mayor and Deputy Mayor and senior executive, I attended a really special community event in Omeo, principally to celebrate the first 10 kms of mountain bike trial being open to locals and visitors in this transformative project. We were also shown around the building (ex-Parks Victoria) which is hoped to be used for a community hub facility. Huge congratulations to all involved (including Council staff) for achieving this great milestone. Omeo looks and feels great!

Cr Mark Reeves

Wunman njinde.

This report marked a significant period of meetings with Federal Government Members, both locally and on-line from Canberra, Youth Ambassadors, Cann River Waste meetings.

In meeting Federal Members, we are in the process of ensuring our advocacy for the key initiatives. We met with Officers from Minister King's Office. We met directly with Assistant Minister the Hon. Anthony Chisholm. We caught up briefly with the Hon. Darren Chester MP, but it proved to be a busy day in the house on the hill and he was called away. We met and will meet with Darren Chester again regarding works in Lakes Entrance around Beach the Krauatungalung Walk project.

These meetings were centered on providing first-hand, to the key players, our advocacy work and key projects.

The Hon. Kirsty McBain MP was in the region, and we were able to meet on site at the WORLD project and share the issues and opportunities this project has presented.

These include funding through Local Roads and Community Infrastructure, issues with vegetation and the *Environment Protection and Biodiversity Conservation Act 1999*. We also hosted Minister McBain at One Gippsland and were able to "speed-date" the key regional priorities with the partner organisations presenting and talking to these points.

We had a significant event in the delivery of the accessible Marveloo and the re-signing of a partner agreement with Maroondah City Council. This is a brilliant and generous gift to our community, focused on recovery, located in Lakes Entrance, and being an accessible and private change and ablution facility with disabled hoisting and change facilities will be a wonderful change-maker for people who need that additional support to be out and about.

Our partner Secretariate of One Gippsland has been busy with organising partner briefings with key stakeholders, most recently with the Chair of Destination Gippsland, Jan Fitzgerald among others.

The Paynesville Dragon Boat club continues to impress. They are an enthusiastic and contagious group, and I had the pleasure of naming and "dotting the eyes" of their new boat in a beautiful and culturally vibrant ceremony. They have a second boat donated, the naming and dotting of which I am unable to attend. I hope that another Councillor has the great honour, and fun, to undertake this on our behalf.

Councillors, Officers, and community members met in Cann River to discuss the ongoing challenges and solutions to the waste and recycling in that community. It was a positive meeting and much good-will was shared, with mutual resolution to find an acceptable way ahead. The issue is the imminent closure of the existing waste site or tip, which is at or near capacity, and the alternative waste transfer options.

Councillors and Officers attended a briefing and workshop on developing our reconciliation plan. This was a vibrant and enjoyable process.

Councillors joined Tambo Waste and Cranes Asphaltting onsite at East Bairnsdale to inspect their recycling and road surfacing facilities respectively. We were impressed at the progress made by both organisations in terms of recycling, investment in energy-efficiency and reduction in waste. Of particular note was the pains both organisations have gone to in reusing existing materials, and finding markets and uses for what was previously land-fill but

is now seen as potential assets. This includes cardboard, glass to sand, plastics and concrete to road aggregate, and truck tyres in bitumen road surfacing.

The 'Stay' event at Omeo was another terrific event that followed the similar event at Buchan last year. It was an informative day that dovetailed into the upbeat visitor economy we are seeing and experiencing at Omeo. We hope it gives many locals and other the impetus to engage in the accommodation and visitor economy, at a time when Omeo is really on the cusp of huge things ahead.

The Youth Ambassadors (YA) met, and we are very delighted with our new chair, Banjo. The YA have some great, ambitious plans. I never tire of hearing the ideas of young leaders and their optimism.

While on Leadership, The School for Student Leadership at Marlo, the Snowy River Campus, held its end of term presentation.

On a final upbeat and hugely optimistic note, congratulations to Omeo and the team at Common Ground for the first completed works on the mountain bike track park. 10 km of tracks were open for Easter. We celebrated last Thursday onsite, and it feels great to be in Omeo. The winds of change are warm and fecund! It is an upbeat place to be, positive, the town is alive, and people are thriving. It will be a great place to come and play, ride and invest, as well as live.

My huge congratulations to the community members and Business Tourism Association representatives who have been undaunted in the past couple of years and now it feels like we have a really positive future, a second "Rush" is about to take place.

And finally, I wish everyone a belated Happy Easter for 2023.

5 Officer Reports

5.1 Place and Community

5.1.1 598-610 Main Street and 29 Greene Street Bairnsdale 488/2022/P

Authorised by General Manager Place and Community

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and**
- 2. being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 488/2022/P is inconsistent with the provisions of the Planning and Environment Act 1987 and the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Refuse a Permit for the Multi-lot subdivision adjacent to the principal road network and roadworks at 598-610 Main Street and 29 Greene Street Bairnsdale, on the following grounds:**
 - a) the number of objectors to the application indicates that the development will have a significant social effect;**
 - b) the introduction of a new road intersection on Greene Street will lead to an unacceptable change in the neighbourhood character; and**
 - c) the proposal does not provide certainty that the solar access objective(s) of the Scheme are achieved and would impede residential amenity of the subdivided lots.**

Moved: Cr Arthur Allen

Seconded: Cr Trevor Stow

CARRIED

**5.1.2 East Gippsland Agriculture Sector Advisory Committee -
Submission to the Rural Land Use Strategy**

Authorised by General Manager Place and Community

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. notes the advice from East Gippsland Agriculture Sector Advisory Committee in relation to the draft Rural Land Use Strategy (Attachment 1); and***
- 3. notes that the advice will be considered by Officers in finalising the draft Rural Land Use Strategy for Council consideration.***

Moved: Cr Mendy Urie

Seconded: Cr Jane Greacen OAM

CARRIED

5.2 Assets and Environment

5.2.1 Cann River Waste Transfer Station Planning Permit Application (Gauge Track) Withdrawal

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report;***
- 2. withdraws permit application 102/2022/P for the establishment of a waste transfer station at Gauge Track, Cann River; and***
- 3. continues to work with the Cann River community by establishing a working group to identify sites that meet legislative and regulatory requirements, community needs and within the available Council budget allocated for this project.***

Moved: Cr Jane Greacen OAM

Seconded: Cr Sonia Buckley

CARRIED

5.2.2 Nicholson Street Bairnsdale - Response to Notice of Motion

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. resolves to support the reintroduction of the maximum number of additional on-street car-parking bays in Nicholson Street able to be achieved, subject to these being able to be designed to meet current safety standards and retain all street trees;***
- 3. notes Officer's intent to continue to work with relevant parties to attract new businesses and uses into the Nicholson Street precinct; and***
- 4. notes that Officers will notify businesses and property owners of impending changes and possible disruptions prior to any works being undertaken.***

Moved: Cr Trevor Stow

Seconded: Cr John White

CARRIED

5.2.3 CON2023 1547 Lindenow South Footpath Connection and Bus Shelter Upgrades

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Middleton Lee Pty Ltd trading as CAL Civil for CON2023 1547 Lindenow South Footpath Connection and Bus Shelter Upgrades for the contract amount of \$927,011.00 exclusive of GST;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and***
- 4. resolves that Confidential Attachment 1 to this report and all discussions in relation to this attachment remain confidential under sections 3(1) and 66(5) of the Local Government Act 2020, because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.***

Moved: Cr John White

Seconded: Cr Sonia Buckley

CARRIED

5.2.4 CON2023 1555 Jemmy's Point Stage 2 - Rotary Park Construction Works

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Cranes Asphaltting & Bitumen Sealing Pty Ltd for CON2023 1555 Jemmy's Point Rotary Park Construction Works for the contract amount of \$626,825.01 exclusive of GST;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and***
- 4. resolves that Confidential Attachment 1 to this report and all discussions in relation to this attachment remain confidential under sections 3(1) and 66(5) of the Local Government Act 2020, because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.***

Moved: Cr Arthur Allen

Seconded: Cr Sonia Buckley

CARRIED

5.2.5 CON2019 1352 Provision of Arboriculture - General Tree Services - contract extension

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report;***
- 2. approves the contract extension to CON2019 1352 Provision of Arboriculture – General Tree Services for a period of twelve months (12) months to 21 April 2024 for the tendered schedule of rates to the following Panel Contract members; and***
 - a. Batt Brothers Vegetation Management;***
 - b. Roots 2 Leaves Tree Service Pty Ltd;***
 - c. Tree Limits Pty Ltd;***
 - d. TD Tree Services Pty Ltd;***
 - e. Arborspray Pty Ltd; and***
 - f. Rachael Tonkin trading as Uber Arbor.***
- 3. authorises the Chief Executive Officer to sign and seal the contract extension in the form proposed in Recommendation 2.***

Moved: Cr Mendy Urie

Seconded: Cr Jane Greacen OAM

CARRIED

Authorised by General Manager Assets and Environment

Attendance

Cr Trevor Stow left the Council Chamber at 7.59 pm and returned at 8:02 pm.

Motion***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tenders submitted from the companies for Contract CON2023 1539 Supply of Granular Pavement Materials for the Schedule of Rates (ex GST) as detailed in Confidential Attachment 1;***
- 3. endorses the establishment of a Panel of Suppliers of Granular Pavement Materials contract, based on the tendered schedule of rates as detailed in Appendix A of Confidential Attachment 1 for an initial term of three (3) years inclusive of annual consumer price index adjustment with an anticipated commencement date early April 2023 and comprising of the following panel:***
 - a) Bairnsdale Road Services Pty Ltd;***
 - b) Brunts Harvesting Pty Ltd trading as Cann Quarries;***
 - c) East Gippsland Road Maintenance Proprietary Limited;***
 - d) Eastern Quarries Pty Ltd trading as Benambra Quarries;***
 - e) Jamie V Ingram Pty Ltd;***
 - f) Orbost Civil & Civic Pty Ltd;***
 - g) Bairnsdale Quarries Pty Ltd ATF the Bairnsdale Quarries Trust;***
 - h) GA & SA Moon Pastoral Pty Ltd ATF the GA & SA Moon Pastoral Trust;***
and
 - i) Whelans Group Investments Pty Ltd.***
- 4. authorises the Chief Executive Officer to exercise two separate extension options of up to twelve (12) months inclusive of an annual consumer price index adjustment subject to suppliers' satisfactory performance;***
- 5. notes that all successful contractors will be advised that the supply of these products is to be determined at the point of engagement based on the combination of supply and cartage rates for the available conforming materials that results in best value for Council for each specific application;***
- 6. authorises the signing and sealing of the contracts in the form proposed; and***
- 7. resolves that Confidential Attachment 1 to this report and all discussions in relation to this attachment remain confidential under sections 3(1) and 66(5) of the Local Government Act 2020, because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.***

Moved: Cr Sonia Buckley

Seconded: Cr Jane Greacen OAM

CARRIED

6 Urgent Business

Nil

Attendance

Cr Greacen left the chamber at 8.06 pm

Motion

That Council resolves to move into confidential business pursuant to section 66(2) of the Local Government Act 2020.

Moved: Cr Arthur Allen

Seconded: Cr Trevor Stow

CARRIED

The meeting was closed to the public at 8.07 pm.

Consideration of confidential matters under section 66(2) of the *Local Government Act 2020*.

7 Confidential Business

7.1 Agriculture Sector Advisory Committee

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would, if released, result in the unreasonable disclosure of information about personal affairs.

7.2 Sustainability Initiative

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

7.3 Personnel Matter

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would, if released, result in the unreasonable disclosure of information about personal affairs.

The meeting was re-opened to the public at 8.18 pm.

Attendance

Peter Cannizzaro, General Manager Business Excellence, Fiona Weigall, General Manager Assets and Environment and Stuart McConnell General Manager Place and Community returned to the Chamber at 8.18 pm.

8 Close of Meeting

Cr Mark Reeves declared the Council Meeting closed at 8.18 pm.