



Minutes

Council Meeting

Tuesday 26 September 2023 at 6:00 pm

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

Councillors

Mark Reeves (Mayor), Arthur Allen (Deputy Mayor)
Sonia Buckley (Online), Tom Crook, Jane Greacen OAM, Trevor Stow,
Mendy Urie, Kirsten Van Diggele (Online) 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.

Index

1 Procedural.....	5
1.1 Recognition of Traditional Custodians	5
1.2 Apologies	5
1.3 Declaration of Conflict of Interest	5
1.4 Confirmation of Minutes	6
1.5 Next Meeting	6
1.6 Requests for Leave of Absence	6
1.7 Open Forum.....	7
1.7.1 Petitions	7
1.7.2 Questions of Council	7
1.7.3 Public Submissions	8
1.8 Items to be tabled.....	8
2 Notices of Motion.....	8
3 Deferred Business	8
4 Councillor and Delegate Reports.....	9
5 Officer Reports.....	17
5.1 Business Excellence	17
5.1.1 Draft Annual Financial Statements 2022/23 and Draft Performance Statement 2022/23	17
5.1.2 CON2024 1604 Provision of Library Materials	18
5.2 Assets and Environment	19
5.2.1 CON2024 1591 Construction of Forest Park, Orbost.....	19
5.2.2 CON2024 1518 Lake Tyers Beach Community Hall Upgrade - Construction Works.....	19
5.2.3 CON2024 1614R Construction of AJ Freeman Reserve Netball/Tennis Changerooms.....	20
5.2.4 CON2020 1385 Fire Slashing and Roadside Pest Weed Management Services - Contract Extension	21

5.3 Place and Community	23
5.3.1 Revised Draft Private Planning Scheme Amendment Policy.....	23
5.3.2 Draft Position Paper - Extractive Industries	23
6 Urgent Business	25
7 Confidential Business	25
7.1 Agriculture Sector Advisory Committee Members for Appointment 2023 - 2025.....	25
7.2 Personnel Matter 1	25
7.3 Personnel Matter 2.....	25
8 Close of Meeting	26

1 Procedural

1.1 Recognition of Traditional Custodians

The Mayor, Cr Mark Reeves welcomed all to the Council meeting and acknowledged the traditional owners.

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel 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

Nil

1.3 Declaration of Conflict of Interest

Cr John White declared a conflict of interest in relation to item 5.2.4 *CON2020 1385 Fire Slashing and Roadside Pest Weed Management Services - Contract Extension*, as a material interest due to being a tenderer of the contract.

Anthony Basford Chief Executive Officer declared a conflict of interest in relation to items 7.2 *Personnel Matter 1* and 7.3 *Personnel Matter 2*, as a material interest due to the matter relating directly to his employment.

Alba Elling Acting General Manager Business Excellence declared a conflict of interest in relation to items 7.2 *Personnel Matter 1* and 7.3 *Personnel Matter 2*, as a general interest due to the matter relating to her as a direct report at her place of employment.

Fiona Weigall General Manager Assets and Environment declared a conflict of interest in relation to items 7.2 *Personnel Matter 1* and 7.3 *Personnel Matter 2*, as a general interest due to the matter relating to her as a direct report at her place of employment.

Stuart McConnell General Manager Place and Community declared a conflict of interest in relation to items 7.2 *Personnel Matter 1* and 7.3 *Personnel Matter 2*, as a general interest due to the matter relating to him as a direct report at his place of employment.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 5 September 2023 be confirmed.

Moved: Cr Arthur Allen

Seconded: Cr Mendy Urie

CARRIED

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 17 October 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

Nil

1.7.2 Questions of Council

1.7.2.1 Attendance Council Service Centres

Mr John Butler-Cole submitted the following questions:

Question 1: *"Over the past ten months community enquiries have been made to the Shire regarding progress and detail of the data being collected. What data will be provided to Councillors to inform their decision in November only 6 weeks away?"*

Question 2: *"In support of this request and as a registered community body, East Gippsland Ratepayers and Residents Association Inc wishes to be informed as to why the FOI request, for Libraries visitation data, has not been completely fulfilled in a timely manner to enable effective community scrutiny of the transparent decision-making process?"*

Acting General Manager Business Excellence response is provided below:

Question 1:

Data is currently being captured about who uses Council services, when they use them (times of day, days of the week), how they use them (in person, by phone, or online), as well as what services they use (all categories including Libraries, public computers, payment transactions and many more). This is occurring in all centres (including our mobile services) and is being prepared for Councillors.

- Council made a decision for a 12-month trial at the 8 November 2022 Council Meeting.
- New opening hours came into effect on Tuesday 3 January 2023.
- A report on the 12-month trial period will be prepared for Council's consideration within four months of the trial period ending.

Question 2:

Council is not able to discuss the specific details of the Freedom of Information (FOI) request with any person other than the applicant. Therefore, a brief overview of the process will be provided in response to this question.

When requests are received under the *Freedom of Information Act 1982* (FOI Act), Council is required to comply with the statutory requirements that govern how they are processed. Where Council is unable to do so, applicants are informed of their right to make a complaint to the Office of the Victorian Information Commissioner.

To date, Council has met all compliance milestones of the FOI Act in relation to the request referred to, and a decision will be provided to the applicant within the required statutory time frame.

1.7.3 Public Submissions

1.7.3.1 Council's Library and Service Centre Review

Ms Julia Ditterich addressed Council on Council's Library and Service Centre Review.

1.7.3.2 Timber Industry Policy

Mr Neil Barraclough addressed Council on the Native Timber Harvesting Industry.

1.7.3.3 Council's Library and Service Centre Review

Ms Cosette Murphy addressed Council on Council's Library and Service Centre Review.

1.8 Items to be tabled

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 10.

4.2 Cr Trevor Stow

Cr Trevor Stow provided a verbal update.

4.3 Cr Tom Crook

Cr Tom Crook spoke to his written report at page 11.

4.4 Cr Kirsten Van Diggele

Cr Kirsten Van Diggele spoke to her written report at page 13.

4.5 Cr Sonia Buckley

Cr Sonia Buckley spoke to her written report at page 14.

4.6 Cr John White

Cr John White provided a verbal update.

4.7 Cr Mendy Urie

Cr Mendy Urie spoke to her written report at page 16.

4.8 Cr Mark Reeves

Cr Mark Reeves provided a verbal update.

Councillor Reports

Cr Arthur Allen

06/09/23 - The Chief Executive Officer, Cr Urie and I had the pleasure of attending the Bairnsdale Men's Shed for their 30th anniversary and enjoyed a very tasty sausage as a bonus. The shed provides a great meeting place for men whilst at the same time undertaking projects that benefit the community.

07/09/23 – In the company of Cr Van Diggele, I attended the Youth Future Proof dinner in Sale. A low-key event that enabled Councillors to mingle with Forum members and to learn of their work.

08/09/23 - In the company of Cr Van Diggele again, we visited the East Gippsland Specialist School for their open day. Thanks to Principal Mr Dan Clark and staff for the warm welcome and allowing us to spend time with students. The work of all involved at the school is amazing.

09/09/23 - I had the pleasure of officially opening the Gymnastics centre at Lucknow. What an amazing asset this is and how amazing the number of participants in the gymnastics club. The displays put on by the young gymnasts were spectacular.

14/09/23 - I attended the Orbost Stakeholders Forum in Orbost. Representatives at the meeting addressed a number of issues and I was impressed that despite the challenges Orbost currently faces they were future focused and positive for their town.

17/09/23 - I was honoured to stand in for the Mayor for the Citizenship Ceremony at St Mary's Parish Centre. Nine candidates swore their allegiance to Australia in a very well attended event.

19/09/23 - I was extremely pleased to welcome Mayor Mark Reeves back from his adventures, great you are back Mark.

21/09/23 – The Marina Consultative Committee met at the Corporate Centre. While it is always a great committee to be part of, I feel the leadership from General Manager Assets and Environment, Manager Council Enterprises, Commercial Business Coordinator and Commercial Business Operations Officer is somewhat exceptional, we are blessed to have people of this calibre in our organisation.

Cities Power Partnership Climate Summit for Local Government

I am pleased to report my attendance at the recent 2023 Cities Power Partnership (CPP) Climate Summit for Local Government, a pivotal event spanning two and a half days. This summit brought together over 120 local leaders, elected officials, executives, and senior staff from every state and territory across Australia. The summit, featuring 55 distinguished speakers, covered a wide range of topics critical to addressing the challenges of climate change and the role of Local Governments in these efforts.

Key Topics: The summit delved into several crucial topics, including:

- **Local Leadership in Climate Discourse:** Sessions highlighted the essential role that Local Governments play in driving climate action and the importance of their leadership in creating sustainable communities.
- **Australia's Transition to Renewable Energy:** Experts and stakeholders discussed the challenges and opportunities in the country's transition to renewable energy sources, emphasising the role of Local Governments in this transition.
- **Multi-Tiered Governmental Collaboration:** The importance of collaborative efforts between Local, State, and Federal Governments was a recurring theme, emphasizing the need for coordinated action to combat climate change.
- **Clean Transport:** Participants explored the significance of clean and sustainable transport solutions, with a focus on electric vehicles and their role in reducing emissions.
- **Energy Democracy:** A major theme of the conference was the lack of equity of access to the benefits of renewable energy. Whereby people who cannot afford solar panels often miss out on the benefits. A solution to this was presented via the creation of virtual power plants (VPP), which allow non-solar houses to sign up to a community plan and get power from others in the community, even at night, whereby the electricity come from lots of domestic house batteries connected together across a street, or even a suburb. It's all controlled by some clever computer programs which monitor the supply and demand. Storing excess power during the day and sending it back out to participants at night. Something I am especially keen to explore for East Gippsland into the future and technology that has the capacity to build greater energy resilience, especially for our more remote communities.

For those who may have missed this year's event, there are still opportunities to engage with the valuable insights and presentations shared at the CPP Climate Summit:

Select presentations from the summit are available for viewing online, providing access to key takeaways and expertise in the field of climate action.

I strongly encourage my fellow Councillors and members of the community to take a look at some of the presentations from the event, which can be found at this link: [2023 Climate Summit for Local Government Presentations - Cities Power Partnership](#)

As your delegate, I am committed to bringing back the knowledge and insights gained from this summit to inform our own climate action initiatives and policies at the local level. If you have any specific questions or would like more information about the summit's proceedings, please do not hesitate to contact me.

Bairnsdale Neighbourhood House Annual General Meeting

I attended the Bairnsdale Neighbourhood House Annual General Meeting, which took place on Wednesday, 21 September 2023. This gathering provided a valuable opportunity to learn about the exceptional services and remarkable contributions that the Bairnsdale Neighbourhood House (BNH) provides to our community.

The BNH has consistently demonstrated its commitment to our community, offering exceptional value. Despite receiving limited funding, totaling \$261,534, over the past year, the organisation has delivered an astonishing \$5.6 million in value to the community. This remarkable achievement speaks volumes about their dedication to serving the needs of our residents.

A significant portion of the BNH's success can be attributed to the dedication of its volunteers. Their unwavering commitment to community service and their willingness to contribute their time and skills are truly commendable. Volunteers are the backbone of many community organisations, and it is evident that the Neighbourhood House is no exception.

The BNH has also established valuable partnerships with local businesses. These collaborations have played a pivotal role in enhancing the organisation's ability to provide essential services and support to our community. The synergy between community organizations and local businesses is a testament to the strong sense of unity within our area.

It is remarkable to note that the BNH operates with a lean staffing structure, comprising only two and a half full-time equivalent (FTE) staff members. Despite limited human resources, they have managed to achieve remarkable outcomes and make a significant impact on our community. This efficiency is a testament to their dedication and effective management.

I strongly encourage our community members to visit the BNH and witness firsthand the incredible work they are doing. Their commitment to delivering exceptional services, leveraging the support of volunteers and local businesses, and efficiently managing their resources is truly inspiring.

The BNH Annual General Meeting provided a heart-warming insight into an organisation that continues to make a significant difference in our community. Their ability to provide outstanding value with limited resources, driven by the dedication of volunteers and partnerships with local businesses, is a testament to their exceptional work. I am proud to support and promote the BNH and their mission to serve our community.

I look forward to working with the volunteers and the BNH into the future.

Cr Kirsten Van Diggele

Future Proof Dinner

Alongside the deputy mayor, I attended the Future Proof Dinner in Sale. This dinner was a follow-up from the dinner last year in Metung, with an update on the progress of the Future Proof Project and the future vision. The Future Proof project is facilitated by Youth Affairs Council Victoria (YACVic) and brings together Councils, non-government organisations and Aboriginal Community-Controlled Organisations to deliver youth-led activities across bushfire impacted areas. I have done a lot of work with YACVic in the past and have been excited about this project.

For more information on the project, go to: <https://www.yacvic.org.au/get-involved/future-proof/>

East Gippsland Specialist School PJ Party

Alongside the Deputy Mayor, Cr Arthur Allen, I attended the East Gippsland Specialist School (EGSS) PJ Party, which was an out-of-uniform day to raise funds for Gippsland-based charity 'A Better Life for Foster Kids'. We attended a few different classes and joined them for breakfast and learned about the work that the EGSS is doing and the future plans for the school.

IQ Club – Mental Health Session

Alongside Cr Crook, I attended a Mental Health Session organised through the IQ Club, with the support of Gippsland Jersey, BJ Bearings, and the Bairnsdale Neighbourhood House. Although not all speakers were relevant, it was a great opportunity for people within East Gippsland interested in mental health to get together, discuss potential opportunities for collaboration, and what needs to change in order to achieve genuine change in our region. I hope this conversation will continue with Council's involvement.

Youth Ambassador Meeting

As always, I had a great time attending the Youth Ambassador meeting. I provided a Councillor update and participated in their meeting. They were discussing the upcoming Mallacoota Skatepark opening, the presentation to Council on homelessness, and planning the induction camp in December, which Councillors will be invited to.

Citizenship Ceremony

On Sunday, 17 September 2023, I attended the Citizenship Ceremony in Bairnsdale, where nine people were conferred on this day but there were lots of people in the room as people brought plenty of guests along!

Here are a few other things I attended:

- National Coming Out Day meeting with Victorian Pride Lobby;
- Planning Consultation Meeting – Brookfield Lakes; and
- Orbost R U OK Day event

Cr Sonia Buckley

Report on Recent Municipal Association of Victoria Meeting and Advocacy Highlights

I am pleased to present a comprehensive report on the recent Municipal Association of Victoria (MAV) meeting, the meeting covered diverse topics crucial for Local Government and included vibrant discussions on various advocacy efforts. Here are the key highlights:

1. MAV Meeting Highlights:

- Jennifer Anderson from MAV addressed the Rural Councils Victoria (RCV) advocated for redirecting 25% of revenue from short-term house stays, specifically Airbnb, back to rural areas. This revenue should directly benefit the communities generating it.
- Melbourne's rapid growth prompted conversations on regional growth plans. Ensuring residents live near workplaces, given adequate infrastructure, was stressed, with local councils advocating for a greater say in infrastructure alignment with immigration patterns.
- Concerns were raised about the shortage of planners, available, prompting discussions on implications for rural councils.
- Approval rates for development projects were compared, revealing discrepancies between state and local levels.
- MAV sought cost-shifting information and community preferences through polls, indicating a preference for state government involvement.
- The concept of Chief Executive Officer (CEO) committees was discussed, with consensus that elected members should retain authority in CEO appointments.
- Emphasis was placed on consistent rules and best practices across councils, potentially involving a regional monitor for compliance.
- A review of the code of conduct framework was suggested, addressing concerns about reform, transparency, and costs.

2. Advocacy Highlights:

- Advocacy efforts included attendance at parliamentary inquiries and meetings with ministers, focusing on rural issues and addressing potential cutbacks impacting RCV.
- A Senate parliamentary inquiry on housing matters was highlighted, expressing concerns about scaling back the forum.
- Advocacy efforts against regional housing shortages, particularly in the context of short-term housing like Airbnb, were detailed.
- Discussions on the redirection of revenue from Airbnb to local areas and the potential impact on tourism were outlined.
- Ongoing advocacy efforts included addressing a windfall tax and ensuring rural councils receive their fair share of revenue.

3. Other Matters:

- Concerns about the removal of police stations and its impact on small councils were raised, advocating for police association involvement.
- The transformation and implementation of regulatory programs by rural councils were discussed.
- Collaboration with ministers on early childhood education and support from Rural Development Victoria (RDV) and Rural Development Australia (RDA) were mentioned.
- A review of building fees, the need for induction and training for elected representatives, and questions about election boundary reviews and potential realignments were addressed.

In conclusion, the recent MAV meeting and ongoing advocacy efforts hold significant implications for our council and community. I will continue to actively represent East Gippsland Shire Council in these discussions and advocate for our region's interests.

Cr Mendy Urie

06/09/23 - I visited Bairnsdale Men's Shed at lunchtime (With Deputy Mayor, Cr Arthur Allen, and the Chief Executive Officer) to mark the 30th anniversary of Men's Sheds. It was a lovely catch-up to appreciate the important role Men's Sheds play in providing critical social connection as well as many practical outcomes (like working collaboratively with the Repair Café, next door.) We appreciated the invitation. An online search of the first Men's Shed reveals Tongala, Victoria to have been the site of the first 'named' shed 26 July 1998 and others operating in Broken Hill in the 1980's and Goolwa, SA in 1993.

09/09/23 - Fantastic to witness the exciting opening of the brand-new gymnastics facility, with Deputy Mayor, Cr Arthur Allen and General Manager Assets and Environment, doing the official bits and a fabulous display by the gymnasts themselves on the floor and on the wonderful equipment.

11/09/23 and 18/09/23 - I attended two planning consultation meetings (both online).

19/09/23 - Following our Council day, I briefly attended the community consultation for the Eagle Point Foreshore Trail at the Eagle Point School. Happy to see a good number of people listening to the presentation and engaging in the process. This project is listed on Council's 'YourSay' page and people can still provide feedback [Eagle Point - Foreshore Trail | Your Say East Gippsland](#)

20/09/23 - Changemakers #2 Breakfast Conversation. There are many exciting new emergent projects in East Gippsland which are expressing a different set of values and a new way of working which builds and benefits community, respects nature, is generous and inclusive and is often arts focused. It was wonderful to be engaged in a well-facilitated conversation amongst 20-or-so of these people who were happy and curious to find connections-between the various projects which will see this movement grow. I very much look forward to the next meeting. I cannot tell if I enjoyed the conversation itself or the outcomes more, it's possible both those things are inseparable.

26/09/23 - As a Councillor representative on the Audit and Risk Committee (Committee), I attended a Special Meeting as well as a Joint Meeting (with the whole Councillor group invited) today. This was to finalise the annual performance report of the committee as well as to consider the annual financial statements which will need to be endorsed by Council before being included in Council's Annual Report.

5 Officer Reports

5.1 Business Excellence

5.1.1 Draft Annual Financial Statements 2022/23 and Draft Performance Statement 2022/23

Authorised by Acting General Manager Business Excellence

Motion

That Council, having considered a recommendation from the East Gippsland Shire Council Audit and Risk Committee:

- 1. receives and notes the report and all attachments pertaining to this report;***
- 2. provides 'in principle' approval to the Annual Financial Statements 2022/23 as provided at Attachment 1, subject to the Auditor General's review;***
- 3. provides 'in principle' approval to the Performance Statement 2022/23 as provided at Attachment 2, subject to the Auditor General's review; and***
- 4. appoints Councillors Mark Reeves and Mendy Urie to certify the Annual Financial Statements 2022/23 and the Performance Statement 2022/23 in their final form.***

Moved: Cr Arthur Allen

Seconded: Cr Trevor Stow

CARRIED

Authorised by Acting General Manager Business Excellence

Confidentiality Notice

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 **Confidential Attachment 1** to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. accepts the Municipal Association of Victoria procurement recommendation report LM5513-2033 for Contract number CON2024 1604 Supply of Library Materials at Confidential Attachment 1;*
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed for a a three-year period up to the value of \$180,000 excluding GST per annum (cumulatively up to the value of \$540,000 excluding GST over the three-year period in total);*
- 4. delegates the power to the Chief Executive Officer to exercise exercise extensions for two periods of one year, up to the value of \$180,000 excluding GST per annum (cumulative totalling a further \$360,000 excluding GST for the two extension terms); and*
- 5. resolves that Attachment 1 and all discussions regarding this attachment remain confidential.*

Moved: **Cr Tom Crook**

Seconded: **Cr Jane Greacen OAM**

CARRIED

5.2 Assets and Environment

5.2.1 CON2024 1591 Construction of Forest Park, Orbost

Authorised by General Manager Assets and Environment

Confidentiality Notice

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 **Confidential Attachment 1** to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage by disclosing financial information to competitors.

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. accepts the tender submitted by Whelans Group Investments Pty Ltd for CON2024 1591 Construction of Forest Park Orbost for the contract amount of \$1,476,064.24 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 and all discussions regarding this attachment remain confidential.*

Moved: Cr Tom Crook

Seconded: Cr Mendy Urie

CARRIED

5.2.2 CON2024 1518 Lake Tyers Beach Community Hall Upgrade - Construction Works

Authorised by General Manager Assets and Environment

Confidentiality Notice

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 **Confidential Attachment 1** to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage by disclosing financial information to competitors.

Attendance

Cr Trevor Stow left the Council Chamber at 7.23 pm and returned at 7.25 pm.
Cr Sonia Buckley left the meeting at 7:25 pm and did not return.

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Design Co Builders Pty Ltd for CON2024 1518 Lake Tyers Beach Community Hall Upgrade – Construction Works for the contract amount of \$908,200.00 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 and all discussions regarding this attachment remain confidential.***

Moved: Cr Jane Greacen OAM

Seconded: Cr Tom Crook

CARRIED

**5.2.3 CON2024 1614R Construction of AJ Freeman Reserve
Netball/Tennis Changerooms**

Authorised by General Manager Assets and Environment

Confidentiality Notice

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 **Confidential Attachment 1** to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage by disclosing financial information to competitors.

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by _Brooker Builders Pty Ltd for CON2024 1614R Construction of AJ Freeman Reserve Netball Tennis Changerooms for the contract amount of \$1,599,111.22 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 regarding this attachment remain confidential.***

Moved: Cr Mendy Urie

Seconded: Cr Kirsten Van Diggele

CARRIED

5.2.4 CON2020 1385 Fire Slashing and Roadside Pest Weed Management Services - Contract Extension

Authorised by General Manager Assets and Environment

Conflict of Interest

Cr John White, having declared a conflict of interest in relation to item 5.2.4, left the meeting at 7.40 pm.

Motion

That Council:

- 1. receives and notes this report;***
- 2. approves the contract extension to CON2020 1385 Fire Slashing and Roadside Pest Weed Management for the first term contract extension period of twelve (12) months to 30 June 2024, for the tendered schedule of rates for; and***

Area 1 – Bairnsdale, Lakes Entrance and Orbost as submitted by G & A Spraying, The Trustee for Batt Family Trust t/as Batt Brothers Vegetation Management, Cranes Asphaltting & Bitumen Sealing Pty Ltd, Eastern Contracting Pty Ltd, Latrobe Valley Enterprises, Melwood Investments Proprietary Limited, Orbost Civil & Civic Pty Ltd, R & M Contracting (Gippsland) Pty Ltd, Sea Change Landscaping Pty Ltd, Lancaster Contracting Pty Ltd, Tree Limits Pty Ltd and Whelans Group Investments Pty Ltd;

Area 2 – Omeo, as submitted by The Trustee for Batt Family Trust t/as Batt Brothers Vegetation Management, Cranes Asphaltting & Bitumen Sealing Pty Ltd, Eastern Contracting Pty Ltd, Latrobe Valley Enterprises, Melwood Investments Proprietary Limited, Orbost Civil & Civic Pty Ltd, R & M Contracting (Gippsland) Pty Ltd, Sea Change Landscaping Pty Ltd, Lancaster Contracting Pty Ltd, Tree Limits Pty Ltd and Whelans Group Investments Pty Ltd;

Area 3 – Mallacoota, as submitted by The Trustee for Batt Family Trust t/as Batt Brothers Vegetation Management, B & M Humphreys Contracting Pty Ltd, Eastern Contracting Pty Ltd, Latrobe Valley Enterprises, Melwood Investments Proprietary Limited, Orbost Civil & Civic Pty Ltd, Sea Change Landscaping Pty Ltd, Tree Limits Pty Ltd and Whelans Group Investments Pty Ltd; and

Area 4 – North East, as submitted by The Trustee for Batt Family Trust t/as Batt Brothers Vegetation Management, B & M Humphreys Contracting Pty Ltd, Eastern Contracting Pty Ltd, Latrobe Valley Enterprises, Melwood Investments Proprietary Limited, Orbost Civil & Civic Pty Ltd, Sea Change Landscaping Pty Ltd, Tree Limits Pty Ltd and Whelans Group Investments Pty Ltd.

- 3. authorises the signing and sealing of the contract extension in the form presented.***

Moved: Cr Tom Crook

Seconded: Cr Jane Greacen OAM

CARRIED

5.3 Place and Community

5.3.1 Revised Draft Private Planning Scheme Amendment Policy

Authorised by General Manager Place and Community

Attendance

Cr John White returned to the meeting at 7.48 pm.

Cr Kirsten Van Diggele left the meeting at 7:55 pm and returned at 7:56 pm.

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. adopts the revised draft Private Planning Scheme Amendment Policy as provided at Attachment 1; and***
- 3. authorises the Chief Executive Officer to amend the adopted Council Policy without formal Council consideration if the amendments required are of a minor administrative nature.***

Moved: Cr Arthur Allen

Seconded: Cr Tom Crook

CARRIED

5.3.2 Draft Position Paper - Extractive Industries

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. adopts the draft Position Paper – Extractive Industries presented as Attachment 1 to this report.***

Moved: Cr Jane Greacen OAM

Seconded: Cr Tom Crook

CARRIED

6 Urgent Business

Nil

Motion

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

Moved: Cr Trevor Stow

Seconded: Cr Arthur Allen

CARRIED

The meeting was closed to the public at 8.15 pm.

7 Confidential Business

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following list of items:

7.1 Agriculture Sector Advisory Committee Members for Appointment 2023 - 2025

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, in relation to those who submitted an Expression of Interest to be a member of the East Gippsland Shire Council Agriculture Sector Advisory Committee.

7.2 Personnel Matter 1

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

7.3 Personnel Matter 2

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

The meeting was re-opened to the public at 8.34 pm.

Attendance

Anthony Basford Chief Executive Officer and Officers returned to the Council Chamber at 8.35 pm.

8 Close of Meeting

Cr Mark Reeves declared the Council Meeting closed at 8.35 pm.