



Minutes

Council Meeting

Tuesday 10 September 2024 at 6:00 pm

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

Councillors

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

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

Mayor, Cr Tom Crook welcomed all to the Council meeting and acknowledged the traditional owners.

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

Nil

1.3 Declaration of Conflict of Interest

Cr Kirsten Van Diggele declared a conflict of interest in relation to item 5.1.2 CON2025 1678 *Fire Slashing Services*, as a general interest due to a connection with one of the tenderers.

Sarah Johnston General Manager Business Excellence declared a conflict of interest in relation to item 5.1.2 CON2025 1678 *Fire Slashing Services*, as a general interest due to due to a family relationship with one of the tenderers.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 27 August 2024 be confirmed.

Moved: Cr Mark Reeves

Seconded: Cr Arthur Allen

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM,
Cr Mark Reeves, Cr Trevor Stow, Cr Mendy Urie, Cr Kirsten Van Diggele and
Cr John White

Against: Nil

Abstained: Nil

1.5 Next Meeting

The next Council Meeting is an unscheduled meeting to be held on Tuesday 24 September 2024 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 3.30 pm. The next scheduled Council meeting is to be held on Tuesday 15 October 2024, at the same location, 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

Nil

1.7.3 Public Submissions

Nil

1.8 Items for Noting

Nil

2 Notices of Motion

2.1 Diversity of Housing Options

Procedural Note

Cr Tom Crook amended his own motion.

Motion

That Council:

- 1. acknowledges the significant levels of housing stress being felt by our community, the homelessness crisis, and the need for a diversity of housing options to be available for residents to meet their individual housing needs;**
- 2. requests Officers to produce a report, for consideration at a future council meeting, on the benefits, impediments, and any potential further considerations of a change to the East Gippsland Planning Scheme and General Local Law in relation to the regulation of 'Tiny Homes', with a view to better understanding how such measures have been approached and used by other councils in Australia to reduce the housing stress;**
- 3. requests for the report to include information so to inform future decisions of Council in relation to tiny homes including an assessment of existing uptake in other areas and potential future tiny home demand in East Gippsland, with a view to:**
 - a. removing regulatory impediments to their adoption and enable greater uptake of Tiny Home; and**
 - b. as a mechanism to provide greater levels of housing diversity, a cheaper option for resident's experiencing housing stress and to provide greater housing security for the East Gippsland community.**

Moved: Cr Tom Crook

Seconded: Cr Kirsten Van Diggele

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM, Cr Mark Reeves, Cr Trevor Stow, Cr Mendy Urie, Cr Kirsten Van Diggele and Cr John White

Against: Nil

Abstained: Nil

3 Deferred Business

Nil

4 Councillor and Delegate Reports

4.1 Cr Arthur Allen

04/09/24 - There was cause for celebration in Lakes Entrance with the official opening of the Jemmys Point Rotary Park Lookout and circuit walk. Senator Raff Ciccone officiated and Bruce Hurley spoke on behalf of Lakes Entrance Action & Development Association who have been strong advocates of the project. Bernard Abrecht, president of Lakes Entrance Rotary was on hand for the ribbon cutting. Another great project adding to the town for locals and tourist alike.

05/09/24 - The Marina Consultative Committee met. I have been chairman of this committee throughout the term and over that time the committee has represented the concerns of berth holders in a very effective manner. I wish to record my thanks to the committee members who have generously given of their time and expertise and especially to our staff for their dedicated work on behalf of the committee. Also, a big thank you to Cr Jane Greacen OAM for coming off the bench as the second Councillor on the committee.

4.2 Cr Mendy Urie

I joined a bustling crowd on 28 August 2024 to visit the various tables at the Council-hosted Jobs exhibition, in Cremin Hall; An excellent initiative showcasing local organisations and a multitude of local opportunities.

The Municipal Association of Victoria (MAV) offers frequent events online. "Living Cities Forum" was one such event I tuned in for on 28 August 2024. By showcasing many examples of vibrant public spaces in European cities and in Melbourne, presenters were able to inspire participants online when thinking of their own urban spaces and how they could be re-vitalised. I was especially thinking of Bairnsdale 2050. I hope everyone has contributed to that consultation process, which will be picked up again by the new Council.

I was happy to attend the annual Victorian Greenhouse Alliance Councils and Council Alliance for a Sustainable Built Environment (CASBE) Conference in Melbourne on 30 September 2024. I like this conference for many reasons: The welcome to country is exceptional, fees are kept low, food offering is all vegetarian with limited food-miles, and they ask people to provide their own coffee cups and name tags. Perhaps more importantly, there is always a focus on celebrating achievements, as well as the enormous amount of specific work yet to do. Great to have our sustainability team attending as well as the Chief Executive Officer, who gave a wonderful, well received final plenary presentation about aspects of Council-led bushfire recovery in East Gippsland post Black Summer devastation.

Dr Bronwyn Gresham's opening session brought the emotional aspect into climate change and pointed out the research which describes the degree and impacts of climate stress across our communities. Caring for climate and the environment cannot be separate from caring for self and others. Other sessions I attended covered updates on geothermal opportunities (We are awaiting a report, specific to work done in East Gippsland), a wicked debate about Council's roles in native vegetation clearing and the community voice in renewable energy transition.

Wednesday 4 September 2024 was a happy celebration for the opening of the Jemmy's Point Lookout and Kalimna Loop Walk, on a perfect, blue-sky day. The Mayor and Councillors Greacen OAM, Van Diggele and Allen were also in attendance.

Bairnsdale Basketball finals on Wednesday evening of the same day were fast-paced and exciting. I was pleased to help with handing out of the awards along with Cr Stow. Fantastic to see how many people are involved and actively playing, organising and of course (importantly) umpiring. Kudos to everyone involved.

Thursday 5 September 2024, the Mayor and I attended Orbost Gas plant community breakfast and bus-tour organised by the plant owners for interested members of the community. It was a well-attended and informative morning. I understand the owners intend to make it an annual event.

Sophie Thomson ("Gardening Australia") has been visiting Paynesville as well as Cann River, Marlo and Bairnsdale as guest of Landcare. Supported by several other groups (Paynesville Neighbourhood Centre (PNC), Raymond Island Landcare, GAC and Paynesville Uniting Church) these well attended gatherings highlight just how important gardening (particularly community gardening) is to support our health and wellbeing, by providing nutritious home-grown food, providing opportunity to get hands into soil and to bring people together. I attended the gathering in Paynesville on Friday 6 September 2024 where PNC are keen to start a community garden on the grounds of the Uniting Church. Worthy project indeed.

Bairnsdale Library Field Naturalists book launch for the wonderful book, "Wildflowers of East Gippsland" by Jennifer Wilkinson and James Turner was great to be part of. Many appropriate acknowledgements were made for the quality of the photographs, comprehensive listings and the great value of this book will provide for anyone interested in our beautiful natural environments. The book is available for purchase from local bookstores.

5 Officer Reports

5.1 Assets and Environment

5.1.1 CON2025 1701R Swifts Creek Recreation Reserve Upgrade

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 Design Co Builders Pty Ltd for CON2025 1701R, Swifts Creek Recreation Reserve Upgrade for the contract amount of \$1,905,429.56 exclusive of GST;**
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed; and**
- 4. resolves that Attachment 1 to this report and all discussions relating to that attachment remain confidential.**

Moved: Cr John White

Seconded: Cr Mark Reeves

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM,
Cr Mark Reeves, Cr Trevor Stow, Cr Mendy Urie, Cr Kirsten Van Diggele and
Cr John White

Against: Nil

Abstained: Nil

Confidentiality Notice

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Conflict of Interest

Cr Kirsten Van Diggele and Sarah Johnson General Manager Business Excellence, having declared a conflict of interest in relation to item 5.1.2, left the Council Chamber at 6:39 pm, and were absent during discussions on this item.

Procedural Note

Prior to voting, the Officer Recommendation was tabled by Stuart McConnell General Manager of Assets and Environment, highlighting some Officer revisions.

Motion***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Batt Brothers Pty. Ltd atf Batt Family Trust trading as Batt Brothers Vegetation Management for CON2025 1678 Fire Slashing Services for the contract amounts below for each area for year 1 (subject to annual CPI adjustment for the remaining 1.5 years of the contract);***

Area 1 – lump sum price of \$83,750.00 (ex GST) and schedule of rates (ex GST);
Area 2 – lump sum price of \$62,950.00 (ex GST) and schedule of rates (ex GST);
Area 3 – lump sum price of \$110,850.00 (ex GST) and schedule of rates (ex GST);
Area 4 – lump sum price of \$91,850.00 (ex GST) and schedule of rates (ex GST);
Area 5 – lump sum price of \$83,700.00 (ex GST) and schedule of rates (ex GST);
Area 6 – lump sum price of \$40,900.00 (ex GST) and schedule of rates (ex GST);
- 3. delegates to the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed;***
- 4. notes that the contract contains clauses about the reasonable rate of progress for completing the works, and that:***
 - a) if the contract manager is not satisfied, there is capacity to withdraw packages of work and appoint a replacement contractor;***
 - b) the Chief Executive Officer or delegate will exercise this clause as deemed necessary;***

5. *notes that Officers will undertake a review of performance against the contract after the initial 20 working days and will take action as appropriate in accordance with the contract;*
5. *delegates the power to the Chief Executive Officer or delegate to exercise the two 12 Month extension options in contract CON2025 1678 Fire Slashing Services in accordance with, and on the terms of CON2025 1678 Fire Slashing Services; and*
6. *resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.*

Moved: Cr Arthur Allen

Seconded: Cr Mark Reeves

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM,
Cr Mark Reeves, Cr Trevor Stow, Cr Mendy Urie and Cr John White

Against: Nil

Abstained: Nil

Attendance

Cr Kirsten Van Diggele and Sarah Johnson General Manager Business Excellence returned to the Council Chamber at 6.46 pm.

5.2 Business Excellence

5.2.1 Investment Policy

Authorised by General Manager Business Excellence

Motion

That Council:

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

Moved: Cr Mendy Urie

Seconded: Cr Jane Greacen OAM

CARRIED

For: Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM, Cr Mark Reeves,
Cr Mendy Urie, Cr Kirsten Van Diggele and Cr John White

Against: Cr Arthur Allen and Cr Trevor Stow

Abstained: Nil

5.3 Place and Community

5.3.1 Economic Development Advisory Committee Unconfirmed Meeting Minutes

Authorised by General Manager Place and Community

Motion

That Council receives and notes this report and all attachments pertaining to this report.

Moved: Cr Jane Greacen OAM

Seconded: Cr Mark Reeves

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Jane Greacen OAM,
Cr Mark Reeves, Cr Trevor Stow, Cr Mendy Urie, Cr Kirsten Van Diggele and
Cr John White

Against: Nil

Abstained: Nil

6 Mayoral Term Address

Cr Tom Crook reflected on his term as Mayor.

Procedural Note

Cr Trevor Stow acknowledged the recent passing of Mr Honess Frederick John Baggs 'Buffy' of Bairnsdale and extended East Gippsland Shire Council's condolences to their family.

7 Urgent Business

Nil

8 Confidential Business

Nil

9 Close of Meeting

Mayor Cr Tom Crook declared the Council Meeting closed at 7.17 pm.