Minutes
Council Meeting
Tuesday 17 December 2024 at 6:00 pm

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

Councillors	John White (Mayor), Sonia Buckley (Deput Mayor), Arthur Allen, Jodie Ashworth, Tom Crook, Barry Davis, Joanne Eastman, Bernie Farquhar, and Ian Trevaskis

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 John White 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

Sarah Johnston General Manager Business Excellence declared a conflict of interest in relation to item 5.2.1 *CON2025 1690 Flood Remediation Construction Works Livingstone Park Omeo*, as a general interest 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 3 December 2024 be confirmed.

Moved: Cr Arthur Allen
Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

For:	Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis and Cr John White
Against:	Nil
Abstained:	Nil

1.5 Next Meeting

The next Council Meeting of Tuesday 18 February 2025 to be held 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 Peninsula Lakes Estate Water Mitigation Project

Authorised by General Manager Business Excellence

Request to Speak

Ms Judy Clarke

Motion

That Council:

1. ***receives the petition;***

2. ***notes that the petition will be referred to the General Manager Place and Community for consideration and response; and***

3. ***notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***

Moved: Cr Sonia Buckley
Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis and Cr John White
Against: Nil
Abstained: Nil

1.7.2 Questions of Council

1.7.2.1 Lakes Entrance Water Park

Ms Dianne Crookes asked the following question:

"Why is the shire wasting community water at the play area in the new foreshore playground in Lakes Entrance. East Gippsland is accredited as Victoria's first Eco Destination by Eco Tourism Australia and travellers are encouraged to be mindful of water usage yet litres of water are being wasted particularly with hot weather and tourist season ahead how many thousands of litres of needed water will disappear from our town water supply?".

Stuart McConnell General Manager Assets and Environment provided a response which is summarised below:

The foreshore playground in Lakes Entrance currently uses town water, but measures are in place to minimise water usage. The water system operates on demand via a press button and is only active during specific hours each day. It can also be turned off during periods of water restrictions, such as drought. While using a closed water system was considered, the regulatory requirements to ensure public health, including chemical treatment and associated costs, made it impractical. Closed systems also experience water losses. Council will review the current approach to ensure it remains suitable and will explore options for water reuse. For any safety concerns, the community is encouraged to report them to Council for further investigation.

Attendance

Cr Trevaskis left the Council Chamber at 6.24 pm and returned at 6.25 pm.

1.7.2.2 Lakes Entrance Carnival Licence Agreement

Mr Morris Borgelt asked the following question:

"Following Councils' Dec 3 Question Time answer that the Lakes Entrance Carnival licence did not provide for pedestrian through traffic 24 hours per day, and Councils refusal to provide the offered meeting for me to clear up Councils' misreading of the licence before now, some 2 weeks later. I wish to present that evidence now.

Item 12 of the licence agreement schedule states "The operation of the carnival is to be in accordance with the EOI".

Item 2.2 of the expression of interest states "The site will remain open and accessible for pedestrians and through traffic during operation and when not in operation".

Item 2.3 of the expression of interest states "Give free access to the general public during and after operational hours."

Given this, will the Council now ensure that Councils' Lakes Entrance Carnival is operated in accordance with the licence it has issued, If not why not?"

Sarah Johnston General Manager Business Excellence provided a response which is summarised below:

Council staff contacted you via phone and in writing to arrange an in-person meeting to discuss your concerns. The carnival licence holder is operating in compliance with their current agreement, which was renewed in May 2024 for a further two years, aligning with the *Marine and Coastal Act* 2018 consent timeframe and reflecting the operator's strong performance. The new licence agreement does not reference the previous Expression of Interest (EOI) as it replaces the expired agreement governed by the EOI. Clause 14.6 of the agreement permits the use of adequate fencing to ensure public safety and security when the site is not operational or staffed, while also protecting the operator's assets.

1.7.2.3 Paynesville Lake Peninsula Estate Water Management Project

Ms Judith Meyer asked the following questions:

Question 1: *"Paynesville Lake Peninsula Estate Water Management Project. King, Haylock, Bishop View. What management will there be controlling noxious weeds; i.e. thistles, blackberries, and how will it be carried out?"*

Question 2: *"When the planting of Bishop View is completed, does that include trees being planted for shade and prevention of erosion?"*

Chris Stephenson General Manager Place and Community provided a response which is summarised below:

Response 1: The wetland/stormwater retarding system and associated landscaping is still under construction by the private contractor as part of the subdivision works for the Paynesville Park development. Once the works are completed and a certificate of compliance issued, the developer will be required to maintain the site for a period of two years, before maintenance is taken over by Council. During the maintenance period, the control of weeds will be the responsibility of the developer and will be monitored by Council. After the maintenance period has ended, Council will undertake maintenance and weed control as part of its ongoing open space maintenance program.

Response 2: Yes. The approved landscaping plans for the reserve include erosion control matting and substantial planting, including marshland and ephemeral marshland tube stock plantings to prevent erosion, and semi-advanced trees in areas outside the wetland areas.

1.7.3 Public Submissions

1.7.3.1 Petition - Peninsula Lakes Estate Water Mitigation Project

Ms Judy Clake addressed Council on the petition and spoke at item 1.7.1.1.

1.7.3.2 Paynesville Growth Area Structure Plan - Carparking

Ms Danielle Matthews addressed Council on the carparking issues in Ashley Street, Bairnsdale.

1.7.3.3 Planning Permit Application 5.2023.454.1

Ms Kate Young addressed Council on the Planning Permit Application 5.2023.454.1 and spoke at item 5.1.2.

1.7.3.4 Duck Pond, Orbost

Mr Walter Hess addressed Council on a proposal for a duck pond in Orbost.

1.7.3.5 Botanic Gardens, Lakes Entrance

Ms Josephine Jakobi addressed Council on the proposal of a botanic gardens at Palmer Hill, Lakes Entrance.

1.7.3.6 East Gippsland Shire Council Mutual Respect Charter

Mr Morris Borgelt addressed Council on the East Gippsland Shire Council Mutual Respect Charter.

1.8 Items for Noting

Nil

2 Notices of Motion

2.1 Formation of a Local Government Commissioner

Motion

That Council seeks a report by the end of Quarter 3 2024/25 about writing to the Federal Government in support of Rural Councils Victoria's position on the formation of a Local Government Commissioner; and that the role should be mandated to operate from a rural area and have a deep connection to rural issues and community.

Moved: Cr Sonia Buckley
Seconded: Cr Arthur Allen

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis, and Cr John White
Against: Nil
Abstained: Nil

3 Deferred Business

Nil

4 Councillor Delegate Reports

Nil

5 Officer Reports

5.1 Place and Community

5.1.1 Amended Development Plan - Brookfield Lakes Estate - 19 Lomandra Boulevard Lucknow

Authorised by General Manager Place and Community

Motion

That Council:

1. ***receives and notes this report and all attachments pertaining to this report;***

2. ***approves the endorsement of the amended development plan for 19 Lomandra Boulevard Lucknow (Lot 2 on PS 643132) as amended (9 October 2024) and detailed at Attachment 1, with the following conditions:***

    a. ***amended site layout plan to allow appropriate termination of Myrtle Place to the satisfaction of the responsible authority.***

    b. ***the construction of road terminations in Sheoak View and Myrtle Place and the vesting of the Reserve to the satisfaction of the responsible authority.***

    c. ***a requirement as part of a future planning permit to enter into a section 173 agreement to address building permissions and standards to address energy efficiency, compliance standards and internal lighting requirements;***

    d. ***a requirement for the inclusion of conditions on a future planning permit that pedestrian access is provided through the site (during daylight hours) to the future commercial precinct.***

3. ***delegates authority to the General Manager Place and Community to approve minor amendments to the development plan pertaining to Recommendation 2; and***

4. ***authorises officers to respond to the head petitioner in writing to advise them of Council's decision in relation to the development plan.***

Moved: ***Cr Bernie Farquhar***
Seconded: ***Cr Sonia Buckley***

CARRIED

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis, and Cr John White
Against: Cr Joanne Eastman
Abstained: Nil

5.1.2 Planning permit application 5.2023.454.1 - Two lot subdivision and development of a second dwelling - 34-36 Eighth Avenue, Raymond Island

Authorised by General Manager Place and Community

Request to Speak

Ms Kate Young

Motion

That Council confirms the position of Council to be presented at the VCAT appeal process regarding planning application reference 5.2023.454.1 is as per the resolution of Council dated 6 August 2024, as follows:

a. *being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 5.2023.454.1 is inconsistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves issue a notice of decision to refuse to grant a planning permit for a Two lot subdivision and development of a second dwelling at 34-36 Eighth Avenue, Raymond Island for the following reasons:*

    i. *the proposal is generally inconsistent with the Planning Policy Framework (PPF) with respect to planning for places and environmental risks and amenity;*
    ii. *the proposal is generally inconsistent with the objectives of Clause 44.04 Land Subject to inundation overlay; and*
    iii. *the proposal is inconsistent with the decision guidelines in the Victorian Planning Provision (VPP) Planning Practice Note PPN11: Applying for a Planning Permit Under the Flood Provisions, in that:*
        - *it is not consistent with the Planning Policy Framework (PPF).*
        - *it relies on low-level access to and from the site.*
        - *it is likely to increase the burden on emergency services and the risk to emergency personnel.*
        - *it is likely to increase the amount of flood damage to public or private assets.*

Moved: Cr Tom Crook
Seconded: Cr Ian Trevaskis

LOST

For: Cr Jodie Ashworth, Cr Tom Crook, and Cr Joanne Eastman
Against: Cr Arthur Allen, Cr Sonia Buckley, Cr Barry Davis, Cr Bernie Farquhar, Cr Ian Trevaskis, and Cr John White
Abstained: Nil

Procedural Note

During debate, Cr Sonia Buckley foreshadowed an alternate motion. The Officer recommendation was put to the vote and was lost. Therefore, Cr Buckley moved an alternate motion.

Motion

That Council

1. ***receives and notes this report and all attachments pertaining to this report;***

2. ***directs Officers to:***

   a. ***request the Victorian Civil and Administrative Tribunal (VCAT) to remit planning application 5.2023.454.1 to Council to enable further consideration and determination of the application; or (if that is not supported by VCAT); and***

   b. ***seek a negotiated outcome as part of the VCAT appeal process to approve planning application 5.2023.454.1;***

3. ***notes that this alternate outcome is based on the potential impact of the refusal of the planning application on the ability for Council to implement its local planning policy to deliver housing supply and sustainable growth of settlements across East Gippsland; and***

4. ***requires that any negotiated outcome be subject to the following planning permit conditions:***

Endorsed Plans

1. *At all times, what the permit allows must be carried out generally in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority, unless with the written consent of the responsible authority.*

Telecommunications

2. *The owner of the land must enter into an agreement with:*
   a) *a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
   b) *a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.*

3. *Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:*

   a) *a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and*
   b) *a suitably qualified person that fibre ready telecommunications 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.*

Servicing

4. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*

   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.
   The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Drainage

5. *Before the issue of a statement of compliance, each lot as shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority.*

6. *Before the dwelling/building is occupied all stormwater runoff from the roofed and paved areas must be discharged by an underground drainage system connected to an approved point of discharge to the satisfaction of the Responsible Authority*

New Rural Vehicular Gravel Crossings

7. *Before the issue of a Statement of Compliance a standard gravel crossover must be constructed at right angles to the road to suit the proposed driveway to Lot 2 to the satisfaction of the Responsible Authority.*

Protection of Council Infrastructure

8. *Before the issue of a Statement of Compliance any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the Responsible Authority.*

Section 173 Agreement

9. *Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning & Environment Act 1987, which will provide that:*

   a) *The land must not be further subdivided to create an additional lot, and*
   b) *Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 2,000 litres; and*
   c) *The rainwater tank must collect rainwater runoff from the roof of the dwelling; and*
   d) *The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation.*

   This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority must be borne by the owner of the land.

Conditions pertaining to inundation

10. *The finished floor level of the dwelling must be a minimum of 2.5 metres AHD. This is referred to as the Nominal Flood Protection Level (NFPL).*

11. *All electrical outlets must be fixed above the Nominal Flood Protection Level (NFPL) of 2.5 Metres AHD.*

Operation and Expiry of the Permit

12. *This permit will operate from the issued date of this permit.*

13. *This permit as it relates to development (subdivision and development) will expire if one of the following circumstances applies:*
    a) *The buildings and works are not commenced within 2 years of the issued date of this permit.*
    b) *The buildings and works, having commenced, are not completed within 4 years of the issued date of this permit.*
    c) *The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit.*
    d) *A statement of compliance is not issued within 5 years of the date of certification.*

    In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Country Fire Authority conditions

14. *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.*

Endorsement of Bushfire Management Plan

15. *Before the development starts, the Bushfire Management Plan 20529-BMP Version 1 - Drawn 08/11/2023 and prepared by Crowther & Sadler Pty Ltd, must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.*

Notes

1. *Before undertaking works within a Council Road reserve, a non-utility – minor works consent of works within road reserve application must be lodged with the Roads and Traffic unit of Council and approved. Refer to the Infrastructure Design Manual (IDM) for crossover designs.*

Moved: ***Cr Sonia Buckley***
Seconded: ***Cr Bernie Farquhar***

CARRIED

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Barry Davis, Cr Joanne Eastman, Cr Bernie Farquhar, Cr Ian Trevaskis, and Cr John White
Against: Cr Jodie Ashworth, and Cr Tom Crook
Abstained: Nil

5.2 Assets and Environment

5.2.1 CON2025 1690 Flood Remediation Construction Works Livingstone Park Omeo

Authorised by General Manager Assets and Environment

Conflict of Interest

Sarah Johnston General Manager Business Excellence, having declared a conflict of interest in relation to item 5.2.1, left the Council Chamber at 8.05 pm and was absent during discussions on this item.

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 Ian Trevaskis left the Council Chamber at 8.06 pm and returned at 8.08 pm.

Motion

That Council:

1. ***accepts the tender submitted by G.F. & A.M. Peterson Proprietary Limited ATF GF & AM Peterson Family Trust trading as Dinner Plain Services (Peterson) for CON2025 1690 Flood Remediation Construction Works at Livingstone Park, Omeo for the contract amount of $964,079.04 exclusive of GST;***

2. ***authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed; and***

3. ***resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.***

Moved: Cr Sonia Buckley
Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis, and Cr John White
Against: Nil
Abstained: Nil

Attendance

Sarah Johnston General Manager Business Excellence returned to the Council Chamber at 8.22 pm.

5.2.2 CON2024 1630R Preparation of Functional Design for Public Drainage Assets - Lakes Entrance Northern Growth Area

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 Sonia Buckley left the Council Chamber at 8.22 pm and returned at 8.24 pm.
Cr Barry Davis left the Council Chamber at 8.25 pm and returned at 8.27 pm.

Motion

That Council:

1. ***accepts the tender submitted by Stantec Australia Pty Ltd for CON2024 1630R, Preparation of Functional Design for Public Drainage Assets - Lakes Entrance Northern Growth Area for the contract amount of $440,388.00 (exclusive of GST);***

2. ***authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed; and***

3. ***resolves that Confidential Attachment 1 and all discussions regarding this attachment remain confidential.***

Moved: Cr Arthur Allen
Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis and Cr John White
Against: Nil
Abstained: Nil

5.3 Business Excellence

5.3.1 Trial removal of fees to allow expansion of existing outdoor dining to 30 June 2025

Authorised by General Manager Business Excellence

Attendance

Cr Bernie Farquhar left the Council Chamber at 8.30 pm and returned at 8.32 pm.

Procedural Motion

That Council adjourns the meeting for 10 minutes and following the adjournment, resolves to extend duration of the meeting for one hour.

Moved: Cr Sonia Buckley
Seconded: Cr Tom Crook

CARRIED

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis, and Cr John White
Against: Nil
Abstained: Nil

Procedural Note

The meeting was adjourned for a short recess at 8.35 pm and resumed at 8.47 pm.

Procedural Note

Cr Sonia Buckley moved her own motion.

Motion

That Council:

1. ***approves the trial of not charging a fee for new and existing businesses to seek additional lawful and compliant seating at cafes and restaurants in the East Gippsland Shire from 20 December 2024 to 30 June 2025;***

2. ***notes that learnings from the trial will inform the planned review of the Goods on Footpath Policy in mid-2025; and***

3. ***notes that Council will have further opportunity to consider how to simplify trading on footpaths and a range of other business permits in 2025 when the East Gippsland Shire Council General Local Law is reviewed.***

Moved: Cr Sonia Buckley
Seconded: Cr Ian Trevaskis

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis, and Cr John White
Against: Nil
Abstained: Nil

5.3.2 S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987

Authorised by General Manager Business Excellence

Motion

That Council:

1. ***in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987, resolves that the Council Officers listed below be appointed as Authorised Officers, as set out in the Instrument of Appointment and Authorisation provided at Attachment 1, for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act:***

    a. ***Andrew Bates, Acting Statutory Planning Coordinator***
    b. ***Robert Buckmaster, Statutory Planning Officer***
    c. ***Penny Cross, Statutory Planning Officer***
    d. ***Royce Edwards, Development Compliance Officer***
    e. ***Gareth Hutching, Technical Officer – Development***
    f. ***Nirveen Kaur, Statutory Planning Officer***
    g. ***Lachlan McArthur, Senior Technical Officer – Development***
    h. ***Emine Mestan, Principal Statutory Planner***
    i. ***Robert Pringle, Business Improvement Coordinator***
    j. ***Martin Richardson, Manager Planning and Development***
    k. ***Andrew Thompson, Arborist***
    l. ***Neha Sharma, Statutory Planning Officer***
    m. ***Petra Wood, Statutory Planning Officer***

2. ***authorises the Chief Executive Officer to execute the Instrument provided at Attachment 1;***

3. ***notes that the Instrument will come into force immediately following resolution of Council and will remain in force until Council determines to vary or revoke it, or until the Officer ceases to be employed by East Gippsland Shire Council; and***

4. ***revokes the S11A Instrument of Appointment and Authorisation for Nicole Reynolds, Principal Strategic Planner previously made by Council on 25 May 2021.***

Moved: Cr Tom Crook
Seconded: Cr Arthur Allen

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis and Cr John White
Against: Nil
Abstained: Nil

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 Arthur Allen
Seconded: Cr Sonia Buckley

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Tom Crook, Cr Joanne Eastman, Cr Ian Trevaskis, Cr Jodie Ashworth, Cr Bernie Farquhar, Cr Barry Davis and Cr John White
Against: Nil
Abstained: Nil

The meeting was closed to the public at 9.00 pm.

7 Confidential Business

7.1 Property 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 Council business information being information that would, if released, prejudice the Council's position in commercial negotiations.

8 Close of Meeting

Mayor Cr John White declared the Council Meeting closed at 9.22 pm.