



Minutes

Council Meeting

Tuesday 15 April 2025 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 (Online), Barry Davis, Joanne Eastman, Bernie Farquhar (Online), 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 custodians.

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and 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 values 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 Tom Crook declared a conflict of interest in relation to item 5.1.2 *Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan*, as a material interest due to owning a property within the Eagle Point Structure Plan boundary.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 18 March 2025 be confirmed.

Moved: Cr Arthur Allen

Seconded: Cr Joanne Eastman

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 20 May 2025 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

Nil

Procedural Note

At this point in proceedings, Mayor Cr John White acknowledged the recent passing of the Ms Kylie Pinkerton.

“Before we move on to the Open Forum section of our meeting, it is my sad duty to acknowledge the recent passing of Kylie Pinkerton.

Kylie was a much-loved member of our organisation, having dedicated 30 years of service to the East Gippsland community through her work in our libraries. She began as a trainee in 1994 and went on to become a qualified librarian—her work was more than a job; it was a true passion.

Kylie was instrumental in creating and delivering many of the library programs our community knows and loves, from Rhyme time and school holiday events to Tech Help and youth initiatives. Her work touched the lives of thousands and helped make our libraries welcoming and inspiring spaces for all.

On behalf of East Gippsland Shire Council, we extend our deepest condolences to Kylie’s family, friends, and colleagues. Kylie made a lasting impact and will be dearly missed.”

1.7 Open Forum

1.7.1 Petitions

1.7.1.1 Change of Nature Strip Tree Variety, Houghton Crescent, Eagle Point

Authorised by General Manager Business Excellence

Motion

That Council:

- 1. receives the petition lodged by Mr Daryl Butler requesting 'We, the undersigned residents of Houghton Crescent, Eagle Point, request a change in the choice of street trees from Acacia Melanoxylon to Ornamental Pear (or a similar tree). The current trees have been planted in River Drive, therefore continuing this planting theme would be appropriate';***
- 2. notes that the petition will be referred to General Manager Assets and Environment 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 Arthur Allen

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

1.7.2 Questions of Council

1.7.2.1 Planning Scheme Amendment C172egip

Mr Stephen Hardy submitted the following questions which were read out on his behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“There seem to be many conflicts with the planning guidelines and breaches of the rules of strategic planning. Can you tell us if the 2021 Victorian Precinct Structure Planning Guidelines 2.0 must be followed or if they are optional?”*

Question 2: *“The CSIRO predicts more extreme weather events like the flash flooding and wild storms that we’ve experienced recently in the coming years. What is the council doing to protect stormwater systems, especially near the Lake King Foreshore since landowners haven’t been required to do an updated coastal hazard assessment or a full flood study before rezoning?”*

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

Response 1: The Paynesville Growth Area Structure Plan was prepared in 2016 whilst the Victorian Precinct Structure Plan Guidelines were not released until 2021. The guidelines are optional and are more applicable to a metropolitan context as they are designed to guide the development of new suburbs of a size and scale that is not applicable in East Gippsland. Furthermore, the guidelines only strictly apply to Victorian Planning Authority (VPA) designated precincts which we do not have in East Gippsland.

Response 2: Council is working on a number of fronts to plan for extreme weather events and climate resilient stormwater systems. This includes a Shire-wide climate risk assessment, a drainage management strategy, and requirements for new development to respond to coastal hazards.

There is an existing Gippsland Lakes Coastal Hazard Vulnerability Assessment and Government Mapping data that has helped inform the extent of the proposed zoning for the amendment and the definition of the 2.8m AHD line. The 2.8m AHD line is important as it identifies the coastal inundation risk below this line. In response, the amendment ensures that no development occurs below this line. Further, the preparation of a development plan for the Paynesville growth area will require more detailed design and management arrangements for the coastal interface so that the risks are minimised.

1.7.2.2 Planning Scheme Amendment C172egip

Ms Pauline Anderson submitted the following question was read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“Are there any plans to update the drainage system in the older part of Paynesville before accommodating all the new housing projects?”*

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

Response 1: Council is currently reviewing drainage systems in several locations in Paynesville in response to community feedback. We constantly monitor asset condition and capacity and plan capital improvements and maintenance to our stormwater systems. New housing projects will be required to implement drainage systems that do not place undue pressure on existing drainage infrastructure.

1.7.2.3 Planning Scheme Amendment C172egip

Ms Christine Hardy submitted the following questions which was read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“Has the Council factored in the cost to ratepayers for maintaining, defending, and eventually relocating stormwater assets proposed to be built in the foreshore floodplain?”*

Question 2: *“The public consultation for amendment c172egip saw 95% (77 of 81) of all submissions strongly opposed to the proposed rezoning and overlays, yet not one change was made to the amendment whatsoever. Is this an indication of what we can expect with the Development Plan's promised public consultation process?”*

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

Response 1: The design of stormwater assets does not occur at the rezoning stage. The area subject to inundation is proposed to be included in a public conservation zone. Council will not accept public stormwater assets that create unnecessary risk or costs to the ratepayers.

Response 2: As a result of the public exhibition, some changes have been made to the amendment in response. These changes have been listed in the attachments to the Council report. However, it is not usual practice to make major changes to an amendment at this stage, but instead, the amendment is referred to an independent planning panel to enable all submissions to be considered by the panel and recommendations made to Council on any further changes.

Where submissions oppose the amendment, the option of abandonment of the amendment is available to Council, but that would not enable the concerns to be fully examined by an independent panel.

Community engagement on the development plan will involve a transparent process where community members can make informed submissions on the detail of proposed future development and the Council will take account of those submissions which may result in changes before a decision is made on the development plan.

1.7.2.4 Planning Scheme Amendment C172egip

Ms Annie Gleeson submitted the following questions which were read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“This project encompasses the C172egip amendment, and the Paynesville growth area structure plan, ergo affecting all of the existing Paynesville residents, and not just the landowners that abut the proposed plan. This proposed plan will change Paynesville's beloved character, which is the reason most of us located here, and it will also put further strain of the already stretched essential services. The council claim to be encouraging transparency and accountability, yet so many residents were oblivious to the proposed changes until residents (at their own expense) did a letterbox drop. Pushing through the amendment when so few residents actually knew little about it demonstrates a lack of transparency and accountability. Very few receive or buy the local paper, or visit the shire website, so how do you propose keeping Paynesville residents actively involved and properly informed?”*

Question 2: *“As an Eagle Bay Village resident, and as the Council are fully aware, our Estate floods often. Many of us have had to spend thousands of dollars to try and alleviate at least some of the water. However, we are still often inundated and this of a grave concern. Proper pre-commencement assessments, including up to date flood and coastal hazard studies are urgently needed before rezoning. The Watertech 2014 local coastal hazard assessment, which the amendment heavily relies on, clearly states on page 67, that the assessment is not suitable for, and is not intended to be used for land use planning. It is not fit for purpose. If this proposed plan goes ahead with the DPO in place and should the flooding of our properties become worse due to the development. When Council was asked why the critical and required pre-commencement studies were not being carried out before Council pushed the rezoning through, we were told that Council can't afford them! This is not acceptable, and my question is again – When will these studies be carried out prior to rezoning?”*

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

Response 1: Council undertook the public exhibition of Planning Scheme Amendment C172egip in accordance with the notice requirements of the Planning and Environment Act 1987. Furthermore, public notice was also conducted in accordance with Council's standard consultation practices outlined in our Engagement policy. However, we have heard the feedback from community, and we acknowledge that we can expand on direct mailouts and better utilise social media to keep the community informed moving forward.

Response 2: Council has undertaken background studies and reports which are sufficient to support the rezoning. More detailed reports and studies are required as part of the Development Plan, including drainage and stormwater management. Undertaking the more detailed plans and reports at the Development Plan stage is common practice in Planning in Victoria, and it enables drainage design to be based on proposed road and lot layouts. No subdivision or development can occur before a Development Plan is approved.

Any current drainage issues that are experienced may be overland flow due to the fact that the adjoining farmland does not have constructed drainage systems. As future urban development occurs, drainage systems will be constructed to ensure that adequate stormwater drainage is provided.

1.7.2.5 Planning Scheme Amendment C172egip

Ms Robyn Skipsey submitted the following questions which were read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“On the matter of local services, especially healthcare, we note that the council isn't directly responsible for providing these. BUT, Council is approving many new housing projects and at least three new over 50's developments. From the 2021 census, it is noted that close to 50% of Paynesville residents have at least 1 long term illness, and that the average age of residents was 62 years. We vote council in to be our voice, and our community voice is already screaming for an upgrade in facilities, and more accessible healthcare. How can Council keep approving all these building projects when we don't have the community care available to service the existing residents?”*

Question 2: *“Why aren't Council, as representatives of our community, putting pressure on the Government to improve our medical facilities and essential services?”*

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

Response 1: Council has an obligation to plan for continued housing delivery and public infrastructure to meet the needs of a growing population. The expansion and enhancement of community service delivery, including health services, occurs in response to population growth and demographic change. Service providers plan for new and expanded services based on population growth and increasing community need.

Response 2: Council advocates on behalf of the community on a range of issues that fall outside of Council's own area of responsibility. This includes advocacy around health services and other essential services. Some of Council's priority advocacy topics can be found on our website within our Advocacy Strategy. Recently the Mayor and CEO have met with all three local hospital Chairs and CEOs to discuss how we work collaboratively to ensure that these services support a growing East Gippsland.

1.7.2.6 Planning Scheme Amendment C172egip

Mr Donald McPhee submitted the following questions which were read out on his behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“DEECA coastal overlays clearly show that storm and tide surges will extend beyond the 2.8m AHD contour within the next 75 years. Considering Council’s climate resilience objectives, how has the Council factored in the inevitable future cost to ratepayers for maintaining, defending and eventually relocating the foreshore road and reserve proposed to be built in the coastal hazard zone above 2.8m AHD?”*

Question 2: *“The public consultation for the Paynesville amendment saw 94% (78 of 83) of all submissions strongly opposed to the proposed rezoning and overlays, yet no significant changes were made to the amendment that incorporated objectors’ concerns. How does Council explain this lack of response to the concerns that were raised and how can we have confidence in the Development Plan’s promised public consultation process?”*

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

Response 1: Area affected by inundation are currently defined by policy as the 2.8m AHD contour in this location. That includes an 800mm allowance for sea level rise. As policy evolves, government agencies, infrastructure providers and land managers will need to build climate resilience into their asset plans in response, but we cannot currently predict any future changes in the definition of the inundation areas. It is appropriate that we rely on current policy.

Response 2: As a result of the public exhibition, some changes have been made to the amendment in response. However, it is not usual practice to make major changes to an amendment at this stage, but instead, the amendment is referred to an independent planning panel to enable all submissions to be considered by the panel and recommendations made to Council on any further changes.

Where submissions oppose the amendment, the option of abandonment of the amendment is available to Council, but that would not enable the concerns to be fully examined by an independent panel.

Community engagement on the development plan will involve a transparent process where community members can make informed submissions on the detail of proposed future development and the Council will take account of those submissions which may result in changes before a decision is made on the development plan.

1.7.2.7 Expenditure Clarity

Mr Peter Jones submitted the following questions which were read out on his behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“Is the community to have clarity on a summary of total expenditure and how many transactions in each of the last 4 years have been authorised under the \$500k delegation to the CEO?”*

Question 2: *“A full officer report on community priorities for inclusion the 24/25 draft budget was advised to be presented at today’s 15th April council meeting. Please confirm the rescheduled date for delivery of this report and the process by which community can comment prior to delivery of the draft 25/26 budget document on 7th May.”*

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

Response 1: A list of contracts awarded for the last 5 years up to 30 June 2024 is available on Council’s website under Tenders.

The information for the current year is progressively reported as part of the quarterly performance report to Council, with the next quarterly report due to be presented at the Council meeting on 20 May 2025.

A list of the contracts awarded by the CEO under delegation can be provided to Mr Jones separately, as the current registers show all contracts awarded.

Response 2: Thanks for the question, I was not aware of a report coming to Council today on the community priorities – however we have sent out a [media release](#) and included the [community matters newsletter](#) the key themes from the community feedback as well as what services the community saw as high priority.

The community feedback has been informing the development of the Council Plan and the annual budget 2025/26. This will be released to community for another round of community feedback in early May. The budget is proposed to be presented to the Cr Group at the June meeting.

We have also emailed you these details this morning.

1.7.2.8 Planning Scheme Amendment C172egip

Ms Lynette Kelly submitted the following question which was read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“We need habitat protection for the wildlife. How many more beautiful old trees will be cut down for developments? Paynesville has always been a place for birds. You are destroying their habitat. Signage is needed to make motorists aware of birds crossing roads.”*

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

Response 1: State legislation requires that native vegetation removal is avoided, minimised, or offset in accordance with strict policy guidelines set by the State Government. The design of future subdivisions for the growth area will seek to protect existing remnant vegetation. Significant patches of vegetation have already been identified for inclusion in public reserves. Foreshore vegetation currently on private land will be included in foreshore reserves that will transfer to public ownership. Individual remnant trees will be included in road reserves or if necessary, protected by planning controls on residential lots.

1.7.2.9 Planning Scheme Amendment C172egip

Ms Dianne Harris submitted the following question which was read out on her behalf by Fiona Weigall Chief Executive Officer:

Question 1: *“How does Councils limiting the debate on this important planning proposal reconcile with Councils missions statement of responding to and listening to the community?”*

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

Response 1: Council has not limited debate on this matter. Community members have been given the opportunity to lodge submissions on the amendment and will also be able to present those submissions to an independent Planning Panel before any final decision is made by Council on the amendment. The recommendation before Council provides the opportunity for all public submissions to be heard by an independent body.

1.7.2.10 Planning Scheme Amendment C172egip

Mr Garrett Hall asked the following question:

Question 1: *“The officer’s Recommendation states “that no substantial infrastructure shall be located within sensitive foreshore locations or below 2.8m AHD”. Similarly, the Development Plan Overlay schedule states that no urban development can occur below 2.8m AHD to protect against coastal flooding. However, the DPO schedule 10 still allows stormwater assets to be built below 2.8m AHD in the Lake King foreshore reserve. Can Council please clarify if the DPO schedule 10 will be revised so that stormwater infrastructure is now considered ‘urban development’ that is substantial enough to be located above 2.8m AHD?”*

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

Response 1: The recommendation makes it clear that no substantial infrastructure will be located below the 2.8m AHD line. Future environmental improvements in the land to be rezoned for conservation may include works to improve water quality, but any drainage works required to detain stormwater runoff will need to be included within the areas zoned for urban development.

1.7.2.11 Planning Scheme Amendment C172egip

Ms Heather Oke asked the following question:

Question 1: *“Council’s consultation with the community and referral authorities seeks input to decision-making, however the reality is that it is simply asking for feedback, with very limited influence on the final decisions, as was evident in the consultation for this amendment. Essentially, if the development plan is endorsed by Council, there will be no checks or balances to decisions made because there’s no third-party review or notification rights for ordinary folks or even referral authorities like the CFA, CMA or DEECA. Is it correct that community members or referral authorities have no legal right to challenge the process or be informed of changes to the development plan over time?”*

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

Response 1: No, it is not correct. Council’s Development Plan Policy requires community consultation to be undertaken in the preparation and amendment of development plans. There have been several cases over recent years where community feedback on development plans has led to significant changes prior to Council adoption. All development plans are referred to the relevant referral authorities for comment.

1.7.2.12 Planning Scheme Amendment C172egip

Ms Christine Fisher asked the following question:

Question 1: *“As elected Members representing our community, do you believe this recommendation has taken into consideration fully, the genuine and evidence based community concerns, not just for this location but also for the impact on the future identity of Paynesville? If no then please delay this decision for a full and transparent process to be concluded where local community views are valued and respected.”*

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

Response 1: The answer to this question is provided as the responsible General Manager, not as an elected member.

Officers have taken a very considered and thorough approach to this matter and have followed the procedures set down by legislation for the rezoning of land. The Paynesville growth area has been identified in the Planning Scheme for over 15 years. Paynesville has progressively grown over the past 50 years and land has been rezoned and developed for housing and community facilities to accommodate that growth. The history of that growth has inevitably led to incremental change in the character of the town, but the overall identity of Paynesville remains as an attractive coastal town that is valued by its residents and visitors. The concerns expressed by some community members can and will be addressed in the design and development of new neighbourhoods, upgraded road intersections, provision of foreshore reserves and open spaces, walking and cycling paths, etc.

Procedural Note

Cr Buckley added to the Officer response, noting that while this part of the meeting was not the appropriate time for Councillors to express their individual views on the Planning Scheme Amendment or the related consultation and decision-making process, it was important to assure the community that their feedback has been received and acknowledged. Cr Buckley emphasised that community input is an important part of the broader planning process.

1.7.2.13 Planning Scheme Amendment C172egip

Ms Jennifer Munn asked the following question:

Question 1: *“My question is to do with increased traffic and poor planning. The traffic study from 2016 (based on 2011 census) is 14 years out of date. Hardly current and does not take into account the ever-increasing growing population. When is Council planning to do an updated study on traffic?”*

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

Response 1: The traffic study undertaken to support the structure plan is not reliant on the out-of-date census population data in reaching its conclusions. The study forecasts traffic growth modelled for the proposed development of the growth area, which by definition includes the predicted growth in population as a result of development. Future traffic volumes identified in the traffic report are based on predicted population growth and the increase in traffic generated over the life of the proposed development, not a static population at a point in time. Traffic assessments will be reviewed as road and intersection designs are prepared, to ensure that detailed road design has the capacity to carry the projected traffic volumes.

1.7.3 Public Submissions

1.7.3.1 Planning Scheme Amendment C172egip

Mr Glen Luxford requested to address Council on the Planning Scheme Amendment C172egip but was not present at the meeting.

1.7.3.2 Planning Scheme Amendment C172egip

Mr David Nicastro addressed Council on the Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan and spoke at item 5.1.1.

1.7.3.3 Planning Scheme Amendment C172egip

Ms Kate Young addressed Council on the Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan and spoke at item 5.1.1.

1.7.3.4 Planning Scheme Amendment C171egip

Ms Sandra McSweeney addressed Council on the Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan and spoke at item 5.1.2.

1.7.3.5 Planning Scheme Amendment C171egip

Ms Lyndal Farrar addressed Council on the Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan and spoke at item 5.1.2.

1.7.3.6 Planning Scheme Amendment C171egip

Mr Luke Prestley addressed Council on the Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan and spoke at item 5.1.2.

1.8 Items for Noting

Nil

2 Notices of Motion

Nil

3 Deferred Business

Nil

4 Councillor Delegate Reports

4.1 Cr Arthur Allen

03/04/25 - The first Marina Consultative Committee meeting for this year and this Council term. The meeting was very well attended and Cr Jodie Ashworth was welcomed as the new Councillor representative. The committee acknowledged the sad passing of Neil Hopkins whose contribution to the committee over a number of years is greatly appreciated.

09/04/25 - I attended the annual Centenary House breakfast at St Marys Parish centre. Centenary House at Traralgon performs an invaluable role for East Gippslanders who need to attend Latrobe Regional hospital for radiation and other treatments. Over the years countless Gippslanders have been through Centenary house. A great effort by Mitchell River Rotary club in organising the event.

11-12/04/25 - I attended the annual Lindenow Lions Field Days at the aerodrome. Big numbers took advantage of the beautiful weather, with a steady stream visiting our marquee.

4.9 Cr John White

21/03/25 – Discussion proposed projects Paynesville

21/03/25 – Opening Club Marine East Gippsland Bream Classic – Metung

23/03/25 – Bairnsdale Cup 2025

24/03/25 – Capital Works Budget / Project Discussion

28/03/25 – Grand Opening Priceline Store Bairnsdale

28/03/25 – Visit community members Mr and Mrs Gasper

30/03/25 – Community Event – Buchan

30/03/25 – Festival of Small Halls Autumn Tour 2024

31/04/25 – Grand Opening – ADRA Community Food Pantry

04/04/25 – Official Opening – Bemm River Footpaths

05/04/25 – Bairnsdale Football Netball Club – Sponsor's Appreciation Luncheon

05/04/25 – Mount Taylor Fire Brigade – 2025 Awards Dinner

10/04/25 – Graduation Ceremony 01/25 Initial Officer Course and 75th Anniversary of Officers Training School – RAAF Base Sale

11/04/25 – East Gippsland Field Days

12/04/25 – East Gippsland Field Days

12/04/25 – Induction of Rev Ramchhanthanga (RAM) Bairnsdale Uniting Church

14/04/25 – Meeting with Chair and CEO of Orbost Regional Health

14/04/25 – Youth Ambassadors Meeting

5 Officer Reports

5.1 Place and Community

5.1.1 Planning Scheme Amendment C172egip - Implementation of the Paynesville Growth Area Structure Plan

Authorised by General Manager Place and Community

Public Submission

Mr David Nicastro
Ms Kate Young

Motion

That Council:

- 1. having formally considered all written submissions received to Amendment C172egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 1;*
- 2. requests that the Minister for Planning appoints an Independent Planning Panel to consider all submissions received for Amendment C172egip as provided at Attachment 2, in accordance with Part 8 of the Planning and Environment Act 1987;*
- 3. refers all submissions to Amendment C172egip, including late submissions, to the Independent Planning Panel appointed by the Minister for Planning;*
- 4. endorses the Officer's response to the issues raised by the submissions and the recommended changes to Amendment C172egip as outlined in Attachment 1 and 3, as the basis for Council's submission to the Independent Planning Panel;*
- 5. notes that officers will also take a Council position to the Planning Panel as follows:*
 - a. that no substantial infrastructure shall be located within sensitive foreshore locations or below 2.8m AHD; and*
 - b. that the Development Plan Overlay and Schedule to the General Residential Zone contains provisions to regulate built form in a manner that promotes view-sharing, provision of a spacious neighbourhood character and retention of significant native vegetation.*
- 6. authorises the General Manager Place and Community to make any minor changes to Amendment C172egip which are consistent with the purpose and intent of Council's resolution;*
- 7. notes that if the amendment is approved and gazetted (after an Independent Planning Panel) and the Development Plan Overlay Schedule 10 is applied, then a Development Plan must be prepared, advertised for public comment and approved by Council prior to use or development commencing. The development plan must address a range of matters, including but not limited to:*
 - a. Infrastructure provision;*
 - b. Environmental and coastal matters;*
 - c. Subdivision layout and design; and*
 - d. Open space.*

8. approves the General Manager Place and Community or delegate to advise all submitters to Amendment C172egip of Council's decision.

Moved: Cr Sonia Buckley

Seconded: Cr Arthur Allen

CARRIED

For: Cr Arthur Allen, Cr Jodie Ashworth, Cr Sonia Buckley, Cr Barry Davis,
Cr Bernie Farquhar, Cr Ian Trevaskis, and Cr John White

Against: Cr Tom Crook and Cr Joanne Eastman

Abstained: Nil

Procedural Note

The meeting was adjourned for a short recess at 7.45 pm and resumed at 7.47 pm.

5.1.2 Planning Scheme Amendment C171egip – Implementation of the Eagle Point Structure Plan

Authorised by General Manager Place and Community

Conflict of Interest

Cr Tom Crook, having declared a conflict of interest in relation to 5.1.2, left the meeting at 7.47 pm and was absent during the discussion and vote on this item.

Public Submission

Ms Sandra McSweeney
Ms Lyndal Farrar
Mr Luke Priestley

Procedural Note

Cr Sonia Buckley moved her own motion.

Motion

That Council:

- 1. having formally considered all written submissions received to Amendment C171egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 1;***
- 2. requests the Minister for Planning appoints a Planning Panel to consider all submissions received for Amendment C171egip as provided at Attachment 2, in accordance with Part 8 of the Planning and Environment Act 1987;***
- 3. refers all submissions, including any late submissions, to the Planning Panel appointed by the Minister for Planning;***
- 4. endorses the Officer's response to the issues raised by the submissions and the recommended changes to Amendment C171egip, as outlined in Attachment 1 and 4, as the basis for Council's submission to the Planning Panel, with the exception of the introduction of the proposed Schedule 2 to the Low-Density Residential Zone;***
- 5. authorises the General Manager Place and Community to make any changes required to remove the proposed Schedule 2 to the Low-Density Residential Zone from Amendment C171egip and any other minor changes which are consistent with the purpose and intent of Council's resolution; and***
- 6. approves the General Manager Place and Community or delegate to advise all submitters to Amendment C171egip of Council's decision.***

Moved: **Cr Sonia Buckley**
Seconded: **Cr Arthur Allen**

CARRIED UNANIMOUSLY

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

Attendance

Cr Tom Crook returned to the Council meeting at 8:30 pm.

Procedural Motion

That Council resolves to extend the duration of the meeting for one hour.

Moved: **Cr Arthur Allen**
Seconded: **Cr Sonia Buckley**

CARRIED

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

**5.1.3 Economic Development Advisory Committee Unconfirmed Minutes
of meeting held 12 September 2024**

Authorised by General Manager Place and Community

Motion

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

Moved: Cr Barry Davis

Seconded: Cr Sonia Buckley

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

5.2 Assets and Environment

5.2.1 CON2025 1722 Sarsfield Recreation Reserve and Community Hall Revitalisation Project

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in **Confidential Attachment 1** is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released, the information discussed or considered in relation to **Confidential Attachment 1** of this agenda item would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Motion

That Council:

- 1. accepts the tender submitted by Brooker Builders Pty Ltd for CON2025 1722, Sarsfield Recreation Reserve and Community Hall Revitalisation Project for the contract amount \$3,170,892.24 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 the attachment remain confidential.***

Moved: Cr Barry Davis

Seconded: Cr Ian Trevaskis

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

5.3 Business Excellence

5.3.1 Award Geographic Information System (GIS) Panel of Providers contract (collaborative procurement with Wellington Shire)

Authorised by General Manager Business Excellence

Confidentiality Notice

The information contained in **Confidential Attachment 1** is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) private commercial information, being information provided by a business, commercial or financial undertaking that: (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b), if released, the information discussed or considered in relation to **Confidential Attachment 1** would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Motion

That Council:

1. ***approves Wellington Shire Council to award Contract No 2025-064 Geographical Information System (GIS) Services – Panel of Providers on behalf of East Gippsland Shire for a three-year period to the following:***
 - ***COHGA Pty Ltd;***
 - ***ESRI Australia Pty Ltd;***
 - ***Technology One Pty Ltd;***
 - ***Woolpert Australia Pty Ltd; and***
 - ***For Consultancy Services only - GP One Pty Ltd***
2. ***approves and authorises the Chief Executive Officer or delegate to execute such documents as are necessary to give effect to the arrangements of the Geographical Information System (GIS) Services – Panel of Providers Contract 2025-064;***
3. ***delegates power to the Chief Executive Officer to exercise the two extension options of one year on the basis that all contractual requirements have been met by the suppliers; and***
4. ***resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.***

Moved: Cr Joanne Eastman

Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

5.3.2 Endorse Revised Audit and Risk Committee Charter

Authorised by General Manager Business Excellence

Motion

That Council endorses the revised Audit and Risk Committee Charter, provided at Attachment 1.

Moved: Cr Barry Davis

Seconded: Cr Arthur Allen

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

5.3.3 Proposal for establishment of Local Government Commissioner role – Rural Councils Victoria

Authorised by General Manager Business Excellence

Motion

That Council:

- 1. writes to the Australian Government post the May 2025 election, expressing its support for Rural Councils Victoria's call for a new Local Government Commissioner role to be established and further, advocating that the position-holder be required to be based in a rural area and have a deep connection to rural issues and community; and***
- 2. notes the advocacy effort taken to date on this issue.***

Moved: Cr Sonia Buckley

Seconded: Cr Ian Trevaskis

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Jodie Ashworth, Cr Sonia Buckley, Cr Tom Crook,
Cr Barry Davis, Cr Joanne Eastman, Cr Bernie Farquhar, Cr Ian Trevaskis, 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 Sonia Buckley

Seconded: Cr Arthur Allen

CARRIED UNANIMOUSLY

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

Against: Nil

Abstained: Nil

The meeting was closed to the public at 9.01 pm.

7 Confidential Business

7.1 Contract Matter

The information contained in this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released, the information discussed or considered in relation to this agenda item prejudice the commercial position of Council as the information is commercially sensitive.

The meeting was reopened to the public at 9.11 pm.

8 Close of Meeting

Mayor Cr John White declared the Council Meeting closed at 9.11 pm.