



Unconfirmed Minutes Council Meeting

Thursday 17 September 2026 at 2.00 pm

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

Councillors

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

Attachments referenced in these minutes can be located in the meeting agenda on East Gippsland Shire Council's [website](#), with summaries of Council Briefings also available under [Council Briefings](#).

Vision

To foster inclusive, connected, communities and places where all East Gippslanders prosper, and endeavour not to leave anyone behind.

Our Strategic Themes

1. Community Wellbeing and Social Responsibility
2. Prosperity
3. Making the Most of What We've Got
4. Managing Council Well

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	5
1.5 Next Meeting	6
1.6 Requests for Leave of Absence	6
1.7 Open Forum.....	7
1.7.1 <i>Petitions</i>	7
1.7.1.1 Active Transport and a Traffic Study at Bairnsdale Regional Hospital Service7	
1.7.2 <i>Questions of Council</i>	8
1.7.3 <i>Public Submissions</i>	9
1.8 Items for Noting	9
1.8.1 Audit and Risk Committee Biannual Report.....	10
2 Notices of Motion.....	11
3 Deferred Business	11
4 Councillor Delegate Reports.....	11
5 Officer Reports.....	15
5.1 Projects and Planning	15
5.1.1 Planning Permit Application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Use and Development of a Medical Centre	15
5.1.2 Omeo and Swifts Creek Structure Plans - Adoption	20
5.1.3 CON2027 1738 Schedule of Rates Contract for Bituminous Sealing in East Gippsland	21
5.2 Place and Community	23
5.2.1 Public Art Policy	23
5.3 Business Excellence	24
5.3.1 Annual Financial Statements 2025/26 and Performance Statement 2025/26 ...	24

5.3.2 Councillor Gift Policy	25
5.3.3 S6 Instrument of Delegation - Council to Members of Staff.....	26
5.3.4 Audit and Risk Committee Meeting Minutes	27
6 Urgent Business	28
7 Confidential Business	29
7.1 Personnel Matter.....	29
8 Close of Meeting	29

1 Procedural

1.1 Recognition of Traditional Custodians

Mayor Cr Jodie Ashworth welcomed all to the Council meeting and acknowledged the traditional custodians.

Council acknowledges the Traditional Owners and custodians of this land and pays deep respect to all First Nations peoples and communities with enduring cultural connections to East Gippsland, who have cared for and nurtured Country for tens of thousands of years.

We honour and celebrate the rich diversity, living cultures, and ongoing contributions of all First Nations peoples who live, work, visit, and play across East Gippsland.

We also acknowledge the many First Nations communities who, together, continue to shape and contribute to the region we know as East Gippsland. The place where we, as Local Government, delivered services and support to our community.

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 5.1.1 *Planning Permit Application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre* as a general interest due to owning a property within the vicinity of the planning permit.

Fiona Weigall Chief Executive Officer declared a conflict of interest in relation to item 7.1 *Personnel Matter*, as a material interest due to the matter relating to her employment at East Gippsland Shire Council.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 18 August 2026 be confirmed.

Moved: Cr Sonia Buckley

Seconded: Cr Arthur Allen

Spoke for the motion: Cr Sonia Buckley

Spoke against the motion: Nil

Closed the debate: Nil

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 scheduled is to be held on Tuesday 20 October 2026 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 Jodie Ashworth acknowledged the following students who observed the meeting from the public gallery as part of their Junior Rotary Community Awards program:

- Cooper from St Marys Primary School;
- Harry from St Marys Primary School;
- Jack from Bairnsdale West Primary School; and
- Lola from Lucknow Primary School.

To acknowledge their participation in this community program, the Mayor presented each student with a Council pin.

1.7 Open Forum

1.7.1 Petitions

1.7.1.1 Active Transport and a Traffic Study at Bairnsdale Regional Hospital Service

Authorised by General Manager Business Excellence

Public Submission

Dr Rob Phair

Procedural Note

Cr Tom Crook moved his own motion.

That Council:

- 1. receives the petition;*
- 2. notes that the petition will be referred to the General Manager Assets and Environment for a report to a future Council Meeting; 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 Tom Crook

Seconded: Cr Sonia Buckley

Spoke for the motion: Cr Tom Crook and Cr Sonia Buckley

Spoke against the motion: Nil

Closed the debate: Nil

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 Permit Application 5.2025.361.1

Mr Michael Chippindall asked the following questions:

Question 1: *“Can Council please explain what substantive information, evidence, plans, reports, conditions or representations have changed between that meeting and today's meeting, and whether the applicant or Officers have provided any new material directly to Councillors during that period; and if there has been new material provided to Councillors since the previous meeting, has that material been made available to the objectors so that we have had an equal opportunity to consider and respond to it?”.*

Question 2: *“If this application were to be approved, and the proposed stormwater or wastewater containment system subsequently fails, causing damage to my property - who is liable for the remediation?”.*

Mr Chris Stephenson General Manager Projects and Planning provided a response which is summarised below:

Response 1: As per the requirements of the *Planning and Environment Act 1987*, the proposed planning permit application has not been amended or altered since the previous Council Meeting held on 18 August 2026. It is noted that minor changes were made to Attachment 1 which was to correct errors in the proposed conditions, not to change the application itself. These corrections were not made as a result of discussions with the applicant or any other party but were identified and fixed by the Manager of Planning and Development.

In terms of any representations that the applicant has made to Councillors, any member of the public is able to speak with Councillors or Council officers up until a decision is made. Equal opportunity is provided to all parties. However, I reiterate the above point that the application itself has not been altered or amended.

Response 2: If the application were approved, any proposed drainage solution would need to be designed and installed to the satisfaction of Council. Once installed, the landowner is obligated to maintain it and to ensure that it operates as designed.

In relation to septic systems, if a system fails, Council has powers under the relevant legislation to take enforcement action requiring the landowner to rectify the issue at their own cost.

1.7.3 Public Submissions

1.7.3.1 Active Transport and a Traffic Study at Bairnsdale Regional Hospital Service

Dr Rob Phair addressed Council on the Active Transport and a Traffic Study at Bairnsdale Regional Hospital Service and spoke at item 1.7.1.1.

1.7.3.2 Coastal Endemic Botanic Garden and Education Centre

Ms Josephine Jakobi addressed Council on the proposed Coastal Endemic Botanic Garden and Education Centre.

1.7.3.3 Planning Permit Application 5.2025.361.1

Mr Tom Alwyn addressed Council on the planning permit application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre and spoke at item 5.1.1.

1.7.3.4 Planning Permit Application 5.2025.361.1

Ms Meryn Mastrocola addressed Council on the planning permit application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre and spoke at item 5.1.1.

1.7.3.5 Planning Permit Application 5.2025.361.1

Ms Nicole Mann addressed Council on the planning permit application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre and spoke at item 5.1.1.

1.7.3.6 Planning Permit Application 5.2025.361.1

Mr Bruce Hall addressed Council on the planning permit application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre and spoke at item 5.1.1.

1.7.3.7 Planning Permit Application 5.2025.361.1

Mr Michael Chippindall addressed Council on the planning permit application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Medical Centre and spoke at item 5.1.1.

1.8 Items for Noting

1.8.1 Audit and Risk Committee Biannual Report

In accordance with section 54(5)(b) of the *Local Government Act 2020*, a copy of the Audit and Risk Committee Biannual Report is to be tabled and subsequently recorded in the minutes of the meeting.

Attachments

1. Audit and Risk Committee Biannual Report - 1 January to 30 June 2026 [**1.8.1.1** - 8 pages]

2 Notices of Motion

Nil

3 Deferred Business

Nil

4 Councillor Delegate Reports

4.1 Cr Arthur Allen

Thursday 20 and Friday 21 August 2026

I attended the South East Australian Transport Strategy (SEATS) meeting in Sale. The Victorian election priorities were approved, concentrating on the Princes Highway, including the Mitchell River Bridge, Sale Alternate Route, Traralgon By-Pass, and the section of highway between Longwarry and Nar Nar Goon.

The gathering began with the Annual General Meeting and voting resulted in John Schelling as Chair, Amber Schulz as Deputy Chair, and executive comprising Arthur Allen, Adele Pugsley and Gary Louie, with one more representative required from New South Wales.

The position of treasurer is Ben Lucas on an interim basis, pending agreement from Baw Baw Shire Council to host bookkeeping. If they decline, John Tatterson will accept the position and bookkeeping will be outsourced. After three years without a fee increase, it was deemed necessary to increase fees by 5% as SEATS recorded a loss in the last financial year.

Wellington Shire Council Mayor Cindy Madeley welcomed SEATS to Wellington and Renee Littlejohn, General Manager Development, provided an overview of the shire and provoked an interesting discussion around cooperation between East Gippsland and Wellington saleyards.

The guest speaker from the Department of Infrastructure was Laura Sverdrupsen, who explained her role within the department and in particular, the Federal Government's program to re-establish coastal shipping. This dovetailed into a presentation from Will Kanavan of Pentarch Offshore Solutions and their facility at Edrom.

Day two concentrated on the Princes Highway corridor and what has been achieved over the last 16 years and the major projects delivered in both New South Wales and Victoria. A presentation from the Department of Transport and Planning highlighted projects that are soon to be delivered, including the Dargo Road/ Princes Highway upgrade, Eastern Beach Road, Lakes Entrance and a passing lane west of Cann River.

To the west, work will soon commence on the Sale Alternate Route, a roundabout at Sale/Maffra Road, bridge strengthening at Drouin and improvements to the Banks Street intersection at Traralgon.

Good news for East Gippsland was that a high level appraisal of the options between the Mitchell River Bridge and Philips Lane is about to commence, which will inform both future work and the priorities within that area. SEATS election priorities for both Victoria and New South Wales elections were discussed and the stretch from Longwarry to Nar Nar Goon added to the priority list.

Wednesday 2 September 2026

I attended, along with the Mayor and Councillor Buckley, the official opening of the Slip Road project at Paynesville. The completed project has transformed the area into an attractive and valued feature of Paynesville.

4.2 Cr Jodie Ashworth

18/08/26 - Councillor Briefing Session and Council Meeting

19/08/26 - Gippsland New Energy Conference 2026

20/08/26 to 22/08/26 - Australian Local Government Women's Association Victoria 75th Anniversary National Conference

24/08/26 - Audit and Risk Committee Meeting

25/08/26 - Councillor Briefing Session

26/08/26 - Lakes Entrance Action and Development Association and Council Quarterly Meeting

27/08/26 - Lindenow Community Visit

28/08/26 - Gippsland Business Awards Gala Dinner

29/08/26 - Apex Club of Bairnsdale Handover Dinner

31/08/26 - Chief Executive Officer Employment and Remuneration Committee Meeting

01/09/26 - Councillor Briefing Session

02/09/26 - Slip Road Maritime Precinct Official Opening

02/09/26 - Projects Meeting with the Hon. Tim Bull MP and the Hon. Darren Chester MP

03/09/26 to 04/09/26 - Rural Councils Victoria Forum

08/09/26 - Councillor Briefing Session

09/09/26 - Meeting with Valdo Fernandes and Father. Joseph Abutu, St Mary's Parish

10/09/26 - Visit to East Bairnsdale Neighbourhood House

14/09/26 - Regions Rising Conference in Canberra

15/09/26 - Regionalisation Dialogue Day, Canberra

15/09/26 - Ministerial Meetings, Canberra

17/09/26 - Citizenship Ceremony (National Citizenship Day)

4.3 Cr Joanne Eastman

I attended the 'Uni Your Way' Open Day at the Bairnsdale Study Hub. The open day brought together a range of training and education providers to showcase opportunities for further study, including vocational education, Technical and Further Education (TAFE) courses and university programs.

The event highlighted the support available to East Gippsland students undertaking tertiary studies. The Study Hub operates in Bairnsdale, Orbost, Omeo and Mallacoota and provides access to study spaces, high-speed internet, computers, printing facilities, podcast studios, video conferencing facilities, student support and examination supervision.

I joined Councillors and staff on a visit to the Gippsland Agricultural Group research farm near the Bairnsdale Aerodrome. The visit provided an overview of the organisation's research into soil health, pastures, livestock, grains, fodder crops and drought resilience, as well as its contribution to improving the productivity, profitability and sustainability of dryland farming systems.

I attended the annual Contractors' Breakfast at the Women's Organisation for Recreation, Leisure and Development (WORLD) Sporting Precinct, where contractors met with Council staff and managers to hear about upcoming projects. The session included information on changes to Council's project management and procurement approaches, tendering and evaluation processes, and provided an opportunity for contractors to ask questions and discuss potential business opportunities.

I also attended the East Gippsland Family History Open Day. The Association maintains an extensive collection of historical records and supports individuals researching family histories while preserving important historical documentation. Information was also provided on the Australian Government's Be Connected program, which assists community members to develop digital skills and access online resources for family history research.

Congratulations were extended to the volunteers of the Family History Society for their ongoing commitment to preserving local history and supporting the community.

4.4 Cr Tom Crook

18 to 20 August 2026 - Attended the Gippsland New Energy Conference 2026 in Traralgon. Discussions focused on the energy transition, major renewable energy investment opportunities across Gippsland, and ensuring regional economic and employment benefits.

20 August 2026 - Represented Council in my capacity as Deputy Mayor at the Youth Art Prize 2026, recognising and celebrating the achievements and creativity of young people across East Gippsland.

24 August 2026 - Attended the Audit and Risk Committee Meeting No. 128 as an observer.

25 August 2026 – Attended the Councillor Briefing Session and participated in discussions regarding Council business and forthcoming decisions.

25 August 2026 - Participated in discussions relating to the Chief Executive Officer performance review process.

25 August 2026 - Participated in the Mayor, Chief Executive Officer and Deputy Mayor weekly catch-up.

26 August 2026 - Participated in a meeting with the Nationals' candidate for Gippsland East, Gemma Rendell regarding matters of importance to East Gippsland and regional advocacy opportunities.

August to September 2026 - Participated in Australian Coastal Councils Association meetings and discussions. Key topics included coastal planning reform, coastal hazard management, climate resilience, and advocacy for improved planning frameworks and stronger support for coastal communities.

31 August 2026 - Participated in the Mayor, Chief Executive Officer and Deputy Mayor weekly catch up.

31 August 2026 - Attended the Chief Executive Officer Employment and Remuneration Committee Meeting.

1 September 2026 - Attended the Councillor Briefing Session.

1 September 2026 - Participated in a Councillor and Chief Executive Officer discussion.

2 September 2026 - Attended the Rare Plants Recovery Session in Orbost hosted by the Botanic Gardens.

8 September 2026 - Attended the Councillor Briefing Session.

8 September 2026 - Participated in the Mayor, Chief Executive Officer and Deputy Mayor weekly catch up.

14 September 2026 - Attended the Special Audit and Risk Committee Meeting as an observer.

5 Officer Reports

5.1 Projects and Planning

5.1.1 Planning Permit Application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung – Use and Development of a Medical Centre

Authorised by General Manager Projects and Planning

Conflict of Interest

Sarah Johnston General Manager Business Excellence, having declared a conflict of interest in relation to 5.1.1, left the meeting at 2.28 pm and was absent during the discussion on this item.

Public Submissions

Mr Tom Alwyn
Ms Meryn Mastrocola
Ms Nicole Mann
Mr Bruce Hall
Mr Michael Chippindall

Procedural Note

Following the presentation of the report by the General Manager Projects and Planning, the Mayor Cr Jodie Ashworth invited questions from Councillors.

During questions, Cr Tom Crook and Cr Joanne Eastman advised the Chair of their intention to foreshadowed their own motion.

At the conclusion of questions, Mayor Cr Jodie Ashworth called for a motion.

Cr Bernie Farquhar foreshadowed a motion.

Cr Tom Crook moved his own motion.

Motion

That Council:

- 1. being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 5.2025.361.1 is consistent with the requirements and objectives of the East Gippsland Planning Scheme; and*
- 2. resolves to issue a Notice of Decision to Grant a Permit for the use and development of a medical centre, removal of native vegetation, display of business identification signage, and creation of access to a road in a Transport Zone 2 at 236 Bullumwaal Road Wy Yung, subject to the following amendment to the conditions (shown as Attachment 1 to the report):*

- a. *Part 1 of the conditions to read as follows:*
'The layout of the use and development to show a constructed accessway down the eastern boundary to allow for access to the septic tank and other infrastructure located behind the dwelling. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.'
- b. *Part 4 of the conditions to read as follows:*
'Before any works associated with the development starts, a detailed drainage construction plan including existing drainage infrastructure and integration of any proposed drainage infrastructure for the car park, to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in line with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
 - a. *the proposed drainage system shall be assessed for both the minor drainage event (20% AEP) and the major drainage event (1% AEP) in accordance with Clause 16 of the IDM.*
 - b. *the permissible site discharge (PSD) shall be determined in accordance with Clause 21 of the IDM. The PSD shall be limited to the lesser of:*
 - o *the hydraulic capacity of the receiving swale system; or*
 - o *the discharge rate determined from Table 13 of the IDM for a comparable multi-unit development in an established residential area;*
 - o *and shall be assessed for both the 20% AEP and 1% AEP events.*
 - c. *the hydraulic assessment shall include the entire site catchment, including existing building, paved areas and all proposed development, when determining pre-development and post-development runoff conditions and assessing the capacity of the receiving swale system.*
 - d. *an on-site detention (OSD) system shall be designed in accordance with Clause 19 of the IDM and sized to restrict post-development discharge to the permissible site discharge for both the 20% AEP and 1% AEP storm events.*
 - e. *the outlet from the detention system shall incorporate a properly engineered flow control device, including an appropriately sized orifice and debris protection system (trash screen), designed to minimise the risk of blockage and ensure ongoing operational performance.*
 - f. *stormwater quality treatment measures shall be provided in accordance with Clause 20 of the IDM and shall demonstrate compliance with the applicable stormwater quality objectives.*
 - g. *the stormwater outlet and discharge point shall be designed to prevent scour, erosion and downstream impacts. Appropriate energy dissipation and erosion protection measures shall be provided where required.*
 - h. *detailed engineering drawings, calculations, hydraulic modelling outputs and supporting documentation shall be submitted to Council demonstrating compliance with the above requirements and to the satisfaction of the Responsible Authority.*

all earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure and must not encroach onto other properties.'

Moved: Cr Tom Crook
Seconded: Cr Arthur Allen

Spoke for the motion: Cr Tom Crook and Cr Arthur Allen
Spoke against the motion: Cr Joanne Eastman and Cr Sonia Buckley
Closed the debate: Cr Tom Crook

LOST

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

Procedural Note

As the motion was lost, Mayor Cr Jodie Ashworth invited Cr Joanne Eastman to move her foreshadowed motion.

Cr Joanne Eastman moved her own motion.

Motion

That Council:

- 1. notes that, having considered the relevant planning matters and the provisions of the East Gippsland Planning Scheme, Planning Permit Application 5.2025.361.1 does not represent an appropriate planning outcome for the subject land;***
- 2. resolves to issue a Notice of Decision to Refuse a Permit for the use and development of a medical centre, removal of native vegetation, display of business identification signage, and creation of access to a road in a Transport Zone 2 at 236 Bullumwaal Road, Wy Yung, for the following reasons:***
 - a. the scale, intensity and operational characteristics of the proposed medical centre are inconsistent with the purpose and strategic intent of the Low Density Residential Zone and exceed the level of non-residential activity reasonably anticipated within the zone;***
 - b. the proposal would not appropriately respond to or integrate with the established low density residential character of the locality due to its activity levels, traffic generation, parking demand, visual presence and the extent of non-residential activity proposed on the site;***
 - c. the proposal would generate vehicle movements that are not compatible with the function and capacity of the existing access arrangement and would unreasonably intensify activity within a predominantly residential environment;***
 - d. the proposed signage would result in a visual outcome inconsistent with the preferred character of the surrounding low density residential area;***
 - e. Council is not satisfied that wastewater and stormwater generated by the proposed development can be sustainably managed on-site, having regard to the unsewered nature of the land, site topography, land capability constraints, proximity of downhill residential properties and the potential for off-site environmental impacts; and***

- f. the proposal represents an inappropriate intensification of non-residential activity within the Low Density Residential Zone and does not achieve an orderly planning outcome in the context of the surrounding residential area.***

Moved: Cr Joanne Eastman

Seconded: Cr Bernie Farquhar

Spoke for the motion: Cr Joanne Eastman, Cr Bernie Farquhar and
Cr Sonia Buckley

Spoke against the motion: Cr Tom Crook

Closed the debate: Cr Joanne Eastman

Procedural Note

Prior to the vote being taken, Mayor Cr Jodie Ashworth invited Councillors to indicate whether they wished to foreshadow an alternate motion should the motion be lost. Cr Tom Crook foreshadowed an alternative motion. Mayor Cr Jodie Ashworth then put the motion to the vote.

CARRIED

For: Cr Sonia Buckley, Cr Barry Davis, Cr Joanne Eastman, Cr Bernie Farquhar and
Cr John White

Against: Cr Arthur Allen, Cr Jodie Ashworth, Cr Tom Crook and Cr Ian Trevaskis

Abstained: Nil

Procedural Note

The Chairperson adjourned the meeting for a short recess at 4.15 pm.

Attendance

Sarah Johnston General Manager Business Excellence returned to the Council Chamber at 4.15 pm.

Procedural Note

The meeting resumed at 4.22 pm.

Procedural Motion

That Council extends the duration of the meeting for two hours to conclude at 7.00 pm.

Moved: Cr Tom Crook

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

5.1.2 Omeo and Swifts Creek Structure Plans - Adoption

Authorised by General Manager Projects and Planning

Procedural Note

Cr Buckley moved her own motion.

Motion

That Council:

- 1. adopts the Omeo Structure Plan as provided at Attachment 1 with the following amendment:**
 - a) include an action to review the location of the existing council depot and facilitate relocation to an alternative site;***
 - b) include an action to undertake a car parking strategy; and***
 - c) allow the General Manager, Projects and Planning, to make other minor administrative updates to the document, including references to the Livingstone Creek swimming area and inclusion of the district population data in addition to the township data.***
- 2. adopts the Swifts Creek Structure Plan as provided at Attachment 2 with the following amendment:**
 - a) include an action to advocate for and seek suitable funding streams for sewer to be provided by the relevant authority within Swifts Creek; and***
 - b) allow the General Manager, Projects and Planning, to make other minor administrative updates to the document.***

Moved: Cr Sonia Buckley

Seconded: Cr Arthur Allen

Spoke for the motion: Cr Sonia Buckley, Cr Arthur Allen, Cr John White and Cr Ian Trevaskis

Spoke against the motion: Nil

Closed the debate: Nil

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

5.1.3 CON2027 1738 Schedule of Rates Contract for Bituminous Sealing in East Gippsland

Authorised by General Manager Projects and Planning

Confidentiality Notice

The information contained in **Confidential Attachment 1 - CON2027 1738 Contract Award Summary, Confidential Attachment 2 - CON2027 1738 Tender Evaluation Report** and **Confidential Attachment 3 – CON2027 1738 Probity 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 would unreasonably expose tenderers to disadvantage by disclosing commercially sensitive pricing and evaluation information.

Motion

That Council:

- 1. awards the tender for CON2027 1738 Schedule of Rates Contract for Bituminous Sealing in East Gippsland to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, in accordance with the Schedule of Rates set out in that attachment (exclusive of GST), for an initial term of one year, inclusive of annual Consumer Price Index (CPI) adjustments;***
- 2. authorises the Chief Executive Officer or delegate to exercise one year contract extension option, inclusive of annual Consumer Price Index (CPI) adjustments, at Council's sole discretion;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents for the contract awarded under clause 1;***
- 4. notes that the successful tenderer and contract details will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and***
- 5. resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***

Moved: *Cr Barry Davis*

Seconded: *Cr Arthur Allen*

Spoke for the motion: Cr Barry Davis and Cr Arthur Allen

Spoke against the motion: Nil

Closed the debate: Nil

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 Place and Community

5.2.1 Public Art Policy

Authorised by Executive Manager Place and Community

Motion

That Council adopts the Public Art Policy as provided at Attachment 1.

Moved: Cr Sonia Buckley

Seconded: Cr Tom Crook

Spoke for the motion: Cr Sonia Buckley and Cr Tom Crook

Spoke against the motion: Nil

Closed the debate: Nil

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 Annual Financial Statements 2025/26 and Performance Statement 2025/26

Authorised by General Manager Business Excellence

Motion

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

- 1. notes the draft East Gippsland Shire Council 2025/26 Annual Financial Statements provided at Attachment 1 and Performance Statement 2025/26 provided at Attachment 2 prepared in accordance with the Local Government Act 2020;***
- 2. approves 'in principle' the 2025/26 Annual Financial Statements and the Performance Statement 2025/26 subject to the completion of the Victorian Auditor - General's review;***
- 3. appoints Councillors Jodie Ashworth and Tom Crook to certify the 2025/26 Annual Financial Statements and Performance Statement 2025/26 in their final form following any amendments recommended or agreed to by the Victorian Auditor-General; and***
- 4. authorises the Chief Executive Officer, Chief Finance Officer and the appointed Councillors to make any non-material amendments required to finalise the Statements.***

Moved: Cr Arthur Allen

Seconded: Cr Barry Davis

Spoke for the motion: Cr Arthur Allen, Cr Barry Davis, Cr Sonia Buckley and Cr Joanne Eastman

Spoke against the motion: Nil

Closed the debate: Nil

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 Councillor Gift Policy

Authorised by General Manager Business Excellence

Motion

That Council adopts the draft Councillor Gift Policy as provided at Attachment 1.

Moved: Cr Barry Davis

Seconded: Cr Sonia Buckley

Spoke for the motion: Cr Barry Davis and Cr Sonia Buckley

Spoke against the motion: Nil

Closed the debate: Nil

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

S6 Instrument of Delegation - Council to Members of Staff

Authorised by General Manager Business Excellence

Motion

That Council:

- 1. adopts the delegations to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the S6 Instrument of Delegation as provided at Attachment 1, subject to the conditions and limitations specified in the Instrument;*
- 2. resolves that the S6 Instrument of Delegation provided at Attachment 1 comes into force immediately upon this resolution being made and is to be signed by the Chief Executive Officer;*
- 3. revokes the existing S6 Instrument of Delegation from Council to Members of Council Staff dated 17 March 2026 upon the coming into force of the Instrument provided at Attachment 1; and*
- 4. notes that the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any policies of Council that it may from time to time adopt.*

Moved: *Cr Arthur Allen*

Seconded: *Cr John White*

Spoke for the motion: Cr Arthur Allen and Cr John White

Spoke against the motion: Nil

Closed the debate: Nil

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

5.3.4 **Audit and Risk Committee Meeting Minutes**

Authorised by General Manager Business Excellence

Purpose

This report is to present the confirmed minutes of the Audit and Risk Committee (Committee) meeting held on Monday 24 August 2026 for noting.

Motion

That Council notes the confirmed minutes of the Audit and Risk Committee meeting held Monday 24 August 2026, as presented at Attachment 1.

Moved: ***Cr Joanne Eastman***

Seconded: ***Cr Ian Trevaskis***

Spoke for the motion: Nil

Spoke against the motion: Nil

Closed the debate: Nil

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 Arthur Allen

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

Conflict of Interest

Fiona Weigall Chief Executive Officer, having declared a conflict of interest in relation to item 7.1, left the meeting at 5.28 pm and was absent during the discussion on this item.

The meeting was closed to the public at 5.29 pm.

Attendance

All Officers, except Sarah Johnston General Manager Business Excellence and Ela Alexander Minute Taker, left the Council Chamber at 5.29 pm.

7 Confidential Business

7.1 Personnel Matter

The information contained in this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (f) Personal Information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

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 would unreasonably disclose personal information about the Chief Executive Officer, including performance expectations and employment related matters.

The meeting was re-opened to the public at 5.41 pm.

Attendance

Fiona Weigall Chief Executive Officer returned to the Council Chamber at 5.41 pm.

8 Close of Meeting

Mayor Cr Jodie Ashworth declared the Council Meeting closed at 5.41 pm.

AUDIT AND RISK COMMITTEE

BIANNUAL REPORT | JANUARY TO JUNE 2026

Introduction

East Gippsland Shire Council (Council) is required under section 53(1) of the Local Government Act 2020 (Act) to establish an Audit and Risk Committee (Committee). Section 54(1) of the Act further requires Council to adopt a Committee Charter (Charter) that outlines the Committee's objectives, authority, composition, tenure, roles and responsibilities, and its reporting, administrative and governance arrangements.

The previous report to Council highlighted the requirement for a Council review of the Committee Charter prior to the replacement of the current independent members whose terms were expiring. Several changes were incorporated in this review as outlined in the previous Audit Chair report. This was completed and adopted by Council at the 16 December 2025 Council meeting.

Since that time Council has completed the recruitment of a new independent chair for the Audit and Risk Committee and the replacement of one independent member.

The appointment of Mark Dupe as the independent chair and Sarah Philpott as the independent member were confirmed by Council at the meeting of 16 December 2025.

These appointments were the result of the required public advertising process undertaken by Council.

Since the appointments in December 2025, there have been two meetings held on 23 February 2026 and 25 May 2026.

The independent members were also provided with an out of cycle briefing by the management team on 24 April 2026.

Council has commissioned an independent review of Council's current and future financial sustainability options for Council's consideration. The independent members have been invited to participate as observers at the sessions being held with Council during this period.

The Committee, with two new independent members, has had a busy six months with a number of agenda items to be considered that had been waiting for the formation of the new Committee.

This report provides an outline of the matters considered and a summary of the Audit and Risk program for the period ahead.

Section 54(5)(a) of the Act also requires the Committee to prepare a biannual audit and risk report that outlines its activities, findings and recommendations. This report must be provided to the Chief Executive Officer (CEO) for tabling at the next practicable Council meeting.

This Report outlines the activities of the Committee for the period 1 January to 30 June 2026.

Membership

During the reporting period, the Committee comprised three Independent Members and two Councillor Members.

Independent Members

Mark Dupè (Chair)
Sarah Philpott
Susan Lloyd

Councillor Members

Mayor, Jodie Ashworth
Councillor Joanne Eastman

In accordance with the adopted Charter, the Committee now comprises three independent members (including the Chair), the Mayor of the day and another Councillor.

Meetings and Attendance

As detailed in the Charter, a quorum requires three or more members to be present, and the number of independent members present is equal to or greater than the number of Councillor members present.

Councillors who are not members of the Committee may attend meetings of the Committee as observers.

The Committee met twice during the reporting period:

Meeting Date	Type
23 February 2026	Ordinary Committee Meeting
25 May 2026	Ordinary Committee Meeting

The CEO, General Manager Business Excellence, Manager Governance and Regulatory Services and the Committee administrative team will, when practicable and appropriate, attend all meetings of the Committee. Other members of Council staff may be invited to attend meetings to present reports as required. Attendance during the reporting period is shown in **Table 1**.

Table 1

Member	Role	23 February	25 May
Mark Dupè	Independent Chair	✓	✓
Susan Lloyd	Independent Member	✓	x
Sarah Philpott	Independent Member	✓	✓
Cr Jodie Ashworth	Mayor	✓	✓
Cr Joanne Eastman	Councillor Representative	✓	✓

✓ = In Attendance x = Apology ∅ = Not Required

The agendas and minutes of all Audit and Risk Committee meetings are available for Councillors to access and review.

Internal Audit

A key responsibility of the Committee is to monitor Council's Internal Audit Program. The internal audit function is supported by the engagement of independent internal audit professionals to provide assurance, analysis and recommendations aimed at strengthening Council's governance, risk management and internal control frameworks.

The Committee continued to monitor the delivery of the endorsed 2025/26 Internal Audit Plan throughout the reporting period. This included oversight of audit progress, key findings, and management's response to recommendations.

A representative from Crowe Australasia attended Committee meetings during the reporting period to present audit findings, provide updates on the status of scheduled audits, and report on the implementation of agreed actions arising from previous audits. This engagement supports the Committee's role in maintaining oversight of internal controls and continuous improvement across Council operations.

Implementation of Audit Recommendations

In accordance with the Committee's Charter, the Committee is also responsible for monitoring progress on actions required to address issues identified through internal audit activities.

During the reporting period, the Committee received updates on the status of audit recommendations, including progress towards implementation and any delays or challenges impacting completion. This ongoing monitoring supports accountability and ensures that identified risks and control improvements are appropriately addressed.

Internal Audit Area	Number of Actions							
	In Quarterly Report	Completed	On Schedule	Behind Schedule	Not Commenced	On Hold	Not Updated	Withdrawn
Child Safety Standards	1		1					
Governance	1			1				
Procurement Tendering	1		1					
Workforce Planning	1	1						
Complaints Management	8		8					
Climate Change	6		6					

External Audit

The Victorian Auditor General's Office (VAGO) appointed RSD Audit to complete external audits of Council under the *Audit Act 1994*. A representative of RSD Audit attends meetings as required. The 2025/26 External Audit Strategy was presented to the February 2026 meeting. The Interim Management Letter from RSD Audit was presented and noted at the May 2026 meeting.

Annual Work Program

The meeting agenda is driven by the Committee's Annual Work Program, which was formally endorsed at the meeting held on 23 February 2026. The matters from the Annual Work Program considered by the Committee at each meeting are provided in **Table 2**.

Key Highlights

The key highlights for the Committee during the current reporting period were:

- The CEO update and presentation as the first agenda item at all meetings provides the Committee with an update on a range of issues the CEO considers of importance to the Committee. This also provides the Committee a direct dialogue with the CEO on these matters and for agreed actions to be noted, taken and confirmed.
- A continued focus on Council's risk management framework and policy enhancements noting the improvements achieved as Council continues on the implementation of the framework.
- The Organisational Performance reports were considered by the Committee with areas for focus and reporting back to the Committee resolved for management attention. Overall, the performance was positive with some areas for focus provided from the meeting updates during the period.
- The Financial Trends briefing for the period 2019–2026 was presented to the Committee. The Committee provided advice to Council in relation to options to consider for the 2026/27 budget process that is the responsibility of Council to formally resolve via Council processes.
- The Committee noted that the commissioning of an independent report into Council's ongoing financial sustainability had been proposed and that briefings commenced during this period.
- The Workforce Plan for 2025-2029 was received and noted by the Committee. The overall approach was supported with feedback for management consideration in some specific areas.
- The Committee received and noted the updated Council Procurement Policy; a legislative requirement passed by Council in December 2025.
- The Annual Compliance Report was received and noted (a statutory obligation). It was pleasing to note that no material non-compliance was evident during the reporting period.
- The Committee received a detailed briefing on the risks associated with the supply chain issues likely to result from the Iran-USA conflict. The Committee noted and supported the risks identified and the proposed actions and treatments.
- Local Government Performance Framework Report – half yearly update. The Committee noted the overall positive performance in the report.
- The Quarterly ICT and Cyber Security update provided reassurance that Council's core systems are stable and reliable. Compliance and monitoring of key controls was noted. The Committee identified some areas for Management to consider in future reporting processes.
- The Internal Audit Report reviewing Council's process for Open Space Contributions was considered and adopted.

Regular updates on the following matters were considered and resolved by the Committee:

- Councillors Expense Report
- Strategic Risk Management Reports and Activity
- Occupational Health and Safety Report. The Committee reviews ongoing performance and advice on trends or issues raised by the Management team.
- Major Insurance Claims and Legal Activities Report.
- Integrity Agency Matters from across the nation are provided to the Committee for review and consideration. Management highlights any issues or matters that are of relevance to the East Gippsland Shire Council.

The Committee also received and considered a number of reports that were confidential in accordance with section 3 of the Act. Accordingly, these have not been included in the above key highlights or areas of interest.

Table 2

✓ = Report tabled ✕ = Report to be rescheduled to future meeting

Audit and Risk Committee Annual Work Program 2026				
Reports	February		May	
	Planned	Actual	Planned	Actual
Officer Reports				
Quarterly CEO Update	✓	✓	✓	✓
Quarterly Organisational Performance Report	✓	✓	✓	✓
Quarterly Councillors' Expenses Report	✓	✓	✓	✓
Quarterly Strategic Risk Management Report	✓	✓	✓	✓
Quarterly Occupational Health and Safety Report	✓	✓	✓	✓
Quarterly Public Liability Incident and Claims Report	✓	✓	✓	✓
Quarterly ICT and Cyber Security Update	✓	✓	✓	✓
Annual LGPRF Report (6 Month Update)			✓	✓
Annual Fraud and Corruption Control Report			✓	✕
Annual Compliance Report	✓	✓		
Annual Asset Valuations			✓	✓
Audit Matters				
Internal Audit Plan Progress Update	✓	✓	✓	✓
Internal Audit Recommendations - Actions Update Report	✓	✓	✓	✓
Internal Audit Plan (3 Year Plan)	✓	✓		
Internal Audit Plan - Annual Endorsement of Audit Scopes			✓	✓
External Auditor - Financial Year Audit Strategy	✓	✓		
External Auditor - Interim Management Letter			✓	✓
Committee Matters				
Actions Arising Update	✓	✓	✓	✓
Annual Report - Completed Actions Arising	✓	✓		
Annual Work Program - Progress Report	✓	✓	✓	✓
Annual Performance Assessment			✓	✓
Emerging Issues				
Quarterly Emerging Issues Report	✓	✓	✓	✓

Reports	Planned	Actual	Planned	Actual
Unplanned Reports				
Victorian Auditor General's Office Report - Financial Management of Local Councils		✓		
Commission of Inquiry Report - Whittlesea City Council		✓		
Integrity Agency Actions Report		✓		
Financial Trends 2019-2026		✓		
Internal Audit Report - Climate Change		✓		
Annual Work Program 2026 - Adoption		✓		
Procurement Policy		✓		
Workforce Plan 2025-2029		✓		
Integrity Agency Actions Report (Status Update)		✓		✓
Integrity Agency Reports: Ombudsman, VAGO and Strathbogie Monitor				✓