



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

HELD IN KERNOT HALL, MORWELL AND VIA
AUDIO-VISUAL LINK
AT 6:00PM ON 06 MAY 2024
CM604

PRESENT:

Councillors:	Cr Darren Howe, Mayor	East Ward
	Cr Tracie Lund, Deputy Mayor	Central Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Dan Clancey	East Ward
	Cr Dale Harriman	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Georgia Hills	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager Regional City Planning & Assets
	Tim Ellis	General Manager Regional City Strategy & Transition
	James Rouse	Executive Manager
	Nathan Kearsley	General Manager Organisational Performance
	Zoe Speck	Manager Governance
	Peter Schulz	Coordinator Council Business
	Kaitlyn Boram	Governance Officer

Apologies: Nil

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Resolutions in this minutes document should be read in conjunction with the published agenda for the 06 May 2024 Council Meeting.

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor read the acknowledgement of the traditional owners of the land.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil

3. ADOPTION OF MINUTES

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council confirm the minutes of the Council Meeting held on 8 April 2024.

CARRIED UNANIMOUSLY

4. DECLARATION OF INTERESTS

Cr Howe declared a general interest in Item 8.1 Part A – 2023/24 Community Grant Program – Round 2

Cr Clancey declared a general interest in Item 8.1 Part B – 2023/24 Community Grant Program – Round 2

Cr Harriman declared a general interest in Item 8.1 Part B – 2023/24 Community Grant Program – Round 2

Cr Gibson declared a general interest in Item 8.1 Part C – 2023/24 Community Grant Program – Round 2

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In Accordance with the Governance Rules, members of the public can lodge a question on notice before 12 noon on the Friday before the day of the Council meeting in order for the question to be answered at the meeting. There was one public question on notice.

From: Kate Zizys

Topic: Dog Registration Across Latrobe City

Question: Why are Local Laws so under resourced and unsupported in terms of enforcing the State law and Council regulations regarding dog ownership and responsible walking (keeping dogs on leads) of dogs?

Response: The Local Laws team complete education activity and enforcement action within their delegated authority under the *Domestic Animals Act 1994* and the *Community Amenity Local Law No.2 2016* in respect to the community's obligations of pet ownership.

Where there is verified evidence of an offence being committed under the State or Local legislation, Officers have the powers to intervene by way of infringements or prosecution, depending on the offence.

It is the view of Council that the Local Laws team is currently resourced and supported sufficiently to prioritise and address matters as they arise.

Public Speakers

Members of the public who registered before 12 noon were invited to speak to an item on the agenda. There were three public speakers.

- Rachel Zeng from Johnson Winter Slattery spoke to Item 7.2 – Planning Scheme Amendment C131 (Updated Flood Overlays) – Consideration of Submissions
- Tony Salvatore spoke to Item 7.3 – Proposed Planning Scheme Amendment C143 (Public Acquisition Overlay) – Authorisation
- Anthony McLennan spoke to Item 12.1 – Notice of Motion 2024/04 – Engine Brake Signage, Princes Highway, Traralgon

STRATEGIC ITEMS FOR DECISION

6. STRATEGIC ITEMS FOR DECISION

Item Number 6.1 06 May 2024

Community Health and Wellbeing

EVENTS & VISITOR ECONOMY STRATEGY

MOTION

Moved: Cr Gibson

Seconded: Cr Harriman

That Council releases the draft Latrobe City Events and Visitor Economy Strategy 2024-2028 to the public for community consultation for a period of four weeks.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Latrobe City Events & Visitor Economy Strategy

TELECOMMUNICATION FACILITY/TOWER LEASES - PROPOSED COMMUNITY CONSULTATION

MOTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council:

- 1. Pursuant to section 115 of the Local Government Act 2020, advertises its intention to enter into a lease with Amplitel Pty Ltd (the tenant) for a telecommunications tower located on part of Crown Folio Volume 11792 Folio 64 identified as Tower 1.**
- 2. Agree to consider any submissions received pursuant to Section 55 of the Local Government Act 2020 at a future Council Meeting.**
- 3. Subject to the above recommendations and provided no submissions are received, agree to enter into a new lease with Amplitel Pty Ltd, on the proposed lease terms outlined below:**
 - 3.1. A. Proposed Tenant: Amplitel Pty Limited as trustee for the Towers Business Operating Trust ABN 75 357 171 746**
 - B. Demised Premises: Lease area of 100 square metres of reserve Crown land known as Neaves Road, Callignee;**
 - C. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease**
 - D. Term: 20 years;**
 - E. Rental: \$15,000 plus GST**
 - F. Rent Review: Adjusted annually by 3%; and**
 - G. Outgoings: All outgoings including utility services, public liability insurance, building and contents insurances to be payable by the Tenant.**
- 4. Pursuant to section 115 of the Local Government Act 2020, advertises its intention to enter into a lease with Optus Mobile Pty Ltd (the tenant) for a telecommunications tower located on part of Lot 1 on Title Plan 876353 identified as Tower 2.**
- 5. Agree to consider any submissions received pursuant to section 55 of the Local Government Act 2020 at a future Council Meeting.**
- 6. Subject to the above recommendations and provided no submissions are received, agree to enter into a new lease with the Optus Mobile Pty Ltd, on the proposed lease terms outlined below:**

- 6.1. A. Proposed Tenant: Optus Mobile Pty Ltd - ABN: 65 054 365 696;**
B. Demised Premises: Lease area of 100 square metres of reserve at Crinigan South Reserve, Morwell;
C. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease;
D. Term: 20 years;
E. Rental: \$15,000 plus GST
F. Rent Review: Adjusted annually by 3%; and
G. Outgoings: All outgoings including utility services, public liability insurance, building and contents insurances to be payable by the Tenant.
- 7. Provided no submissions are received, delegates to the Chief Executive Officer authority to enter into lease agreements with both tenants.**

CARRIED UNANIMOUSLY

Attachments

Nil

STATUTORY PLANNING

7. STATUTORY PLANNING

Item Number 7.1

06 May 2024

Regional City Planning and Assets

PLANNING PERMIT APPLICATION 2023/186 MULTI-LOT SUBDIVISION OF LAND, REMOVAL OF EASEMENT, AND REMOVAL OF NATIVE VEGETATION

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Permit for a multi-lot subdivision of land, removal of easement, and removal of native vegetation at Young Street, Boolarra subject to conditions at Attachment 1 to this report.

MOTION

Moved: Cr Ferguson

Seconded: Cr Gibson

That Council defer consideration in order to undertake consultation with the objectors about the specifics regarding non-permanent springs and floodways and general features of their land and that a report be brought to a future Council meeting.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 6.28pm

The meeting resumed at 6.36pm

Attachments - Refer to Council Meeting Agenda

1. Attachment 1 Draft conditions
2. Attachment 2 Plans of the proposal
3. Attachment 3 Copy of objections (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Objections contain names, addresses and contact details of residents.

4. Attachment 4 Location of objectors (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Map shows addresses of objectors.

5. Attachment 5 Response to objections

6. Attachment 6 Planning Policy Assessment

7. Attachment 7 Clause 56 Assessment

Agenda Item: 7.2

Agenda Item: Planning Scheme Amendment C131 (Updated Flood Overlays) - Consideration of Submissions

Sponsor: General Manager, Regional City Planning and Assets

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Having formally considered all written submissions received to Amendment C131 notes the issues raised by the submissions and the officer's response to those issues, as outlined in (Attachment 2);**
- 2. Request the Minister for Planning appoint a planning panel to consider submissions received for Amendment C131, in accordance with Part 8 of the *Planning and Environment Act 1987*;**
- 3. Refer submissions to the planning panel appointed by the Minister for Planning;**
- 4. Endorse the officer's response to the issues raised by submissions and the recommended changes to Amendment 131, as outlined in Attachments 2 and 3, as the basis for Council's submission to the planning panel; and**
- 5. Advise those persons who made written submissions to Amendment C131 of Council's decision.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Copy of Submissions
2. Summary of Submissions Table
3. Post-Exhibition Changes Table
4. Explanatory Report
5. Instruction Sheet
6. Combined Policy for Amendment C131
7. Combined Maps for Amendment C131
8. Background for Amendment C131

Agenda Item: 7.3

Agenda Item: Proposed Planning Scheme Amendment C143 (Public Acquisition Overlay) - Authorisation

Sponsor: General Manager, Regional City Planning and Assets

MOTION

Moved: Cr Middlemiss

Seconded: Cr Law

That Council:

- 1. Endorse the draft Site Assessment Documents, provided at Attachment 6, for Public Exhibition as part of Amendment C143;**
- 2. Request Authorisation from the Minister for Planning to prepare and Exhibit Amendment C143 to the Latrobe Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987*;**
- 3. Prepare Amendment C143 to the Latrobe Planning Scheme to apply the Public Acquisition Overlay in favour of Latrobe City Council to give effect to the Site Assessment Documents, generally in accordance with the documentation provided at Attachments 4, 5, 6, 7 and 8, subject to Ministerial Authorisation; and**
- 4. Place Amendment C143 on Public Exhibition in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. List of properties affected and DCP property identifier maps (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

2. Legal advice (Published Separately)

This attachment is designated as confidential under subsection (e) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to legal privileged information, being information to which legal professional privilege or client legal privilege applies. Legal advice sought by Council.

3. Table of facilitated DCP projects and the cost recouped by the DCP (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

4. Proposed ordinance for affected clauses (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

5. Proposed planning scheme maps (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

6. C143 Site Assessments for PAO2 and PAO3 (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

7. Amendment C143 Explanatory Report (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

8. Amendment C143 Instruction Sheet (Published Separately)

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

9. Summary of engagement (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Act: s3(1)

Code: f

Reason: Summary of meetings engagement which reasonably could be used to identify personal information about landowners and contractual information.

CONSIDERATION OF AMENDED PLANS FOR PLANNING PERMIT APPLICATION 2022/233 AT 23 DUNBAR ROAD, TRARALGON

MOTION

Moved: Cr Harriman

Seconded: Cr Clancey

That Council amend the refusal grounds in the Notice of Refusal to Grant a Planning Permit, as per Attachment 1 to this report.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Attachment 1 - Amended Grounds of Refusal
2. Attachment 2 - Amended Plans for Consideration
3. Attachment 3 - Previously considered plans
4. Attachment 4 - Aerial Map of site with amenity buffer
5. Attachment 5 - Policy Assessment
6. Attachment 6 - Clause 55 Assessment
7. Attachment 7 - Clause 56 Assessment

CORPORATE ITEMS FOR DECISION

8. CORPORATE ITEMS FOR DECISION

Item Number 8.1 06 May 2024

Community Health and Wellbeing

2023/24 COMMUNITY GRANT PROGRAM - ROUND 2

MOTION

Moved: Cr Middlemiss

Seconded: Cr O'Callaghan

Part A

That Council approves 33 applications in the amounts stated as set out in Attachment A and releases publicly a list of the successful applicants.

Part B

That Council approves two applications in the amount stated as set out in Attachment B and releases publicly a list of the successful applicants – East Ward.

Part C

That Council approves one application in the amount stated as set out in Attachment C and releases publicly a list of the successful applicants – West Ward.

CARRIED UNANIMOUSLY

The Mayor, Cr Clancey, Cr Gibson and Cr Harriman left the meeting at 6.49pm

The Deputy Mayor assumed the chair at 6.49pm

The Mayor, Cr Clancey, Cr Gibson and Cr Harriman returned to the meeting at 6.56pm

The Mayor resumed the chair at 6.56pm

Attachments - Refer to Council Meeting Agenda

1. Attachment A - 2023-24 Community Grant Program Round 2 - Recommended and Not Recommended (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

2. Attachment B - 2023-24 Community Grant Program Round 2 - Declared Conflict of Interest - East Ward (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

3. Attachment C - 2023-24 Community Grant Program Round 2 - Declared Conflict of Interest - West Ward (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

REVIEW OF COUNCIL DELEGATIONS

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Gibson

That Council:

- 1. In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation at Attachment 1, resolve that:**
 - a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument;**
 - b) the Instrument comes into force immediately after the common seal of Council is affixed to the instrument;**
 - c) on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and**
 - d) the duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. S6 Instrument of Delegation - Members of Staff - April 2024 (Published Separately)

TOURISM & MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATION - APRIL 2024

MOTION

Moved: Cr Harriman

Seconded: Cr Gibson

That Council:

- 1. Adopt the recommendations of the Tourism and Major Events Advisory Committee and authorises officers to enter into a suitable agreement to fund the following events through the annual Major Events Attraction budget:**
 - **2024 National Outdoor Education Conference (4 – 6 December 2024) for \$9,000.**
 - **2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am (held annually in November) for \$15,000 per year, for three years.**
 - **2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships (held annually in January) for \$15,000 per year, for two years.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. 2024 National Outdoor Education Conference, Major Event Assessment
2. 2024 - 2026 Latrobe City Win Network Golf Pro Am, Major Event Assessment
3. 2025 - 2026 AGL Loy Yang Traralgon International Junior Tennis Championships, Major Event Assessment

OPENING ITEM FOR COUNCIL MEETING AGENDA

MOTION

Moved: Cr Gibson

Seconded: Cr Harriman

That Council undertake a four week community consultation on the following options for the opening of each Council meeting:

- 1. Each Councillor has the opportunity to make their own statement of commitment.**
- 2. The Mayor on behalf of all Councillors reads a statement of commitment:**
 - a. As Councillors, we are committed to working towards a shared vision that supports the aspirations of the Latrobe City community. We pledge to uphold the principles of good governance in making informed decisions that serve the best interests of our community.**
 - OR**
 - b. As Councillors, we stand united in our pledge to ensure that decisions are well-informed and guided by the best interests of our community**
- 3. Councillors undertake a time of silent reflection**

That Council receive a further report at a future Council meeting detailing the responses received.

For Crs Harriman, Ferguson and Gibson

Against: Crs Clancey, O'Callaghan, Law, Middlemiss, Howe and Lund

LOST

MOTION

Moved: Cr Clancey

Seconded: Cr Lund

That Council note and receive the information in this report.

For Crs Clancey, O'Callaghan, Law, Middlemiss, Howe and Lund

Against: Crs Harriman, Ferguson and Gibson

CARRIED

The Mayor adjourned the meeting at 7.16pm

The meeting resumed at 7.23pm

Attachments

Nil

URGENT BUSINESS

9. URGENT BUSINESS

Nil Reports

REPORTS FOR NOTING

10. REPORTS FOR NOTING

Item Number 10.1 06 May 2024

Regional City Strategy & Transition

DEVELOPMENT OF A LATROBE CITY TRANSPARENCY HUB

MOTION

Moved: Cr Ferguson

Seconded: Cr Gibson

That Council:

- 1. Receive and note this report in relation to the feasibility of the development of a Transparency Hub for Latrobe City Council.**
- 2. Approve Officers to continue to consolidate information made available to the community via the existing Latrobe City Council website; and**
- 3. Consider, as part of the 2025/26 Budget, funding for a cost-effective technical solution to consolidate information on a Transparency Hub on Council's website.**

CARRIED UNANIMOUSLY

Attachments

Nil

QUARTERLY BUDGET REPORT - MARCH 2024

MOTION

Moved: Cr Law

Seconded: Cr Clancey

That Council receive and note the Budget Report for the Quarter ended 31 March 2024, prepared in accordance with the requirements of the Local Government Act 2020.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. March 2024 Quarterly Finance Report

CONTRACT VARIATIONS FOR THE PERIOD 1 JANUARY 2024 - 31 MARCH 2024

MOTION

Moved: Cr Clancey

Seconded: Cr Middlemiss

That Council receive and note the report on contract variations for the period 1 January 2024 to 31 March 2024.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Contract Variations - Details
2. Contract Variations - Summary
3. Contract Variations - Exceeding 25%

11. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

12. NOTICES OF MOTION

Item Number 12.1 06 May 2024

Chief Executive Office

NOTICE OF MOTION 2024/03 - FUNDING OF AUSTRALIAN CARBON INNOVATION

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

- 1. That the Mayor, on behalf of Council, write to the Victorian State and Commonwealth Governments to advocate for funding to Australian Carbon Innovation to enable their ongoing work to explore the opportunities of low emission, high value products from Victoria's largest single natural resource - lignite.**
- 2. That copies of this correspondence, with a request for support, be forwarded to all State and Federal parliamentarians representing Gippsland based electorates and relevant Gippsland organisations active in economic development advocacy.**

CARRIED UNANIMOUSLY

Attachments

Nil

NOTICE OF MOTION 2024/04 - ENGINE BRAKE SIGNAGE - PRINCES HIGHWAY, TRARALGON

MOTION

Moved: Cr Harriman

Seconded: Cr Ferguson

That Council write to the Minister for Roads and Road Safety and elected State representatives advocating that a "No Engine Brakes" sign is installed on the corner of the Princes Highway and Lafayette Street, Traralgon, to address community concerns.

CARRIED UNANIMOUSLY

Attachments

Nil

ITEMS FOR TABLING

13. ITEMS FOR TABLING

Nil reports

14. ACKNOWLEDGEMENTS

Cr O'Callaghan acknowledged AFL Gippsland on their recent Gather Round.

Cr O'Callaghan acknowledged local designer Emily Kenter on being invited to participate in Paris Fashion Week.

Cr Middlemiss acknowledged all who were involved in organising the various services held on ANZAC day.

Cr Ferguson acknowledged the Country Crew, volunteers and local businesses that were part of the recent Gippsland FM fundraiser.

Cr Gibson acknowledged the United Muslim Sisters of Latrobe Valley and their Eid festival held at Old Gippstown.

Cr Howe acknowledged the 50th birthday of Massaro Motors.

Cr Howe acknowledged Jazmin Shelley on being drafted by the Phoenix Mercury in the WNBA.

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

15. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the *Local Government Act 2020* enables Council to close the meeting to the public to consider *confidential information* as defined in that Act.

MOTION

Moved: Cr Gibson

Seconded: Cr Lund

That Council pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020* (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:

- 15.1 Geothermal at the Gippsland Regional Aquatic Centre**
This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)). This ground applies because Contents of the report may be subject of a future legal process.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 8.06pm.

There being no further business the meeting was declared closed at 8.08pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____