



# Minutes Council Meeting

**Tuesday 26 April 2022 at 6:00 pm**

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

*Councillors*

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

*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

Welcome to East Gippsland Shire Council's meeting of Tuesday 26 April 2022.

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

The East Gippsland Shire Council live streams, records and publishes its meetings via webcasting. During the meeting, any members of the public who are addressing the Council will have their image and comments recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

In line with the *Local Government Act 2020* Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

If Council encounters technical difficulties with the livestreaming during the meeting, we will adjourn until the issue is resolved. If technical issues can't be resolved the meeting may be postponed to a later time or date.

A member's attendance can only be recorded as present at a Council meeting when the member can confirm that they meet all of these criteria:

1. They can hear proceedings;
2. They can see other members in attendance and can be seen by other members;
3. They can be heard (to speak).

I will now confirm with Councillors Van Diggele, White and Buckley that they can see, hear and be heard and to note assurance that the location that they are participating from is secure to ensure deliberations are confidential.

- Can you see and hear us?
- Can you confirm that the location you are participating from is secure to ensure confidential items are dealt with in a confidential manner?

Councillors Van Diggele, White and Buckley confirmed.

## 1.2 Apologies

Nil

### **1.3 Declaration of Conflict of Interest**

Anthony Basford Chief Executive Officer declared a conflict of interest in item 7.2 *Chief Executive Officer Employment and Remuneration Committee Report*, as a material interest due to the matter relating directly to his employment.

Peter Cannizzaro General Manager Business Excellence declared a conflict of interest in item 7.2 *Chief Executive Officer Employment and Remuneration Committee Report*, as a general interest due to the matter relating to his direct report at his place of employment.

### **1.4 Confirmation of minutes**

***Cr Jane Greacen OAM / Cr Trevor Stow***

***THAT THE MINUTES OF THE COUNCIL MEETING HELD TUESDAY 5 APRIL 2022 BE CONFIRMED.***

***CARRIED***

### **1.5 Next meeting**

The next Council Meeting of Tuesday 17 May 2022 to be held at the Genoa Public Hall, 4642 Princes Highway, Genoa commencing at 1.30 pm.

### **1.6 Requests for leave of absence**

Nil

## 1.7 Open Forum

### Public Submission

Ms Julie Musatics

#### 1.7.1 Petitions

##### 1.7.1.1 East Gippsland being an Inclusive and Innovative Community

Authorised by General Manager Business Excellence

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### Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

### Executive Summary

This report informs Council of a petition received on 7 April 2022 submitted by Ms Tina Jennion from Lindenow seeking East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community. The petition from 78 petitioners states:

*We, the undersigned, hereby petition East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community.*

*Our demands are:*

- 1. Remove all access restrictions to community venues, services, and facilities against the unvaccinated; and*
- 2. Cease and desist from any and all forms of discrimination within the Council against the unvaccinated.*

The petition has been received and presented in accordance with Governance Rule 7.7.

*Note: Councillors have been provided a copy of the petition separately. In the interests of respecting the privacy of signatories, and in accordance with the Privacy and Data Protection Act 2014, a copy of the petition has not been included with this report.*

## **Motion**

***Cr Arthur Allen / Cr Sonia Buckley***

***That Council:***

- 1. receives and notes this report;***
- 2. receives the petition lodged by Ms Tina Jennion requesting East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community by:***
  - a. removing all access restrictions to community venues, services and facilities against the unvaccinated; and***
  - b. ceasing and desisting from any and all forms of discrimination within Council against the unvaccinated.***
- 3. refers the petition to the General Manager Place and Community for consideration and response; and***
- 4. notes that Council officers will write to the head petitioner advising them of these actions.***

**CARRIED**



### 1.7.2 Questions of Council

Ms Margaret MacQueen submitted the following question:

*"In line with Victoria Government's Urban Design Guidelines, could the Council advise where public open spaces have been planned to support the proposed growth in residential properties in Paynesville. I proposed a public space for the land at 8 Newlands Drive. How was that proposal received by Council?"*

Stuart McConnell General Manager Place and Community provided a response which is summarised below:

Paynesville Structure Plan includes linear open space throughout the growth area and cycle/pedestrian connections to larger areas on the foreshore. Paynesville has very significant open space areas set aside including significant foreshore reserves and Freeman Reserve and Gilsenan Reserve.

On the agenda tonight we have a planning application in relation to 8 Newlands Drive. The assessment of the application takes into consideration the need for and provision of public open space facilities. The proposal is a conventional density residential subdivision, for infill development within an existing settlement area

There are public recreation areas within 100 metres of the site to the southeast (Paynesville Foreshore) and 200 metres north (Freeman Reserve). Paynesville Foreshore/Progress Jetty redevelopment is planned for design in the 2022/23 financial year and construction to commence in 2023. Further passive recreation space is proposed within the Paynesville Growth Area Precinct Structure Plan area to the western extent of Paynesville.

Proposed Conditions of approval include a requirement for a cash public open space contribution consistent with the requirements of Section 18 of the *Subdivisions Act* 1988 and Clause 53.01 of the East Gippsland Planning Scheme. In consideration of these factors, on-site public open space is not considered necessary nor desirable, and the cash contribution will contribute to upgrades of the existing facilities.

### 1.7.3 Public Submissions

Ms Julie Musatics spoke in relation to item 1.7.1.1 and spoke at that item.

Mr Robert Love spoke in relation to item 2.1 and spoke at that item.

Ms Tina Jennion spoke in relation to item 2.1 and spoke at that item.

Mr Michael Murphy spoke in relation to item 2.1 and spoke at that item.

Ms Cosette Murphy spoke in relation to item 2.1 and spoke at that item.

## 2 Notices of Motion

### Public Submission

Mr Robert Love  
Ms Tina Jennion  
Mr Michael Murphy  
Ms Cosette Murphy

### 2.1 3/2022 State Government Imposed Mandates

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Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00pm or at any adjournment of that meeting:

***That Council requests a comprehensive explanation from The Hon. Martin Foley Minister for Health, inclusive of health data, science and any empirical evidence that was used to support the Victorian State Government's decision to implement Vaccine Mandates and Lockdowns.***

**Signed: Cr Sonia Buckley**

Date: 13 April 2022

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### Rationale

Mandates are in direct conflict with the East Gippsland Shire Council Plan, and it creates division, discrimination and loss of civil liberties against some rate payers who have been refused access to buildings, services, and events.

Key Definitions as outlined in the current East Gippsland Shire Council Plan 2021-2025:

- Equitable Access - Individuals have fair and socially just opportunities to access services, information, programs, facilities, and opportunities to engage in civic life regardless of diversity and location;
- Diversity of People - Diversity is any dimension that can be used to differentiate groups and people from one another including age, gender, ethnicity, religion, ability, sexual orientation, education, national origin, and socio-economic status; and
- Inclusion - Inclusion is a universal human right. Inclusion ensures all people regardless of age, ability, race, gender, or other need, have equal access and opportunities to fully participate without discrimination and intolerance.

Mandates block our Council's ability to achieve: Strategic Objective 1: "An inclusive and caring community that respects and celebrates diversity". "Our Communities will include, encourage, respect and value all others "strive to provide equitable access to their services, support and facilities".

It recently came to light through a Freedom of Information application in South Australia, that the underlying data and evidence to support the South Australian mandates did not exist. Subsequently some workplace mandates have now been dropped.

Restrictive non-pharmaceutical interventions against COVID-19 (known as 'lockdowns') are associated with health harms and negative socioeconomic effects.

## **Motion**

***Cr Sonia Buckley / Cr Trevor Stow***

***That Council requests a comprehensive explanation from The Hon. Martin Foley Minister for Health, inclusive of health data, science and any empirical evidence that was used to support the Victorian State Government's decision to implement Vaccine Mandates and Lockdowns.***

***LOST***

Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00 pm or at any adjournment of that meeting:

***That Council:***

- 1. works in partnership with relevant stakeholders including housing sector service providers, to investigate and identify funding opportunities to increase the provision of social housing and respond to homelessness in East Gippsland.***
- 2. writes to the Minister for Housing, the Hon Richard Wynne advising him of Council's willingness to partner with all parties to deliver housing outcomes for our Shire.***
- 3. investigates and identifies existing Council owned and other land that could be considered suitable for the development of new social housing.***
- 4. provides planning support and advice for any social housing development, reporting to Council if there is any material financial implications or requests related to the support.***
- 5. nominates a Councillor to the Outer Gippsland Youth Housing and Support Model - Working Group.***

**Signed: Cr Kirsten Van Diggele**

Date: 19 April 2022

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**Rationale**

We are the level of government that works closest to the people and we play an active role in providing frontline services that underpin the management of our region. Every day, we contribute to the wellbeing of our communities. By putting forward this motion, I want to put the message out there to our community that the East Gippsland Shire Council recognises the complexities of homelessness and considers the need for social and affordable housing options in our region.

I want to start by mentioning that homelessness and housing insecurity doesn't discriminate – it can happen to anyone. There are many things that can cause homelessness and housing insecurity, including but not limited to: domestic violence, unemployment, mental health, family break down, and currently, a skyrocketing housing market.

I acknowledge that local government doesn't typically play a role in the provision of social and affordable housing. However, we do play a role in advocating to the State and Federal Government for appropriate funding. At the moment, the Big Housing Build is investing \$5.3 billion to build more homes for Victorians, however, East Gippsland is yet to have a guaranteed investment. Through this notice of motion, we will be writing to Minister for Housing, the Hon. Richard Wynne, expressing our willingness to partner with all parties to deliver housing outcomes for our region, as well as stating that the East Gippsland Shire Council will identify existing parcels that could be suitable to social and affordable housing projects.

Unfortunately, we do not have current statistics regarding the rates of people experiencing or at risk of homelessness, as the most recent Census data was released in 2016. However, on Census night in 2016, 24,825 people were homeless in Victoria. At the bottom of this rationale, which I will not read out but can be viewed at a later date if you are interested, I have included statistics sourced from the Victorian Housing Register that show the number of affordable housing stock and new lettings in East Gippsland, as well as the number of people trying to access them. We do not have enough housing stock to meet the needs of our community. The ABS defines homelessness as 'when a person does not have suitable accommodation alternatives, they are considered homeless if their current living situation: is in a dwelling that is inadequate, has no tenure, or does not allow them to have control of, and access to space for social relations'. Homelessness takes many different forms, including sleeping rough, squatting, couch-surfing, or in short-term accommodation. Can you imagine the feeling of not knowing where you are going to sleep tonight? Can you imagine the constant instability that will affect all areas of your life?

There is already a group, chaired by GEGAC and Chris McNamara from the Gippsland Homelessness Network, that is working towards securing funding for a Youth Housing and Support Model for Outer Gippsland. By allocating a Councillor to sit on this committee, we show our support for the project and explore how Council can assist the working group in the future. They are currently developing a business case through Cath Smith from Changesmith Consulting.

To summarise, the East Gippsland Shire Council is not directly responsible for supporting the needs of the homeless or those at risk of homelessness, but we are in a position to identify any existing parcels of land that could be used for the development of social and affordable housing. We play a role in facilitating the planning, approval and development of land deemed appropriate for such purposes, by making things such as re-zoning a smoother, quicker process. We cannot wait until years down the track to have a Housing Strategy, and we don't have years to wait to tap into the current state government funding that is available to our region. We need to be proactive in this space and show that we support the vulnerable people in our community to find a safe, secure house for them to call home.

## **Motion**

***Cr Kirsten Van Diggele / Cr Jane Greacen OAM***

- 1. works in partnership with relevant stakeholders including housing sector service providers, to investigate and identify funding opportunities to increase the provision of social housing and respond to homelessness in East Gippsland;***
- 2. writes to the Minister for Housing, the Hon Richard Wynne congratulating and thanking him for recent announcements regarding social housing in Bairnsdale and advising him of Council's willingness to partner with all parties to deliver additional housing outcomes for our shire;***
- 3. investigates and identifies existing Council owned and other land that could be considered suitable for the development of new social housing;***
- 4. provides planning support and advice for any social housing development, reporting to council if there is any material financial implications or requests related to the support; and***
- 5. nominates a Councillor to the outer Gippsland Youth Housing and Support Model - Working Group.***

**CARRIED**

Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00 pm or at any adjournment of that meeting:

***That Council writes to the Minister for Agriculture the Hon. Mary-Anne Thomas requesting the Victorian State Government deliver on their public commitment to build a nursery facility at the former P.R. Adams sawmill site at Nowa Nowa, to aide plantation establishment, as part of the Gippsland Plantations Investment Program, including undertaking the steps required to fully remediate and decontaminate the area so it is fit for purpose.***

**Signed: Cr Tom Crook**

Date: 19 April 2022

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### **Rationale**

The Victorian Forestry Plan identified and publicly committed to build a nursery facility at Nowa Nowa. The site has now been found to be contaminated and the commitment abandoned. The Victorian State Government should honour its commitment to the Nowa Nowa community and the economic future of all communities in East Gippsland.

### **Motion**

***Cr Tom Crook / Cr Jane Greacen OAM***

***That Council writes to the Minister for Agriculture the Hon. Mary-Anne Thomas requesting the Victorian State Government deliver on their public commitment to build a nursery facility at the former P.R. Adams sawmill site at Nowa Nowa, to aide plantation establishment, as part of the Gippsland Plantations Investment Program, including undertaking the steps required to fully remediate and decontaminate the area so it is fit for purpose.***

**CARRIED**

### 3 Deferred Business

Nil

### 4 Councillor and Delegate Reports

#### 4.1 Cr John White

Cr John White provided a verbal update.

#### 4.2 Cr Kirsten Van Diggele

Cr Kirsten Van Diggele provided a verbal update.

#### 4.3 Cr Sonia Buckley

Cr Sonia Buckley provided a verbal update.

#### 4.4 Cr Arthur Allen

Cr Arthur Allen spoke to his written report at page 16.

#### 4.5 Cr Tom Crook

Cr Tom Crook provided a verbal update.

#### 4.6 Cr Trevor Stow

Cr Trevor Stow provided a verbal update.

#### 4.7 Cr Jane Greacen OAM

Cr Jane Greacen OAM spoke to her written report at page 16.

#### 4.8 Cr Mendy Urie

Cr Mendy Urie spoke to her written report at page 18.

#### 4.9 Cr Mark Reeves

Cr Mark Reeves spoke to his written report at page 18.

## **Councillor Reports**

### **Cr Arthur Allen**

#### South East Australian Transport Strategy Inc (SEATS) Meeting

It has been a busy few week. On April 7 and 8 2022, East Gippsland Shire hosted the quarterly meeting of SEATS at Lakes Entrance.

Fiona Weigall General Manager Assets and Environment gave a presentation on our Shire's current works and priorities as well as an overview of the Shire. In her presentation she spoke of the absurdity of funding requirements in response to disasters etc., the assets must be replaced not improved. This led to animated discussion and a resolution that SEATS adopt a position for the coming State and Federal elections that in future assets affected by such events be replaced to improve resilience.

Strategy for the coming elections was decided. Rather than Shire by Shire it was decided to address priorities on electorate basis, and that the priority be given to projects that benefited all shires in that electorate. As such high priority was given to the Mitchell bridge and the Great Alpine Road as major arterials . Included was the alternate route around Sale upgrades and planning for the Traralgon bypass. The issue of travel times to Melbourne was also discussed.

The East Gippsland Field Days were once again a great event and a credit to the organisers.

On 12 April 2022, I attended the launch of the Gippsland Business Awards at Traralgon. It was a very well attended event, now the hunt is on for nominations for this year's awards.

On the 14 April 2022, I, along with the Anthony Basford Chief Executive Officer, met with Cr David Clarke for an informative catch up on all things Municipal Association of Victoria (MAV), a particularly timely meeting given the MAV annual meeting is almost upon us.

### **Cr Jane Greacen OAM**

8 April 2022: I attended a zoom meeting on the East Gippsland Resilience Project – Findings and Recommendations. The discussion was about Community Leaders, resilience, developing a shared purpose, and eco-systems. In the context of the disasters that have been happening in East Gippsland for some years now, it was about moving from shock to surviving, then to transforming.

9 April 2022: I attended the Field Day, at the excellent East Gippsland Shire marquis with the three Grown-Caught-Made businesses, who all did quite well from me (as well as the many visitors) buying their delicious goods, and watching the cooking demonstration with some youngsters who were keen to learn. It was so good to be there and visit the other displays and activities. It was a fine day and everyone was enjoying themselves. Congratulations to the Shire staff who put it together. It was excellent. The woman in the recycle bin had a great time with any unsuspecting child walking by.

9 April 2022: I went to the Skate and Scooter competition at the Bairnsdale skate park. It was very well run, and the kids had a ball. They all took it very seriously – the tiny children to the teenagers. I loved it. It's a great event, and I would like to see it expanded so that there are more events like this in all the towns in East Gippsland; they could be linked with the events held around the coast; and with professional coaching and demonstrations. One of the mothers I sat with had just taken her kids to a similar event in Eden and talked about events held in different towns in NSW each month. Some shade would be good for supporters.



10 April 2022: I was invited to attend Fora #4, FLOAT/School of Untourism. I missed the kayaking, discussion from Karin Traeger (CEO Yarra River Keeper Association), Josh Willoughby's outdoor printing workshop, and lunch, but I arrived in time for Isaac Carne Cespedes talk on the Emerald Link; Josephine Jakobi's talk on her Observatorium; and Kate Rich's Feral MBA – plans for a Floats Communiversity Curriculum. An amazing group of people in deep philosophical discussion on FLOAT.

11 -13 April 2022: Professor Lucie Walters and Susi Tegen of the Australian Remote Medical Academy were in Bairnsdale to talk about the progress of the establishment of this unique medical school. It will be based initially at 4 rural and remote sites and will commence with 5 students in each site. The students will complete their entire training in these sites, and 50% will be Aboriginal. There is a lot of interest from the local Aboriginal Community and the local GPs. The Hospital is supportive as is Darren Chester and the East Gippsland Shire Council. The hope is that it could commence in 2023.

15 April 2022: The Lakes Entrance Ice Works Makers Market was a lovely mix of jewellery, art, works in wood and sculpture.

17 April 2022: I was lucky to be invited to "A Tiny Festival of Practice" at Rosalind Crisp and Andrew Morrish's Orbost Dance Studio. We were privileged to watch and listen to 8 performers who had created their work in the previous days or improvised on the spot. It was inspirational and delightful. Food for the soul.

25 April 2022: I represented Council at the South Buchan ANZAC day event. What an inspirational day, organised by Evelyn from the Neighbourhood house and supported by the local Historian Society. There were 50 RAAF Officers Training students present in their jungle blues; the 13<sup>th</sup> Light Horse Brigade; and the catafalque party started the ceremony with a very moving reverse arms drill, facing outward from the memorial (a symbolic statement of respect for the fallen). A wonderful speech with notes from letters of a Buchan soldier, and history of the 26 men from Buchan who left their homes to fight in the 1<sup>st</sup> WW. And a child from the local primary school also spoke. I felt very privileged to have been there.

I spoke with community members there, and the talk quickly went to the importance of ongoing recovery support across the many aspects of individuals, the community and town's recovery. One issue of utmost importance is the need for government and aid organisations involved in providing supports or grants, to understand that in some respects, the need for help is only now beginning to manifest. Mental health support being a key one. The withdrawal of funding for these services later this year is coming at the worst time.

## **Cr Mendy Urie**

Easter - Apparently very busy anecdotally. Eagle Point Caravan park very full and busy, despite need for decreased water activity.

Congratulations to staff for having some key bits of infrastructure finished prior to Easter - Eagle Point Jetty new top and North Arm Boat ramp.

8 April 2022 - Field Days - Happy to be present in the East Gippsland Shire Council tent. There was a vibrant buzz with focus on local produce. Reduced number of displays/vendors at the Field Days, apparently due to inability to source stock/machinery.

17 April 2022 - (with Cr Greacen) - Omeo Dance performance in Orbost. Wonderful gem.

21 April 2022 - Agriculture Sector Advisory Committee. Observer. Very full meeting as usual with lots of interesting / useful items on the agenda.

25 April 2022 - I attended ANZAC Day in Mallacoota. Very well attended dawn service and 10:30 am street-march and service. HMAS Choules with their Commanding Officer and Leut Chris Connley and 22 service men and women also present and warmly welcomed. 25 Quilts for Heros/Choules were presented. Gift also received on behalf of East Gippsland Shire Council.

## **Cr Mark Reeves**

Wunman njinde

We note the Field Days this year were a healthy success. Well done to the Lindenow Lions. Well done to Ron Alexander and the team there.

Australian Rural Leadership Foundation had 29 participants spend a 5-day residential in East Gippsland. We note and thank the generosity of Bulmers Farms in hosting their dinner.

We suffered another deluge during the intervening period that caused the Princes Highway to be closed from Orbost to Genoa for several days, and the Marlo road closed again (fifth time in six months) due to flood.

Easter was a great time in across the shire and in particular in Marlo. The town was full, and I thoroughly enjoyed being MC at the Marlo Primary School fete. The school raised over \$15,000.

We were thankful that ParkVic managed to reopen the Conran campground in time for the Easter holidays. The Yeerung area was significantly impacted by floods, inundating and washing away some key infrastructure.

The new Triangle Park playground in Marlo is a wonderful new asset for the community, already oved and well used.

ANZAC day was well attended across the shire. I was privileged to be with the Orbost RSL sub-branch at Orbost. There was 500+ at the dawn service and about the same number at 11.00 am.

I was stricken by COVID in this period. It was a very unpleasant experience. I can definitely empathise with those who have also suffered.

Today we conducted a wonderful citizenship ceremony where 29 new citizens were welcomed as Australian Citizens. We were grateful for the excellent work of the shire officers who made a serious and important ceremony enjoyable and accessible and to the four Councillors who attended: Greacen, Allen, Urie and Stow.

## 5 Officer Reports

### 5.1 Assets and Environment

#### 5.1.1 Community Infrastructure Grants Program

Authorised by General Manager Assets and Environment

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##### **Conflict of Interest**

Officers preparing this report have no conflict of interest to declare.

##### **Executive Summary**

This report presents the recommendations for the allocation of one-off Community Infrastructure Grant Funding.

The purpose of the Community Infrastructure Grants Program is to provide a funding opportunity for East Gippsland based community groups and organisations. This one-off program was set up to support a wide range of infrastructure projects that provide a high level of benefit to the East Gippsland Community.

The guidelines for the Community Infrastructure Grants Program 2022 is provided at **Attachment 1**.

The program attracted good interest with 27 applications received and 16 projects recommended for funding.

## Motion

**Cr Trevor Stow / Cr Tom Crook**

***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. approves the allocation of \$486,748 from the Community Infrastructure Grants Program in the 2021/22 fiscal year for recommended projects as listed below:***

<b>Organisation</b>	<b>Amount (ex GST)</b>	<b>Project Title</b>
Lindenow Recreation and Bowling Club	\$13,760	Lighting upgrade (conditional - Structural assessment of light poles required prior to installation)
Lakes Entrance Mechanics Institute Management Committee Inc.	\$13,636	Mechanics Hall Solar Panel Project (conditional - Structural assessment of the roof required prior to installation)
Nowa Nowa Hall Committee Inc.	\$16,448	Nowa Nowa Public Hall Renewal Project
East Gippsland Rail Trail Committee of Management Inc.	\$29,090	Solar lighting in tunnels
Omeo District Health	\$45,000	Community Gym Equipment
Bairnsdale Squash & Racquetball Association	\$45,454	Restore Floor (conditional - Scope of work to be approved by Council)
Omeo Recreation Reserve Committee of Management	\$21,840	Upgrade windows and doors
Lindenow Sports Ground Committee of Management	\$34,188	Relocate and Upgrade Main Entrance to Sports Ground
Orbost Pony Club	\$36,363	Equine equipment storage shed
Cassilis Recreation Reserve Committee of Management	\$45,454	Public Toilet Upgrade
Lakes Entrance Golf Club Incorporated	\$45,454	Sealing of Function Centre Car Park
Wy Yung Football Netball Club	\$13,636	Kitchen Upgrade
Swifts Creek Bush Nursing Centre	\$35,965	Disabled car port and handrails
Ensay Mechanics Institute Reserve	\$45,454	Community Hall Revitalisation - Kitchen upgrade
Orbost Snowy Rovers Football Netball Club Inc	\$25,000	Installation of concrete aprons
Bairnsdale Bridge Club	\$20,000	Replace Iron Roof on Bridge Club building
<b>TOTAL</b>	<b>\$486,748</b>	

***CARRIED***

Authorised by General Manager Assets and Environment

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### Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

### Executive Summary

The purpose of this report is to seek Council ratification of a Memorandum of Understanding (MoU) between the Victorian Department of Transport (DOT) and Council that will allow Council to call on support from DOT in times of emergency recovery. A copy of the unsigned MoU is provided at **Attachment 1**.

The MoU will build on the agreements that were used to facilitate Victorian Government support in the assessment of road damage and scheduling of repair works as part of the 2019/20 Black Summer Fires recovery works. The strength of this partnership allowed over 250km of damaged roads to be repaired within eight months of the fires.

The MoU is not a contractual arrangement and does not replace the need for Council to engage DOT in accordance with the East Gippsland Shire Council Procurement Policy (2021). The need for the MoU to be supported by contractual procurement is detailed in the MoU.

East Gippsland has recently experienced its eighth major rain event in less than eight months, with these events causing considerable damage to the local road network. Some of this damage is able to be claimed under the National Disaster Recovery Funding arrangements (DRFA), but only if accurately assessed and claimed. Over the past eight months some damage has not been able to be claimed as Council did not have sufficient internal resources to assess damage and submit the necessary claim documentation.

A partnership with DOT will allow Council to access DOT resources to assist with damage assessment and scheduling of emergency works. The use of DOT resources will also be able to be claimed through the disaster funding submissions, making it cost neutral for Council.

The MoU has been drafted with a three-year life (to December 2025) and to cover a range of natural disasters and emergency events that may impact the local road network.

### Motion

***Cr Arthur Allen / Cr Mendy Urie***

***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. supports the signing of a three-year Memorandum of Understanding between East Gippsland Shire Council and the Department of Transport as provided as Attachment 1; and***
- 3. notes that any procurement associated with the enactment of the Memorandum of Understanding provided at Attachment 1 will be subject to Council's normal procurement arrangements as outlined in the East Gippsland Shire Council Procurement Policy.***

**CARRIED**

### 5.1.3 Capital Works and Major Projects - Quarter Three 2021/22

Authorised by General Manager Assets and Environment

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#### Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

#### Executive Summary

As part of the delivery and monitoring of the annual Capital Works and Major Projects program, a quarterly review of the program is provided to Council. This report summarises the progress of Capital Works and Major Projects 2021-22 for the program up to the period ending 31 March 2022 (Quarter 3). A snapshot of this activity is provided in the table below and outlines in more detail through the body of the report and attachments. Pleasingly, as at the end of Quarter 3 111.55% of the forecast budget had been expended or committed.

	Q3 - 31/03/22
<b>Total Adopted Budget</b> - including actual carry forwards	\$94.09 m
Identified Carry Forwards to 22/23	\$41.71 m
Identified Bring Backs from 22/23	-
Other Budget variances 21/22	\$1.65 m
<b>Revised Forecast</b>	<b>\$54.03 m</b>
Actual Expenditure	\$23.27 m
Committed Expenditure	\$37.00 m
Percentage Capital Works Delivered or in Delivery ( <i>against Forecast</i> )	111.55%
Percentage Capital Works Delivered or in Delivery ( <i>against Adopted Budget</i> )	64.06%

#### Motion

***Cr Tom Crook / Cr Arthur Allen***

***That Council receives and notes the Capital Works and Major Projects Report 2021/22 for the Quarter ending 31 March 2022 and all attachments pertaining to this report.***

**CARRIED**

## **5.2 Business Excellence**

### **Attendance**

Cr Kirsten Van Diggele left the meeting at 8:03 pm and 8:05 pm.

### **5.2.1 Civic Functions and Recognition Policy**

Authorised by General Manager Business Excellence

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### **Conflict of Interest**

Officers preparing this report have no conflict of interest to declare.

### **Executive Summary**

Consistent with its civic leadership role and commitment to active community engagement, Council recognises the importance of celebrating outstanding achievements of individuals or organisations associated with the shire. Council also plays a critical role in formally welcoming new citizens to Australia and East Gippsland.

The official opening of significant capital works projects or events delivered by Council also play an important part in highlighting the work of all three tiers of government in enhancing the region and working with communities. Such milestones are often deemed worthy of community celebration and provide an opportunity to celebrate the work of Council, contractors and community.

The revised Civic Functions and Recognition Policy, as provided as **Attachment 1**, outlines Council's responsibilities, and provides guidance on how such functions and recognition are carried out.

### **Motion**

***Cr Arthur Allen / Cr Jane Greacen OAM***

***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. adopts the revised Civic Functions and Recognition Policy, as provided at Attachment 1; and***
- 3. authorises the Chief Executive Officer to amend the adopted policy without formal Council consideration, if amendment is required as a result of changes to officer titles or administrative changes that occur from time to time.***

**CARRIED**

## **5.2.2 Municipal Association of Victoria motions**

Authorised by General Manager Business Excellence

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### **Conflict of Interest**

Officers preparing this report have no conflict of interest to declare.

### **Executive Summary**

This report presents draft motions for Council to consider and decide on to be presented to the Municipal Association of Victoria (MAV) State Council meeting, which will be held 24 June 2022.

Council has identified two potential motions for submission to the State Council meeting, which are required to be submitted by 19 May 2022. These are consistent with the MAV Strategy 2021-25.

### **Motion**

***Cr Jane Greacen OAM / Cr Mendy Urie***

***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. endorses the draft MAV motion to develop strategic partnerships as per attachment 1;***
- 3. endorses the draft MAV motion regarding the cost of the Environmental Effects Statement process on Local Government as per Attachment 2 with the following addition as part of the motion “, which must include a review of the current legislative framework.”;***
- 4. notes the support by all Gippsland Councils through the One Gippsland Alliance of the draft MAV motion regarding the cost of the Environmental Effects Statement process with the additional wording; and***
- 5. authorises the Chief Executive Officer to submit the endorsed motions to the MAV.***

**CARRIED**



## 5.3 Place and Community

### 5.3.1 Planning Permit Application 550/2021/P - Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks - 8 Newlands Drive, Paynesville

Authorised by General Manager Place and Community

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#### Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

#### Executive Summary

This report seeks Council's resolution to issue a Notice of Decision to Grant a Planning Permit with conditions outlined in **Attachment 1** for a multi-lot subdivision of the subject land, part demolition of a heritage building and carry out buildings and works to the heritage building at 8 Newlands Drive, Paynesville.

The proposal is consistent with the objectives established in the East Gippsland Planning Scheme.

In essence, the basis for the proposal being recommended for approval is:

- State and Local Planning Policy supports the re-development and intensification of development in existing urban areas;
- The proposal is consistent with the purpose and requirements of the General Residential Zone;
- The proposal represents a logical pattern of subdivision which connects into the existing road network; and
- The proposal deals appropriately with the heritage values of the site.

In addition to these, there are a range of other matters which can reasonably be addressed through permit conditions.

A copy of the plans and supporting documents submitted with the application can be found via hyperlink at **Attachment 2**.

Due to the number of objections and in accordance with the Planning Permit Applications Delegations Policy 2018, the matter was presented at a Planning Consultation Meeting (PCM) on 14 February 2022 which allowed the applicant and the objectors the opportunity to speak to the proposal and for Councillors to be aware of the issues regarding the application. The minutes of the PCM are at **Attachment 3** and full copies of the objections are at **Attachment 4**.

Planning officers are of a view that many of the grounds for objection can successfully be addressed through permit conditions. A copy of the proposed permit conditions can be found at **Attachment 1**.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken (**Attachment 6**), and the proposal is viewed as being consistent with the relevant planning policies.

**Motion**

***Cr Mendy Urie / Cr Arthur Allen***

***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 550/2021/P is consistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Grant a Permit for a Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks at 8 Newlands Drive Paynesville subject to the permit conditions in Attachment 1.***

**CARRIED**

## 6 Urgent and Other Business

Nil

## 7 Confidential Business

**Cr Trevor Stow / Cr Tom Crook**

**COUNCIL WILL NOW CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH THE PROVISION OF SECTIONS 66(2) OF THE LOCAL GOVERNMENT ACT 2020 TO CONSIDER ITEMS 7.1 AND 7.2**

**CARRIED**

The meeting was closed to the public at 8:41 pm.

Consideration of confidential matters under section 66(2) of the *Local Government Act 2020*. Deliberations of Council while in closed session are recorded in Council's Confidential Minute Book.

Reports and Attachments are located in Council's Confidential Minute Book.

The meeting was re-opened to the public at 9.29 pm.

### 7.1 Service Review

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

### 7.2 Chief Executive Officer Employment and Remuneration Committee Report

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would, if released, result in the unreasonable disclosure of information about personal affairs.

## 8 Close of Meeting

Cr Mark Reeves declared the Council Meeting closed at 9:29 pm.

Confirmed

Cr Mark Reeves Mayor  
17 May 2022