



Minutes

Council Meeting

Tuesday 15 August 2023 at 6.00 pm

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

Councillors

Arthur Allen (Deputy Mayor), Sonia Buckley (Online), Tom Crook,
Trevor Stow, Mendy Urie and John White (Online)

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.

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.....	5
1.6 Requests for Leave of Absence	5
1.7 Open Forum.....	6
1.7.1 Petitions	6
1.7.2 Questions of Council	6
1.7.3 Public Submissions	13
1.8 Items for Tabling	13
2 Notices of Motion.....	14
2.1 Develop and Implement a Data Dashboard.....	14
3 Deferred Business	14
4 Councillor and Delegate Reports.....	15
5 Officer Reports.....	24
5.1 Place and Community	24
5.1.1 Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville	24
5.2 Assets and Environment	25
5.2.1 Toonalook Waters Revegetation Project.....	25
5.2.2 Capital Works and Major Projects 2022/2023 - Year in Review	25
5.2.3 CON2023 1491 Krauatungalung Walk Stage 1.....	26
5.2.6 CON2023 1585 Replacement of Little River Road Bridge, Ensay.....	29
5.2.5 CON2023 1582 Replacement of Reedy Creek Road Bridge, Ensay.....	31
5.3 Business Excellence	32
5.3.1 Valuation Averaging Mechanism - Local Government Rates Discussion Paper	32

5.3.2 Council Plan 2021-25 Annual Action Plan 2023/24.....	32
5.2.2 Capital Works and Major Projects 2022/2023 - Year in Review	33
5.3.3 Municipal Association of Victoria October 2023 State Council Meeting Motions	33
5.3.4 Adoption of Internal Audit Plan 2023-26	35
6 Urgent Business	36
7 Confidential Business	36
8 Close of Meeting	36

1 Procedural

1.1 Recognition of Traditional Custodians

The Chair, Cr Arthur Allen welcomed all to the Council meeting and acknowledged the traditional owners.

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

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

At this point in proceedings, Cr Arthur Allen acknowledged the devastating fire events in Maui, Hawaii and welcomed Mr Peter Neal, past Mayor and Councillor, who was in the gallery, to the meeting.

1.2 Apologies

Cr Mark Reeves Mayor
Cr Jane Greacen OAM
Cr Kirsten Van Diggele

1.3 Declaration of Conflict of Interest

Cr Kirsten Van Diggele declared a conflict of interest in item 5.1.1 *Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville*, as a material interest due to living in close proximity of the subdivision.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 25 July 2023 be confirmed.

Moved: Cr Trevor Stow

Seconded: Cr Tom Crook

CARRIED

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 5 September 2023 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

Nil

1.7 Open Forum

1.7.1 Petitions

Nil

1.7.2 Questions of Council

Procedural Note

At this point in proceedings, the Chair, Cr Arthur Allen extended the time for Open Forum by a further 30 minutes due to the receiving a large number of public questions from the community.

Procedural Motion

That the questions relating to the Fullarton Drive Planning Application be heard at item 5.1.1 of tonight's agenda.

Moved: Cr Tom Crook

Seconded: Cr Trevor Stow

CARRIED

Procedural Note

Public Questions 1 – 11 were asked at item 5.1.1, *Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville*. Question 12 was asked at item 1.7.2, *Public Questions*.

1.7.1.1 Planning Application - 10 Fullarton Drive, Paynesville

Ms Jane Wilkie asked the following questions:

Question 1: *"What provisions have been made in regards to vegetation in the proposed 10 Fullarton Road subdivision to ensure affected residents do not have further encroachment on their views?"*

Question 2: *"How can the Council make a decision on accepting the Subdivision without having received the findings from the Commonwealth regarding the Latham Snipe?"*

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

Question 1 response: Proposed condition 3 (c) restricts the height of vegetation on the lots.

Question 2 response: The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) referral applies to a different jurisdiction. Council is required to make a decision under the *Planning and Environment Act 1987*. The outcome of the EPBC Act referral may require an amended application for future determination.

1.7.1.2 Planning Application - 10 Fullarton Drive, Paynesville

Dr Derek Russell asked the following question:

“Following construction of the proposed 3.6ha reserve by the developer, is the Council prepared to accept it from the developer and maintain it in a form suitable for continuous use by migratory wading birds (esp. Latham’s snipe) as currently proposed, noting that the area will be useable for passive recreation from the footpath only?”.

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

Council accepts that the reserve will come under its management. Detailed management arrangements for the reserve will be informed by the *Environment Protection and Biodiversity Conservation Act 1999* referral outcome and detailed drainage and water quality management plans as required by the proposed conditions of approval and requiring further consent of Council and the East Gippsland Catchment Management Authority.

1.7.1.3 Planning Application - 10 Fullarton Drive, Paynesville

Mr Peter Albrecht asked the following questions:

Question 1: *“The 18-metre setback was approved by the Shire’s Planning Officer during the last application. I maintain the reason for an 18-metre setback is still valid. Will the 18-metre setback be reinstated?”.*

Question 2: *“Will the Shire follow the lead by the applicant and allow the Section 173 proposed by them?”.*

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

Question 1 response: There was no approval given for the last application or any aspect of it. The Victorian Civil and Administrative Tribunal determination in 2014 refused the application. This is a new application.

Question 2 response: The Officer recommendation is that any future application for subdivision of the lots should be determined under the relevant Planning Scheme requirements. If a subdivision is proposed, it will be subject to public notice and assessment as required by the *Planning and Environment Act 1987* and Planning Scheme requirements and limited by the proposed building envelopes.

1.7.1.4 Planning Application - 10 Fullarton Drive, Paynesville

Mr David Nicasro asked the following questions:

Question 1: *“Given the use of stormwater treatment infrastructure is integral for the purposes of, and planning for residential development, and these assets are vulnerable to saline intrusion; why has the Shire overlooked the objectives and strategies of Clause 13.01-1S, Natural Hazards & Climate Change, and Clause 13.01-2S Coastal Inundation and Erosion and Clause 13.03-1S Floodplain Management in recommending approval for this development?”.*

Question 2: *“Given the CMA's call for caution in its conditional approval, and the 'zero margin for error' in the proponent's stormwater planning, why has the Shire not taken a precautionary approach and insisted the stormwater assets be relocated to higher ground?”*

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

Question 1 response: The objectives and strategies of Clause 13.01-1S and Clause 13.01 2S have been taken into account.

Question 2 response: A detailed drainage management plan is required as a recommended condition of approval. That plan will need to take account of levels and design to minimise potential impacts of flooding. The Victorian Civil and Administrative Tribunal decision of 2014 included the following observation:

Regarding the impacts of a flood event on the constructed wetland and that of the adjoining Ramsar wetland, we consider the extent of impact to be negligible. That is because during a flood event, the size of impact across the scope of a flood generally would be of such significance that any impacts from scouring of water and sediment from the constructed wetland would be minor due to dilution and mixing with flood waters.

1.7.1.5 Planning Application - 10 Fullarton Drive, Paynesville

Ms Susan Morton asked the following questions:

Question 1: *"If East Gippsland Shire Council values Community Consultation as stated in their own charter, why has the revised plan of the proposed subdivision not been presented to those who objected at the Planning Consultation Meeting last November?"*

Question 2: *"it was my understanding that Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) states that the Council should be aware that there are consequences of not referring to the EPBC Act and that it is a serious offence to take action before the Minister has made a decision on the referral or assessment process and to undertake an action while we're assessing it."*

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

Question 1 response: No revised plan of subdivision has been lodged. Further information has been provided regarding proposed building envelopes and drainage arrangements. This does not constitute an amendment to the application.

Question 2 response: The EPBC Act and its obligations refer to the proponent not to Council. The proponent has the obligation to refer the matter to the Commonwealth Government for consideration and the proponent also has an obligation to then not take action more that would have an effect on the national environmental significance as defined in the EPBC Act.

1.7.1.6 Planning Application - 10 Fullarton Drive, Paynesville

Mr Nick Fischer submitted the following questions which were read on his behalf by the Chief Executive Officer:

Question 1: *"Given the very significant and extensive biodiversity values at stake. why hasn't the Shire given the objectives and strategies of Clause 12.01-1S due consideration, irrespective of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) assessment outcome, as required under the planning scheme?"*

Question 2: *"Given that building more homes in areas of high natural hazard risk is almost guaranteed to contribute to higher insurance costs for everyone, and leave those at most risk, unable to afford cover, why doesn't the Shire listen to the experts, especially insurance companies who make it their business to calculate risk, and stop approving developments in high-risk areas?"*

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

Question 1 response: Clause 12.01-1S has been considered. The proposed subdivision proposes improvements to stormwater quality that will reduce the current impacts of stormwater discharge. The EPBC Act referral is the appropriate mechanism for detailed assessment of any impacts on biodiversity.

Question 2 response: Houses constructed on the proposed lots will be higher than the 2.8m AHD level set by current policy and the East Gippsland Management Catchment Authority advice.

1.7.1.7 Planning Application - 10 Fullarton Drive, Paynesville

Mr David Morton asked the following questions which were read on his behalf by the Chief Executive Officer:

Question 1: *“Are the planning dept aware of the RCS (Regional coastal strategy) if so, has it been referenced to inform their decision to approve the subdivision?”*

Question 2: *“Coastal acid sulfate soils (CASS) occur naturally along many parts of Victoria's coastal zone and, if left undisturbed, are largely benign. However, if disturbed, i.e. water drains from the soil and air enters, they can react with oxygen and produce sulfuric acid. This can be detrimental to the environment with impacts that include acidification of water and soil, de-oxygenation of water, poor water quality, dissolution of soil, rock and concrete, and corrosion of metals. Sometimes impacts can be extreme, e.g resulting in fish kills. Who and how is this going to be managed?”*

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

Question 1 response: There is no regional coastal strategy. The reference may be to the Regional Catchment Strategy which is a broad strategic document relating to catchment management.

Question 2 response: The developer will have responsibility in their due diligence to ensure that, if CASS are found during the construction, any issues or impacts are appropriately managed according to the Victorian Best Practice Guidelines for assessing and managing CASS.

1.7.1.8 Planning Application - 10 Fullarton Drive, Paynesville

Mr Garrett Hall submitted the following question which was read on his behalf by the Chief Executive Officer:

“Given that building more homes in areas of high natural hazard risk is almost guaranteed to contribute to higher insurance costs for everyone, and leave those at most risk, unable to afford cover, why doesn't the Shire listen to the experts, especially insurance companies who make it their business to calculate risk, and stop approving developments in high-risk locations?”

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

Houses constructed on the proposed lots will be higher than the 2.8m AHD level set by current policy and the East Gippsland Management Catchment Authority advice.

1.7.1.9 Planning Application - 10 Fullarton Drive, Paynesville

Ms Lynette Wilkinson asked the following question:

Question 1: "Can you please explain the rationale for this change referencing specifically lot 59 which will be 10 Fullarton Drive. This lot is surrounded by houses in Fullarton Drive with height restricted covenants and if not changed will severely disadvantage existing resident?"

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

Each of the lots in the subdivision will include building envelopes that will impose front, rear and side setbacks and maximum building heights. Clarification has been obtained from the applicant that all lots (including 10, 11, 12, 15, 17, 18, 25, 28, 29, 30, 33, 53, 57 & 59) will include the necessary setbacks and maximum height controls. This is captured in the proposed condition 2a and b.

1.7.1.10 Planning Application - 10 Fullarton Drive, Paynesville

Mr Ross McGregor asked the following questions:

Question 1: "Does Council intend to have the same Covenants (specifically height limitations) imposed on 10 Fullarton Drive (Lot 59) which applies to the adjacent and surrounding lots. ie Lots 6,8,12,14 and Lots 9,11,13,15?"

Question 2: "There seems to be an acceptance that there are traffic management issues within the proposed subdivision in the future. Does Council intend to impose time parameters to address this matter as a matter of urgency?"

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

Question 1 response: The recommendation does not include the imposition of covenants. Council does not normally require covenants limiting building heights in subdivision approvals. The existing covenants affecting buildings in Fullarton Drive were established by the developer. Clarification has been obtained from the applicant that all lots (including 10, 11, 12, 15, 17, 18, 25, 28, 29, 30, 33, 53, 57 & 59) will include the necessary setbacks and maximum height controls. This is captured in the proposed condition 2a. and b.

Question 2 response: The traffic assessment indicates that there are no significant traffic impacts arising from the proposed subdivision. Council has no control over the timing of the future extension of Fullarton Drive but notes that the extension is included in the adopted Paynesville Growth Area Structure Plan.

1.7.1.11 Planning Application - 10 Fullarton Drive, Paynesville

Ms Cheryl Romanin asked the following questions:

Question 1: *“How will Council protect the interests of residents and ensure that they will continue to have reasonable shared views of the Lake and Point Fullarton?”*

Question 2: *“Apart from assuring compliance with building regulations, how, in practical terms, will Council monitor and enforce the environmental stipulations?”*

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

Question 1 response: The proposed conditions of approval include requirements for rear boundary setbacks and building envelopes to provide for reasonable view sharing.

Question 2 response: A construction management plan is required as a proposed condition of approval. Council technical staff provide inspection and monitoring of subdivision works.

1.7.1.12 Toonalook Waters Estate

Wendy Reynolds asked the following question:

“Does the Council concede that the Cumbungi present was not planted and occurred due to stagnant water as a direct result of the 2-year period of time that the pump was inoperative, and should the residents be required to pay for the inaction of council that took so long to replace the pump and install another one which is inadequate in size”

Fiona Weigall General Manager Assets and Environment provided a response which is summarised below:

In the consultants' reports referred to in the Council report referred to in the report, consultants advised that “There was no original revegetation plan identified on Council's files so the original vegetation design intent is unclear”. Therefore, without clarity about the original landscaping, Council is not in a position to confirm or deny Ms Reynolds supposition. Even if the *Typha* was not originally planted, there are a number of ways it could have been brought into the system.

The statement that the pump was inoperative for a two-year period is also felt to be inaccurate. While there were reports of it not working from time to time, these reports were acted upon until an inspection in March 2021 identified the pump was not repairable and the pump and solar system were replaced in June of that year.

I am advised that stagnant water was not the cause of the presence of *Typha* in the system. This wetland is a slow flowing system which is a suitable environment for *Typha* growth.

I would also add that the new pump is a higher capacity than the pump it replaced. The Lake was designed to have a fluctuating water level which could play an important role for ecological health of the system. Therefore, a solar pump was installed to keep the lake at a satisfactory minimum water level and maintain sufficient fluctuations for ecological purposes

The Council report states that it is reasonable to expect residents to contribute to the revegetation but does not suggest that the community pays for the whole project.

1.7.3 Public Submissions

Nil

1.8 Items for Tabling

Nil

2 Notices of Motion

2.1 Develop and Implement a Data Dashboard

Motion

That a report be presented to a future meeting of Council on the feasibility of developing and implementing publicly available data dashboards to enhance transparency, accountability, and community engagement.

Moved: Cr Sonia Buckley

Seconded: Cr Tom Crook

CARRIED

3 Deferred Business

Nil

4 Councillor and Delegate Reports

4.1 Cr Mendy Urie

Cr Urie spoke to her written report at 16.

4.2 Cr Sonia Buckley

Cr Buckley submitted a written report at page 17.

4.3 Cr Tom Crook

Cr Crook provided a verbal update.

4.5 Cr Trevor Stow

Cr Stow provided a verbal update.

4.6 Cr Arthur Allen

Cr Allen spoke to his written report at page 23.

Cr Mendy Urie

26/07/23 – I attended the Australian Centre for Rural Entrepreneurship (ACRE) presentation. Presenting to a receptive audience Australian Centre for Rural Entrepreneurship focused on Community ownership of assets and presented a lot of information applicable to our East Gippsland Communities. With some relevant examples of what is happening elsewhere. Great that Council is supporting this relationship through Business Boost and the Economic Development Team and further sessions are planned in the community.

27/07/23 – I joined other Councillors and the Errinundra to Snowy (E2S) Community Recovery Group group meeting on a zoom call. I appreciate this forum for connecting with some of our more distant communities and hearing what they are working on and how Council can support their ongoing and impressive development.

National Tree Planting week was marked with a terrific gathering organised by Bairnsdale Urban Landcare group leading Scouts, Guides and their families in a tree-planting morning on the North side of the Mitchell River. The work of these groups is resulting in some fabulous results along the riverbank, enjoyed by the many users of the walking track. Congratulations and thanks to this particular Landcare group for their practical work in sharing knowledge and expertise with our younger community members: A terrific and ongoing story.

31/07/23 - Also marking the same cause, our Youth Ambassadors arranged a tree-planting at the Bairnsdale Secondary College, assisted by the Specialist School and Council staff on Monday 31 July 2023. Cr Van Diggele and I were able to join them and plant a few trees ourselves. Again, congratulations to all those who contributed to this really worthy event.

02/08/23 - Girls on Fire was a spectacular event at Forestec which the Mayor, Deputy Mayor and myself were able to attend on Wednesday 2 August 2023. Supported by many agencies including Country Fire Authority (CFA), State Emergency Service (SES) and Council, this two-day camp was designed to give our young women firsthand knowledge and hands-on experience of responding appropriately and urgently to various fire and rescue situations. We were able to see these empowered young women demonstrate their new skills, as they concluded their camp.

07/08/23 - I joined the FLOAT conversation held at Josephine and Rick Jakobie's Bungalook studio in Lakes Entrance. This group continues to kick goals in developing interesting and engaging programs and ongoing activities which build community and inclusion and get great outcomes in the art/environment/creative/regenerative space. Impressive.

09/08/23 - As an observer, I joined the Mayor and our Youth Ambassadors for their regular meeting on Wednesday 9 August 2023. The work of this group is largely focused on providing events and training opportunities by and for young folk across East Gippsland. I was impressed at how aware they are of needing to extend the reach of their offerings beyond Bairnsdale and Lakes Entrance and the energy and capacity of the leaders.

As part of my role as a Councillor representative on the Audit and Risk committee, I worked with a small panel on the recruitment subcommittee. This process is ongoing to shortlist, interview and appoint a new independent member. We have had a number of meetings already and a report and recommendation are due to come to Council on 17 October 2023.

Cr Sonia Buckley

Meeting: Rural Councils Victoria Summit

Report: State Budget Allocations, Regional Developments, and Community Initiatives**

Introduction

This report provides a summary of key information and developments in various areas, including state budget allocations, regional investments, community initiatives, and leadership perspectives. The report encompasses details about Minister Horn's budget allocation to Local Government (LG), the funding situation of Regional Community Venture (RCV), Pyrenees Shire's investment in Beaufort, insights from the Global Leadership Foundation, updates from Regional Australia Institute (RAI) and community efforts such as Active Farmers and the Cool Changes program in Mount Macedon.

State Budget Allocation to Local Government

Minister Horn has allocated a substantial amount of \$700 million to LG in the state budget. This allocation signifies a significant commitment to supporting local governments in their various initiatives and responsibilities. However, no questions were allowed from the floor which was disappointing.

Regional Community Venture Funding and Fee Increase

RCV has faced a loss of state funding, necessitating the consideration of fee increases. This financial challenge highlights the need for RCV to explore alternative sources of funding to sustain its operations effectively.

Pyrenees Shire's Investment in Beaufort

Pyrenees Shire has undertaken a noteworthy investment of \$7 million in the development of 100 lots in Beaufort. This investment responds to market failure and aims to stimulate growth and development within the region.

Insights from the Global Leadership Foundation

The Global Leadership Foundation emphasises valuable leadership insights, including the importance of asking informed questions, nurturing curiosity, considering diverse perspectives through community engagement, promoting effective communication by allowing individuals to express themselves fully, cultivating an open mind, balancing compliance, and quality mindset, and practicing active listening without judgment or interruption.

Regional Australia Institute Updates

RAI reports a significant influx of population movement to regional areas, with 14,000 roles advertised in regional Victoria in May. The "It's Your Move" campaign is a strategic effort to encourage more individuals to relocate to regional Australia. The campaign aims to bring an additional 85,000 people into Victorian regions by 2032, and it's noteworthy that 10% of the regional population consists of migrants.

State Inquiry into Local Government

Peter Walsh has initiated a state inquiry into LG, which suggests a comprehensive examination of various aspects of local governance and administration.

Community Initiatives

- Active Farmers: The Active Farmers initiative (activefarmers.com.au) is a community-driven effort that likely focuses on promoting physical and mental well-being among rural communities. More details about the specific activities and impact of this initiative would provide a clearer understanding of its significance. Certainly, with the possibility of a looming drought Council should be looking to support the mental health and programs available to farmers.

- Cool Changes Program in Mount Macedon: The Cool Changes program (mrsc.vic.gov.au/Live-Work/Environment/Climate-Change/Community-Action-Cool-Changes) in Mount Macedon is a community-based climate change action plan. It engages various stakeholders, including neighborhood houses, to develop strategies for addressing climate change impacts at the local level.

Funding Opportunities within the Victorian Fisheries Authority

I have also included an email from Chris Padovani in regards to Victorian Fisheries Authority (VFA) as a great opportunity exists for funding our region in this space. As follows: There has never been a better time to be a recreational fisher in Victoria. Nets have been removed from Port Phillip Bay and the Gippsland Lakes, a new native fish hatchery at Arcadia has been constructed, 10 million fish are now stocked throughout Victoria's rivers and waterways and all boat ramps are now free.

The number of women in recreational fishing has increased rapidly in the five years since the Victorian Government established an award-winning network for female fishers, which has recently been expanded to include recreational boating, becoming the Women in Recreational Fishing and Boating Network. Since being established on International Women's Day in 2018 the network has grown rapidly to include more than 4,500 members from around Victoria, Australia and abroad. This includes 20 leaders promoting the network and advocating for women in fishing, which the VFA is immensely proud of.

New and upgraded all abilities fishing platforms have been installed, as well as fish cleaning tables and solar lights at different locations across the state, whilst recreational fishing reefs have been installed in Port Phillip Bay for both land and boat-based fishers. Recreational fishing licence fees have been making a big difference too. Fishing club grants have been awarded to build better facilities, improve fishing access and to host free clinics to help kids catch a new hobby.

A recent Australian Government survey tells us more than 1 million Victorians now go fishing every year. Fishing and boating play a crucial role in bringing people together and creating wonderful memories, improving the mental health and well-being of Victorians and supporting Victoria's regional economies via the purchase of bait, accommodation, food and fuel, which is why the Victorian government is investing so heavily, with a further \$96 million to improve fishing, boating, piers and aquaculture over the next four years. This funding is in addition to the \$81 million the Victorian Government invested since 2014.

The VFA are excited at the idea of funding a variety of projects that will continue to improve recreational fishing and boating in Victoria. As discussed, please find below further information about each of the fishing and boating grant programs that the VFA has to offer Local Government Association's and fishing clubs within your respective shires.

Structural Maintenance Grants

What Is the Recreational Boating Structural Maintenance Program? The Recreational Boating Structural Maintenance Program (RBSMP) allocates up to \$2 million in grant funding to eligible organisations to undertake structural maintenance and asset replacement activities at publicly accessible Victorian boating facilities.

Who can apply for grant funding from the program? Eligible organisations include LG, State government departments and agencies, committees of management and local waterway authorities.

How much funding will be made available in grants? In 22/23 - \$2 million (ex GST) was available through a competitive grant funding round for the RBSMP. The grant amount awarded will not exceed \$300,000 (ex GST) in total per project. Multiple applications received from an eligible organisation will be considered.

How are applications assessed through a competitive grant funding round? A Funding Advisory Panel consisting of cross agency groups and industry stakeholders will assess the grant applications received against the funding assessment criteria. The panel provides input into grant allocation decisions that are then recommended to the Minister for Outdoor Recreation.

Is a co-contribution required? Whilst a co-contribution will be considered favourably, 100% of grant funding will also be made available. Funding contributions from the applicant can include project management, committed funds from other government agencies or sources and in-kind contributions which can be substantiated.

How can industry stakeholders and the boating public be guaranteed that they are getting the best value for money from the allocated grants? Grants are awarded to applicants who can demonstrate there is a need for the funding and that they have tested the market for quality and price. It is also important that the applicant has shown they have met appropriate project and program planning criteria when applying for funding.

What is Better Boating Victoria's (BBV) role in administering the RBSMP? BBV is a branch of the Victorian Fisheries Authority and is experienced in managing grant funding programs. The Minister for Outdoor Recreation is responsible for approving all funding allocations from the RBSMP.

When do grant applications open and when will announcements be made? New grant round to be approved by the Minister for Outdoor Recreation for 2023/24.

Isn't maintenance supposed to be the responsibility of the facility manager in charge of the boat ramp? Regular maintenance and the replacement of assets can be costly for boating facility managers who do not receive direct funding support to undertake these activities.

There is a reasonable expectation by boaters that pay vessel registration and licence fees that public boating facilities are safe and reliable for the purposes of boat launching and retrieval.

Dredging Grants

What is the Recreational Boating Access and Dredging Program? The Recreational Boating Access and Dredging Program (RBADP) will allocate grant funding to eligible organisations for dredging projects to ensure safer navigation at publicly accessible Victorian boating facilities.

Who can apply for grant funding from the program? Eligible organisations include LG, State government departments and agencies, committees of management and local waterway authorities.

How much funding will be made available in grants? In 22/23 \$1.0m (ex GST) was made available through a competitive grant funding round for the RBADP. The grant amount awarded will not exceed \$150,000 (ex GST) in total per project. Multiple applications received from an eligible organisation will be considered.

How will applications be assessed through a competitive grant funding round? A Funding Advisory Panel consisting of cross agency groups and industry stakeholders will assess the grant applications received against the funding assessment criteria. The panel will provide input into grant allocation decisions that are then recommended to the Minister for Outdoor Recreation.

Is a co-contribution required? Whilst a co-contribution will be considered favourably, 100% of grant funding will also be made available. Funding contributions from the applicant can include project management, committed funds from other government agencies or sources and in-kind contributions which can be substantiated.

How can industry stakeholders and the boating public be guaranteed that they are getting the best value for money from the allocated dredging grants? The public can be assured that the RBADP delivers value. Grants are awarded to applicants who can demonstrate there is a need for the funding and that they have tested the market for quality and price. It is also important that the applicant has shown they have met appropriate project and program planning criteria when applying for funding.

What is Better Boating Victoria's (BBV) role in administering the RBADP? BBV is a branch of the Victorian Fisheries Authority and is experienced in managing grant funding programs. The Minister for Outdoor Recreation will be responsible for approving all funding allocations from the RBADP.

When do grant applications open and when will announcements be made? New grant round to be approved by the Minister for Outdoor Recreation for 2023/24.

Recreational Fishing Grants Program

Every year the Victorian Government, through the Recreational Fishing Licence Trust Account, disburses revenue derived from the sale of Recreational Fishing Licences to projects that will improve recreational fishing in Victoria.

Since its inception in 2001, the Recreational Fishing Grants Program (RFGP) has funded over 600 projects, worth more than \$21 million throughout Victoria.

Matching funding is not a requirement.

The RFGP comprises three separate programs for entities outside of the VFA including:

- a small grants program that is continually open to fund small projects (up to \$5,000 - GST Exclusive) such as a solar light above a fishing platform or a community come and try fishing day;
- an intermediate grants program that is continually open to applications from angling clubs and associations and not-for-profit community groups (\$5,000 - \$50,000 GST Exclusive) for projects such as a fishing platform; and
- a large grants program (for projects from \$5,001 to \$100,000 - GST Exclusive) for projects such as increased angler access, habitat improvement or a large fishing platform with rod holders, seating and lighting.

Election commitment – Habitat improvement fund

\$2.5M in funding is available for fishing habitat improvement projects.

Election commitment – Fishing club grants to attract new members

\$1.2M in funding is available for fishing clubs within your shire to attract new members. Example projects could be to fix the leaky clubhouse roof, install wi-fi for members or develop a new website.

Election commitment – Provide 95,000 Little Angler Kits to primary school children

Whilst this is not a grant funding program, I wanted to reiterate the opportunities for LGA's to apply for a small grant via the program above to host community come and try fishing days. These type of activities would be great for the kids to test out their new fishing kits in a safe and fun environment over summer.

The kits will be offered to all grade 5 students in able bodied schools and to all students, irrespective of age, at specialist schools in Victoria. The kits will be distributed via schools between 1 November and 15 December 2023.

Conclusion

This report highlights a range of developments and initiatives across various sectors, including state budget allocations, regional investments, leadership insights, community initiatives, and government inquiries. These diverse efforts collectively contribute to the growth, resilience, and sustainability of local communities and the broader regional landscape.

Cr Arthur Allen

27/07/23 - Along with other Councillors, I attended the Errinundra to Snowy Community Recovery Committee meeting via zoom. This was a great opportunity to hear firsthand the achievements and aspiration of one of our most remote communities.

28/07/23 - I attended the East Gippsland Marketing Inc workshop on social enterprise. A well-attended meeting with plenty of enthusiasm for the subject.

29/08/23 - I attended the Community Consultation meeting for the Krauatungalung Walk at Lakes Entrance. This was a well-attended morning and thank you to all who took the opportunity to share your views on the walk.

02/08/23 – The Mayor and I attended the Elders Luncheon at Lakes Secondary College. Thanks to Principal Craig Sutherland on a very meaningful event. Following that, the Mayor and I joined Cr Urie at Forestec for the final part of a three-day workshop entitled Girls on Fire. This was an opportunity for girls from across Gippsland to gain a taste of life as a forest fire fighter. Congratulations to all the graduates.

04/08/23 - I attended a breakfast at Moe Racecourse to announce the finalist of the Gippsland Business Awards. A number of East Gippsland business now go onto the final, to be held on August 25 2023 at Churchill. Following that, I attended the Rail Freight Alliance meeting at Docklands where we heard from Andrew Newman, Policy Director of Policy and Strategy for Freight Victoria. Andrew spoke particularly on the efficiencies gained by rail through axle load increases and longer trains where possible.

5 Officer Reports

5.1 Place and Community

5.1.1 Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville

Authorised by General Manager Place and Community

Public Questions

1. Ms Jane Wilkie
2. Dr Derek Russell
3. Mr Peter Albrecht
4. Mr David Nicaastro
5. Ms Susan Morton
6. Mr Nick Fischer
7. Mr David Morton
8. Mr Garrett Hall
9. Ms Lynette Wilkinson
10. Mr Ross McGregor
11. Ms Cheryl Romanin

Motion

That this item, 5.1.1 Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville, be deferred and brought back to the Council meeting to be held on Tuesday 5 September 2023.

Moved: Cr Tom Crook

Seconded: Cr Trevor Stow

CARRIED

5.2 Assets and Environment

5.2.1 Toonalook Waters Revegetation Project

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report;***
- 2. requests that the Chief Executive Officer or delegate:***
 - a. engage with Toonalook Waters Estate landowners in the development of a Management Plan and management agreement for the constructed wetland, which is to detail the maintenance required and responsibilities if the wetland is revegetated;***
 - b. ensure that residents are clear that no works other than standard maintenance, will be undertaken by Council until such time as a Maintenance Plan is developed and agreed to by residents including agreement to the landowners funding ongoing maintenance costs; and***
- 3. proceed with the revegetation of the Toonalook Waters constructed wetland once the maintenance plan identified in Recommendation 2 is formalised, all required permits and permissions are obtained, and funding to complete revegetation obtained.***

Moved: Cr Mendy Urie

Seconded: Cr Trevor Stow

CARRIED

Procedural Note

The motion was then put to the vote and the result was tied. Accordingly, the Chair Cr Arthur Allen exercised a casting vote as required under section 61(5)(d) of the *Local Government Act 2020* and the motion was carried.

5.2.2 Capital Works and Major Projects 2022/2023 - Year in Review

Authorised by General Manager Assets and Environment

Motion

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

Moved: Cr Trevor Stow

Seconded: Cr Mendy Urie

CARRIED

Authorised by General Manager Assets and Environment

Confidentiality Notice

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

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Design Co Builders Pty Ltd for CON2023 1491 – Krauatungalung Walk Stage 1 for the contract amount of \$1,550,680.00 exclusive of GST;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form presented; and***
- 4. resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.***

Moved: Cr Mendy Urie

Seconded: Cr Tom Crook

CARRIED

5.2.4 CON2023 1536 Kerb and Channel Replacement on Various Roads in East Gippsland

Authorised by General Manager Assets and Environment

Confidentiality Notice

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

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by;***
 - a. Cranes Asphaltting & Bitumen Sealing Pty Ltd, for CON2023 1536 – Kerb and Channel Replacement on Various Roads in East Gippsland for the Schedule of Rates (ex GST), as provided at Attachment 1, for a contract term of three (3) years, be accepted.***
 - b. Fowlers Asphaltting Pty Ltd for CON2023 1536 – Kerb and Channel Replacement on Various Roads in East Gippsland for the Schedule of Rates (ex GST), as provided at Attachment 1, for a contract term of three (3) years, be accepted.***
 - c. Orbost Civil & Civic Pty Ltd for CON2023 1536 – Kerb and Channel Replacement on Various Roads in East Gippsland for the Schedule of Rates (ex GST), as provided at Attachment 1, for a contract term of three (3) years, be accepted.***
 - d. R & M Contracting (Gippsland) Pty Ltd for CON2023 1536 – Kerb and Channel Replacement on Various Roads in East Gippsland for the Schedule of Rates (ex GST), as provided at Attachment 1, for a contract term of three (3) years, be accepted.***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed;***
- 4. authorises the Chief Executive Officer to exercise two extension options each of up to twenty-four months inclusive of annual consumer price index adjustment on the basis that contractual terms have been met; and***
- 5. resolves that Confidential Attachment 1 and all discussions regarding this attachment remain confidential.***

Moved: Cr Sonia Buckley

Seconded: Cr Mendy Urie

CARRIED

5.2.5 CON2023 1582 Replacement of Reedy Creek Road Bridge, Ensay

Authorised by General Manager Assets and Environment

Confidentiality Notice

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

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Tambo Constructions Proprietary Limited for CON2023 1582 – Replacement of Reedy Creek Road Bridge, Ensay for the contract amount of \$948,019.00 exclusive of GST;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and***
- 4. resolves that Confidential Attachment 1 and all discussions regarding this attachment remain confidential.***

Moved: Cr Mendy Urie

Seconded: Cr Tom Crook

CARRIED

Confidentiality Notice

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

Motion***That Council:***

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by Jarvis Norwood Constructions Pty Ltd for CON2023 1585 – Replacement of Little River Road Bridge, Ensay for the contract amount \$472,330.00 exclusive of GST;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and***
- 4. resolves that Attachment 1 to this report and all discussions relating to that attachment remain confidential.***

Moved: Cr Sonia Buckley

Seconded: Cr Tom Crook

CARRIED

Authorised by General Manager Assets and Environment

Confidentiality Notice

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

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. accepts the tender submitted by Green Care Mulching Pty Ltd ATF The Norton Development Trust for CON2023 1566 Green Waste Processing and Removal Services for the tendered schedule of rates as shown in Confidential Attachment 1, for an initial two (2) year term;*
- 3. authorises the Chief Executive Officer to exercise the two (2) extension options of up to 12 months each inclusive of annual consumer price index adjustments on the basis that contractual terms have been met;*
- 4. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and*
- 5. resolves that Confidential Attachment 1 and all discussions regarding this attachment remain confidential.*

Moved: Cr Tom Crook

Seconded: Cr Mendy Urie

CARRIED

Procedural Motion

That Council resolves to extend duration of the meeting for 30 minutes.

Moved: Cr Tom Crook

Seconded: Cr Trevor Stow

CARRIED

5.3 Business Excellence

5.3.1 Valuation Averaging Mechanism - Local Government Rates Discussion Paper

Authorised by Acting General Manager Business Excellence

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. endorses the feedback submission, at Attachment 1, to the Valuation Averaging Mechanism Local Government Rates Discussion Paper for submission by 31 August 2023.***

Moved: Cr Tom Crook

Seconded: Cr Mendy Urie

CARRIED

5.3.2

Council Plan 2021-25 Annual Action Plan 2023/24

Authorised by Acting General Manager Business Excellence

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and*
- 2. endorses the Draft Annual Action Plan 2023/24, at Attachment 1, as the companion document to the Council Plan 2021-25.*

Moved: Cr Mendy Urie

Seconded: Cr Tom Crook

Procedural Note

The motion was then put to the vote and the result was tied. Accordingly, the Chair Cr Arthur Allen exercised a casting vote as required under section 61(5)(d) of the *Local Government Act 2020* and the motion was carried.

CARRIED

Procedural Note

Cr Sonia Buckley called for a division.

For:	Cr Arthur Allen, Cr Tom Crook and Cr Mendy Urie
Against:	Cr Sonia Buckley, Cr Trevor Stow and Cr John White

As the result of the division was tied, the Chair Cr Arthur Allen exercised a casting vote as required under section 61(5)(d) of the *Local Government Act 2020* and the motion was carried.

**5.3.3 Municipal Association of Victoria October 2023 State Council
Meeting Motions**

Authorised by Acting General Manager Business Excellence

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. approves the submission of the two proposed motions, as provided at Attachment 1 and Attachment 2, to the Municipal Association of Victoria for consideration to be included in the agenda for the State Council Meeting to be held on 13 October 2023.***

Moved: Cr Tom Crook

Seconded: Cr Trevor Stow

CARRIED

5.3.4 Adoption of Internal Audit Plan 2023-26

Authorised by Acting General Manager Business Excellence

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. Adopts the Internal Audit Plan 2023-26, as provided at Attachment 1;***
- 3. notes that the Internal Audit Plan 2023-26 will be reviewed annually; and***
- 4. authorises the Chief Executive Officer to approve changes to the proposed audit timings.***

Moved: Cr Mendy Urie

Seconded: Cr Trevor Stow

CARRIED

6 Urgent Business

Nil

7 Confidential Business

Nil

8 Close of Meeting

Cr Arthur Allen Chair declared the Council Meeting closed at 9.45 pm