



Minutes

Council Meeting

Tuesday 5 September 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 (Online), Mendy Urie, Kirsten Van Diggele (Online) 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	11
1.8 Items to be tabled.....	11
2 Notices of Motion.....	12
2.1 Recognising and Supporting Australia's/Victoria's Sustainable Native Hardwood Timber Industry	12
2.2 10 Fullarton Drive, Paynesville	12
3 Deferred Business	16
3.1 Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville	16
4 Councillor and Delegate Reports.....	17
5 Officer Reports.....	26
5.1 Chief Executive Officer.....	26
5.1.1 Proposed amendment to Rural Councils Victoria Rules of Incorporation	26
5.2 Assets and Environment	27
5.2.1 CON2023 1548 Buchan Main Street and Linkages Project	27
5.2.3 Addition of Roads to Council's Register of Public Roads	28

6 Urgent Business	31
7 Confidential Business	31
7.1 Bogong High Plains Road	31
8 Close of Meeting	31

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 Bidawal 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.

1.2 Apologies

Cr Mark Reeves Mayor
Cr Jane Greacen OAM

1.3 Declaration of Conflict of Interest

Cr Kirsten Van Diggele declared a conflict of interest to item 2.2 *10 Fullarton Drive, Paynesville* and item 3.1 *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 to the proposed subdivision.

1.4 Confirmation of Minutes

Motion

That the minutes of the Council meeting held Tuesday 15 August 2023 be confirmed.

Moved: Cr Mendy Urie

Seconded: Cr John White

CARRIED

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 26 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

At this point in proceedings, the Chair Cr Arthur Allen acknowledged Master Oscar Mann from St Brendan's Primary School and Miss Ella Horner from St Mary's Primary School who observed the meeting from the public gallery as part of their Rotary Junior Community Awards program. To acknowledge their participation in this community program, Cr Allen presented them with a Council pin.

1.7.1 Petitions

Nil

1.7.2 Questions of Council

1.7.2.1 10 Fullarton Drive, Paynesville

Ms Sue Watson submitted the following questions which were read on her behalf by the Chief Executive Officer:

Question 1: *"Even for those who are tall enough, having to stand denies residents their everyday amenity of enjoying a view from a seated position. Will Council allow this situation to occur?"*

Question 2: *"Will Council request revised building envelopes with fixed setbacks that will address this inequity?"*

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

Question 1: In the 2014, the Victorian Civil and Administrative Tribunal decision at paragraph 84, the Tribunal members say: *"In this case, we find it is not reasonable to consider the impact of view sharing from a sitting position in the Fullarton Drive houses..."*. On that basis, the standing position of 1.5 metres has been adopted for assessment of view sharing. Building envelopes and height limits have been identified to provide for a reasonable sharing of both horizontal and vertical view corridors.

Question 2: The variable side setbacks are limited, given proposed Lots 1-14, 34-36 (inclusive), 55, 56 and 59 have fixed side setbacks, and proposed Lots 15-33 (inclusive) do not have existing development on immediately adjacent lots. The concerns are limited to 19 of the 59 proposed allotments, adjoining existing development in Fullarton Drive.

A variable side setback on the remaining lots is in anticipation that future lot owners may elect to site a side wall on a boundary, such as a garage. The intention is to avoid allotments being developed for their full width, to avoid any perception of massing when viewed from the proposed street. These matters need to be balanced. It is considered that the outcome proposed will provide for the reasonable sharing of views, taking account of setbacks and building heights.

1.7.2.2 10 Fullarton Drive, Paynesville

Dr Derek Russell asked the following question:

“Why not wait for the Environment Protection and Biodiversity Conservation process to run its course so that the outcome can be considered and integrated into the wider planning design and stormwater management decisions?”

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

The outcome of the *Environment Protection and Biodiversity Conservation Act* 1999 (EPBC) referral may dictate requirements for the detailed design of the reserve and drainage infrastructure which is a process undertaken following the issue of a planning permit and prior to approval of detailed plans as included in the proposed conditions of approval. The subdivision and associated works cannot proceed until the EPBC referral process is completed.

There is an expectation in the Victorian Planning System that determination of Planning Permits occurs in a reasonable time.

If the legislators had intended that Planning Permits could not be issued while awaiting the outcome of other statutory processes, then provision would have been made for that in the legislation. There are Victorian Civil and Administrative Tribunal precedents where a Planning Permit was issued while an EPBC referral was pending.

1.7.2.3 10 Fullarton Drive, Paynesville

Mr David Nicastro asked the following questions:

Question 1: *“How can the Council confidently “plan for and manage coastal hazard risk and climate change impacts” without the above information on hand?”*

Question 2: *“What methodology and evidence was used in assessing whether the floodplain infrastructure siting and design represents best practice; and best value for whole of life and maintenance costs, in response to the coastal hazard risks of the site?”*

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

Question 1: Planning Practice Note 53: *“Managing coastal hazards and the coastal impacts of climate change”* sets out a framework for assessment of coastal hazards. The guidelines relate primarily to the assessment of rezoning proposals or development outside existing settlement boundaries. However, the practice note does say that planning permit decisions should be made using the best available knowledge and information at the time and recommends that the relevant floodplain manager (in this case, the East Gippsland Catchment Management Authority (EGCMA)) should be consulted for advice on flooding and related risks, which has occurred and the EGCMA has given its consent.

The recommendation takes account of these risks by ensuring that the residential lots are above 2.8 m AHD. The risks associated with temporary inundation of part of the reserve have been taken into account and, on balance, are considered low.

The provision of a significant reserve also provides some opportunity to manage the impacts of climate change and coastal inundation and erosion.

Question 2: The recommendation balances the various issues associated with inundation risk and the other objectives of the planning system in Victoria and it has been concluded that the risks associated with the inundation of the stormwater infrastructure from 2070 are low. That is, they present no significant risk to human life and safety, and they can be managed over time with various adaptation measures, just as will be required in many other coastal areas that will be under a significantly greater risk of threat to life and property. Comparison with other modelling that is available from previous Gippsland Lakes work indicates that while some of the drainage assets are located below 2.8 m (1 in 100 plus 0.8 m) and there is risk of inundation it is still likely to be infrequently – possibly in the order of 1 in 10-year risk and Officers view is that on balance that this is a matter that can be managed through the detail design of the drainage system.

1.7.2.4 10 Fullarton Drive, Paynesville

Mr Gary Joyner asked the following question:

“Why doesn't the Shire simply insist these essential drainage assets be moved out of harm's way, just like the housing lots were?”

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

A proposal that moved all drainage infrastructure substantially to the south would require a complete re-design of the subdivision and would constitute a different application. The Council must consider the application that is before it.

It is noted that the 2014 Victorian Civil and Administrative Tribunal decision (at paragraph 104) states:

“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.”

I note that reference has been made to the 1 in 100-year flood level, plus 0.8 m being 2.8 m AHD and all housing lots are above this level. Some of the drainage assets are lower than this in an area that may be more similar to a 1 in 10-year flood risk after consideration of 0.8 m sea level rise – so potentially in the range of 2070

The risk of inundation of this kind can be considered as part of the detailed design of the drainage system required as a proposed condition of the planning permit.

Officer's view is that this represents a reasonable balancing of the range of consideration relevant under the Planning Scheme i.e. ensuring developable lots are well above the 1 in 100 year flood level, and providing for risks to the drainage system to be managed through detailed design phase.

1.7.2.5 10 Fullarton Drive, Paynesville

Ms Cheryl Romanin asked the following questions:

- Question 1: *“What steps will Council take to ensure that the public does not lose the shared pathway and access to the foreshore at Fullarton Point, given that the present development plan does not allow space for the path to be moved above future water levels?”*
- Question 2: *“Will Council ensure that the developers prepare a Geotechnical risk assessment and a design response detailing how areas of slope over 20% will be mitigated through the implementation of a Slope Management Plan?”*

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

Question 1: The original intention for the large reserve set aside as part of the proposed subdivision included an allowance for the eventual relocation of the cycling/walking track further inland in the event that it is necessary. The *Environment Protection and Biodiversity Conservation Act 1999* referral will determine what capacity there is to accommodate an alternative alignment through the reserve and this will need to be resolved once the outcome of the referral is known.

Public Land Managers will face the long-term challenge of threats to public infrastructure in low-lying coastal areas and this will require ongoing strategies for risk assessment, mitigation and management of public assets. Council is preparing a Coastal Management Plan to assist in identifying and managing these risks.

Question 2: The requirement for a Geotechnical risk assessment only arises if the land is within an Erosion Management Overlay, which this land is not. Proposed conditions of approval require detailed plans for the design and management of all construction works to be provided to Council's satisfaction, to ensure that earthworks are managed appropriately.

1.7.3 Public Submissions

1.7.3.1 Native Hardwood Timber Industry

Mr Mick Harrington addressed Council on the notice of motion in relation to the Native Hardwood Timber Industry and spoke at item 2.1.

1.8 Items to be tabled

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

Attachments

1. Audit and Risk Committee Biannual Report - January to June 2023 [**1.8.1.1** - 5 pages]

2 Notices of Motion

2.1 Recognising and Supporting Australia's/Victoria's Sustainable Native Hardwood Timber Industry

Public Submission

Mr Mick Harrington

That Council:

1. acknowledges that:

- a. located within the Shire is a world-class and sustainable native hardwood timber industry in Australia which delivers social, economic, cultural and environmental benefits for our nation;***
- b. timber industry workers provide invaluable skills and practical support to their communities during times of natural disasters, particularly bushfires;***
- c. banning native timber harvesting in Australia will result in more imported timber products, often sourced from countries with poorer environmental protocols; and***
- d. a sustainable native hardwood timber industry is part of the answer to reducing Australia's carbon emissions as timber products sequester carbon in our floorboards, furniture and other timber products;***

2. notes that the Victorian Government's controversial decision to ban all native hardwood timber harvesting on public land from 1 January 2024 is based on political science, not environmental science;

3. writes to the Federal Government to:

- a. recognise the sustainable native hardwood timber industry is an issue of national importance because of supply chain considerations and community safety;***
- b. include the future of the native hardwood timber industry as an issue for discussion at the next National Cabinet; and***
- c. support a taxpayer-funded public information campaign to explain the importance of the native hardwood timber industry and dispel the myths perpetuated by environmental activists; and***

4. Writes to the Victorian State Government to

- a. request the repeal of the closure of the Native Timber Industry;***
- b. seek adoption of the East Gippsland Native Timber Harvesting Paper with best management silviculture practices for a healthy, properly managed forest; and***
- c. seek acknowledgement that the basis for the decision to cease native timber harvesting has not been provided and that Local Government as local representatives were not consulted.***

Moved: Cr Sonia Buckley

Seconded: Cr Trevor Stow

Procedural Note

Cr Van Diggele raised an amendment to point 2 of the notice of motion. In accordance with Governance Rule 11.14 (14), a notice of motion may only be amended by resolution of the Council. Accordingly, the amendment was put to the vote and carried making it the substantive motion.

Motion

That Council:

1. acknowledges that:

- a. located within the Shire is a world-class and sustainable native hardwood timber industry in Australia which delivers social, economic, cultural and environmental benefits for our nation;***
- b. timber industry workers provide invaluable skills and practical support to their communities during times of natural disasters, particularly bushfires;***
- c. banning native timber harvesting in Australia will result in more imported timber products, often sourced from countries with poorer environmental protocols; and***
- d. a sustainable native hardwood timber industry is part of the answer to reducing Australia's carbon emissions as timber products sequester carbon in our floorboards, furniture and other timber products;***

2. notes that the Victorian Government decision to cease all native timber harvesting on public land from 1 January 2024 has a significant and disproportionate impact on communities in East Gippsland;

3. writes to the Federal Government to:

- a. recognise the sustainable native hardwood timber industry is an issue of national importance because of supply chain considerations and community safety;***
- b. include the future of the native hardwood timber industry as an issue for discussion at the next National Cabinet; and***
- c. support a taxpayer-funded public information campaign to explain the importance of the native hardwood timber industry and dispel the myths perpetuated by environmental activists; and***

4. Writes to the Victorian State Government to

- a. request the repeal of the closure of the Native Timber Industry;***
- b. seek adoption of the East Gippsland Native Timber Harvesting Paper with best management silviculture practices for a healthy, properly managed forest; and***
- c. seek acknowledgement that the basis for the decision to cease native timber harvesting has not been provided and that Local Government as local representatives were not consulted.***

Moved: Cr Kirsten Van Diggele

Seconded: Cr Tom Crook

CARRIED

Procedural Note

The substantive motion was put to the vote. The motion was carried.

Cr Tom Crook called for a division.

For: Cr Arthur Allen, Cr Sonia Buckley, Cr Kirsten Van Diggele, Cr Trevor Stow, and
Cr John White

Against: Cr Tom Crook and Cr Mendy Urie

CARRIED

Conflict of Interest

Cr Kirsten Van Diggele, having declared a conflict of interest to item 2.2, left the meeting at 7.21 pm.

Motion***That:***

- 1. consideration of the planning permit application (5.2022.344.1) for 10 Fullarton Drive be deferred until the requested further information as set out in part 2 of this motion has been provided to and considered by Council, to afford Councillors a more detailed and contemporary evidence base upon which to consider risks in relation to: flooding, soils, coastal erosion and inundation, at the application stage; and***
- 2. Council requests the proponent undertake a Coastal Hazard Vulnerability Assessment of the development site.***

Moved: Cr Tom Crook

Seconded: Cr Mendy Urie

LOST

Procedural Note

The motion was 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 lost.

3 Deferred Business

3.1 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

Motion

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 5.2022.344.1 (formerly referred to as 344/2022/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 the Multi-lot subdivision and native vegetation removal at 10 Fullarton Drive, Paynesville, subject to permit conditions in Attachment 1.*

Moved: Cr Trevor Stow

LAPSED

Procedural Note

The motion lapsed for want of a seconder.

The meeting was adjourned for a short recess at 8.00 pm and resumed at 8.05 pm.

Attendance

Cr Kirsten Van Diggele returned to the meeting at 8.03 pm.

4 Councillor and Delegate Reports

4.1 Cr Mendy Urie

Cr Urie spoke to her written report at page 18.

4.2 Cr Sonia Buckley and Cr John White

Cr Buckley spoke to her joint report with Cr White at page 20.

4.3 Cr Kirsten Van Diggele

Cr Van Diggele spoke to her written report at page 22.

4.4 Cr Tom Crook

Cr Crook spoke to his written report at page 23.

4.5 Cr Arthur Allen

Cr Allen spoke to his written report at page 25.

Councillor Reports

Cr Mendy Urie

17/08/23 - Agriculture Sector Advisory Committee – attended as an Observer

Audit and Risk Committee Activities:

- Ordinary meeting Monday 21 August and report to Councillors;
- Interview panel for new independent member, Thursday 24 August; and
- Annual Performance assessment meeting Monday 4 September.

31/08/23 – 01/09/23 - Gippsland New Energy Conference

This was a wonderful event proudly delivered locally, in Sale, which included two (very) full program days with a conference dinner and bookended by a day specifically for school groups and a community event day with Electric Vehicle Exhibition. Delivered by Gippsland Climate Change Network (GCCN) and a bunch of sponsors (of which Council was one). In its second year, this year was more sustainable, featured locally sourced produce and was fully subscribed with >500 participants and the added ability to live stream and ask questions via a conference app.

The event was high-spirited, fast-paced and extremely well organised with Darren McCubbin in the role of Master of Ceremonies. Presenters ranged from international representatives of companies seeking to build offshore wind (OSW) facilities (currently awaiting results of 37 applications through an assessment process at Federal level) to those who hold responsibility for delivering energy in Vic (SEC), routing and building transmission infrastructure (Vic Grid), Local Government representatives, individuals and business start-ups, education and training providers to community groups and individuals.

Subject experts delivered information sessions around Hydrogen, Circular economy, community power and Carbon Capture and Storage (CCS). Our own Sustainability Officer presented on Collaborative Local Government achievements. (Council has saved both dollar's (>\$160K. For re-investment) and emissions in particular through the VECO power purchase agreement.) It was an excellent presentation. It was also great that other Officers from sustainability as well as economic development areas were present at the conference (including the Chief Executive Officer and General Manager Place and Community)

I was able to participate in a field trip to ElecSome facility in Kilmany, a National-first facility for solar panel recycling. When operational, they will take panels from anywhere. Panels are tested for suitability for re-use initially before major components are removed and are finally put through a fast, super-high pressure, closed-system process which results in a reusable product called SolarCrete (driveways, pathways, footings, post-pouring, curbs etc)

Main conference take-outs were:

- OSW is a massive project with a need to proceed quickly (to contribute to State and Federal (net zero by 2050) targets in the race to de-carbonise National and Global economies and reduce impacts of changing climate). 2+GW by 2032, 4+GW by 2035, 9+GW by 2040
- There is strong demand that this be rolled out in a 'fair' way, with recognition, input and distributed benefits to include First Nations people, communities, young people and affected people, as priorities, at the same time as providing clean, renewable energy.

- How to deliver distributed community benefits is an ongoing conversation. Economic and job opportunities are huge as value-add opportunities and also new jobs and new skills (there are already examples of new industries starting up) but understanding their requirements, type and distribution for EG benefit will also take ongoing work. There are some great examples already (like Gippsland Community Power Hub model and Gippsland Community Foundation.)
- I believe One Gippsland will be a key forum for East Gippsland Shire Council (EGSC) to work with other Gippsland Councils and organisations on the distributed benefits issue.
- Wellington Shire Council produced a report, 'Impact and Readiness Study', it may be a valuable exercise for EGSC to develop our own version. Discussions with our officers indicate that it is being considered.

Some of my own ongoing questions:

- OSW is needed to de-carbonise our economy and achieve net-zero. How is this massive, industrial-size construction project reducing its own emissions, when carbon offsets are seen to be not always reliable? Little is yet spoken about whole -of -life issues of hard infrastructure (see Clean Energy Council link below, which might provide an exception).
- A major cause of our current global meta-crises is said to be our profit-driven, exploitative and consumerist economy. What evidence do we see that this burgeoning industry represents a 'new economy'?
- Some Councillors posed some questions for me to research. I hope these links are useful (With thanks to Rowan Lace):
 - [GCCN Home - Gippsland Climate Change Network](#) Key organisers of the conference
 - [Gippsland New Energy](#) New portal, launched at the conference for accessing information about Gippsland's New Energy infrastructure developments, community engagement, employment opportunities and skills training.
 - [The Next Economy](#) Supporting regions to thrive in the next economy
 - [RE-Alliance](#) RE-alliance is an independent, NFP advocacy organization working to secure an energy transformation that delivers long-term benefits and prosperity to regional Australia
 - [ElecSome | Home | Solar Panel Recycling, Re-Use Australia](#)
 - [New report: Vast majority of wind turbines can avoid landfill in Australia | Clean Energy Council](#)
 - [Wired for change: Regulation for small electrical products and solar photovoltaic systems - DCCEEW](#)
 - [Wind Turbines: Wind-turbine-recycling-report-2023.pdf \(cleanenergycouncil.org.au\)](#)

Summary: Approximately 75 to 95% of wind turbines can be commercially recycled currently, with the turbine blades being the remainder that is yet to be fully recyclable. There is a company in the US that has commercialised a process to break down turbine blades into glass fibres, so I'd say that by the time the offshore wind turbines are in need of refurbishing or decommissioning, there will be an opportunity to replicate this in Australia:

- [Carbon Rivers Makes Wind Turbine Blade Recycling and Upcycling a Reality With Support From DOE | Department of Energy](#)
- [Electric Vehicle batteries \(feasibility study in Hallam\): Funded project - Electric vehicle batteries reuse and recovery | CEBIC](#)

Cr Sonia Buckley and Cr John White (Joint Report)

Gippsland Red Meat Conference – 29/08/23

Introduction

The Gippsland Red Meat Conference brought together experts and stakeholders in the meat industry to discuss various challenges, opportunities, and strategies for the future. This report summarizes the key insights and discussions from the conference.

Key Speakers

1. Mark Coleman emphasized the challenges faced by the farming industry and highlighted the opportunities that policy and decision-making can offer to support the industry. He encouraged attendees to become members of the Gippsland Agriculture Group to create a supportive network for new agricultural initiatives.
2. Trevor Caithness encouraged attendees to open their minds to new farming systems and consider what changes could be made in their businesses. He emphasized the importance of networking and staying updated with developments in the Gippsland Red Meat Conference.
3. Simon Quilty and Rob Hermann (Red Meat Market) They discussed the reasons behind the current state of the red meat market, including a decrease in prices for feeder steers and mutton. They highlighted the impact of reduced slaughter capacity due to labour shortages and the anticipated increase in capacity with new upgraded plants. They also noted the influence of global economic factors on the market, especially in Asian countries like China, Japan, and Korea.

Market Trends

- China: China is set to become a significant market for the meat industry, despite its economic challenges, with a focus on beef.
- Global Economic Struggles: Several Asian economies, including Japan and Korea, are facing economic challenges that could affect meat exports.
- Supply and Demand: The balance between supply and demand is crucial, and labour shortages have impacted production capacity.

Future Predictions

- Short-Term Holding Pattern: The meat market is expected to remain low but stable over the next 12 months, with potential weather-related challenges such as El Niño.
- Price Expectations: Prices are anticipated to double in the distant future, primarily due to increased demand and reduced supply.
- Recovery Phase: When the drought breaks, there will be a surge in prices, but low supply may lead to record-high prices.
- Long-Term: In the next decade, China's consumption of meat is expected to double, and the industry should prepare for this growth.

Actionable Steps

- Animal Health: Focus on ensuring the health of animals without compromising their well-being.
- Production Strategy: Consider selling core breeding animals early, especially during challenging market conditions.
- Risk Management: Prepare for prolonged El Niño conditions, which could lead to higher recovery prices.
- Biosecurity: Enhance biosecurity measures to protect the industry and adhere to best management practices.
- Big Farm vs. Little Farm:
- Agriculture is often asset-rich but cash-poor, and success depends on matching genetics to production systems.
- Succession planning is crucial, and early inheritance strategies can benefit family members not interested in farming.
- Diversification into other businesses and revenue streams is important for sustainability, especially during market instability.

Carbon Neutral and Greenhouse Gas Reduction

- There is a need for incentives rather than penalties to encourage farmers to reduce methane emissions.
- Common concerns include leakage, measurement standards, and distrust of reduction schemes.
- Supply chains must engage in GHG audits, and farmers will need to invest in their own soil carbon.

Genetics and Productivity

- Matching genetics to production systems is essential for profitability.
- Monitoring performance metrics, including feed utilization and cost of production, is crucial.
- Breeding objectives should align with customer demand, and genetics should be optimized using genomic testing.

Building a Winning Farm Team

- The farm team includes agronomists, agents, bankers, accountants, and lawyers, all of whom play a critical role in the success of a farm.
- Effective communication among team members is essential to achieve common goals and financial objectives.

Conclusion

The Gippsland Meat Conference provided valuable insights into the challenges and opportunities facing the meat industry. It emphasized the importance of adapting to changing market conditions, implementing sustainable practices, and building effective farm teams to ensure long term success in the industry. Participants were encouraged to stay informed, open-minded, and proactive in their approach to farming and livestock management.

The benefit to Council is a collective understanding of what pressures the food and fibre sector face and how to help agriculture navigate through difficult times ahead and advocate for incentives approach to carbon sequestration in sustainable agriculture.

Cr Kirsten Van Diggele

Unfortunately, I have had a few personal things happen over the last few weeks that have impacted my ability to attend Council events. However, I was able to attend the Rob Gordon visit to Buchan on the 30 August 2023. I was able to connect with one of the residents who currently resides in Nungurner because their house was lost in the 2019-20 fires, but they have not yet been able to rebuild, despite their best attempts. I encouraged her to reach out to Councillors to share her story and the issues that she is coming up against in order to physically rebuild. It also reminded me how early some residents are in their journey to recovering from the disaster, mentally and physically.

I have also been having lots of conversations with people in the last few weeks with residents about things such as the Progress Jetty, permit matters, Slip Road, and more.

I look forward to getting back into it with lots of upcoming events and meetings.

Cr Tom Crook

Introduction

I had the privilege of representing our Council/delegation at several significant events and meetings recently. These gatherings touched upon crucial matters related to renewable energy, environmental sustainability, recreational fishing, and the future of the timber industry in East Gippsland. In this report, I will provide an overview of my participation in these events and the key insights and outcomes discussed.

Gippsland New Energy Conference

I attended the Gippsland New Energy Conference, which was conducted in part online. This event was both interesting and informative, shedding light on the energy transition and its implications for our region. The State Electricity Commission made a compelling presentation, emphasizing the need for job creation to achieve renewable energy targets. According to their insights, 59,000 jobs are required, and possibly more if we intend to expedite our transition to clean energy.

To achieve a net-zero emissions target in Victoria, we need to generate 25GW of renewable energy. Currently, there are proposals for 9GW of offshore wind power alone. To put this in perspective, we currently have 32GW of rooftop solar in Australia. This underscores the significance of renewable energy in our region's future.

I also learned about the establishment of a new solar panel recycling facility in our neighbouring shire, which aligns with our commitment to the circular economy. This facility will contribute to converting waste streams into new products, a crucial step toward sustainability.

Bream Classic Recreational Fishing Event Awards

I attended the Bream Classic recreational fishing event awards in Metung, where I had the honour of presenting prizes to the competition winners. This event plays a vital role in attracting visitors to our region, showcasing our natural assets. I took the opportunity to emphasize the importance of sound environmental management for our economic prosperity. It was heartening to witness unanimous support for responsible environmental practices from all those present.

Timber Towns Victoria Annual General Meeting

I participated in the Timber Towns Victoria (TTV) Annual General Meeting, where I nominated for the committee. Unfortunately, my nomination was unsuccessful, with representation from East Gippsland Shire deemed less desirable than that from other regions. This was disappointing given the disproportionate impact our region has experienced due to recent changes in State Government forestry policies.

During the meeting, I engaged in a discussion with Joel Fitzgibbon, a lobbyist for the Australian Forest Products Association, regarding the future of the timber industry. I reiterated our concerns about our forests being mostly sold to overseas interests and the mismanagement of our forests through practices like clear-felling and wood chipping. While expressing support for a native forest industry, I acknowledged the need for significant industry reforms due to over-logging and bushfire challenges.

Council Position on Timber Towns Victoria Policy

Following input from our council group, I conveyed our majority position at the TTV meeting that we did not support the new TTV policy position. Highlighting concerns that while the policy paper discussed the historical importance of the timber industry for our region and mentions the impacts on communities from recent decisions, it does not adequately address our concerns about supporting East Gippsland communities to the extent we feel warranted. Instead, it primarily focuses on plantations in other areas of the state.

It was proposed that the East Gippsland Shire Council position paper be attached to the TTV document to better reflect our priorities. Unfortunately, this suggestion was rejected by the chair, who emphasized that the TTV document needing to reflect state-wide priorities rather than those of specific councils.

I will continue to advocate for our Council's agreed position at the TTV committee meetings, as part of our membership which currently cost \$2750 per year, and I am committed to ensuring that our priorities are duly considered.

If you have any further questions or require additional information, please do not hesitate to contact me.

Cr Arthur Allen

South East Australia Transport Strategy Inc

The South East Australian Transport Strategy Inc (SEATS) executive meeting considered a communications strategy and it was decided that a regular newsletter to Councils and Agencies is essential to inform our members of what SEATS is doing and its achievements. In considering a recommendation on subscriptions to put to the Annual General Meeting (AGM), it was resolved to recommend no increase this year's AGM. The existing executive members agreed to remain with one vacancy for NSW to be filled. Subscriptions to remain unchanged.

Conference: Baw Baw Shire Council gave a presentation on its expected growth to 2040 and a snapshot of its current issues with its road network in and around Drouin and Warragul. While no easy options exist, it is essential the problem is addressed. Discussion was held on the critical issues for Victorian Shires. It was agreed that the Traralgon bypass is critical for all Councils as is the Sale alternate route, the Mitchell Bridge and the Baw Baw road issues.

Day 2. Acting Manager Works presented on his shires bridge replacement strategy and its success in replacing nearly all 114 timber bridges across the shire. Following, Paul Jovan Trajanoski of Inquick Systems presented on their modular bridge system and its application in numerous circumstances

17-18/08/23 - I attended the SEATS two-day conference in Drouin, hosted by Baw Baw Shire Council. Of note, was a presentation by our very own Paul Rooney on our successful Bridge Replacement Program. Paul's presentation was very well received, and he was able to answer a number of questions on the subject.

18/08/23 - I had the pleasure of opening the 2023 Tennis Seniors Victoria National Ranking Tournament in Bairnsdale and inspect their facilities as well as share their aspirations for the future. The following day the theme of racquet sports continued when I opened the 2023 Victorian Country Individual Squash Championships at Lucknow, both events sponsored by the Shire.

24/08/23 - I had the privilege of opening the Jobs Expo at Cremin Hall. This event saw 35 organisations showcase job opportunities and was very successful. Again, a Shire supported event.

25/08/23 – The Chief Executive Officer and I attended the Gippsland Business awards at Churchill. Congratulations to all East Gippsland businesses that made the finals, that in itself is a great achievement. In particular special mention to H2o Tours and Adventures of Paynesville for winning the Tourism, Activities and Attraction Award, and also special thanks to the organising committee for a fantastic event and great organisation throughout.

5 Officer Reports

5.1 Chief Executive Officer

5.1.1 Proposed amendment to Rural Councils Victoria Rules of Incorporation

Authorised by Chief Executive Officer

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;*
- 2. authorises the Chief Executive Officer to prepare and submit a Special Resolution to the forthcoming Rural Councils Victoria Annual General Meeting seeking to change the term of appointment of regional representatives from four years to two years; and*
- 3. requests the Chief Executive Officer formally advise the Chair of Rural Councils Victoria, the other Gippsland Council members being Wellington Shire Council and South Gippsland Shire Council and the Rural Councils Victoria Secretariat of Councils intention as soon as possible.*

Moved: Cr Mendy Urie

Seconded: Cr Tom Crook

CARRIED

Procedural Motion

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

Moved: Cr Tom Crook

Seconded: Cr Mendy Urie

CARRIED

5.2 Assets and Environment

5.2.1 CON2023 1548 Buchan Main Street and Linkages Project

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 Fulton Hogan Industries Pty Ltd for CON2023 1548 Buchan Main Street and Linkages Project for the contract amount \$1,443,252.01 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 John White

Seconded: Cr Sonia Buckley

CARRIED

5.2.2 Raymond Island Ferry - Service Charter Refresh

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. approves the modified Raymond Island Ferry Service Charter provided at Attachment 1; and***
- 3. authorises the Chief Executive Officer or delegate to make further changes to the Raymond Island Ferry Service Charter when required, where these changes are of an administrative nature and do not make a material change to the service.***

Moved: Cr Tom Crook

Seconded: Cr Trevor Stow

CARRIED

5.2.3

Addition of Roads to Council's Register of Public Roads

Authorised by General Manager Assets and Environment

Motion

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. declares the section of road listed below as a Public Road and be added to Council's Register of Public Roads under the classifications shown in Table 1;***

Table 1

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Lakeview Drive	Broadlands	Road Reserve	2	0.378km	Rural Access

- (3) declares the re-classification of existing roads already listed on the Register of Public Roads changed classification from Rural Fire Access Roads to Rural Limited Access Roads as per Table 2;***

Table 2

Site Number	Road Name	Current Classification	New Classification
SITE102973	Barbers Lane	Rural Fire Access	Rural Limited Access
SITE100074	Baudinetts Road	Rural Fire Access	Rural Limited Access
SITE101142	Bullock Hill Road	Rural Fire Access	Rural Limited Access
SITE100202	Bung Lane	Rural Fire Access	Rural Limited Access
SITE100253	Chettles Road	Rural Fire Access	Rural Limited Access
SITE102976	Delegate Hill Track	Rural Fire Access	Rural Limited Access
SITE100382	Doyles Road	Rural Fire Access	Rural Limited Access
SITE100392	Dyer Access Road	Rural Fire Access	Rural Limited Access
SITE101660	Elm Track	Rural Fire Access	Rural Limited Access
SITE102975	Hamilton Street	Rural Fire Access	Rural Limited Access
SITE100579	High Forest Road	Rural Fire Access	Rural Limited Access
SITE102833	Hines Road	Rural Fire Access	Rural Limited Access
SITE100589	Hobbs Road	Rural Fire Access	Rural Limited Access
SITE100596	Holes Road	Rural Fire Access	Rural Limited Access
SITE100599	Hollands Road	Rural Fire Access	Rural Limited Access
SITE100692	Kemptions Road	Rural Fire Access	Rural Limited Access
SITE101773	Leathams Road	Rural Fire Access	Rural Limited Access
SITE100830	Man Deans Road	Rural Fire Access	Rural Limited Access
SITE100835	Margetts Street	Rural Fire Access	Rural Limited Access
SITE100868	McArthurs Road	Rural Fire Access	Rural Limited Access
SITE100881	McKenzies Road	Rural Fire Access	Rural Limited Access
SITE101148	O'Briens Road	Rural Fire Access	Rural Limited Access

SITE102994	Off Parkers lane	Rural Fire Access	Rural Limited Access
SITE100109	Old Coach Road (North)	Rural Fire Access	Rural Limited Access
SITE102977	Old McLeinster Road	Rural Fire Access	Rural Limited Access
SITE101078	Parish Boundary Lane	Rural Fire Access	Rural Limited Access
SITE101096	Pearce Street	Rural Fire Access	Rural Limited Access
SITE103007	Power Station Road	Rural Fire Access	Rural Limited Access
SITE101182	Resides Road	Rural Fire Access	Rural Limited Access
SITE102433	Ringside Crn Fernbank Trk	Rural Fire Access	Rural Limited Access
SITE101210	Rogers Street	Rural Fire Access	Rural Limited Access
SITE101257	Scotts Road	Rural Fire Access	Rural Limited Access
SITE101306	Spring Gully Road	Rural Fire Access	Rural Limited Access
SITE101024	Stone Cottage Lane	Rural Fire Access	Rural Limited Access
SITE101337	Suding Road	Rural Fire Access	Rural Limited Access
SITE101416	Turners Road	Rural Fire Access	Rural Limited Access
SITE101512	Willis Road	Rural Fire Access	Rural Limited Access
SITE102292	Wisharts Road	Rural Fire Access	Rural Limited Access

- (4) determines the sections of roads listed as Table 3 should not be added to Register of Public Roads until they meet the requirements of a Principal Place of Residence and the required upgrading / construction works have been completed by the benefitting owners to Council's satisfaction; and**

Table 3

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Lees Road	Sarsfield	Crown Land – Agricultural Lease	0	1.650km	Rural Limited Access
Laneway – 167-169 Nicholson Street	Bairnsdale	Road Reserve	0	0.031km	Urban Limited Access
Old Man Hill Road	Sarsfield	Crown Land – Parks Victoria	1	0.391km	Rural Limited Access
Hollonds Road	Benambra	Crown Land – Agricultural Lease	0	0.988km	Rural Limited Access

- (5) authorise the Chief Executive Officer or delegate to update Council's Register of Public Roads to reflect Recommendations 1 and 2 as required by the Road Management Act 2004.**

Moved: Cr Tom Crook

Seconded: Cr John White

CARRIED

6 Urgent Business

Nil

Motion

That Council resolves to move into confidential business pursuant to section 66(2) of the Local Government Act 2020.

Moved: Cr Kirsten Van Diggele

Seconded: Cr Tom Crook

CARRIED

The meeting was closed to the public at 9.13 pm.

7 Confidential Business

Council closed the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following item:

7.1 Bogong High Plains Road

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, given the sensitive nature of National Disaster Recovery Funding (DRFA) claims.

The meeting was re-opened to the public at 9.23 pm.

8 Close of Meeting

The Chair, Cr Arthur Allen declared the Council meeting closed at 9.24 pm

Audit and Risk Committee

Biannual Report

January to June 2023

Introduction

East Gippsland Shire Council (Council) is required to establish an Audit and Risk Committee (the Committee) under section 53(1) of the *Local Government Act 2020* (the Act).

Additionally, section 54(1) of the Act requires councils to prepare and approve a Committee Charter (the Charter) which specifies the Committee's objectives, authority, composition, tenure, roles and responsibilities along with reporting, administrative and governance arrangements. The current Charter was adopted by Council 16 August 2022.

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

This Report outlines the activities of the Committee for the reporting period (January to June 2023).

Membership and Meetings

Committee membership comprises four Independent Members appointed by Council and three Councillors. In accordance with section 53(4) of the Act the Chair of the Committee must be an Independent Member.

During the current reporting period, one new Independent Member commenced, and one Independent Member resigned from their position on the Committee. Accordingly, the recruitment process to appoint a new Independent Member commenced.

The Committee met two times during the reporting period:

Date	Meeting Type	Attendance
20 February 2023	Ordinary Committee Meeting	4 Independent Members 3 Councillors
31 May 2023	Ordinary Committee Meeting	3 Independent Members 3 Councillors

In accordance with the Charter, an ordinary meeting is held once each quarter and a joint meeting with Councillors is held annually in September to discuss:

- Council's audited draft financial report and performance statement; and
- the Committee's self-assessed performance evaluation for the previous financial year.

As detailed in the Charter, a quorum will exist if four (4) or more Committee Members are present, and the number of external Independent Members present is equal to or greater than the number of Councillor members.

Meetings during the reporting period complied with quorum requirements.

The meeting agenda is driven by the Committee's Annual Work Program, which was formally endorsed at the meeting held 20 February 2023. The matters from the Annual Work Program considered by the Committee at each meeting are provided in **Table 1**.

TABLE 1

Audit and Risk Committee Annual Work Program 2023		20 February 2023		31 May 2023	
Reports	Source	Planned	Actual	Planned	Actual
Officer Reports					
Quarterly Finance Report	LGA 54(2)(b) / Charter 1.2	✓	✓	✓	✓
Quarterly Capital Works and Major Projects Report	Not Defined	✓	✓	✓	✓
Quarterly Councillors' Expenses Report	Charter 1.6(l)	✓	✓	✓	✓
Quarterly Strategic Risk Management Report (Including Risk Registers)	Charter 1.6(c)	✓	✓	✓	✓
Quarterly Occupational Health and Safety Report	Not Defined	✓	✓	✓	✓
Quarterly Major Insurance and Legal Claims Report	Charter 1.6(h)	✓	✓	✓	✓
Annual LGPRF Report	Charter 1.6(e)			✓	✓
Service Reviews - Implementation of Recommendations	CEO KPI	✓	✓		
Audit Matters					
Internal Audit Plan Progress Update	Charter 1.6(g)	✓	✓	✓	✓
Internal Audit Recommendations - Actions Update Report	Charter 1.6(g)	✓	✓	✓	✓
Internal Audit Reports (as required)	Charter 1.6(g)	✓	x		
Internal Audit Plan (Draft 3-5 Year Plan)	Charter 1.6(g)	✓	✓	✓	✓

Audit and Risk Committee Annual Work Program 2023		20 February 2023		31 May 2023	
Reports	Source	Planned	Actual	Planned	Actual
External Auditor - Financial Year Audit Strategy	Charter - Roles	✓	✓		
External Auditor - Interim Management Letter	Charter - Roles				✓
Committee Matters					
Actions Arising Update	Not Applicable	✓	✓	✓	✓
Annual Report - Completed Actions Arising	Not Applicable	✓	✓		
Annual Work Program	LGA 2020 - s54(3)	✓	✓		
Annual Performance Assessment	LGA 2020 - s54(4)(a) Charter 1.6(j)			✓	✓
Biannual Activity Report	LGA 2020 - s54(5)(a) Charter 1.6(n)	✓	✓		

Key Highlights

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

Committee Matters

- Ms Celeste Gregory elected as Chair for 2023;
- Welcome of new Independent Member Jason Hellyer – a returning member who has past experience from his time on the East Gippsland Audit and Risk Committee and a valuable member to the current cohort;
- Resignation of Mr Stephen Paterson – The Committee thanks Mr Paterson for his contribution and wishes him the all best for future endeavours; and
- Although the Committee has undergone a change in Membership over the last two years, the relationship between Council Officers, Cr Reeves, Cr Urie, and Cr White as the Councillor delegated representatives and the Independent Members, Ms Goldsmith, Mr Hellyer and Ms Gregory, is collaborative and professional, whilst ensuring integrity and transparency is maintained.

Committee Deliberations

- Adoption of Annual Work Program 2023;
- Development and endorsement of Internal Audit Plan 2023-26;
- Recognised the challenges Council is facing relating to project delivery due to constraints outside of Council control. The Committee has seen an increased level of reporting and the transparency on impacts of costs and delivery have been noted;
- The increased focus on climate change and environmental sustainability has been identified by members of the Committee and note the actions in place regarding associated risks;
- Provided feedback and advice on internal audit findings;
- Provided feedback and advice to the Management responses in relation to the findings of the interim external audit;
- Noted continued compliance with the Councillor expenses; and
- Noted and received risk reports indicating Council's key risks are being reviewed periodically and impacts are disclosed to the Committee.

The following key items are noted to be under consideration by the Committee as at the 30 June 2023:

- Annual Performance Assessment; and
- Recruitment of a new Independent Member is required and will be undertaken in the second half of the year in preparation for the November 2023 Committee meeting. Recruitment will be undertaken by a panel comprising the Chief Executive Officer, Cr Urie and Ms Gregory (Chair). The recruitment will go to market having considered the skills matrix of current members and guide the selection, recruitment and appointment of a new Member to ensure that the Committee's composition is and continues to be fit for purpose.