

# Council Meeting Minutes

**TUESDAY 21 APRIL 2020**

**Council Chamber  
273 Main Street, Bairnsdale  
commencing at 1.00 pm**

*Councillors* John White (Mayor), Richard Ellis (via Skype), Natalie O'Connell, Marianne Pelz, Mark Reeves, Joe Rettino, and Colin Toohey.

*Officers* Anthony Basford (Chief Executive Officer), Stuart McConnell via Skype (General Manager Bushfire Recovery), Peter Cannizzaro (General Manager Business Excellence), Jodie Pitkin via Skype (Acting General Manager Place and Community), Fiona Weigall via Skype (General Manager Assets and Environment) and Brigitte Dew via Skype (Councillor Support Officer).

## Our Vision

**East Gippsland is the most liveable region in Australia.** A place of natural beauty, enviable lifestyles, and opportunities.

## Our Mission

A leading local government that works together with our communities to make East Gippsland the most liveable region in Australia.

## Our Values

### **Accountability**

We will take responsibility for our actions and decisions in an open and transparent way.

### **Inclusion**

We will be accessible and active in engaging with our community. We will invite, listen to and seek to understand the views of others, and proactively share information about Council's plans, projects, services and activities.

### **Integrity**

We will honour our commitments and conduct ourselves in an honest, ethical way.

### **Respect**

We will value, support and help to develop our diverse community. We will respect the views and contributions of others and act with courtesy and consideration in all our interactions.

### **Resourcefulness**

We will turn the challenges faced by our community into opportunities by being flexible and innovative in our response. We will actively seek better and more cost-effective ways to achieve the best outcomes for East Gippsland

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## **1. Procedural**

### **1.1 Opening and Recognition of Traditional Custodians**

We regret that members of the public are not permitted to attend this meeting due to directions issued under the Public Health and Wellbeing Act 2008 to contain the spread of coronavirus (COVID-19).

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page. I would like to acknowledge the Councillors who made themselves available in order for us to conduct this meeting and thank you very much for your efforts. As you will see, if you're livestreaming, we are social distancing. Thanks also go to the Chief Executive Officer and Council officers who arranged to have the Chamber and surrounds completely sanitised and followed the procedures set down by the health officer, it is very important that we can maintain these meetings due to the fact that we are following on from our bushfire crisis and that there are so many important issues that we need to attend to.

On behalf of Council, I would like to acknowledge the Gunaikurnai People, the traditional owners of the land on which we are gathered and pay our respects to their elders both past and present.

### **1.2 Apologies**

Cr Ben Buckley

Cr Jackson Roberts

#### **Note**

Cr Richard Ellis was not present in the room and did not form part of the quorum and therefore did not vote on motions, however participated in the discussion only within the council meeting via video conferencing.

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

Nil

### **1.4 Confirmation of minutes**

***Cr Marianne Pelz / Cr Joe Rettino***

***That the minutes of the Ordinary Council Meeting held on 17 March 2020 be confirmed, with a correction to the Local Government Act reference in Item 7.2 - Clause 2. The resolution should read Section 186(5)(c) rather than Section 185(5)(c).***

***CARRIED 21/04/20***

Abstained: Cr Natalie O'Connell

### **1.5 Next meeting**

Ordinary Council Meeting, 5 May 2020 to be held at the Corporate Centre, 273 Main Street, Bairnsdale commencing at 6.00 pm.

The Victorian Government has announced it is bringing a bill to Parliament on 23 April 2020 to enable council meetings to be conducted virtually. Subject to the Parliamentary process, changes will be made to provide a mechanism in the *Local Government Act* 2020 for meetings to be conducted virtually. These changes, if passed, will come into operation on 1 May 2020.

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

Nil

### **1.7 Requests to speak about your Community Project**

Nil

## **1.8 Public question time**

As the members of the public are not permitted to attend this meeting due to directions issued under the Public Health and Wellbeing Act 2008 to contain the spread of coronavirus (COVID-19), the Chief Executive Officer (CEO) read out the questions on their behalf.

The Chief Executive Officer advised that the questions will be taken on notice.

A response will be provided to the member of the community who posed the question in accord with Council's Customer Response Policy standard for written correspondence, that is within 10 business days, or within 30 days in relation to a complex or sensitive matter. The response will also be attached to the Minutes of the meeting at which the question was put.

### **1.8.1 Declaring Climate Emergency**

Thomas (Tom) Moore submitted the following question which was read by the CEO –

*“Firstly, I applaud Council for steps already taken to identify and mitigate against climate risks in East Gippsland. However, with climate science clearly predictive substantial increases in the frequency and intensity of bushfires – especially on our eastern coastlines – could Council explain why it does not consider we have a climate emergency?”*

### **1.8.2 Declaring Climate Emergency**

Mendy Urie submitted the following question which was read by the CEO –

*“Council officers are recognising that the movement for Councils to declare a climate emergency initiated by Darebin Council, has been (and is) an important one in amplifying the need for urgent action, globally across business, communities and all levels of Government. Why then do officers not recommend that East Gippsland add its name to the long list? After a tragic summer, of bushfires when Australia and East Gippsland were clearly a focus of the world's horrified attention won't we attract deserved ridicule by appearing to deny the seriousness of what climate science is telling us?”*

### **1.8.3 Declaring Climate Emergency**

John Urie submitted the following question which was read by the CEO –

*“I have read the executive summary document no 8422391 in response to the petition – declaring a climate emergency, The response from Council officers concentrates on adoption and mitigation but does not address the possible benefit of declaring a climate emergency, an added voice to the rising voices to enable real change to emissions that are only possible on State Federal and world level. Please consider this fundamental question.”*

### **1.8.4 Declaring Climate Emergency**

Donald Ashby submitted the following two questions which were read by the CEO –

*“How can the Shire reconcile its support for the commencement of gold extractive industries in Genoa/Wallagraugh River catchments with its declared support for mitigation of Climate Change consequences and responsible environmental policies? and;*

*“In the light of that the current draft of ‘climate change’ policies have not significantly affected the Council's continued support of high carbon emissions industries like - extractive industries, mass tourism and unsustainable agricultural practices’ surely the adoption of a climate emergency declaration is timely and highly necessary to reflect genuine policy changes to attempt to mitigate climate changes primary causes in our shire?”*

### **1.8.5 Declaring Climate Emergency**

Geoff Johnston submitted the following question which was read by the CEO –

*“Within Council’s Environmental Sustainability Strategy to protect, preserve and enhance East Gippsland’s environment including actions to mitigate and adapt to climate change. Will Council’s assessment of future Strategic and Statutory projects consider scrutiny on any project within the Shire that would have the potential to compromise our sustainability, landscape and natural resources leaving the Community and Council with unacceptable legacy of environmental impacts, costly mitigations and ameliorations for present and future generations in making these judgements.”*

### **1.8.6 Declaring Climate Emergency**

Andrew and Ann Therese McGregor submitted the following questions which were read by the CEO –

*“In the context of 3 years of drought and the devastating bushfires of 2019 – 2020, is the East Gippsland Council comfortable with its current laissez-faire policies when we clearly need to be proactive in the face of the existential threat of climate change? and;*

*When the Council’s Environment, and Sustainability strategy is updated, will it recognise that protecting our environment is crucial for the region’s health, prosperity, jobs and tourism?”*

### **1.8.7 Declaring Climate Emergency**

Jim Sakkas submitted the following question which was read by the CEO –

*“Is East Gippsland Shire Council willing to be part of the movement for “Councils declaring a climate emergency” (as initiated by Darebin Council) to send a message to our community and to the rest of the world that urgent action on climate is crucial to our survival , and that business as usual is no longer an option?”*

### **1.8.8 Declaring Climate Emergency**

Jenny Mason submitted the following question which was read by the CEO –

*“East Gippsland has recently suffered extensive drought and bushfires. There is no doubt that climate change is affecting our lives and livelihoods. If we care about the future of our land, our people and our wildlife, strong action is required now. “Will EGSC declare a climate emergency along with other forward-thinking Councils? Will the Council act in a strong, united way and lead East Gippsland to a sustainable, liveable future?”*

### **1.8.9 Declaring Climate Emergency**

Mallacoota Progress Association Inc submitted the following question which was read by the CEO -

*“With your officials asking you to bury your heads in the sand over the emergencies we have faced and will continue to face with our changed climate, our question on behalf of our members, is: “Why?”*

Certainly after our devastating fires, and at the very least, your officials’ opinion that “it is not considered declaring a climate emergency will significantly change Council’s current and future works” not only overlooks Council’s role in determining future works, in the future, it overlooks Council’s leadership role in our community.



Despite the negative wording chosen by your officials, their statement does not give Council any reason to hesitate in joining with more than 30 Victorian local governments\* (and more than 90 nationally) in making a climate emergency declaration. Let's be part of the solution.

\*<https://climateemergencydeclaration.org/climate-emergency-declarations-cover-15-million-citizens/>

### **Background and Mallacoota Progress Association concerns:**

We note they acknowledge your existing environmental actions and wonder about their motives or what they fear from declaring the obvious. Surely this is a matter of policy for you, our elected representatives. Surely officials should provide you with evidence and data and perhaps opinion but not an official recommendation to shy from reality when so much needs to be done to prepare ourselves for what lies ahead. We believe that should be up to you, and for the record, we document some aspects below that should encourage any of you in doubt as to the safest course to follow.

Thousands of people stranded on the foreshore of our town, directly as a result of unprecedented climatic impacts, is apparently not seen as an emergency situation to some EGSC officials, but it certainly was to millions of people who watched it unfold right around the world. Many news outlets will of course raise their eyebrows at the recommendation from Mallacoota's Shire officers.

In response to our own declaration, published prior to Christmas (and prior to the fires and evacuations) and sent to Victorian and Federal members of Parliament, Tim Bull MP noted steps already being taken at a national level and added the following to emphasise a further East Gippsland perspective:

"... we also need to strongly consider the impacts on our food producers from the changing climate."

Hear, hear.

The current pandemic reminds us both how resilient we must aim to be with food and other essentials not only with production and associated incomes, but with all aspects of supply and delivery. We must be prepared for drought, fire, isolation and a changed world economy – our environment is core: our agricultural food bowl, our lungs, the reason we all live in East Gippsland.

You will of course have had the opportunity of seeing our declaration, twice, in 2019 publications of The Mallacoota Mouth, sent to EGSC during school terms. As sent to our MPs last December:

From our strategically important location in south-east Australia, in an economy surrounded by wilderness, lakes and forests, reliant on tourism and cottage industries, our members have created and published the message below with the aim of inspiring coordinated planning for a changing future. We are keen to hear your suggestions.

***"The Mallacoota Progress Association Inc. declares that we, our infrastructure, our economy, our flora, our fauna and our people, are in a climate emergency.***

***"In unison with over 70 Australian local governments, the state of South Australia, several nations including Canada, France, Ireland and the UK, the Holy See and over 11,000 scientist signatories, we declare clearly and unequivocally that planet Earth is in a climate emergency.***

***"Responses from governments, businesses, associations and individuals to date are tragically insufficient and, to plan for and to survive in this changed and changing world, we expect greater and immediate actions to reduce the impacts of the emergency."***

We know you have given this much thought already and we look forward to working with you and your parliamentary colleagues in collaborative and constructive ways.

End of message to MPs

In the body of our email to Tim Bull we wrote, in December, prior to Christmas. It would have been equally true for each of you.

“As you will know is true of many of your constituents, and perhaps yourself, we have our fire plans by the front door and conversations in the community about what to do take place many times each day. We note that residents here are already questioning our Shire’s risk assessments for a fire impacting directly on our foreshore camp park. The consequences for our economy and community of reduced numbers of visitors are also in our thoughts, further adding to anxieties. Of course fire is only one aspect of how our biosphere responds to climate related events. Perhaps you can meet with us in the new year for conversations about ways forward.”

Events clearly overtook us and as a consequence many of our members have been key in helping set up our community wide association, MADRA.

We recognise and applaud work done by you, your environmental officers, and others, and we applaud your support of many environmental/climate related projects, such as: your excellent support of and participation in Mallacoota and surrounds Bushfire Fuel Reduction project in 2019 and hopefully ongoing; your excellent support of our community group MADRA which should be a great communication channel for you and other agencies during and beyond the bushfire recovery phase; your support for home solar panels; support for the kitchen to compost, and more.

We are also too well aware of many failures. We are aware that while we worked to prevent the potentially catastrophic Frogs Hollow flight school from operating over Croajingolong National Park, Council was advising that Mallacoota airport had capacity for their high frequency plans. We are not currently hearing any concerns about gold mining possibilities in the catchments of the Mallacoota lake system, already heavily compromised by the bushfire damage, and will be for years to come. We remain distressed that council was unable to ensure continuation of UN Biosphere status for Croajingolong. We corresponded with you in the past over the pathetic fire evacuation plans delivered by EGSC in the early 2010s (leave for Cann River or Eden –through burning forests – for safety), and in more recent years the lack of follow up to poorly advertised community developed fire plans in recent years (something to be addressed with vigour prior to the next fire season only months away). We note the need for evacuations via the sea after the fire and remind you yet again that Council’s identification of swim training opportunities for Mallacoota’s emergency services are woefully inadequate if not deceitful. We do not hear Council proactively addressing governments, businesses, agencies and associations to work holistically to tackle climate issues, whether related to our carbon footprint or having responses to changes increasingly at the ready.

One simple, cost free and effective way to begin proactivity is to join in with so many other local governments, to declare a climate emergency.

Other ways forward in light of such a declaration:

We note that our waterways continue to be the go-to place for storm water and we have no local wetland creations to intervene. Along this line we note that as the rains came after the bushfires this year, no contamination traps were put in place on storm water drains. Our requests for weed steaming to replace toxic chemicals have been thwarted by your officials. There remains the problematic synthetic rope along the Bastion Point car park being partially burned in the fires, that has been allowed for months to continue decaying into the sea.

We have all seen how quickly the urgency in our own declaration was revealed when without even a code red day for us, our town lost around 100 homes. This was of course tragically replicated across our shire and from here to Queensland.

In light of all of the above, you will understand that many of our members are cynical of your officials’ stance. Just what it could be that prevents your officials from seeing our situation as

an ongoing declarable emergency is something that we urge your executive to discuss with them.

So we thank you for reading our submission and finish with our original question, in relation to your officials going against the reality around us and the movement of so many local governments, by recommending to you that you do not make a declaration: "Why?"

#### **1.8.10 Declaring Climate Emergency**

Rosemary Gooch submitted the following question which was read by the CEO –

*"In view of the many strategies already undertaken by the Shire Council and with the review of the Environmental Sustainability Strategy review being undertaken will the Shire take this opportunity to take a leadership role on this issue by declaring a climate emergency?"*

#### **1.8.11 Declaring Climate Emergency**

Robyn Hermans on behalf of the East Gippsland Climate Action Network (EGCAN) submitted the following question which was read by the CEO –

*"East Gippsland Climate Action Network (EGCAN) represents a large number of residents deeply concerned about the urgency in addressing the safety of our climate.*

*The November 2017 Take2 pledge acknowledged EG Shire Council's commitment to tackling climate change. Now we have an opportunity to extend, rather than duplicate, our commitment by demonstrating solidarity with others globally in ensuring expediency in our responses. "Will you also sign up for the safety of the people and places with love?"*

#### **1.8.12 Declaring Climate Emergency**

Robyn Hermans submitted the following question which was read by the CEO –

*"Scientists advise that this is the decade where our choices and actions will determine the safety of the people and places we love into the future. I believe it is time to move into emergency mode just as we have done for the pandemic. "Can Councillors agree that it is time to extend their Pledge 2 commitment and declare a climate emergency?"*

#### **1.8.13 Declaring Climate Emergency**

Daniel (Danny) Haylock submitted the following question which was read by the CEO –

*"Like Canberra, is the East Gippsland Shire Council looking to ensure that all future buildings and housing estates, are fully electric? This means electric stoves, electric hot water and electric heating instead of gas as a way of supporting the transition away from fossil fuels?"*

We are at a pivotal point in human history, it is the ending of the fossil fuel era. An era which has damaged our environment to the extent that it is now threatening the lives of future generations.

World-wide insect and bird populations are crashing, bushfire seasons are increasing and weather events becoming more extreme, ocean currents are moving faster, and fisheries are being destroyed by marine heatwaves. Tropical diseases are predicted to move further south and our country is not ready for the mass climate driven migration, that is predicted to increase to 240 million people, from inundation alone, by 2050.

Our parents and grandparents grew up on a cooler planet than what we and our children experience as normal today. This new “normal” is changing rapidly. We need to move away from fossil fuels and their emissions urgently. Like the whaling industry of the 1800’s, their time is over.

#### **1.8.14 Declaring Climate Emergency**

Kaye Munro has submitted the following question –

*“As the request for Council to declare a climate emergency over the shire is to be considered, my question is this; “In the interest of transparent leadership in an era of rampant opinions, could Council please make public the reasons for its decision, whatever that may be, over the declaration of a climate emergency for the Shire?”*

#### **1.8.15 Declaring Climate Emergency**

Dr Jane Greacen and Dr David Campbell submitted the following question which was read by the CEO –

*“Whilst acknowledging the E.G Shire Council’s stated commitment to reducing the impacts of climate change, unless the Council takes the next step of declaring a Climate Emergency, how can the community know that the Council we do everything possible to mitigate the rapidly progressive impact of climate change on public health; infection rates; sanitation; poor air quality; impact on chronic diseases including lung; heart and autoimmune diseases and cancer; adequate and safe water supply?”*

#### **1.8.16 Declaring Climate Emergency**

Judith Ireland submitted the following question –

Due to not receiving authorisation to read the question on Ms Ireland’s behalf, this question was not read out during the Council meeting.

*“Given the seriousness of the impact of the recent bushfires on our community and the prospect of future devastation how can the East Gippsland Council not declare an emergency and further ramp up measures to address climate issues?”*

## 1.9 Record of Assemblies of Councillors

### 1.9.1 Assemblies of Councillors – (February to April 2020)

**Authored by** Michelle Ingram, Governance and Compliance Officer

**Endorsed by** Peter Cannizzaro, General Manager Business Excellence

**Document No** 8438756

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#### EXECUTIVE SUMMARY

In accordance with section 80A(2) of *the Local Government Act 1989* (the Act), this report provides a summary record of assemblies of Councillors held during the period 25 February to 14 April 2020, refer to table below. Also included in the report is one record from 7 February 2020, not previously presented.

The assemblies of Councillors covered by this report are as follows:

<b>Assembly of Councillors meetings:</b>	<b>Meeting date:</b>
Councillor Briefing	25 February 2020 3 March 2020 10 March 2020 24 March 2020 31 March 2020 7 April 2020
Councillor Only Time	25 February 2020 3 March 2020 10 March 2020 31 March 2020 7 April 2020 14 April 2020
East Gippsland Shire Council Marina Consultative Committee	7 February 2020

A copy of the formal record for each of these assemblies of Councillors is provided at **Appendix 1**.

## RECOMMENDATION

***That Council notes the record of assemblies of Councillors that occurred during the period 25 February to 14 April 2020, together with one record not previously presented from 7 February 2020 as provided at Appendix 1.***

***Cr Joe Rettino / Cr Mark Reeves***

***THAT THE RECOMMENDATION BE ADOPTED***

***CARRIED UNANIMOUSLY 21/04/20***

## OFFICER COMMENT / CONTEXT

### Discussion

As required by the Act, this report presents a formal record of assemblies of Councillors held during the period 25 February to 14 April 2020, together with one record from 7 February 2020.

An assembly of Councillors is defined as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

### Financial

There are no financial implications for Council arising from this report.

### Council Plan

Good Governance Goal 1 East Gippsland Shire Council is inclusive, engaged and open.

### Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). Provisions from the new Act are being commenced in four stages. The first tranche of provisions commenced on 6 April 2020 with other tranches commencing on 1 May 2020 and 24 October 2020. All remaining provisions are commencing on 1 July 2021. The *Local Government Act 1989* applies in circumstances where the new Act has not commenced.

The East Gippsland Shire Council is required to make decisions under both Acts as the transition occurs. Council has implemented mechanisms to ensure decisions are made according to the relevant provisions of either the *Local Government Act 1989* or the *Local Government Act 2020* as in force at the date of the decision.

This report has been prepared in accordance with *Local Government Act 1989* s80A and s80A(2). S80A sets out the requirements Councils must observe in respect of assemblies of Councillors and s80A(2) requires the Chief Executive Officer to ensure that as soon as practicable after any meeting that is an assembly of Councillors under the Act, a written record of the meeting is reported at an ordinary meeting of Council and incorporated in the minutes of that meeting. The Act also specifies the type of information to be provided in the written record.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

## **APPENDICES AND ATTACHMENTS**

### **Appendices**

1. Assemblies of Councillors records

### **Attachments**

Nil

## 1.10 Petitions

### 1.10.1 Petition – Declaring a Climate Emergency

**Authored by** Megan Dennett, Environmental Sustainability Coordinator

**Endorsed by** Fiona Weigall, General Manager Assets and Environment

**Document No** 8422391

**In Attendance** Megan Dennett, Environmental Sustainability Coordinator

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### EXECUTIVE SUMMARY

This report informs Council of a petition submitted by the East Gippsland Climate Action Network on behalf of 1,649 signatories, containing the following statement and request:

*“The undersigned:*

- 1. acknowledge that dangerous climate change is happening now, and accelerating,*
- 2. demand action at a pace far beyond business and politics as usual to reduce climate risks, and*
- 3. hereby petition East Gippsland Shire Council to:*
  - a) take a stronger leadership role within the East Gippsland community for urgent action on climate change,*
  - b) include in all reports to Council climate implications for Council's own operations and for the broader East Gippsland community, and*
  - c) declare a climate emergency.”*

The petition in respect of the above was lodged with East Gippsland Shire Council at a Councillor Briefing session on 10 March 2020 attended by East Gippsland Climate Action Network Members Carina Turner, Sally Kendall and Nick Blandford. A cover note, signature count, hard copy signatures and online signatures were provided.

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

Council recognises that there are a range of challenges and opportunities that will need to be a focus for Council action, including addressing the impact of climate change. As a result, Council has taken a proactive approach to understanding, planning for and responding to climate change in East Gippsland, including taking the Victorian Government's Take2 pledge in November 2017 and made the following pledge:

*East Gippsland Shire Council is committed to tackling climate change. We have a role in maintaining, protecting and enhancing the region's environment. We do this by using our resources more efficiently, by reducing our everyday impacts, planning for changing conditions and encouraging the people of East Gippsland to do the same”.*

In addition to receiving the petition, this report outlines the manner in which Council is currently addressing Climate Change and the proposed future programs and strategic work. This includes the refreshing of Council's Environmental Sustainability Strategy, which proposes that a changing climate is one of the three main objectives of the strategy currently in development.



In light of the actions Council is already taking and the Take2 pledge this Council made in 2017, it is not considered declaring a climate emergency will significantly change Council's current and future works.

## **RECOMMENDATION**

### ***That Council:***

- 1. receives the petition lodged by the East Gippsland Climate Action Network requesting East Gippsland Shire Council to:***
  - a. take a stronger leadership role within the East Gippsland community for urgent action on climate change;***
  - b. include in all reports to Council climate implications for Council's own operations and for the broader East Gippsland community; and***
  - c. declare a climate emergency.***
- 2. continues to show a strong leadership role in recognising climate change in future strategic work and ensuring that there are specific actions and projects undertaken to support the East Gippsland community adapt to a changing climate and mitigate impacts wherever possible;***
- 3. includes a specific climate change section within Council Report templates so that climate implications for Council operations and for the broader East Gippsland community are considered in all recommendation to Council;***
- 4. recognises that a changing climate is a matter of serious concern for the East Gippsland community and, in addition to an organisational response to climate change, advocate to other tiers of government to take assertive action that will support our community and our landscape to mitigate and adapt to the effects of climate change; and***
- 5. advises East Gippsland Climate Action Network that the petition has been received and considered.***

***Cr Colin Toohey / Cr Mark Reeves***

***THAT THE RECOMMENDATION BE ADOPTED***

***CARRIED UNANIMOUSLY 21/04/20***

## **OFFICER COMMENT / CONTEXT**

### **Discussion**

A petition containing 1,649 signatures was submitted to East Gippsland Shire Council at a Councillor Briefing session on 10 March 2020 attended by East Gippsland Climate Action Network Members Carina Turner, Sally Kendall and Nick Blandford. A cover note, signature count, hard copy signatures and online signatures were provided.

In the interests of respecting the privacy of the petition's signatories, a copy of the full documentation received with the petition is not presented with this report but has been circulated to Councillors under separate cover.

In 2016 Darebin Council became the first Government body in the world to declare a climate emergency. Their initiative spurred on by local community members, sparked a global movement, with hundreds of Councils across multiple countries now calling for a climate emergency response. The momentum has been building worldwide, and the growth in the number of Councils that have formally recognised the climate emergency, has been seen as critical in getting a climate emergency response adopted at higher levels of Government.

Darebin Council have invited the community and other Councils and all levels of Government to join with them to declare a climate emergency, and importantly to follow through with an effective response. A key response to declaring a climate emergency has been the development of a Darebin Climate Emergency Plan with resourcing allocated.

The work done at a local level is viewed as vital, for now and for future generations, for humans and for the natural world. Across Australia, 94 of the 537 Councils have declared a climate emergency, this includes 30 Victorian Councils. Bass Coast Shire Council declared a climate emergency via a Notice of Motion by a Councillor at their August 2019 Ordinary Council meeting.

East Gippsland Shire Council has been proactive in considering climate change at an organisational level and have also addressed climate change within our planning functions for almost a decade.

Over the past five years, Council has invested over \$5 million in climate change mitigation and adaptation. We have also been formally recognised with Sustainability awards for our aquatic and leisure facilities and via a United Nations award for our Bright Futures Energy consumption initiatives. Understanding how to support effective and ongoing action to both mitigate the impacts and adapt to a changing environment are considered critical for East Gippsland.

Council's approach to date has been to focus our efforts on working to reduce our organisational climate impact and footprint, plan effectively for sustainable growth and infrastructure provision and support the development of capable and resilient communities. We have initiated a range of programs designed to improve access to information for our community to support effective decision making such as a Quarterly Environment Connect Newsletter and a Building Resilience Guide to consider climate change approaches for East Gippsland houses.

Beyond providing access to information, Council recognises the importance of developing the capacity of community members to plan for their future and their response to events. Example actions include working with communities to develop Local Incident Management Plans, continuing to work on and improve the way Council and agencies work with communities impacted by events and providing a Community Grants program.

The number and diversity of places across the Shire means that Council works strongly with our communities to understand and to increase their capacity to plan for their future and to recognise the actions that they can take themselves. Most recently this has seen Council piloting an approach to the development of Place and Community Plans across several quite different communities to understand how best to develop this place-based approach.

Council has taken the view that to be able to engage appropriately with the community about mitigating community impact on the environment, we need to be proactively engaged in reducing our own carbon footprint. A range of projects have been undertaken, most notable being the Bright Future Projects that occurred across two stages. The first being energy efficient upgrades at Council facilities and street lighting upgrade. Stage two has focused on identifying and investigating opportunities to deliver renewable energy solutions appropriate to our region and to increase the use and production of renewable energy. Technical reports were developed that provided Council with priorities for action and investment. This has resulted in the implementation of a Solar Bulk Buy program, Multi-Site Feasibility Study, piloting an Energy Information Hub and the development of the East Gippsland New Energy Technology Roadmap Business Case.

Council has also made a commitment to install solar PV and undertake energy efficiencies on Council buildings, committed to the Take2 initiative and has committed to a tender process being run by the MAV for a Power Purchase Agreement for Victorian Councils. Other works we are currently involved with to combat climate change include committing to a State-wide Green-power Purchase Agreement, developing facilities to service Electric Vehicles and Carbon Accounting.

In September 2019, Council prepared a submission for the Parliamentary Inquiry by the Victorian Legislative Assembly, Environment and Planning Committee into 'Tackling Climate Change in Victoria Communities'. A copy of the submission is available at [https://www.parliament.vic.gov.au/images/stories/committees/epc-LA/Inquiry into Tackling Climate Change in Victorian Communities/Submissions/S144 East Gippsland Shire Council.pdf](https://www.parliament.vic.gov.au/images/stories/committees/epc-LA/Inquiry%20into%20Tackling%20Climate%20Change%20in%20Victorian%20Communities/Submissions/S144%20East%20Gippsland%20Shire%20Council.pdf)

Since 2008, Council has developed and implemented an Environmental Sustainability Strategy that outlines Council's position on issues relating to the protection, preservation and enhancement of our environment. This is considered a high-level strategy that provides a framework towards a more sustainable future and had been a catalyst for obtaining significant grant funding to deliver some of the programs and projects listed above.

### Future Work

The Sustainability and Waste Minimisation Unit is in the process of reviewing the current Environmental Sustainability Strategy, this review will provide an opportunity to further strengthen Council's commitment to climate change, providing strategic direction for Council in this matter and identifying priority actions for Council and the community to both mitigate against further climate change and adapt to existing climatic conditions.

Whilst still a work in progress this strategy identifies three 10-year objectives, with one being *Support Council and Community to adapt to a changing climate*. The other two objectives relate to Landscape Quality and the Circular Economy. Each of these three objectives will lead to the development of priority areas and actions. Thus, officers are confident that the planning of future work for the organisation and in supporting the community will have a strong focus on Climate Change.

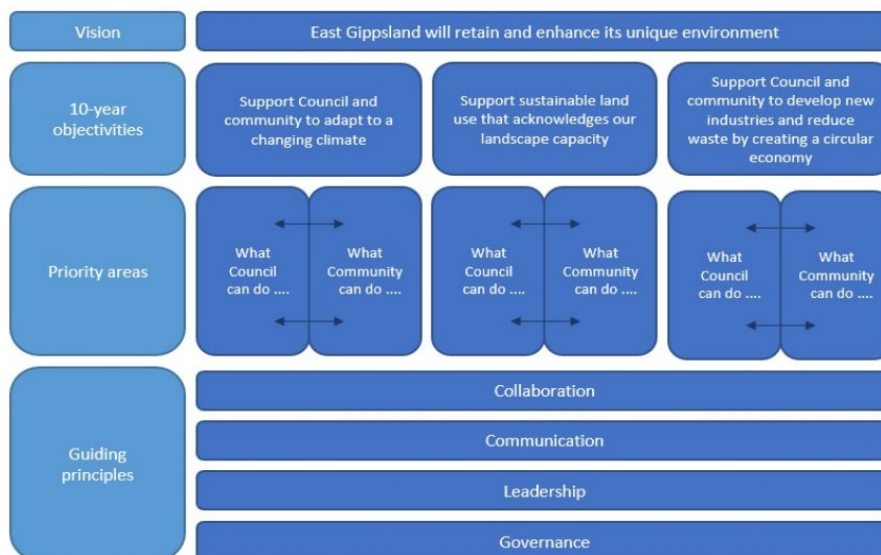


Figure 1: EGSC Indicative 10-Year Environment Strategy Structure

## Council Plan

Good Governance Goal 1 - East Gippsland Shire Council is inclusive, engaged and open  
 A Liveable Region Goal 2 - Sustainable planning and growth supports thriving townships, while maintaining our commitment to sustainability and protecting our natural environment

## Council Policy

At the Ordinary Council Meeting on 21 November 2017 (refer Item No 5.2.3) Council pledged its support for the Victorian Government's TAKE2 initiative as follows:

*"East Gippsland Shire Council is committed to tackling climate change. We have a role in maintaining, protecting and enhancing the region's environment. We do this by using our resources more efficiently, by reducing our everyday impacts, planning for changing conditions and encouraging the people of East Gippsland to do the same".*

Given the existing pledge made by this Council, which the petition signatories may not have been aware of, the additional act of declaring a climate emergency appears in many ways a duplication of this existing pledge.

## Legislation

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

The process through which the petition is progressing is consistent with clause L7.59 (Petitions) of *Local Law No. 1 - Procedures for Council Meetings*, which stipulates that petitions will be presented formally at the next practicable Ordinary Meeting of Council.

This report has been prepared in accordance with the *Local Government Act 1989*.

## Community

East Gippsland communities are known to be at risk from climate change impacts. The dispersed nature of our townships, the high proportion of older people in our community, together with an economy that is very significantly linked to the natural environment and primary industries, all add to the vulnerability of our community.

## **Organisational**

- **Financial**

Projects and actions to address Climate Change come at a cost to Council. Wherever possible officers try to attract grant funding to supplement the climate change budget, however like many of our services, action in this area comes at a cost and will require the allocation of annual budget.

- **Human Resources**

Should Council declare a climate emergency, resourcing will need to be allocated accordingly to increase capacity and capability within the organisation.

- **Environment**

East Gippsland has significant natural assets, with 87% of the region being composed of state forest and national park. These natural assets are at risk from climate change impacts. This risk has previously been acknowledged by Council in many of its strategies, submissions and presentations.

## **Consultation**

The East Gippsland Climate Action Network presented at the 10 March 2020 Councillor briefing.

As part of the Environmental Sustainability Strategy review process, a community engagement plan will be developed.

Council develops a quarterly electronic newsletter *Environmental Connect* which has a wide distribution base and often addresses issues and projects associated with Climate Change.

## **APPENDICES AND ATTACHMENTS**

### **Appendices**

Nil

### **Attachments**

Nil

## **2 Notices of Motion and/or Rescission**

Nil

## **3 Deferred Business**

Nil

## **4 Councillor and Delegate Reports**

### **4.1 Cr Natalie O'Connell**

Cr O'Connell spoke to her written report at folio 1842.

### **4.2 Cr Joe Rettino**

Cr Rettino did not have a monthly report however wanted to minute his request to change the start of Council meetings to read out the Councillor Values in the code of conduct relating to accountability, inclusion, integrity, respect and resourcefulness.

### **4.3 Cr Mark Reeves**

Cr Reeves provided his written report at folio 1842.

### **4.4 Cr Marianne Pelz**

Cr Pelz spoke to her written report at folio 1843.

### **4.5 Cr Richard Ellis**

Cr Ellis provided his written report at folio 1843.

### **4.6 Cr John White**

Cr White spoke to his written report at folio 1843.

## **COUNCILLOR WRITTEN REPORT**

### **Cr Natalie O'Connell**

I have taken some time off over the month of March. This is my first council meeting since my leave of absence and I'd like to report on some things I attended before my leave of absence:

A meeting with the Omeo Business and Tourism Association to discuss opportunities to promote and secure funding for events following on from the 2020 Bushfire event.

I met with Gillian McIlwain from Gippsland Women's Health and Steve O'Malley Leading Firefighter from the Melbourne Fire Brigade, to discuss opportunities for training for Councillors and front line staff. The training would be in understanding the role of gender in natural disasters like bushfires as statistics show that domestic violence increases after significant natural disaster events such as the one we have just experienced.

I also attended the Freedom of Entry Presentation at the Omeo Caravan Park with the Australian and Papua New Guinean Armies. Darren Chester, Emergency Management Commissioner Andrew Crisp, Mayor White and the CEO were also in attendance.

The Drought Reference Group held a skype meeting yesterday. We received an update on the impact drought and bushfires on the farming community across East Gippsland. The committee spoke about the Ag Futures project in conjunction with the Looking Ahead proposal. A discussion was also held on the transition of the Drought Reference Group to and more general Agricultural Advisory Committee.

Obviously during this Covid-19 crisis many events and meetings have been cancelled. Our community has been devastated by the bushfires and now Covid-19. We hope our communities including our small businesses are able to make it through this incredibly tough time.

### **Cr Mark Reeves**

Wunman-Ninje, good afternoon and welcome.

These are strange and difficult times we live in and today we meet cautiously and under the specter of State Legislation changes to enable remote meeting. We hope that this legislation will enable us to continue the good work of the shire and officers in this troubled time.

The application of stage 3 emergency restrictions has both saved us and inhibited us.

We've been through enough trouble this year.

Our language, behavior, attitudes and life has changed. Business has changed, education has changed, visiting nan and grandpa has changed. The future is a new normal.

It is in these times that the most vulnerable people in our community are those who are first to be affected and last to recover. We need to continue our council work to ensure that the post-code divide that effects so many of our people. With the double effects of bushfire and now covid19, we must remain vigilant to the needs of our most vulnerable. How we look after them in our community is what defines us as a caring shire.

Covid19 comes on top of a disaster of a bushfire summer. There are continuing disasters for business and community, a social emergency, an education emergency, a financial and investment emergency, a travel and tourism emergency and this follows three years of a drought emergency.

We need to acknowledge the effective work of the council in managing the isolation and ensuring business continuity. This meeting in particular is critical to ensure the ongoing recovery of our community after the bushfires. I also acknowledge the strong leadership of our state and

federal politicians who have worked hard in a rapidly changing landscape. In particular, I acknowledge the care and watchful eyes of our Upper House Member Hon Jane Garrett who has taken particular interest in our shire and has been a fantastic conduit to Spring Street and help.

I note the ability for LGAs to meet and make decisions by contemporary remote means is an excellent development in the State Government. I applaud the introduction of the omnibus bill that will encompass this change that is going before state parliament this week.

I wish to also acknowledge the enthusiastic contribution of the Mallacoota community in having 43 residents nominate for the Bushfire Recovery Committee, for 12 places. While Mallacoota flourishes, we seem to have Orbost a little behind in its enthusiasm, and I encourage participation in the recovery committees.

Our recovery committees need to ensure that the smaller impacted communities are fully engaged in the process: Genoa, Wairewa, Bendoc, Bonang, Tubbut, Club Terrace and Upper Cann Valley to name a few.

We have all been in isolation, it has created a strange new way of work and connection. I urge all our community members to remain physically distant, but socially connected.

### **Cr Marianne Pelz**

Cr Pelz written report was not provided at the time of publishing the minutes.

### **Cr Dick Ellis**

First and foremost, I would like to welcome everyone who may be viewing the streaming of our very first, well in my case “remote Ordinary Meeting” streamed live from the Chamber in Bairnsdale this afternoon. I should also like to thank those Councillors who agreed to attend in person to ensure we had a quorum as currently required by the Local Government Act.

Having run through the activities recorded in my diary the majority of which have been cancelled or held remotely it is easy to reflect on how different a world we are currently operating in.

That said I aside from mentioning that I have been involved in a number of business as usual teleconferences and am becoming used to working from home, I have nothing further to report.

### **Cr John White**

20/03/20	Gippsland Local Government Network (GLGN) Meeting
26/03/20	Gippsland Local Government Network Meeting with Minister Pulford - Skype
02/04/20	Municipal Association of Victoria Mayoral Forum - Zoom
06/04/20	ABC Radio Hobart – Virtual Holiday Segment
07/04/20	Meeting with The Hon Jane Garrett – Discuss, Fires, Pandemic and any other key issues – Skype
16/04/20	Meeting with General Hocking – National Bushfire Recovery Authority – Skype
16/04/20	East Gippsland Shire Council Recovery Committee Meeting – Skype
17/04/20	One Gippsland Board Meeting (formerly GLGN) – Teleconference



## 5 Officer Reports

### 5.1 Strong Communities

#### 5.1.1 Interim Policy - Temporary Storage at Premises Impacted by Bushfire

**Authored by** Stuart McConnell, General Manager Bushfire Recovery

**Document No** 8450587

**In Attendance** Aaron Hollow, Manager Planning

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#### EXECUTIVE SUMMARY

A large number of dwellings and outbuildings were destroyed in the 2019/2020 East Gippsland bushfires and community members have need for temporary storage of belongings, donated goods and building materials for rebuilding. The interim policy (**Appendix 1**) seeks to provide clarity in Council's expectations and the application of the statutory framework in relation temporary storage associated with a dwelling.

Council recognises the need for such temporary storage solutions and is seeking to enable this to occur. Some temporary storage solutions, such as shipping containers, can have significant impacts on landscape amenity and neighbourhood character. The interim policy therefore canvases a range of options and establishes timeframes and measures to reduce impacts.

#### RECOMMENDATION

***That Council approve the Interim Policy for Temporary Storage at Premises Impacted by Bushfires (Appendix 1).***

***Cr Mark Reeves / Cr Natalie O'Connell***

***THAT THE RECOMMENDATION BE ADOPTED***

***CARRIED UNANIMOUSLY 21/04/20***

#### OFFICER COMMENT / CONTEXT

##### Discussion

##### Background

Community members who have lost houses or dwellings want somewhere to store things before the house is rebuilt. Given experience in other locations, Council can reasonably expect landowners wanting to use shipping containers for temporary storage where they have lost a dwelling of similar. Shipping containers in some locations can lead to amenity and other impacts that some members of the community find unacceptable. Further, some shipping containers that may be temporarily used for storage post bushfires will not be removed following this phase and cause amenity impacts.

As an alternative to a shipping container some people may want to prioritise the building of their shed/garage before the dwelling to provide storage.

Ordinarily both a shipping container or other shed without a dwelling in a residential zone is prohibited under the planning scheme and the General Local Law provides for use of shipping containers only in limited circumstances.

#### Outcome sought:

Officers propose that Council seek the following outcomes in responding to the need of the fire impacted communities for temporary storage:

- Council support people in recovery and their short-term needs for storage
- That a range of options are available for landowners so that shipping containers are not the only option
- Containers do not remain in the long term or at least if they do in areas allowed, steps are taken to effectively protect landscape amenity
- Circumstances where a container is used for storage but ultimately the dwelling is not rebuilt are avoided
- In the short term, where containers are used, they are treated to reduce amenity impacts

#### Proposed approach

The attached policy sets out an approach to enabling a range of options for temporary storage at bushfire impacted premises while balancing impacts on landscape amenity and neighbourhood character. The policy approach is informed by the recent changes to the Victorian Planning Provisions for temporary accommodation where the dwelling is lost due to bushfires. The exempt such temporary accommodation (and some other buildings) from the requirement for a planning permit (where one would otherwise be required), subject to Council being satisfied in relation to, for example, objectives such as those set out in the Bushfire Management Overlay. Landowners are provided a period of 18 months from the loss of the dwelling to establish a temporary dwelling and the dwelling may be used for a maximum of 3 years.

The proposed policy:

- Seeks to encourage a range of options including – establishment of temporary or permanent sheds, establishment of offsite storage (where appropriate) and use of shipping containers (where other options are not practical).
- Sets timeframes for the use of shipping containers as temporary storage and requires registration and measures to reduce amenity impacts.

Officers will work with landholders where shipping containers have already been placed on sites where a dwelling has been lost for the purposes of temporary storage.

Ultimately the proposed approach can be reflected in a review of the General Local Law however the immediate needs of the East Gippsland community warrant an interim policy as an immediate response to provide clarity.

#### **Council Plan**

Strong Communities Goal 4 – We live in communities that bring people together in a safe environment

A Liveable Region Goal 2 - Sustainable planning and growth supports thriving townships, while maintaining our commitment to sustainability and protecting our natural environment.

## Legislation

Relevant legislation in relation to the interim policy includes the following acts (and subordinate instruments):

- *Planning and Environment Act 1987*
- *Building Act 1993*

Further the East Gippsland General Local Law 2017 contains specific provisions in relation to shipping containers.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

## Community

Officers expect a range of community views in relation to this interim policy. While many members of the community are expected to be supportive of enabling temporary storage options, other community members may be concerned about impacts on amenity where shipping containers remain on-site for a very long period of time.

Setting aside the bushfire context some community members do not support restrictions on the use of shipping containers on private land, while others are concerned about the impacts on landscape amenity.

## Organisational

- **Financial**

There is no direct financial implications for Council associated with this matter.

- **Human Resources**

Ensuring compliance with the interim policy will have some human resource impacts to be considered as part of normal business planning. Note that these are a reflection of existing issues with the use of shipping containers and the impact of the bushfires rather than a result of this policy.

## Consultation

Given the interim nature of this policy and the need to provide some clarity in the short term, no formal community or stakeholder consultation has been undertaken.

## APPENDICES AND ATTACHMENTS

### Appendices

1. Interim Council Policy – Storage Facilities at Bushfire Impacted Premises

### Attachments

Nil

<b>5.1.2</b>	<b>East Gippsland Shire Council Community Project Grants Program Funding Round 2, 2019/2020</b>
<b>Authored by</b>	Kathryn Macdonald, Place Manager
<b>Endorsed by</b>	Jodie Pitkin, General Manager Place and Community
<b>Document No</b>	8439160
<b>In Attendance</b>	Sascha Johns, Manager Community Engagement

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## EXECUTIVE SUMMARY

The East Gippsland Shire Council supports a wide range of projects and innovative activities through its grant's programs. This report is in relation to the Community Project Grants.

The objective of the Community Project Grants program is to provide local community-based organisations the opportunity to access funding for a variety of needs and initiatives in a manner that is open, transparent and accountable.

This round received less applications than usual; approximately 10 less. It is presumed that this is due to the fires however, the panel have been able to recommend some fantastic projects for support. Projects that will create important and lasting partnerships, provide comfortable places and celebrations for community to connect and projects that will entice visitors back to East Gippsland from far and wide, when safe to do so.

The community value-adding aspect of the program means that Council achieves more value for each dollar expended than would be the case for projects without these partnerships. All funding is provided on a matched dollar for dollar basis with a minimum of 50% of the grant request showing as cash support.

## RECOMMENDATION

That Council adopts the recommendations for funding through the East Gippsland Shire Council Grants program. A full list of recommended applicants is outlined in **Appendix 1** and allocated to the grant categories as follows:

<b>Funding Program</b>	<b>Funding Recommended</b>	<b>Total Project Investment</b>	<b>Number Recommended</b>
Community Projects	\$39,704.00	\$125,550.48	13

***Cr Joe Rettino / Cr Natalie O'Connell***

***THAT THE RECOMMENDATION BE ADOPTED***

***CARRIED UNANIMOUSLY 21/04/20***

## **OFFICER COMMENT / CONTEXT**

### **Discussion**

Round Two of the Community Project grants opened on Wednesday 8 January 2020 and closed on Wednesday 4 March 2020. The grant round was advertised by direct email to community groups, in Community Connect and Arts Connect newsletters, local newspapers, through the East Gippsland Shire website and on the East Gippsland Shire Council Facebook page.

The round attracted 26 applications, which is, on average, 10 less than usual into this round each year. The 26 applications are requesting a total of \$91,883.50 to support projects with a total project value of \$291,575.98. A list of all applications received can be found in **Attachment 1**.

Before the grant round opened, the Guidelines (**Attachment 2**) were updated to reflect date changes only.

### **Council Plan**

Strong Communities Goal 1 East Gippsland has connected, inclusive and vibrant communities

Applicants are asked to make a connection between their projects and the Council Plan or adopted strategy. A table of connections outlined from recommended Community Project grants can be found at **Attachment 3**.

### **Council Policy**

The recommendations included in this report are consistent with the Council Plan 2017-2021:

Increase people's skills and capabilities to participate in their community and make a difference.

1. Deliver programs, services and activities that encourage people of all ages, cultures and means to participate in their communities, including through volunteering and lifelong learning opportunities.
2. Provide facilities and events that strengthen and celebrate the diverse cultural identity of our communities.
3. Provide facilities and programs that support the development, capacity, and services of community

### **Legislation**

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of Human Rights and Responsibilities Act 2006.

### **Organisational**

### **Financial**

The 2019/2020 budget allocation for the Community Project Grants is \$111,363.00. \$4,500.00 is allocated to the SmartyGrants program usage fee. Of the remaining \$106,863.00 Councillors approved \$61,122.36 in round one leaving \$45,740.64 for Round 2.

## Human Resources

Council Officers are not involved in the implementation or project management of any funded projects, this remains the sole responsibility of the applicant.

Council Officers in the Community Engagement and Council Enterprises Units are responsible for the administration of the Community & Arts and Heritage Grants Programs.

## Process

The process for assessment of the applications requires a minimum of three people to assess and score each application against program specific criteria. The Officers also provide comments as part of the assessment process to be used as feedback to any applicants that request it.

The Community Projects Program Assessment Panel consists of:

- Manager Community Engagement
- Place Manager
- Rural Access Officer
- Best Start Facilitator

So as not to lose the expertise, but cut down on administrative time, the following officers provided comments against applications related to their specific fields:

- Coordinator Community Facilities
- Acting Works Engineer

After the applications are assessed and scored they are then individually discussed at the Grants Program Assessment Panel meeting where the panel considered each of the applications based on the eligibility and specific program criteria within the East Gippsland Shire Council Grants Guidelines (refer to **Attachment 2** of this report).

The Grants Assessment Panel was attended by:

- General Manager Place and Community
- Manager Community Engagement
- Place Manager
- Rural Access Officer

The purpose of the assessment panel is:

- to review, assess and provide objective, independent recommendations to Council in relation to funding for grants; and
- to ensure that the guidelines and assessment criteria have been applied consistently and equitably for all applications.

It was noted that a small number of applications received did not meet the eligibility criteria and subsequently the Panel was unable to fund these applications.

The Grants Program Assessment Panel's recommendations for funding allocations are detailed at **Appendix 1**.

## **Consultation**

The funding round dates have been on the Council website since before round one – July 2019. Advertisements were published in local newspapers as well as community newsletters. Posters advertising information sessions and the funding round were sent to Service Centres and Neighbourhood House's well before the sessions to inform the community of the funding round. Application guidelines were made available on the Shire website and printed copies at all the Service Centres.

Applicants were invited to contact the Community Programs Coordinator for information regarding:

- Completing applications correctly;
- Budget assistance;
- Understanding timelines and processes involved;
- Need for supporting documentation; and
- Importance of acquitting the grant and acknowledging Council for the support.

This provides the potential applicants with an opportunity to seek advice and become competent in completing funding applications. In turn, they may then be confident in applying for alternative grants from other funding bodies.

A series of afternoon and evening Council grants information sessions were held across the Shire in February however, due to active fires in the landscape less than usual were held. Grants specific information sessions were held in Bairnsdale, Lakes Entrance and Paynesville and Orbost.

The sessions were conducted to assist community members with their project queries, to give examples of successful past recipients, advise on how to plan and write a project budget and to introduce program staff so community can put a face to a name when contacting us with any further questions.

Multiple one on one meetings between program staff and applicants were also held in the lead up to the closing date.

## **APPENDICES AND ATTACHMENTS**

### **Appendices**

1. Recommendations.

### **Attachments**

1. List of All Applications received in Round 2, 2019/2020.
2. East Gippsland Shire Council Grants Program Guidelines.
3. Connection to the Council Plan or Adopted Strategy by recommended Community Project Applicants.

## 5.2 Good Governance

### 5.2.1 East Gippsland Shire Council Audit and Risk Committee - Appointments

**Authored by** Peter Cannizzaro, General Manager Business Excellence

**Document No** 8433176

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#### EXECUTIVE SUMMARY

Council maintains an independent Audit and Risk Committee (Committee) to help fulfil its governance and associated responsibilities in relation to financial reporting, internal control structures, risk management systems, ethical accountability and the internal and external audits. The Committee comprises four external independent members, the Mayor of the day and two other Councillors.

There was one vacant position on the Committee arising through the expiry on 30 November 2019 of the three-year term of independent Committee member and Chair, Mr Michael McStephen. The Chair of the Audit and Risk Committee received an email from Dr Christopher Shields submitting his resignation from the Committee, effective 30 November 2019.

As a result of the notification of the resignation, Council agreed to extend Mr Michael McStephen's term to 30 June 2020 to ensure that the Audit and Risk Committee meetings can proceed with the agreed quorum, as set out in the charter:

*A quorum will exist if four or more Committee members are present and the number of external independent members present is equal to or greater than the number of internal members present.*

Expressions of interest in Committee membership were invited through public advertisements concluding on 14 February 2020. Eight expressions of interest were received in response.

A recruitment panel comprising of Audit and Risk Committee Chair, Jason Hellyer, the Mayor, Cr John White, and Chief Executive Officer, Anthony Basford assessed the applications and interviewed three nominees. It was agreed that the panel would interview for the two vacant positions on the Committee. As a result, the preferred applicants for the two vacant positions were identified. The panel's recommended appointees, together with copies of the applications of the eight candidates, has been provided to councillors separately.

Having advertised the vacant position on the Committee, reviewed all expressions of interest lodged and received a recommendation from the panel, Council is now in a position to make appointments to fill the vacancies on the Committee.



Query Cr Ellis conflict of interest. Mayor made mention.

## RECOMMENDATION

*That Council, in respect of the vacancies on the East Gippsland Shire Council Audit and Risk Committee for an independent, external member, appoints:*

- *for the term commencing on 21 April 2020 and concluding on 30 November 2022, and*
- *for the term commencing on 1 July 2020 and concluding on 30 November 2022.*

*Cr Mark Reeves / Cr Joe Rettino*

**THAT COUNCIL, IN RESPECT OF THE VACANCIES ON THE EAST GIPPSLAND SHIRE COUNCIL AUDIT AND RISK COMMITTEE FOR AN INDEPENDENT, EXTERNAL MEMBER, APPOINTS:**

- **CHRISTOPHER BADGER FOR THE TERM COMMENCING ON 21 APRIL 2020 AND CONCLUDING ON 30 NOVEMBER 2022, AND**
- **ANDREW ROBERTS FOR THE TERM COMMENCING ON 1 JULY 2020 AND CONCLUDING ON 30 NOVEMBER 2022.**

**THAT THE RECOMMENDATION BE ADOPTED**

**CARRIED UNANIMOUSLY 21/04/20**

## OFFICER COMMENT / CONTEXT

### Discussion

As part of its governance function, Council has maintained an independent Audit and Risk Committee since 1995. Its primary role is to assist Council fulfil its governance and associated responsibilities in relation to financial reporting, internal control structures, risk management systems, ethical accountability and the internal and external audit.

In accordance with the Best Practice Guidelines prepared by the Victorian Government and adopted by Council, the Committee comprises seven members: four external independent members, the Mayor of the day; and two other Councillors. The Committee is a formally appointed advisory committee of Council and reports directly to Council.

There was one vacant position on the Committee arising through the expiry on 30 November 2019 of the three-year term of independent Committee member and Chair, Mr Michael McStephen. The Chair of the Audit and Risk Committee received an email from Dr Christopher Shields submitting his resignation from the Committee, effective 30 November 2019.

As a result of the notification of the resignation, Council agreed to extend Mr Michael McStephen's term to 30 June 2020 to ensure that the Audit and Risk Committee meetings can proceed with the agreed quorum, as set out in the charter:

*A quorum will exist if four or more Committee members are present and the number of external independent members present is equal to or greater than the number of internal members present.*

Expressions of interest in Committee membership were invited through public advertisements concluding on 14 February 2020

At the closing date, eight expressions of interest from were received.

A recruitment panel comprising of Audit and Risk Committee Chair, Jason Hellyer, the Mayor, Cr John White, and Chief Executive Officer, Anthony Basford assessed the applications and interviewed three nominees. It was agreed that the panel would interview for the two vacant positions on the Committee. As a result, the preferred applicants for the two vacant positions were identified. The panel's recommended appointees, together with copies of the applications of the eight candidates, has been provided to councillors separately.

As a result of this process the preferred applicants were identified for recommendation to Council. The panel's recommendation, together with copies of the applications of the eight candidates, has been provided separately to Councillors. The information has not been made public because of its private and confidential nature.

### **Council Plan**

Good Governance Goal 1 East Gippsland Shire Council is inclusive, engaged and open

### **Council Policy**

Clause 2.3 of the Audit and Risk Committee's Charter pertains to Committee membership. Among other requirements, the clause stipulates that four of the seven members of the Audit and Risk Committee must be independent (i.e. external); that expressions of interest will be invited through a public process; and that terms of appointment are arranged to ensure an orderly rotation and continuity of membership.

### **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). Provisions from the new Act are being commenced in four stages. The first tranche of provisions commenced on 6 April 2020 with other tranches commencing on 1 May 2020 and 24 October 2020. All remaining provisions are commencing on 1 July 2021. The *Local Government Act 1989* applies in circumstances where the new Act has not commenced.

The East Gippsland Shire Council is required to make decisions under both Acts as the transition occurs. Council has implemented mechanisms to ensure decisions are made according to the relevant provisions of either the *Local Government Act 1989* or the *Local Government Act 2020* as in force at the date of the decision.

This report has been prepared in accordance with *Local Government Act 1989* s139 – Council is required to maintain an Audit and Risk Committee.

Wherever practicable, the Committee operates in accordance with the Victorian Government publication, *A Guide to Good Practice for Local Government – January 2011*.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian *Government's Charter of Human Rights and Responsibilities Act 2006*.

## **Organisational**

- **Financial**

An annual budget is provided to support the functions of the Committee. The appointment of individual to fill the vacant position on the Committee will not incur any additional costs.

## **Consultation**

A public process was conducted during which nominations were invited in joining Council's Audit and Risk Committee. Eight nominations were received as a result.

## **APPENDICES AND ATTACHMENTS**

### **Appendices**

Nil

### **Attachments**

Nil

<b>5.2.2</b>	<b>Amendment to Council Meeting Schedule 2020</b>
<b>Authored by</b>	Chris Feil, Manager Governance
<b>Endorsed by</b>	Peter Cannizzaro, General Manager Business Excellence
<b>Document No</b>	8433033

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## EXECUTIVE SUMMARY

Council at its meeting held on 4 February 2020 (refer item 5.2.3) adopted the Council Meeting schedule 2020, which included three 'Council in the Community meetings' in the first half of the year and meetings in the winter months to be held at 1.00 pm. This report seeks Council's approval to amend the 2020 Council Meeting Schedule.

Due to the ongoing COVID-19 pandemic and the escalating restrictions and advice provided from the Government and the Department of Health and Human Services (DHHS) regarding travel, meeting places and social distancing, it is proposed that the following changes be made to the current Council Meeting schedule 2020:

- 1) Cancels the Ordinary Council meeting that was scheduled to be held on Tuesday 7 April 2020 (in accordance with the Local Law No. 1 L3.2) and not reschedule this meeting;
- 2) The 'Council in the Community meeting' scheduled to be held in Omeo district on Tuesday 21 April 2020 be held in the Council Chamber, Corporate Centre in Bairnsdale commencing at 1.00pm; and
- 3) The 'Council in the Community meeting' scheduled to be held in Orbost district on Tuesday 2 June 2020 be held in the Council Chamber, Corporate Centre in Bairnsdale commencing at 6.00pm.

The amended Council Meeting schedule has no impact on its primary objective, which is to provide a forum for timely and effective decision-making.

## RECOMMENDATION

***That Council, in accordance with Local Law No. 1 clause L3.2:***

1. ***Endorses the amended schedule of Council Meeting dates adopted at its meeting held on 4 February 2020 as follows:***
  - (a) ***Ordinary Council Meeting 21 April 2020 be held in the Council Chamber, Corporate Centre, Bairnsdale; and***
  - (b) ***Ordinary Council Meeting 2 June 2020 be held in the Council Chamber, Corporate Centre, Bairnsdale.***

<b>Day</b>	<b>Date</b>	<b>Time</b>	<b>Purpose</b>	<b>Location</b>
<b>Tuesday</b>	<b>4 February</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>3 March</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>17 March</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Mallacoota District</b>
<b>Tuesday</b>	<b>7 April</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>21 April</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>5 May</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>2 June</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>23 June</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>7 July</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>4 August</b>	<b>1.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>25 August</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>8 September</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>6 October</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>10 November</b>	<b>6.00 pm</b>	<b>Statutory Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>17 November</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>
<b>Tuesday</b>	<b>8 December</b>	<b>6.00 pm</b>	<b>Ordinary Meeting</b>	<b>Corporate Centre</b>

2. ***Endorses the cancellation of the ordinary Council Meeting that was scheduled for 7 April 2020.***
3. ***Resolves that unless determined otherwise and notified to citizens through appropriate public notice, the Ordinary Council meetings will be held in accordance with the amended Council Meeting Schedule 2020.***

***Cr Colin Toohey / Cr Marianne Pelz***

***THAT THE RECOMMENDATION BE ADOPTED***

***CARRIED UNANIMOUSLY 21/04/20***

## **OFFICER COMMENT / CONTEXT**

### **Discussion**

At the Council meeting held on Tuesday 4 February 2020 (refer item 5.2.3), Council adopted the schedule of Council meeting dates for 2020, which included three 'Council in the Community' meetings in the first half of the year and meetings in the winter months to be held at 1.00 pm.

As a result of the COVID-19 pandemic and the restrictions and advice provided from the Government and the Department of Health and Human Services (DHHS) regarding travel, meeting places and social distancing, it is proposed that the following changes be made to the current Council Meeting schedule 2020:

- 1) Cancels the Ordinary Council meeting scheduled to be held on Tuesday 7 April 2020 (in accordance with the Local Law No. 1 L3.2) and not reschedule this meeting;
- 2) The 'Council in the Community meeting' scheduled to be held in Omeo district on Tuesday 21 April 2020 be held in the Council Chamber, Corporate Centre in Bairnsdale commencing at 1.00pm; and
- 3) The 'Council in the Community meeting' scheduled to be held in Orbost district on Tuesday 2 June 2020 be held in the Council Chamber, Corporate Centre in Bairnsdale commencing at 6.00 pm.

## **Council Plan**

Good Governance Goal 1 East Gippsland Shire Council is inclusive, engaged and open

## **Council Policy**

Council meetings are conducted in accordance with the East Gippsland Shire Council Local Law No.1, which governs the conduct of Council Meetings. Clause L3.1 requires the Council to set the date, time and place of any Council Meetings from time to time and Clause L3.2 change meeting dates, times and places.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). Provisions from the new Act are being commenced in four stages. The first tranche of provisions commenced on 6 April 2020 with other tranches commencing on 1 May 2020 and 24 October 2020. All remaining provisions are commencing on 1 July 2021. The *Local Government Act 1989* applies in circumstances where the new Act has not commenced.

The East Gippsland Shire Council is required to make decisions under both Acts as the transition occurs. Council has implemented mechanisms to ensure decisions are made according to the relevant provisions of either the *Local Government Act 1989* or the *Local Government Act 2020* as in force at the date of the decision.

This report has been prepared in accordance with *Local Government Act 1989* s91(1).

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

## **Organisational**

- **Financial**

No additional costs will be incurred as a result of the amendment.

## **Consultation**

Consultation has been undertaken with the Mayor and Councillors in respect of this report.

## **Officer Declaration of Conflict of Interest**

Council Officers involved with the preparation of this report have no conflict of interest with this matter.

## **APPENDICES AND ATTACHMENTS**

### **Appendices**

Nil

### **Attachments**

Nil

<b>5.2.3</b>	<b>Suspension of the East Gippsland Shire Council Road Management Plan</b>
<b>Authored by</b>	Peter Morton, Road Safety Coordinator
<b>Endorsed by</b>	Fiona Weigall, General Manager Assets and Environment
<b>Document No</b>	8444374
<b>In Attendance</b>	Mark Burnett, Manager Works

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## **EXECUTIVE SUMMARY**

This report seeks Council's approval to temporarily suspend the East Gippsland Road Management Plan (RMP) in response to the recent bushfire events that impacted approximately 650km of Council managed roads.

The East Gippsland Road Management Plan is a statutory document required under the *Victorian Road Management Act (2004)* that sets out Council's policies, service delivery and actions in relation to the local road network managed by Council. The Plan is the main mechanism for identifying the roads and related infrastructure for which Council is responsible. Significantly the plan also dictates the road management standards which Council commits to, including frequency of road inspections, the tolerable level of defects, and the time taken to repair defects.

The Summer 2020 bushfires affected over 250 separate local roads covering over 650 km. Over the past two months officers have worked through a process to have these roads handed back to Council to control and repair. This work is progressing well but given the magnitude of roads affected it is not possible to address these road repairs within the timeframes set out in the RMP. Similarly, it is not possible in the short to medium term to ensure that these fire affected roads meet the level of defect tolerance levels set out in the RMP.

Given the current inability to meet the requirements of the RMP and the statutory nature of the plan, it is therefore proposed to temporarily suspend the plan until such time as the roads are repaired and Council is again able to commit to the standards set out in the plan.

## **RECOMMENDATION**

### ***That Council:***

- 1. approves the temporary suspension of the East Gippsland Shire Council Road Management Plan (2017) until 30 April 2021;***
- 2. notes that if a further extension of the East Gippsland Road Management Plan (2017) suspension is required, a further report will be brought to Council prior to the 30 April 2021;***
- 3. notes that the suspension of the East Gippsland Road Management Plan is undertaken in accordance with section 2.11 of the East Gippsland Shire Council Road Management Plan (2017);***

4. *notes that those parties involved in the administration or operation of the East Gippsland Shire Council Road Management Plan (2017) will be advised by Council of the temporary suspension of this plan, and public notice of temporary suspension of this plan will also be published; and*
5. *notes that the temporary suspension of the East Gippsland Shire Council Road Management Plan (2017) until 30 April 2020 will not impact on maintenance of local roads across East Gippsland Shire, other than those roads identified as damaged by the summer 2019/2020 bushfires, with these damaged roads to be managed via an alternate remediation process.*

**Cr Marianne Pelz / Cr Mark Reeves**

**THAT THE RECOMMENDATION BE ADOPTED**

**CARRIED UNANIMOUSLY 21/04/20**

## **OFFICER COMMENT / CONTEXT**

### **Discussion**

The Victorian Road Management Act (2004) is the primary tool for establishing a coordinated management system that will promote safe and efficient road networks at state and local levels and the responsible use of road reserves for other legitimate purposes. To enable co-ordination of road management, the Act establishes a "coordinating Road Authority", that has co-ordination functions, and a "Responsible Road Authority", which has operational functions.

East Gippsland Shire Council is a Co-coordinating Road Authority and as such must under the Road Management Act have an adopted Road Management Plan. The RMP outlines Council's road management responsibilities and details the standards of road maintenance service for roads within this municipality. Council regularly reviews the RMP, with it most recently being endorsed by Council in September 2017 (item 5.1.1).

The RMP describes the management system established by the Council to carry out its duty under the Road Management Act 2004 to inspect, maintain and repair public roads for which it is responsible. And by road, we mean the full road reserve area, from building line to building line, which includes the kerb and channel, the roadway, the footpath, traffic islands, street trees and signs but not the nature strip area or vehicle crossings.

Significantly the plan also dictates the road management standards which Council commits to, including frequency of road inspections, the tolerable level of defects and the time taken to repair defects. The RMP is also the vehicle that sets the standards for Council's Road Maintenance contracts. Should Council be proven not to be conforming with its adopted RMP, there are grounds for litigation.

### Impact of Summer 2020 Bushfires

The Summer 2020 bushfires impacted 250 separate roads under Council's management equating to over 650 km of carriageway. During the fires the roads came under the management of the Incident Control Centre. The roads have now had an initial assessment of road safety undertaken and have been handed back to Council's management. Whilst the roads are now all open, many of the roads require significant repair and would not currently meet the minimum intervention level (i.e. tolerable standard of defects) described in the RMP adopted by Council in 2017.



Council is now working with Regional Roads Victoria and Emergency Management Victoria to have these roads assessed, repair works packages developed and funding approved for these works under the provisions of the Disaster Recovery Fund. Given the magnitude of roads impacted it is estimated that it will take at least 12 months to have all 250 roads repaired and brought back to the standard described in the RMP.

### Risk

Due to the conditions and effect of fire damage to these assets Council and its contractors cannot meet the required timelines set out in the RMP to bring these roads back to pre-intervention criteria. Therefore, committing to this road standard in an endorsed document, exposes Council to potential litigation, should an accident occur on any of these roads prior to repairs being complete.

In consultation with our legal advisers, officers have therefore determined that Council should seek to temporarily suspend the powers of the RMP, until road repairs are complete.

### **Council Plan**

Good Governance Goal 1 - East Gippsland Shire Council is inclusive, engaged and open

Responsive Services Goal 2 - We put the customer first and give each customer a great experience of Council's services

### **Council Policy**

The proposed action is taken in line with the Council's adopted Road Management Plan 2017 (section 2.11 *Force Majeure*) that states that in the event of natural disasters and other events including fires Council reserves the right to suspend compliance with its Road Management Plan under Section 83(b) of the *Victorian Wrongs Act* 1958 as amended.

### **Legislation**

The suspension of the Road Management Plan has implications under the *Roads Management Act* 2004, where there are appropriate conditions under the legislation that allows the suspension of the Road Management Plan under specified criteria that meet the above conditions meet.

Suspension of the RMP is taken in accordance with the *Victorian Wrongs Act* 1958 as amended.

This report has been prepared in accordance with the *Local Government Act* 1989.

### **Community**

Suspension of the Road Management Plan will have impacts on the community given the ever-changing road conditions. The level of services provided may see a reduced capacity of contractors to deliver the required service levels under the Road Management Plan, however Council will remain committed to ensuring the standards laid out in the Road Management Plan as much as possible and particularly in areas unimpacted by the recent bushfires.

### **Organisational**

- **Financial**

There is anticipated to be no financial implications resulting from the suspension of the Road Management Plan.

- **Human Resources**

No changes in staffing levels are envisaged as a result of the suspension.

### **Consultation**

This recommendation has been made after thorough discussion with Council's external legal advisor on this matter.

It is recommended that public notice of this suspension is made together with explanation of why the decision has been made and a commitment to revert to normal functioning levels as soon as possible.

### **Appendices**

Nil

### **Attachments**

Nil

## 6 Urgent and Other Business

Nil

*Cr Natalie O'Connell / Cr Joe Rettino*

**COUNCIL WILL NOW CLOSE THE MEETING TO THE PUBLIC IN ACCORDANCE WITH THE PROVISION OF SECTION 89(2)(D) AND 89(2)(H) OF THE LOCAL GOVERNMENT ACT 1989 TO CONSIDER ITEMS 7.1 – 7.5 AS THESE ITEMS RELATE TO ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON AND CONTRACTUAL MATTERS.**

**CARRIED UNANIMOUSLY 21/04/20**

The meeting was closed to the public at 2.29 pm.

## 7 Confidential Business

Consideration of confidential matters under section 89(2) of the *Local Government Act 1989*.

Deliberations of Council while in closed session are recorded in Council's Confidential Minute Book.

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

The meeting was re-opened to the public 3.03 pm.

### **7.1 Disability Advisory Committee – Appointment 07 April 2020 – 31 December 2021**

This report, attachments and resolution are located in Council's Confidential Minute Book in accordance with the resolution made by Council in closed session.

### **7.2 CON2019 1353 Lakes Entrance Landfill Capping**

*Cr Joe Rettino / Cr Mark Reeves*

**THAT COUNCIL:**

- 1. ACCEPTS THE TENDER SUBMITTED BY RILEY EARTHMOVING PTY LTD FOR CON2019 1353 FOR THE CONTRACT AMOUNT OF \$979,794 EXCLUDING GST;**
- 2. AUTHORISES SIGNING AND SEALING OF THE CONTRACTS IN THE FORM PROPOSED; AND**
- 3. RESOLVES THAT THIS REPORT, ITS ATTACHMENTS, APPENDICES AND ALL DISCUSSIONS IN RELATION TO THIS MATTER REMAIN CONFIDENTIAL.**

**CARRIED UNANIMOUSLY 21/04/20**

**7.3 CON2019 1371 Replacement Hospital Creek Bridge Wairewa Road, Wairewa**

*Cr Marianne Pelz / Cr Colin Toohey*

**THAT COUNCIL:**

- 1. ACCEPTS THE TENDER SUBMITTED BY TAMBO CONSTRUCTIONS PTY LTD FOR CON2019 1371 REPLACEMENT HOSPITAL CREEK BRIDGE WAIREWA ROAD, WAIREWA FOR THE CONTRACT AMOUNT OF \$750,666.00 (EX GST);**
- 2. AUTHORISES SIGNING AND SEALING OF THE CONTRACTS IN THE FORM PROPOSED;**
- 3. RESOLVES THAT THIS REPORT, ITS ATTACHMENTS, APPENDICES AND ALL DISCUSSIONS IN RELATION TO THIS MATTER REMAIN CONFIDENTIAL; AND**
- 4. NOTES THAT ANY SHORTFALL BETWEEN THE AMOUNT OF FUNDING RECEIVED THROUGH NATURAL DISASTER FUNDING AND THE FULL COST OF THE BRIDGE REPLACEMENT WILL BE FUNDED BY BRINGING FORWARD A COMPONENT OF THE 2020/21 BRIDGE RENEWAL BUDGET FROM THE CAPITAL WORKS PROGRAM.**

**CARRIED UNANIMOUSLY 21/04/20**

**7.4 CON2019 1352 Provision of Arboriculture General Tree Services (Panel of Suppliers)**

*Cr Marianne Pelz / Cr Natalie O'Connell*

**THAT COUNCIL:**

- 1. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY THE TRUSTEE FOR BATT FAMILY TRUST TRADING AS BATT BROTHERS VEGETATION MANAGEMENT FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 2. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY ROOTS 2 LEAVES TREE SERVICE PTY LTD FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 3. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY TREE LIMITS PTY LTD FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 4. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY TD TREE SERVICES PTY LTD FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 5. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY ARBORSPRAY PTY LTD FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 6. ACCEPTS THE TENDERED SCHEDULE OF RATES AT APPENDIX 1 SUBMITTED BY RACHAEL TONKIN TRADING AS UBER ARBOR FOR THREE YEARS AT THE SCHEDULE OF RATES PROVIDED AS APPENDIX 1;**
- 7. AUTHORISES SIGNING AND SEALING OF THE CONTRACTS IN THE FORM PROPOSED;**
- 8. RESOLVES THAT THIS REPORT, ITS ATTACHMENTS, APPENDICES AND ALL DISCUSSIONS IN RELATION TO THIS MATTER REMAIN CONFIDENTIAL; AND**
- 9. AGREES THAT COUNCILLORS RECEIVE A QUARTERLY EXPENDITURE REPORT ON ARBORICULTURE GENERAL TREE SERVICES.**

**CARRIED UNANIMOUSLY 21/04/20**

## **7.5 CON2019 1340 Design of the Eagle Point Foreshore Redevelopment**

*Cr Colin Toohey / Cr Joe Rettino*

### **THAT COUNCIL:**

- 1. ACCEPTS THE TENDER SUBMITTED BY BILD ARCHITECTURE PTY LTD FOR CON2019 1340 DESIGN OF EAGLE POINT FORESHORE REDEVELOPMENT FOR THE CONTRACT AMOUNT OF \$274,335.00 (EX GST);**
- 2. AUTHORIZES SIGNING AND SEALING OF THE CONTRACTS IN THE FORM PROPOSED; AND**
- 3. RESOLVES THAT THIS REPORT, ITS ATTACHMENTS, APPENDICES AND ALL DISCUSSIONS IN RELATION TO THIS MATTER REMAIN CONFIDENTIAL.**

**CARRIED UNANIMOUSLY 21/04/20**

## **8 Close of meeting**

The meeting closed at 3.11 pm.

Confirmed \_\_\_\_\_

Cr John White, Mayor

Date: 5 May 2020