



# Council Meeting Agenda



**Tuesday 5 October 2021 at 6:00 pm**  
Council Chambers (and by video conferencing)  
East Gippsland Shire Council Corporate Centre  
273 Main Street, Bairnsdale 3875





## Acknowledgement to country

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

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

## Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting ([youtube.com/c/EastGippyTV](https://youtube.com/c/EastGippyTV)) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

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

The Victorian Government has amended the *COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020* that enables Council meetings to be conducted by electronic means (videoconferencing) until 26 April 2022. The Minister for Local Government re-issued the Ministerial Good Practice Guideline for Virtual Meetings on 20 October 2020 outlining the provisions relating to the Local Government Act 2020 allow Councillors to attend Council meetings electronically, and the requirement where Council meetings are open to the public will be satisfied where the meeting is livestreamed. The amendments do not preclude Councillors from attending a meeting in person in the Council chambers.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

*Photo supplied by Destination Gippsland*



## Councillors

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

## Executive Leadership Team

Anthony Basford Chief Executive Officer  
Fiona Weigall General Manager Assets and Environment  
Peter Cannizzaro General Manager Business Excellence  
Stuart McConnell General Manager Bushfire Recovery  
Jodie Pitkin General Manager Place and Community

## Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
  - (a) there are clear reasons for particular matters to remain confidential; or
  - (b) a meeting is required to be closed for security reasons; or
  - (c) it is necessary to enable the meeting to proceed in an ordinary manner.
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
  - (a) the meeting may be adjourned; or
  - (b) a recording of the proceedings may be available on the Council website.

## Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at <https://www.eastgippsland.vic.gov.au/council/council-policies>

## Councillors pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.



## Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

## Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services



# Index

<b>1 Procedural</b>	<b>7</b>
1.1 Recognition of Traditional Custodians	7
1.2 Apologies	7
1.3 Declaration of Conflict of Interest	7
1.4 Confirmation of minutes	7
1.5 Next meeting	7
1.6 Requests for leave of absence	7
1.7 Open Forum	7
1.7.1 Petitions	7
1.7.2 Questions of Council	7
1.7.3 Public Submissions	7
<b>2 Notices of Motion</b>	<b>7</b>
<b>3 Deferred Business</b>	<b>7</b>
<b>4 Councillor and Delegate Reports</b>	<b>7</b>
<b>5 Officer Reports</b>	<b>8</b>
5.1 Assets and Environment	8
5.1.1 CON2022 1432 Bituminous Sealing	8
5.2 Business Excellence	13
5.2.1 East Gippsland Shire Council Audit and Risk Committee Performance Review 2020/21	13
5.2.2 Annual Report 2020-21	17
5.2.3 Mutual Respect Charter	200
5.2.4 Public Transparency Policy	205
5.2.5 Instrument of Delegation to Chief Executive Officer	233
5.3 Place and Community	245
5.3.1 Planning Permit Application 475/2020/P - for approval - 30 Clifton West Road - Multi Lot Subdivision, Roadworks and vegetation removal	245
5.3.2 Planning Permit Application 120/2018/P - 860 Stephenson's Road, Tambo Upper - for refusal - two lot subdivision	406



5.3.3 Submission on the draft Marine and Coastal Strategy.....	472
5.3.4 East Gippsland Shire Council Arts and Heritage Grants Round 1 2021-2022..	490
5.3.5 East Gippsland Shire Council Community Projects Grants Program Funding Round 1 2021-2022 .....	519
<b>6 Urgent and Other Business .....</b>	<b>543</b>
<b>7 Confidential Business .....</b>	<b>543</b>
<b>8 Close of Meeting .....</b>	<b>543</b>



# 1 Procedural

## 1.1 Recognition of Traditional Custodians

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

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

## 1.2 Apologies

Cr Jane Greacen OAM

## 1.3 Declaration of Conflict of Interest

## 1.4 Confirmation of minutes

That the minutes of the Council Meeting held Tuesday 14 September 2021 be confirmed.

## 1.5 Next meeting

The next Council Meeting of Tuesday 26 October 2021 to be held at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00pm.

## 1.6 Requests for leave of absence

## 1.7 Open Forum

*1.7.1 Petitions*

*1.7.2 Questions of Council*

*1.7.3 Public Submissions*

# 2 Notices of Motion

# 3 Deferred Business

# 4 Councillor and Delegate Reports

## 5 Officer Reports

### 5.1 Assets and Environment

#### 5.1.1 CON2022 1432 Bituminous Sealing

Authorised by General Manager Assets and Environment

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#### Conflict of Interest

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

#### Executive Summary

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in the attachment/s to this report are confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The purpose of this report is to provide the detail and background of the tender and evaluation process for CON2022 1432 Bituminous Sealing in East Gippsland and seek approval by Council to accept the recommendations made by the Tender Evaluation Panel.

East Gippsland Shire Council is responsible for the management of an extensive road network including 1,157 kilometres of sealed roads. This schedule of rates based contract for bitumen reseals and asphaltting is the primary tool enabling Council to meet its renewal requirements for sealed road surfacing, enabling the road network to be maintained in a safe and cost-effective way.

Bitumen spray sealed roads require resealing every 10 – 15 years. To meet the renewal demand of sealed road surfaces, Council needs to reseal approximately 8% of the whole sealed road network each year. This equates to approximately 92km of road per year on average, which requires resurfacing. The contract also caters for minor sealing of unsealed roads, of which Council currently manages in excess of 1,800 km. Examples of this are roads sealed through Council's annual Dust Suppression Sealing program.

As a result of the invitation to tender and the subsequent tender evaluation, Council is in a position to award the contract. The Evaluation Panel's recommendations are detailed in **Confidential Attachment 1**.



## **Officer Recommendation**

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

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by \_\_\_\_\_  
for CON2022 1432 Bituminous Sealing in East Gippsland for the Schedule of Rates  
amounts included in Confidential Attachment 1, for an initial contract term to 30  
June 2024;***
- 3. authorises signing and sealing of the contract in the form proposed; and***
- 4. resolves that the attachments to this report and all discussions in relation to the  
attachments remain confidential.***

## **Background**

The purpose of this report is to provide the detail and background of the tender and evaluation process for CON2022 1432 Bituminous Sealing in East Gippsland and seek approval by Council to accept the recommendations made by the Tender Evaluation Panel (TEP).

East Gippsland Shire Council is responsible for the management of an extensive network including 1,157 kilometres of sealed roads. These roads and streets include both spray seal surfaces and asphalt surfaces.

In addition to regular condition inspections and programming, this schedule of rates based contract for bitumen reseals and asphaltting is the primary tool enabling Council to meet its renewal requirements for sealed road surfacing. The delivery of the contract through Council's annual sealed road resealing capital program, enables the road network to be maintained in a safe way, providing the best levels of service and lowest whole of life costs.

Bitumen spray sealed roads require resealing every 10 – 15 years, depending on a range of factors including the type and amount of traffic. After this time, surface treatments break down, losing their waterproofing ability, resulting in increasing defects, degradation of the road pavement and generally lower levels of service and higher costs.

To meet the renewal demand of sealed road surfaces, Council needs to reseal approximately 8% of the whole sealed road network each year. This equates to approximately 92km of road per year on average that requires resurfacing. While asphalt is a more costly treatment, generally this requires renewal at longer intervals, approximately every 20 – 25 years.

The contract also allows for minor sealing of unsealed roads, of which Council currently manages in excess of 1,800 km. Examples of this are roads sealed through Council's annual Dust Suppression Sealing program.

Council's previous schedule of rates-based contract for bituminous sealing expired in June 2021. CON2022 1432 Bituminous Sealing in East Gippsland is proposed to have an initial term to 30 June 2024. There is a further two (2) extension options each of up to 12 months at Council's sole discretion.

A public tender process has been undertaken in accordance with Council's procurement process for these services. As a result of the tender and the subsequent evaluation, Council is able to award the contract for CON2022 1432 Bituminous Sealing in East Gippsland. The TEP Report including recommendations are detailed in **Confidential Attachment 1**.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021 all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 1989*, as it relates to procurement undertaken in accordance with a Policy adopted under this Act.

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in the attachment/s to this report are confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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*.

## **Collaborative Procurement**

Pursuant of section 109(2) of the *Local Government Act 2020* this report has been prepared on the basis of a tender for services for only East Gippsland Shire Council, as no viable collaborative opportunities for the service have been identified at this time.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.2 Infrastructure provision and maintenance supports a diverse range of current and future user needs and activities and is both environmentally and financially sustainable.

## **Council Policy**

Procurement has been undertaken in accordance with the East Gippsland Shire Council Procurement Policy (2020).

## **Options**

Various contractual options were considered in planning for the tender of CON2022 1432 Bituminous Sealing in East Gippsland. The schedule of rates based model incorporating both bituminous spray sealing and asphaltting is similar to previous contract formats for these services, which have proven to demonstrate good value for money and flexibility. The option to include line marking for reseals, to improve efficiency and reduce complexity, has been included in CON2022 1432 Bituminous Sealing in East Gippsland, differing from previous contracts for this service.

Council's previous schedule of rates-based contract for bituminous sealing expired in June 2021. To enable this service to be delivered over the upcoming summer period, Council has the option to enter into a contract for CON2022 1432 Bituminous Sealing in East Gippsland as recommended or review the market engagement approach related to this service and select an alternative.

## Resourcing

### *Financial*

Annual amounts for the reseal program and dust suppression sealing program are allocated by Council through annual budgets. The budgets for 2021/22, 2022/23 and 2023/24 as included in the adopted 2021/22 budget are detailed below and considered most relevant to the contract scope of works and term.

Financial Year	Capital Program Budget (Reseal Program)	Proposed Capital Expenditure Dust Suppression Sealing
2021/22	\$2,590,000	\$200,000
2022/23	\$4,250,000	\$200,000
2023/24	\$4,250,000	\$200,000

- Based on the proposed 2021/22 Reseal Program the estimated reseal works cost \$2,590,000.
- Based on the proposed 2021/22 Dust suppression sealing program the estimated sealing works cost \$200,000.
- Resealing and dust suppression sealing works cost to be funded through the Capital Program (reseal) and dust suppression programs. To enable a comparison of the tenders received, the tendered rates were applied to a nominated set of quantities. Cranes Asphaltting and Bitumen Sealing returned the only submission.

### *Plant and equipment*

All plant and equipment relevant to the service will be provided under the proposed contract.

### *Human Resources*

The Project Supervisor for this contract will be allocated from Council's Assets and Projects Unit. No additional human resources are required to manage this contract.

### *Risk*

The risks of this proposal have been considered extensively during the tender process and considered low. Tenderers were also requested to develop a construction method that minimises risks identified in relation to protection of existing services, traffic management, property access and off-street carpark access, vibration and other key issues associated with the works.



## **Economic**

The tender evaluation process used for this tender included a 5% weighting for local content, with preference given to contractors who employ locally, support the local community and purchase materials and any subcontracted services locally.

As this is a project that will enable safe transport, the project is seen to support the East Gippsland Shire's vitality and amenity, which is known to positively impact economic growth.

## **Social**

The effective management of Council's road network supports connectedness and safety.

## **Environmental**

A 5% weighting has been used in the evaluation of tenders regarding environmental sustainability, with preference given to contractors who can demonstrate environmentally sustainable and environmentally sensitive practices.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

## **Engagement**

The project supervisor for the works will be responsible for providing initial engagement with adjacent businesses and agencies for all projects delivered in a coordinate with this contract and this relationship will continue throughout the duration of the project.

As part of the construction methodology, the Contractor will communicate regularly with all stakeholders regarding any impact throughout delivery of the project.

Engagement activities targeting the broader community promoting the project and any potential impacts throughout its implementation will be initiated following award of the contract.

## **Attachments**

1. CONFIDENTIAL - CON2022 1432 Bituminous Sealing - Tender Evaluation Panel Report [5.1.1.1 - 22 pages]

## **5.2 Business Excellence**

### **5.2.1 East Gippsland Shire Council Audit and Risk Committee Performance Review 2020/21**

Authorised by General Manager Business Excellence

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#### **Conflict of Interest**

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

#### **Executive Summary**

This report seeks Council's consideration and noting of the report on the Audit and Risk Committee ('the Committee') annual performance review for 2020/21. As required in the Audit and Risk Committee Charter the Committee undertakes an annual assessment of its performance and provides a report to Council.

The assessment is completed through a survey of Committee members (including Councillors who are on the Committee), Councillors who do not sit on the Committee, and senior officers. The results were assessed by the Committee. The Chairman reported the review and the outcomes to a joint meeting with Councillors in September.

This summary outlines the responses the Committee will implement during 2021/11 as a result of the performance review and subsequent discussion with Council.

#### **Officer Recommendation**

***That Council notes this report on the annual performance review of the East Gippsland Shire Council Audit and Risk Committee for the year ended 30 June 2021.***

#### **Background**

The Audit and Risk Committee Charter requires the Committee to conduct annually, an evaluation of the performance of the Audit and Risk Committee against the Audit and Risk Committee Charter and provide an assessment to the Chief Executive Officer for tabling at the next Council meeting.

A survey regarding the performance of the Audit and Risk Committee was completed by individual Committee members, Councillors who do not sit on the Committee and senior officers.

The questionnaire completed by the respondents covered the following areas of the Committee's operations:

- strengths and weaknesses of the committee over the past 12 months and key focus areas for the next 12 months;
- the Committee's understanding and conduct of its required duties;
- the appropriateness of the Committee charter;
- the mix of skills within the Committee;
- the conduct of meetings and administrative matters; and
- professional development undertaken in the past 12 months or that would be beneficial in future (questions addressed to Committee members only).

The results of the survey were assessed by the Committee at a meeting in August. The discussion focused on the issues raised in the survey and considered ways of improving the practice of the Committee. The Chairman presented the review and outcomes to Council at a joint meeting with Councillors in September.

The process has indicated a general agreement that the Committee has met the objectives as outlined in the Audit and Risk Committee Charter for 2020/21.

The transition to video conferencing as a result of the COVID-19 social distancing requirements was again identified as a highlight of the year, as it provided greater reach to the committee and ultimately better engagement. The Committee will continue to use video conferencing for its meetings.

There has been an improvement in communication between the Committee and Council over the preceding twelve months. The Committee is committed to ongoing improvements and focus on maintaining good communication with Council.

The Committee believes that the 30-minute Committee members only pre-meetings has assisted with the management of items in the Committee meeting.

The Committee discussed efforts for attracting and retaining broader diversity of members on the Committee and to demonstrate diversity for future pools of candidates for positions on the Committee.

The Committee suggested the following improvements for 2021/22:

- Review of the Charter so that all members understand the role of the Committee, the scope of the committee and the roles and responsibilities of members.
- Improve the meeting practices to manage the agenda and work with management to prioritise items on the agenda.
- Continue with the 30-minute Committee members only pre-meetings.
- Appreciation and recognition of the staff members who prepare the reports for the meeting.
- Continue with conducting the meetings via video conference, which may also be attractive for potential candidates for the Committee.

The Chair recognised the support and assistance of Management with the process and compiling of the Audit and Risk Committee Annual Performance Review.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 2020* Section 53 which stipulates that Councils must establish an Audit and Risk Committee and section 54 requires Council to adopt an Audit and Risk Charter. The Charter requires the Audit and Risk Committee to provide an assessment of its performance to Council.

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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*.



## **Collaborative procurement**

Not applicable for this report.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.5 Resources are managed to meet current and future needs and priorities.

## **Council Policy**

This report addresses the requirements of the Audit and Risk Committee Charter for the Audit and Risk Committee to conduct annually, an evaluation of the performance of the Audit and Risk Committee against the Audit and Risk Committee Charter and provide an assessment to the Chief Executive Officer for tabling at the next Council meeting.

## **Options**

Not applicable for this report.

## **Resourcing**

### *Financial*

Not applicable for this report.

### *Plant and equipment*

Not applicable for this report.

### *Human Resources*

Not applicable for this report.

### *Risk*

Not applicable for this report.

## **Economic**

Not applicable for this report.

## **Social**

Not applicable for this report.

**Environmental**

Not applicable for this report.

***Climate change***

This report has been prepared and aligned with the following Climate Change function/category:

This report is assessed as having no direct impact on climate change.

**Engagement**

Not applicable for this report.

**Attachments**

Nil

## 5.2.2 Annual Report 2020-21

Authorised by General Manager Business Excellence

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### Conflict of Interest

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

### Executive Summary

This report presents the Draft Annual Report 2020-21 (Annual Report) for Council's consideration, under the requirements of the *Local Government Act 2020*. The Annual Report has information on organisational performance, challenges, instances of advocating for the East Gippsland community, comprehensive financial statements, achievements, and highlights for the year.

Under the *Local Government Act 2020* section 100, the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public.

Some highlights from the Annual Report include:

- Council advocated for and received over \$25.5 million in Local Economy Recovery grant funding to support East Gippsland communities.
- Council accessed over \$31.4 million of grant funding that was received in 2020-21.
- Developed the new Council Plan 2021-25 following extensive deliberative engagement.
- Council helped over 4,000 small business owners to successfully apply for Business Victoria bushfire recovery support grants
- Council's Place Managers continued to support communities with their recovery, with the establishment of representative groups and development of recovery plans.
- A total of thirty one Local Incident Management Plans were developed or reviewed with the local communities.
- The commencement of the Omeo Mountain Bike Trail Project, with the construction of the skills and pump track.
- Detailed design and approval work for the WORLD Sporting Precinct was undertaken for work to commence in 2021-22.
- An Agriculture Sector Advisory Committee was formed.
- Council won three top awards at the 2021 LGPro Awards for Excellence.
- To respond to COVID-19 restrictions, Council created a plan: *East Gippsland – The Way We Do Business Now*.

A copy of the Draft Annual Report 2020-21 has been provided at **Attachment 1**.

### Officer Recommendation

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

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. adopts the Draft Annual Report 2020-21 at Attachment 1.***



## Background

This report presents the Annual Report for Council's consideration, under the requirements of the *Local Government Act 2020*. The Annual Report has information on organisational performance, challenges, instances of advocating for the East Gippsland community, comprehensive financial statements, achievements, and highlights for the year.

There is a legislated requirement that the Annual Report must contain certain information. This is detailed in the *Local Government Act 2020* - section 98(2) – which states: An annual report must contain the following—

- a. a report of operations of the Council;
- b. an audited performance statement;
- c. audited financial statements;
- d. a copy of the auditor's report on the performance statement;
- e. a copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*;
- f. any other matters prescribed by the *Local Government (Planning and Reporting) Regulations 2020* (Regulations).

The Annual Report provides the report of operations of the Council and other matters prescribed by the Regulations.

Sections b., c., d., and e. as listed above, were presented and adopted by Council at the September Council Meeting on 14 September 2021. The authorised documentation has been signed off and a copy has been included in the Annual Report.

The savings and transitional provisions in section 329 (7)(b) of the *Local Government Act 2020* states that the *Local Government Act 1989* continues to apply to the preparation of 2020-21 Annual Reports. Therefore, Councils are still required to submit their Annual Report to the Minister for Local Government by 30 September 2021.

The Annual Report is intended to be used as a promotion tool, that provides an overview of the good news stories and highlights for the community to read in a consolidated report.

Some highlights from the Annual Report include:

- Council advocated for and received over \$25.5 million in Local Economy Recovery grant funding to support East Gippsland communities.
- Council accessed over \$31.4 million of grant funding that was received in 2020-21.
- Developed the new Council Plan 2021-25 following extensive deliberative engagement.
- Council helped over 4,000 small business owners to successfully apply for Business Victoria bushfire recovery support grants
- Council's Place Managers continued to support communities with their recovery, with the establishment of representative groups and development of recovery plans.
- A total of thirty one Local Incident Management Plans were developed or reviewed with the local communities.
- The commencement of the Omeo Mountain Bike Trail Project, with the construction of the skills and pump track.
- Detailed design and approval work for the WORLD Sporting Precinct was undertaken for work to commence in 2021-22.
- An Agriculture Sector Advisory Committee was formed.
- Council won three top awards at the 2021 LGPro Awards for Excellence.
- To respond to COVID-19 restrictions, Council created a plan: *East Gippsland – The Way We Do Business Now*.

The Annual Report is also accompanied by a short highlights video as a way to promote the highlights in a short, engaging format that can be consumed more easily than reading the document. The video will be presented through the visual screens in our service centres and at other relevant opportunities.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021 all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 2020*, 98, 99 and 100 section from the Act as well as the savings and transitional provisions in section 329 (7)(b) of the *Local Government Act 2020* states that the *Local Government Act 1989* continues to apply to the preparation of 2020-21 Annual Reports.

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*.

## **Collaborative Procurement**

Pursuant of section 109(2) of the *Local Government Act 2020* this report has not been prepared in collaboration with another Council or government agency.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.1 A better everyday customer experience is created for our residents and visitors.

## **Council Policy**

Not applicable

## **Options**

No options available

## **Resourcing**

### *Financial*

Not applicable

### *Plant and equipment*

Not applicable

### *Human Resources*

Not applicable

### *Risk*

The risks of this proposal have been considered minimal and managed appropriately.

### **Economic**

Not applicable

### **Social**

Not applicable

### **Environmental**

Not applicable.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

Corporate/Strategic/Council Plan: Consideration is given to climate change in corporate, strategic or council plan(s) and includes responses to direct and indirect impacts.

### **Engagement**

After adoption, the Annual Report will be promoted to the community with a media release. As the Annual Report covers Council's highlights and achievements for the past year, it is a great opportunity to promote a good news story to the community.

### **Attachments**

1. Draft Annual Report 2020-21 [5.2.2.1 - 179 pages]

# Annual Report

2020-21





*Wayne Thorpe, from Gunaikurnai Land and Waters Aboriginal Corporation, conducts a welcome to country and smoking ceremony.*





## Acknowledgement of Country

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

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

This annual report is prepared in accordance with the Local Government Amendment (Performance Reporting and Accountability) Act 2014 and Local Government (Planning and Reporting) Regulations 2014.

Images from this Report may not be reproduced without written permission from the East Gippsland Shire Council.

An online version of this report is available at [eastgippsland.vic.gov.au](http://eastgippsland.vic.gov.au)

COVER IMAGE: Australia Day Awards celebrations held at Sarsfield Recreation Reserve on Thursday 21 January.

Please note: Images depicting people not wearing face masks were taken outside of COVID-19 mask wearing restriction periods.

# Contents

<b>Section 1: Introduction .....</b>	<b>7</b>
Annual Report 2020-21 .....	7
Council's Vision .....	8
Councillor Standards of Conduct .....	8
Highlights of the Year .....	11
Challenges Faced .....	23
<b>Section 2: The Year in Review .....</b>	<b>27</b>
Message from the Mayor .....	28
Message from the Chief Executive Officer .....	29
Summary of Financial Performance .....	30
Advocacy .....	35
Description of Operations .....	39
Major Changes .....	44
Major Achievements .....	44
Civic Events .....	46
<b>Section 3: Our Council.....</b>	<b>49</b>
Demographic Profile .....	50
Our Economy.....	51
Events .....	52
Your Councillors .....	54
<b>Section 4: Our Organisation .....</b>	<b>57</b>
Executive Leadership Team .....	58
Organisation Chart.....	58
Staff Profile .....	59
People and Culture .....	61
<b>Section 5: Our Performance .....</b>	<b>65</b>
Strategic Planning Principles.....	66
Council Plan.....	67
<b>Section 6: Governance, Management and Other Information.....</b>	<b>101</b>
Governance.....	102
Governance and Management Checklist .....	107
Statutory Information .....	110
<b>Financial Performance Statement .....</b>	<b>114</b>









## Introduction

**East Gippsland Shire Council is committed to transparent reporting and accountability to its community. The Annual Report 2020-21 details Council's activities, achievements, challenges and financial performance during the financial year.**

**It also informs the community on how the commitments in the Council Plan 2017-2021 and the 2020/21 Annual Budget were delivered.**

**The Annual Report is an important part of Council's performance-monitoring process, to ensure resources are used efficiently and East Gippsland communities are provided with value-for-money services.**

**This report also gives information on the elected Council, the organisation and statutory information. Council's overall financial position and performance is reported in the Audited Financial Statements for the period 1 July 2020 to 30 June 2021.**

## Council's Vision

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

## Councillor Standards of Conduct

The Councillor Code of Conduct sets out the standards of conduct that guide the Councillors collectively and individually in undertaking their roles, duties and obligations. While the Councillors are governed by standards outlined in the Councillor Code of Conduct, Council officers are guided by the Staff Code of Conduct and a set of organisational values.

### Standards of Conduct



#### Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect.



#### Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly.



#### Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with relevant policies, procedures, protocols and legislation.





**Councillors not  
discrediting or misleading  
council or the public**

In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council and must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.



**Standards not limiting  
robust discussion**

Nothing in these standards is intended to limit, restrict, or detract from robust public debate in a democracy.

*Mayor Cr Mendy Urie and Chief Executive Officer Anthony Basford officially open redeveloped Bairnsdale Skatepark with local skaters, contractors and Youth Ambassadors.*





## Highlights of the Year

**Council supported its communities across East Gippsland through the provision of services, new infrastructure and recovery projects projects, community celebrations, events and grants and funding opportunities.**

**With the backdrop of the COVID-19 pandemic, Council's work included the working with bushfire affected communities to support their own recovery activities, including 10 Community Recovery Committees or representative groups.**



## Strong Communities



Council supported bushfire-affected communities to lead their own recovery, including work with ten community recovery committees or representative groups. Support was provided for events, community recovery projects and much more.

525

Animals were collected by Council's Community Laws Officers.

\$

Council successfully allocated over \$100,000 of funding from Regional Development Victoria for community events, which focus on bringing bushfire-affected communities together.



The Australia Day Awards were held outdoors in the community (Sarsfield) with a large crowd in attendance.



Bushfire and COVID-19 pandemic recovery services engaged advice from recognised experts in trauma recovery working with trauma-impacted individuals, providing advice for rebuilding and on establishing Community Recovery Committees.



*Council, along with Country Fire Authority (CFA), hosted a Summer Ready community barbecue in Mallacoota and provided information to the community. Pictured: Commander Don Tomkins (CFA District 11 Headquarters) and Council's Emergency Management Coordinator Shane Turner.*



Changes to the mobile library service were undertaken to provide a more responsive service to community needs.

**374**

Food premises were assessed to ensure that they met food safety standards.

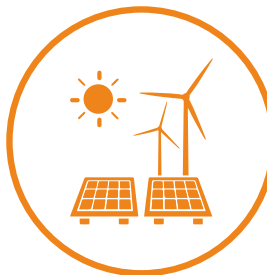


A Dogs Off Lead in Public Places trial and evaluation was undertaken, with the permanent rules adopted at the June Council Meeting.

## A Liveable Region



A total of 19 projects were funded under the Drought Relief Communities Programme Extension, 10 of these have been completed, which includes the Cann River Hall, painting of the Johnsonville Hall and construction of a new playground at Bendoc.



Council committed to purchase 100% of its power consumption through a renewable power purchase agreement (over 10 years) under the Victorian Councils' Power Purchase Agreement.

**698**

Planning permit applications were issued, an increase of 34.2% on 2019-20.



Waste Management and Sealed Local Roads services were rated above the Large Rural Councils average in the Community Satisfaction Survey.



Securing over \$1 million to upgrade Council's final portion of street lights to LED.





The Wairewa community celebrates the opening of the new Hospital Creek Bridge on 30 April. The bridge opening also marked the completion of the bushfire vehicular bridge rebuild program.



Employed 54 people under the Working for Victoria program. Most roles were focused on enhancing services across the municipality, include a 'maintenance blitz' for Council-managed infrastructure/parks/open spaces; environment support and asset management.



Finalised remediation of 236km of bushfire-damaged roads and roadside and replaced 11 bridges destroyed by the 2019-20 Black Summer bushfires valued at over \$17m.



## A Growing Regional Area with Opportunities



Council attracted \$92.1m in funding to support the delivery of more than \$227m worth of projects identified in the Economic Recovery Sub-plan.



A total of 180 events were delivered, well down on previous years due to COVID-19 restrictions and the subsequent cancellation of events.

4,000

Small business supported to receive bushfire recovery support provided through Small Business Victoria.



Council approved \$562,717 of drought and agribusiness support initiatives - \$244,195 from Council's allocated drought support, and \$318,522 from Regional Development Victoria drought funding.



The Agribusiness Program launched and fully subscribed, with 45 farmers participating across three rural districts. The 12-month program is designed to assist agribusinesses to undertake diversification or value-adding projects on their properties to increase income security and resilience.



*Anthony Basford (Council CEO), Leecia Angus, Nick Blandford, Cr Mendy Urie (Mayor), Andrew Bulmer, Matt Zagami, Stuart McConnell (Council General Manager Bushfire Recovery, holding the computer with online participants Paul Menke and Alison Gunn), Trevor Caithness, Graeme Dear, David Caldwell, Jen Smith and Cr John White at the first Agriculture Sector Advisory Committee meeting.*

## 7

Event industry development programs were delivered across a range of relevant topics including Re-imagining Events in a Post COVID World and Successful Volunteer Management for Events.



The Bairnsdale Airport Masterplan progressed several projects to improve the functionality of the facility, including:

- design of necessary runway and other infrastructure upgrades;
- working to attract commercial services;
- working to design new patient-transfer facilities;
- continuing to upgrade infrastructure and security; and
- working with East Gippsland Field Days and Gippsland Agricultural Group on an agricultural research and events space.

## Good Governance



Council accessed its largest ever pool of capital grant funding, with over \$31.41m of grant funding received in 2020-21. This represents a 244% increase on the previous year.



Council adopted the Community Engagement Policy at the March Council Meeting.



136 resolutions made at Council meetings.



Council adopted a 10-year Financial Plan, which includes financial statements and statements of human resources for the next 10 years.



Council oversaw management of the local government elections and subsequent induction of new Councillors. Six of the nine Councillors were elected for their first time on Council.



*Elected as East Gippsland Shire Councillors in October 2020 were (back) Sonia Buckley, Tom Crook, Jane Greacen OAM, Arthur Allen, Kirsten Van Diggele, John White, (front) Trevor Stow, Mendy Urie (Mayor) and Mark Reeves (Deputy Mayor).*

43

Tenders awarded, with 219 submissions received for these tenders.



Over 470 community members were engaged for the review of the Community Vision and the development of the Council Plan and strategic financial documentation. This included the use of a 15-person Community Panel to deliberate on the Community Vision and Council Plan.

## Responsive Services



The Customer Experience Strategy and Action Plan were adopted by Council in February 2021.



A new corporate website was launched to facilitate improved customer experience, and improved online accessibility.



A Staff Culture Survey was undertaken in July 2020, with an action plan developed to seek improvements in aspects of organisation culture.



A new monthly electronic newsletter was published for the community – My Council, My Community (pictured). The newsletter shares updates on Council projects, services, bushfire recovery, Council decisions, open consultations, events and openings, how to contact Council and Councillors, advocacy and more.



Emails were received through our feedback account, an increase of more than 12,000 from 2019-20. There were also 15,157 letters received through Australia Post and over the counter.





*Customer Service Officer Andrea Priestley assists a customer in Orbost during COVID-19 restrictions.*

171

New staff, including casuals and limited tenure positions, in an increasingly competitive labour market. Most of these roles were in the Assets and Environment and Place and Community areas, where the call on services continued to grow as a result of ongoing bushfire recovery work.



Council's call centre received 70,342 calls, with 54.18% answered within 45 seconds. 49.47% of calls were resolved at first point by the customer service team.







## Challenges Faced

**East Gippsland communities have demonstrated incredible resilience in navigating major external challenges and disasters over the past two years. Over 2020-21, communities were still in recovery phase following the 2019-20 Black Summer bushfires and had to endure the impacts of the COVID-19 pandemic.**

Council has supported communities as they identify needs and priorities with a community-led recovery approach. Support provided includes supporting applications to Local Economic Recovery and administering funding provided through Regional Development Victoria to enable multiple community events. These events have occurred in all of the fire-impacted districts and have ranged from fire preparedness barbecues to family fun days, sporting events and more.

There has been support both for the mental health and financial wellbeing of our community. Short-term housing was being established, public assets restored and roads rebuilt. This has been the work of many agencies, including all levels of government. In addition, significant sums of grants, donations and commitments of money flow from government and agencies, continuing their commitment to assist East Gippsland.

The work of Place Managers, whose focus spans community and business groups, residents and ratepayers, has allowed Council to work in the community to support community-led bushfire recovery, working closely with community recovery committees, community leaders and Bushfire Recovery Victoria. Additional Place Managers were appointed by Council to support bushfire impacted communities, taking the total to eight. The Place Managers worked one-on-one with impacted communities to provide a direct connection with Council and to support community recovery committees and other groups in their recovery journey. The bushfire event has

## 8

### Place Managers working one-on-one with communities

impacted each community differently and the Place Manager model enables service delivery to be flexible to community needs.

The underlying impacts of drought and the differing levels of social and economic disadvantage in communities were also exacerbated by these events. The place model has also enabled trusted relationships between Council and community at the local level through the Place Managers' connection with the committees, which has been highly valued. Each committee has had its own journey and timeframe, with some just starting to identify planning priorities, while other have finished interim or complete plans.

There were significant impacts on community recovery due to COVID-19 and border closures. While we continued to work alongside communities, these challenges restricted the ability to come together and connect in ways that are essential for recovery. The COVID-19 pandemic changed how recovery and rebuilding initiatives were delivered. Critical opportunities for communities to come together and reconnect were significantly reduced, with experts observing that COVID-19 has significantly delayed overall recovery in East Gippsland. Council has had to change how people interact with services, how



A commemorative seat at Bastion Point, built in memory of Mallacoota recycling champion the late Joan Hunt that was destroyed by fire has recently been reinstated.



The Gelantipy community continued to have face-to-face conversations where possible between COVID-19 enforced lockdowns. These community meetings were designed to provide a safe environment for community and agencies to hear residents tell their stories.



*Governor-General David Hurley AC DSC (Retd) and Mrs Linda Hurley met with Orbost SES and other agencies involved in the bushfire response.*

information is provided to the community, how services are delivered and how rebuilding is managed with restrictions on stock and supply.

However, even with these challenges, infrastructure has continued to be rebuilt and reconstructed, including roads, bridges, parks and coastal areas. The natural environment is being carefully monitored and regrowth is occurring.

Tailored bushfire recovery support of small business owners has been provided through Small Business Victoria's Mentoring Service. Mentors are working in close collaboration with Council to support over 4,000 business engagements in East Gippsland this past year. Tangible progress for the support of economically impacted business in 2020-21 has been considerable, in addition to responding to grant opportunities to deliver future long-term recovery projects.

Highlights include the Regional Connectivity Program funding of \$3.6 million for valuable, digital resilience building upgrades within East Gippsland.

Rolling COVID-19 lockdowns impacted Council's service delivery. Certain facilities and services were forced to close between 1 August – 20 October 2020; and between 25 May – 11 June 2021. A major impact of these service closures was that Council experienced reduced revenue from closing services that generate income. When these services were opened, they transitioned from business as usual to an operating model that observes the COVIDSafe restrictions.

An organisation-wide plan to return staff to the office in a safe, responsible way was implemented. The plan recognises new and more flexible ways of working that were implemented successfully during COVID-19 work from home restriction periods.

*You'll know some things are taking longer with restrictions.*

**It's the same for us.  
Thanks for understanding.**



*To respond to the challenges associated with providing services to the community, Council created a plan which helped identify the needs of the community, services and employees throughout the pandemic. East Gippsland – The Way We Do Business Now document was introduced to outline the impacted areas within Council and how Council operations would continue in a safe way. This plan included a public education campaign across print and social media.*





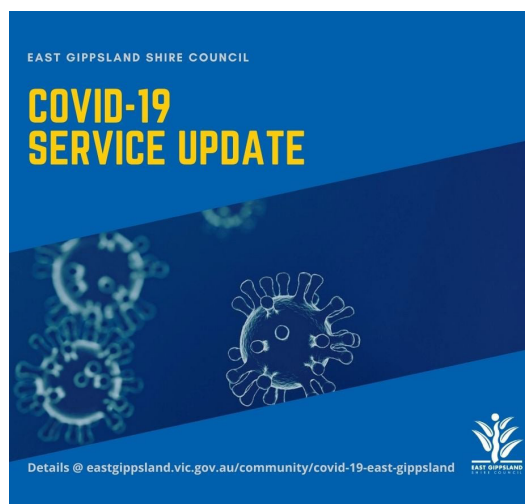
Council was successful in receiving funding under the Victorian Government's Working for Victoria initiative. Working for Victoria is designed to connect workers with new opportunities that will help the community and contribute to Victoria's ability to respond to the pandemic. Through the initiative Council appointed 54 people on temporary six-month contracts. These staff assisted existing staff in a range of roles, with most focused on the maintenance of public places, playgrounds and parks and gardens to ensure East Gippsland was looking its best to welcome visitors back, following bushfires and an easing of COVID-19 restrictions. A number have stayed on post their short-term contracts.

Apart from bushfire recovery and COVID-19, there were other major challenges that Council faced in 2020-21, which include:

- For a range of reasons, Council's Planning team has not been fully resourced for most of the year. To assist existing staff to work through the backlog of planning applications Council used contract staff and officers from other local government organisations under resource sharing agreements. Council also experienced an increase in planning applications because of the bushfire rebuild and the stimulus and regional living changes under COVID-19.
- Each year, the Minister for Local Government sets a cap on rate increases based on that period's Consumer Price Index. A rate cap of 2% for the 2020-21 financial year was applied, which creates a restraint on Council operations.
- Significant cost escalations in the cost of goods due to the global COVID impacts, especially in our building and capital works projects.
- During COVID-19 there was a substantial increase in online scams and phishing campaigns across the local government sector.
- Onboarding new staff virtually and giving them a strong sense of our culture without the benefit of physical exposure to it.



*Working for Victoria provided work opportunities for 54 people in East Gippsland including Alick Young who had a role with our Waste Audit Team.*



*Consistent and timely messaging was provided across Council's available communication platforms, particularly social media and website, and telephone on-hold and voice messages. On occasions during significant lockdowns our call centre remained open after hours and over the weekend to support customers with enquiries related to service changes due to COVID-19.*



Five citizenship ceremonies were held, which saw 37 conferred as new Australian citizens. All ceremonies were live streamed.

## The Year in Review

The past year has been one of challenge, change and progression for East Gippsland. A new Council was elected, and development of the Council Plan 2021-25 completed. Major infrastructure projects completed and bushfire recovery continued, and the delivery of services and events were challenged with the backdrop of the COVID-19 pandemic.

## Message from the Mayor

It is a pleasure to present the first Annual Report for our Council term to you. The past year has been one of challenge, change and progression.

A new Council was elected in October 2020 with six Councillors elected for their first terms on Council.

The first year of a new Council term will always be challenging. It is a year of rapid learning about governance responsibilities, the aspirations of our communities, the limits and extent of Council's jurisdiction and most importantly, how to work together across a spectrum of views to settle on a suite of plans to focus the work of Council for the next four years.



At the June Council Meeting, these strategic documents were adopted – Our Community Vision, Council Plan and Annual Action Plan, Council Budget 2021/22, 10-year Financial Plan, and Rating and Revenue Strategy. For Council, this is a major milestone, marking the start of a critical next step towards realising our shared vision.

The community consultation process to develop these documents was significant. The community was consulted through a Community Perceptions Survey; community engagement workshops, which Councillors attended; and the use of a 15-person community panel. It was pleasing that Council was able to reach over 470 people through these processes.

The East Gippsland region has experienced a lot over the past two years, and the community has shown remarkable resilience during this time.

Since Council was sworn in at the November meeting, we have been advocating strongly to the Victorian and Australian governments for bushfire recovery assistance programs and economic support following COVID-19 impacts. Through this advocacy, Council was successful in receiving \$35.5 million in grant funding through the Local Economy Recovery (\$25.5m) and Regional Recovery Partnership (\$10m) programs. The funding will see many Council and community projects undertaken to boost the regional economy and strengthen our communities as we look to the future.

To stay informed on Council business, projects and news stories I recommend that you all have a read through the monthly newsletter *My Council, My Community*. This is a great way to stay up to date with Council business.

It is an enormous responsibility and honour to be elected as a councillor of East Gippsland Shire and I am particularly proud to serve as Mayor in the first year of our Council term. On behalf of all of us, I would like to acknowledge the CEO and Council staff for their great support in helping the new Councillor group settle into our roles and for their hard work and achievements throughout the last 12 months.

**Councillor Mendy Urie – Mayor**



## Message from the Chief Executive Officer

I am also pleased to present Council's Annual Report for 2020/21, in a year that has seen our organisation challenged and respond to ever changing circumstances.

COVID-19 continues to impact East Gippsland and its recovery efforts. Parts of East Gippsland have also been significantly impacted by interstate border closures. While provisions were in place for local communities to access services in cross-border areas, tourism traffic was significantly reduced in some areas with a commensurate impact on local economies.

During periods of significant restrictions due to COVID-19, access to trades, services and supply were limited and holidaymakers and property owners alike were restricted from entering the area. Many recovery activities and services were affected or modified, with events and gatherings unable to proceed, limiting opportunities for communities to connect. Where possible, services were modified to operate online and adapt to using technology to continue to deliver services to the community.

From an organisational perspective, we launched the new staff values and supporting behaviours – Collaboration, Respect, Integrity and Accountability. We all want to work in an environment where we can flourish and achieve the best possible outcomes for ourselves and the community.

We delivered over \$35 million in capital works, with major works that included the Lucknow Recreation Reserve Pavilion (\$2.5m), replaced 11 bridges that were damaged by the bushfires (combined value of more than \$4.5m) and the commencement of the Mallacoota seawalls (\$1m).

Council continues to be in a sustainable financial position, recording an underlying surplus of \$5.35m and a net increase in asset values by \$134m to \$1,303m.

I have been proud to lead the organisation through another tumultuous year and I want to specifically thank my staff who despite the challenges have continued to provide the services, functions and amenity that our community need, albeit differently than in previous years.

I would like to thank the Council for their support to me and the organisation through this challenging period. The East Gippsland community are resilient, resourceful and passionate and I look forward to continuing to work with you into the future.

**Anthony Basford – Chief Executive Officer**



## Summary of Financial Performance

The summary of financial performance provides an overview of how Council has performed financially in 2020-21. The Long-term Financial Plan focused on improving Council's financial position, ensuring its long-term financial sustainability.

### Financial Snapshot

- \$133.3m revenue against a budgeted \$133.3m.
- Rates and Charges comprised \$60.5m (45%) of the total operating revenue.
- \$113.8m expenditure against a budgeted \$110.6m.
- Operating surplus of \$19.5m (budget \$22.6m).
- \$35.2m Capital Works program delivered against a budgeted \$64.7m.
- Cash holdings and other financial assets increased by \$23.5m from \$68.6m in 2019-20 to \$92.1m in 2020-21.
- Net debt remained unchanged from 2019/20 at \$3.350m.

Council focuses on three key areas of financial performance as a guide to how sustainable our Council is. These three areas are:

- Our operating and underlying results.
- The renewal or replacement of our existing assets.
- Our cash holdings.

### Asset renewal

A key capital works indicator is whether what we are spending on renewing our assets matches the rate that our assets are deteriorating or depreciating. Council's strategy is to renew our asset base at a greater rate than it depreciates. Our key strategic indicator for renewal is a minimum of 100%.

Our asset renewal result for 2020-21 is 147.6%.

### Cash holdings

Cash holdings is about our ability to pay for Council's activities and obligations and is usually balanced by restricted items such as trust deposits and reserves or funds held for specific purposes.

### Debt levels

No new borrowings were taken up during the year and borrowings totalled \$3.350m as at 30 June 2021.

### Council's operating results

Council achieved an operating surplus of \$19.517m this year compared to a \$18.676m surplus in 2019-20.

This is greater than last year's result by \$841,000. The operating surplus in 2020-21 though includes unbudgeted income of \$8.2m for an advance payment of the 2021-22 Federal Assistance Grant.

Without this advance payment, the operating surplus for the year would have been \$11.3m which is \$11.3m less than the budgeted result.

A decrease in capital grants over the budget of \$11.6m and other income of \$3.4m decreased the income for the year which was offset by an increase in operating grants over budget of \$9.5m and non-monetary contributed assets of \$4.0m as well as additional supplementary rates income of \$1.1m over budget. \$8.2m of the increase in operating grants was a result of the advance Financial Assistance Grant for 2021-22 being received in 2020-21. Additional contributed assets for reserves and other land related assets from developers was also greater than the original budget. There were some significant commercial/industrial supplementary valuations during the year and these accounted for the increase in rate income. Bushfire restoration works will be completed in early 2021-22 and as a result the other income relating to reimbursement for these works was less than budget.

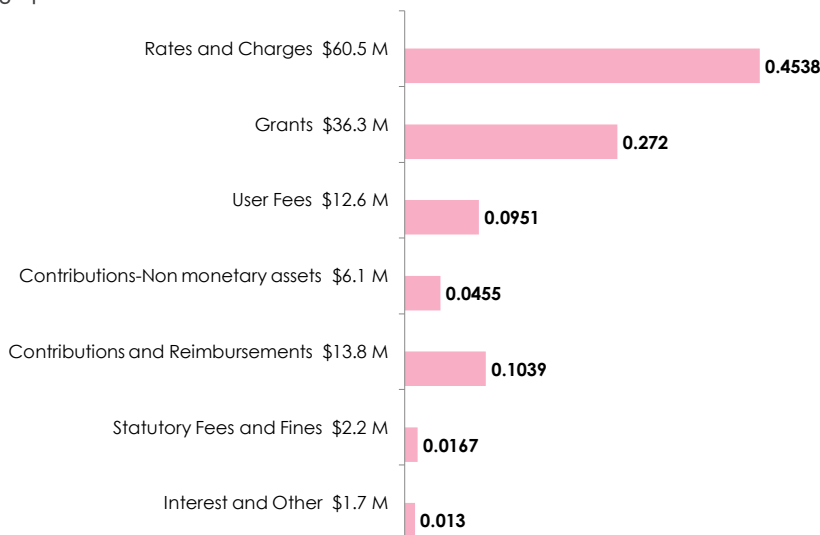
While the operating surplus represents an overall good result, an important indicator of financial sustainability is the underlying result, which removes all non-recurrent capital income to show the true operating position. An underlying surplus indicates that all operational expenditure including depreciation and amortisation has been fully funded.

Council recorded an underlying surplus of \$5.3m this year compared to an underlying surplus of \$11.5m last year.

### Income

This year's operating income totalled \$133.3m.

The graph below shows the breakdown of Council's income in 2020-21:



### Rates and Charges

Rates and charges income was \$60.536m this year. As a percentage of total income this is 45.38%, compared with 47% in the previous year.

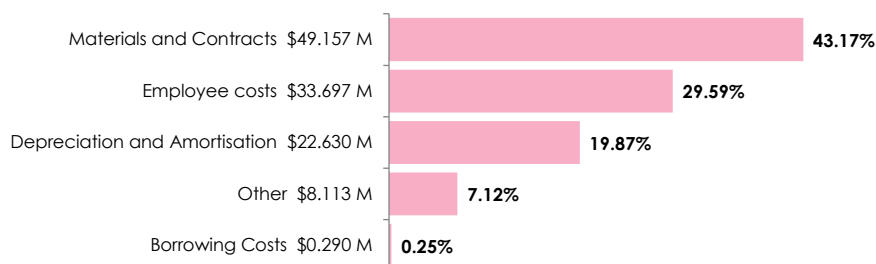
### Other revenue sources

Grant funding was \$36.3m this financial year and accounted for 27.2% of total income, compared to 31.06% last year. The lesser percentage of total income from grants mainly resulted from a reduction in bushfire recovery grants in 2020-21.

User fees accounted for 12.6% of total income compared to 15.6% in the previous year. In 2019-20 there was additional income for user fees as a result of bushfire waste disposal of \$7.748m and this accounted for the reduction in user fees for 2020-21.

### Operating Expenditure

The graph below shows the breakdown of Council's operating expenditure in 2020-21:



Over 92% of our operating costs occur in the following three categories:

- Employee expenses 29.5%
- Materials and services 43.1%
- Depreciation and amortisation 19.8%

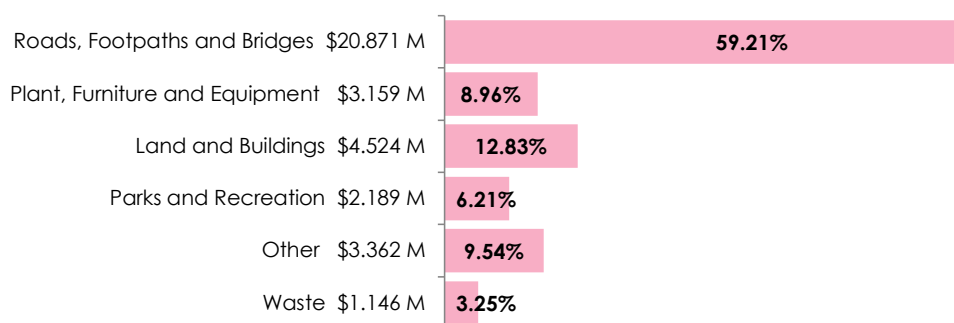
This year's operating expenditure totalled \$113.887m, which was \$3.186m greater than forecast in the budget. Other expenses, including the landfill rehabilitation provision movement were \$6.444m greater than budget as a result of \$6.6m of infrastructure write-offs, primarily due to assets being replaced. This was offset by materials and services which were \$3.242m less than budget as a result of a number of projects and programs that were interrupted as a result of COVID-19 restrictions and the expenditure for the year was less than budget.

All other expenditure in 2020-21 did not vary materially from budget.

### Capital expenditure

In addition to the operating expenditure, Council spends money on capital projects that benefit the community for many years. This year's capital expenditure totalled \$35.251m, which was \$29.515m less than budget. This was due to the timing of some projects that will not be completed until the 2021-22 year.

The graph below shows the major capital expenditure categories for the 2020-21 year:



Roads and Bridges capital expenditure was \$20.871m this year, \$79,000 less than last year, and accounted for 59.21% of total capital expenditure compared to 67.96% last year.

Plant, Furniture and Equipment capital expenditure was \$3.159m this year, \$101,000 greater than last year and accounted for 8.96% of total capital expenditure compared to 9.92% last year.

Land and Buildings capital expenditure was \$4.524m this year, \$1.530m greater than last year, and accounted for 12.83% of total capital expenditure compared to 9.71% last year.

Parks and Recreation capital expenditure was \$2.189m, \$869,000 greater than last year. It accounted for 6.21% of total capital expenditure compared to 4.28% last year.

Other Infrastructure capital expenditure was \$3.362m this year, \$1.229m greater than last year and accounted for 9.54% of total capital expenditure compared to 6.92% last year.

### Balance sheet

Council has maintained a healthy balance sheet this year. Net Assets were \$1,303m as at 30 June 2021 compared to \$1,169m last year. This is an increase of \$133.9m. \$114.4m of the increase relates to the increase in the fair value of infrastructure. The remaining increase is mainly due to the operating surplus of \$19.5m.



**Debt levels**

No new borrowings were taken up during the year. Borrowings totalled \$3.350m as at 30 June 2021, the same as last year.

Council borrowings as at 30 June 2021 of \$3.350m relate to the Tambo Bluff Infrastructure Project, which is being reimbursed by Tambo Bluff landowners by way of a Special Charge Scheme.

Loan interest costs this year was \$290,000, which is \$10,000 less than last year.

**Cash and cash equivalents and other financial assets**

Cash and cash equivalents and other financial assets totalled \$92.198m as at 30 June 2021; this was \$23.561m greater than last year. There was an increase in cash held at year end to fund 2020-21 capital and landfill rehabilitation projects that will be completed in the 2021-22 year of \$13.469m. Unearned income also increased at year end by \$17.881m as a result of significant capital grants being received in advance of the works to be undertaken in 2021-22 year.

**The future**

Long-term financial sustainability is Council's key focus for the future, to ensure Council has the capacity to deal with significant unplanned events like natural disasters, landfill rehabilitation costs, any future calls on the defined benefits superannuation scheme and any liability associated with the ceasing of the MAV WorkCare Scheme, while maintaining service levels to the community.

Rate capping was introduced for all Victorian Councils from the 2016-17 financial year. Whilst the Victorian government set the rate cap at 2.0% for the 2020-21 year, Council resolved to not increase the total of base rates and charges for the 2020-21 year given the impact on the community following the 2019-20 bushfires and COVID-19. Council was able to address this in the 2021-22 Budget, with a 10 Year Financial Plan that will continue to maintain its cash reserves at a prudent level providing Council with financial flexibility whilst continuing to review its operations to ensure services to the community are delivered in the most efficient and cost-effective way.

For further information on Council's financial performance refer to Section 7 – Financial Performance.

Councillors Mendy Urie, Mark Reeves, Trevor Stow, Tom Crook and Arthur Allen with Brian Donchi (left) and Rod Natty (right) during a visit to local hardwood sawmill Fenning Bairnsdale to discuss timber supply and rail freight opportunities.



34 EAST GIPPSLAND SHIRE COUNCIL





## Advocacy

**Councillors and the Chief Executive Officer have an important role advocating on a broad range of issues on behalf of our communities.**

**This advocacy includes regular meetings with Members of Parliament from the Australian and Victorian governments and maintaining positive working relationships with other organisations and statutory authorities.**

**Councillors also hold representative positions on external advisory committees and boards to ensure that East Gippsland is represented in regional, state and national arenas.**

Advocacy that was driven by the organisation includes:

- Council resolved to participate in the Fingerboards Mineral Sands Project Inquiry and Advisory Committee hearing. Participation at this hearing allows Council to explain to the committee why it considers the current justification for the mine is deficient and gives it the opportunity to seek better environmental, social and economic outcomes for the community should the mine go ahead.
- Council advocated for and received over \$25.5m in Local Economy Recovery grant funding to support East Gippsland communities. The funding is from the Regional Economic Stream and two rounds of Local Economy Recovery grants. The successful projects are for both Council managed projects (\$8m) and community and private led applications (\$17.5m). Some of the Council managed projects include:
  - o Buchan Streetscape upgrade (\$2.8m)
  - o Swifts Creek Recreation Reserve upgrade (\$1.9m)
  - o Bruthen Streetscape upgrade (\$1m)
  - o Upgrade of existing community facilities (\$1m)
  - o Livingstone Park, Omeo upgrade (\$924,000)
  - o Mallacoota Hall upgrade (\$818,000)
  - o Old Slipway, Lakes Entrance site redevelopment (\$560,000)
  - o Multi-purpose community facility in Tambo Crossing (\$426,000)
- Mayor Cr Mandy Urie is one of 15 Victorian mayors to be appointed to the 2021 Local Government Mayoral Advisory Panel. This panel will provide advice on a range of matters that impact local government.
- Council also advocated for and received further funding of \$10m in Regional Recovery Partnership grant funding to support community-based projects to boost the regional economy. The major projects that will be delivered with the funding are:
  - o Krautungalung Walk Lakes Entrance (\$2.2m)
  - o East Gippsland Rail Trail (\$2m – Community led project)
  - o Mallacoota streetscape (\$1.5m)
  - o Kalimna Lookout (\$1.5m)
- A site visit to Mallacoota to meet with Major General Andrew Hocking, Deputy Coordinator, Engagement and Operations of the National Bushfire Recovery Agency, and the Mallacoota and District Recovery Association.
- A joint meeting with Bushfire Recovery Victoria, Regional Development Victoria, and The Hon. Mary-Anne Thomas (Minister for Regional Development and Minister for Agriculture) regarding updates on bushfire recovery, economic and community recovery, including priority infrastructure projects and work being undertaken as part of the Victoria Forestry Plan.

*Council has on behalf of our communities advocated for improved connectivity and more resilient telecommunications through projects such as restoring the NBN fibre connection to Mallacoota and the Federal Government's Mobile Blackspot Program. This includes advocating for the Australian Government to address these issues where they are a barrier to improved digital connectivity and telecommunications infrastructure in East Gippsland.*



36 EAST GIPPSLAND SHIRE COUNCIL





*Tambo Crossing residents advocate for improved resilience during emergency incidents on a visit to the High Country by Council. Pictured: Cr Kirsten Van Diggele, Cr Jane Greacen, Brad Smith, Andrew 'Rambo' Travis, Fiona Angus, Jamie Johnson and Cr Tom Crook.*

- Council submitted two motions to the May Municipal Association of Victoria (MAV) State Council Meeting, dealing with prioritisation of vegetation management and aiming for zero waste by 2030. Council's objective was to enable the MAV to advocate for better vegetation management to protect vulnerable communities from fires, promote the engagement of local communities in the management of coastal and mountain regions and provide support for significant waste minimisation in the medium term.
- In collaboration with Wellington Shire Council, released the results of a new jointly commissioned study that will help inform decision-making about the Victorian Government's native timber harvesting phase out. Council is also working with the Victorian Government on a pilot community transition program in Orbost.
- Advocating with the Victoria's Cross Border Commissioner and Snowy Monaro Regional Council CEO to manage and mitigate Victoria / NSW border closure impacts.
- The CEO and Mayor attended external committees to promote and advocate for East Gippsland. These included One Gippsland, the Canberra Region Joint Organisation, Municipal Association of Victoria Rural Gippsland regional meeting and State Council Meeting, One Gippsland and Destination Gippsland Board.
- Council wrote to:
  - o The Prime Minister of Australia, the Hon Scott Morrison MP, noting East Gippsland Shire Council's support of the Treaty on the Prohibition of Nuclear Weapons;
  - o The Victorian Government, requesting urgent reconsideration of decision to phase out native timber harvesting by 2030; and
  - o The Hon Lily D'Ambrosio (Minister for Energy, Environment and Climate Change) and the Hon Jane Garrett (Upper House Member for Eastern Victoria) to urgently request township protection operations for Marlo through strategic, mosaic or planned burning and vegetation management be prioritised.



***A partnership with Adventist Development and Relief Agency provided water to 400 rural families who rely on rainwater for their household water supply. The support included a subsidised 10,000-litre tank of water.***



*The much-anticipated opening of new Omeo Pump Track and Skills Park was held on 19 December in front of a crowd of more than 120 community members and guests in the heart of Omeo at Livingstone Park. The pump track is an undulating asphalt course designed around the word 'Omeo' and suitable for skill levels from beginners to the most advanced.*







## Description of Operations

**The broad range of community services and infrastructure provided by Council for residents support the wellbeing and prosperity of our community.**

**The delivery of services, facilities, support and advocacy to achieve the strategic objectives is measured by a set of service performance indicators and measures. Council also has a wide range of responsibilities under the Victorian and Australian legislations.**

## Major Capital Works

### Lucknow Recreation Reserve Clubrooms Upgrade

Jointly funded between the Australian Government, Council and Lucknow Football Netball Club, the upgraded clubrooms provide a fit-for-purpose facility with:

- Modern changerooms for football and netball teams and umpires, ensuring players and officials of all genders have suitable, compliant facilities;
- A timekeepers' area and first aid facilities;
- New canteen, function room and bar area;
- Great internal and external vantagepoints to view both netball and football matches from; and
- New storage shed and solar system.

The contract for the major clubrooms overhaul was awarded in September 2020. Partnering with the Victorian Government through Sport and Recreation Victoria a full netball court upgrade is also in place, making for a combined investment of \$2.5m.

### Swifts Creek Transfer Station Upgrade

The upgrade to the Swifts Creek Transfer Station project was fully funded by Council at a cost of \$306,000. The upgrade is in accordance with Council's Waste Facilities and Disposal Strategy, improving service for community members and achieving Environment Protection Authority requirements.

### Omeo Mountain Bike Track and Pump Track

This three-year, \$4.5m project aims to transfer the Omeo Region into a nationally significant mountain bike destination, promoting economic and social benefits for the community and broader region.

At the foot of the trails, in Livingstone Park, a pump track and skills park have been constructed this year by contractor Common Ground Trails Pty Ltd.

In the next financial year, we plan to commence delivery of the first stage of the mountain bike trails which includes a minimum of 55-kilometre of the 121 km trail network. Funding for further stages of the project is being currently being sought through the Economic Recovery Funding Program.

### Poet's Walk, Swifts Creek

Sculptor and poet John Butler's dream of a walking track marked by stone cairns with verses of his poem *The River* has been realised. Construction of the Poet's Walk walking path at Swifts Creek was completed in June 2021.

The new walking path will create a safe, accessible connecting walking path along the Swifts Creek and Tambo River Reserve frontage. Council funded the project with \$147,000 from the Capital Works 2020-21 Budget, with local contractor Cranes Asphalt and Bitumen Sealing undertaking the works.

### Livestock Exchange Sheep Pen Upgrade

Works to construct the new sheep pens at the East Gippsland Livestock Exchange were completed. The project, fully funded by Council with a budget of \$1.2m, saw the installation of a new roof and soft flooring over the newly rebuilt sheep and multi-stock pens. The project also includes new draft and delivery areas, new loading ramps, LED lighting, extra cattle pens and water troughs.

This is stage two of a significant upgrade of the facility. The combined cost of stage one and two is \$1.8m. The Australian Government's Drought Community Support Initiative contributed \$542,638 to stage one.

*The new Lucknow Recreation Reserve clubrooms provide a modern and fit-for-purpose facility.*



40 EAST GIPPSLAND SHIRE COUNCIL





*Allan Pappin (President Bairnsdale RSL Sub-branch), the Hon Darren Chester (Federal Member for Gippsland), Cr Mendy Urie (Mayor), Cr John White (former Mayor when the conservation work started) and Ray Rock (Bairnsdale RSL sub-branch) declared the Bairnsdale Cenotaph restoration complete.*

### **Davison Oval Skatepark, Bairnsdale**

The new skatepark in Bairnsdale opened in October 2020 and has been a hive of activity since. Designed by Baseplate and EastbyWest, the skatepark caters for all ages and skill levels. It includes a fully enclosed bowl, street course with hips, banks, ledges, ramps and stairs, and conversion of the old concrete slab to an open plaza area. Skatepark construction specialist Grind Projects undertook the \$743,000 project which was funded by Council and a \$250,000 grant from Sport and Recreation Victoria.

### **Bairnsdale Cenotaph**

Major conservation works on the Bairnsdale Cenotaph were completed in March 2021. Council awarded the contract to Cathedral Stone, a specialist in conservation projects. The works commenced on the 24 July 2020 following the de-consecration ceremony performed by Rt. Revd. Dr Richard Treloar, Bishop of Gippsland. Cathedral Stone rebuilt the shaft stone, cleaned the stone, restored bronzes and polished the marble amongst many other works needed for the restoration. Scaffolding was erected and the cenotaph was wrapped up to protect the sensitive works from the elements and create a controlled environment. The project was jointly funded by Council and the Australian Government, the latter contributing \$137,000 in funding under the Saluting Their Service Commemorative Grants Program. The Bairnsdale RSL Sub-branch was an important and valued partner working in consultation on the project.



*One of the cairns on the Poet's Walk path at Swifts Creek.*



*The East Gippsland Livestock Exchange yards and associated infrastructure were expanded to include additional soft-floor yards under cover.*



## Significant Projects Underway

### Omeo Heritage Precinct

This \$384,000 project is part funded by Heritage Victoria and supported by Council. The project has provided the opportunity to rejuvenate these buildings that are a strong connection to the region's historical past. These significant buildings are receiving repairs and rework both internally and externally in accordance with Heritage Victoria's requirements. Overseen by a heritage consultant, contractor Period Building Conservation is utilising its expertise to restore and protect these historic buildings.

### Bullock Island Master Plan Implementation

The Bullock Island Master Plan refresh, led by Council and with significant reference group input, will guide the investment into upgrades on the island. The work follows Council taking control of a large portion of the management of Bullock Island in late 2019.

The master plan confirms that the vision for Bullock Island and any upgrade to the island should be to enhance the visitor experience, maximise visitation, and contribute to the visitor economy of Lakes Entrance and the region. The intention to develop a passive recreational area for public use by locals and visitors to Lakes Entrance alike remains. Development will be sensitively undertaken befitting the Ramsar-listed Gippsland Lakes, entrance to Bass Strait, and scenic surroundings.

- Reeves / Crabbing Jetty – partly funded and project managed by Gippsland Ports, construction completed July 2020. The works included a \$6m new extension and providing OH&S features to both the old and new jetty.
- Fish Café – partly funded and project managed by Lakes Entrance Fishing Limited, the planning application has been lodged with Council, seeking planning approval. The scope of work includes a new café and include public viewing platforms at the trawler unloading area.
- Replacement bridge – funded by Federal grant and project managed by Council.
- Recreational components of the island.

These projects will be implemented over the next two years. Council will also continue seek additional funds to implement the unfunded aspects. The maintenance and replacement of the seawalls remains the responsibility of DELWP and will be incrementally addressed over time.

### Bullock Island Bridge

Work to replace the Bullock Island Bridge in Lakes Entrance began in June 2021. The Council project will provide reliable long-term access to the island for

*The restoration of the Omeo Courthouse buildings will preserve an important link to the region's past.*



local, visitor and commercial users.

The new bridge accommodates pedestrians and cyclists with a shared path on the south side and a second pedestrian path on the north side. It will be replaced one half at a time to maintain access to the island.

For public safety, the carpark and open space area on Bullock Island, on the south-west side of the bridge, will be closed throughout the construction period. Afterwards, this space will be reinstated and improved as part of the Bullock Island Master Plan Implementation project.

Funding of \$5m has been provided by the Australian Government for the bridge replacement and associated works on Bullock Island, through the Victorian Infrastructure Investment Program.

### Genoa Pedestrian Bridge

Work has commenced on a new pedestrian bridge across the Genoa River. The iconic timber truss bridge was destroyed by the 2019-20 bushfires and the new bridge will re-establish the pedestrian link from the Genoa Wayside Stop into the township. Funded by Council, the new \$1.5m bridge will be 111 metres long, made from steel reinforced concrete, and will be completed prior to Christmas 2021. Council and community members have worked together to ensure a design that is appropriate for the location, including an overhead steel truss structure that will be painted white to mimic the former heritage bridge.

### Mallacoota Seawalls

The project to replace a section of failing seawall adjacent to the Mallacoota Foreshore Holiday Park commenced in April 2021. Initial works include replacing a 200-metre section of the seawall with a new precast concrete wall and galvanised piles. The new wall will be constructed one metre in front of the existing seawall, which will be left in situ. The project will provide higher flood protection for the foreshore and will greatly improve amenity of both visitors and Mallacoota residents with the provision of a new shared path that will be 2.2m wide. The path will replace vehicle access along Panoramic Drive adjacent to the works, between amenity block number 5 near the main wharf and the base of the hill leading up to the camp kitchen.

### WORLD Sporting Precinct

This project is multi-funded with the Australian Government providing \$5.3m, the Victorian Government \$5.65m, Council \$647,000 plus a \$5m community infrastructure low-interest loan.

When fully constructed, the WORLD Sporting Precinct



*The WORLD Sporting Precinct will include new netball courts, soccer and futsal pitches and synthetic hockey field.*

will provide a great home for over 750 netballers, 630 soccer players and an increasing number of hockey players, most of whom are juniors, allowing these sports to grow. The site will also provide an opportunity for students from throughout the district to utilise these much-improved facilities for carnivals and inter-school sports events. It will build on the great history the precinct has had since opening in 1984 and will continue to be one of the most highly used recreational facilities in East Gippsland.

This \$16.6m project will include:

- an upgraded pavilion for hockey and netball
- new lighting and amenities
- an eight-court regional level netball facility. Four courts will be marked for both futsal and netball
- a soccer precinct that includes a dedicated pavilion and two synthetic pitches with lighting
- associated car parking
- new walkways and connections to the Bairnsdale Aquatic and Recreation Centre and Bairnsdale Secondary College.

### Orbost Forest Park

Plans are being developed for a \$1.82m upgrade of Forest Park, the picturesque gateway to Orbost, and community members are being invited to share their thoughts on the draft design with Council.

Forest Park is a much-loved passive recreation area and rest stop for locals and visitors. The upgrade will revitalise and modernise the park by providing a place for community members of all ages.

The works will include a new toilet and amenities block, parking, adventure playground, picnic area, and gateway to the East Gippsland Rail Trail.



## Major Changes

Below are major changes that were introduced as the East Gippsland Shire Council Enterprise Agreement.

1. Introduction of change to the works area. A new road maintenance contract separated road maintenance in four new contract areas: North, East, Central and West areas, with the contract to transition in a staged approach with full implementation as of January 1, 2021. Four new Roads Supervisor positions will manage and oversee the changes to road maintenance.
2. The Parks and Gardens team created additional leading hand positions. The positions were filled from the existing crew and created changes to reporting lines.
3. There were changes made to the structure of the Sustainability and Waste Minimisation business unit structure. These changes included the introduction of two new positions, one role was made redundant, changes in duties and reporting lines.
4. There was a temporary change to the Library Operations team reporting structure, with a movement of the whole team into the Business Excellence directorate for a period of between six and 12-months, depending on the outcomes of a service review.

## Major Achievements

East Gippsland Shire Council won three top awards at the 2021 LGPro Awards for Excellence. For only the second time in the 17-year history of the awards East Gippsland earned top gongs for Service Delivery, Sustainability, and Community Assets Projects.

This was a major achievement, as winning three state LGPro awards in the one year is a rare accomplishment. Two projects were finalists (see opposite page).

*East Gippsland Shire Council's Chief Executive Officer Anthony Basford (back, second right), and (front) Manager Sustainability and Waste Minimisation Wayne Bath, General Manager Assets and Environment Fiona Weigall, and General Manager Bushfire Recovery Stuart McConnell accepting the three LGPro awards from Bronson Justus (Jardine Lloyd Thompson), Liana Thompson (LGPro President) and Chris Eddy (LGPro Acting CEO).*



44 EAST GIPPSLAND SHIRE COUNCIL



## LGPro Awards for Excellence

### Bosworth Road Recreational Area – winner

Significant environmental and community outcomes were achieved and more than \$6 m was saved through phytocapping the disused Bairnsdale landfill. The new park includes native tree species, walking and bike tracks, an off-leash dog park and observatory decks overlooking the nearby Ramsar-listed wetlands.



*The network of walking trails at the Bosworth Road Recreation Area.*

### Bright Futures East Gippsland – winner

This project has been operating for multiple years leveraging federal, state and local funds to implement climate change mitigation and adaptation projects. At the core of the program is local implementation and demonstration of how energy efficiency and renewable energy can reap the multiple benefits.



*Council's largest solar system, installed on the Lakes Entrance Aquadome.*

### Mobile Recovery Service – winner

A co-designed, community-centred initiative of Council provided an opportunity for a range of government and non-government agencies to travel together to bushfire affected areas to deliver much needed support to communities, where and when needed. Over 10 weeks the service travelled to 48 disaster-affected communities to assist people who could not or did not want to travel away from their properties during the 2019-20 bushfire season.



*The mobile recovery service visiting Cabbage Tree.*

### Orbost Landfill Bushfire – finalist

The Orbost landfill was re-established to accept waste from over 890 properties destroyed or damaged by the 2019-20 bushfires, to facilitate an efficient clean-up process.

The re-opened site accepted 44,000 tonnes of waste and the project delivered significant savings in transport cost and time, mitigated risks to the environment and public health, and expedited the clean-up. It was established in less than three weeks.

### Orbost Streetscape Project – finalist

Actively seeking to transition to a desirable location for retirees, tree-changers and tourists, the rejuvenation of the Orbost town centre through streetscape improvements has been a key project for the town.

The streetscape has enhanced the character and amenity of the town. This project followed extensive community consultation and delivered a safe and attractive pedestrian-friendly and age-friendly streetscape.



*Bushfire waste is deposited at the Orbost Landfill.*



*Coinciding with National Volunteer Week, Council held an inaugural East Gippsland Volunteer Recognition Morning Tea in May 2021, simultaneously across five locations - Orbost, Omeo, Mallacoota, Bairnsdale and Lakes Entrance. Pictured: Sandra Patten (Gunai Senior Elder, Welcome to Country), Mayor Cr Mendy Urie and Anne Macarthur AM (Red Cross life member and keynote speaker).*

## Civic Events

As part of its civic leadership role and commitment to active community engagement, Council recognises the importance of maximising local community involvement through civic events. Celebrating the achievements of Council working with the community, when COVID-19 restrictions allowed we hosted a range of project openings and civic events. These included:

19 December 2020

### **Omeo Pump and Skills Track Opening**

21 January 2021

### **Australia Day Awards, Sarsfield**

5 March 2021

### **Bairnsdale Cenotaph Restoration Project Opening**

10 March 2021

### **HMAS Choules Homeporting, Mallacoota**

24 and 25 March 2021

### **Governor-General's visit to bushfire-impacted towns**

10 April 2021

### **Bairnsdale Skate Park Opening**

23 and 24 April 2021

### **East Gippsland Field Days**

30 April 2021

### **Wairewa (Hospital Creek) Bridge Opening** and celebration of the completion of the bushfire vehicular bridge rebuild program

22 May 2021

### **East Gippsland Volunteer Recognition Morning Tea**

19 June 2021

### **Lucknow Recreation Reserve Clubrooms Opening**



*Mayor Mendy Urie with Captain Scott Houlihan on the beach at Bastion Point, marking the ceremonial homeporting of the HMAS Choules to Mallacoota.*



## Australia Day Awards

East Gippsland's resilience after a tough year, and the efforts of community members to support one another was the focus of the East Gippsland Australia Day Awards held on the evening of 21 January 2021. COVID restrictions were eased just in time to help Council and community join to celebrate the achievements of our community at a bumper awards ceremony in Sarsfield.

In addition to the announcement of award winners and celebration of all nominees, Community Recovery Committee representatives from across the shire accepted certificates of appreciation on behalf of their communities for the tireless work their communities had done as part of the community-led bushfire recovery, supported by Council.

### Citizen of the Year – Leo op den Brouw of Mallacoota

Leo op den Brouw's inspirational leadership was clearly demonstrated in December 2019, when the Mallacoota community faced one of its greatest challenges. Throughout the bushfire emergency, Leo worked tirelessly to coordinate community effort and responses. Following the fires, Leo was integral in the establishment of 'The Sanctuary', a space for local youth to gather, share and organise.

### Young Citizen of the Year – James Bush of Bairnsdale

James Bush exhibits a high degree of civic duty and motivation to assist some of the region's most disadvantaged young people. He has volunteered on numerous youth committees over the past four years



*Citizen of the Year: Leo op den Brouw.*

including the HEY (Healthy Equal Youth) Project Working Group, FReeZA and Headspace's Youth Advisory Group. He has strived to share a message of acceptance and inclusion in his mission to make East Gippsland a more accepting and understanding place for all.

### Community Event of the Year – Paynesville Classic Boat Rally

The Paynesville Classic Boat Rally is a free community event attracting around 10,000 people from all around Australia on the first weekend in March every second year.

Over 300 boats from every state except Western Australia took part in 2020, providing a fantastic spectacle to locals and visitors alike. The rally is already acknowledged as being second in size only to the Australian Wooden Boat Festival in Hobart.



*Young Citizen of the Year: James Bush.*



*Community Event of the Year: Paynesville Classic Boat Rally.*







# 3

## Our Council

**East Gippsland is a large and vibrant region in a beautiful natural setting, home to proud and involved communities that embrace and encourage self-reliance, responsibility and new ideas. East Gippsland has evolved to a flourishing economic and tourism region in eastern Victoria, drawing more than one million visitors each year.**

**The region has kept its identity and sense of place as it has grown. The shire stretches from west of Bairnsdale to the New South Wales border, covering approximately 21,000 square kilometres or 10% of the state.**

## Demographic Profile

East Gippsland's unique qualities are both its strength and challenges. The region is distinguished by its natural setting, with its southern edge defined by the Gippsland Lakes and rugged coastline, and the rising backdrop of the High Country. Historical rural landscapes and natural bushland areas characterise the region and surround its communities.

East Gippsland communities have also developed and diversified, with an abundance of local producers. Fruit and vegetables, beef, lamb, seafood, milk, eggs, fibre and nuts are all grown in this diverse growing region. With its fertile soils, good rainfall and temperate climate, East Gippsland is a food bowl for Australia, producing fresh fruit and vegetables all year round.

### Our Economy

East Gippsland has experienced significant economic disruption over the past 12 months as a direct result of COVID-19 forced lockdowns, and continued restrictions on movement across the state and around the country.

Extended metropolitan lockdowns requiring employees to work from home has driven unprecedented interest in the lifestyle afforded by regional living, resulting in increased property values, peak real estate sales and a tightened housing rental market across East Gippsland. Economic stimulus packages released by the Victorian Government in response to COVID-19 have spurred the construction sector, however labour shortages and supply of construction materials is

impacting productivity and driving up the cost of construction.

Tourism continues to be important to the local economy and will be the slowest to recover from the impacts of COVID-19. Council contributed to recovery campaigns encouraging regional travel and East Gippsland was a primary beneficiary of the Victorian Government's travel stimulus voucher program.

Travel uncertainty resulted in 37.2% fewer domestic visitors in the 12 months to March 2021, total visitor expenditure decreased by 14.1% for the same period. International visitation to East Gippsland was minor due to national border closures but this helped drive intrastate travel and minimize losses.

Consumer sentiment is positive with resident local spending sustained at \$42.4m reflecting ongoing support for businesses through buying locally.

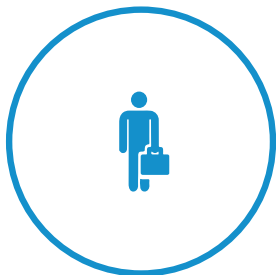
The East Gippsland Bushfire Economic Recovery Sub-Plan which outlines key initiatives to support business growth and stimulate recovery has seen over \$85 m of project funding, unlocking over \$168m in project value and local investments.

Council continues to respond to the needs of East Gippsland's business communities, delivering assistance and facilitating connections with the relevant agencies, funding programs, business mentoring and skill development.

*Council support the establishment of 'parklets' at venues to support an increase in outdoor dining during COVID-19 restrictions.*







Total of 16,539 jobs, with unemployment at 6.3% (as at March 2021).



Total local spending \$734.2m, down 3.71% from last year.



Domestic visitors, down 37.2% from last year.



Top five industries by Gross Regional Product: Manufacturing (14.9%); Construction (13%); Agriculture (12%); Healthcare (6.8%); and Tourism (6.5%).



Top five industries by employment: Healthcare (16%); Retail (12.1%); Agriculture (9.7%); Tourism (9.3%); and Education (9.2%).



Customer Service Officer Andrew Thomson helps a customer visiting Council's site at the East Gippsland Field Days. Council supported the Field Days with funding to allow for a reduction in the gate ticket price.

## Events

2020-21 has been a challenging year for events due to ongoing disruption brought on by the COVID-19 pandemic. Events are reliant on the ability of people to travel about the state and gather freely which have both been significantly compromised throughout this past year and resulted in most public events being postponed or cancelled.

Despite the current event environment, Council supported:

- 180 individual events;
- 6 events through the Regional and District Events Sponsorship (RADES)
- 9 Australia Day events
- Lakes Entrance Foreshore Summer Carnival
- Securing 6 new events to the region during off peak periods
- 71 events with event permits

Through periods of lockdown where events could not be held, Council continued to provide essential skill development and capacity building to over 65 local event organisers:

- Volunteer Management for Events
- Re-imagining Events in a Post COVID World
- Event Masterclass webinar series by Events Academy

Council invested \$63,000 in sponsorship of 12 regional events and providing a return on investment (ROI) of 7.5:1 (or \$256,677 of economic benefit). This represents a significant decrease from the previous year where the ROI was calculated at 36:1 and can be attributed to the impacts of restrictions imposed by COVID-19.

Council secured \$190,000 under the Commonwealth Government's Regional Bushfire Tourism Recovery Grant program to deliver a new trail-running event in Lakes Entrance, three Mountain Bike Events in Omeo and a Public Art Activation along the East Gippsland Rail Trail for delivery in 2021-22.

28 November 2020

**Cattlemen's 100 MTB Omeo**

RADES

13 January 2021

**Professional Golfers Association Southern Division and ALPG 1 Day Pro Am**

Sponsorship

21, 28 February and 18 April 2021

**Riding for Recovery**

RADES

13 - 14 March 2021

**Nicholson Hobie Kayak Bream Series**

RADES

20 - 21 April 2021

**Super Flow MTB at Mt Taylor**

Sponsorship

27 - 28 March 2021

**Victorian Masters Open Squash Tournament**

Sponsorship

30 March – 8 April 2021

**Waterfront - Design Week with Open House and NGV**

Sponsorship

23 - 24 April 2021

**Adventurethon Demolish East Gippsland**

Sponsorship

1 May 2021

**Gippsland Lakes Paddle Challenge**

RADES

14 - 16 May 2021

**Tennis Seniors Victoria National Ranking Tournament**

Sponsorship

18 June – 11 July 2021

**East Gippsland Winter Festival**

RADES

19 - 20 June 2021

**Vic Bream Classic, Round 2, Mallacoota**

RADES



*The Cattlemen's 100 MTB was held in Omeo for the first time in 2020.*



*Local markets, including Paynesville (pictured) were supported through event permits, which also considered COVID-19 restrictions.*

*Mayor Cr Mendy Urie with the angel wings at the East Gippsland Winter Festival.*





## Your Councillors

The East Gippsland Shire Council is an unsubdivided municipality consisting of nine Councillors, who represent the whole shire and its diversity.

A new Council was elected and sworn in on 17 November 2020. The Council consists of seven new Councillors and two Councillors returning from the previous Council. The elected Council is responsible for providing leadership for the good governance of the shire by setting the strategic direction for the shire.



**Cr Mendy Urie**  
Mayor

**Previous elected terms**  
2005-2008; 2008-2012  
**Served as Mayor**  
2006-2009



**Cr Mark Reeves**  
Deputy Mayor

**Previous elected terms**  
2012-2016; 2016-2020  
**Served as Mayor**  
2013-2014



**Cr Arthur Allen**

**First elected**  
October 2020



**Cr Sonia Buckley**

**First elected**  
October 2020



**Cr Tom Crook**

**First elected**  
October 2020



**Cr Jane Greacen OAM**

**First elected**  
October 2020



**Cr Trevor Stow**

**First elected**  
October 2020



**Cr Kirsten Van Diggele**

**First elected**  
October 2020



**Cr John White**  
Deputy Mayor

**Previous elected terms**  
2016-2020  
**Served as Mayor**  
2019-2020

The following former Councillors served until the local council election in October 2020.



**Cr Ben Buckley**

**Elected terms**  
2003-2020



**Cr Richard Ellis**

**Elected terms**  
2008-2020  
**Served as Mayor**  
2010-13



**Cr Natalie O'Connell**

**Elected terms**  
2016-2020  
**Served as Mayor**  
2018-19



**Cr Marianne Pelz**

**Elected terms**  
2008-2020  
**Served as Mayor**  
2015-16



**Cr Joe Rettino**

**Elected terms**  
2016-2020  
**Served as Mayor**  
2016-18



**Cr Jackson Roberts**

**Elected terms**  
2017-2020



**Cr Colin Toohey**

**Elected terms**  
2016-2020



Council officers Angus Howlett, Annette Farley and Jenny Heyne offering information about sustainability, waste, library and other services at the Sustainability Expo as part of the Orbost Show in March.







# 4

## Our Organisation

Council’s staff are one of its most valuable resources. The organisation has a commitment to being an employer of choice, with a focus on attracting and retaining staff to ensure a high level of customer service delivery.

## Executive Leadership Team

The Chief Executive Officer is employed by and reports to the elected Council. The Chief Executive Officer manages the staff and resources of Council, as legislated by the *Victorian Local Government Act 2020*.

### Organisation chart as at 30 June 2021





Council staff on the final day of operations at the Bairnsdale Recovery Centre in April: Julie Richards, Alison Doucette, Narelle Van Dam, Delia Warne and Marlene Rickhuss with Amanda Lynford (Windermere Case Support Coordinator, left) and Lea Davis (Salvation Army, fifth from left).

## Staff Profile

The *Local Government Act 2020* requires the establishment of a 'Code of Conduct' for Council staff. Under the code, staff are required to:

- act impartially
- act with integrity and avoid conflicts of interest
- accept accountability for results
- provide responsive service.

The Code of Conduct provides a set of guidelines that connect staff decision-making, behaviour and actions to the vision, objectives and standards of the organisation. It is designed to guide staff on the standards expected of them as they carry out their work. Those standards include honesty and integrity, and commitment to treating all people with courtesy and respect.

### Total staff numbers

The figures below represent the organisation's total staff numbers, including casuals, limited-tenure staff and excluding staff on parental leave. The full-time equivalent (FTE) positions as at 30 June 2021 were 403, including casuals.

Year	Total Staff	FTE
2020-21	560*	403.00#
2019-20	536	289.75
2018-19	516	305.11
2017-18	497	316.23
2016-17	458	317.16
2015-16	472	301.08
2014-15	474	305.42

\* Including casuals, limited-tenure staff. Excluding the CEO and staff on parental leave. 2020-21 saw an increase in total staff as we recruited staff into Working for Victoria and Bushfire Recovery roles. These roles were externally funded.

# Staff FTE numbers above include limited-tenure Bushfire Recovery and 'Working for Victoria' staff, other limited-tenure roles and a calculated component for casuals and capitalised roles.



**Total staff numbers by salary band and gender**

Employment Classification	Total Staff	Female Total Staff	Male Total Staff	Self-described Gender Total Staff
Band 1	27	17	10	0
Band 2	28	12	16	0
Band 3	201	114	87	0
Band 4	103	75	28	0
Band 5	52	37	15	0
Band 6	71	41	30	0
Band 7	50	23	27	0
Band 8	6	2	4	0
Senior Executive Officer / Senior Officer	22	12	10	0
<b>Total</b>	<b>560</b>	<b>311</b>	<b>249</b>	<b>0</b>

**Job level by gender**

Job Level	Total Staff	Female	Male	Self-described Gender
CEO	1	0	1	0
General Manager	4	2	2	0
Manager	17	10	7	0
Coordinator	36	20	16	0
All other staff	503	279	223	0
<b>Total</b>	<b>561</b>	<b>311</b>	<b>249</b>	<b>0</b>

**Staff numbers by directorate**

Staff numbers for each directorate as at 30 June 2021 are:

Work type/ gender	CEO team	Assets and Environment	Bushfire Recovery	Business Excellence	Place and Community	Total
Full time – Female	1	24	19	40	30	114
Full time – Male	0	106	7	14	28	155
Part time – Female	1	13	8	31	36	89
Part time – Male	0	27	0	3	16	46
Casual – Female	0	2	7	6	93	108
Casual – Male	0	8	1	1	38	48
<b>Total</b>	<b>2</b>	<b>180</b>	<b>42</b>	<b>95</b>	<b>241</b>	<b>560</b>



*Elise Alkemade was one of 54 people who was employed through the Working for Victoria program. Elise worked with the Environmental Blitz Team, who maintained Council environmental assets, in particular walking tracks.*

## People and Culture

### Learning and Development

Despite a challenging year, Council has continued to provide staff-development training through its organisational development and human resource programs as well as other support programs.

Extensive work was completed to recruit and induct staff to work in the Working for Victoria program. Training was provided to many of these staff in Construction Induction (White Card), asbestos awareness and in operating plant and equipment as needed.

Training sessions for all staff included:

- Positive Workplace Culture
- Infection Control in the Workplace
- Child Safety Standards online course
- Online modules were completed on Family Violence and Gender Equality and Fraud and Corruption
- Communications

A leadership program was also developed for our General Managers, Managers and Coordinators, with four sessions delivered. This tailored program focussed on resilience, positive culture, communication and collaboration, and customer experience.

Training of staff continues to be of high priority and changes have been made where necessary to facilitate online learning in accordance with the constraints presented by COVID-19 restrictions around conducting face-to-face training.

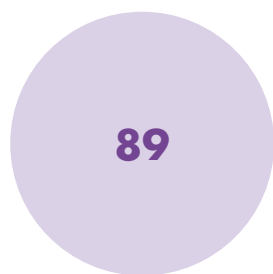
In 2021, Council has offered traineeship programs across a range of services, being the host employer to trainees in our saleyard, recreational facilities and two trainees in administration; bringing the total number of trainees to four. As part of the program, the trainees complete a certificate level course, spending time in the workplace and time with an external training provider. During the year, two current trainees who commenced in 2019 graduated from their traineeships in Parks and Gardens.

### Workplace Health and Safety

Council is committed to the safety, health and wellbeing of its employees and continual improvement in workplace health and safety performance. Council retains a robust insurance policy portfolio to address the workplace health and safety risks.

Council actively managed the workplace health and safety performance and risks associated with bush fires and will continue to do so as part of the bush fire recovery efforts. In addition, Council is actively engaged in supporting efforts to manage the spread of COVID-19 virus and variants.

An extensive review of current workplace health and safety practices was initiated which has identified opportunities to improve Council's safety performance and contribute to improve safety culture and reduce incident rates. Processes are being developed to enhance communications and accountability across the organisation in response to the many challenges of having a workforce spread across a large geographic region and diverse range of tasks undertaken daily. Additionally, considering the significance of workplace health and safety, there has been an internal restructure to place further emphasis on compliance across the organisation. In 2020-21:



Incidents were reported involving staff; 12 of which resulted in WorkCover claims. Of the WorkCover claims lodged, nine resulted in lost time.



WorkCover claims as a percentage of staff is 2.4% for 2020-21.

### Equal Employment Opportunity Program

Council's Equal Employment Opportunity Program is designated to eliminate discrimination against and promote equal opportunity for women and people in designated groups for employment matters.

The objective of Council's Equal Employment Opportunity Program is to ensure there is no discrimination relating to the characteristics listed under the Equal Opportunity Act 2010 such as race, colour, sex, marital status, parenthood, physical or mental impairment, age, religious or political affiliation, gender identity and sexual orientation. Further objectives include ensuring the workplace is free from bullying and harassment.

The indicators that measure the effectiveness of the program and the results for the year are:

- Percentage of new employees receiving equal opportunity training within six months of commencement.  
Target: 100%. Result: 100%
- Percentage of existing employees receiving refresher equal opportunity training at least every two years.  
Target: 100%. Result: 100%
- Number of contact officers per employee. Target: 1:50. Result: 1:64





*Customer Service Officer Delia Warne and Sam Abraham promote the 'Say No to Violence' campaign.*

### **Gender Equality**

The Gender Equality Act 2020 (the Act) came into effect on 31 March 2021. Council has ongoing obligations under the Act to develop and drive outcomes to meet future objectives of improving gender equality in the workplace and in the community through improved policies, programs, and services.

Council participated in the People Matter Survey for Local Government 2021 and will use these results to understand and improve upon the current state of gender equality within the organisation.

### **Preventing Violence Against Women**

Council continues to undertake internally focused work to review the drivers of violence against women and identify opportunities to improve. As a large workplace, Council is well positioned to influence and set expectations regarding what is acceptable across workplace conditions, culture, support structures, commitments, and daily practices.

Council reaffirmed commitment to the Victorian Local Government (VLGA) Women's Charter, stating that Council will continue to 'support the VLGA campaign to increase women's participation in local government as citizens, candidates and Councillors.

Two Councillors have also been nominated as Charter Champions. Council has also acknowledged its commitment to the prevention of violence against women through endorsing the following statement:

*'East Gippsland Shire Council acknowledges the prevalence and impact of violence against women in our community, and regards all forms of violence against women as unacceptable. Council will lead by example as an employer, service provider, advocate, funder and key stakeholder by acting in a manner that demonstrates relationships built on respect and by providing opportunities that are gender-equitable and non-discriminatory.'*

Council has participated at a state level in a community of practice for the Workplace Equality and Respect standards, and in East Gippsland Partners in Violence Prevention network, including support and participation in the 16 Days of Activism campaign (pictured).



The installation of lighting on a feature tree in the Nicholson Street Mall, Bairnsdale, to support the East Gippsland Winter Festival and drive community participation for the events sector.



64 EAST GIPPSLAND SHIRE COUNCIL





## Our Performance

**Council measures its performance against against goals and strategic objectives outlined in the Council Plan, with a focus on the themes: Strong Communities, A Liveable Region, A Growing Region of Opportunities, Good Governance and Responsive Services.**

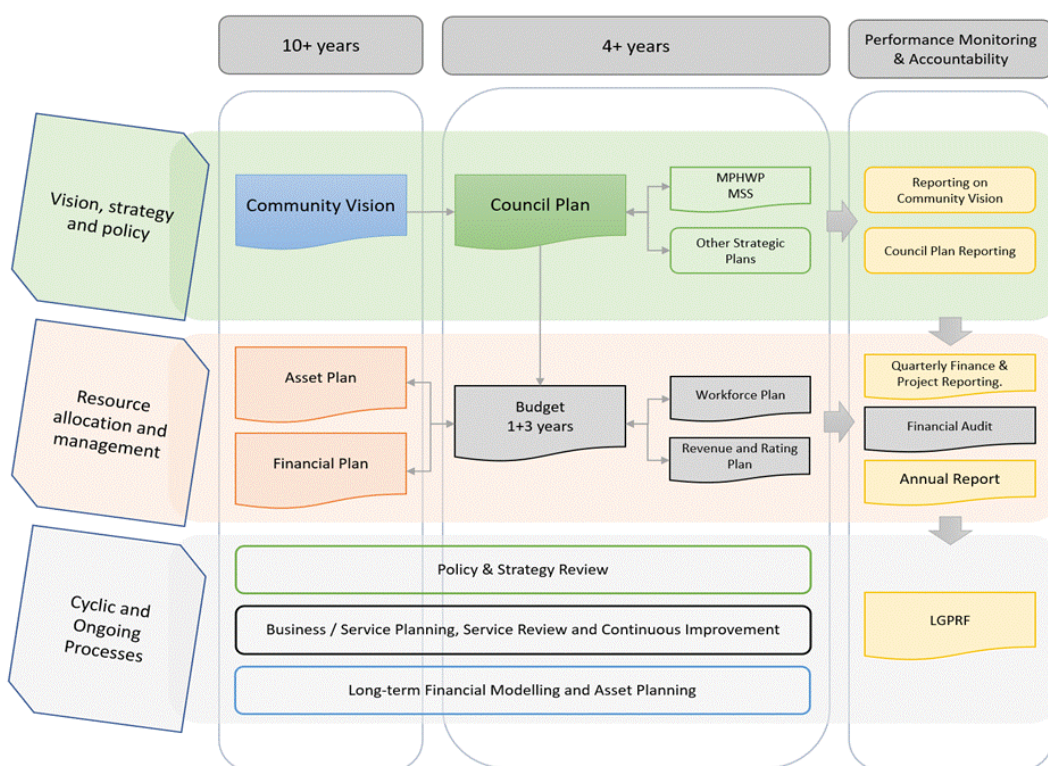


## Strategic Planning Principles

The Strategic Planning Principles are found in part 4 (clause 89) of the *Local Government Act 2020 (the Act)*. The Act requires of Council that:

- an integrated approach to planning, monitoring and performance reporting is to be adopted;
- strategic planning must address the Community Vision;
- strategic planning must take into account the resources needed for effective implementation;
- strategic planning must identify and address the risks to effective implementation; and
- strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

This diagram shows the relationships between the key planning and reporting documents that make up the integrated planning framework for local government.



### Terminology:

MPHWP = Municipal Public Health and Wellbeing Plan  
 MSS = Municipal Strategic Statement  
 LGPRF = Local Government Performance Reporting Framework

## Council Plan

The Council Plan 2017-21 includes goals and strategic objectives for the four-year period. It also includes strategic indicators for monitoring achievement of the strategic objectives and a strategic resource plan that shows the financial and other resources required to deliver the Plan. The following are the strategic objectives documented in the Council Plan.

<b>Strong Communities</b>		East Gippsland has strong communities that are inclusive, healthy, safe and resilient. We treasure and celebrate the unique character and identity of the places we live and are proud to call East Gippsland home.	
<b>East Gippsland has connected, inclusive and vibrant communities.</b>	<b>East Gippsland communities plan for their future.</b>	<b>East Gippslanders enjoy healthy lifestyles.</b>	<b>East Gippsland has safe, resilient communities.</b>
Increase people's skills and capabilities to participate in their community and make a difference.	Increase community participation in engagement activities to plan for their future by 10 per cent by 2019.	Use evidence to drive future work across agencies that delivers better health and wellbeing outcomes for the community.	Increase community preparedness for before, during and after emergencies in all high-risk communities by 2020.
<b>A Liveable Region</b>		Our lifestyles are enviable. Council provides services and infrastructure that supports residents and visitors at every stage of life. East Gippsland is the regional area people choose to live, work and play in.	
<b>East Gippsland has safe, accessible and well utilised open spaces and built environments that reflect the priorities of our community.</b>		<b>Sustainable planning and growth supports thriving townships, while maintaining our commitment to sustainability and protecting our natural environment.</b>	
By 2021, decrease the infrastructure renewal gap through increased expenditure on renewal projects.		Reduce Council's energy use and greenhouse gas emissions by 2021.	
Maintain and extend built infrastructure that meets community needs and supports their work, leisure, lifestyle and connectedness.		By 2030, East Gippsland will reduce waste to landfills by 20 per cent.	
		Ensure land use growth respects the unique characteristics, environment and priorities of our towns.	
<b>A Growing Region of Opportunities</b>		East Gippsland is a region of economic opportunity with strong industry sectors, a skilled workforce and local jobs.	
<b>East Gippsland is a region of economic opportunity with strong industry sectors, a skilled workforce and local jobs.</b>		<b>East Gippsland is Australia's number one adventure destination. We offer unforgettable tourism experiences for people of all interests, ages and abilities.</b>	
By 2021, increase funding for the production and export of commodities.		The number of people visiting East Gippsland to participate in adventure tourism and events will have increased by 10 per cent by 2021.	
Increase the number of new and emerging businesses in the region by 2021.			
Support an increase in the workforce participation rate from current rate of 47.9 per cent.			

**We will achieve this by being a leading local government that works together with our communities to make East Gippsland the most liveable region in Australia.**

<b>Good Governance</b>		
East Gippsland Shire Council is inclusive, engaged and open. We provide leadership on issues affecting East Gippsland. Our relationships with other levels of government and partners deliver great outcomes for East Gippsland.		
<b>East Gippsland Shire Council is inclusive, engaged and open.</b>	<b>Our relationships with other levels of government and partners deliver great outcomes for East Gippslanders.</b>	<b>Council is in a strong financial position and can provide for future generations of East Gippslanders.</b>
Increase transparency and awareness about council decisions, services and activities by 2021.	Increase funding to address critical regional issues by 5 per cent by 2021.	Council's overall financial sustainability is assessed as low risk by VAGO.

<b>Responsive Services</b>		
We are a leading local government service provider. Our services are driven by the needs of our communities, residents and visitors. We put the customer first and give each customer a great experience of Council's services.		
<b>East Gippsland Shire Council is a leading local government service provider.</b>	<b>We put the customer first and give each customer a great experience of Council's services.</b>	<b>East Gippsland Shire Council is a great place to work.</b>
By 2021, establish, embed and measure an organisation-wide understanding of customer service levels and expectations.	Increase digital transactions by 50 per cent by 2020.	Increase the diversity of our workforce to reflect the diversity of our region by 2021.

### **Performance**

The following pages document the performance, achievements and challenges of Council during 2020-21 in each of the areas of focus.

Council's performance for the 2020-21 year is reported against each strategic objective to demonstrate how Council is performing in achieving the Council Plan. Performance has been measured as follows:

- Results achieved for the goals in the Council Plan.
- Progress on the major initiatives identified in the Annual Budget 2020/21.
- Results against the prescribed service performance indicators and measures.
- Services funded in the budget.

The following pages outline Council's performance in each area of focus: Strong communities; a liveable region; a growing region of opportunities; good governance; and responsive services.





*Club Terrace community members meeting face-to-face to continue bushfire recovery.*

## Strong Communities

East Gippsland has strong communities that are inclusive, healthy, safe and resilient. We treasure and celebrate the unique character and identity of the places we live and are proud to call East Gippsland home.

### STRATEGIC INDICATORS

The following statistics review the performance of Council against the Council Plan's strategic indicators.

Strategic Indicator	2019-20	2020-21	Comments
<b>Increase in library activity from the previous year</b>	335,379	184,043	Library activity declined this year due to continuing COVID-19 closures and restrictions on services. In between enforced closures the library operated with restrictions in capacity numbers for both the building and the library programs, which affected usage.
<b>Number of people participating in library programs</b>	10,747	5,412	The decline in participation is largely due to the reduced number of library programs being offered due to COVID-19 restrictions and closures.
<b>Percentage of people volunteering in East Gippsland</b>	25.3% (2011)	24.8% (2016)	Although the percentage of people volunteering is decreasing, the number of people volunteering increased by 549 between 2011 and 2016. (Data source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data)).

Strategic Indicator	2019-20	2020-21	Comments
<b>Increase the number of people reported as 'engaged' on Council's Your Say website</b>	185	738	The increase in engagement is due to the large projects that have used Your Say to engage with the community. The biggest projects include the Community Perceptions Survey; Jemmy's Point Lookout project; Progress Jetty at Paynesville project; Orbost Forest Park; and Lakes Entrance Foreshore plan.
<b>Percentage of people who rate Council's performance as 'Very Good' or 'Good' for community consultation and engagement</b>	38%	34%	Opportunities for in-person engagement were postponed, cancelled or conducted through electronic methods due to COVID-19 restrictions, which when combined with connectivity and blackspot issues, impacted community participation. (Data source: EGSC Community Satisfaction Survey 2021 conducted by JVS Research)
<b>Immunisation coverage rates</b>	96%	96%	The federal government set a benchmark early in 2017 to 95% coverage rate. This rate encompasses the early childhood immunisation program. This does not include COVID-19 immunisation rates.
<b>Number of Local Incident Management Plans implemented in communities based on their risk level</b>	6	31	The large increase is due to the commitment made by Council to protect public safety following the 2019-20 bushfires when a large number of local plans were enacted. Communities also wanted to ensure they had updated plans that are accessible and have clear instructions. Council plays a supportive role to the communities in developing or updating their plans, as they are led by the community.

#### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major Initiative 1</b>  Continue to implement Place Planning in selected communities across the shire with a focus in bushfire affected communities	<p>The place-planning model was upscaled in the past 12 months following the 2019-20 Black Summer bushfires. There have been nine place managers working across 10 communities, at the district or locality level, to support establishment of representative groups and development of plans. This has increased connection between community and Council, and is supporting communities realise their visions and priorities.</p> <p>Most community recovery committees are working through the 'discovery' phase – identifying and reviewing existing plans, mapping their assets, talking to community groups, undertaking community surveys and identifying priorities. Some communities have started to document or endorse their plans. Community conversations have also commenced with impacted communities to inform future planning and preparedness work. Council is also working with agencies in place to support coordination of local action.</p>

Major Initiative	Progress
<b>Major Initiative 2</b>  Implement the Bairnsdale Sporting Facilities Plan and extend this approach to the communities across the shire	A range of projects continue to be progressed as part of the implementation of the Bairnsdale Sporting Facilities Plan, including: <ul style="list-style-type: none"> <li>• Construction of the new Lucknow Recreation Reserve pavilion.</li> <li>• Design work for a new gymnastics facility.</li> <li>• Detailed design and approval work for the WORLD Sporting Precinct.</li> <li>• Design and funding application work for Bairnsdale City Oval.</li> </ul> The extension to include sporting facilities across the shire has commenced with the development of data and auditing of sporting facilities as stage one of the project.
<b>Major Initiative 3</b>  Support the East Gippsland community and economic recovery following the impacts of drought, bushfire event and COVID-19 pandemic	This year, a number of communities were supported by identifying needs and priorities through successful applications to Local Economic Recovery and other grants. Community connection has been crucial to recovery. Funding provided through Regional Development Victoria has also been facilitated to enable community events. These have occurred in all of the fire-impacted districts and have ranged from fire preparedness barbeques to family fun days, sporting events and more.

#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

The Victorian Government's compulsory service measures for all Councils that are relevant to this goal are shown below:

Indicator <i>Measure</i>	Results				Comments
	2017-18	2018-19	2019-20	2020-21	
Animal Management					
<b>Timeliness</b> <i>Time taken to action animal requests<sup>1</sup></i>	2.25	3.42	2.60	2.60	Local Laws officers responded to 1,063 domestic animal management requests during the reporting period, with an average initial response time of 2.6 days. Animal management requests range from lost, wandering or nuisance pets to barking dogs, animal welfare concerns, dog attacks, reports of dangerous or menacing dogs and reports of illegal pet breeding activities.

<sup>1</sup> [Number of days between receipt and first response action for all animal management requests / Number of animal management requests]



<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service standard</b> <i>Animals reclaimed<sup>2</sup></i>	56.77%	57.96%	28.10%	23.24%	Council maintains a proactive program to attempt to reunite registered animals with their owners in the first instance before they are taken to the animal shelter. If the animals are returned directly to their owner, the action is not included in the reported figure, resulting in a lower reclaimed rate. The decrease in performance is a result of animals surrendered by the public were not previously being counted in the reported figure, this was addressed in the 2019-20 reporting period.
<b>Service standard</b> <i>Animals rehomed<sup>3</sup></i>	New in 2020	New in 2020	31.86%	38.67%	During financial year 2020-21 a total of 525 domestic animals were collected, of these 203 were rehomed or adopted. Whilst this is an increase on the previous year's results, the overall animal management results show a similar percentage of animals were either reclaimed or rehomed when compared to last year. As part of the creation of the new Domestic Animal Management Plan, Council will seek to place a greater emphasis on the adoption or rehoming of domestic animals which enter the animal shelter and are not reclaimed by their owners.
<b>Service cost</b> <i>Cost of animal management service<sup>4</sup></i>	\$6.56	\$10.09	\$15.11	\$12.64	The decrease in cost can be attributed to two vacant community laws officer roles for a large portion of the year.
<b>Health and safety</b> <i>Animal management prosecutions<sup>5</sup></i>	New in 2019-20	New in 2019-20	100%	0	Council had no prosecution hearings during 2020-21. Due to COVID-19 restrictions imposed a number of animal prosecutions were unable to be heard during the reporting period and remain postponed to a later date.

<sup>2</sup> [Number of animals reclaimed / Number of animals collected]

<sup>3</sup> [Number of animals rehomed / Number of animals collected]

<sup>4</sup> [Direct cost of the animal management service / Number of registered animals]

<sup>5</sup> [Number of successful animal management prosecutions / Total number of animal management prosecutions]

Indicator Measure	Results				Comments
	2017-18	2018-19	2019-20	2020-21	
<b>Aquatic Facilities</b>					
<b>Service standard</b> <i>Health inspections of aquatic facilities<sup>6</sup></i>	0	0	0	0	No inspections were carried out by an authorised officer under the <i>Public Health and Wellbeing Act 2008</i> as no public health issues were lodged with Council by customers. Council-run pools (when open) are tested by qualified and trained staff five times a day. All Council pools also underwent microbiological water testing by an independent laboratory, with all test results coming back negative.
<b>Utilisation</b> <i>Utilisation of aquatic facilities<sup>7</sup></i>	8.45	8.31	5.63	4.06	The result is impacted by mandated COVID-19 closures of aquatic facilities. Both the Bairnsdale Aquatic and Recreation Centre and Lakes Aquadome facilities were forced to close between 1/08/20 and 20/10/20; and between 25/05/21 and 11/6/21. There was also a period where the facilities were open but under strict attendance restrictions between 20/10/20 and 29/10/20. When the facilities were reopened to the public, attendance figures were low.
<b>Service cost</b> <i>Cost of aquatic facilities<sup>8</sup></i>	New in 2019-20	New in 2019-20	\$7.92	\$11.69	The COVID-19 pandemic has severely impacted this result, with the facilities closing for extended periods during the year. The operational costs remained fairly consistent with previous years, although a large reduction in user charge income received and the number of visits from last year has increased the cost of service per visit.
<b>Food Safety</b>					
<b>Timeliness</b> <i>Time is taken to action food complaints<sup>9</sup></i>	2.26	2.29	1.58	1.77	The overall result is within Council's target and below Council's Customer Response Policy of two business days.

6 [Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]

7 [Number of visits to aquatic facilities / Municipal population]

8 [Direct cost of aquatic facilities less income received / Number of visits to aquatic facilities]

9 [Number of days between receipt and first response action for all food complaints / Number of food complaints]

<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service standard</b> <i>Food safety assessments<sup>10</sup></i>	100.28%	100.56%	107.37%	104.76%	The results are consistent with previous years and more than the minimum required. This is due to food safety assessments being carried out on businesses that have subsequently transferred ownership.
<b>Service cost</b> <i>Cost of food safety service<sup>11</sup></i>	\$567.57	\$686.71	\$768.45	\$604.85	There was an increase cost in 2019-20 relating to fee waivers as a result of COVID-19 support.
<b>Health and safety</b> <i>Critical and major non-compliance outcome notifications<sup>12</sup></i>	100%	90.48%	85.71%	100%	All major and critical non-compliance notifications for food premises were followed up. For the 2020 period, there were 11 critical and major non-compliance notifications.
<b>Libraries</b>					
<b>Utilisation</b> <i>Physical library collection usage<sup>13</sup></i>	3.11	3.31	2.31	1.76	Library usage has declined due to continuing COVID-19 closures and restrictions on services. Library centres suffered significant closures throughout the year and when services reopened, there were restrictions on the number of customers in the building which affected to collection usage. While the library was closed a click and collect service was made available to help support the community.

10 [Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment by the Food Act 1984 / Number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment by the Food Act 1984] x100

11 [Direct cost of the food safety service / Number of food premises registered or notified in accordance with the Food Act 1984]

12 [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about food premises] x100

13 [Number of physical library collection item loans / Number of physical library collection items]



<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Resource standard</b> <i>Recently purchased library collection<sup>14</sup></i>	58.15%	59.06%	51.97%	52.08%	Results are consistent with the previous year. Council was able to continue purchasing new items throughout the COVID-19 mandatory closures. The deselection process slowed down early in the year due to the lockdowns, although with the easing of restrictions the deselection has been prioritised to compensate for the loss of time. The deselection of older items was further hindered due to the staff being required on the floor to ensure the centres were meeting COVID safe service, such as QR code compliance.
<b>Service cost</b> <i>Cost of library service per population<sup>15</sup></i>	\$24.02	\$24.35	\$25.22	\$22.23	Library facilities continue to provide value for services across the shire, with a cost reduction per head of population in 2020-21. This can be attributed to a reduction of expenditure on wages, utilities and resource spending due to library closures and activity under COVID-19 restrictions.
<b>Participation</b> <i>Active library borrowers in the municipality<sup>16</sup></i>	20.13%	19.60%	19.01%	16.88%	COVID-19 lockdown periods that forced libraries to be closed to the public, impacted on the ability of members to borrow physical items. COVID-19 has also resulted in many members of the community being cautious about returning to public spaces.

14 [Number of library collection items purchased in the last 5 years / Number of library collection items] x100

15 [Direct cost of the library service / population]

16 [The sum of the number of active library borrowers in the last three financial years / The sum of the population in the last 3 financial years] x 100

**COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2020/21.

<b>Business area</b>	<b>Description of services provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Arts and Culture</b>	This service provides a varied ongoing program of arts and cultural events that bring our communities together to celebrate our identity and generate ideas. It also provides funding and strategic advice to support the development of arts and culture in East Gippsland.	307 340 <b>33</b>
<b>Community Laws</b>	This service also maintains and improves the health and safety of people and the environment. This includes staff at school crossings throughout the municipality to ensure that school children are able to cross the road safely. Animal management services are delivered in accordance with the Domestic Animals Act 1994 and include a lost and found notification service, a contracted pound service, registration and administration service, an after-hours service and an emergency service. It also provides education, regulation and enforcement of the General Local Law and relevant Victorian Government legislation.	852 913 <b>61</b>
<b>Community Planning</b>	The Community Planning function supports, encourages and works with residents and community groups to identify their needs and aspirations and how to achieve them with responsive, high-quality services and facilities.	281 384 <b>103</b>
<b>Community Programs</b>	Council's community programs provide support, assistance and information to the community at all stages of life. They also provide community facilities that enhance social and health outcomes and improve local neighbourhood amenity.	456 867 <b>411</b>
<b>Community Support</b>	Council has service agreements with suitable accredited organisations across the shire that provide a range of home and community care services for the aged and people with a disability. Services include home-delivered meals, personal care, transport, dementia care, home maintenance, housing support and senior citizen clubs. The Victorian Government directly funds these organisations for the provision of the specified services and Council makes a financial contribution to the operations of each of the providers.	833 650 <b>183</b>
<b>Emergency Management</b>	Council works collaboratively with relevant stakeholders to help communities prepare for emergency events and natural disasters and, in times of emergency, respond to their needs and help them recover.	(95) 305 <b>400</b>
<b>Family and Youth Services</b>	Council supports preschools, playgroups and early years programs. Support is also provided to suitably accredited organisations that provide Maternal and Child Health services (MaCH). The providers of the MaCH service are directly funded by the Victorian Government for the provision of the specified services and Council provides a financial contribution to the operations of each of the providers.	159 345 <b>186</b>
<b>Library Services</b>	Council provides library and outreach services at six locations within the municipality including mobile library services to its more remote areas. Library services and programs are customer focused and aim to meet the learning and information needs of local communities. Libraries also provide a focal point for the community where they can meet, relax and enjoy the facilities and services offered and increase their participation in community life.	665 952 <b>287</b>

Business area	Description of services provided	Net Cost Actual Budget Variance \$'000
<b>Performing Arts</b>	This service provides performing arts facilities, including the Forge Theatre and Arts Hub in Bairnsdale. A key focus is to deliver accessible programs and events that celebrate the regions cultural diversity and enrich the lives of our community and visitors.	427 575 <b>148</b>
<b>Public Health</b>	Public Health maintains and improves the health and safety of people and the environment in accordance with the Public Health and Wellbeing Act 2008. It maintains safety, amenity and harmony in the community by coordinating food safety support programs, registered premises inspections, Tobacco Act 1987 activities and wastewater management. The service also works to rectify any public health concerns relating to unreasonable noise emissions, housing standards and pest controls and provides an immunisation service.	223 285 <b>62</b>
<b>Recreation Centres</b>	This service combines a wide range of programs and services that contribute to the general wellbeing of the community. This includes opportunities for individuals of all ages, genders and abilities to participate in a variety of health, education, and leisure activities by providing recreational facilities that include indoor and outdoor aquatic facilities, a fully equipped gymnasium, aqua aerobics and group fitness classes, a stadium and childcare facilities.	2,269 1,786 <b>(483)</b>
<b>Recreation and Sporting Reserve Management</b>	This service is responsible for the maintenance and operation of sporting grounds and pavilions and community centres with meeting, function and activity space. Often this work is undertaken in conjunction with community operated committees of management. The service assists in the delivery of strategic sporting outcomes across the municipality through the upgrade and improvement of facilities and the attraction of funding to undertake this work.	594 713 <b>119</b>





Genoa community celebrate the work commencing on a new pedestrian bridge across the Genoa River

## A Liveable Region

Our lifestyles are enviable. Council provides services and infrastructure that supports residents and visitors at every stage of life. East Gippsland is the regional area people choose to live, work and play in.

### STRATEGIC INDICATORS

The following statistics review the performance of Council against the Council Plan's strategic indicators.

Strategic Indicator	2019-20	2020-21	Comment
<b>Target area roadside weed control treated</b>	250km	127km	The funding agreement was not signed until later in 2020, delaying the start of the program. As such, the program has been extended in 2021 and is still running past 30 June.  During the year 117km of Regionally Controlled Weeds and 10km of Regionally Prohibited Weeds were treated under the <i>Catchment and Land Protection Act 1994</i> .
<b>Decrease the infrastructure renewal gap</b> (Asset renewal and upgrade compared to depreciation)	136.06%	147.69%	The infrastructure renewal gap is asset renewal and upgrades compared to depreciation. The higher the percentage the more that Council spends on renewal as opposed to asset depreciation.
<b>Reduce emissions from Council's energy use (CO<sub>2</sub>)</b>	6,152	5,898	Council buildings, streetlights and operations were responsible for 5,898 tonnes of CO <sub>2</sub> -e (equivalent) emissions. This is down by 254 tonnes from the year before due to COVID-19 shutdowns and less vehicle fleet use during these periods. Emissions relate to electricity, mains gas, bottled gas (only used at the Lakes Entrance Aquadome) and fuel from the fleet vehicles, the Raymond Island Ferry and landfill trucks

<b>Reduce Council's energy use (GJ)</b>	26,172	25,569	Council had a slight decrease of 603 GJ of energy from the year before. There was a slight decrease in mains gas use at the Bairnsdale Aquatic and Recreation Centre, a decline in stationary and fleet diesel consumption, but an overall small increase in electricity use.
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**PROGRESS AGAINST MAJOR INITIATIVES**

Major Initiative	Progress
<b>Major Initiative 4</b>  Complete road reconstruction and repair projects to 250 roads and 11 bridges effected by the bushfire	<p>Delivered repair or replacement works to 236 kilometres of fire-damaged roads and 11 fire-damaged bridges.</p> <p>In partnership with Regional Road Victoria, Council has been able to deliver over \$14 m of road repair works and \$3 m of bridge replacements within the financial year, which is an extraordinary effort when considered in the context of other works also delivered over the same period.</p> <p>The only remaining project is the resealing of 14 kilometres of Buchan-Orbost Road. The approval for funding to reseal this road came through quite late and, due to the cold conditions, it was decided to hold off undertaking this work around mid-October 2021. These works will still be within the permitted timeframe for the disaster, therefore no issues are predicted.</p>
<b>Major Initiative 5</b>  Deliver projects to improve amenity in Lakes Entrance, including the main street and Bullock Island.	<p>These are multi-year projects, with the works delivered this year including:</p> <ul style="list-style-type: none"> <li>• Finalisation of footpath works and landscaping of the Lakes Entrance Esplanade.</li> <li>• Securing funding for 2021-22 works, including works to Marine Parade and the Spit area.</li> <li>• Commencing the replacement of the Bullock Island Bridge.</li> <li>• Constructing a new toilet on Bullock Island.</li> <li>• Securing funding to upgrade the North Arm Boat Ramp, Jetty and Gantry.</li> <li>• Designing seawall works for delivery in 2021-22.</li> <li>• Designing civil work and landscape upgrades for Bullock Island for delivery in 2021-22.</li> <li>• Designing and securing funding for the foreshore park to be delivered in 2021-22.</li> <li>• Working with community groups on design work and funding for stage 1 of the Krautungalung Walk.</li> <li>• Upgrading The Entrance Walk.</li> <li>• Finalising seawall works prior to the busy summer tourism season in 2020-21.</li> </ul>
<b>Major initiative 6</b>  Optimise asset management through the development of guiding policies and elevated use of management systems	<p>This is a multi-year action with significant work undertaken on Council's asset management system, including the development of a draft Asset Management Policy and development of a clear project plan for the delivery of a new Asset Management Strategy and seven Asset Management plans by June 2022.</p> <p>Work has also been undertaken securing an enterprise system for the management and reporting of capital and major projects to enhance and improve the organisation's project management framework.</p>

Major Initiative	Progress
<p><b>Major initiative 7</b></p> <p>Reduce waste going into landfill, through e-waste services initiatives, education and introducing new approaches and partnerships to reusing waste</p>	<p>Waste entering Bairnsdale Landfill increased by eight percent from 2019-20 (17,000 tonnes, up from 15,720 tonnes), while Lakes Entrance Landfill experienced a very minor increase (6,980 tonnes, up from 6,950 tonnes).</p> <p>There are a number of reasons that has contributed to the increase of waste being deposited at Bairnsdale Landfill, which includes the disposal of approximately;</p> <ul style="list-style-type: none"> <li>• 420 tonnes of waste resultant of the Avian Bird Flu outbreak,</li> <li>• 160 tonnes of bushfire waste; and</li> <li>• commercial industrial waste that was deposited at the landfill increased by approximately 580 tonnes, which could be contributed to COVID-19.</li> </ul> <p>To mitigate this, Council continued to explore, trial and introduce new processes and technology to our region that best fits our needs to reduce waste going to landfill that reflects best practice in relation to recycling and reuse. These include:</p> <ul style="list-style-type: none"> <li>• Carrying out a composting trial at Bairnsdale Landfill commencing trials for composting of green waste.</li> <li>• Liaising with Tambo Waste, Cranes and Fowlers regarding the use of crushed glass in road construction.</li> <li>• Managing green waste in a manner that allows for internal re-use as part of construction projects and within our parks and gardens.</li> <li>• Working at a regional level on new opportunities for food organics / green organics processing and reuse in Gippsland.</li> <li>• Attracting funding to facilitate the separate collection of glass materials at transfer stations.</li> <li>• Supporting local contractors to advance their glass separation and re-use processes.</li> <li>• Removal of fees and charges for recyclables within landfills and transfer stations to encourage more separation of these materials from comingled waste.</li> <li>• Continue to roll out waste education programs.</li> <li>• Commence development of a Waste Action Plan to guide Council's activities in a structured and considered manner.</li> </ul> <p>Reduction of Waste going to landfill has been identified within the Council Plan 2021-2025 as a high priority action for Council.</p>



Major Initiative	Progress
<b>Major initiative 8</b>  Progress projects and contracts that will reduce resource consumption and increase use of clean energy	<p>Multiple projects are progressing. The development of a policy and the Environmental Sustainability Strategy will provide direction to guide and reduce Council and the community's reliance on fossil fuels.</p> <p>Over the year this work has included:</p> <ul style="list-style-type: none"> <li>• Installed solar power on multiple council buildings, including the high energy using Bairnsdale Aquatic and Recreation Centre.</li> <li>• Entered into a power purchase agreement with 45 other Victorian councils, which will enable Council to source 100% of its electricity from renewable power sources by January 2022.</li> <li>• Secured over \$1 m to upgrade council's final portion of street lights to LED.</li> <li>• Secured funding to commence installation of four public electric vehicle charge points within the region to encourage use of electric vehicles.</li> <li>• Commenced work on the new Environmental Sustainability Strategy - with a strong focus on climate change.</li> <li>• Worked with the CSIRO to develop Climate Change modelling for East Gippsland that recognises and responds to different geographic sub regions.</li> <li>• Published an annual report on Council's environmental sustainability activity, which includes the measurement and publication of Council's carbon emissions.</li> <li>• Worked with local schools through the Resource Smart program to encourage behavioural change through our young people.</li> <li>• Produced four community newsletters over the year that provides over 600 community subscribers with access to information and support to reduce their carbon outputs.</li> </ul> <p>Council has also embedded Climate Change action within the new Council Plan 2021-25.</p>

#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

The Victorian Government's compulsory service measures for all Councils that are relevant to this goal are shown below:

Indicator Measure	Results				Comments
	2017-18	2018-19	2019-20	2020-21	
<b>Roads</b>					
<b>Satisfaction of use</b> Sealed local road requests <sup>1</sup>	18.49	18.71	24.74	33.04	There has been a significant increase requests for sealing of roads, which can in part be attributed to transition out of drought conditions to roads that are now regularly impacted by rainfall. Council continues to focus on sealing roads that meet set road management criteria, rather than responding to ad-hoc requests. This indicator unfortunately does not show the number of kilometres of road sealed during the year.

<sup>1</sup> [Number of sealed local road requests / Kilometres of sealed local roads] x100

<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Condition</b> <i>Sealed local roads below the intervention level<sup>2</sup></i>	96.59%	96.79%	97.31%	96.81%	The condition of sealed road assets are assessed every three years and were therefore not reassessed during the period. Additional roads have been added to the register of public roads during the period, with some of these additional roads not meeting the condition standards, reducing the overall rating slightly.
<b>Service cost</b> <i>Cost of sealed local road reconstruction<sup>3</sup></i>	\$26.90	\$58.85	\$62.86	\$87.88	The direct cost of sealed road construction alters from year to year depending on the sealing treatment selected for individual roads in the program. This year Council has undertaken more asphalt reconstruction than previous years, resulting in an increase to the overall cost per square meter. The benefit of this upfront investment is then realised in longer road-life and reduced maintenance requirements.
<b>Service cost</b> <i>Cost of sealed local road resealing<sup>4</sup></i>	\$5.00	\$5.01	\$5.42	\$5.76	As a large shire, the mobilisation costs for resealing roads will vary depending on the distance from the contractor's registered depot. In 2020-21 Council has delivered more dust-suppression sealing to roads in and around the remote areas of Mallacoota, Omeo, Bemm River and Marlo. Thus, the cost per square metre is slightly elevated due to the increased costs of mobilisation and travel.

2 [Number of kilometres of sealed local roads below the intervention renewal level set by Council / Kilometres of sealed local roads] x100

3 [Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]

4 [Direct cost of sealed local road resealing / Square metres of sealed local roads resealed]

<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Satisfaction</b> <i>Satisfaction with sealed local roads</i> <sup>5</sup>	50	49	55	53	Although the rating decreased two points from the previous year's result, it still remained three points higher than the large rural councils average rating. Council continued to invest significantly in sealed road reconstruction, sealing and the improvement of urban streets, while also striving to maximise external Victorian and Australian Government grants for road projects. In these satisfaction surveys Council finds that responders often assume that all roads are managed by Council and don't understand that some of the roads they express dissatisfaction with are actually controlled by the Victorian Government (DOT and DELWP)
<b>Statutory Planning</b>					
<b>Timeliness</b> <i>Time taken to decide planning applications</i> <sup>6</sup>	43	38	41	77	As a direct consequence of the Black Summer bushfires, and the rebuilding of hundreds of homes and the impact of COVID-19 stimulus, the number of applications received has increased by over 50% since 2018-19. While Council has tried to resource the planning team to deal with this significant increase, the volume and complexity of applications has led to an increase in processing time.

5 [Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads]

6 [The median number of days between receipt of a planning application and a decision on the application]



<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service standard</b> <i>Planning applications decided within 60 days<sup>7</sup></i>	81.82%	85.66%	82.44%	32.38%	The significant increase in the number of planning applications received during the year as a direct outcome of the Black Summer bushfire rebuild work and COVID-19 stimulus, and the complexity of many of these applications, has impacted Council's ability to maintain its usual high standard of determination timeframes.
<b>Service cost</b> <i>Cost of statutory planning service<sup>8</sup></i>	\$2,010.71	\$2,278.66	\$1,728.65	\$2,266.19	Additional resources were utilised in 2020-21 to assist with an increase in statutory planning work.
<b>Decision making</b> <i>Council planning decisions upheld at VCAT<sup>9</sup></i>	66.67%	25.00%	100.00%	50.00%	Six of Council's planning decisions were appealed to VCAT, with one being upheld, two being varied and the remaining three were set aside (overturned) by VCAT as they did not agree with Council's decision
<b>Waste Collection</b>					
<b>Satisfaction</b> <i>Kerbside bin collection requests<sup>10</sup></i>	19.79	32.96	42.23	31.47	This indicator represents the number of requests from the community to replace stolen or damaged bins, change services or have bins repaired. The reduction in requests from last year acknowledges that 2019-20 was an abnormal year due to the need to replace a significant number of bins damaged or destroyed in the Black Summer bushfires.

<sup>7</sup> [Number of planning application decisions made within 60 days / Number of planning application decisions made] x100

<sup>8</sup> [Direct cost of statutory planning service / Number of planning applications received]

<sup>9</sup> [Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100

<sup>10</sup> [Number of kerbside garbage and recycling bin collection requests / Number of kerbside bin collection households] x1,000

<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service standard</b> <i>Kerbside collection bins missed<sup>11</sup></i>	1.66	1.63	1.85	1.37	The improved results this year could be attributed to improved waste truck technology introduced during the year that now monitors truck locations, route and movements. This has ensured a more effective service
<b>Service cost</b> <i>Cost of kerbside garbage collection service<sup>12</sup></i>	\$53.89	\$73.32	\$64.83	\$61.30	Consistent with previous years.
<i>Cost of kerbside recyclables collection service<sup>13</sup></i>	\$47.11	\$48.88	\$71.58	\$75.21	There was an increase in the cost for the recyclables collection service during the year due to the changes in the recycling sector, which has resulted in a considerable increase in cost of processing recyclables.
<b>Waste Diversion</b> <i>Kerbside collection waste diverted from landfill<sup>14</sup></i>	50.81%	51.45%	52.48%	53.48%	The increase in this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance. Also, as residents were home more with COVID-19 restrictions, it is anticipated that some spent increased time maintaining properties and removing green organics.

11 [Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling collection bin lifts] x10,000

12 [Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]

13 [Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]

14 [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100

<b>Indicator</b> <i>Measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service standard</b> <i>Kerbside collection bins missed<sup>1</sup></i>	1.66	1.63	1.85	1.37	The improved results this year could be attributed to improved waste truck technology introduced during the year that now monitors truck locations, route and movements. This has ensured a more effective service
<b>Service cost</b> <i>Cost of kerbside garbage collection service<sup>2</sup></i>	\$53.89	\$73.32	\$64.83	\$61.30	Consistent with previous years.
<i>Cost of kerbside recyclables collection service<sup>3</sup></i>	\$47.11	\$48.88	\$71.58	\$75.21	There was an increase in the cost for the recyclables collection service during the year due to the changes in the recycling sector, which has resulted in a considerable increase in cost of processing recyclables.
<b>Waste Diversion</b> <i>Kerbside collection waste diverted from landfill<sup>4</sup></i>	50.81%	51.45%	52.48%	53.51%	The increase in this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance. Also, as residents were home more with COVID-19 restrictions, it is anticipated that some spent increased time maintaining properties and removing green organics.

1 [Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling collection bin lifts] x10,000

2 [Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]

3 [Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]

4 [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100



**COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2020/21:

<b>Business area</b>	<b>Description of services provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Asset Maintenance</b>	This service provides management and ongoing maintenance of the Council's assets, including 2,983 km of roads, 203 bridges and 23 pedestrian bridges; over 300 km of drains, 186 km of footpath, and 533 km of kerb and channel; numerous playgrounds, parks, gardens, and recreation reserves; three aerodromes; over 4,500 street lights; 41 public jetties, 19 fishing platforms and 31 boat ramps; and the Raymond Island Ferry.	10,158 8,332 <b>(1,826)</b>
<b>Asset Management</b>	This service conducts planning for Council's main civil infrastructure assets in an integrated and prioritised manner in order to optimise their strategic value and service potential. These assets include roads, laneways, car parks, foot/bike paths, drains and bridges.	912 788 <b>(124)</b>
<b>Building Control</b>	This service enforces statutory building regulations under the Victorian Building Code. These include providing advice on building permits and legislation, fire safety inspections, audits of swimming pool barriers and investigations of complaints and illegal works.	136 217 <b>81</b>
<b>Environmental Management</b>	The Environmental Management function identifies and manages broad-based environmental issues on Council-owned or managed land including the Mosquito Management Program, pest plants and animals, and urban waterways.	(95) 20 <b>105</b>
<b>Environmental Sustainability</b>	This service develops environmental policy and strategies, coordinates and implements environmental projects, and works with other services to improve Council's environmental performance. Reducing greenhouse emissions and utility use within Council operations are a key priority. This includes community awareness and behavioural-change programs to encourage and support reduced use of energy and resources.	546 773 <b>227</b>
<b>Parks and Gardens</b>	Parks and Gardens manages and implements open-space strategies and maintenance including mowing, garden maintenance, annual plant displays, weed control and walking track maintenance. It also provides tree maintenance including inspection, pruning and removals.	2,515 4,597 <b>2,082</b>
<b>Project Management</b>	This service undertakes project planning, design and delivery of various works within Council's Capital Works Program.	1,211 697 <b>(514)</b>
<b>Statutory Planning and Development Services</b>	Statutory planning services assess planning applications in accordance with the Planning and Environment Act 1987, the Planning Scheme and Council policies to ensure that our towns and settlements develop in an orderly and sustainable way. It provides advice and makes decisions about development and land-use proposals, as well as representing Council at the Victorian Civil and Administrative Tribunal where necessary.	744 591 <b>(153)</b>

<b>Business area</b>	<b>Description of services provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Strategic Planning</b>	This service aims to deliver vibrant, connected and productive places and infrastructure to meet current and future community needs. Strategic Planning advocates for and implements land use policies, plans and standards that guide land use development and promote sustainable design, development and heritage conservation. This is supported through continual reviews and improvements to the East Gippsland Planning Scheme.	1,502 <u>1,026</u> <b>(476)</b>
<b>Waste Services</b>	This service provides kerbside waste collection of household rubbish, recycling and green waste from households; and manages landfill and transfer station facilities. The service operates and rehabilitates Council's current and legacy landfills and manages the East Gippsland Waste and Recycling Centre in ways that promote positive waste behaviour in the community and minimise environmental impacts.	3,104 <u>5,501</u> <b>2,397</b>
<b>Emergency Response</b>	Council has a significant responsibility in emergency management and disaster response across East Gippsland, along with other lead agencies. Although the Australian Government provides significant funding to repair and reconstruct assets following natural disasters, Council (in the first instance) is required to fund the response and then seek recompense after the event. Council therefore carries that burden while waiting for reimbursement, which can impact upon current plans for infrastructure planning and maintenance.	(696) <u>(3,560)</u> <b>(2,864)</b>
<b>Works</b>	This service manages and maintains Council's building infrastructure and assets. It includes Council's vehicles, machinery and equipment and place-based works crews.	3,386 <u>1,766</u> <b>(1,620)</b>



Council supports the tourism industry and helps promote East Gippsland, including the Great Alpine Road (pictured) as a highly sought-after visitor destination. Picture: Anne Morley

## A Growing Regional Area with Opportunities

We market a positive investment environment that promotes and builds on our diverse mix of economic activity and assists enterprises to take advantage of opportunities in a rapidly changing economic and social world.

### STRATEGIC INDICATORS

The following statistics review the performance of Council against the Council Plan's strategic indicators.

Strategic Indicator	2019-20	2020-21	Comments
<b>Increase in the number of registered businesses in the region</b>	4,416	4,446	The breakdown of registered businesses based in East Gippsland include: 79 businesses that hire 20 or more people; 289 new businesses established; and Agriculture, Forestry and Fishing the largest industry sector, with 1,086 businesses. <i>(Data source: ABS Regional Data – East Gippsland)</i>
<b>Growth of Gross Regional Product</b>	\$2.587 billion	\$2.642 billion	The total estimated gross regional product for East Gippsland is \$2.642 billion, which is up \$72 m from the previous year's figure. <i>(Data source: REMPLAN – East Gippsland)</i>



Strategic Indicator	2019-20	2020-21	Comments
<b>East Gippsland workforce participation rate</b>	51.7% (2011)	47.9% (2016)	Labour force participants are defined as people aged 15 years and over who, in the week before to Census night, have a full-time or part-time job, or who did not have a job but were actively looking for and available to start work.  (Data source: Profile .id – community profile)
<b>Regional unemployment rate</b>	5.2%	6.3%	The East Gippsland unemployment rate is 6.3% at the end of the March 2021, which is 1.6% higher than the regional Victoria rate. The unemployment rate for East Gippsland has been trending up since the initial impacts of COVID-19, where it reached a low of 4.5% in December 2019.  (Data source: Department of Employment Small Area Labour Markets (SALM). (2021).
<b>Increase in the percentage of exiting Year 12 students continuing to higher education</b>	42.0%	57.4%	For East Gippsland school leavers 28.7% of students were undertaking a Bachelor degree, 6.9% were undertaking a Certificate/Diploma level course and 21.8% were employed in an apprenticeship/traineeship. When compared to the state averages, the proportion of Bachelor degree enrolments is well below state average, while the apprenticeship/traineeship percentage for East Gippsland is above the state average.  (Data source: On Track 2020 Survey. East Gippsland (S). Conducted by State of Victoria (Department of Education and Training).
<b>Funding dollars received for the expansion and growth of businesses in East Gippsland</b>	No data available	No data available	Council is currently not able to track funding that has been used for the expansion and growth of businesses.
<b>Increase in the number of events held in the region (with event permits)</b>	82	71	There were numerous events cancelled due to the COVID-19 pandemic.
<b>Increase total visitors to the region</b>	1.608 m	1.001 m	This figure only includes domestic visitors, as international tourism has been stopped due to COVID-19. The reduction could be attributed to state-imposed lockdowns and interstate border closures, reducing domestic visitors during these periods.  (Data source: Tourism Research Australia).

Strategic Indicator	2019-20	2020-21	Comments
<b>Increase in international visitors to the region</b>	46,000	No data	International tourism in Australia has been blocked due to the risks associated with COVID-19, therefore there is no recorded data for this indicator. <i>(Data source: Tourism Research Australia).</i>
<b>Increase the length of stay for international and domestic visitors in the region</b>	2.891 m	2.050 m	This figure only includes domestic visitors, as international tourism has been stopped due to COVID-19. The reduction could be attributed to state-imposed lockdowns and interstate boarder closures, reducing domestic visitors during these periods. <i>(Data source: Tourism Research Australia).</i>

#### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major initiative 9</b>  Develop a revised Economic Development and Tourism Strategy that responds to the range of issues facing East Gippsland	Delivery of the Economic Development Strategy 2021-25, which is taking a community led, co-design approach to develop both a 10-year Strategic Directions Report to guide the community and a four-year action plan for Council has commenced.  The project was originally due to be completed by June 2021, however deliberation with the new Council to ensure alignment with the new Council Plan and optimal structure and membership of the project focus groups delayed commencement. The project is now underway and tracking for completion later in 2021.
<b>Major initiative 10</b>  Deliver the Omeo Mountain Bike Destination Project	This is a multi-year project. The first component of the project, the Omeo Pump and Skills Track, was completed and opened in December 2020  A planning permit has been granted for the trail construction project and Council has approved a contractor to undertake the trail construction work. Unfortunately, these works are unable to proceed as the planning permit is being challenged by a third party, which is scheduled for a VCAT hearing in November 2021. No works will be able to proceed until this planning permit matter is resolved.

**COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2020/21:

<b>Business Area</b>	<b>Description of Services Provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Business Growth</b>	The development of business and industry in East Gippsland is supported by this service, which provides business information services, referrals to other organisations for support, facilitation of industry networking and knowledge sharing events, and facilitation of funding opportunities at all levels of government. It also works with government departments to link businesses to Victorian and Australian Government services to support growth and diversification.	26 110 <b>84</b>
<b>Economic Development</b>	The economic development service assists the organisation to facilitate an environment that is conducive to a sustainable and growing local business sector and provides opportunities for local residents to improve their skill levels and access employment.	744 1,181 <b>437</b>
<b>Events</b>	This service works with partners to develop East Gippsland's reputation as a recognised events destination through attraction and facilitation of new events and support of existing events. It provides support, resources and training information, and assists with the development of major events that stimulate economic benefits and cultural diversity and enhance the wellbeing of residents.	333 359 <b>26</b>
<b>Major Projects</b>	This service works with the Victorian Government, industry and business to facilitate and advocate for major planning, infrastructure and investment projects aimed at opening significant opportunities for business growth and employment for the region.	0 0 <b>0</b>
<b>Tourism and Visitor Information services</b>	Council supports the tourism industry and helps promote East Gippsland as a highly sought-after visitor destination. High quality visitor information services are provided with the aim of meeting the expectations and needs of visitors.	718 700 <b>(18)</b>





*Councillors and members of the Community Panel following the Councillors accepting the recommendations for revising the Community Vision 2040.*

## Good Governance

East Gippsland Shire Council is inclusive, engaged and open. We provide leadership on issues affecting East Gippsland. Our relationships with other levels of government and partners deliver great outcomes for East Gippsland.

### STRATEGIC INDICATORS

The following statistics review the performance of Council against the Council Plan's strategic indicators

Strategic Indicator	2019-20	2020-21	Comments
<b>VAGO assessment of Council's Financial Sustainability Indicators deemed high risk</b>	0	Report not yet available	Each council is required to undertake a financial sustainability risk audit by the Victorian Auditor General's Office. The council is measured against seven indicators if they are deemed to be high, medium or low risk. This indicator displays the number of Council's high-risk financial indicators as part of the annual financial audit.

<b>Value of funding received from Victorian and Australian Governments to address critical regional issues</b>	\$16.416m	\$15.257m	Council received funding to address critical regional infrastructure upgrades for the Roads to Recovery Program (\$3.803m), Lakes Entrance and Mallacoota seawalls (\$807,000), Local Roads and Community Infrastructure Program (\$2.255m), various other road projects (\$1.527m) and Bullock Island Masterplan (\$412,000). Drought support funding of \$898,000 and funding to assist the community to recover from the 2019-20 bushfires of (\$3.284m) for resourcing, immediate financial assistance and other support to the community. COVID-19 assistance of \$2.151m was received, which included the Working for Victoria Program (\$2.007m). Funding of \$120,000 was also received for the South Bairnsdale Industrial Estate Water upgrade project.
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#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

The Victorian Government's compulsory service measures for all Councils that are relevant to this goal are shown below:

<b>Indicator</b> <i>measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Governance</b>					
<b>Transparency</b> <i>Council resolutions at meetings closed to the public<sup>1</sup></i>	19.46%	2.67%	3.57%	8.09%	Council has proactively limited the number of decisions made at meetings closed to the public. Matters resolved at meetings closed to the public are limited to those matters which includes personnel and commercially sensitive contracts.

<sup>1</sup> [Number of council resolutions made at ordinary or special meetings of council, or at meetings of a special committee consisting only of councillors, closed to the public / Number of council resolutions made at ordinary or special meetings of council or at meetings of a special committee consisting only of councillors] x100

<b>Indicator</b> <i>measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Consultation and engagement</b> <i>Satisfaction with community consultation and engagement<sup>2</sup></i>	52	48	54	51	COVID-19 restrictions impacted face-to-face engagement activity during the year. Some opportunities for in-person engagement were therefore postponed, cancelled or conducted through electronic methods, which when combined with connectivity and blackspot issues, impacted community participation. Council has adopted a new Community Engagement Policy which reinforces Council's commitment to engaging with communities and stakeholders in a way that is purposeful, representative and easy to be involved in.
<b>Attendance</b> <i>Councillor attendance at Council meetings<sup>3</sup></i>	96.53%	90.97%	92.59%	95.06%	Councillor commitment to actively serve the community is reflected in its 95.06% attendance rate. Legislation passed for virtual council meetings to be held enabled Councillors to remotely participate in Council meetings.

<sup>2</sup> [Community satisfaction rating out of 100 with how council has performed on community consultation and engagement]

<sup>3</sup> [The sum of the number of councillors who attended each ordinary and special council meeting / (Number of ordinary and special council meetings) x (Number of councillors elected at the last council general election)] x100

<b>Indicator</b> <i>measure</i>	<b>Results</b>				<b>Comments</b>
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	
<b>Service cost</b> <i>Cost of governance<sup>4</sup></i>	\$52,986.14	\$53,182.56	\$58,190.67	\$50,641.89	Although a Councillor's role is largely voluntary, they receive an allowance within the limits set by the Victorian Government. It is also appropriate that allowable expenses incurred are reimbursed whilst undertaking Council duties. This cost reflects both Councillor allowances and reimbursements for the period. The decrease in cost is due to less spending on conferences/training and delegate costs when compared to previous years. The reason for a decline from last year is due to a three-month period where the Mayoral and Councillor allowances received a Minister for Local Government gazetted 50 per cent increase in 2019-20, in recognition of the additional work due to the Black Summer bushfires.
<b>Satisfaction</b> <i>Satisfaction with council decisions<sup>5</sup></i>	51	46	54	51	Since being elected in November 2020, Council has considered a number of matters in which community interest was high. A focus for Council continues to be on improving community satisfaction with its decisions by being open and transparent about the reasons they were made.

<sup>4</sup> [Direct cost of the governance service / Number of councillors elected at the last council general election]

<sup>5</sup> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]



**COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2020/21:

<b>Business area</b>	<b>Description of services provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Community Leadership and Advocacy</b>	Council provides leadership on issues of importance to East Gippsland and advocates on behalf of the community and its vision for the future. It does this through strong, transparent, accountable leadership and the development of strong relationships with key stakeholders and other levels of government.	1,722 <u>2,353</u> <b>631</b>
<b>Finance and Treasury</b>	This service predominantly provides financial services to both internal and external customers including the management of Council's finances, payment of salaries and wages, and raising and collection of rates and charges.	(10,276) <u>(4,405)</u> <b>5,871</b>
<b>Governance</b>	This service provides a range of governance, statutory and corporate support services to Council, including coordination of business papers for meetings of the Council and its committees; coordination of arrangements for Council and committee meetings; and the maintenance of statutory registers and the conduct of municipal elections. An Audit and Risk Committee supports this service. This service also provides the framework, oversight and advice to support Council in complying with statutory procurement and contracting provisions.	2,141 <u>2,199</u> <b>58</b>
<b>Media, Communications and Civic Events</b>	This service oversees provision of advice on communications, in consultation with relevant stakeholders, on behalf of Council. It also provides in-house graphic design services. This service also conducts civic events to recognise, commemorate and celebrate prominent residents and the successful delivery of significant Council programs, infrastructure and projects.	574 <u>583</u> <b>9</b>



Council was part of the Gippsland East Jobs Expo in Bairnsdale, promoting job opportunities, work experience and career information to job seekers. Pictured: Council officers Lily Hodge (Youth), Fiona Blevins (Learning and Development) and Khloe Moxham (Council Enterprises).

## Responsive Services

We are a leading local government service provider. Our services are driven by the needs of our communities, residents and visitors. We put the customer first and give each customer a great experience of Council's services

### STRATEGIC INDICATORS

The following statistics review the performance of Council against the Council Plan's strategic indicators.

Strategic Indicator	2019-20	2020-21	Comments
<b>Increase in digital transactions for payments</b>	140,483	140,960	The digital payments (mainly through direct debit) for recreation centre memberships were suspended during COVID-19 lockdowns. Other digital transactions are up due to office closures and increased use of digital payment methods. This figure includes digital transactions (through the website and BPay) and payments through Australia Post.
<b>Percentage of Council's workforce that are of Torres Strait Islander and Aboriginal heritage</b>	No data available	No data available	Council does not currently record this information.

## PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major initiative 11</b>  Respond to changing financial and community expectations by undertaking service planning in focused areas	A Service Planning and Review Policy and Framework was developed and endorsed. A review of the Community Laws service commenced in March and is still under way, with completion due in July. The focus for process mapping has been to update our process-mapping system and identify current versus redundant processes prior to developing new ones and working to optimise current processes.
<b>Major initiative 12</b>  Undertake service planning to establish service levels and community expectations	<p>The Customer Experience Strategy and action plan was adopted by Council in February 2021.</p> <p>Training was rolled out to the leadership team, however, whole-of-organisation training has been deferred to next year.</p> <p>Council engaged an external company to undertake a benchmarking exercise through a survey with people who had utilised a range of Council services in a specified period. This will provide baseline data that can be assessed against other Councils. When received, the reporting will be assessed, opportunities identified and provided to the relevant departments to consider.</p> <p>There has been a shift in dates associated with the action plan as a result of competing priorities and to align with service reviews being undertaken.</p>

## COST OF OUR SERVICES

The following statement provides information about the services funded in the Annual Budget 2020/21:

Business area	Description of services provided	Net Cost Actual Budget Variance \$'000
<b>Council Enterprises</b>	This service supports the local economy and provides an alternative revenue stream for Council through the effective operation of a range of Council-managed commercial enterprises such as caravan parks, aerodromes, marinas and the East Gippsland Livestock Exchange.	(2,039) <u>(1,017)</u> <b>(1,022)</b>
<b>Customer Experience</b>	This service acts as the main customer interface with the community. It provides accessible, high-quality customer service at Council's Service Centres, which connects people to Council services and general information.	2,074 <u>2,226</u> <b>152</b>
<b>Human Resources</b>	This service provides human resource and industrial relations services dedicated to ensuring Council's workforce operates efficiently and effectively within a framework that encourages innovation and continuous improvement.	1,099 <u>1,455</u> <b>356</b>

<b>Business area</b>	<b>Description of services provided</b>	<b>Net Cost Actual Budget Variance \$'000</b>
<b>Information Services</b>	This service provides, supports and maintains reliable and cost-effective communications and computing systems, facilities and infrastructure to Council staff enabling them to deliver services in a smart, productive and efficient way. It is also responsible for the provision of document and information management support services and compliance with statutory obligations under Freedom of Information and Information Privacy legislation.	3,402 <u>4,017</u> <b>615</b>
<b>Organisation Development</b>	This service provides Council with strategic and operational organisation development support. The service also assists managers to determine and progress toward future structures, capability and cultures in their units.	562 <u>533</u> <b>(29)</b>
<b>Property Management</b>	This service manages Council's property portfolio, including purchases, sales, leases and licenses, to ensure land is used effectively and in the best interests of current and future generations. It also supports local groups that have a focus on land and facility stewardship.	163 <u>211</u> <b>48</b>
<b>Risk Management and Compliance</b>	This service manages a compliance framework that promotes prudent and responsible management approaches to Council's decision making and service delivery. It ensures the highest standards of legislative compliance are achieved across Council and that its risk exposure is minimised through proactive and comprehensive systems and processes.	1,438 <u>1,571</u> <b>133</b>



## Retired service performance indicators

<b>Indicator</b> <i>measure</i>	<b>Results</b>			
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
<b>Aquatic facilities</b>				
<b>Service standard</b> <i>Health inspections of aquatic facilities<sup>1</sup></i>	0	0	retired	retired
<b>Service cost</b> <i>Cost of indoor aquatic facilities<sup>2</sup></i>	\$4.28	\$4.52	retired	retired
<b>Service cost</b> <i>Cost of outdoor aquatic facilities<sup>3</sup></i>	\$13.49	\$12.37	retired	retired
<b>Animal Management</b>				
<b>Service cost</b> <i>Cost of animal management service<sup>4</sup></i>	\$37.66	\$52.96	retired	retired
<b>Health and safety</b> <i>Animal management prosecutions<sup>5</sup></i>	7	2	retired	retired
<b>Libraries</b>				
<b>Service cost</b> <i>Cost of library service<sup>6</sup></i>	\$3.52	\$3.46	retired	retired

- 1 [Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]  
2 [Direct cost of indoor aquatic facilities less income received / Number of visits to indoor aquatic facilities]  
3 [Direct cost of outdoor aquatic facilities less income received / Number of visits to outdoor aquatic facilities]  
4 [Direct cost of the animal management service / Number of registered animals]  
5 [Number of successful animal management prosecutions]  
6 [Direct cost of the library service / Number of visits]



*Councillors undertook cultural awareness training with Grattan Mullett, General Manager Culture from Gunaikurnai Land and Waters Aboriginal Corporation.*

## Governance, Management and Other Information

**The East Gippsland Shire Council is a public statutory body, which operates under the legislative requirements of the Local Government Act 2020 (the Act). The Act has been phased in during 2020-21. However, provisions in relation to rates, roads and sewage remain in the Local Government Act 1989.**

**The Act sets out the role of Council, as an elected body, to provide leadership for the good governance of the East Gippsland Shire. Council's elected members and employees work within systems and processes to ensure they comply with all Acts administered by the Council.**

### Council's Roles and Responsibilities

The Council is committed to working in partnership with the wider community and other levels of government, to create and achieve the best opportunities possible for all people in East Gippsland.

Key responsibilities of Council include:

- Guaranteeing good governance in the performance of its roles and responsibilities.
- Prioritising the best outcomes for the East Gippsland community.
- Making decisions that take into account economic, social and environmental sustainability of the East Gippsland Shire, including where possible mitigating and planning for climate change.
- Addressing the diverse needs the local community in decision making.
- Advocating for the needs and desires of the community across East Gippsland.
- Providing leadership through strategic objectives, monitoring progress and adapting to changes to support the community.
- Foster community cohesion and encourage active participation in the East Gippsland Shire Council activities.
- Ensuring transparency of decision making and accessibility to publicly available information.

### Meetings of Council

Council is committed to transparent governance in decision-making. Council meetings are open to the public and are also livestreamed via East Gippsland Shire Council's YouTube channel, East Gippy TV.

During 2020-21, COVID-19 pandemic restrictions meant members of the public were not able to attend Council meetings in person, however, meetings were livestreamed to maintain open meetings and ensure access by the community. In addition, Councillors, Council staff and members of the community presenting to Council were able to attend meetings virtually.

Council meetings generally occur on Tuesday evenings from 6pm. All Council meeting dates are publicly available on Council's website.

Council meetings provide an opportunity for community members to submit a question to the Council and speak on matters of interest to the community. Details for this are available on Council's website.

The business to be considered by Council is set out in an agenda, which is available on Council's website from 1.00 pm on the Friday before the meeting. In addition, the agenda is available from the Council's Customer Service and Outreach centres.

Council minutes capturing all resolutions of a meeting can be viewed in the same locations as the agenda.

In 2020-21, there were 16 scheduled Council meetings and two unscheduled Council meetings.

### Council Meeting Attendance

The following table provides a summary of Councillor attendance at Council meetings in 2020-21. As there was a local council election on 24 October 2020 this table outlines attendance by Councillors prior to and after the election. Those who attended six or fewer meetings were Councillors who were members of the previous Council. The two Councillors were re-elected have attendance recorded both prior and after the election.

Councillor	Council Meetings
Cr Ben Buckley <sup>1</sup>	6
Cr Richard Ellis <sup>1</sup>	6
Cr Natalie O'Connell <sup>1</sup>	6
Cr Marianne Pelz <sup>1</sup>	6
Cr Joe Rettino <sup>1</sup>	6
Cr Jackson Roberts <sup>1</sup>	5
Cr Colin Toohey <sup>1</sup>	6
Cr Mendy Urie	12
Cr Mark Reeves <sup>2</sup>	16
Cr Arthur Allen	12
Cr Sonia Buckley	10
Cr Tom Crook	12
Cr Jane Greacen OAM	11
Cr Trevor Stow	12
Cr Kirsten Van Diggele	10
Cr John White <sup>2</sup>	18

1 Councillor until October 2020

2 Councillor re-elected in the 2020 local council election



*Councillors meeting with Member for Gippsland Darren Chester in February on projects and initiatives of importance to East Gippsland.*

### Councillor Allowances

The *Local Government Act 2020* provides for Councillors and Mayors to receive an allowance while performing their duties as Councillor or Mayor. A Mayor cannot receive an allowance as a Councillor while receiving an allowance as the Mayor.

The Victorian Government determines the maximum allowances for the Councillors and Mayor. This is based on the income and population of the Council. Council determines the exact amount of the allowances within the range set by the Government. In March 2021, Council resolved that the allowances for the Mayor would be \$81,204 and for Councillors it would be \$26,245. This amount was the same as the previous Council.

The process for establishing the allowances will change in 2021-22, in accordance with the Act the Victorian Independent Remuneration Tribunal will set the allowances for the Mayor and Councillors.

The Mayor is elected in October each year. In any given year the allowances will reflect whether a Councillor has been Mayor for part of a financial year.

Councillor	Allowance \$
Cr Ben Buckley <sup>1</sup>	9,763
Cr Richard Ellis <sup>1</sup>	9,763
Cr Natalie O'Connell <sup>1</sup>	9,763
Cr Marianne Pelz <sup>1</sup>	9,763
Cr Joe Rettino <sup>1</sup>	9,763
Cr Jackson Roberts <sup>1</sup>	9,763
Cr Colin Toohey <sup>1</sup>	9,763
Cr Mendy Urie	52,864
Cr Mark Reeves	26,848
Cr Arthur Allen	17,085
Cr Sonia Buckley	17,085
Cr Tom Crook	17,085
Cr Jane Greacen OAM	17,085
Cr Trevor Stow	17,085
Cr Kirsten Van Diggele	17,085
Cr John White	47,293
<b>Total</b>	<b>297,856</b>

<sup>1</sup> Cr White was Mayor for part of the reporting year, succeeded by Cr Urie



### Councillor Expenses

The *Local Government Act 2020* requires the Council to reimburse Councillors for out-of-pocket expenses incurred while performing their duties as a Councillor. It further requires Council to provide support to Councillors to undertake the role of a Councillor. The Councillor Support and Expenses Policy adopted by Council details the support provided to Councillors and the out-of-pocket expenses that will be reimbursed. This policy is available on Council's website.

Council's Audit and Risk Committee review the details of Councillors expenses and reimbursements each six months as outlined in the Audit and Risk Committee Charter.

Councillor	Remote Travel \$	Conferences/ Training \$	Office Expenses \$	Delegate Costs \$	Other Council Rep. \$	Vehicle \$	Total \$
Cr Ben Buckley	520	0	36	0	120	4,350	5,026
Cr Richard Ellis	0	0	88	0	0	4,350	4,438
Cr Natalie O'Connell	0	0	(6)	0	0	4,350	4,344
Cr Marianne Pelz	160	0	18	0	0	4,350	4,528
Cr Joe Rettino	0	0	(5)	0	0	4,350	4,345
Cr Jackson Roberts	0	0	(11)	0	0	4,350	4,339
Cr Colin Toohey	0	0	15	0	0	4,350	4,365
Cr Mendy Urie	0	0	366	0	564	8,762	9,692
Cr Mark Reeves	0	675	370	0	348	13,824	15,217
Cr Arthur Allen	0	0	366	647	4	8,762	9,779
Cr Sonia Buckley	880	0	734	54	5,005	8,762	15,435
Cr Tom Crook	0	697	366	0	0	8,762	9,825
Cr Jane Greacen OAM	0	5,000	365	0	120	4,045	9,530
Cr Trevor Stow	0	0	366	0	95	8,762	9,223
Cr Kirsten Van Diggele	0	3,205	366	0	177	8,762	12,510
Cr John White	0	0	898	2,067	111	13,824	16,900
<b>Total</b>	<b>1,560</b>	<b>9,577</b>	<b>4,332</b>	<b>2,768</b>	<b>6,544</b>	<b>114,715</b>	<b>139,496</b>

\* Office Expenses include telephone and stationery

\* Conferences/training, delegate and other Council rep. (representation) costs includes related accommodation and travel expenses

### Councillor Code of Conduct

The Councillor Code of Conduct, which is publicly available on Council's website, was adopted in February 2021 in accordance with the *Local Government Act 2020* to adopt a new Code within four months of the general election.

The 2016 Councillor Code of Conduct was in place until the new Code was adopted.

### Conflict of Interest

A conflict of interest arises when a personal or private interest of a Councillor or officer in a matter may compromise their ability to act impartially and in the best interests of the community.

The *Local Government Act 2020* outlines the scope for determining conflicts of interest by an individual. Only an individual can decide if they have a conflict of interest in a matter. Council's Governance Rules address how a Council, Councillor or staff member deals with a conflict of interest. The Governance Rules are available on the Council's website. A Summary Conflicts of Interest Register captures the conflicts disclosed and is publicly available on Council's website.

### Advisory Committees

Council has appointed several advisory committees to provide advice in relation to the matters of significance for the East Gippsland community. These committees provide advice to Council on issues affecting the community and emerging issues.

Committee	Councillors	Officers	Other	Purpose
Agriculture Sector Advisory Committee	2	0	13	The East Gippsland Agriculture Sector Advisory Committee will provide advice, guidance and recommendations to Council on matters that affect the agriculture sector in East Gippsland and its communities.
Audit and Risk Committee	3	0	4	Monitors Council's effectiveness in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management.
Chief Executive Employment and Remuneration Committee	4	0	1	The committee assists Council fulfil its obligations in respect of recruitment of the CEO, determining the CEO's performance criteria, assessing the CEO's performance against that criteria, and reviewing the CEO's remuneration arrangements.
Disability Advisory Committee	1	1	12	Provides advice on things that matter to people with a disability in the region. It seeks to maximise the contribution being made by Council and its partners by working with a common agenda to create a more inclusive and accessible East Gippsland.
East Gippsland Livestock Exchange Consultative Committee	2	4	7	Provides advice, guidance and recommendations to Council on the need for existing and emerging services, and overall sustainable management of Council's livestock exchange business.
Economic Development Advisory Board	2	6	7	Provides advice to Council that supports economic and tourism activities in the municipality.
Local Road Community Safety Committee	2	4	7	Create and implement projects that support safer roads within East Gippsland Shire.
Marina Consultative Committee	2	5	6	To provide advice, guidance and recommendations to Council on the need for existing and emerging services, and overall sustainable management of Council's marina business.

### **Audit and Risk Committee**

The Audit and Risk Committee's role is to monitor and provide advice to Council on financial reporting, internal control, compliance and risk management. It does this through the provision of independent advice on matters relevant to its Charter, in order to assist Council decision-making.

The Committee is an Advisory Committee to Council. It has no executive powers or authority to implement actions in areas over which management has responsibility and no delegated financial responsibility. The Audit and Risk Committee has no management functions, so is independent of management.

The Committee comprises of seven members: four independent external members – one of whom will be Chair – the Mayor of the day and two other Councillors appointed by Council. The Chair is appointed each February.

In 2020-21 the Audit and Risk Committee members:

Audit and Risk Committee Chair

- Jason Hellyer: July 2020 – June 2021

Councillors

- Cr John White, Mayor: July 2020 – October 2020
- Cr Mendy Urie, Mayor: December 2020 – June 2021
- Cr Joe Rettino: June 2020 – October 2020
- Cr Mark Reeves: June 2020 – October 2020
- Cr Arthur Allen: December 2020 – June 2021
- Cr John White: December 2020 – June 2021

*\* Cr White was re-elected on 24 October 2020 and was appointed as a Councillor representative commencing in December 2020.*

Independent Committee members:

- Christopher Badger: June 2020 – June 2021
- Andrew Roberts: June 2020 – June 2021
- Stephen Paterson: February 2021 – June 2021

### **Internal Audit**

The internal audit process assists Council and the Chief Executive Officer to assess, monitor and improve the effectiveness of risk management and governance processes and controls. The Internal Auditor reports on activities to the Audit and Risk Committee regularly throughout the year.

### **External Audit**

Council is externally audited by the Victorian Auditor-General. For 2020-21, the annual external audit of Council's Financial Statements and Performance Statement was conducted by the Victorian Auditor-General's representative, DMG Audit and Advisory.

### **Risk Management**

Council takes a proactive stance on risk management and has in place strategies, systems, policies and procedures to ensure it prevents or minimises the adverse effects of corporate and operational risks to its operations.

The Risk Management Framework is reviewed periodically, ensuring Council has the capability to address current and emerging risks. Council recognises the need for robust systems and processes across the whole of business operations to enable and ensure legislative compliance.

Council's Risk Management Policy is publicly available on the Council's website

## Governance and Management Checklist

The following are the results in the prescribed form of Council's assessment against the prescribed Governance and Management Checklist.


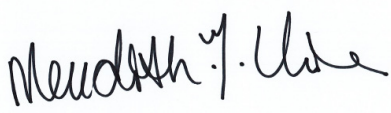
Governance and Management Items	Assessment	
<b>1 Community Engagement Policy</b> (Policy outlining Council's commitment to engaging with the community on matters of public interest)	Policy Date of operation of current policy: 16 March 2021	✓
<b>2 Community Engagement Guidelines</b> (Guidelines to assist staff to determine when and how to engage with the community)	Guidelines Date of operation of current guidelines: 16 March 2021	✓
<b>3 Financial Plan</b> (Plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years.)	Adopted in accordance with section 91 of the Act Date of adoption: 29 June 2021	✓
<b>4 Asset Plan</b> (Plan under section 92 of the Act setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years.)	The Asset Plan will be developed and adopted by 30 June 2022 in accordance with section 92(6) of the <i>Local Government Act 2020</i> .	X
<b>5 Revenue and Rating Plan</b> (Plan under section 93 of the Act setting out the rating structure of Council to levy rates and charges.)	Plan adopted in accordance with section 93 of the Act Date of operation of current strategy: 29 June 2021	✓
<b>6 Annual Budget</b> (Plan under section 94 of the Act setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required.)	Adopted in accordance with section 94 of the Act Date of adoption: 29 June 2021	✓
<b>7 Risk Policy</b> (Policy outlining council's commitment and approach to minimising the risks to council's operations)	Policy Date of operation of current policy: 6 August 2019	✓
<b>8 Fraud Policy</b> (Policy outlining Council's commitment and approach to minimising the risks to Council's operations.)	Policy Date of operation of current policy: 5 May 2020	✓
<b>9 Municipal Emergency Management Plan</b> (Plan under section 20 of the <i>Emergency Management Act 1986</i> for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the <i>Emergency Management Act 1986</i> Date of preparation: 22 November 2018	✓



Governance and Management Items	Assessment	
<b>10 Procurement policy</b> (Policy under section 108 of the Act outlining the principles, processes and procedures that will apply to the purchase of goods and services by the Council)	Adopted in accordance with section 108 of the Act Date of approval: 23 June 2020	✓
<b>11 Business continuity plan</b> (Plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Plan in operation Date of preparation: 26 March 2020	✓
<b>12 Disaster recovery plan</b> (Plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Plan in operation Date of preparation: 16 March 2020	✓
<b>13 Risk management framework</b> (Framework outlining Council's approach to managing risks to the Council's operations)	Framework Date of operation of current framework: 11 May 2020	✓
<b>14 Audit and Risk Committee</b> (Advisory committee of Council under section 53 of the <i>Local Government Act</i> whose role is to monitor the compliance of Council policies and procedures, monitor Council's financial reporting, monitor and provide advice on risk management, and provide oversight on internal and external audit functions)	Established in accordance with section 53 of the Act Date of establishment: 25 August 2020	✓
<b>15 Internal audit</b> (Independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls)	Engaged Date of engagement of current provider: 1 July 2018	✓
<b>16 Performance reporting framework</b> (A set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Act 1989)	Framework Date of operation of current framework: 1 July 2017	✓
<b>17 Council Plan reporting</b> (Report reviewing the performance of the council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Report Date statements presented: 6 October 2020 and 9 February 2021	✓
<b>18 Financial reporting</b> (Quarterly statements to Council under section 138 of the Act 1989 comparing budgeted revenue and expenditure with actual revenue and expenditure)	Statements presented to Council in accordance with section 138(1) of the Act 1989 Date statements presented: 15 September 2020; 1 December 2020; 16 March 2021; and 4 May 2021	✓

Governance and Management Items	Assessment	
<b>19 Risk Reporting</b> (Six-monthly reports of strategic risks to council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Reports Date statements presented: 28 July 2020; 08 December 2020; 16 February 2021; and 20 April 2021	✓
<b>20 Performance Reporting</b> (Six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Act 1989)	Report provided. 16 February 2021	✓
<b>21 Annual Report</b> (Annual report under sections 131, 132 and 133 of the Act 1989 to the community containing a report of operations and audited financial and performance statements)	Considered at a meeting of council in accordance with section 134 of the <i>Local Government Act 1989</i> Date statements presented: 6 October 2020	✓
<b>22 Councillor Code of Conduct</b> (Code under section 139 of the Act setting out the standards of conduct to be followed by Councillors and other matters)	Reviewed and adopted in accordance with section 139 of the Act Date reviewed: 23 February 2021	✓
<b>23 Delegations</b> (Documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff, in accordance with sections 11 and 47 of the Act.)	Reviewed in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act Date of last review: Council to staff 06/10/2020; Council to CEO 02/06/2020; CEO to staff 07/07/2020	✓
<b>24 Meeting procedures</b> (Governance Rules under section 60 of the Act governing the conduct of meetings of Council and delegated committees)	Governance Rules adopted in accordance with section 60 of the Act Date local law last revised: 25 August 2020	✓

I certify that this information presents fairly the status of Council's governance and management arrangements.

 Anthony Basford <b>Chief Executive Officer</b> <b>Dated:</b> 9 September 2021	 Cr Mendy Urie <b>Mayor</b> <b>Dated:</b> 9 September 2021
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## Statutory Information

### Information Available for Public Inspection

Council has adopted a Public Transparency Policy that commits to making Council information publicly available except where the information is confidential by virtue of legislation or not in the public interest. Publicly available information can be accessed on Council's website, where possible. Information not able to be placed on the website may be accessed on request for viewing in person.

The Public Transparency Policy available on Council's website outlines the publicly available information.

### Freedom of Information

*The Freedom of Information Act 1982* gives the community the ability to access certain Council documents.

There is an application procedure, and rights of access are limited by exemptions detailed in the Act. Applications must be accompanied by an application fee and specific details of the documents requested.

Application forms are available at [www.eastgippsland.vic.gov.au/council/find-a-form](http://www.eastgippsland.vic.gov.au/council/find-a-form), at Customer Service Centres, or by contacting Council on (03) 5153 9500.

Council received 22 applications during the reporting year 2020-21 and two requests from the previous year were finalised in 2020-21.

	2020-21	2019-20	2018-19	2017-18	2016-17
<b>New applications/requests</b>	22	18	26	15	16
<b>Access granted in full</b>	7	6	12	4	1
<b>Access granted in part</b>	12	6	10	8	9
<b>No documents existed in the requested form/Act does not comply</b>	4	1	1	0	0
<b>Access denied</b>	1	1	0	1	3
<b>Withdrawn<sup>1</sup></b>	0	2	0	3	1
<b>Requests outstanding at end of financial year</b>	0	2	3	1	2
<b>Reviews by Freedom of Information Commissioner</b>	1	2	0	1	2
<b>Appeals lodged with VCAT</b>	0	0	0	0	0
<b>Fees collected</b>	\$651.20	\$473.60	\$722.50	\$369.20	\$418.50
<b>Fees waived</b>	0	\$59.20	\$22.90	\$28.40	0
<b>Charges collected</b>	0	\$88.00	\$75.00	\$265.30	\$271.90

<sup>1</sup> Documents were provided outside the Act on several occasions.

### Protected Disclosures

Council has a policy for handling disclosures made under the *Public Interest Disclosure Act 2012*, as required by the Act. The purpose of the Act and Public Interest Disclosure Policy is to encourage and facilitate the disclosure of any improper conduct by Councillors or Council officers.

Information about making a public interest disclosure is available on Council's website.

Council made no protected disclosure notifications to the Independent Broad-based Anti-corruption Commission for the year ended 30 June 2021.

### Privacy and Data Protection Act

The *Privacy and Data Protection Act 2014*, along with the *Health Records Act 2001*, are designed to protect personal information.

Council will only collect, use or disclose personal information where it is necessary to perform Council functions or when required by law. Formal complaints can be made if people believe their privacy has been breached. Community members can access their personal records held by Council.

Council's Information Privacy Policy is available on Council's website.

### Contracts

During the year Council entered into the following contract/arrangement in accordance with section 186A (9) of the *Local Government Act 1989*:

- Purchase of spare chain and two spare pocket wheels for the Raymond Island Ferry for the price of \$167,786.14 excluding GST.

### Best Value Victoria

Best Value applies to all Council services and encourages the adoption of a consistent set of principles across the sector, while also allowing councils the flexibility to meet the unique needs of their communities.

Council continues to communicate with the community in a range of ways, including community forums, weekly advertisements, social and traditional media.

The incorporation of Best Value Principles in business planning processes enables Council to focus on identifying opportunities to continuously improve services and ensure we are addressing our community's changing needs.

Council aims to deliver quality and affordable services in the most effective manner with Council services continually monitored and opportunities for improvement identified.

### Disability Action Plan

Council has worked in partnership with residents, community groups, service providers, and the Disability Advisory Committee (DAC) to implement the plan. Actions reflect the plan's commitment to developing socially inclusive communities and townships that value everyone and encourage all people to belong. Supporting the community to adapt to remote/online engagement opportunities under the pandemic response has been a key focus throughout the year. The plan's strategic goals guided this process and include:

- Collaboration and Partnership Development.
- Community Engagement, Information, and Education.
- Leadership and Advocacy.
- Access and Services. Initiatives and achievements include:
  - Online celebrations of Social Inclusion Week, Cultural Diversity Week and International Day of People with Disability.
  - Facilitation of online DAC meetings supporting access and inclusion work to continue.
  - Focus on improved access to the built environment and events.



### Domestic Animal Management Plan

The *Domestic Animals Act 1994* requires Council to prepare a Domestic Animal Management Plan every four years.

The plan caters for the needs of pets and their owners while achieving a balance with the needs of others in the community. The plan helps Council provide a professional, consistent and proactive approach to domestic animal management services. This includes education and promotion of responsible pet ownership.

Council completed the following actions during the year:

- Undertook an evaluation of the Dogs in Public Places trial and endorsed the continuation of the dogs off-leash rules ongoing;
- Worked with Animal Aid to secure funding to facilitate an extension to the existing animal shelter to create a new cat exercise yard; and
- Attended the East Gippsland Field Days and provided education on responsible pet ownership.

Year	Animal Impoundments	Reclaimed	Adopted	Euthanised	Transferred to Animal Aid Coldstream <sup>1</sup>
2020-21	525	122	203	92	0
2019-20	612	172	295	68	55
2018-19	871	227	422	186	48
2017-18	770	264	325	128	114
2016-17 <sup>2</sup>	900	401	400	151	120
2015-16	923	314	347	151	108

<sup>1</sup> Coldstream is the headquarters of Animal Aid, Council's pound services contractor

<sup>2</sup> Includes carry-over animals in pound from previous year

### Food Act Ministerial Directions

Under section 7E of the *Food Act 1984*, Council is required to publish a summary of any ministerial directions received during the financial year in its annual report. No such ministerial directions were received by Council during the financial year.

### Road Management Act Ministerial Directions

Under section 22 of the *Road Management Act 2004*, Council must publish a copy or summary of any ministerial directions in its annual report. No such ministerial directions were received by Council during the financial year.

### Infrastructure and Development Contributions

Under section 46GM and 46QD of the *Planning and Environment Act 1987*, a council that is a collecting or development agency must prepare and give a report to the Minister for Planning on infrastructure and development contributions including levies and works in kind, and publish this report in its Annual Report.

No such report was required of Council during the reporting year.

## Financial Performance Statement

**East Gippsland Shire Council  
ANNUAL FINANCIAL REPORT**

*For the Year Ended 30 June 2021*

**East Gippsland Shire Council**  
**Financial Report**  
**Table of Contents**

<b>FINANCIAL REPORT</b>	<b>Page</b>
Certification of the Financial Statements	1
Victorian Auditor-General's Office Report	2
<b>Financial Statements</b>	
Comprehensive Income Statement	4
Balance Sheet	5
Statement of Changes in Equity	6
Statement of Cash Flows	7
Statement of Capital Works	8
<b>Overview</b>	9
<b>Notes to Financial Statements</b>	
Note 1 Performance against budget	11
1.1. Income and expenditure	11
1.2. Capital works	14
Note 2 Analysis of Council results by program	18
Note 3 Funding for the delivery of our services	20
3.1. Rates and charges	20
3.2. Statutory fees and fines	20
3.3. User fees	20
3.4. Funding from other levels of government	21
3.5. Contributions	23
3.6. Net gain/(loss) on disposal of property, infrastructure, plant and equipment	23
3.7. Other income	23
Note 4 The cost of delivering services	23
4.1. Employee costs	23
4.2. Materials and services	24
4.3. Depreciation	24
4.4. Amortisation - Intangible assets	24
4.5. Amortisation - Right of use assets	24
4.6. Bad and doubtful debts	24
4.7. Borrowing costs	25
4.8. Finance Costs - Leases	25
4.9. Other expenses	25
Note 5 Our financial position	25
5.1. Financial assets	25
5.2. Non-financial assets	27
5.3. Payables	27
5.4. Interest-bearing liabilities	28
5.5. Provisions	28
5.6. Financing arrangements	29
5.7. Commitments	30
5.8. Leases	31
Note 6 Assets we manage	32
6.1. Property, infrastructure plant and equipment	32
6.2. Investment property	29
Note 7 People and relationships	40
7.1. Council and key management remuneration	40
7.2. Related party disclosure	41
Note 8 Managing uncertainties	41
8.1. Contingent assets and liabilities	42
8.2. Change in accounting standards	43
8.3. Financial instruments	43
8.4. Fair value measurement	44
8.5. Events occurring after balance date	44
Note 9 Other matters	45
9.1. Reserves	45
9.2. Reconciliation of cash flows from operating activities to surplus/(deficit)	46
9.3. Superannuation	46
Note 10 Change in accounting policy	48



### Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, the Australian Accounting Standards and other mandatory professional reporting requirements.



Elizabeth Collins CPA

**Principal Accounting Officer**

**Date :** 14 September 2021

Bairnsdale

In our opinion the accompanying financial statements present fairly the financial transactions of the East Gippsland Shire Council for the year ended 30 June 2021 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

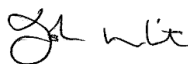


Councillor Arthur Allen

**Councillor**

**Date :** 14 September 2021

Bairnsdale



Councillor John White

**Councillor**

**Date :** 14 September 2021

Bairnsdale



Anthony Basford

**Chief Executive Officer**

**Date :** 14 September 2021

Bairnsdale

**East Gippsland Shire Council**  
**2020/2021 Financial Report**

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## Independent Auditor's Report

*To the Councillors of East Gippsland Shire Council*

<b>Opinion</b>	<p>I have audited the financial report of East Gippsland Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• balance sheet as at 30 June 2021</li> <li>• comprehensive income statement for the year then ended</li> <li>• statement of changes in equity for the year then ended</li> <li>• statement of cashflows for the year then ended</li> <li>• statement of capital works for the year then ended</li> <li>• notes to the financial statements, including significant accounting policies</li> <li>• certification of the financial statements.</li> </ul> <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2021 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 6 of the <i>Local Government Act 1989</i> and applicable Australian Accounting Standards.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the financial report</b>	<p>The Councillors of the council are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the <i>Local Government Act 1989</i>, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.</p>

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<b>Auditor's responsibilities for the audit of the financial report</b>	<p>As required by the <i>Audit Act 1994</i>, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.</p> <p>As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:</p> <ul style="list-style-type: none"> <li>• identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.</li> <li>• obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control</li> <li>• evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors</li> <li>• conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.</li> <li>• evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.</li> </ul> <p>I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.</p>
MELBOURNE 27 September 2021	 Sahchu Chummar <i>as delegate for the Auditor-General of Victoria</i>

East Gippsland Shire Council  
2020/2021 Financial Report

**Comprehensive Income Statement  
For the Year Ended 30 June 2021**

	Note	2021 \$'000	2020 \$'000
<b>Income</b>			
Rates and charges	3.1	60,536	58,845
Statutory fees and fines	3.2	2,220	2,083
User fees	3.3	12,684	19,520
Grants - operating	3.4	24,391	28,143
Grants - capital	3.4	11,898	10,732
Contributions - monetary	3.5	58	90
Contributions - non monetary	3.5	6,077	1,593
Fair value adjustments for investment property	6.2	178	-
Other income	3.7	15,362	4,098
<b>Total income</b>		<b>133,404</b>	<b>125,104</b>
<b>Expenses</b>			
Employee costs	4.1	33,697	30,253
Materials and services	4.2	49,157	44,432
Depreciation	4.3	21,569	20,788
Amortisation - intangible assets	4.4	977	602
Amortisation - right of use assets	4.5	84	73
Bad and doubtful debts	4.6	52	150
Borrowing costs	4.7	290	300
Net loss on disposal of property, infrastructure, plant and equipment	3.6	64	(59)
Landfill rehabilitation provision movement	5.5	(746)	1,395
Finance costs - leases	4.8	17	6
Other expenses	4.9	8,726	8,488
<b>Total expenses</b>		<b>113,887</b>	<b>106,428</b>
<b>Surplus/(deficit) for the year</b>		<b>19,517</b>	<b>18,676</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment/(decrement)	6.1	114,424	-
<b>Total comprehensive result</b>		<b>133,941</b>	<b>18,676</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.



**Balance Sheet**  
**As at 30 June 2021**

	<b>Note</b>	<b>2021 \$'000</b>	<b>2020 \$'000</b>
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1	92,198	35,137
Trade and other receivables	5.1	10,993	12,234
Other financial assets	5.1	-	33,500
Other assets	5.2	7,726	7,361
<b>Total current assets</b>		<b>110,917</b>	<b>88,232</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1	241	410
Property, infrastructure, plant and equipment	6.1	1,237,274	1,110,713
Right-of-use assets	5.8	785	869
Investment property	6.2	8,882	8,704
Intangible assets	5.2	1,882	2,756
<b>Total non-current assets</b>		<b>1,249,064</b>	<b>1,123,452</b>
<b>Total assets</b>		<b>1,359,981</b>	<b>1,211,684</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3	9,474	9,995
Trust funds and deposits	5.3	2,835	2,799
Unearned Income	5.3	20,977	2,952
Provisions	5.5	9,571	9,811
Interest-bearing liabilities	5.4	1,700	-
Lease liabilities	5.8	62	72
<b>Total current liabilities</b>		<b>44,619</b>	<b>25,629</b>
<b>Non-current liabilities</b>			
Unearned Income	5.3	383	527
Provisions	5.5	9,417	12,157
Interest-bearing liabilities	5.4	1,650	3,350
Lease liabilities	5.8	759	809
<b>Total non-current liabilities</b>		<b>12,209</b>	<b>16,843</b>
<b>Total liabilities</b>		<b>56,828</b>	<b>42,472</b>
<b>Net assets</b>		<b>1,303,153</b>	<b>1,169,212</b>
<b>Equity</b>			
Accumulated surplus		418,286	398,827
Reserves	9.1	884,867	770,385
<b>Total Equity</b>		<b>1,303,153</b>	<b>1,169,212</b>

The above balance sheet should be read in conjunction with the accompanying notes.

**Statement of Changes in Equity  
For the Year Ended 30 June 2021**

	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2021</b>					
Balance at beginning of the financial year		1,169,212	398,827	769,323	1,062
Surplus/(deficit) for the year		19,517	19,517	-	-
Net asset revaluation increment	6.1	114,424	-	114,424	-
Transfers to other reserves	9.1	-	(58)	-	58
Transfers from other reserves	9.1	-	-	-	-
		<u>1,303,153</u>	<u>418,286</u>	<u>883,747</u>	<u>1,120</u>
<b>Balance at end of the financial year</b>		<b>1,303,153</b>	<b>418,286</b>	<b>883,747</b>	<b>1,120</b>

		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2020</b>					
Balance at beginning of the financial year		1,152,025	381,721	769,323	981
Impact of change in accounting policy - AASB 15 Revenue from Contracts with Customers		(148)	(148)	-	-
Impact of change in accounting policy - AASB 1058 Income of Not-for-Profit Entities		(1,341)	(1,341)	-	-
Impact of change in accounting policy - AASB 16 Leases		-	-	-	-
Adjusted Opening balance		<u>1,150,536</u>	<u>380,232</u>	<u>769,323</u>	<u>981</u>
Surplus/(deficit) for the year		18,676	18,676	-	-
Transfers to other reserves	9.1	-	(81)	-	81
Transfers from other reserves	9.1	-	-	-	-
		<u>1,169,212</u>	<u>398,827</u>	<u>769,323</u>	<u>1,062</u>
<b>Balance at end of the financial year</b>		<b>1,169,212</b>	<b>398,827</b>	<b>769,323</b>	<b>1,062</b>

The above statement of changes in equity should be read in conjunction with the accompanying notes.

East Gippsland Shire Council  
2020/2021 Financial Report

**Statement of Cash Flows**  
**For the Year Ended 30 June 2021**

	Note	2021 Inflows/ (Outflows) \$'000	2020 Inflows/ (Outflows) \$'000
<b>Cash flows from operating activities</b>			
Rates and charges		61,006	57,802
Statutory fees and fines		2,172	2,038
User fees		17,788	15,042
Grants - operating		23,620	28,791
Grants - capital		31,844	7,875
Contributions - monetary		58	90
Interest received		589	1,172
Trust funds and deposits taken		11,034	9,905
Other receipts		10,417	3,219
Net GST refund/(payment)		4,119	3,289
Employee costs		(33,149)	(30,761)
Materials and services		(58,698)	(45,137)
Trust funds and deposits repaid		(10,998)	(8,673)
Other payments		(1,489)	(2,965)
<b>Net cash provided by/(used in) operating activities</b>		<b>58,313</b>	<b>41,687</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	6.2	(35,233)	(29,507)
Proceeds from sale of property, infrastructure, plant and equipment		933	412
Payments for investments		-	(33,500)
Proceeds from sale of investments		33,500	34,000
<b>Net cash provided by/(used in) investing activities</b>		<b>(800)</b>	<b>(28,595)</b>
<b>Cash flows from financing activities</b>			
Finance costs		(292)	(304)
Repayment of borrowings		-	(727)
Interest paid - lease liability		(17)	(6)
Repayment of lease liabilities		(143)	(61)
<b>Net cash provided by/(used in) financing activities</b>		<b>(452)</b>	<b>(1,098)</b>
Net increase (decrease) in cash and cash equivalents		57,061	11,994
Cash and cash equivalents at the beginning of the financial year		35,137	23,143
<b>Cash and cash equivalents at the end of the financial year</b>		<b>92,198</b>	<b>35,137</b>
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

The above statement of cash flows should be read in conjunction with the accompanying notes.

**Statement of Capital Works  
For the Year Ended 30 June 2021**

	Note	2021 \$'000	2020 \$'000
<b>Property</b>			
Land		80	243
<b>Total land</b>		<b>80</b>	<b>243</b>
Buildings		4,282	2,738
Heritage buildings		162	13
<b>Total buildings</b>		<b>4,444</b>	<b>2,751</b>
<b>Total property</b>		<b>4,524</b>	<b>2,994</b>
<b>Plant and equipment</b>			
Plant, machinery and equipment		1,772	1,963
Fixtures, fittings and furniture		804	520
Computers and telecommunications		372	361
Library books		211	214
<b>Total plant and equipment</b>		<b>3,159</b>	<b>3,058</b>
<b>Infrastructure</b>			
Roads		12,403	10,666
Bridges		6,063	5,939
Footpaths and cycleways		1,035	1,788
Drainage		1,081	2,295
Recreational, leisure and community facilities		1,755	476
Waste management		1,146	372
Parks, open space and streetscapes		434	844
Aerodromes		179	-
Off street car parks		110	262
Other infrastructure		3,362	2,133
<b>Total infrastructure</b>		<b>27,568</b>	<b>24,775</b>
<b>Total capital works expenditure</b>		<b>35,251</b>	<b>30,827</b>
<b>Represented by:</b>			
New asset expenditure		3,395	2,349
Asset renewal expenditure		26,334	21,750
Asset expansion expenditure		-	-
Asset upgrade expenditure		5,522	6,728
<b>Total capital works expenditure</b>		<b>35,251</b>	<b>30,827</b>

The above statement of capital works should be read in conjunction with the accompanying notes.



## OVERVIEW

### Introduction

The East Gippsland Shire Council was established by an Order of the Governor in Council on 2 December 1994 and is a body corporate.  
The Council's main office is located at 273 Main Street Bairnsdale Victoria 3875.

### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

### Significant accounting policies

#### (a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of AASB 15 *Revenue from Contracts with Customers* or AASB 1058 *Income of Not-for-Profit Entities* (refer to Note 3)
- the determination, in accordance with AASB 16 *Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not AASB 1059 *Service Concession Arrangements: Grantors* is applicable (refer to Note 8.2)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

**(b) Impact of Covid-19**

On 16 March 2020 a state of emergency was declared in Victoria due to the global pandemic COVID-19 virus, known as coronavirus. A state of disaster was subsequently declared on 2 August 2020. While the impacts of the pandemic have abated somewhat through the 2020-21 year, Council has noted the following significant impacts on its financial operations:

**Additional revenue**

- Working for Victoria funding of \$2.006M

**Impact on Services/Facilities**

A number of facilities were closed or had restrictions to their operations during the year. As a result there was a reduction in revenue for these services; but there was also a reduction in the cost of running these facilities. The impact for services that were significantly impacted are as follows:

**Bairnsdale and Lakes Entrance Aquatic and Recreation Centres**

- Reduction in income from memberships, entry fees and other sales \$886k
- Reduction in costs as a result of facility closures \$983k

**Forge Theatre**

Whilst income was reduced by \$121k, there was a cost reduction of \$328k as a result of not being able to hold shows for most of the year.

**Additional costs**

Council waived a number of Community Laws and Health permits during the year at a cost of \$104k

**Working for Victoria**

Council received a government grant under the Working for Victoria program to provide employment for 60 people for a period of six months. During the 2020/21 year the grant income of \$2.006M covered the costs associated with employing eligible people.

**Note 1 Performance against budget**

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$500,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figure below were adopted by Council on 25/08/2020. The budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in the budget in order to meet Council's planning and financial performance targets for both the short and long-term.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

**1.1 Income and expenditure**

	Budget 2021 \$'000	Actual 2021 \$'000	Variance 2021 \$'000	Variance 2021 %	Ref
<b>Income</b>					
Rates and charges	59,381	60,536	1,155	2%	1
Statutory fees and fines	1,974	2,220	246	12%	2
User fees	12,652	12,684	32	0%	
Grants - operating	14,820	24,391	9,571	65%	3
Grants - capital	23,503	11,898	(11,605)	(49%)	4
Contributions - monetary	141	58	(83)	(59%)	5
Contributions - non monetary	2,000	6,077	4,077	204%	6
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	(64)	(64)	100%	
Fair value adjustments for investment property	-	178	178	100%	7
Other income	18,839	15,362	(3,477)	(18%)	8
<b>Total income</b>	<b>133,310</b>	<b>133,340</b>	<b>30</b>		
<b>Expenses</b>					
Employee costs	33,453	33,697	(244)	(1%)	
Materials and services	52,399	49,157	3,242	6%	9
Depreciation	21,952	21,569	383	2%	
Amortisation - Intangible assets	900	977	(77)	(9%)	
Amortisation - Right of use assets	-	84	(84)	100%	
Bad and doubtful debts	68	52	16	24%	
Borrowing costs	328	290	38	12%	
Landfill rehabilitation provision movement	-	(746)	746	100%	10
Finance costs - Leases	-	17	(17)	100%	
Other expenses	1,537	8,726	(7,189)	(468%)	11
<b>Total expenses</b>	<b>110,637</b>	<b>113,823</b>	<b>(3,186)</b>		
<b>Surplus/(deficit) for the year</b>	<b>22,673</b>	<b>19,517</b>	<b>(3,156)</b>		

East Gippsland Shire Coun  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

Note 1 Performance against budget (cont'd)

(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Rates and charges - \$1.155M greater than budget	Supplementary rates were greater than budget by \$1.115M as a result of some significant commercial/industrial developments.
2	Statutory fees and fines - \$246k greater than budget	Planning and subdivision activities increased these fees by \$322k greater than budget. There were additional animal registrations of \$53k and additional land information and building certificates of \$69k. Building and other licences were also greater than budget by 114k. These were offset with debt recovery fees under budget by \$122k due to unpaid rates recovery being paused during most of the year due to COVID-19 (this is offset with a corresponding reduction in debt recovery costs), health registration fees being under budget by \$89k as a result of COVID-19 waivers and animal and parking fines were underbudget by \$135k as a result of a reduction in issuing these infringements during COVID-19 periods.
3	Grants - operating - \$9.571M greater than budget	<p>The Victoria Grants Commission advance payment of part of the 2021/22 grant in the 2020/21 year accounted for \$7.945M of the additional grant income. There were a number of bushfire grants totalling \$4.811M included in the 2020/21 budget but were brought to account in the 2019/20 year. In 2020/21 Council also received a number of unbudgeted grants to support the community following the 2019/20 bushfires, the drought and as a result of the impact of COVID-19. These grants are detailed below:</p> <p><b>Bushfire Grants</b></p> <ul style="list-style-type: none"> <li>- Concierge Business Support - \$116k</li> <li>- Immediate Assistance - \$250k</li> <li>- Rebuild Support Services - \$378k</li> <li>- Community Resilience and Development Program - \$339k</li> <li>- Resourcing Grant - \$2M</li> </ul> <p><b>COVID-19 Grants</b></p> <ul style="list-style-type: none"> <li>- Outdoor Eating and Entertainment - \$120k</li> <li>- Working for Victoria - \$2.006M</li> </ul> <p><b>Drought</b></p> <ul style="list-style-type: none"> <li>- Recharge Shearing Shed Events - \$226k</li> <li>- Recharge Family Packages - \$52k</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>- Lakes Entrance Reserve Netball Court Development - \$94k</li> <li>- Bairnsdale South Industrial Estate - \$120k</li> <li>- Mallacoota Fuel Management Project - \$70k</li> <li>- Mallacoota and District Recovery Association - \$200k</li> <li>- Lake Tyers Trust - \$210k</li> </ul>
4	Grants - capital - \$11.605M less than budget	<p>Capital grants were \$11.605M less than the adopted budget. The timing of the works for a number of large capital projects will see those projects completed in the 2021/22 year. As a result grant income associated with the projects will now not be received until the 2021/22 year. Some of those more significant projects and the capital grant income variances are as follows:</p> <ul style="list-style-type: none"> <li>- Omeo Mountain Bike Trails - \$1.784M</li> <li>- Lucknow Recreation Reserve Upgrade - \$259k</li> <li>- Jemmy Point Lookout Infrastructure renewal - \$425k</li> <li>- Cann River Roadside Rest Area - \$280k</li> <li>- Genoa Roadside Rest Area - \$980k</li> <li>- Newmerella Roadside Rest Area - \$240k</li> <li>- WORLD Sporting Precinct Stage 1 - \$1.718M</li> <li>- Lakes Entrance Marine Parade Upgrade - \$800k</li> <li>- Bullock Island Masterplan Implementation - \$1.088M</li> <li>- Mallacoota Recreation Reserve Upgrade - \$789k</li> <li>- Slip Road Maritime Precinct Paynesville - \$260k</li> <li>- Mallacoota Seawall - \$681k</li> <li>- Design for Gymnastics facility Lucknow - \$421k</li> <li>- Roads to Recovery - \$413k</li> <li>- Lakes Entrance Seawall Reconstruction Stage 2 - \$202k</li> <li>- Bullock Island Bridge Replacement - \$616k</li> </ul>



East Gippsland Shire Coun  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

Note 1 Performance against budget (cont'd)		
(i) Explanation of material variations		
Ref	Item	Explanation
5	Contributions - monetary - \$83k less than budget	Capital contributions of \$91k were not received as a result of the timing of related capital projects. Subdivision developer contributions exceeded budget by \$8k.
6	Contributions - non monetary - \$4.077M greater than budget	Contributed assets of \$6.077M were received during the year against a budget of \$2M. Developer contributed assets vary from year to year depending on subdivision activity.
7	Fair value adjustments for investment property - \$178k greater than budget	There was an increase in the fair value of investment properties as at the end of year. No budget had been provided for this increase in value.
8	Other income - \$3.477M less than budget	The timing for reimbursements for replacement and rehabilitation works following the 2019/20 fire events is the most significant variance. Reimbursements for bridges destroyed was \$907k less than budget due to the costs for reconstruction being less than the original estimate. The timing of reimbursements for rehabilitation works has impacted on the income expected in 2020/21 and was less than budget by \$3.527M. It is expected that further reimbursements of \$4.544M will be received in the 2021/22 year as works are undertaken. Interest received on investments was less than budget by \$61K as a result of interest rates being lower than anticipated at the time of adopting the budget. Offsetting these underbudget income items were additional income received for foreshore, caravan parks and other property leases of \$182k, additional insurance reimbursement for walking tracks destroyed/damaged and other claims for losses incurred as a result of the 2019/20 bushfire of \$690k. Workcover reimbursements exceeded budget by \$51k as a result of additional workcover costs.
9	Materials and services - \$3.242M less than budget	A number of programs and projects underspent on materials and services during the year as a result of interruptions to services during COVID-19 restrictions. The Forge Theatre underspent on other services by \$252k, Economic Development by \$218k, Community Development by \$216k and Bushfire Recovery by \$665k. Utility payments were also \$278k less than budget partly as a result of the lesser costs whilst facilities were closed or operating at a reduced capacity during COVID-19 restrictions. Corporate training programs were also underspent by \$361k. The EPA waste levy was less than budget by \$217k as a result of less waste to landfill than originally expected. Information technology software licencing and other costs were under budget by \$381k. Grants and contributions were less than budget by \$1.126M as a result in delays to some projects and annual operating grant requirements. These underspends were partly offset by additional payments for consultants of \$465k to provide assistance in a number of areas of Council works.
10	Landfill rehabilitation provision movement - \$746k less than budget	There was an adjustment to the present value calculation of a reduction of \$560k and other adjustments that reduced the required provisions for landfill rehabilitation works.
11	Other expenses - \$7.189M greater than budget	There was \$6.626M of buildings, roads, bridges and other assets written off primarily as a result of assets being replaced. Legal costs exceeded the budget by \$292k as a result of additional legal costs in excess of the budget for a planning matter offset by less costs for legal services for debt recovery of \$140k and corporate legal costs of \$89k.

## 1.2 Capital works

	Budget 2021 \$'000	Actual 2021 \$'000	Variance \$'000	Variance %	Ref
<b>Property</b>					
Land	100	80	(20)	(20%)	1
<b>Total land</b>	<b>100</b>	<b>80</b>	<b>(20)</b>		
Buildings	6,719	4,282	(2,437)	(36%)	2
Heritage buildings	363	162	(201)	(55%)	3
<b>Total buildings</b>	<b>7,082</b>	<b>4,444</b>	<b>(2,638)</b>		
<b>Total property</b>	<b>7,182</b>	<b>4,524</b>	<b>(2,658)</b>		
<b>Plant and equipment</b>					
Plant, machinery and equipment	2,930	1,772	(1,158)	(40%)	4
Fixtures, fittings and furniture	30	804	774	2580%	5
Computers and telecommunications	3,936	372	(3,564)	(91%)	6
Library books	209	211	2	1%	
<b>Total plant and equipment</b>	<b>7,105</b>	<b>3,159</b>	<b>(3,946)</b>		
<b>Infrastructure</b>					
Roads	15,642	12,403	(3,239)	(21%)	7
Bridges	7,706	6,063	(1,643)	(21%)	8
Footpaths and cycleways	3,249	1,035	(2,214)	(68%)	9
Drainage	1,043	1,081	38	4%	
Recreational, leisure and community facilities	4,497	1,755	(2,742)	(61%)	10
Waste management	5,843	1,146	(4,697)	(80%)	11
Parks, open space and streetscapes	5,863	434	(5,429)	(93%)	12
Aerodromes	337	179	(158)	(47%)	13
Off street car parks	685	110	(575)	(84%)	14
Other infrastructure	5,614	3,362	(2,252)	(40%)	15
<b>Total infrastructure</b>	<b>50,479</b>	<b>27,568</b>	<b>(22,911)</b>		
<b>Total capital works expenditure</b>	<b>64,766</b>	<b>35,251</b>	<b>(29,515)</b>		
<b>Represented by:</b>					
New asset expenditure	10,962	3,395	(7,567)	(69%)	16
Asset renewal expenditure	47,503	26,334	(21,169)	(45%)	17
Asset expansion expenditure	30	-	(30)	(100%)	
Asset upgrade expenditure	6,271	5,522	(749)	(12%)	18
<b>Total capital works expenditure</b>	<b>64,766</b>	<b>35,251</b>	<b>(29,515)</b>		

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

Note 1 Performance against Budget (cont'd)  
(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Land - \$20k less than budget	Minor variance in the acquisition of land.
2	Buildings - \$2.437M less than budget	Building renewal had a budget of \$1M but actual expense of only \$93k as a result of the majority of expenses being reclassified to operating. Several projects were delayed and will be completed in the 2021/22 year. The most significant of these projects were the Pavilion at Mallacoota Recreation Reserve under budget by \$452k, Mallacoota Caravan Park Toilet Block under budget by \$119k, Gymnastic Facility at Lucknow under budget by \$750k and Eagle Point Caravan Park Fire Safety Works under budget by \$236k. There were several projects that had components of the project classified as Buildings but the budget had been classified in a different classification. The most significant of these were the WORLD Sporting Precinct Stage 1 expenditure of \$267k and the Bullock Island Masterplan implementation with expenditure of \$412k. There were also a number of projects that were classified as Buildings at the time of adopting the budget but have been reclassified to other classifications. The most significant of these projects and the associated budgets are the Livestock Exchange Sheep Pen renewal of \$477k and the Eagle Point Hub \$500k.
3	Heritage Buildings - \$201k less than budget	The Omeo Justice Precinct is under budget by \$201k and will be completed in the 2021/22 year.
4	Plant, Machinery and Equipment - \$1.158M less than budget	The timing of plant and vehicle renewals has been delayed and as a result Plant renewals were under budget by \$1.221M and Vehicles renewals were under budget by \$519k. These under budgets were partly offset by other works that were reclassified as plant at year end. The most significant of those was expenditure for the Waste Hook Truck of \$391k.
5	Fixtures, fittings and furniture - \$774k greater than budget	Unbudgeted funding was received for Outdoor Dining Activation and the expenditure for this project was \$130k. There were other adhoc purchases the were reclassified from other projects totalling \$158k that were not included in this classification at budget time. Street Litter Bins had been classified as Waste but reclassified at year end to fixtures and the expenditure for this item was \$297k. There was also \$210k of expenditure for the Lakes Entrance Streetscape works that was reclassified to fixtures at year end.
6	Computers and telecommunications - \$3.564M less than budget	A number of system upgrades for information technology systems have been delayed and will not be implemented until the 2021/22 year. These projects accounted for \$3.459M of the variance.
7	Roads - \$3.239M less than budget	There were a number of road projects that have been delayed and will be completed in the 2021/22 year. The most significant of these projects and the related budget variances are Eagle Point Foreshore Hub - Road Development \$342k, Carpenter Street Lakes Entrance \$102k and Parking Lanes Lakes Entrance \$100k. Roads to Recovery projects were \$414k less than the adopted budgets as a result of the timing for project works. There were also a number of projects that were classified as roads in the budget but have had components reclassified to other asset categories. The most significant of these projects is McMillan Street Lucknow \$484k, Phillips Lane \$132k, Road Reseals \$202k and Lake Tyers Beach Road \$131k.
8	Bridges - \$1.643M less than budget	A number of bridge projects have been delayed and will be completed in 2021/22. The most significant of these is the Bullock Island Bridge \$616k, the Genoa Roadside Stop \$396k and Tarbucks Road Bridge Cabbage Tree Creek \$450k.
9	Footpaths and cycleways - \$2.214M less than budget	The Omeo Mountain Bike Trails - Stage 1 is a multi year project and works completed in the 2020/21 year were under budget by \$1.716M. This project will be completed over coming years. The Great Alpine Road footpath project expenditure was split over a number of classifications and accounted for \$166k of the variance. The Omeo Caravan Park to Livingston Park Footpath project was also delayed and accounted to \$250k of the variance.

Note 1 Performance against Budget (cont'd)		
(i) Explanation of material variations		
Variance	Ref	Item Explanation
10		Recreational, leisure and community facilities - \$2.742M less than budget
		The WORLD Sporting Precinct Stage 1 was classified as Recreation and Leisure in the adopted budget but has been reclassified to Buildings at year end. The budget for this project was \$3.858M. There were several other projects that had been classified as Parks and Other Infrastructure in the budget but have been classified as Recreation and Leisure at year end. The most significant of these projects and the associated expenditure were Davison Oval Skatepark Upgrade \$539k, Mallacoota Seawall Design \$319k and Slip Road Maritime Precinct - Paynesville \$361k.
11		Waste Management - \$4.697M less than budget
		There were a number of Waste projects classified as Buildings at year end and the budgets associated with these projects amounted to \$180k. The Lakes Entrance Transfer Station project had a budget of \$2.218M and was reclassified from Waste to Other Infrastructure. The Marlo Transfer Station project was also reclassified to Other Infrastructure at year end and the budget for this project was \$405k. The Lakes Entrance Landfill E-Waste Infrastructure, Skip Bins, Leachate Irrigation System and the Waste Hook Truck and Trailer were reclassified to Plant and Equipment with budgets totalling \$625k. Street Litter Bins with a budget of \$300k were reclassified to Fixtures. The Construction of Cell 4 Bairnsdale Landfill was delayed and was under budget by \$916k with these works to be completed in the 2021/22 year.
12		Parks, open space and streetscapes - \$5.429M less than budget
		Lakes Entrance Marine Parade Project was delayed and was underbudget by \$800k with the works to be completed in 2021/22. A number of Playground renewal projects were delayed and underbudget by \$120k. Likewise there were a number of park upgrades that were also delayed and were underspent by \$543k, the largest being Orbost Forest Park - underspent by \$256k. The Eagle Point Foreshore Hub project with a budget of \$623k was reclassified as Buildings at year end. The Bullock Island Masterplan Implementation Project with a budget of \$2M was reclassified to Buildings at year end. Davison Oval Skatepark Upgrade with a budget of \$375k was reclassified as Recreation and the Lakes Entrance Streetscape Pavement Improvements with a budget of \$1.587M was reclassified to footpaths at year end. There were also a number of smaller projects that were reclassified to other asset classes at year end.
13		Aerodromes - \$158k less than budget
		Both the Bairnsdale Runway Project and the Orbost Aerodrome Lighting and Fencing Projects with budgets totalling \$337k were reclassified to Other Infrastructure at year end. Offsetting this was the reclassification from Roads to Aerodromes of actual expenditure of \$179k.
14		Off Street car parks - \$575k less than budget
		Off Street Car parks budgets of \$685k for Cann River and Newmerralla Roadside Rest areas were reclassified as Roads at year end. This was offset projects that were classified in other asset categories at budget adoption but reclassified to Carpark at year end. The most significant project was Lake Tyers Beach Road with expenditure of \$101k.
15		Other infrastructure - \$2.252M less than budget
		Jemmy Point Lookout Infrastructure project is delayed and will be completed in 2021/22 and was under budget by \$376k. Mallacoota Seawall Project was reclassified to Recreation and had a budget of \$1.406M. Lakes Entrance Seawall Reconstruction Stage 2 was delayed and will be completed in 2021/22 and was under budget by \$470K. Slip Road Maritime Precinct - Paynesville, with a budget of \$600k, was reclassified as Recreation. These were partly offset by projects that were reclassified to Other Infrastructure at year end. These projects included the Livestock Sheep Pen Renewal \$439K and Orbost Aerodrome Lighting and Fencing \$216k.
16		New asset expenditure - \$7.567M less than budget
		A number of projects included in the adopted budget were delayed and will now be completed in the 2021/22 year. These projects included the Omeo Mountain Bike Trails - Stage 2 \$1.716M, WORLD Sporting Precinct Stage 1 - \$1.662M, Gymnastics Pavilion Lucknow Recreation Reserve \$721k, Eagle Point Hub \$250k, Construction of Cell 4 Bairnsdale Landfill \$916k, Cann River Waste Transfer Station \$100k, Storage Unit Giles Street \$146k and the Great Alpine Road Footpath \$166k. There were also a number of projects where the budget was included in New Assets but the actual expenditure has been reclassified as either Renewal or Upgrade. The most significant of these budgets were Cann River and Newmerralla Roadside Rest Areas \$685k and Slip Road Maritime Precinct Paynesville \$600k.



Note 1 Performance against Budget (cont'd)

(i) Explanation of material variations

Variance Ref	Item	Explanation
17	Asset renewal expenditure - \$21.169M less than budget	A number of projects included in the adopted budget were delayed and some others re-priorised and will be completed in the 2021/22 year. These projects included the Lakes Entrance Transfer Station upgrade \$1.020M, various road construction projects \$3.046M, Mallacoota Seawall \$1.087M, Bullock Island Bridge \$616k, Genoa Rest Area \$396k, WORLD Sporting Precinct \$1.929M and Information Technology projects \$3.104M. There were also several bridge replacements for 2019/20 bushfire destroyed bridges that were completed in 2019/20 and were therefore a budget savings of \$429k. The Tarbucks Road Bridge construction was delayed and will be completed in 2021/22 with a budget variance of \$450k. There were a number of projects where the budget was classified as Renewal but the expenditure has been reclassified as New or Upgrade. The most significant variances from budget as a result of the reclassification are Lucknow Recreation Reserve \$1.8M, Davison Oval Skatepark \$400k, Gully Road Drainage Works Lake Tyers Beach \$611k and Lakes Entrance Streetscape Improvements \$1.597M. There were also a number of projects that had expenditure less than budget including the Building Renewal Program which was under budget by \$907k as a result of expenditure being transferred to operating. The renewal of Plant and Vehicles was also less than budget by \$1.740M as a result of delays in the replacement of plant and vehicles and will be completed in 2021/22.
18	Asset upgrade expenditure - \$749k less than budget	There were a number of projects classified as upgrades in the adopted budget but the expenditure for the year has been classified as either New or Renewal. The most significant of these variances are Lakes Entrance Transfer Station Upgrade \$734k, Dust Suppression Seal program \$650k, Jemmy Point Lookout Infrastructure \$400k, Renewal and Upgrade to Corporate Systems \$450k, Orbost Aerodrome Lighting and Fencing \$237k, Lakes Entrance Marine Parade Upgrade \$800k and Bullock Island Masterplan Implementation \$2M. The Lucknow Recreation Reserve Upgrade was budgeted to be renewal and upgrade but all of the expenditure has been classified as upgrade which exceeded the budget of \$400k for upgrade by \$1.805M. The Lakes Entrance Streetscape and Pavement Improvements was budgeted as renewal but the expenditure of \$708k has been classified as upgrade. There were several other projects where the expenditure was classified as upgrade but the budget had been classified as New or Renewal. The most significant of these projects and the expenditure classified as upgrade were Fernbank Glenaladale Road Widening \$455K, Davison Oval Skatepark upgrade \$539K McMillan Street Lucknow \$485k, and Slip Road Maritime Precinct - Paynesville \$361k.

**Note 2 Analysis of Council results by program**

Council delivers its functions and activities through the following programs.

**2 (a) Office of the CEO**

Activities associated with municipal governance including the Chief Executive Officer.

**Business Excellence**

Activities associated with financial management, rate collection, risk management, valuations, information services and human resources, procurement, the cost of Councillors, corporate planning, customer service, communications, governance administration and property services.

**Place and Community**

Activities associated with building control, environmental health and community laws, immunisations, strategic and statutory planning, economic development and tourism, commercial business operations, emergency management, family and childrens services, aged services, community planning and development, libraries, Forege Theatre and recreational facilities.

**Assets and Environment**

Activities associated with roads, bridges, drainage, signs, footpaths and street sweeping, parks and reserves, tree management, playgrounds, public toilets, waste and environmental management, asset management, capital works program, fleet and plant management.

**Bushfire Recovery**

Activities associated with providing support and assistance to the community in recovering from the 2019/20 bushfires.

**Unattributed**

Where expenditure was not able to be identified as a specific activity cost, such as loan interest associated with a Private Street Scheme, it has been included in this category. The income that is shown in unattributable is the surplus over the costs shown for each category of activity with the net result equal to the surplus for the year.

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

2 (b) Summary of revenues, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/( Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2021</b>					
Office of the CEO	704	704	-	-	-
Business Excellence	16,595	16,595	-	2,401	8,119
Place and Community	18,001	18,001	-	999	61,470
Assets and Environment	71,787	71,787	-	18,041	1,290,392
Bushfire Recovery	5,940	5,940	-	3,733	-
Unattributed	20,377	860	19,517	11,115	-
	<b>133,404</b>	<b>113,887</b>	<b>19,517</b>	<b>36,289</b>	<b>1,359,981</b>

	Income	Expenses	Surplus/( Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2020</b>					
Office of the CEO	699	699	-	-	-
Business Excellence	14,050	14,050	-	51	7,803
Place and Community	24,036	24,036	-	1,867	56,736
Assets and Environment	63,642	63,642	-	15,529	1,147,145
Bushfire Recovery	4,019	1,009	3,010	4,010	-
Unattributed	18,658	2,992	15,666	17,418	-
	<b>125,104</b>	<b>106,428</b>	<b>18,676</b>	<b>38,875</b>	<b>1,211,684</b>

<b>Note 3 Funding for the delivery of our services</b>	<b>2021</b>	<b>2020</b>
<b>3.1 Rates and charges</b>	<b>\$'000</b>	<b>\$'000</b>

Council uses capital improved value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is the value of the land and all of its improvements.

The valuation base used to calculate general rates for 2020/21 was \$8,471 million (2019/20 \$8,133 million). Commercial/Industrial rates was \$990 million (2019/20 \$995 million) and Farm rates was \$1,511 million (2019/20 \$1,412 million). The 2020/21 rate in the CIV dollar for General rates was 0.00392622 (2019/20 0.0040361), Commercial/Industrial rates was 0.00569302 (2019/20 0.00577169) and Farm rates was 0.00314098 (2019/20 0.00332982).

General rates	43,641	43,272
Municipal charge	7,106	7,042
Waste management charge	8,001	7,779
Supplementary rates and rate adjustments	1,337	451
Interest on rates and charges	320	131
Revenue in lieu of rates	131	170
<b>Total rates and charges</b>	<b>60,536</b>	<b>58,845</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2020, and the valuation was first applied in the rating year commencing 1 July 2020

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

### 3.2 Statutory fees and fines

Infringements and costs	131	130
Application Registration Fees	250	369
Animal Registrations	453	434
Town planning fees	885	753
Land information certificates	160	96
Permits	77	69
Other	264	232
<b>Total statutory fees and fines</b>	<b>2,220</b>	<b>2,083</b>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

### 3.3 User fees

Aged and health services	22	28
Leisure centre and recreation	1,248	2,015
Raymond Island Ferry	280	181
Arts and Culture	70	140
Caravan Parks	2,578	1,125
Saleyards	781	895
Marinas	1,119	1,090
Child care/children's programs	79	197
Tourism	46	96
Building services	74	78
Waste management services	6,267	13,444
Other fees and charges	120	231
<b>Total user fees</b>	<b>12,684</b>	<b>19,520</b>
<b>User fees by timing of revenue recognition</b>		
User fees recognised over time	1,935	2,224
User fees recognised at a point in time	10,749	17,296
<b>Total user fees</b>	<b>12,684</b>	<b>19,520</b>

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.



East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

<b>3.4 Funding from other levels of government</b>	<b>2021</b>	<b>2020</b>
Grants were received in respect of the following :	<b>\$'000</b>	<b>\$'000</b>
<b>Summary of grants</b>		
Commonwealth funded grants	25,533	25,016
State funded grants	10,692	13,503
Other	64	356
<b>Total grants received</b>	<b>36,289</b>	<b>38,875</b>
<b>(a) Operating Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Financial Assistance Grants	15,811	15,895
Aged Services	44	43
<b>Recurrent - State Government</b>		
Arts and Culture	100	100
Asset Maintenance	260	89
Community Development	149	215
Community Laws	97	99
Emergency Management	192	165
Environmental Management	94	97
Libraries	361	352
Parks and Gardens	7	2
Public Health	37	39
<b>Recurrent - Other</b>		
Environmental Sustainability	22	18
<b>Total recurrent operating grants</b>	<b>17,174</b>	<b>17,114</b>
<b>Non-recurrent - Commonwealth Government</b>		
Community Development	679	91
Bushfire Recovery	250	1,117
Economic Development	65	-
Environmental Management	50	-
Recreational, Leisure and Community Facilities	5	-
<b>Non-recurrent - State Government</b>		
Community Development	95	35
Arts and Culture	16	-
Economic Development	659	527
Drought assistance	-	1,510
Bushfire Recovery	3,118	7,671
Emergency Management	85	-
Libraries	15	-
Environmental Sustainability	-	8
Environmental Management	4	-
Work for Victoria	2,007	-
Roads	15	-
Recreational, Leisure and Community Facilities	106	28
Waste	10	-
<b>Non-recurrent - Other</b>		
Environmental Management	2	6
Community Development	2	2
Economic Development	29	-
Arts and Culture	5	-
Libraries	-	7
Recreational, Leisure and Community Facilities	-	27
<b>Total non-recurrent operating grants</b>	<b>7,217</b>	<b>11,029</b>
<b>Total operating grants</b>	<b>24,391</b>	<b>28,143</b>

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

3.4 Funding from other levels of government (cont'd)

	2021 \$'000	2020 \$'000
<b>(b) Capital Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Roads to recovery	3,803	5,195
<b>Recurrent - State Government</b>		
Recreational, Leisure and Community Facilities	9	9
<b>Total recurrent capital grants</b>	<b>3,812</b>	<b>5,204</b>
<b>Non-recurrent - Commonwealth Government</b>		
Buildings	374	813
Bridges	1,801	350
Aerodrome	111	-
Footpath and Cycleways	400	494
Other Infrastructure	182	483
Parks, Open Space and Streetscapes	57	-
Recreational, Leisure and Community Facilities	261	300
Roads	1,640	235
<b>Non-recurrent - State Government</b>		
Buildings	24	333
Other Infrastructure	20	194
Parks, Open Space and Streetscapes	152	405
Recreational, Leisure and Community Facilities	1,696	73
Governance	100	-
Waste Management	28	-
Roads	1,218	1,321
Footpath and Cycleways	18	231
<b>Non-recurrent - Other</b>		
Other Infrastructure	-	24
Plant and Equipment	-	22
Drainage	-	250
Other	4	-
<b>Total non-recurrent capital grants</b>	<b>8,086</b>	<b>5,528</b>
<b>Total capital grants</b>	<b>11,898</b>	<b>10,732</b>
<b>(c) Unspent grants received on condition that they be spent in a specific manner</b>		
<b>Operating</b>		
Balance at start of year	7,711	1,626
Received during the financial year and remained unspent at balance date	3,960	7,183
Received in prior years and spent during the financial year	(4,703)	(950)
Transition application of AASB15 from 18/19	-	(148)
<b>Balance at year end</b>	<b>6,968</b>	<b>7,711</b>
<b>Capital</b>		
Balance at start of year	-	2,212
Received in prior years and spent during the financial year	-	(871)
Transition application of AASB58 from 18/19	-	(1,341)
<b>Balance at year end</b>	<b>-</b>	<b>-</b>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

	2021 \$'000	2020 \$'000
<b>3.5 Contributions</b>		
Monetary	58	90
Non-monetary	6,077	1,593
<b>Total contributions</b>	<b>6,135</b>	<b>1,683</b>
<i>Contributions of non monetary assets were received in relation to the following asset classes.</i>		
Land	1,949	-
Buildings	-	153
Roads	2,079	1,013
Drainage	1,152	-
Off Street Car Park	334	-
Footpath	563	-
Other infrastructure	-	265
Other	-	162
<b>Total non-monetary contributions</b>	<b>6,077</b>	<b>1,593</b>

Monetary and non monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

**3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment**

Proceeds of sale	933	412
Written down value of assets disposed	(997)	(353)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>(64)</b>	<b>59</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

**3.7 Other income**

Interest	499	969
Investment property rental	942	803
Reimbursements - Other	2,366	1,017
Reimbursements - Natural Disasters	11,438	1,115
Other	117	194
<b>Total other income</b>	<b>15,362</b>	<b>4,098</b>

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

**Note 4 The cost of delivering services**

**4.1 (a) Employee costs**

Wages and salaries	27,002	23,408
WorkCover	1,180	1,191
Casual staff	2,580	3,071
Superannuation	2,792	2,482
Fringe benefits tax	143	101
<b>Total employee costs</b>	<b>33,697</b>	<b>30,253</b>

**(b) Superannuation**

Council made contributions to the following funds:

**Defined benefit fund**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	27	27
	<b>27</b>	<b>27</b>

**Accumulation funds**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,431	1,351
Employer contributions - other funds	1,334	1,104
	<b>2,765</b>	<b>2,455</b>

Employer contributions payable at reporting date.

	<b>145</b>	<b>114</b>
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Refer to note 9.3 for further information relating to Council's superannuation obligations.

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

<b>4.2 Materials and services</b>	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
- Bridge Maintenance	142	292
- Road maintenance	17,666	8,402
- Road and Bridge design	60	135
- Vegetation management	1,207	950
- Ferry maintenance	142	122
- Aerodrome Operations and maintenance	92	40
- Building maintenance	131	24
- Ferry service	520	517
- Waste collection	3,938	3,827
- Waste Management	891	946
- Animal pound services	241	225
- Courier services	86	87
- Cleaning	995	919
- Other	87	192
<b>Total Contractors</b>	<b>26,198</b>	<b>16,678</b>
Building maintenance	313	843
General maintenance	11,089	15,041
Utilities	2,042	2,077
Office administration	1,105	770
Information technology	2,053	1,967
Insurance	1,141	926
Consultants	1,750	1,565
Contributions	3,466	4,565
<b>Total materials and services</b>	<b>49,157</b>	<b>44,432</b>
<b>4.3 Depreciation</b>		
Property	3,449	3,417
Plant and equipment	3,278	3,153
Infrastructure	14,842	14,218
<b>Total depreciation</b>	<b>21,569</b>	<b>20,788</b>
<i>Refer to note 5.2( b ), 5.8 and 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.</i>		
<b>4.4 Amortisation - Intangible assets</b>		
Software	77	156
Landfill Airspace	900	446
<b>Total Amortisation - Intangible assets</b>	<b>977</b>	<b>602</b>
<b>4.5 Amortisation - Right of use assets</b>		
Property	70	70
Plant and Equipment	14	3
<b>Total Amortisation - Right of use assets</b>	<b>84</b>	<b>73</b>
<b>4.6 Bad and doubtful debts</b>		
Parking fine debtors	6	32
Animal fine debtors	17	97
Rates debtors	32	24
Other debtors	(3)	(3)
<b>Total bad and doubtful debts</b>	<b>52</b>	<b>150</b>
<b>Movement in provisions for doubtful debts</b>		
Balance at the beginning of the year	988	844
New provisions recognised during the year	52	150
Amounts already provided for and written off as uncollectible	(24)	(2)
Amounts provided for but recovered during the year	-	(4)
<b>Balance at end of year</b>	<b>1,016</b>	<b>988</b>

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.



East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

4.7 Borrowing costs	2021	2020
	\$'000	\$'000
Interest - Borrowings	290	300
<b>Total borrowing costs</b>	<b>290</b>	<b>300</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.8 Finance Costs - Leases

Interest - Lease Liabilities	17	6
<b>Total finance costs</b>	<b>17</b>	<b>6</b>

4.9 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	40	45
Auditors' remuneration - Internal	56	36
Councillors' allowances	330	387
Operating lease rentals	394	117
Memberships/Subscriptions	255	166
Bank fees and charges	201	183
Legal fees	774	354
Assets written-off -Buildings	950	476
Assets written-off -Bridges	3,035	3,934
Assets written-off -Roads	2,426	1,519
Assets written-off -Open Space	-	801
Assets written-off -Others	215	458
Others	50	12
<b>Total other expenses</b>	<b>8,726</b>	<b>8,488</b>

Note 5 Our financial position

5.1 Financial assets

(a) Cash and cash equivalents

Cash on hand	12	13
Cash at bank	87,162	120
Term deposits	5,024	35,004
<b>Total cash and cash equivalents</b>	<b>92,198</b>	<b>35,137</b>

(b) Other financial assets

Term deposits - current	-	33,500
<b>Total other financial assets</b>	<b>-</b>	<b>33,500</b>
<b>Total financial assets</b>	<b>92,198</b>	<b>68,637</b>

Council's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

- Trust funds and deposits (Note 5.3(b))	2,835	2,799
- Unexpended grants (Note 3.4(c))	6,968	7,711
- Non-Discretionary Reserves (Note 9.1(b))	1,120	1,062
	<b>10,923</b>	<b>11,572</b>
<b>Total unrestricted cash and cash equivalents</b>	<b>81,275</b>	<b>23,565</b>

Intended allocations

Although not externally restricted the following amounts have been allocated for specific future purposes by Council:

- Cash held to fund carried forward capital works	26,097	11,219
- Cash held to fund carried forward landfill rehabilitation projects	719	2,128
- Tambo Bluff Estate	394	401
- Water transport replacement reserve	2,300	2,000
- Orbest Landfill Discretionary Reserve Bushfire 2019/20	9,626	7,662
<b>Total funds subject to intended allocations</b>	<b>39,136</b>	<b>23,410</b>

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

	2021 \$'000	2020 \$'000
<b>(c) Trade and other receivables</b>		
<b>Current</b>		
Rates debtors	3,936	4,406
Special rate assessment	662	862
Infringement debtors	792	768
Provision for doubtful debts	(960)	(909)
GST Receivable	874	894
<b>Non statutory receivables</b>		
Other debtors	5,745	6,292
Provision for doubtful debts - other debtors	(56)	(79)
<b>Total current trade and other receivables</b>	<b>10,993</b>	<b>12,234</b>
<b>Non-current</b>		
<b>Statutory receivables</b>		
Special rate scheme	241	410
<b>Total non-current trade and other receivables</b>	<b>241</b>	<b>410</b>
<b>Total trade and other receivables</b>	<b>11,234</b>	<b>12,644</b>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

**(d) Ageing of Receivables**

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	5,447	6,013
Past due by up to 30 days	142	118
Past due between 31 and 180 days	42	43
Past due between 181 and 365 days	29	37
Past due by more than 1 year	29	2
<b>Total trade and other receivables</b>	<b>5,689</b>	<b>6,213</b>

**(e) Ageing of individually impaired Receivables**

At balance date, other debtors representing financial assets with a nominal value of \$56,000 (2020: \$79,000) were impaired. The amount of the provision raised against these debtors was \$56,000 (2020: \$79,000). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Past due by more than 1 year	56	79
<b>Total trade &amp; other receivables</b>	<b>56</b>	<b>79</b>

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

<b>5.2 Non-financial assets</b>	<b>2021</b>	<b>2020</b>	
<b>(a) Other assets</b>	<b>\$'000</b>	<b>\$'000</b>	
Prepayments	946	828	
Accrued income	5,219	3,904	
Grant income receivable	1,529	2,508	
Other	32	121	
<b>Total other assets</b>	<b>7,726</b>	<b>7,361</b>	
<b>(b) Intangible assets</b>			
Software	528	502	
Landfill air space	1,354	2,254	
<b>Total intangible assets</b>	<b>1,882</b>	<b>2,756</b>	
	<b>Software</b>	<b>Landfill</b>	<b>Total</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Gross carrying amount</b>			
Balance at 1 July 2020	1,936	4,854	6,790
Additions from internal developments	-	-	-
Other additions	104	-	104
<b>Balance at 30 June 2021</b>	<b>2,040</b>	<b>4,854</b>	<b>6,894</b>
<b>Accumulated amortisation and impairment</b>			
Balance at 1 July 2020	1,434	2,600	4,034
Amortisation expense	78	900	978
<b>Balance at 30 June 2021</b>	<b>1,512</b>	<b>3,500</b>	<b>5,012</b>
Net book value at 30 June 2020	502	2,254	2,756
Net book value at 30 June 2021	<b>528</b>	<b>1,354</b>	<b>1,882</b>

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

<b>5.3 Payables</b>	<b>2021</b>	<b>2020</b>	
<b>(a) Trade and other payables</b>	<b>\$'000</b>	<b>\$'000</b>	
Trade payables	8,204	8,213	
Accrued expenses	1,270	1,782	
<b>Total trade and other payables</b>	<b>9,474</b>	<b>9,995</b>	
<b>(b) Trust funds and deposits</b>			
Refundable deposits	2,248	2,028	
Fire services levy	233	336	
Retention amounts	354	433	
Other refundable deposits	-	2	
<b>Total trust funds and deposits</b>	<b>2,835</b>	<b>2,799</b>	
<b>(c) Unearned income</b>			
Grants received in advance - operating	35	781	
Grants received in advance - capital	20,516	1,573	
Caravan Park and other	243	383	
Prepaid Marina Income	183	215	
<b>Total unearned income</b>	<b>20,977</b>	<b>2,952</b>	
<b>(c) Unearned income - Non Current</b>			
Prepaid Marina Income	383	527	
	<b>383</b>	<b>527</b>	

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

**Purpose and nature of items**

**Refundable deposits** - Deposits are taken by Council as a form of surety in a number of circumstances, including contract deposits and the use of civic facilities. Refundable deposits also include other monies received by Council in excess of amounts due to be paid and will either be returned or transferred in accordance with the purpose of the receipt.

**Fire Service Levy** - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

**Retention Amounts** - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

5.4 Interest-bearing liabilities	2021 \$'000	2020 \$'000
<b>Current</b>		
Borrowings - secured	1,700	-
	<u>1,700</u>	<u>-</u>
<b>Non-current</b>		
Borrowings - secured	1,650	3,350
	<u>1,650</u>	<u>3,350</u>
<b>Total</b>	<u>3,350</u>	<u>3,350</u>

Borrowings are secured by mortgages over the general rates of Council.

(a) The maturity profile for Council's borrowings is:

Not later than one year	1,700	-
Later than one year and not later than five years	-	1,700
Later than five years	1,650	1,650
	<u>3,350</u>	<u>3,350</u>

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

#### 5.5 Provisions

	Employee \$ '000	Landfill restoration \$ '000	Native Vegetation \$ '000	Total \$ '000
<b>2021</b>				
Balance at beginning of the financial year	6,717	15,040	211	21,968
Additional provisions	951	(186)	1	766
Amounts used	(460)	(2,502)	(20)	(2,982)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(204)	(560)	-	(764)
<b>Balance at the end of the financial year</b>	<b>7,004</b>	<b>11,792</b>	<b>192</b>	<b>18,988</b>
<b>2020</b>				
Balance at beginning of the financial year	6,122	11,763	220	18,105
Additional provisions	925	3,380	10	4,315
Amounts used	(497)	(818)	(19)	(1,334)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	167	715	-	882
<b>Balance at the end of the financial year</b>	<b>6,717</b>	<b>15,040</b>	<b>211</b>	<b>21,968</b>
<b>(a) Employee provisions</b>	<b>2021 \$'000</b>	<b>2020 \$'000</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>				
Annual leave	2,367	2,105		
Long service leave	362	365		
	<u>2,729</u>	<u>2,470</u>		
<b>Current provisions expected to be wholly settled after 12 months</b>				
Annual leave	359	240		
Long service leave	3,261	3,282		
	<u>3,620</u>	<u>3,522</u>		
<b>Total current employee provisions</b>	<b>6,349</b>	<b>5,992</b>		
<b>Non-current</b>				
Long service leave	655	725		
<b>Total non-current employee provisions</b>	<b>655</b>	<b>725</b>		
<b>Aggregate carrying amount of employee provisions:</b>				
Current	6,349	5,992		
Non-current	655	725		
<b>Total aggregate carrying amount of employee provisions</b>	<b>7,004</b>	<b>6,717</b>		

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

#### Wages and salaries and annual leave

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

#### Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non - current liability.

#### Key assumptions:

- discount rate	0.88%	0.57%
- inflation rate	1.50%	2.00%
- settlement period	12 years	12 years

	2021	2020
	\$'000	\$'000
(b) Landfill restoration provisions		
Current	3,222	3,819
Non-current	8,570	11,221
	<b>11,792</b>	<b>15,040</b>

Council is obligated to restore landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

#### Key assumptions:

- discount rate	0.013%	0.81%
- inflation rate	2.00%	2.00%
- settlement period	30 years	30 years

#### (c) Native Vegetation Offset provision

Non-current	192	211
	<b>192</b>	<b>211</b>
Total Current	9,571	9,811
Total Non-current	9,417	12,157
<b>Total Provisions</b>	<b>18,988</b>	<b>21,968</b>

### 5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2021

Bank overdraft	1,500	1,500
Credit card facilities	300	300
Borrowings	6,655	3,350
Total facilities	<b>8,455</b>	<b>5,150</b>
Used facilities	3,386	3,371
Unused facilities	5,069	1,779
<b>Total facilities</b>	<b>8,455</b>	<b>5,150</b>



## 5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2021</b>					
<b>Operating</b>					
Cleaning	127	-	-	-	127
Ferry Operations/Maintenance	504	39	-	-	543
Road Infrastructure Maintenance	600	600	1,255	-	2,455
Waste Management	3,317	3,185	5,096	-	11,598
Other Service Contracts	568	436	527	-	1,531
<b>Total</b>	<b>5,116</b>	<b>4,260</b>	<b>6,878</b>	<b>-</b>	<b>16,254</b>
<b>Capital</b>					
Buildings	552	-	-	-	552
Roads	3,850	-	-	-	3,850
Bridges	3,384	-	-	-	3,384
Recreation	5,216	-	-	-	5,216
Waste	4,292	-	-	-	4,292
Other	1,010	-	-	-	1,010
<b>Total</b>	<b>18,304</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>18,304</b>
<b>2020</b>					
<b>Operating</b>					
Cleaning	1,067	129	-	-	1,196
Ferry Operations/Maintenance	542	504	41	-	1,087
Road Infrastructure Maintenance	3,220	590	1,769	49	5,628
Waste Management	3,317	3,183	8,147	-	14,647
Other Service Contracts	873	523	980	-	2,376
<b>Total</b>	<b>9,019</b>	<b>4,929</b>	<b>10,937</b>	<b>49</b>	<b>24,934</b>
<b>Capital</b>					
Buildings	131	-	-	-	131
Roads	2,221	-	-	-	2,221
Bridges	2,337	-	-	-	2,337
Drainage	2,751	-	-	-	2,751
Other	2,739	-	-	-	2,739
<b>Total</b>	<b>10,179</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,179</b>

## 5.8 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Council has elected to apply the temporary option available under AASB 16 Leases which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

- Nature and term of leases such as any qualitative information about restrictions on use of asset, information about lease term, description of underlying assets.

<b>Right-of-Use Assets</b>	<b>Property \$'000</b>	<b>Equipment \$'000</b>	<b>Total \$'000</b>
Balance at 1 July 2019	914	-	914
Additions	-	28	28
Amortisation charge	(70)	(3)	(73)
<b>Balance at 30 June 2020</b>	<b>844</b>	<b>25</b>	<b>869</b>
Balance at 1 July 2020	844	25	869
Additions	-	-	-
Amortisation charge	(70)	(14)	(84)
<b>Balance at 30 June 2021</b>	<b>774</b>	<b>11</b>	<b>785</b>
<b>Lease Liabilities</b>	<b>2021 \$'000</b>	<b>2020 \$'000</b>	
<b>Maturity analysis - contractual undiscounted cash flows</b>			
Less than one year	77	79	
One to five years	288	294	
More than five years	673	717	
<b>Total undiscounted lease liabilities as at 30 June:</b>	<b>1,038</b>	<b>1,090</b>	
<b>Lease liabilities included in the Balance Sheet at 30 June:</b>			
Current	62	72	
Non-current	759	809	
<b>Total lease liabilities</b>	<b>821</b>	<b>881</b>	

**Short-term and low value leases**

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

<b>Expenses relating to:</b>	<b>\$'000</b>	<b>\$'000</b>
Short-term leases	362	65
Leases of low value assets	28	16
<b>Total</b>	<b>390</b>	<b>81</b>
Variable lease payments (not included in measurement of lease liabilities)	Nil	Nil

**Non-cancellable lease commitments - Short-term and low-value leases**

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:		
Within one year	40	103
Later than one year but not later than five years	35	15
Later than five years	40	41
<b>Total lease commitments</b>	<b>115</b>	<b>159</b>

31

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2020	Additions	Contributions	Revaluation	Depreciation	Disposal	Write-off	Transfers	At Fair Value 30 June 2021
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	244,430	4,654	1,949	20,304	(3,449)	(786)	(951)	-	266,151
Plant and equipment	14,628	3,162	-	-	(3,279)	(211)	(30)	-	14,270
Infrastructure	838,440	30,871	4,128	94,120	(14,842)	-	(5,626)	-	947,091
Work in progress	13,215	35,250	-	-	-	-	(19)	(38,687)	9,759
	1,110,713	73,937	6,077	114,424	(21,570)	(997)	(6,626)	(38,687)	1,237,271

Summary of Work in Progress

	Opening WIP	Additions	Write-off	Transfers	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000
Property	1,362	4,524	(8)	(4,617)	1,261
Plant and equipment	96	3,159	-	(3,095)	160
Infrastructure	11,757	27,567	(11)	(30,975)	8,338
Total	13,215	35,250	(19)	(38,687)	9,759

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

(a) Property

	Land - specialised	Land - non specialised	Total Land & Land Improvements	Heritage buildings	Buildings - specialised	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	124,925	3,168	128,093	17,095	167,681	184,776	1,362	314,231
Accumulated depreciation at 1 July 2020	-	-	-	(8,547)	(59,892)	(68,439)	-	(68,439)
	124,925	3,168	128,093	8,548	107,789	116,337	1,362	245,792
<b>Movements in fair value</b>								
Additions	82	-	82	-	4,572	4,572	4,524	9,178
Contributions	1,949	-	1,949	-	-	-	-	1,949
Revaluation	19,838	466	20,304	-	-	-	-	20,304
Disposal	(786)	-	(786)	-	-	-	-	(786)
Write-off	-	-	-	-	(2,861)	(2,861)	(8)	(2,869)
Transfers	-	-	-	-	-	-	(4,617)	(4,617)
	21,083	466	21,549	-	1,711	1,711	(101)	23,159
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	-	-	-	(252)	(3,197)	(3,449)	-	(3,449)
Accumulated depreciation of disposals	-	-	-	-	1,910	1,910	-	1,910
	-	-	-	(252)	(1,287)	(1,539)	-	(1,539)
At fair value 30 June 2021	146,008	3,634	149,642	17,095	169,392	186,487	1,261	337,390
Accumulated depreciation at 30 June 2021	-	-	-	(8,799)	(61,179)	(69,978)	-	(69,978)
	146,008	3,634	149,642	8,296	108,213	116,509	1,261	267,412

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

(b) Plant and Equipment

	Plant machinery and equipment	Fixtures fittings and furniture	Computers and telecomms	Library books	Work in Progress	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	21,385	9,695	4,872	4,894	96	40,942
Accumulated depreciation at 1 July 2020	(12,150)	(6,325)	(3,900)	(3,843)	-	(26,218)
	9,235	3,370	972	1,051	96	14,724
<b>Movements in fair value</b>						
Additions	1,812	843	296	211	3,159	6,321
Disposal	(797)	-	-	-	-	(797)
Write-off	-	(12)	(144)	-	-	(156)
Transfers	-	-	-	-	(3,095)	(3,095)
	1,015	831	152	211	64	2,273
<b>Movements in accumulated depreciation</b>						
Depreciation and amortisation	(1,897)	(690)	(408)	(284)	-	(3,279)
Accumulated depreciation of disposals	586	11	115	-	-	712
	(1,311)	(679)	(293)	(284)	-	(2,567)
At fair value 30 June 2021	22,400	10,526	5,024	5,105	160	43,215
Accumulated depreciation at 30 June 2021	(13,461)	(7,004)	(4,193)	(4,127)	-	(28,785)
	8,939	3,522	831	978	160	14,430



East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

(c) Infrastructure

	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community	Waste Management	Parks open spaces and streetscapes	Aerodromes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	661,971	98,081	29,315	77,703	31,301	9,746	30,621	7,629	10,761	21,231	11,757	990,116
Accumulated depreciation at 1 July 2020	(81,791)	(8,234)	(4,889)	(18,188)	(11,619)	(3,628)	(4,247)	(286)	(1,410)	(5,627)	-	(139,919)
	580,180	89,847	24,426	59,515	19,682	6,118	26,374	7,343	9,351	15,604	11,757	850,197
<b>Movements in fair value</b>												
Additions	13,857	6,133	2,424	3,589	728	146	54	178	101	3,661	27,567	58,438
Contributions	2,079	-	563	1,152	-	-	-	-	334	-	-	4,128
Revaluation	73,745	9,690	3,061	8,674	3,258	917	3,378	870	1,155	2,258	-	107,006
Disposal	-	-	-	-	-	-	-	-	-	-	-	-
Write-off	(4,364)	(4,302)	(42)	-	-	-	-	-	(127)	(17)	(11)	(8,863)
Transfers	-	-	-	-	-	-	-	-	-	-	(30,975)	(30,975)
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-	-
	85,317	11,521	6,006	13,415	3,986	1,063	3,432	1,048	1,463	5,902	(3,419)	129,734
<b>Movements in accumulated depreciation</b>												
Depreciation and amortisation	(9,630)	(1,150)	(505)	(760)	(650)	(687)	(442)	(89)	(224)	(705)	-	(14,842)
Revaluation	(7,336)	(572)	(471)	(1,944)	(1,213)	(298)	(400)	(15)	(119)	(518)	-	(12,886)
Accumulated depreciation of write-off	1,939	1,267	2	-	-	-	-	-	14	4	-	3,226
Transfers	-	-	-	-	-	-	-	-	-	-	-	-
	(15,027)	(455)	(974)	(2,704)	(1,863)	(985)	(842)	(104)	(329)	(1,219)	-	(24,502)
At fair value 30 June 2021	747,288	109,602	35,321	91,118	35,287	10,809	34,053	8,677	12,224	27,133	8,338	1,119,850
Accumulated depreciation at 30 June 2021	(96,818)	(8,689)	(5,863)	(20,892)	(13,482)	(4,613)	(5,089)	(390)	(1,739)	(6,846)	-	(164,421)
	650,470	100,913	29,458	70,226	21,805	6,196	28,964	8,287	10,485	20,287	8,338	955,429

**6.1 Property, infrastructure, plant and equipment (cont'd)***Acquisition*

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit
		\$'000
<i>Asset recognition thresholds and depreciation periods</i>		
Land & land improvements		
land	-	-
Buildings		
buildings	15-80 years	5
building and leasehold improvements	15-80 years	5
Plant and Equipment		
ferry equipment	40 years	1
plant, machinery and equipment	5-10 years	1
fixtures, fittings and furniture	10-20 years	1
computers and telecommunications	5-10 years	1
library books	5-10 years	1
Infrastructure		
road pavements and seals	18-80 years	5
road wearing course	15-60 years	5
road formation and earthworks	-	5
road kerb, channel and minor culverts	70 - 80 years	5
bridges	60-100 years	5
footpaths and cycleways	15-65 years	5
drainage	100 years	5
recreational, leisure and community facilities	15-60 years	5
aerodromes	15-80 years	5
waste management landfill cells	3 years	5
waste management infrastructure	60 years	5
parks, open space and streetscapes	20-40 years	5
Intangible assets	3-10 years	1

**Land under roads**

Council recognises land under roads it controls at fair value after 30 June 2008.

**Depreciation and amortisation**

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

**Repairs and maintenance**

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

**Leasehold improvements**

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date there were no leasehold improvements.

**6.1 Property, infrastructure, plant and equipment (cont'd)****Valuation of land and buildings**

Valuation of land and buildings were undertaken by a qualified independent valuer Todd Svanberg, Certified Practising Valuer CPV AAPI AM ASA, Director of JLL Public Sector Valuations Pty Ltd and Emily Villani RPV PMAPI, Valuer JLL Public Sector Valuations Pty Ltd. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement. An index based revaluation was conducted in the current year, this valuation was based on the Victoria Valuer-General's indices. A full revaluation of these assets will be conducted in 2022/23.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
Specialised Land	-	-	146,008	30/06/2021
Non Specialised land	-	3,634	-	30/06/2021
Heritage Buildings	-	-	8,296	30/06/2019
Buildings	-	-	108,213	30/06/2019
Total	-	3,634	262,517	

**Valuation of infrastructure**

Valuation of all infrastructure assets was undertaken by Council's engineering and asset management staff as at 31 December 2017.

The date of the current valuation is detailed in the following table. An index based revaluation was conducted in the current year, this valuation was based on Construction industries producer price indices for Victoria, a full revaluation of these assets will be conducted in 2021/22.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
Roads	-	-	650,470	30/06/2021
Bridges	-	-	100,913	30/06/2021
Footpaths and cycleways	-	-	29,458	30/06/2021
Drainage	-	-	70,226	30/06/2021
Recreational, leisure and community facilities	-	-	21,805	30/06/2021
Waste management	-	-	6,196	30/06/2021
Parks, open space and streetscapes	-	-	28,964	30/06/2021
Aerodromes	-	-	8,287	30/06/2021
Off street car parks	-	-	10,485	30/06/2021
Other infrastructure	-	-	20,287	30/06/2021
Total	-	-	947,091	

6.1 Property, infrastructure, plant and equipment (cont'd)

*Description of significant unobservable inputs into level 3 valuations*

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 0% and 90%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0.02 and \$720 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$257 to \$8,442 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 30 years to 80 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 15 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2021	2020
	\$'000	\$'000
<b>Reconciliation of specialised land</b>		
Land under roads	2,691	2,038
Parks and reserves	74,596	66,105
Recreation and Leisure	38,582	28,733
Residential Land	469	361
Commercial Land	480	480
Aerodrome Land	2,413	2,413
Community Services Land	4,940	4,739
Business Centre/Library Land	3,929	3,929
Caravan Park Land	2,380	2,377
Carpark Land	3,693	3,693
Depot Land	239	230
Quarry Reserve Land	155	155
Drainage Reserve Land	6,541	5,471
Saleyard and Pound Facility Land	731	731
Waste Management Land	3,852	3,209
Road Reserves	317	261
<b>Total specialised land</b>	<b>146,008</b>	<b>124,925</b>

East Gippsland Shire Council  
2020/2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

	2021 \$'000	2020 \$'000
<b>6.2 Investment property</b>		
Balance at beginning of financial year	8,704	8,704
Fair value adjustments	178	-
<b>Balance at end of financial year</b>	<b>8,882</b>	<b>8,704</b>

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

**Valuation of investment property**

Valuation of investment property has been determined in accordance with an independent valuation by Todd Svanberg, Certified Practising Valuer CPV AAPI AM ASA, Director of JLL Public Sector Valuations Pty Ltd and Emily Villani RPV PMAPI, Valuer JLL Public Sector Valuations Pty Ltd, who has recent experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property. An index based valuation was conducted in the current year. This valuation was based on Indices provided by the Victoria Valuer-General. A full valuation of these assets will be conducted in 2022/23.



	2021 No.	2020 No.
<b>Note 7 People and relationships</b>		
<b>7.1 Council and key management remuneration</b>		
<b>(a) Related Parties</b>		
<i>Parent entity</i>		
East Gippsland Shire Council is the parent entity.		
<b>(b) Key Management Personnel</b>		
Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:		
<b>Councillors</b>		
Councillor Mendy Urie (Mayor - 17/11/2020 to 30/06/2021)		
Councillor Arthur Allen (17/11/2020 to 30/06/2021)		
Councillor Jane Greacen (17/11/2020 to 30/06/2021)		
Councillor Tom Crook (17/11/2020 to 30/06/2021)		
Councillor Mark Reeves (1/7/2020 to 24/10/2020 and 17/11/2020 to 30/06/2021)		
Councillor Trevor Stow (17/11/2020 to 30/06/2021)		
Councillor Kirsten Van Diggele (17/11/2020 to 30/06/2021)		
Councillor Sonia Buckley (17/11/2020 to 30/06/2021)		
Councillor John White (01/07/2020 to 24/10/2020 and 17/11/2020 to 30/06/2021 was Mayor - 01/07/2020 to 24/10/2020)		
Councillor Ben Buckley (1/7/2020 to 24/10/2020)		
Councillor Richard Ellis (1/7/2020 to 24/10/2020)		
Councillor Natalie O'Connell (1/7/2020 to 24/10/2020)		
Councillor Joe Rettino (1/7/2020 to 24/10/2020)		
Councillor Marianne Pelz (1/7/2020 to 24/10/2020)		
Councillor Colin Toohey (1/7/2020 to 24/10/2020)		
Councillor Jackson Roberts (1/7/2020 to 24/10/2020)		
Chief Executive Officer		
General Manager Business Excellence		
General Manager Assets and Environment		
General Manager Place and Community		
General Manager Bushfire Recovery		
<b>Total Number of Councillors</b>	16	9
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	5	8
<b>Total Number of Key Management Personnel</b>	<b>21</b>	<b>17</b>
<b>(c) Remuneration of Key Management Personnel</b>	<b>2021</b>	<b>2020</b>
	<b>\$</b>	<b>\$</b>
Total remuneration of key management personnel was as follows:		
Short-term benefits	1,318	1,732
Long-term benefits	25	29
Post employment benefits	92	110
<b>Total</b>	<b>1,435</b>	<b>1,871</b>
The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:		
	<b>2021 No.</b>	<b>2020 No.</b>
\$1 - \$9,999	6	-
\$10,000 - \$19,999	7	-
\$20,000 - \$29,999	1	-
\$30,000 - \$39,999	-	7
\$40,000 - \$49,999	1	-
\$50,000 - \$59,999	1	1
\$60,000 - \$69,999	-	2
\$70,000 - \$79,999	-	1
\$80,000 - \$89,999	-	1
\$90,000 - \$99,999	-	1
\$100,000 - \$109,999	-	1
\$110,000 - \$119,999	-	1
\$120,000 - \$129,999	-	1
\$130,000 - \$139,999	2	1
\$140,000 - \$149,999	2	1
\$150,000 - \$159,999	1	-
\$160,000 - \$169,999	-	1
\$170,000 - \$179,999	-	1
\$180,000 - \$189,999	-	1
\$190,000 - \$199,999	2	1
\$200,000 - \$209,999	2	1
\$210,000 - \$219,999	1	-
\$220,000 - \$229,999	-	1
\$230,000 - \$239,999	-	1
\$240,000 - \$249,999	-	1
\$250,000 - \$259,999	-	1
\$260,000 - \$269,999	-	1
\$270,000 - \$279,999	-	1
\$280,000 - \$289,999	-	1
\$290,000 - \$299,999	-	1
\$300,000 - \$309,999	-	1
	<b>21</b>	<b>17</b>

(d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000 (\$151,000 in 2019/20)

The number of Senior Officers are shown below in their relevant income bands:

Income Range:	2021 No.	2020 No.
\$180,000 - \$189,999	1	1
	<u>1</u>	<u>1</u>
Total Remuneration for the reporting year for Senior Officers included above, amounted to:	\$186,852	\$182,294

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into the following transactions with related parties.

For the year ended 30 June 2021 there were no staff related to Key Management Personnel.

For the year ended 30 June 2021, Council paid \$128,630 to suppliers and contractors related to Key Management Personnel on normal commercial terms and conditions. Details of these related party transactions for Key Management Personnel are as follows:

Cr Pelz	Pelz Haulage Pty Ltd - \$6,820 for works and services
Cr Allen	Leftrade Ltd - \$5923 for works and services
	Wy Yung Hotel \$2,790 for services
Cr White	Melwood Investments Pty Ltd - \$48,152 for contracted slashing services
Cr O'Connell	Alps Links Regional Communities - \$10,000 Regional and District Events Sponsorship (RADES) funding
General Manager Assets and Environment	The Right Man - \$54,945 for consulting services

(b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties

Nil

(c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

Nil

(d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

**Note 8 Managing uncertainties****8.1 Contingent assets and liabilities****Operating lease receivables**

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2021 \$'000	2020 \$'000
Not later than one year	718	721
Later than one year and not later than five years	2,097	1,950
Later than five years	1,849	2,092
	<b>4,664</b>	<b>4,763</b>

**(b) Contingent liabilities**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

**Superannuation**

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

**Future superannuation contributions**

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2021. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 are \$29,503.

**Landfill**

Council operates a number of landfills. Council will have to carry out site rehabilitation works in the future. Council has provided the Environment Protection Authority with a bank guarantee in their favour of \$1.3 million to meet the remedial action financial assurance requirements for licenced landfill sites.

**Liability Mutual Insurance**

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

**MAV Workcare**

In November 2017, the Victorian Workcover Authority (the Authority) granted the Municipal Association of Victoria (MAV) a three-year self-insurance licence allowing it to provide workers compensation insurance to Victorian councils. When the MAV Workcover Scheme commenced there were 31 inaugural members, including the MAV.

In accordance with the Authority's decision not to renew the MAV's self-insurance licence, the MAV WorkCare Scheme ceased operation on 30 June 2021. The MAV is continuing to support the orderly transition of claims management responsibilities to the Authority.

Council was a participant of the MAV WorkCare Scheme.

The MAV WorkCare Scheme participation agreement stated that each participant would remain liable to make further contributions to the Scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability would continue whether or not the participant remained a participant in future insurance years.

The net financial impact on Council as a result of the cessation of the MAV WorkCare Scheme for the 2020-21 financial year is yet to be determined. Any obligation is dependent upon the Authority's initial actuarial assessment of the tail claims liabilities of the MAV WorkCare Scheme.

In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the MAV WorkCare Scheme. During the liability period, adjustment payments may be required (or received) by Council. The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liability as undertaken by the Authority.

**8.2 Change in accounting standards**

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2021 reporting period. Council assesses the impact of these new standards. As at 30 June 2021 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2022 that are expected to impact Council.

**8.3 Financial instruments****(a) Objectives and policies**

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

**(b) Market risk**

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

**Interest rate risk**

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 1989*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

**(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

**(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(b), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

**(e) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 0.3% and -0.3% in market interest rates (AUD) from year-end rates of 0.4%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

#### 8.4 Fair value measurement

##### *Fair value hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

##### *Revaluation*

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from two to four years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

##### *Impairment of assets*

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

#### 8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.



## Note 9 Other matters

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Share of increment (decrement) on revaluation of <name asset class> by an associate \$'000	Balance at end of reporting period \$'000
<b>9.1 Reserves</b>				
<b>(a) Asset revaluation reserves</b>				
<b>2021</b>				
<b>Property</b>				
Land and land improvements	91,334	20,304	-	111,638
Buildings	84,209	-	-	84,209
	175,543	20,304	-	195,847
<b>Infrastructure</b>				
Roads	438,692	66,409	-	505,101
Bridges	64,857	9,118	-	73,975
Footpaths and cycleways	14,489	2,590	-	17,079
Drainage	37,015	6,730	-	43,745
Recreational, leisure and community facilities	11,715	2,045	-	13,760
Waste management	2,461	619	-	3,080
Parks, open space and streetscapes	7,991	2,978	-	10,969
Aerodromes	111	855	-	966
Offstreet car parks	846	1,036	-	1,882
Other infrastructure	15,603	1,740	-	17,343
	593,780	94,120	-	687,900
<b>Total asset revaluation reserves</b>	<b>769,323</b>	<b>114,424</b>	<b>-</b>	<b>883,747</b>
<b>2020</b>				
<b>Property</b>				
Land and land improvements	91,334	-	-	91,334
Buildings	84,209	-	-	84,209
	175,543	-	-	175,543
<b>Infrastructure</b>				
Roads	438,692	-	-	438,692
Bridges	64,857	-	-	64,857
Footpaths and cycleways	14,489	-	-	14,489
Drainage	37,015	-	-	37,015
Recreational, leisure and community facilities	11,715	-	-	11,715
Waste management	2,461	-	-	2,461
Parks, open space and streetscapes	7,991	-	-	7,991
Aerodromes	111	-	-	111
Offstreet car parks	846	-	-	846
Other infrastructure	15,603	-	-	15,603
	593,780	-	-	593,780
<b>Total asset revaluation reserves</b>	<b>769,323</b>	<b>-</b>	<b>-</b>	<b>769,323</b>
The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.				
	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves</b>				
<b>2021</b>				
Car Parking	193	-	-	193
Development Contribution Plans	19	-	-	19
Lakes Entrance Northern Growth Area	1	-	-	1
Recreational Land	815	58	-	873
Road Upgrading	34	-	-	34
<b>Total Other reserves</b>	<b>1,062</b>	<b>58</b>	<b>-</b>	<b>1,120</b>
<b>2020</b>				
Car Parking	193	-	-	193
Development Contribution Plans	19	-	-	19
Lakes Entrance Northern Growth Area	-	1	-	1
Recreational Land	735	80	-	815
Road Upgrading	34	-	-	34
<b>Total Other reserves</b>	<b>981</b>	<b>81</b>	<b>-</b>	<b>1,062</b>

The Recreation Land Reserve receives developer contributions for future development of public open space.

Development Contribution Plans receive contribution from developers upon the sale of land in a prescribed planning area.

The Car Parking Reserve receives developer funds for future development of public car parks.

The Road Upgrading Reserve receives contributions from developers for the future upgrade of specific roads as required by development plans.

Lakes Entrance Northern Growth Area receive contributions in accordance with the development plan.

	2021 \$'000	2020 \$'000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)</b>		
Surplus/(deficit) for the year	19,517	18,676
Depreciation/amortisation	22,630	21,463
Profit/(loss) on disposal of property, infrastructure, plant and equipment	64	(59)
Write off property, plant and equipment	6,626	7,188
Fair value adjustments for investment property	(178)	-
Contributions - Non-monetary assets	(6,077)	(1,593)
Financing cost in financing activities	309	310
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	1,410	(3,445)
Increase/(decrease) in other current assets	(365)	(6,185)
Increase/(decrease) in trade and other payables	(560)	1,868
(Decrease)/increase in other liabilities	17,881	1,069
Increase/(decrease) in provisions	(2,980)	1,163
Increase/(Decrease) in trust funds	36	1,232
Net cash provided by/(used in) operating activities	<b>58,313</b>	<b>41,687</b>

**9.3 Superannuation**

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in Comprehensive Operating Statement when they are made or due.

**Accumulation**

Council makes both employer and employee contributions to The Fund's accumulation category, Vision MySuper/Vision Super Saver, on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2021, this was 9.5% as required under Superannuation Guarantee (SG) legislation).

**Defined Benefit**

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119 Employee Benefits.

**Funding arrangements**

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

A triennial actuarial review for the Defined Benefit category as at 30 June 2020 was conducted and completed by the due date of 31 December 2020. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 104.6%. The financial assumptions used to calculate the VBI were:

- Net investment returns 5.6% pa
- Salary information 2.5% pa for two years and 2.75% pa thereafter
- Price inflation (CPI) 2.0% pa.

As at 30 June 2021, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category.

Vision Super has advised that the VBI at 30 June 2021 was 109.7%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2020 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

**Employer contributions***Regular contributions*

On the basis of the results of the 2020 triennial actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2021, this rate was 9.5% of members' salaries (9.5% in 2019/2020). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

**Funding calls**

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

**The 2020 triennial actuarial investigation surplus amounts**

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. A full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2020 (Triennial)	2019 (Interim)
	\$m	\$m
- A VBI Surplus	100.0	151.3
- A total service liability surplus	200.0	233.4
- A discounted accrued benefits surplus	217.8	256.7

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2020.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2020.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2020.

Council was notified of the 30 June 2020 VBI during August 2020 (2019: August 2019).

**The 2021 interim actuarial investigation**

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2021 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2021.

**Superannuation contributions**

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2021 are detailed below:

Scheme	Type of Scheme	Rate	2021 \$'000	2020 \$'000
Vision super	Defined benefit	9.50%	27	27
Vision super	Accumulation fund	9.50%	1,431	1,351
Various other funds	Accumulation fund	9.50%	1,334	1,007

There were contributions outstanding of \$144,692 as at 30 June 2021 and no loans issued from or to the above schemes as at 30 June 2021.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 is \$29,503.

10 Change in accounting policy

**AASB 1059 Service Concession Arrangements: Grantors**

Council has adopted AASB 1059 Service Concession Arrangements: Grantors, from 1 July 2020.

**AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material**

Council has adopted AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material, from 1 July 2020.

**AASB 2019-1 Amendments to Australian Accounting Standards - References to the Conceptual Framework**

Council has adopted AASB 2019-1 Amendments to Australian Accounting Standards - References to the Conceptual Framework from 1 July 2020.

It is not expected that these standards will have any significant impact on council.

## **East Gippsland Shire Council Performance Statement**

For the year ended 30 June 2021

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### **Description of municipality**

East Gippsland is a large and vibrant region in a beautiful natural setting, home to proud and involved communities that embrace and encourage self-reliance, responsibility and new ideas. The past 30 years have seen East Gippsland evolve from its rural origins to a flourishing economic and tourism region in Eastern Victoria, drawing more than one million visitors each year.

The region has kept its identity and sense of place as it has grown. The shire stretches from west of Bairnsdale to the New South Wales border, covering approximately 21,000 square kilometres or 10 per cent of the State. East Gippsland has an Estimated Residential Population of approximately 47,725 residents (as at 30 June 2020).

East Gippsland's unique qualities are both its strength and challenges. The region is distinguished by its natural setting, with its southern edge defined by the Gippsland Lakes and rugged coastline and the rising backdrop of the High Country. Historical rural landscapes and natural bushland areas characterise the region and surround its communities.

We are responsible for maintaining 2,958 km of roads, 195 bridges, over 3,500 km of table drains, 540 km of kerb and channel, 350 hectares of Parks and Gardens and over 4,500 street lights.

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## East Gippsland Shire Council Sustainable Capacity Indicators

For the year ended 30 June 2021

	<i>Indicator/measure</i>	<b>Results</b>				<b>Material Variations and Comments</b>
		<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	
	<b>Population</b>					
C1	<i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$1,918.95	\$1,953.22	\$2,250.55	\$2,386.32	There was an increase of \$7.4M of expenditure relating to Bushfire recovery works and the Working for Victoria program that increased the expenses per head. These increased expenses though were reimbursed and increase the income in 2020/21 as a result.
C2	<i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$20,505.46	\$21,029.01	\$20,767.18	\$22,789.57	A revaluation increment of \$114.424M in 2020/21 increased infrastructure per head of population.
C3	<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	15.58	15.86	15.89	15.99	
	<b>Own-source revenue</b>					
C4	<i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$1,603.61	\$1,599.56	\$1,788.08	\$1,906.34	An increase in other revenue relating to natural disaster recovery expenditure reimbursements and insurance reimbursements increase own source revenue in 2020/21.
	<b>Recurrent grants</b>					
C5	<i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	\$447.58	\$414.07	\$471.68	\$439.73	Recurrent capital grant income for Roads to Recovery decreased by \$1.4M whilst population numbers increased.
	<b>Disadvantage</b>					
C6	<i>Relative Socio-Economic Disadvantage</i> [Index of Relative Socio-Economic Disadvantage by decile]	3.00	3.00	3.00	3.00	
	<b>Workforce Turnover</b>					
C7	<i>Percentage of staff turnover</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100	11.4%	11.6%	9.6%	12.8%	The increase in staff turnover is due to an increase in unplanned resignations.

## East Gippsland Shire Council Service Performance Indicators

For the year ended 30 June 2021

	Service/indicator/measure	Results				Material Variations and Comments
		2018	2019	2020	2021	
AF6	<b>Aquatic Facilities</b> <b>Utilisation</b> <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	8.45	8.31	5.63	4.06	The result is impacted by mandated COVID-19 closures of aquatic facilities. Both the Bairnsdale Aquatic and Recreation Centre and Lakes Aquadome facilities were forced to close between 1/08/20 and 20/10/20; and between 25/05/21 and 11/6/21. There was also a period where the facilities were open but under strict attendance restrictions between 20/10/20 and 29/10/20. When the facilities were reopened to the public, attendance figures were low.
AM7	<b>Animal Management</b> <b>Health and safety</b> <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	New in 2020	New in 2020	100%	0	Council had no prosecution hearings during 2020-21. Due to COVID-19 restrictions imposed a number of animal prosecutions were unable to be heard during the reporting period and remain postponed to a later date.
FS4	<b>Food Safety</b> <b>Health and safety</b> <i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	100.00%	90.48%	85.71%	100.00%	All major and critical non-compliance notifications for food premises were followed up. For the 2020 period, there were 11 critical and major non-compliance notifications.
G5	<b>Governance</b> <b>Satisfaction</b> <i>Satisfaction with council decisions</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	51.00	46.00	54.00	51.00	Since being elected in November 2020, Council has considered a number of matters in which community interest was high. A focus for Council continues to be on improving community satisfaction with its decisions by being open and transparent about the reasons they were made.

## East Gippsland Shire Council Service Performance Indicators

For the year ended 30 June 2021

	Service/indicator/measure	Results				Material Variations and Comments
		2018	2019	2020	2021	
LB4	<b>Libraries</b> <b>Participation</b> <i>Active library borrowers in municipality</i> [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	20.13%	19.60%	19.01%	16.88%	COVID-19 lockdown periods that forced libraries to be closed to the public, impacted on the ability of members to borrow physical items. COVID-19 has also resulted in many members of the community being cautious about returning to public spaces.
R5	<b>Roads</b> <b>Satisfaction</b> <i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	50.00	49.00	55.00	53.00	Although the rating decreased two points from the previous year's result, it still remained three points higher than the large rural councils average rating. Council continued to invest significantly in sealed road reconstruction, sealing and the improvement of urban streets, while also striving to maximise external Victorian and Australian Government grants for road projects. In these satisfaction surveys Council finds that responders often assume that all roads are managed by Council and don't understand that some of the roads they express dissatisfaction with are actually controlled by the Victorian Government (DOT and DELWP)
SP4	<b>Statutory Planning</b> <b>Decision making</b> <i>Council planning decisions upheld at VCAT</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	66.67%	25.00%	100%	50.00%	Six of Council's planning decisions were appealed to VCAT, with one being upheld, two being varied and the remaining three were set aside (overturned) by VCAT as they did not agree with Council's decision
WC5	<b>Waste Collection</b> <b>Waste diversion</b> <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	50.81%	51.45%	52.48%	53.48%	The increase in this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance. Also, as residents were home more with COVID-19 restrictions, it is anticipated that some spent increased time maintaining properties and removing green organics.

## **East Gippsland Shire Council Service Performance Indicators**

For the year ended 30 June 2021

### **Definitions**

"active library borrower" means a borrower of a library who has borrowed a book from the library.

"annual report" means an annual report prepared by a council under sections 98 of the Act

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"population" means the resident population estimated by council.

# East Gippsland Shire Council Financial Performance Indicators

For the year ended 30 June 2021

	Dimension/ <i>indicator</i> /measure	Results				Forecasts				Material Variations and Comments
		2018	2019	2020	2021	2022	2023	2024	2025	
E2	<b>Efficiency</b>									In 2020/21 there was a \$7.4M increase in expenditure relating to Bushfire recovery works and Working for Victoria Program. All of these works were fully funded.
	<b>Expenditure level</b>									
	<i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$2,793.63	\$2,882.19	\$3,356.25	\$3,549.43	\$3,158.63	\$2,957.76	\$3,060.17	\$3,087.99	
E4	<b>Revenue level</b>									
	<i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	New in 2020	New in 2020	\$1,599.31	\$1,623.26	\$1,644.38	\$1,670.83	\$1,697.10	\$1,723.76	
L1	<b>Liquidity</b>									There was an increase in unearned income of \$18M in 20/21 mainly as a result of capital grants received in advance of works being undertaken.
	<b>Working capital</b>									
	<i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	333.34%	349.01%	344.27%	248.59%	214.51%	221.04%	200.76%	177.80%	
L2	<b>Unrestricted cash</b>									
	<i>Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x100	5.73%	-8.44%	48.17%	123.66%	128.97%	129.27%	103.82%	93.73%	



# East Gippsland Shire Council Financial Performance Indicators

For the year ended 30 June 2021

	Dimension/ <i>indicator</i> /measure	Results				Forecasts				Material Variations and Comments
		2018	2019	2020	2021	2022	2023	2024	2025	
	<b>Obligations</b>									
	<b><i>Loans and borrowings</i></b>									
O2	<i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	10.80%	7.15%	5.69%	5.53%	12.41%	15.66%	14.13%	12.64%	The forecast percentage increase is a result of forecast new borrowings of \$5.767M in 2021/22 and \$2.238M in 2022/23.
O3	<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	2.03%	3.99%	1.75%	0.48%	3.30%	0.61%	1.61%	1.57%	There were no borrowings repaid in the 2020/21 year compared to \$727,000 being repaid in 2019/20. The forecasts repayment of loans has \$1.7M being repaid in 2021/22, no repayments in 2022/23 and then repayments of borrowings of \$776,000 in 2023/24 and \$788,000 being repaid in 2024/25 all based on loan repayment schedules.
	<b><i>Indebtedness</i></b>									
O4	<i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	16.72%	16.35%	19.91%	13.42%	27.09%	25.19%	23.58%	21.88%	Own sourced revenue increased in 2020/21 as a result of Natural Disaster reimbursements increasing by \$10.3M over the 2019/20 amount. There was also an insurance reimbursement of \$1.4M in 2020/21 and supplementary rates and charges also increased by \$886,000 over the 2019/20 amount. Non-Current provisions also decreased as a result of the landfill rehabilitation decreasing.
	<b><i>Asset renewal</i></b>									
O5	<i>Asset renewal and upgrade compared to depreciation</i> [Asset renewal and asset upgrade expense / Asset depreciation] x100	New in 2020	New in 2020	136.06%	147.69%	273.03%	175.67%	144.81%	113.99%	There was an increase renewal expenditure in 2020/21 year as a result of the increased capital works expenditure being greater than the previous year.

# **East Gippsland Shire Council** **Financial Performance Indicators**

For the year ended 30 June 2021

	Dimension/ <i>indicator</i> /measure	Results				Forecasts				Material Variations and Comments
		2018	2019	2020	2021	2022	2023	2024	2025	
OP1	<b>Operating position</b>									
	<b>Adjusted underlying result</b>									
	<i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	7.06%	4.34%	9.78%	4.49%	-7.76%	6.29%	2.07%	3.73%	The adjusted underlying surplus was \$6.2M less in 2020/21 when compared to 2019/20 as a result of an increase in expenditure of \$7.4M in 2020/21 compared to 2019/20 and the 2020/21 adjusted underlying revenue being \$1.2M less than in 2019/20. The increase in expenditure is mainly due to an increase in bushfire recovery expenditure of \$5.4M over the expenditure incurred in 2019/20 and Working for Victoria expenditure of \$2M incurred in 2020/21. There is a reduction in the forecast in 2021/22 for recurrent operating grants as a result of the advance payment of \$8.2M of the 2021/22 Federal Assistance Grant paid in the 2020/21 year which has impacted on the forecast result in the 2021/22 year.
S1	<b>Stability</b>									
	<b>Rates concentration</b>									
	<i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	57.85%	59.64%	49.85%	50.77%	65.51%	61.89%	63.57%	62.98%	
S2	<b>Rates effort</b>									
	<i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.57%	0.57%	0.55%	0.55%	0.51%	0.50%	0.48%	0.47%	

## **East Gippsland Shire Council Financial Performance Indicators**

For the year ended 30 June 2021

### **Definitions**

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

## East Gippsland Shire Council Other Information

For the year ended 30 June 2021

	Retired measures	Results				Material Variations and Comments
	Service/ indicator/ measure	2018	2019	2020	2021	
	<b>Animal Management</b>					
AM4	<b>Health and Safety</b>					
	<i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	7.00	2.00	Retired in 2020	Retired in 2020	This measure was replaced by AM7 from 1 July 2019.
	<b>Efficiency</b>					
E1	<b>Revenue level</b>					
	<i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$1,642.79	\$1,689.12	Retired in 2020	Retired in 2020	This measure was replaced by E4 from 1 July 2019.
	<b>Obligations</b>					
O1	<b>Asset renewal</b>					
	<i>Asset renewal compared to depreciation</i> [Asset renewal expense / Asset depreciation] x 100	71.86%	112.51%	Retired in 2020	Retired in 2020	This measure was replaced by O5 from 1 July 2019.

## East Gippsland Shire Council Financial Performance Indicators

For the year ended 30 June 2021

### 1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those included in the 2021/22 budget which was adopted by Council on 29 June 2021. Detailed information on the actual financial results is contained in the General Purpose Financial Statements.



## East Gippsland Shire Council Financial Performance Indicators

For the year ended 30 June 2021

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).



Elizabeth Collins, CPA  
**Principal Accounting Officer**  
**Dated:** 14 September 2021

In our opinion, the accompanying performance statement of the East Gippsland Shire Council for the year ended 30 June 2021 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).

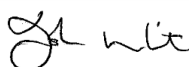
The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify this performance statement in its final form.



Councillor Arthur Allen  
**Councillor**  
**Dated:** 14 September 2021



Councillor John White  
**Councillor**  
**Dated:** 14 September 2021



Anthony Basford  
**Chief Executive Officer**  
**Dated:** 14 September 2021

**East Gippsland Shire Council**  
**Financial Performance Indicators**  
 For the year ended 30 June 2021



## Independent Auditor's Report

To the Councillors of East Gippsland Shire Council

<b>Opinion</b>	<p>I have audited the accompanying performance statement of East Gippsland Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• description of municipality for the year ended 30 June 2021</li> <li>• sustainable capacity indicators for the year ended 30 June 2021</li> <li>• service performance indicators for the year ended 30 June 2021</li> <li>• financial performance indicators for the year ended 30 June 2021</li> <li>• other information and</li> <li>• certification of the performance statement.</li> </ul> <p>In my opinion, the performance statement presents fairly, in all material respects, the performance of the council for the year ended 30 June 2021 in accordance with the performance reporting requirements of Part 6 of the <i>Local Government Act 1989</i>.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the performance statement</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. I and my staff are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the performance statement in Victoria and have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the performance statement</b>	<p>The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the <i>Local Government Act 1989</i> and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of the statement of performance that is free from material misstatement, whether due to fraud or error.</p>
<b>Auditor's responsibilities for the audit of the performance statement</b>	<p>As required by the <i>Audit Act 1994</i>, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists.</p>

Level 31 / 35 Collins Street, Melbourne Vic 3000  
 T 03 8601 7000 enquiries@audit.vic.gov.au www.audit.vic.gov.au

**East Gippsland Shire Council**  
**Financial Performance Indicators**  
 For the year ended 30 June 2021

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Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement.


As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

---

MELBOURNE  
 27 September 2021



Sanchu Chummar  
*as delegate for the Auditor-General of Victoria*

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**East Gippsland Shire Council**

273 Main Street

PO Box 1618 Bairnsdale VIC 3875



**5153 9500**



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**EastGippyShire**



**PO Box 1618, Bairnsdale 3875**



### **5.2.3 Mutual Respect Charter**

Authorised by General Manager Business Excellence

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#### **Conflict of Interest**

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

#### **Executive Summary**

The report is seeking Council approval to adopt the draft Mutual Respect Charter provided at **Attachment 1**. The draft Mutual Respect Charter supports a key principle of providing a safe and respectful workplace. It is based on the principle of mutual respect and cooperation between Council and the community and customers.

#### **Officer Recommendation**

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

- 1. receives and notes this report and all attachments pertaining to this report, and***
- 2. resolves to adopt the draft Mutual Respect Charter, at Attachment 1.***

#### **Background**

East Gippsland Shire Council is committed to being accessible and responsive to our community and members of the public and values respectful relationships with our community and customers. Notwithstanding, Council has a zero-tolerance in relation to any harm, abuse, aggressive behaviour or threats directed towards Council or its staff.

The draft Mutual Respect Charter has been developed to support a key principle of providing a safe and respectful workplace. It is based on the principle of mutual respect and cooperation.

The rationale for the introduction of a Mutual Respect Charter was borne from several instances of unacceptable and unwarranted behaviour towards Council officers from members of the community.

There have been instances for example where parks and gardens officers have been verbally abused by members of the community on matters that are unrelated to the works that are being carried out by these officers.

There have also been instances where operators at the landfill have been subjected to unacceptable abuse and on occasion customer service officers have received verbal abuse from customers.

It is also well documented that other Councils face similar issues of abuse on Council officers who are doing their job, even if it is a regulation such as animal control or welfare, or a parking fine, but could also extend to school crossing supervisors - assaults on people who are trying to protect children in the community.



Whilst Council officers deal with this unacceptable behaviour in a professional manner, the abuse can affect Council's ability to do its work and perform functions in the most effective and efficient way possible and potentially impacts on the health, safety and security of our officers.

It is proposed that through the Mutual Respect Charter, appropriate guidance is provided to support Council officers when confronted with these types of behaviour. To that end, Council's complaints management framework will be updated to provide practical guidance to Council officers and Councillors on how to deal with members of the public appropriately and safely.

In order that matters are dealt with fairly, efficiently and effectively and that occupational health and safety standards and duty of care obligations are adhered to, the Mutual Respect Charter sets out the rights and responsibilities expected to be observed and respected by all parties.

The Mutual Respect Charter sets out a shared responsibility:

1. Safe workplace expectations for our staff in dealing with the community and our customers.
2. Our commitment to serving the community and what people can expect when interacting with Council and its staff.

The Mutual Respect Charter reads:

**The community has the right and responsibility to:**

- Be treated with courtesy and respect
- Be given reasons that explain decisions affecting them
- A fair and impartial assessment based on the facts and merits of the matter
- A timely response
- Express their opinions in ways that are respectful and lawful
- A fair hearing
- Communicate valid concerns and views without fear of reprisal
- Access Council's complaints management policy
- Be informed about the actions taken and outcome of their complaint

**Councillors and staff have the right and responsibility to:**

- Be treated with courtesy and respect
- A safe and healthy working environment
- Expect honesty, cooperation and reasonable assistance from the community
- Zero tolerance on verbal abuse, offensive behaviour, threats and violence
- Provide reasons for decisions, and ensure that decisions are subject to appropriate review processes
- Be clear on how the matter will be handled, including compliance to statutory and/or legislative processes
- Modify, curtail or decline service in response to unacceptable behaviour which because of its nature or frequency raises health, safety, resource or equity issues

It is intended that the Mutual Respect Charter will be publicised through Council's normal communication channels and placed at all customer facing sites.

## **Legislation**

The *Occupational Health and Safety Act 2004* is the main workplace health and safety law in Victoria. Organisations must provide and maintain a working environment that is safe and free of risks to health, so far as is reasonably practicable. The intention is to provide Council officers with the necessary information, instruction, and guidance to enable them to do their work in a way that is safe.

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*.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.1 A better everyday customer experience is created for our residents and visitors.

## **Resourcing**

### *Financial*

The financial implication with this report is limited to any minor costs associated with printing and stationery, which will be absorbed within existing budgets.

### *Plant and equipment*

There are no plant and equipment requirements associated with this report.

### *Human Resources*

There are no additional human resources required as a result of this report.

### *Risk*

The risks of this proposal have been considered and it is anticipated that the introduction of a Mutual Respect Charter will improve the risk nature of dealings and interactions with the community and customers because the Mutual Respect Charter supports a key principle of providing a safe and respectful workplace and is based on the principle of mutual respect and cooperation.

## **Economic**

There are no perceived economic impacts identified with this report.

## **Social**

The acceptance of the Mutual Respect Charter will improve social behaviour directed towards Council and Council officers.

## **Environmental**

There are no perceived environmental impacts identified with this report.

## **Engagement**

East Gippsland Shire Council is grateful to and acknowledges the leading work of the City of Stonnington with regards to the Mutual Respect Charter. With City of Stonnington's permission, East Gippsland Shire Council has reproduced both the Mutual Respect Charter with suitable adaptations as required.

## **Attachments**

1. Mutual Respect Charter [5.2.3.1 - 1 page]



# Mutual Respect Charter

Our Mutual Respect Charter is based on the principle of mutual respect and cooperation and supports our values of providing a safe and respectful workplace. It outlines the rights and responsibilities of the community, Councillors and staff in all Council-related interactions.

The Charter sets out a shared responsibility for:

1. Safe workplace expectations for our staff in dealing with the community and our customers.
2. Our commitment to serving the community and what people can expect when interacting with Council and its staff.

The Charter reads:

## **The community has the right and responsibility to:**

- Be treated with courtesy and respect
- Be given reasons that explain decisions affecting them
- A fair and impartial assessment based on the facts and merits of the matter
- A timely response
- Express their opinions in ways that are respectful and lawful
- A fair hearing
- Communicate valid concerns and views without fear of reprisal
- Access Council's complaints management policy
- Be informed about the actions taken and outcome of their complaint

## **Councillors and staff have the right and responsibility to:**

- Be treated with courtesy and respect
- A safe and healthy working environment
- Expect honesty, cooperation and reasonable assistance from the community
- Zero tolerance on verbal abuse, offensive behaviour, threats and violence
- Provide reasons for decisions, and ensure that decisions are subject to appropriate review processes
- Be clear on how the matter will be handled, including compliance to statutory and/or legislative processes
- Modify, curtail or decline service in response to unacceptable behaviour which because of its nature or frequency raises health, safety, resource or equity issues

With permission from City of Stonnington, the Mutual Respect Charter has been reproduced for use by East Gippsland Shire Council.

## 5.2.4 Public Transparency Policy

Authorised by General Manager Business Excellence

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### Conflict of Interest

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

### Executive Summary

The *Local Government Act* 2020 requires Council to adopt and maintain a Public Transparency Policy. This Policy was adopted in August 2020 but the Council at the time expressed the desire for the Policy to be reviewed within twelve months to assess if there were learnings that could be adopted and to give the new Council the opportunity to review the Policy.

The revised draft Public Transparency Policy, available at **Attachment 1**, continues to commit Council to making all Council decision-making processes (by Council and Council staff) transparent and Council information publicly available except where it is confidential information as defined in the Act or by virtue of another Act, or it is not in the public interest to make it available.

### Officer Recommendation

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

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. adopts the revised draft Public Transparency Policy at Attachment 1.***

### Background

Council adopted the first Public Transparency Policy under section 57 of the *Local Government Act* 2020 in August 2020. The Policy indicates where possible information will be available on Council's website or accessible at customer service centres and libraries.

Since the adoption of the Policy the transition from the *Local Government Act* 1989 (the 1989 Act) has been completed. The initial policy provided for access to information under both the Acts, however most of the requirements under the 1989 are no longer relevant as the majority of the provisions have now been repealed. A review provides an opportunity to consider the legislative changes and to ensure the consistency with the Act and other legislation.

The revised draft Policy, at **Attachment 1**, provides an extensive list of the publicly available information including, among other things, livestreaming of Council meetings, Council agendas and minutes, adopted Council policies, plans, codes and strategies and summaries of personal interest returns.

As the Act is not prescriptive like the 1989 Act, the structure of the publicly available information has been changed in the draft revised Policy. This is to eliminate the potential confusion between what is expressly required under the Act and what is by extension required under the Act. The Policy makes publicly available all information relevant to the Act and in the remaining circumstances the 1989 Act. It also identifies publicly available information required under other legislation for ease of reference.



In addition, the revised draft Policy includes guidance to the community on how to access information that is not available on Council's website or otherwise available. It also outlines how Council will respond to such requests, including the process for denying access to information under the Policy which provides greater clarity for the community and Council staff.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with section 57 of the *Local Government Act 2020* and other Acts as required.

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*.

## **Collaborative Procurement**

This report does not involve collaborative procurement.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.4 Continuous improvement systems are strengthened, and organisational efficiency enhanced.

## **Council Policy**

The Policy was adopted, in line with the legislative requirements, immediately prior to the 2020 Local Government elections. The Council at the time requested that the Policy be reviewed within the first twelve months to give the new Council the opportunity to consider the Policy and to apply improved understanding of the legislative requirements.

## **Options**

As this is a legislative requirement there are no alternative options to consider.

## **Resourcing**

### *Financial*

There are no financial implications of this Policy.

### *Plant and equipment*

There are no implications for plant and equipment.

### *Human Resources*

The Policy will be managed within existing resources.

### *Risk*

The revised draft Policy will minimise the risk of confusion about publicly available information following the transition to the new Act. The inclusion of the procedural guidance reduces the risk of misunderstanding when seeking access to information that is not available on the website or otherwise available.

### **Economic**

The revised draft Policy continues Council commitment to transparency in decision-making and provides the community and the businesses of the Shire with confidence in its decisions.

### **Social**

The revised draft Policy assumes that all matters should be public except in very specific and limited circumstances ensuring transparency of decision-making processes in the interest of the community.

### **Environmental**

The revised draft Policy ensures protection of the Shires environment by ensuring transparent decision-making processes and making information available for public scrutiny.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

This report is assessed as having no direct impact on climate change.

### **Attachments**

1. Revised draft Public Transparency Policy [5.2.4.1 - 12 pages]
2. Revised draft Public Transparency Policy - tracked changes [5.2.4.2 - 13 pages]

Version number: 2  
Authorised by: Council



# Public Transparency Policy

## TABLE OF CONTENTS

<b>Purpose .....</b>	<b>3</b>
<b>Scope .....</b>	<b>3</b>
<b>Policy Context.....</b>	<b>3</b>
<b>Policy Statement.....</b>	<b>3</b>
<b>Policy Initiatives .....</b>	<b>3</b>
<b>Publicly available information .....</b>	<b>4</b>
<b>Procedural guidelines .....</b>	<b>6</b>
<b>Review .....</b>	<b>7</b>
<b>Administrative Updates .....</b>	<b>7</b>
<b>Roles and Responsibilities .....</b>	<b>8</b>
<b>References and Supporting Documents .....</b>	<b>9</b>
Applicable Legislation:.....	9
Applicable Policy and Procedure:.....	9
Supporting Documents: .....	9
<b>Privacy and Human Rights Consideration.....</b>	<b>9</b>
<b>Definitions .....</b>	<b>10</b>
<b>Revision History and Review .....</b>	<b>12</b>

## Purpose

The purpose of the Public Transparency Policy (the Policy) is to ensure the transparency of Council decisions, actions and information and to enable public awareness of the availability of East Gippsland Shire Council (Council) information in accordance with section 58 of the *Local Government Act 2020* (the Act). The Policy supports the overarching governance principles set out in section 9 of the Act and describes the type of Council information that is publicly available and the methods by which the community can access this information.

## Scope

The Policy applies to decisions, actions and information of Councillors, delegated committee members, Council staff and Council as an organisation.

## Policy Context

The Act assumes that all matters should be public except in very specific and limited circumstances. It establishes overarching governance principles for Council performance to ensure that Council is an open and transparent organisation. Section 9 (2)(i) of the Act mandates the *transparency of Council decisions, actions and information*.

Council must adopt and maintain a Public Transparency Policy under section 57 of the Act that gives effect to the following transparency principles, as outlined in section 58 of the Act:

- (a) *Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;*
- (b) *Council information must be publicly available unless—*
  - i. *the information is confidential by virtue of this Act or any other Act;*
  - ii. *public availability of the information would be contrary to the public interest;*
- (c) *Council information must be understandable and accessible to members of the municipal community;*
- (d) *Public awareness of the availability of Council information must be facilitated.*

## Policy Statement

Council is committed to the principles of public transparency established in section 58 of the Act and commits to making all Council decision making processes transparent and Council information publicly available, except where the information is:

- Confidential information,<sup>1</sup> unless Council has determined by resolution that the information should be made publicly available; or
- confidential by virtue of any other Act; or
- such that making it publicly available would be contrary to the public interest test<sup>2</sup>.

## Policy Initiatives

1. Council will make available on its website, where possible, Council information that is publicly available and it will be regularly reviewed, updated, understandable and accessible.

<sup>1</sup> Within the meaning of the Act – see the definition of 'Confidential information'.

<sup>2</sup> See definitions section for the meaning of this term, including examples of where the public availability of information would be contrary to the public interest.



2. Information not able to be placed on the website, may be accessed, on request, by viewing in-person.
3. Council will use digital media channels to share Council information that is publicly available, such as Council meetings, and to encourage community engagement and consultation on projects and community related matters.
4. Council will make available on the website information outlined in the East Gippsland Shire Council Part II Statement<sup>3</sup> required under the *Freedom of Information Act* 1982.
5. Council will facilitate the awareness of access to publicly available information through its website, social media and through community engagement opportunities.
6. Council will make publicly available information obtainable at Council's Customer Service Centres and libraries.
7. Council will apply the presumption of openness to information and adopt a proactive publication position within the parameters outlined in this Policy.
8. Council may charge for printing large documents or large volumes of publicly available information.
9. Council will assist the community in accessing its publicly available information and will inform the community of their right to make an application under the *Freedom of Information Act* 1982 for information which is not considered publicly available information.
10. Where requested, Council will endeavour to convert Council information to different accessible formats where necessary for members of the municipal community for whom either English is their second language, or their disability requires an alternative means of access be provided.

## Publicly available information

11. Under the Act (and in some cases the *Local Government Act* 1989), Council will, subject to the exceptions of confidentiality and public interest (section 58(b) of the Act), make the following Council information publicly available (either on the website or for viewing in-person by request) to give effect to the transparency principles and to ensure the community is informed and can benefit from access to information regarding Council's functions and operations:
  - Register of delegations made by the Council
  - Local laws and any documents incorporated
  - Proposed local laws
  - Council budget and quarterly budget reports as presented to Council
  - Council's annual report
  - Submissions made under s223 of the *Local Government Act* 1989

<sup>3</sup> Available at  
[https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate\\_directorate/egscfreedomofinformationactpart11statement.pdf](https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate_directorate/egscfreedomofinformationactpart11statement.pdf)

- Summary of campaign donation returns
  - Summary of Personal Interest Returns<sup>4</sup>
  - All adopted Council policies, plans, codes and strategies
  - Governance Rules, including the Election Period Policy
  - Agendas and minutes of Council and delegated committee meetings
  - Reappointment of the Chief Executive Officer without advertisement
  - Livestreams and records of Council meetings
  - Live streams of Council meetings, if Council chooses to close physical attendance at Council meetings in accordance with Part 12 of the Act (COVID-19 temporary measures)
  - Electronic recordings or live streams of delegated committee meetings, if the delegated committee chooses to close physical attendance at delegated committee meetings in accordance with Part 12 of the Act (COVID-19 temporary measures)
  - Membership of, terms of reference for, and agendas and minutes of meetings of Council delegated committees and community asset committees.
  - Composition and terms of reference for advisory committees
  - Register of delegations made by the Chief Executive Officer
  - Register of authorised officers
  - Register of interstate and overseas travel by Councillors and staff
  - Register of land leases entered into by Council
  - Register of donations and grants made by Council
  - Contracts awarded by Council
  - Details of any Council land proposed for sale or exchange
  - Allowances for the Mayor and Councillors
  - Summary of reimbursements made to Councillors and members of delegated committees
  - Summary of the conflicts of interest register
  - Summary of Gifts, Benefits and Hospitality disclosures
  - During an election period, the Request for Information Register recording all requests relating to electoral matters and non-routine requests for information by Councillors and election candidates, as well as the responses provided
  - Any other Information requested that is eligible for public disclosure in accordance with sections 57 and 58 of the Act
12. Under various other Acts administered by Council the following information will be made publicly available:
- Register of planning permits

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<sup>4</sup> Which must include the details set out in section 135 of the Act and be in accordance with section 10 of the *Local Government (Governance and Integrity) Regulations 2020*.

- Register of planning applications on advertising
- Copy of planning permits and endorsed plans (by application, subject to copyright, charges will apply)
- Register of building permits, occupancy permits and temporary approvals
- Copies of building permits, plans and other documentation (by application, charges will apply)
- Register of animal registrations
- Register of public roads
- Freedom of Information Part II Statement<sup>5</sup>
- Any other information that is eligible for public disclosure in accordance with the Acts administered by Council.

## Procedural guidelines

13. Requests for Council information not available on Council's website are to be directed to the relevant Council staff member, the Governance and Compliance Coordinator or the Freedom of Information Officer.
14. The Freedom of Information Officer will endeavour to provide as much information as possible free of charge within the parameters of this Policy, prior to processing the Information under the *Freedom of Information Act* 1982.
15. Requests for information that include exempt under the *Freedom of Information Act* 1982 or documents which are not available under this Policy will be processed by application under that Act.
16. Requests for publicly available information that requires Council to redirect resources to the sourcing and preparing large volumes of information may incur a processing charge.
17. Where a request is made for access to Council information that is not on the Council website or otherwise available at Council Offices, the Manager Governance or Governance and Compliance Coordinator will:
  - a. review the request;
  - b. assess whether the Council information being requested is confidential information, or its release would be contrary to public interest, or whether access should be disallowed for another reason allowed under legislation; and
  - c. notify the person requesting the Council information of the outcome of the assessment (in accordance with clause 19 below) and, if the outcome is that the Council information is to be provided to the person, provide the person with the Council information.

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<sup>5</sup> Available at  
[https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate\\_directorate/egscfreedomofinformationactpart11statement.pdf](https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate_directorate/egscfreedomofinformationactpart11statement.pdf)

18. The Council information requested will be provided by email unless:
  - a. the person requesting the Council information seeks access to the Council information in a different form, in which case the Council information will be provided in that form, unless it would be impractical to do so; or
  - b. the Manager Governance or Governance and Compliance Coordinator, having regard to the nature of the Council information requested, determines that the Council information would be better provided in a different form, such as by inspection.
19. Should the request for Council information be assessed to as being confidential information or the release of such information to be contrary to public interest, the person requesting the Council information will be informed:
  - a. that the request has been denied;
  - b. of the reasons for the denial; and
  - c. of any alternative mechanisms by which they may seek access to the Council Information (e.g. by making a request under the *Freedom of Information Act 1982*).
20. Chief Executive Officer to review and approve all decisions to deny access to information prior to the person making the request being notified in accordance with clause 20 above.
21. For all requests for information that is not on the Council website or otherwise available, the request whether released or denied will be recorded on the Public Transparency Register.

## Review

The Policy will be reviewed every three years or as legislative changes occur requiring further information to be made publicly available

## Administrative Updates

From time-to-time circumstances may change, leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively.

Administrative changes include updating to the latest style or template for policy, change to the name of Council directorate or business unit, change to the name of responsible person or position title, change to State or Federal department or minor update to legislation which does not have a material impact such as the section or definition changes in the Act.

## Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the Policy in their work areas:

Party / Parties	Roles and Responsibilities
Council	Champion the commitment to the principles of public transparency in decisions, actions and information.
Chief Executive Officer	Champion the behaviours that foster transparency and drive the principles in the <i>Local Government Act 2020</i> through policy, process and leadership. Monitor the implementation of the policy. To review and approve all decisions denying information requests under this Policy.
General Managers	Manage areas of responsibility to ensure consistency with the public transparency principles and this policy.
Staff	Public transparency is the responsibility of all Council staff as appropriate in their role and function. All staff will respond to requests for information and facilitate the provision of information in alignment with this Policy and in consultation with their manager and, where required, the Governance and Compliance Coordinator and the Freedom of Information Officer.
Manager Governance	Monitor the implementation of this Policy and conduct reviews to drive continuous improvement in the application of the public transparency principles. Provide advice to Council and staff on the application of public transparency principles and this Policy in Council decisions and actions and to ensure information is publicly available where appropriate. Review and assess requests for information under this Policy.
Governance and Compliance Coordinator	Review and assess requests for information under this Policy. Maintain a register of information released or denied under this Policy.
Freedom of Information Officer	Provide advice to Council staff on when a request for information should be made and assessed under the <i>Freedom of Information Act 1982</i> . Make available information that is not subject to the <i>Freedom of Information Act 1982</i> .

## References and Supporting Documents

### Applicable Legislation:

Local Government Act 2020  
 Local Government Act 1989  
 Privacy and Data Protection Act 2014  
 Health Records Act 2001  
 Freedom of Information Act 1982  
 Charter of Human Rights and Responsibilities Act 2006

### Applicable Policy and Procedure:

Access to Information (Records) Policy  
 Information Privacy Policy  
 Information Privacy Guidelines  
 Complaints Management Policy

### Supporting Documents:

East Gippsland Shire Council Part II Statement the *Freedom of Information Act* 1982  
 Documents for Public inspection list

## Privacy and Human Rights Consideration

Council will provide access to personal information only where legislation permits and where circumstances are appropriate, as outlined in Council's Information Privacy Policy. This Policy has been assessed against and complies with the *Charter of Human Rights and Responsibilities Act* 2006 (the **Charter**). In accordance with section 13 of the Charter this Policy provides for the protection of an individual's right to not have their privacy unlawfully or arbitrarily interfered with. In accordance with section 16 of the Charter this Policy supports the right of every person in Victoria to participate in the conduct of public affairs.



## Definitions

Term	Meaning
Act	The <i>Local Government Act 2020</i> (Vic).
Confidential information	<p>As defined in section 3 of the <i>Local Government Act 2020</i>, confidential information means:</p> <ul style="list-style-type: none"> <li>(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;</li> <li>(b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;</li> <li>(c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;</li> <li>(d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;</li> <li>(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;</li> <li>(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;</li> <li>(g) private commercial information, being information provided by a business, commercial or financial undertaking that— <ul style="list-style-type: none"> <li>i. relates to trade secrets; or</li> <li>ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;</li> </ul> </li> <li>(h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);</li> <li>(i) internal arbitration information, being information specified in section 145 of the Act;</li> <li>(j) Councillor Conduct Panel confidential information, being information specified in section 169 of the Act;</li> <li>(k) information prescribed by the regulations to be confidential information for the purposes of this definition;</li> <li>(l) information that was confidential for the purposes of section 77 of the <i>Local Government Act 1989</i>.</li> </ul>
Contrary to the Public Interest Test	<p>Where, according to the relevant Council staff member, the net negative effect to the public of the publication of certain Council information would outweigh the net positive effect to the public of the publication of certain Council information.</p> <p>Examples of where the public availability of information would be contrary to the public interest include but are not limited to:</p> <ul style="list-style-type: none"> <li>(a) where disclosure of the information would divulge any information or</li> </ul>

Term	Meaning
	<p>matter communicated in confidence by or on behalf of a person or a government and be reasonably likely to impair the ability of Council to obtain similar information in the future; or</p> <p>(b) where disclosure of the information would be reasonably likely to have a substantial adverse effect on the economy of the municipal district, including but not limited to, revealing consideration of a contemplated movement in rates, fees, charges, interest charges or other levies, the sale or acquisition of land or property by the Council, urban re-zoning, the formulation of land use and planning controls and formation of imposts; or</p> <p>(c) where it would disclose instructions issued to, or provided for the guidance of, Council officers on the procedures to be followed or the criteria to be applied in negotiation, including financial, commercial and labour negotiation, in the execution of contracts, in the defence, prosecution and settlement of cases, and in similar activities relating to the financial property and personnel management of Council; or</p> <p>(d) where the information is subject to a secrecy provision in another Act; or</p> <p>(e) where disclosure of the information may constitute a contravention of the <i>Health Records Act 2001</i> or the <i>Privacy and Data Protection Act 2014</i>; or</p> <p>(f) where disclosure of the information would impede the administration of justice generally, including procedural fairness; or</p> <p>(g) where disclosure of the information would prejudice inter-governmental relations or otherwise affect relations with other governments; or</p> <p>(h) where disclosure of the information would prejudice or otherwise affect the conduct of investigations, audits or reviews by Council or integrity bodies; or</p> <p>(i) where disclosure of the information would prejudice the effectiveness of testing or auditing procedures, or</p> <p>(j) where disclosure of the information would prejudice the deliberative process of government.</p> <p>These are examples only and not exhaustive of the circumstances in which the public availability of information would be contrary to the public interest.</p> <p>Note that the Act provides no definition as to when the public availability of information would be contrary to the public interest. Council Staff will need to determine this on a case-by-case basis.</p>
Community	People who live in East Gippsland; People and organisations who are ratepayers in East Gippsland; and People and organisations who conduct activities in East Gippsland.
Council	East Gippsland Shire Council.
Councillor	A person who has been elected to the office of Councillor of East Gippsland Shire Council.
Information	As defined in section 57(4) of the <i>Local Government Act 2020</i> .

Term	Meaning
Policy	This Public Transparency Policy.
Shire	The geographic area of East Gippsland Shire Council.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff, contractors and volunteers.
Transparency	Openness that enables accountability in Council decision making, actions and information.

## Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	25/08/2020	Council	8634750	New Policy. Council must adopt and maintain a Public Transparency Policy under section 57 of the <i>Local Government Act 2020</i> .
2			Council		Revised to improve clarity and outline processes.

Version number: 1  
Authorised by: Council



# Public Transparency Policy

## TABLE OF CONTENTS

<b>Purpose .....</b>	<b>3</b>
<b>Scope .....</b>	<b>3</b>
<b>Policy Context.....</b>	<b>3</b>
<b>Policy Statement.....</b>	<b>3</b>
<b>Policy Initiatives .....</b>	<b>3</b>
<b>Publicly available information .....</b>	<b>4</b>
<b>Procedural guidelines .....</b>	<b>6</b>
<b>Review .....</b>	<b>7</b>
<b>Administrative Updates .....</b>	<b>8</b>
<b>Roles and Responsibilities .....</b>	<b>8</b>
<b>References and Supporting Documents .....</b>	<b>9</b>
Applicable Legislation:.....	9
Applicable Policy and Procedure:.....	9
Supporting Documents: .....	9
<b>Privacy and Human Rights Consideration.....</b>	<b>9</b>
<b>Definitions .....</b>	<b>10</b>
<b>Revision History and Review .....</b>	<b>12</b>

## Purpose

The purpose of the Public Transparency Policy (the Policy) is to ensure the transparency of Council decisions, actions and information and to enable public awareness of the availability of East Gippsland Shire Council (Council) information in accordance with section 58 of the *Local Government Act 2020* (the Act). The Policy supports the overarching governance principles set out in section 9 of the Act and describes the type of Council information that is publicly available and the methods by which the community can access this information.

## Scope

The Policy applies to decisions, actions and information of Councillors, delegated committee members, Council staff and Council as an organisation.

## Policy Context

The Act assumes that all matters ~~should~~**must** be public except in very specific and limited circumstances. It establishes overarching governance principles for Council performance to ensure that Council is an open and transparent organisation. Section 9 (2)(i) of the Act mandates the *transparency of Council decisions, actions and information*.

Council must adopt and maintain a Public Transparency Policy under section 57 of the Act that gives effect to the following transparency principles, as outlined in section 58 of the Act:

- (a) *Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;*
- (b) *Council information must be publicly available unless—*
  - i. *the information is confidential by virtue of this Act or any other Act;*
  - ii. *public availability of the information would be contrary to the public interest;*
- (c) *Council information must be understandable and accessible to members of the municipal community;*
- (d) *Public awareness of the availability of Council information must be facilitated.*

## Policy Statement

Council is committed to the principles of public transparency established in section 58 of the Act and commits to making all Council decision making processes transparent and Council information publicly available, except where the information is:

- Confidential information,<sup>1</sup> unless Council has determined by resolution that the information should be made publicly available; or
- confidential by virtue of any other Act; or
- such that making it publicly available would be contrary to the public interest test<sup>2</sup>.

## Policy Initiatives

1. Council will make available on its website, where possible, ~~all~~ Council information that is publicly available and it will be regularly reviewed, updated, understandable and

<sup>1</sup> Within the meaning of the Act – see the definition of 'Confidential information'.

<sup>2</sup> See definitions section for the meaning of this term, including examples of where the public availability of information would be contrary to the public interest.



accessible.

2. Information not able to be placed on the website, may be accessed, on request, by viewing in-person.
3. Council will use digital media channels to share Council information that is publicly available, such as Council meetings, and to encourage community engagement and consultation on projects and community related matters.
4. Council will make available on the website ~~all~~ information outlined in the East Gippsland Shire Council Part II Statement<sup>3</sup> required under the *Freedom of Information Act* 1982.
5. Council will facilitate the awareness of access to publicly available information through its website, social media and through community engagement opportunities.
6. Council will make publicly available information obtainable at Council's Customer Service Centres and libraries.
7. Council will apply the presumption of openness to information and adopt a proactive publication position within the parameters outlined in this Policy.
- ~~8. Council will, where possible, make publicly available information readily available.~~
- ~~9.8.~~ Council may charge for printing large documents or large volumes of publicly available information.
- ~~10.9.~~ Council will assist the community in accessing its publicly available information and will inform the community of their right to make an application under the *Freedom of Information Act* 1982 for information which is not considered publicly available information.
10. Where requested, Council will endeavour to convert Council information to different accessible formats where necessary for members of the municipal community for whom either English is their second language, or their disability requires an alternative means of access be provided.

## Publicly available information

11. Under the Act (and in some cases the *Local Government Act* 1989), ~~there are specific provisions which require certain information to be made publicly available. This includes the following~~ Council will, subject to the exceptions of confidentiality and public interest (section 58(b) of the Act), make the following Council information publicly available (either on the website or for viewing in-person by request) to give effect to the transparency principles and to ensure the community is informed and can benefit from access to information regarding Council's functions and operations:
  - Register of delegations made by the Council
  - Local laws and any documents incorporated
  - Proposed local laws

<sup>3</sup> Available at  
[https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate\\_directorate/egscfreedomofinformationactpart11statement.pdf](https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate_directorate/egscfreedomofinformationactpart11statement.pdf)

- Council Plan
- Strategic Resources Plan
- Council budget and quarterly budget reports as presented to Council
- Council's annual report
- Councillor Code of Conduct
- Procurement Policy
- Register of interests
- Submissions made under s223 of the *Local Government Act 1989*
- Differential rates
- Summary of campaign donation returns
- Summary of Personal Interest Returns<sup>4</sup>
- All adopted Council policies, plans, codes and strategies
- Governance Rules, including the Election Period Policy
- Agendas and minutes of Council and delegated committee meetings
- Reappointment of the Chief Executive Officer without advertisement
- Livestreams and records of Council meetings
- Live streams of Council meetings, if Council chooses to close physical attendance at Council meetings in accordance with Part 12 of the Act (COVID-19 temporary measures)
- Electronic recordings or live streams of delegated committee meetings, if the delegated committee chooses to close physical attendance at delegated committee meetings in accordance with Part 12 of the Act (COVID-19 temporary measures)
- Membership of, terms of reference for, and agendas and minutes of meetings of Council delegated committees and community asset committees.
- Composition and terms of reference for advisory committees
- Register of delegations made by the Chief Executive Officer
- Register of authorised officers
- Register of interstate and overseas travel by Councillors and staff
- Register of land leases entered into by Council
- Register of donations and grants made by Council
- Contracts awarded by Council
- Details of any Council land proposed for sale or exchange
- Allowances for the Mayor and Councillors
- Summary of reimbursements made to Councillors and members of delegated committees
- Summary of the conflicts of interest register

<sup>4</sup> Which must include the details set out in section 135 of the Act and be in accordance with section 10 of the *Local Government (Governance and Integrity) Regulations 2020*.

- Summary of Gifts, Benefits and Hospitality disclosures
- During an election period, the Request for Information Register recording all requests relating to electoral matters and non-routine requests for information by Councillors and election candidates, as well as the responses provided
- Any other Information requested that is eligible for public disclosure in accordance with sections 57 and 58 of the Act

12. Under various other Acts administered by Council the following information will be made publicly available:

- Register of planning permits
- Register of planning applications on advertising
- Copy of planning permits and endorsed plans (by application, subject to copyright, charges will apply)
- Register of building permits, occupancy permits and temporary approvals
- Copies of building permits, plans and other documentation (by application, charges will apply)
- Register of animal registrations
- Register of public roads
- Freedom of Information Part II Statement<sup>5</sup>
- Any other information that is eligible for public disclosure in accordance with the Acts administered by Council.

13. ~~Council will also make the following Council information publicly available to give effect to the transparency principles and to ensure the community is informed and can benefit from access to information regarding Council's functions and operations:~~

- ~~• All adopted Council policies, plans and strategies~~
- ~~• Governance Rules, including the Election Period Policy~~
- ~~• Agendas and minutes of Council and delegated committee meetings~~
- ~~• Composition and, terms of reference, Council committees and~~
- ~~• and groups~~
- ~~• Code of Conduct for Council Staff~~
- ~~• Register of delegations made by the Chief Executive Officer~~
- ~~• Register of authorised officers~~
- ~~• Register of interstate and overseas travel by Councillors and staff~~
- ~~• Register of land leases entered into by Council~~
- ~~• Register of donations and grants made by Council~~
- ~~• Register of Contracts awarded by Council~~

<sup>5</sup> Available at  
[https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate\\_directorate/egscfreedomofinformationactpart11statement.pdf](https://www.eastgippsland.vic.gov.au/files/assets/public/documents/corporate_directorate/egscfreedomofinformationactpart11statement.pdf)

- ~~Details of any Council land proposed for sale or exchange~~

### ~~Summary of conflicts of interest~~

## Procedural guidelines

- ~~14.13.~~ Requests for Council information not available on Council's website are to be directed to the relevant Council staff member, the Governance and Compliance Coordinator or the Freedom of Information Officer.
- ~~15.14.~~ The Freedom of Information Officer will endeavour to provide as much information as possible free of charge within the parameters of this Policy, prior to processing the Information under the *Freedom of Information Act 1982*.
- ~~16.15.~~ Requests for information that include exempt under the *Freedom of Information Act 1982* or documents which are not available under this Policy will be processed by application under that Act.
- ~~17.16.~~ Requests for publicly available information that requires Council to redirect resources to the sourcing and preparing large volumes of information may incur a processing charge.
17. Where a request is made for access to Council information that is not on the Council website or otherwise available at Council Offices, the Manager Governance or Governance and Compliance Coordinator will:
- review the request;
  - assess whether the Council information being requested is confidential information, or its release would be contrary to public interest, or whether access should be disallowed for another reason allowed under legislation; and
  - notify the person requesting the Council information of the outcome of the assessment (in accordance with clause 19 below) and, if the outcome is that the Council information is to be provided to the person, provide the person with the Council information.
18. The Council information requested will be provided by email unless:
- the person requesting the Council information seeks access to the Council information in a different form, in which case the Council information will be provided in that form, unless it would be impractical to do so; or
  - the Manager Governance or Governance and Compliance Coordinator, having regard to the nature of the Council information requested, determines that the Council information would be better provided in a different form, such as by inspection.
19. Should the request for Council information be assessed to as being confidential information or the release of such information to be contrary to public interest, the person requesting the Council information will be informed:
- that the request has been denied;

- b. of the reasons for the denial; and
  - c. of any alternative mechanisms by which they may seek access to the Council Information (e.g. by making a request under the *Freedom of Information Act 1982*).
20. Chief Executive Officer to review and approve all decisions to deny access to information prior to the person making the request being notified in accordance with clause 20 above.
21. For all requests for information that is not on the Council website or otherwise available, the request whether released or denied will be recorded on the Public Transparency Register.

## Review

~~The Policy will be reviewed within twelve months of approval to ensure compliance with any additional provisions of the *Local Government Act 2020* as they come into force.~~

~~The Policy will be reviewed within 12 months of a general election unless Council determines an earlier review is required every three years or as legislative changes occur requiring further information to be made publicly available.~~

~~The Policy will also be reviewed in accordance with the Council's Community Engagement Policy.~~

## Administrative Updates

From time-to-time circumstances may change, leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively.

Administrative changes include updating to the latest style or template for policy, change to the name of Council directorate or business unit, change to the name of responsible person or position title, change to State or Federal department or minor update to legislation which does not have a material impact such as the section or definition changes in the Act.

## Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the Policy in their work areas:

Party / Parties	Roles and Responsibilities
Council	Champion the commitment to the principles of public transparency in decisions, actions and information.

Party / Parties	Roles and Responsibilities
Chief Executive Officer	<p>Champion the behaviours that foster transparency and drive the principles in the <i>Local Government Act 2020</i> through policy, process and leadership.</p> <p>Monitor the implementation of the policy.</p> <p><u>To review and approve all decisions denying information requests under this Policy.</u></p>
General Managers	<p>Manage areas of responsibility to ensure consistency with the public transparency principles and this policy.</p>
Staff	<p>Public transparency is the responsibility of all Council staff as appropriate in their role and function.</p> <p>All staff will respond to requests for information and facilitate the provision of information in alignment with this Policy and in consultation with their manager and, where required, the Governance and Compliance Coordinator and the Freedom of Information Officer.</p>
Manager Governance	<p>Monitor the implementation of this Policy and conduct reviews to drive continuous improvement in the application of the public transparency principles.</p> <p>Provide advice to Council and staff on the application of public transparency principles and this Policy in Council decisions and actions and to ensure information is publicly available where appropriate.</p> <p><u>Review and assess requests for information under this Policy.</u></p>
<u>Governance and Compliance Coordinator</u>	<p><u>Review and assess requests for information under this Policy.</u></p> <p><u>Maintain a register of information released or denied under this Policy.</u></p>
Freedom of Information Officer	<p>Provide advice to Council staff on when a request for information should be made and assessed under the <i>Freedom of Information Act 1982</i>.</p> <p><u>Make available information that is not subject to the <i>Freedom of Information Act 1982</i>.</u></p>

## References and Supporting Documents

### Applicable Legislation:

*Local Government Act 2020*  
*Local Government Act 1989*  
*Privacy and Data Protection Act 2014*  
*Health Records Act 2001*  
*Freedom of Information Act 1982*  
*Charter of Human Rights and Responsibilities Act 2006*

Public Transparency Policy  
 Date approved: 25 August 2020  
 Document owner: Council  
*This document is uncontrolled when printed*

Version number: 1  
 Next review date:

9



**Applicable Policy and Procedure:**

Access to Information (Records) Policy

Information Privacy Policy

Information Privacy Guidelines

Community Engagement Policy

Complaints Management Policy

**Supporting Documents:**

East Gippsland Shire Council Part II Statement the *Freedom of Information Act* 1982

Documents for Public inspection list

**Privacy and Human Rights Consideration**

Council will provide access to personal information only where legislation permits and where circumstances are appropriate, as outlined in Council's Information Privacy Policy.

This Policy has been assessed against and complies with the *Charter of Human Rights and Responsibilities Act* 2006 (the **Charter**). In accordance with section 13 of the Charter this Policy provides for the protection of an individual's right to not have their privacy unlawfully or arbitrarily interfered with. In accordance with section 16 of the Charter this Policy supports the right of every person in Victoria to participate in the conduct of public affairs.

## Definitions

Term	Meaning
<u>Act</u>	<u>The Local Government Act 2020 (Vic).</u>
<del>Closed meeting</del>	<del>A meeting of Council under section 66(2) of the Local Government Act 2020 not open to the public.</del>
Confidential information	<p>As defined in section 3 of the <i>Local Government Act 2020</i>, confidential information means:</p> <ul style="list-style-type: none"> <li>(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;</li> <li>(b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;</li> <li>(c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;</li> <li>(d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;</li> <li>(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;</li> <li>(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;</li> <li>(g) private commercial information, being information provided by a business, commercial or financial undertaking that— <ul style="list-style-type: none"> <li>i. relates to trade secrets; or</li> <li>ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;</li> </ul> </li> <li>(h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);</li> <li>(i) internal arbitration information, being information specified in section 145 of the Act;</li> <li>(j) Councillor Conduct Panel confidential information, being information specified in section 169 of the Act;</li> <li>(k) information prescribed by the regulations to be confidential information for the purposes of this definition;</li> <li>(l) information that was confidential for the purposes of section 77 of the <i>Local Government Act 1989</i>.</li> </ul>
Contrary to the Public Interest Test	<p>Where, according to the relevant Council staff member, the net negative effect to the public of the publication of certain Council information would outweigh the net positive effect to the public of the publication of certain Council information.</p> <p>Examples of where the public availability of information would be contrary to the public interest include but are not limited to:</p>

Term	Meaning
	<p>(a) where disclosure of the information would divulge any information or matter communicated in confidence by or on behalf of a person or a government and be reasonably likely to impair the ability of Council to obtain similar information in the future; or</p> <p>(b) where disclosure of the information would be reasonably likely to have a substantial adverse effect on the economy of the municipal district, including but not limited to, revealing consideration of a contemplated movement in rates, fees, charges, interest charges or other levies, the sale or acquisition of land or property by the Council, urban re-zoning, the formulation of land use and planning controls and formation of imposts; or</p> <p>(c) where it would disclose instructions issued to, or provided for the guidance of, Council officers on the procedures to be followed or the criteria to be applied in negotiation, including financial, commercial and labour negotiation, in the execution of contracts, in the defence, prosecution and settlement of cases, and in similar activities relating to the financial property and personnel management of Council; or</p> <p>(d) where the information is subject to a secrecy provision in another Act; or</p> <p>(e) <u>where disclosure of the information may constitute a contravention of the Health Records Act 2001 or the Privacy and Data Protection Act 2014; or</u></p> <p>(f) where disclosure of the information would impede the administration of justice generally, including procedural fairness; or</p> <p>(g) where disclosure of the information would prejudice inter-governmental relations or otherwise affect relations with other governments; or</p> <p>(h) where disclosure of the information would prejudice or otherwise affect the conduct of investigations, audits or reviews by Council or integrity bodies; or</p> <p>(i) where disclosure of the information would prejudice the effectiveness of testing or auditing procedures, or</p> <p>(j) where disclosure of the information would prejudice the deliberative process of government.</p> <p>These are examples only and not exhaustive of the circumstances in which the public availability of information would be contrary to the public interest.</p> <p><u>Note that the Act provides no definition as to when the public availability of information would be contrary to the public interest. Council Staff will need to determine this on a case-by-case basis.</u></p>
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Council	East Gippsland Shire Council.
Councillor	A person who has been elected to the office of Councillor of East Gippsland Shire Council.

Term	Meaning
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Policy	This Public Transparency Policy.
Shire	The geographic area of East Gippsland Shire Council.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff, contractors and volunteers.
Transparency	<del>Means</del> Openness that enables accountability in Council decision making, actions and information.

## Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	25/08/2020	Council	8634750	New Policy. Council must adopt and maintain a Public Transparency Policy under section 57 of the <i>Local Government Act 2020</i> .
<u>2</u>			<u>Council</u>		<u>Revised to improve clarity and outline processes.</u>

## **5.2.5 Instrument of Delegation to Chief Executive Officer**

Authorised by      General Manager Business Excellence

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### **Conflict of Interest**

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

### **Executive Summary**

The purpose of this report is to amend the Instrument of Delegation to the Chief Executive Officer to address legislative compliance and grammar. It is necessary to remake the Chief Executive Officer's Instrument of Delegation regularly so that it applies to all legislation current at the time.

It is proposed to include a specific limit for expenditure required under legislation that is above the Chief Executive Officer's financial delegation. This is particularly pertinent to the payment of Council's insurance premiums that currently exceed the Chief Executive Officer's financial delegations.

Under the current Instrument of Delegation, the Chief Executive Officer is specifically permitted to exceed the financial limit for the procurement of insurance, conditional of Councillors being advised of the insurance premium being paid.

### **Officer Recommendation**

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

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. agrees that the Chief Executive Officer may exceed the financial delegation where the expenditure is, by or under legislation such as statutory or compulsory insurance, in which case the expenditure must not exceed \$1,100,000 (including GST) inclusive of the initial \$500,000 (including GST) limit;***
- 3. resolves to adopt the amended Instrument of Delegation Council to the Chief Executive Officer at Attachment 1;***
- 4. authorises signing and sealing of the Instrument of Delegation Council to the Chief Executive Officer at Attachment 1; and***
- 5. notes that the amended Instrument of Delegation Council to the Chief Executive Officer comes into force immediately after the common seal of Council is affixed.***

## Background

The Instrument of Delegation from Council to the Chief Executive Officer is required to be made at regular intervals to ensure that the Chief Executive Officer is delegated all the current powers, functions and duties of the legislation. There is legal precedence that the Chief Executive Officer delegation only applies to the Acts, Regulations and provisions that are in force at the time the Instrument was made. Therefore, with the changing legislative environment it is important to remake the Instrument so that the Chief Executive Officer can delegate and authorise staff under the Acts, Regulations and provisions that have come into force since the last time the Instrument was made.

The Instrument of Delegation from Council to the Chief Executive Officer has been reviewed. It is proposed to clarify the intention of the Instrument in line with section 11(5) of the *Local Government Act 2020* (the Act) to specify a maximum monetary limit where Council's expenditure is required by legislation but exceeds the Chief Executive Officer's financial delegation.

Under the Act there are several instances where Council is legislated to pay for services, such as insurance for Councillors and Council staff (sections 43 and 52), the cost incurred by the Victorian Electoral Commission in conducting an election (section 268), or the cost of a Councillor Conduct Panel (section 152).

The current Instrument of Delegation provides for the Chief Executive Officer to pay the insurance premiums that exceeds the limit of the Chief Executive Officer delegation (\$500,000 including GST) provided a report is provided to Councillors regarding the expenditure. However, the Instrument of Delegation does not provide a limit for when expenditure exceeds the Chief Executive Officer's limit as required by the Act.

In 2021/22 Council's insurance premiums were sourced through two brokers. One broker provided insurances, which includes insurance for Council assets, in the order of \$790,000 (including GST and stamp duty). The second broker provided insurance, which included public liability insurance, valued around \$529,000 (including GST and stamp duty). However, due to the increases in claims, particularly the claims for 2019/20 summer bushfires, and general increases in insurance premiums it is expected that the insurance premiums will exceed the current Chief Executive Officer financial delegation of \$500,000 (including GST) in future years.

In addition, the premium for WorkCover for 2021/22 with an early payment discount was \$561,000. It should be noted that this is the first year with a new insurance provide and represents a significant discount on the premium from the previous provider (\$901,000). The WorkCover premium may increase depending on the claims made in the coming years.

Based on the requirement to source and secure insurance, it is proposed that the limit for expenditure required under legislation that exceeds the Chief Executive Officer's financial delegation of \$500,000 (including GST) is limited to \$1,100,000 (including GST). This is effectively the current \$500,000 (including GST) limit plus \$600,000 (including GST). This does not allow the Chief Executive Officer to enter contracts for goods and services above \$500,000 (including GST); this increase is only relevant to legislatively required expenditure such as insurance premiums.



## **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 section 11 of the *Local Government Act 2020* that allows the Council to delegate to the Chief Executive Officer and to specify the monetary limit for entering into a contract or making expenditure.

In addition, to proposing to specify the monetary limits for legislative expenditure above the Chief Executive Officer's delegation of \$500,000 (including GST) there are minor amendments to the Instrument to improve grammar.

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*.

## **Collaboration**

This report does not involve collaborative procurement.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 5: 5.4 Continuous improvement systems are strengthened, and organisational efficiency enhanced.

## **Council Policy**

Procurement under the Chief Executive Officer's financial delegation occurs in accordance with Council's Procurement Policy.

## **Options**

It is proposed that at a minimum the Chief Executive Officer limit for insurance for 2021/22 is set to \$1,100,000 (including GST) to allow for the increase in premiums for the ensuing years.

Council may determine to establish another limit for the exception given the annual increase in insurances premiums for Council.

It is not possible to benchmark other Council's limits in relation to the exception as insurance premiums differ between Council's due to a range of factors including previous claims, size of Council, types of assets and other factors.

## **Resourcing**

### *Financial*

Establishing a limit for expenditure above the Chief Executive Officer's financial delegation but required under legislation provides transparency for the procurement of Council's insurance.

### *Plant and equipment*

There is no implication for plant and equipment.

### *Human Resources*

Any implication can be managed with existing human resources.

### *Risk*

The risks associated with establishing a limit for expenditure above the Chief Executive Officer's financial delegation but required under legislation are mitigated through the application of the Procurement Policy to Council expenditure.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

This report is assessed as having no direct impact on climate change.

## **Engagement**

Internal consultation has informed this report.

## **Attachments**

1. Instrument of Delegation [5.2.5.1 - 4 pages]
2. Instrument of Delegation (tracked) [5.2.5.2 - 4 pages]



**Instrument of  
Delegation to  
The Chief Executive  
Officer**

**5 October 2021**

Instrument of Delegation to Chief Executive Officer (S5)

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the East Gippsland Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 5 October 2021.
2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.

The Common Seal of East Gippsland Shire

Council was affixed on the (date) in the presence of: -

Councillor: .....

Cr .....

Chief Executive Officer: .....

Mr Anthony Basford

## SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1. entering into a contract exceeding the value of \$500,000 (including GST);
  - 1.2. making any expenditure that exceeds \$500,000 (including GST), unless it is expenditure which Council is, by or under legislation, required to make in which case it must not exceed \$1,100,000 (including GST) - procurement of insurance is conditional on Councillors being advised of the insurance premium paid;
  - 1.3. appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.4. electing a Mayor or Deputy Mayor;
  - 1.5. granting a reasonable request for leave under s35 of the Act;
  - 1.6. making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.7. approving or amending of the Council Plan;
  - 1.8. adopting or amending of any policy that the Council is required to adopt under the Act;
  - 1.9. adopting or amending of the Governance Rules;
  - 1.10. appointing of the chair or the members to a delegated committee;
  - 1.11. making, amending or revoking a local law;
  - 1.12. approving of the Budget or Revised Budget;
  - 1.13. approving the borrowing of money; or
  - 1.14. subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 4.1. policy; or
  - 4.2. strategy adopted by Council;
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.





**Instrument of  
Delegation to  
The Chief Executive  
Officer**

**~~Approved by East Gippsland Shire Council~~**

**~~2 June 2020~~ 5 October 2021**

Instrument of Delegation to Chief Executive Officer (S5)

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the East Gippsland Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on ~~##date~~; 5 October 2021
2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.

The Common Seal of East Gippsland Shire

Council was affixed on the   (date)   in the presence of: -

Councillor: .....

Cr .....

Chief Executive Officer: .....

Mr Anthony Basford

Instrument of Delegation to Chief Executive Officer (S5)

## SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1. ~~awarding entering into~~ a contract ~~or making an expenditure~~ exceeding the value of \$500,000 (including GST); ~~for goods, services, or carrying out of works (excluding the procurement of insurance);~~
  - 1.2. ~~making any expenditure that exceeds \$500,000 (including GST), (unless it is expenditure which Council is, by or under legislation, required to make in which case it must not exceed \$1,100,000 (including GST) - procurement of insurance is conditional on Councillors being advised of the insurance premium paid;~~
  - 1.3. appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.4. election of a Mayor or Deputy Mayor;
  - 1.5. granting of a reasonable request for leave under section 35 of the Act;
  - 1.6. making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.7. approval or amendment of the Council Plan;
  - 1.8. adoption or amendment of any policy that the Council is required to adopt under the Act;
  - 1.9. adoption or amendment of the Governance Rules;
  - 1.10. appointment of the chair or the members to a delegated committee;
  - 1.11. making, amending or revoking a local law;
  - 1.12. approval of the Budget or Revised Budget;
  - 1.13. borrowing money;
  - 1.14. subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges; ~~or~~
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

Instrument of Delegation to Chief Executive Officer (S5)

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 4.1. policy; or
  - 4.2. strategy adopted by Council; [or](#)
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Instrument of Delegation to Chief Executive Officer (S5)

## 5.3 Place and Community

### 5.3.1 Planning Permit Application 475/2020/P - for approval - 30 Clifton West Road - Multi Lot Subdivision, Roadworks and vegetation removal

Authorised by General Manager Place and Community

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#### Conflict of Interest

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

#### Executive Summary

This Report seeks Council's resolution to issue a Notice of Decision to Grant a Planning Permit with conditions outlined in **Attachment 1** for a multi-lot subdivision (208 lots), roadworks and the removal of vegetation (application documents at **Attachment 2**) at 30 Clifton West, Road Wy Yung. The application received objections (**Attachment 3**) and was subject to a planning consultation meeting (Minutes at **Attachment 4**).

The application proposes to create 208 lots for residential purposes with an average lot size of 5,871sqm, delivered across 10 stages, which supports the objectives of the Low Density Residential Zone. The Zone provides for residential development regardless of whether reticulated sewer is or is not provided. The proposed subdivision is consistent with Local Planning Policy which encourages residential development and seeks to encourage subdivision within areas defined as being suitable for residential development.

On 9 July 2021, Councillors and officers attended the site with Chris Curnow of Beveridge Williams, the applicant. The applicant has provided clarifying and supporting documents since the site meeting which had been circulated to Councillors and Objectors and was made available on Council's [website](#). The additional material further supports a recommendation for approval. This includes:

1. Applicant's response to matters raised by Marc Noyce at the PCM held on 21 June 2021.
2. A revised Stormwater Management Strategy clarifying the issues mentioned in the matters raised by Marc Noyce. The changes occurred on:
  - Page 29, where Table 14 and Figure 15 have been updated to clarify the treatment catchments and reflect the fact that outfall from catchments P2 and V will bypass the southern wetland and outfall from catchment M will bypass the eastern wetland before joining the balance of the outfall again downstream. This outcome was already assumed in the strategy, just not explicitly stated. So, the drainage assets had already been oversized to accommodate it. As a result, it does not lead to any further changes to the strategy; and,
  - Pages 28 & 31, where the manner in which rainwater tanks on each property would be used to treat and detain stormwater is more precisely explained.

The application is supported by the relevant referral authorities, with their responses at **Attachment 5**. The recommendation for approval results from a proposal that is assessed as being consistent with the relevant sections of the East Gippsland Planning Scheme: The Low Density Residential Zone, the relevant sections of the Planning Policy Framework, and the Local Planning Policy Framework provisions, which are assessed in detail at **Attachment 6**.

## Officer Recommendation

***That Council being the Responsible Authority and having considered all the relevant planning matters, determines that planning application 475/2020/P is consistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Grant a Planning Permit for the multi lot subdivision of land, roadworks and the removal of vegetation, at 30 Clifton West Road Wy Yung subject to the permit conditions at Attachment 1.***

## Background

### The Subject site

The subject site, as shown below in **Figure 1**, is irregular in shape, made up of three titles with a combined site area of just over 149 hectares and is developed with a dwelling and associated farm outbuildings. The site is approximately 3.8 kilometres north of Bairnsdale.

The site is bounded by existing farming land to the north, south and east, low density residential development to the northwest and southwest, and Clifton West Road to the west.

There is also an existing drain to the south that discharges into Clifton Creek, a declared waterway that runs through farmland in a north-south direction to the east of the site.



**Figure 1:** Location Map: The subject land (outlined in blue)



## The Proposal

The application (**Attachment 2**) currently before Council seeks approval for a multi-lot subdivision, roadworks and the removal of vegetation, located at 30 Clifton West Road Wy Yung.

The proposal is for the creation of 208 lots with an average lot size of 5,871sqm, delivered across 10 stages. The subdivision seeks to create a road network to service all lots and will provide two points of entry and exit to the estate. The proposed plan of subdivision includes the creation of a series of reserves, one set aside specifically for municipal purposes. Most of the established vegetation is proposed to be retained, including a stand of pine trees. One tree is proposed to be removed to facilitate a road culvert over the water course to the north (see **Figure 2**).

Approximately 2.71 hectares of waterway/drainage reserves will be located to the south, south-east and northern portions of the property. These reserves will accommodate existing waterways, with three new stormwater retarding basins and four new wetland areas designed to ensure that the outfall from properties will not impact other adjoining properties or Clifton Creek. A 4,190sqm area has been set aside for municipal purposes to be used as a public reserve.

There are a series of waterways and drainage lines which traverse the site. The waterways and drainage lines to the north of the site will be incorporated into reserves which will serve a drainage and passive recreation/open space function. The waterways to the south are too steep to maintain with conventional equipment (mowers and slashers commonly used by Council) and it would be impractical for Council to take on these waterways as reserves. These steep areas will be incorporated into private property. It is recommended that the applicant be required to prepare a waterway management plan, execute the plan, and enter a Section 173 legal agreement to ensure ongoing compliance with the plan. Through this, Council can be confident that the waterway will be appropriately managed once the subdivision is complete.



**Figure 2:** Proposed Plan of Subdivision (outlined in red)

## Current Status/Issues

The application is a resubmission of a previous planning permit application 345/2017/P, which was refused by VCAT ([Flack v East Gippsland SC \[2020\] VCAT 939](#)). Member Blackburn ruled against the proposal, specifically in relation to drainage considerations and downstream impacts. In the ruling, the Member specifically concluded:

80. *Clause 71.02-3 of the Scheme makes it clear that in determining planning permit applications, decision makers are to balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. The exception to this, as I explained previously in these reasons, is the prioritisation of the protection of human life in bushfire affected areas.*
81. *In this instance, I find the proposal to respond well to almost all of the relevant policies and planning controls of the Scheme, including those relating to bushfire. However, as I have explained above, there is one aspect of the proposal – its proposed stormwater management concept plan – which I have found have not been appropriately addressed in the potential impacts of stormwater on Clifton Creek or on Ms Crisp's property. As I have explained above, these are matters which I do not consider can be left for resolution by permit condition.*
82. *While there are many considerations which weigh in favour of granting a permit, I do not consider these to outweigh the need for the potential impacts of the proposed management of stormwater on the natural environment and adjoining properties to be assessed and considered before a permit is issued. It is not acceptable for those impacts to be assessed after a permit is granted. They must be considered as part of any assessment of whether to grant a permit for the proposal, so that an integrated assessment of the merits of the proposal as a whole can be undertaken.*
83. *It follows from this, that I have decided to refuse the application and have directed that no permit be granted*

The concerns raised at the VCAT hearing are considered to be effectively managed and addressed by the current proposal, which is demonstrated in the submitted Stormwater Management Strategy (**Attachment 2**). The strategy ensures that the stormwater is able to be managed by controlling the rate of the stormwater runoff for post-development peak flows to pre-development levels, and by providing stormwater treatment to meet the best practice guidelines. For stormwater quality management it is proposed to provide three stormwater retarding basins located to the north, south-east and south of the development site. Further, a provision of four wetlands (each with a sedimentation basin) with three located within the retarding basins and one stand alone in the northeast. Previously, two stormwater retardation basins and three wetlands were proposed.

Additionally, through restrictions on title, there will also be 10,000 litre rainwater tanks installed for each lot which will provide additional detention above the permanent water level that can be controlled by an outlet halfway up the tank wall.

Due to the steep terrain of the area, the proposed basins would need to ensure that appropriate areas are set aside for the required volume, embankment, safety batters, maintenance access and wetlands to fit within their base. This will be addressed in final functional design plans.

The Applicant has demonstrated to officer's satisfaction that the treatment of stormwater runoff would ensure that discharge would not significantly change to adjoining properties and that there are no detrimental downstream flow or quality impacts. As a result, it is considered that the stormwater management system will effectively meet the requirements of both the relevant drainage authority and responsible authority, and most importantly the concerns raised in the previous VCAT determination.

## 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 application has been assessed against the East Gippsland Planning Scheme in accordance with the *Planning and Environment Act 1987*.

The applicable controls under the planning scheme are summarised below:

Application No.	475/2020
Address	30 Clifton West Road, Wy Yung
Zone	Low Density Residential Zone
Overlays	Erosion Management Overlay; Vegetation Protection Overlay (Schedule 1)
Particular Provisions	Clause 52.17, Native Vegetation  Clause 53.01, Public Open Space Contribution  Clause 65.02, Decision Guidelines - Subdivision

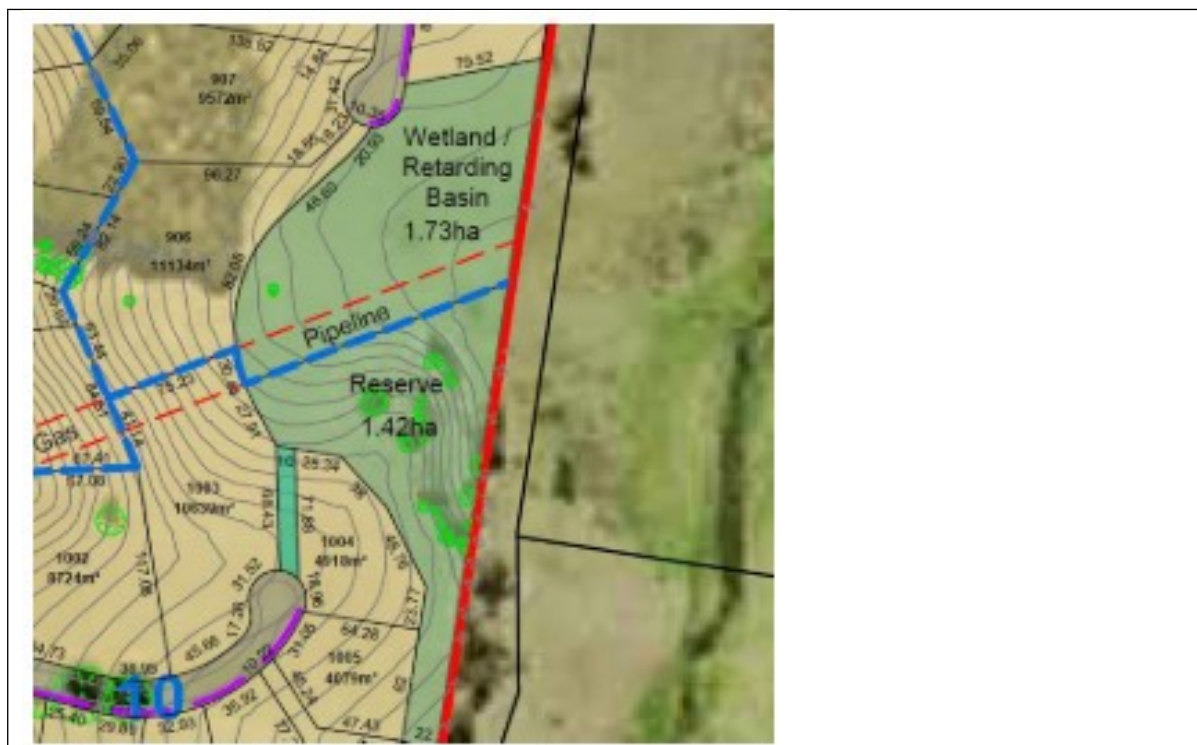
A full assessment against the East Gippsland Planning Scheme is included at **Attachment 6**. In summary, the assessment is that:

- The proposal demonstrates a high level of consistency with the State and Local Planning Policy Framework. The purpose and objectives of the Low Density Residential Zone are addressed by the proposal which results in a good planning outcome for the subject land.
- The proposal will allow for a variety of infill development opportunities and activate infill development that is currently not being utilised.

## Aboriginal Cultural Heritage

Pursuant to the Aboriginal Heritage Regulations 2018, a Cultural Heritage Management Plan (CHMP) was required as the subject site is mapped as being of cultural heritage value.

The applicant has provided a Cultural Heritage Management Plan with recommendation that an area in the south-east portion of the site is to be set aside in reserve in order to protect an artefact scatter found during the course of the site testing. The Plan also recommends that this reserve is not to be accessible to the general public and that only Council officers can only enter to maintain the native vegetation. As a result, a 1.42 hectare reserve has been created to facilitate this (see **Figure 3**).



**Figure 3:** Extract of proposed plan of subdivision showing the 1.42 hectares reserve in the south-east portion of the property to be set aside to protect an Aboriginal artefact scatter

### **Collaborative Procurement**

Not Applicable.

### **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

### **Council Policy**

In accordance with Council's Planning Permit Application Delegations Policy (April 2018), the application requires consideration by Council as more than ten (10) objections were received during public notice, as set out in Section 8.5 of the Policy.

### **Options**

As objections have been submitted and following the PCM, the matter must be determined by Council. It is recommended to Council to decide on a Notice of Decision to Grant a Planning Permit in matter 475/2020/P. This considers all the relevant planning merits of the proposal, and also includes analysis of the economic benefit of the proposal for the locality, municipality and region.

There are no further options to consider, except to note to Councillors that the recommendations, if not supported, would require preparation of grounds of refusal.

## **Resourcing**

### *Financial*

The assessment has been undertaken utilising existing operational budget and is supported by statutory application fees for consideration.

### *Plant and equipment*

Assessment of the application is a part of existing operational budget.

### *Human Resources*

Assessed by existing human resources.

### *Risk*

The risks of this proposal have been considered and are assessed as being low. The applicant has provided additional information and amendments to the proposal, particularly in relation to drainage, that are considered to address some, if not all objector concerns.

## **Economic**

The proposal will create an additional 208 lots adjacent to an existing low density residential area. The lots will be provided with services including water, electricity, and sewerage. The lots represent potential diversity in the market, especially within the Wy Yung township. Implementation of the subdivision will require contracted labour. New property sales will contribute to the real estate and associated property industries.

208 new dwellings are a likely outcome, supporting the building industry.

## **Social**

Pursuant to Clause 21.08 of the East Gippsland Planning Scheme, the proposal triggers an assessment under the Social Impact Assessment Guidelines for Development, as the proposed subdivision creates more than 60 lots.

The Applicant has provided a Social Impact Assessment where it has been evaluated and has appropriately considered the community's housing needs.

## **Environmental**

The proposed recommendation takes into consideration the environmental factors raised by objectors including the Catchment Management Authority relating to stormwater management concerns, and the result will allow for increased environmental protection and improvement. The proposal will contribute to the development of the township of Wy Yung.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/ category:

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

## Engagement

### Consultation

Consultation has been undertaken in the following manner:

Referrals	<p><u>Externals</u></p> <p>Country Fire Authority – Conditional consent</p> <p>Department of Environment, Land, Water and Planning – Conditional consent</p> <p>APA Group (Gas Distribution) – Conditional consent</p> <p>AusNet – Consent with no conditions</p> <p>Department of Transport – Conditional consent</p> <p>Jemena (Gas Transmission) – Conditional consent</p> <p>Public Transport Victoria – no response</p> <p>East Gippsland Water – Conditional consent</p> <p>East Gippsland Catchment Management Authority – Sought further information; amended plans received then provided Conditional consent</p> <p><u>Internals</u></p> <p>Strategic Planning Department – Consent</p> <p>Senior Technical Officer – Development – Conditional consent</p> <p>Environmental Health – Consent</p> <p>Parks and Gardens / Assets and Environment – Consent (expressed support for the municipal reserve)</p> <p>Waste – Consent</p>
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As reported above the application was given public notice and attracted thirty-two (32) individual objections which are provided at **Attachment 3**.

The application was presented to Council at a Planning Consultation Meeting on Monday 21 June 2021. All objectors interested in presenting an oral submission were afforded the ability to speak. Minutes of the PCM are at **Attachment 4**.

### Objections

Issues raised in the objections highlighted concerns relating to the following:

- Increased traffic/safety/vehicle noise
- Lack of public transport in the area
- The sewer system won't be able to cope
- Increased soil erosion
- Poor water management effecting Clifton Creek and adjoining properties
- Stormwater impacts onto Clifton Creek
- Bushfire concerns
- Loss of views
- Increase in Council rates
- Boundary setbacks insufficient
- Intersection to be updated between Salvatore Drive and new thoroughfare into the new subdivision
- Excessive street lighting
- Council reserve to be built
- Size of proposed blocks not providing variety
- Inappropriate and unsustainable development



- Loss of vegetation is a negative outcome in terms of the impact on the biodiversity of the area

#### Commentary on grounds for objection:

Many of the grounds for objection are valid and reasonable. The character of an area is often difficult to define, however in Wy Yung the character of the existing lot layout is quite apparent (i.e. larger lots above 4,000sqm in size). Below is a response to common concerns:

#### Loss of views/ Visual impact on landscape

The visual outlook will change, given the low density nature of the proposed development compared to the existing agricultural conditions. There will still be ample green and open space that will define the landscape.

When a landowner seeks to develop their land in accordance with the planning scheme, inevitably there will be some degree of change experienced by those who own adjoining land. The key test is whether or not the change is positive or negative. On balance of all relevant factors, the net effect of this proposal is positive, and as such the impact on existing views is not enough to warrant a refusal of the proposal.

#### Noise pollution

Noise emanating from dwellings in a new residential estate is an expected outcome which the planning system does not take into account. Some residents will naturally be quieter or louder than others, however as a matter of personal behaviour it is not a planning-based ground for refusal.

#### Increase in rates

The claim has been made that the rates of adjoining land will increase should the subdivision proceed. This may occur if property values increase, however that is not a relevant planning consideration.

#### The number of lots is too high

One of the grounds of objection is that the number of lots is too high, in other words, the density is too high. The underlying zone allows for lots to be created that are a minimum of 4,000 square meters in size based on the lack of reticulated sewerage. The subdivision has met this requirement, and in fact most lots are significantly higher than the minimum lot size. As such, the subdivision does not represent high density development. In addition, this is an increased average size lots compared to the previous application (application 345/2017/P, which was refused by VCAT).

#### The Bullumwaal Road/Clifton West Road intersection will become unsafe/road safety generally

VicRoads has requested permit conditions that would bind the applicant to upgrading the Clifton West/Bullumwaal Road intersection. These conditions will require the proponent to upgrade the intersection. In light of this, concerns relating to that intersection can be addressed.

It is considered that no direct access to and from new lots created be allowed onto Clifton West Road, this can be achieved via a permit condition requiring a legal agreement to be entered into requiring access to these lots to be undertaken from the internal road within the subdivision.

### Impact on flora and fauna

The vast majority of the land is already cleared of vegetation. The vegetation to be removed involves two dead silver Banksia's and one 'red box' tree.

In terms of impact on fauna, the planning application included a biodiversity report which detailed that there was very little evidence of native fauna existing on the subject site.

### Pedestrian safety

The proposed subdivision includes provision of a shared walking/cycle path throughout the estate. There is also provision for passive open space in the northern reserves and Municipal Reserve, linking to existing pedestrian trails. General pedestrian safety is not expected to be adversely impacted.

### Lack of public transport

The application was referred to the Head, Transport for Victoria but unfortunately no response was received. It is anticipated that bus services would extend to the estate.

### Stormwater impacts

The hydrology and drainage strategy submitted with the application details the manner in which the storm water drainage will be treated, retained and released from the site. The provision of two retention basins along with the required physical infrastructure usually installed as a part of a residential subdivision, gives rise to confidence that the development will not lead to an unacceptable storm water drainage outcome.

As this was the key ground of refusal by the Tribunal, considerable additional detail has been provided to satisfy the concerns of the Tribunal and objectors in relation to the grant of a permit. It is considered that the additional information surrounding the stormwater regime, specifically the outflow over the Crisp property, combined with the deletion of some lots and improved clarity regarding waterway quality, will provide for suitable development outcomes and will not compromise waterway health and safety.

### Lack of open space

The plan of subdivision includes a suitable amount of open space. In addition to this it is important to note that the average lot size will be at least 5,871sqm in size. As such, it is expected that most lots will leave 80-90% of their footprint undeveloped, providing for private open space. There will be ample 'passive' open space for the future residents to enjoy. The social impact assessment clarifies that the proposal will not put an undue strain on existing regional public open space and amenities.

### Boundary setbacks insufficient

The application documentation included a building envelope plan which showed where each lot might contain a dwelling or a shed. Boundary setbacks included in this subdivision are typical of a low-density estate, and based on a planning assessment, they are suitable for support.

### Not appropriate for a rural area

The land has been zoned low density residential since the new format planning scheme was adopted in 1999, and similar zoning was provided for in the former Shire of Bairnsdale Planning Scheme. The proposed subdivision, having met the technical requirements established by the LDRZ can be considered on merit.

Although people may feel that the subdivision is not appropriate, the proposal before Council seeks to subdivide land in accordance with the underlying zone. The underlying zone indicates that the outcome is acceptable.

## **Attachments**

1. Proposed Permit Conditions [**5.3.1.1** - 12 pages]
2. Planning Application Documents [**5.3.1.2** - 1 page]
3. Objections [**5.3.1.3** - 102 pages]
4. Minutes PCM 21 June 2021 [**5.3.1.4** - 5 pages]
5. Referral Responses [**5.3.1.5** - 20 pages]
6. Detailed Scheme Assessment [**5.3.1.6** - 10 pages]

475/2020/P - 30 Clifton West Road WY YUNG  
Lot 1 & 2 TP 663976, Lot 2 LP 146101 - Multi-lot subdivision,  
roadworks and removal of vegetation

**CONDITIONS**

1. The subdivision, works and vegetation removal as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. The subdivision must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed in writing by the Responsible Authority.
3. Before a statement of compliance is issued, the owner must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* to provide for the following:
  - a) Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 5,000 litres; and
  - b) The rainwater tank must collect rainwater runoff from the roof of the dwelling; and
  - c) The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation.

The owner must pay the costs of the preparing, lodging and registering the agreement and any subsequent amendment, removal or other dealing associated with the agreement. The agreement must be registered on the certificate of title for the land.

4. Before the issue of statement of compliance for Stage 1, a Waterway Management Plan (WMP) for the waterways on the site must be submitted to and be approved by the Responsible Authority. The WMP must include:
  - A landscape plan for revegetation of the waterway, drainage corridor and all water quality works, including a species list and proposed density of the plantings. The vegetation must be representative of the Ecological Vegetation Class for the site;
  - An ongoing maintenance plan detailing the sequencing and periods of short, medium and long-term actions, including inspections, and the parties responsible for each action; and
  - Be prepared in accordance with the East Gippsland Urban Waterway Guidelines 2013.

Before the issue of statement of compliance for each stage, the identified works and plantings in their respective stage, must be completed to the satisfaction of the Responsible Authority.

5. Before works commence, a public open space landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale. The plans must show:

- A schedule of all proposed vegetation (trees, shrubs and ground covers) which includes botanical names, common names, mature size and total quantities of each plant.
- Pot sizes and specific location of the plants to be planted.
- A concrete footpath at least 2m wide through the pedestrian connections.
- Public park infrastructure such as BBQ's, shelters, drinking fountains, seats, children's playgrounds and picnic tables.
- Fencing at the interface of proposed lots and the municipal reserve, waterway reserves and the pedestrian connections (such fencing must be of at least 50% and no taller than 1.5 metres).
- Natural features that influence the landscape design.
- Proposed irrigation methods.
- The proposed design features such as paths, paving, lawn, finished surfaces and outdoor lighting (including in the reserves).

Landscaping in accordance with this plan and schedule, in each stage, must be completed before the before the issue of statement of compliance for each stage.

6. Before works commence, a streetscape landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale. The plans must show:

- A schedule of all proposed vegetation (trees, shrubs and ground covers) which includes botanical names, common names, mature size and total quantities of each plant.
- Pot sizes and specific location of the plants to be planted.
- A minimum of 180 canopy trees with a minimum height on reaching maturity of 8 metres.
- The proposed design features such as footpaths, paving, lawn, finished surfaces and outdoor lighting

Landscaping in accordance with this approved plan and schedule, in each stage must be completed before the issue of statement of compliance for each stage.

7. Before any works associated with the subdivision start, a detailed drainage management plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:

- a) Drainage infrastructure including swale drains and culverts, piping/drains and pits.
- b) Any modification to the terrain, such as filling and excavation.
- c) Easements and legal points of discharge.
- d) Methods of on-site detention, including the provision of sediment traps, wetlands, detention basins, rock beached outlets, drop structures, and other dispersive structures.
- e) The drainage plans must be prepared in accordance with Water Sensitive Urban Design (WSUD) principles for 1% AEP and 20% AEP storm events and the recommendations of the Beveridge Williams Storm Water Management Strategy; dated 09/11/2020.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

8. Before any road works associated with the subdivision start, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
  - a) Fully sealed pavement for all new roads, with a minimum width of 6.2 metres, with formed shoulders no less than 1.5 metres wide and swale drains on each side.
  - b) A concrete footpath on one side of all new roads at least 2 metres wide, throughout the entirety of subject site.
  - c) An intersection design for the Clifton West Road point of access including measures to avoid directing traffic down Lanteris Road.
  - d) An intersection design for Clifton West Road/Bullumwaal Road in accordance with VicRoads permit conditions.
  - e) Fully sealed pavement with a suitably gypsum stabilised subgrade, with a turning area with a minimum trafficable radius of ten metres at the end of each court bowl
  - f) The internal access road and road reserve's longitudinal gradients, must not exceed 10% without the approval of the Responsible Authority.
  - g) Verge areas with a width sufficient for the construction of drainage infrastructure and for pedestrian access.
  - h) Street lighting using LED technology.
  - i) Statutory signage and traffic control devices and line marking.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure for a twelve-month defects liability period.

Before the issue of statement of compliance for each stage, all works and requirements in each stage must be undertaken and completed to the satisfaction of the Responsible Authority.

9. Before the Issue of Statement of Compliance any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the responsible authority.
10. All roads, storage areas, stockpiles and vacant or grazed areas must be covered and maintained to avoid dust emissions and nuisance to the surrounding area to the satisfaction of the Responsible Authority.
11. Before the issue of a Statement of Compliance, the applicant or owner must pay to the Council an amount equal to five percent of the site value of all the land in the subdivision, pursuant to Section 18 of the Subdivision Act 1988. This amount may be adjusted in accordance with Section 18 of the Subdivision Act 1988.
12. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure. All earthworks or retaining structures must not encroach across neighbouring property boundaries to the satisfaction of the Responsible Authority.



All earthworks works in this development are to be undertaken in accordance with, but not limited to; the recommendations of the Strata Geoscience and Environmental "Erosion, Slope Stability and General Geotechnical Risk Assessment and Management Strategies" Report 02449V6, dated 10/11/2020 and also their "Soil and Water Management Plan" Report 03881.

13. During construction and maintenance activities, adequate steps must be taken to stop soil erosion and the movement of sediment off site and into drainage lines, watercourses and onto adjoining land to the satisfaction of the Responsible Authority. Methods include but are not limited to:
  - a) Control of on-site drainage by intercepting and redirecting run-off in a controlled manner to stabilised vegetated areas on site.
  - b) Installation of sediment control structures such as sediment basins, sediment fences and sediment traps when construction commences and maintaining them until the site is stabilised.
  - c) Re-vegetating all disturbed areas as quickly as possible or within 14 days after construction works are completed.
14. Cut batters must be no steeper than 1 in 1.5 and fill batters no steeper than 1 in 2 unless retained by structural means. When completed, all batters must have a layer of topsoil, 50mm minimum thickness, spread over them and sown with a suitable grass and clover mixture, or mulched and planted with ground cover plants to the satisfaction of the Responsible Authority.
15. Before the commencement of any works associated with the subdivision start, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
  - Location of any temporary construction works office and machinery storage area;
  - The construction works access way;
  - Details of construction days and hours;
  - Vehicle and machinery exclusion zones;
  - Location and management requirements of stockpiled soil;
  - Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
  - Measures and methods to be employed to protect sites of conservation importance, native vegetation and areas of archaeological significance;
  - Measures and techniques to manage dust control;
  - A note that Dewatering of sedimentation/retention basins during construction is *prohibited* without the prior approval of the Responsible Authority;
  - The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
  - Location and management of litter storage areas, construction waste areas and chemical storage areas; and
  - Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.

All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.

16. No roadside vegetation is to be removed, lopped or cleared without written Council approval or until a separate planning permit has been issued by the Responsible Authority.
17. No vegetation is to be removed, lopped or cleared without the written approval of Council or until a separate planning permit has been issued by the Responsible Authority.
18. All works and activities must be undertaken in accordance with the approved Cultural Heritage Management Plan.

**Country Fire Authority conditions**  
**Subdivision plan not to be altered**

19. The subdivision as shown on the endorsed plans must not be altered without the consent of CFA.

**Hydrants**

20. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:
  - a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 90 metres and the hydrants must be no more than 120 metres apart. These distances must be measured around lot boundaries.
  - b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

**Roads**

21. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
  - a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
  - b) Curves must have a minimum inner radius of 10 metres.
  - c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
  - d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

**Department of Environment, Land, Water & Planning Conditions**

22. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

23. The Department of Environment Land Water and Planning native vegetation report (ID: 319-20201106-002, dated 6/11/2020) included with the application will be endorsed and form part of this permit.
24. Before works start, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the responsible authority will endorse the plans, which will then form part of this permit. The plans must include:
  - a. a detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites.
  - b. an amended site plan, drawn to scale with dimensions and georeferences (such as VicGrid94 co-ordinates), that clearly shows:
    - i. the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land
    - ii. the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit
    - iii. all areas of native vegetation to be retained, including roadside native vegetation with tree protection zones extending onto the subject land.
25. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
  - a. Vehicular or pedestrian access
  - b. Trenching or soil excavation
  - c. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
  - d. Entry and exit pits for the provision of underground services
  - e. Any other actions or activities that may result in adverse impacts to retained native vegetation

**Native vegetation permitted to be removed, destroyed or lopped**

26. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.031 hectares of native vegetation, which is comprised of:
  - a. 1 scattered small tree.

**Native vegetation offsets**

27. To offset the removal of 0.0031 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017):
  - a. A general offset of 0.006 general habitat units:
    - i. Located within the East Gippsland Catchment Management boundary or East Gippsland municipal area
    - ii. With a minimum strategic biodiversity value of at least 0.320

28. Before the issue of a Statement of Compliance, evidence that the required offset for stage 7 of the subdivision has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
- An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
  - Credit extracts (s) allocated to the permit from the Native Vegetation Credit Register.

#### **Offset evidence**

29. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the Department of Environment, Land, Water and Planning Traralgon regional office via [gippsland.planning@delwp.vic.gov.au](mailto:gippsland.planning@delwp.vic.gov.au).

#### **First party offset reporting**

30. Where the offset includes a first party offset, the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

#### **Jemena Asset Management Pty Ltd conditions**

- 31.
- Jemena requires a construction safety management study (SMS) to determine threats and controls. This will be required once civil contractors have been awarded the works
  - Jemena accepts the two road crossings, but will be subject to a review of detail designs by Jemena, these road crossings may require concrete protection slabbing and further integrity testing of the pipeline at the proponents expense
  - The location of effluent systems adjacent to the pipeline easement will be subject to a review of detail designs by Jemena, as excavation adjacent to the pipeline may have a detrimental effect, and discharge of the effluent systems over the easement is not allowed
  - The creation of wetlands and retarding basin on or near the easement may require clarification.
  - Access along easement (gates at fence lines) through the created allotments may require LCA consideration, additionally the style of fencing crossing the easement will need to be considered by Jemena, ideally wire stock fencing or similar
  - Allotments, 212, 213, 214, 303, 304 and 305 will be subject to subject to Jemena approval of any services crossings, or driveway crossings of Jemena's easement. Additionally, Jemena will not approve any encroachment of Building envelopes over the easement, this includes and not limited to eave and pergola overhangs
  - Allotments, 212, 213, 214, 303, 304, 305 and 1003, cannot install any structures, this includes and not limited to, sheds, garages, chicken coops, swimming pools and spas over the gas pipeline easement
  - Jemena also reserves the right to limit the vegetation planting within the easement, the planting of large trees, bushes and orchards will not be allowed

- During the construction of the subdivision the easement boundaries are to be clearly marked by flagging and or temporary fencing to ensure the safety of the gas pipeline from heavy machinery
- All subdivision works around the gas pipeline easement should refer to Jemena's GUIDELINE TO DESIGNING, CONSTRUCTING AND OPERATING AROUND EXISTING AS2885 NATURAL GAS PIPELINES GAS-960-GL-PL-001 (attached)

**Department of Transport conditions**

32. At the intersection of Clifton West Road and Bullumwaal Road, a right turn lane short CHR(s) and an Auxiliary left turn lane generally in accordance with the Austroads guidelines must be constructed.
33. At the intersection, a splitter island must be provided.
34. The intersection is to be provided with V3 roadway lighting to the satisfaction of the Department.
35. Prior to the statement of compliance of stage 1, a detailed functional layout in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the Head, Transport for Victoria.
36. Prior to the certification of stage 2, detail design plans in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the Head, Transport for Victoria.
37. Prior to the issue of a statement of compliance for stage 2, the intersection works at Clifton West Road and Bullumwaal Road must be completed at no cost and to the satisfaction of the Department.
38. Prior to works beginning in the road reserve, detail plans in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the by the Head, Transport for Victoria.
39. Prior to intersection roadwork design plans being prepared, a pre-design meeting with the Department of Transport must be attended.
40. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority and the Head, Transport for Victoria.
41. Prior to commencement of the development hereby approved a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.
42. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of VicRoads.

**Ausnet Electricity Services conditions**

43. The Plan of Subdivision submitted for certification must be referred to Ausnet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.

43. The applicant must enter in an agreement with Ausnet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
44. The applicant must enter into an agreement with Ausnet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
45. The applicant must enter into an agreement with Ausnet Electricity Services Pty Ltd rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by Ausnet Electricity Services Pty Ltd.
46. The applicant must provide easements satisfactory to Ausnet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "Ausnet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing Ausnet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
47. The applicant must obtain for the use of Ausnet Electricity Services Pty Ltd any other easement required to service the lots.
48. The applicant must adjust the position of any existing Ausnet Electricity Services Pty Ltd LTD easement to accord with the position of the electricity line(s) as determined by survey.
49. The applicant must set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Services Pty Ltd for electric substations.
50. The applicant must provide survey plans for any electric substations required by Ausnet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
51. The applicant must provide to Ausnet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
52. The applicant must agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by Ausnet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
53. The applicant must ensure that all necessary auditing is completed to the satisfaction of Ausnet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

**Catchment Management Authority conditions**

54. Prior to the commencement of any works related to the subdivision, a Waterway Management Plan must be endorsed in writing by the East Gippsland Catchment Management Authority. The Waterway Management Plan must provide for a



significant improvement in the ecological health of all waterways on the subject land and must include:

- a. Details of the existing environmental values;
  - b. Details of any initial stabilisation and vegetation works;
  - c. A landscape plan for revegetation of land within a 30 metre buffer of the waterway, drainage corridor and all water quality works, including a species list and proposed density of the plantings. The vegetation must be representative of the Ecological Vegetation Class for the site. The revegetation of land within the 30m buffer of the waterways should comply with the following requirements:
    - i. Channel/Lower Bank Zone - Mass tubestock planting (6/m<sup>2</sup>) and 800 GSM jute mat where required for stabilisation.
    - ii. Primary Buffer Zone – A minimum 10m wide planted continuous buffer zone is to be established to both sides of the waterway channel, wetland area or other conservation zone. The buffer zone is to be planted at 4/m<sup>2</sup> to establish scattered trees, areas of shrubs and ground layer vegetation recreating the prevailing EVC. Existing trees and areas of existing natural vegetation are to be incorporated into the planted buffer zone where possible.
    - iii. Secondary Buffer Zone Areas - outside the primary buffer zone/waterway channel/wetlands, but within 30m of the waterway, are also to be revegetated to form a secondary buffer and should focus on providing good ground cover with a density of 2 plants/m<sup>2</sup> and with a scattered planting of overstorey trees.
  - d. A maintenance plan detailing the sequencing and periods of short, medium and long term actions and the parties responsible for each action.
55. Prior to the issue of a Statement of Compliance for the subdivision, the owner(s) shall enter into an Agreement with the responsible authority pursuant to Section 173 of the Planning and Environment Act 1987 ('the Act') and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act. The owner(s) must pay all reasonable costs of the preparation, execution and registration of the Agreement. The Agreement will stipulate that:
- a. A Waterway Management Plan to the satisfaction of the East Gippsland Catchment Management Authority applies to all lots in the plan of subdivision
  - b. The current and future owner(s) of all lots in the plan of subdivision must comply with all requirements of the Waterway Management Plan at all times.

#### **East Gippsland Water conditions**

56. Water reticulation infrastructure must be extended to service each Lot to East Gippsland Water's requirements, at the cost of the Applicant/Developer. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become Gifted Assets (refer Notes). Each Lot is to be separately serviced by the water reticulation system and able to be separately metered.
57. Arrangements for the design, construction, commissioning and acceptance of all Gifted Assets required by East Gippsland Water to extend water services to each lot require written approval by East Gippsland Water. Design drawings to be sent to [developerworks@egwater.vic.gov.au](mailto:developerworks@egwater.vic.gov.au) after Certification Application has been made.

58. If the existing dwelling is retained, the current water meter (#96837) is to be relocated to within the boundaries of the relevant lot. If existing dwelling is removed, the current water meter is to be disconnected and returned to East Gippsland Water.
59. Provide easements on the plan of subdivision over newly created or existing infrastructure, as required by East Gippsland Water.
60. Payment of applicable Development Planning Charges by the Applicant/Developer to East Gippsland Water (refer Notes)
61. Any additional infrastructure required to adequately service the development would need to be provided by the developer at the developer's cost. The type and extent of additional infrastructure, if needed, is subject to detailed engineering design and approval by East Gippsland Water.

**Time Limit condition**

62. This permit will expire if one of the following circumstances applies:
  - The works and vegetation removal is not completed within twelve (12) years of the issue date of this permit;
  - The plan of subdivision for Stage 1 is not certified within two (2) years of the issue date of this permit;
  - The plan of subdivision for all remaining Stages is not certified within seven (7) years of the issue date of this permit;
  - A Statement of Compliance is not issued for each stage within five (5) years of the date of the plan of subdivision being certified;

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

## Notes

1. Before undertaking works within a Council road reserve, a non-utility – minor works consent of works within road reserve must be obtained from the *Roads and Traffic* unit of Council. Refer to the Infrastructure Design Manual (IDM) for crossover designs.

**East Gippsland Water notes**

2.
  - (A) Subject to its written acceptance of the Gifted Assets, East Gippsland Water will become responsible for ownership and the ongoing maintenance and operation of the assets in perpetuity.
  - (B) Development Planning Charges apply where East Gippsland Water are involved in the developer's works (actual charge is based on the final cost of the works). Contact East Gippsland Water for further information on these fees.

**Department of Transport note**

3. Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:
  - Right turn lane

- Left turn lane
- Roadway Lighting
- Splitter island

**Country Fire Authority Note**

4. Note –CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

Planning Application documents

The planning permit application consists of several major reports, including traffic impact assessment, stormwater drainage design, cultural heritage assessment, erosion/geotechnical risk assessment and the supporting title and planning report.

The files are so large, they have been split into four parts on our Advertised Planning Applications section of the website.

If you wish to access the relevant documentation, please download from the following weblinks:

[https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P\\_30\\_Clifton\\_West\\_Road\\_Wy\\_Yung1.pdf](https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P_30_Clifton_West_Road_Wy_Yung1.pdf)

[https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P\\_30\\_Clifton\\_West\\_Road\\_Wy\\_Yung2.pdf](https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P_30_Clifton_West_Road_Wy_Yung2.pdf)

[https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P\\_30\\_Clifton\\_West\\_Road\\_Wy\\_Yung3.pdf](https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P_30_Clifton_West_Road_Wy_Yung3.pdf)

[https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P\\_30\\_Clifton\\_West\\_Road\\_Wy\\_Yung4.pdf](https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/4752020P_30_Clifton_West_Road_Wy_Yung4.pdf)

These files will not be removed until the matter is resolved.

5/12/2021

dwa6706.htm

**From:** Mark Payne

**Sent:** Tuesday, 4 May 2021 5:03:11 PM

**To:** Feedback Address For Web Page

**Subject:** Objection for: APPLICATION FOR PLANNING PERMIT (Reference No: 475/2020/P)

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Good afternoon

Please find attached objection for the following application for planning permit number **475/2020/P**  
Multi-lot subdivision and roadworks.

Regards,  
Mark Payne

May 2<sup>nd</sup> 2021

Mr Mark Payne

Wy Yung. VIC 3875

To whom it may concern, in response to your letter regarding "NOTICE OF AN APPLICATION FOR PLANNING PERMIT", for the applicant, "Woody Group Pty Ltd, I wish to object to your proposed "Multi-lot subdivision and roadworks", for the reasons listed herewith:

1. ROAD CONGESTION

Your proposal of approximately 200 new home sites for application number **475/2020/P**, with an average number of vehicles per household sitting at 1.8, an increase of another 360 vehicles within an area of the proposal is considered to be extreme and poses a high safety risk. On average, any given household would utilise their vehicles on a daily basis by 1.5 trips on the proposed roads. That in turn would have a depart/return average of 540 vehicles into your proposed subdivision, daily. In addition to that number, service vehicles, for example: mail, couriers, energy deliveries, online groceries, etc., to these proposed home-sites, not to mention visiting friends/family would increase a daily average number of vehicles to over 600, in and out of your proposed multi-lot subdivision. These numbers are not falsified, and have been calculated from content supplied from Australian Government statistics.

2. ROAD SAFETY

Based off the current developments/subdivisions within the Clifton West Road precinct, there is "no" designated "safe" location for foot traffic to walk or exercise, other than on a road. Based off your proposal, application number **475/2020/P**, you plan on repeating this mistake. A new subdivision, should supply the minimum safety requirements for people to walk or exercise and the like, safely, without any risk whatsoever from passing vehicles. This then leads us to the question of, where are the footpaths for your proposed multi-lot subdivision and road-works. In order to walk or exercise within your proposed site, all foot traffic need to utilise the road to do so.

Unfortunately, the current Clifton West Road subdivisions do not support a healthy lifestyle for those within that wish to walk their dogs, jog, and push someone in a wheelchair, push child/children in a pram, etc., without having to do so, only on the road.

Roads are for the purpose of vehicles, not foot traffic.

I live with an aging family member who now refuses to walk /exercise within the Clifton Acres Estate due to the inherent dangers of passing cars and trucks entering and exiting. Other potential dangers and risks for foot traffic on roads in the Clifton Acres Estate is that no road is sealed completely, i.e.: no curb or channel. Your proposed roadworks pose the same safety risks. Roads that have no sealed verge have a constant stream of loose rubble spread across them due to corner cutting cars and trucks. This in turn leads to road degradation and collapse, which has already become apparent within the Clifton Acres Estate. East Gippsland Shire Council has been notified of excessive rubble from verges



spreading across intersections, posing a trip hazard for foot traffic and the like to commute safely. This proves to be a constant problem that needs ongoing maintenance to keep the roads we use on a daily basis, safe.

Please answer this question, why does your proposal not support the basic human right, SAFETY, for children, parents and the elderly to walk and exercise freely where they live? This is something that should not be up for debate, this is common sense and needs to be addressed. Not some loophole that makes it cheaper for a developer to construct. This will be an accountable problem in the future and it's not a matter of "if", but "when".

3. ROAD WIDTHS and NEW CYCLING DISTANCE LAWS

In addition to road safety, in Victoria it is now law to provide all cyclists/commuters at least one metre distance between a passing vehicle, travelling in the same direction in speed zones of up to 60 kilometres an hour. Your proposed multi-lot subdivision and roadworks, application number **475/2020/P** now falls within that current law.

A cyclist, on a well-sealed road (no loose gravel on the verge) requires a minimum of one metre to ride/commute safely, a recumbent bicycle requiring a minimum of 2 metres.

Adding these figures of the safe distance a rider needs in order to ride, with the current vehicle/cyclist safe distance laws, you have a total of a minimum of 2 metres, per lane for a cyclist to ride. An average vehicle width is 2 metres. In total this overall width, "per lane", needs to be a minimum of 4 metres for a cyclist and vehicle to travel in the same direction, safely, and lawfully.

Your roadworks proposal does not support this and needs to be explained?

4. FEEDER ROADS ACCESSING YOUR PROPOSAL MULTI-LOT SUBDIVISION & ROADWORKS

In light of recent events, the Bullumwaal Road/ Clifton West Roads, and adjoining intersections have proven to be some of the most dangerous intersections in rural Victoria. Speed zones are 100 kilometres on all feeder roads accessing your proposal. Each intersection will have an additional 600 vehicles per day traveling through high risk black zone intersections with approachable speeds of 100 kilometres per hour. Entry and exit for the already residents of the Clifton West Road Subdivisions is by no means safe, and poses life threatening risks to all drivers and their passengers. A full overhaul of these roads and speeds requires further investigation. Some additional points would be blind spots, signage, road width, road condition, loose gravel, drainage and vegetation.

It is appreciated that these concerns are for state/ federal and council roads, and classed as a separate issue, but none the less a necessary requirement that needs to be addressed, immediately. Please note: additional letters on this concern will be forwarded to: VICROADS, Bairnsdale Shire Council, Federal Government, Councillor Tim Bull and the Twin Rivers Community Group.

Your response to these potential life threatening concerns will be noted in those letters.

Yours sincerely,

Mr Mark Payne

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Sunday, 9 May 2021 4:52 PM  
**To:** Planning Unit Administration  
**Subject:** (DWS Doc No 8983850) Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Rhonda Grieb

**Email address:**

**Postal address**

**Mobile phone number**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks.

**What is the address to be used or developed?:** 30 Clifton West Road Wy Yung

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** 1 Safety and accessibility of Bullumwaal road / Clifton West road / Hodges Estate Road intersection. This intersection will have to be totally restructured with either a roundabout at the very least turning lanes to cope with the increased traffic flows from not only this development but from the new subdivision off Hodges Estate Rd . This will entail removal of many mature habitat trees, who will take responsibility for their loss ? Council has to consider future traffic flows because this area north of Wy yung is apparently a 'growth corridor ' of Bairnsdale and there will be continuing development, both north along and off Bullumwaal Rd and west along Hodges Estate Rd. Please, do not do a Howit Ave / Bullumwaal rd intersection stuff up with this one. Council must ensure that the cost of intersection and road improvements is at least shared by developers. Woody Group is shirking its share by using statistics . Blind Freddy can see this intersection will be and accident waiting to happen if it isn't vastly improved. 2 - Overloading of the natural system to absorb effluent I see reticulated water is to be provided. With the provision of of reticulated water the corresponding service should be sewerage. Otherwise this should be a rainwater subdivision. In the absence of a sewerage system with a non stop free flowing reticulated water source, the ground water levels and purity will be compromised from the outflows of hundreds of septic systems. These effluent rich flows will go into Clifton Creek ,eventually end up in the Gippsland Lakes, adding to the too high levels of nutrient rich runoff that they already struggle to cope with. The Waterway/Public Open Space/ Wetland/ Retarding Basin designated areas contains land unsuitable for housing. In wet times the land would not be available for any use let alone 'public use'. to even suggest they are Public Open Space is a fallacy. 3 - Lack of provision of Public / School bus accessibility and Community / Public Access Places. Regarding access to public transport available to future residents, I read there is a bus stop on the

corner of Nicole and Woodward st in Wy yung ( true )and apparently a footpath from the proposed development and this bus stop ( NOT true). What else have these applicants said in these reports/ pages that is rubbish ? At the very least there has to be a school bus stop/ parking area for the potentially scores of young people that will be living in this subdivision. Sure it wont be needed while the first stages are being built but the developers have to provide for the future collection of houses to ensure it becomes a community. On that topic, we are being told there is no need for a play ground or community meeting place because 'the lot sizes indicate enough room for recreation' . these community get together places are for socialization as much as play places , I don't believe I actually had to point that out! But there you go. The developers should be paying for this sort of infrastructure.

**How would you be affected by the granting of this permit?:** if there is no intersection improvement , my safety will be affected if there is no restriction of pathogen/nutrient flows into the (ultimately) Lakes the fish I catch may start growing three eyes.

**Privacy Statement:** Yes

5/12/2021

dwaD944.htm

**From:** Adam Cairns  
**Sent:** Tuesday, 11 May 2021 10:17:54 AM  
**To:** Feedback Address For Web Page  
**Subject:** 475/2020/P Objection to Planning Permit Application

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Good morning,

Attached is the objection to planning permit and letter of objection against the multi-lot subdivision and roadworks, planning permit 475/2020/P.

Sincerely,

**Adam Cairns**  
**Principal**

*Lindenow Primary School  
Lindenow, Vic*

IMPORTANT - This email and any attachments may be confidential. If received in error, please contact us and delete all copies. Before opening or using attachments check them for viruses and defects. Regardless of any loss, damage or consequence, whether caused by the negligence of the sender or not, resulting directly or indirectly from the use of any attached files our liability is limited to resupplying any affected attachments. Any representations or opinions expressed are those of the individual sender, and not necessarily those of the Department of Education and Training.

## East Gippsland Shire Council

273 Main Street (PO Box 1618)  
Bairnsdale Vic 3875  
Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
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Telephone: (03) 5153 9500  
Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: <u>ADAM CAIRNS</u>		
Postal address: <u>WY YUNG, VIC</u>		Postcode <u>3875</u>
Phone number: Home: <u>—</u>	Work: <u>—</u>	Mobile: <u>—</u>
Email address: <u>—</u>	Fax: <u>—</u>	

Permit Details:

Planning permit number: <u>475/2020/P</u>
What has been proposed? <u>Multi-lot subdivision and roadworks.</u>
What is the address to be used or developed? <u>30 Clifton West Rd, Wy Yung, Vic.</u>
Who has applied for the permit? <u>WOODY GROUP PTY LTD.</u>

Objection Details:

What are the reasons for your objection? <u>—</u>
<u>- Water management</u>
<u>- Erosion</u>
<u>- Road works</u>
<u>- Bushfire/Landscape.</u>
<u>* SEE ATTACHED LETTER *</u>

#### Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.  
When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

JUL15

## East Gippsland Shire Council

273 Main Street (PO Box 1618)  
Bairnsdale Vic 3875  
Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
Follow us on Twitter @egsc



Telephone: (03) 5153 9500  
Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

How would you be affected by the granting of this permit? \_\_\_\_\_

- Not only will it have a negative environmental effect on our community, it will present possible environmental dangers to local families and neighbouring properties.

\* SEE ATTACHED LETTER \*

If you need more space for any part of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: ADAM CAIENS

Date: 10 / 5 / 21

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

### Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.  
When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

JUL15



Adam Cairns & Michelle O'Connell

WY YUNG

VIC. 3875

Application: **Multi-lot subdivision and roadworks**  
Applicant: **Woody Group Pty Ltd**  
Reference number: **475/2020/P**

To whom it may concern,

We are writing to OBJECT the multi-lot subdivision and roadworks proposed for the location 30 Clifton West Road, Wy Yung, Victoria. The following reasons for our objection are listed below with supporting statements.

**1. Water management**

The most pronounced issue in this application is the effective way to manage stormwater and surface water. It appears both of these will have an enormous negative effect on Clifton Creek and neighbouring properties. The fact that Clifton Creek feeds the Mitchell River is of great concern with the poor quality of water being dispersed throughout our region, which will have long-term negative effects for our residential and industrial community.

**2. Erosion**

An addition to these effects is the amount of potential erosion that will be created by poor water management. Considering future weather patterns are unknown and the severity of the current prime farming landscape, there is an issue relating to the amount of erosion to current and future properties built within this proposed subdivision. The land proposed for subdivision is clearly a natural waterway and must stay that way for continued environmental benefits.

**3. Roadworks**

A major concern when assessing the proposed plan is the amount of roadworks marked for the local community. It not only disrupts the landscape, but it will add anywhere up to 500 additional vehicles to an already insufficient roadway. The intersection at Bullumwaal Road and Clifton West Road is already extremely dangerous on a daily basis. The most recent example being a fatal car accident involving a male in his 50s opposite this intersection. The bus stop at the end of Lanteris Road already services up to 30 children and is currently located in a 100 km/h zone. The bus stop will be overloaded, adding another danger with additional families accessing this service.

**4. Bushfires/Landscape**

During the most recent bushfires that ripped through our region in 2019/2020, there was clearly extensive environmental and emotional damage to our community. The residents of Clifton Acres and surrounds were forced to flee their homes for safety during this horrific time. If the proposed plan was to be certified this would mean five times as many residents would be attempting to evacuate via insufficient roadways. This proposal would be endangering the lives of parents and their children for the sake of an additional housing estate. The prime farming landscape, natural undulation, healthy vegetation and the removal of required dams would significantly damage and debilitate the environment for our future community members.

We strongly object the proposed subdivision at 30 Clifton West Road, Wy Yung, Victoria for the above reasons. If this application is even to be considered, there needs to be an investigation in to how our current environment will be protected and maintained for our community's future. There would need to be strict analysis around the potential damage to the Clifton Creek and Mitchell River eco-system. Serious consideration must be given to the surrounding properties, and the current community and their families from a road safety and environmental perspective.

Please take the time to consider these objections and make the best decision for our rural community.

Sincerely,

Adam Cairns

Michelle O'Connell

**Kerry Stow**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Wednesday, 12 May 2021 9:15 AM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Leeland John Roseman

**Email address:**

**Postal address :**

**Mobile phone number:**

**Planning permit number:** 475/2020P

**What has been proposed?:** Multi-lot subdivision and road works

**What is the address to be used or developed?:** 30 Clifton Road Wy Yung Lot 1 & 2 TP663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I object to this application due to the following; - concerns about the environmental impact on Clifton Creek and surrounding water catchment. - safety concern about the impact of increased traffic flow on Bullumwall Road - inadequate, inaccurate traffic assessment supplied by Beveridge Williams - No of proposed lots - visual amenity ( but not loss of private view ) - previous VCAT decision

**How would you be affected by the granting of this permit?:** loss of visual amenity - reduced road safety on Bullumwall Road - and all other objections stated

**Privacy Statement:** Yes

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 7:31 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Cheryl Armstrong

**Email address:**

**Postal address :** WyYung VIC 3875

**Work phone number:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I wish to object to the planned subdivision for multiple reasons, The intersection of Bullumwaal road and Clifton west road is already a dangerous intersection, and adding more traffic to this road will increase the chances of a fatal accident, which was proven only a week or so ago. The intersection would need to have massive upgrade to make it safer for the added traffic that this sub division will add to the local area, I think this should be at the cost of the land owner and not the local shire, as they are many more things that my rates should go towards, also the non existent public transport route would force all new residents to use private vehicles. As Salvatore Drive would become a thoroughfare for most of the traffic this intersection would also need to be upgraded to ensure free flowing traffic. The sub division also has a lack of walking paths forcing residents to walk on the road causing more risk associated with traffic and pedestrians and could be the cause of a major traffic accident. The development also does not cater for any playgrounds, public ammenties that one would expect for the size of this sub division, nor does it provide for areas for shops or business to build in the sub division to reduce the flow of traffic back into Wy-Yung or Bairnsdale for shopping or retails activities. I also believe that the odd shape of some of the blocks would limit potential residents from being able to fully utilise the northern aspect and orientation of the house placed on these blocks and many of the house may become very unappealling once built. I am also unbale to see documented any solution for school bus routes and this would add more traffic at school times when trying to get out of the new "estate" to pick up children from the local schools. Some of the existing subdivisions will see a huge increase in traffic past the front doors. The majority of these residents have planned and built their houses around the quiet area.

**How would you be affected by the granting of this permit?:** My son and his partner and their 2 small children have moved back to the area in late 2017 and they have only recently purchased on a block in Salvatore Drive, They made the move from Melbourne as part of a "Sea Change" to get away from the chaos of Melbourne traffic, hence the reason for them purchaing a block in Salvatore Drive. I feel that the newly purchased property will be affected by this sub division with added traffic and noise associated with the additional 200+ new lots being accessed from Salvatore Drive and Clifton West Road. We spend quite a lot of time on the "empty block" with our 2 grand children playing and dreaming of the new house that they are going to build. The block faces north and would have have amazing views of the Mt Taylor range but now that looks like it will be covered with additional lots and many, many more houses. They also face the gully that is a sound basin currently and this will only be heightened with an increase of up to 700 cars travelling past daily each day. I strongly believe that this will see the property value decrease over time and would be financially devastating to the young family, since this purchase and subsequent building of their dream house in their dream location will be ruined by 200+ more lots. I also see the intersection of Clifton West Road and Bullumwaal Road with increased traffic pressure as extremely dangerous. Without a significant upgrade it will only be a matter of time before a serious accident occurs. This could potentially be my family, loved ones or other young families that have decied to make that area their home

**Privacy Statement:** Yes

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 7:32 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Peter Armstrong

**Email address:**

**Postal address :** Bairnsdale VIC 3875

**Work phone number:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I wish to object to the planned subdivision for multiple reasons, The intersection of Bullumwaal road and Clifton west road is already a dangerous intersection, and adding more traffic to this road will increase the chances of a fatal accident, which was proven only a week or so ago. The intersection would need to have massive upgrade to make it safer for the added traffic that this sub division will add to the local area, I think this should be at the cost of the land owner and not the local shire, as they are many more things that my rates should go towards, also the non existent public transport route would force all new residents to use private vehicles. As Salvatore Drive would become a thoroughfare for most of the traffic this intersection would also need to be upgraded to ensure free flowing traffic. The sub division also has a lack of walking paths forcing residents to walk on the road causing more risk associated with traffic and pedestrians and could be the cause of a major traffic accident. The development also does not cater for any playgrounds, public ammenties that one would expect for the size of this sub division, nor does it provide for areas for shops or business to build in the sub division to reduce the flow of traffic back into Wy-Yung or Bairnsdale for shopping or retails activities. I also believe that the odd shape of some of the blocks would limit potential residents from being able to fully utilise the northen aspect and orientation of the house placed on these blocks and many of the house may become very unappealling once built. I am also unbale to see documented any solution for school bus routes and this would add more traffic at school times when trying to get out of the new "estate" to pick up children from the local schools. Some of the existing subdivisions will see a huge increase in traffic past the front doors. The majority of these residents have planned and built their houses around the quiet area.



**How would you be affected by the granting of this permit?:** My son and his partner and their 2 small children have moved back to the area in late 2017 and they have only recently purchased on a block in Salvatore Drive, They made the move from Melbourne as part of a "Sea Change" to get away from the chaos of Melbourne traffic, hence the reason for them purchaing a block in Salvatore Drive. I feel that the newly purchased property will be affected by this sub division with added traffic and noise associated with the additional 200+ new lots being accessed from Salvatore Drive and Clifton West Road. We spend quite a lot of time on the "empty block" with our 2 grand children playing and dreaming of the new house that they are going to build. The block faces north and would have have amazing views of the Mt Taylor range but now that looks like it will be covered with additional lots and many, many more houses. They also face the gully that is a sound basin currently and this will only be heightened with an increase of up to 700 cars travelling past daily each day. I strongly believe that this will see the property value decrease over time and would be financially devastating to the young family, since this purchase and subsequent building of their dream house in their dream location will be ruined by 200+ more lots. I also see the intersection of Clifton West Road and Bullumwaal Road with increased traffic pressure as extremely dangerous. Without a significant upgrade it will only be a matter of time before a serious accident occurs. This could potentially be my family, loved ones or other young families that have decied to make that area their home

**Privacy Statement:** Yes

**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 7:34 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Kirby Armstrong

**Email address:**

**Postal address** WyYung VIC 3875

**Work phone number**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I wish to object to the planned subdivision for multiple reasons, The intersection of Bullumwaal road and Clifton west road is already a dangerous intersection, and adding more traffic to this road will increase the chances of a fatal accident, the intersection would need to have massive upgrade to make it safer for the added traffic that this sub division will add to the local area, I think this should be at the cost of the land owner and not the local shire, as they are many more things that my rates should go towards, also the non-existent public transport route would force all new residents to use private vehicles. As Salvatore Drive would become a thoroughfare for most of the traffic this intersection would also need to be upgraded to ensure free-flowing traffic. The sub division also has a lack of walking paths forcing residents to walk on the road causing more risk associated with traffic and pedestrians and could be the cause of a major traffic accident. The development also does not cater for any playgrounds, public amenities that one would expect for the size of this sub division, nor does it provide for areas for shops or business to build in the sub division to reduce the flow of traffic back into Wy-Yung or Bairnsdale for shopping or retail activities. I also believe that the odd shape of some of the blocks would limit potential residents from being able to fully utilise the northern aspect and orientation of the house placed on these blocks and many of the houses may become very unappealing once built. I am also unable to see documented any solution for school bus routes and this would add more traffic at school times when trying to get out of the new "estate" to pick up children from the local schools. Some of the existing subdivisions will see a huge increase in traffic past the front doors. The majority of these residents have planned and built their houses with no knowledge of this happening and will now have view of a very

busy road. I am sure this will affect the value of their homes into the future and potentially make them very hard to be sold as easily as when they purchased.

**How would you be affected by the granting of this permit?:** My partners and I with our 2 small children have moved to the Bairnsdale area in late 2017 and only recently purchased on a block in Salvatore Drive, we made the move from Melbourne as part of a "Sea Change" to get away from the chaos of Melbourne traffic, hence the reason for us purchasing a block in Salvatore Drive. I feel that our newly purchased property will be affected by this sub division with added traffic and noise associated with the additional 200+ new lots being accessed from Salvatore Drive and Clifton West Road. Our block faces north and would have have amazing views of the Mt Taylor range but now that looks like it will be covered with additional lots and many, many more houses. We also face the gully that is a sound basin currently and this will only be heightened with an increase of up to 700 cars travelling past daily each day. I strongly believe that this will see our property value decrease over time and would be financially devastating to our family, since this purchase and subsequent building of our dream house in our dream location will be ruined by 200+ more lots. I also see the intersection of Clifton West Road and Bullumwaal Road with increased traffic pressure as extremely dangerous. without a significant upgrade it will only be a matter of time before a serious accident occurs. This could potentially be my family or loved ones visiting our dream home.

**Privacy Statement:** Yes

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 7:36 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Michelle Boyle

**Email address:**

**Postal address :** WyYung VIC 3875

**Mobile phone numbe**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I wish to object to the planned subdivision for multiple reasons, The intersection of Bullumwaal road and Clifton west road is already a dangerous intersection, and adding more traffic to this road will increase the chances of a fatal accident, the intersection would need to have massive upgrade to make it safer for the added traffic that this sub division will add to the local area, I think this should be at the cost of the land owner and not the local shire, as they are many more things that my rates should go towards, also the non-existent public transport route would force all new residents to use private vehicles. As Salvatore Drive would become a thoroughfare for most of the traffic this intersection would also need to be upgraded to ensure free flowing traffic. The sub division also has a lack of walking paths forcing residents to walk on the road causing more risk associated with traffic and pedestrians and could be the cause of a major traffic accident which has been proven in the last couple of weeks. The development also does not cater for any playgrounds, public amenities that one would expect for the size of this sub division, nor does it provide for areas for shops or business to build in the sub division to reduce the flow of traffic back into Wy-Yung or Bairnsdale for shopping or retail activities. I also believe that the odd shape of some of the blocks would limit potential residents from being able to fully utilise the northern aspect and orientation of the house placed on these blocks and many of the house may become very unappealing once built. I am also unable to see documented any solution for school bus routes and this would add more traffic at school times when trying to get out of the new "estate" to pick up children from the local schools. Some of the existing subdivisions will see a huge increase in traffic past the front doors. The majority of these residents have planned and built their houses with no knowledge of

this happening and will now have view of a very busy road. I am sure this will affect the value of their homes into the future and potentially make them very hard to be sold as easily as when they purchased.

**How would you be affected by the granting of this permit?:** My partners and I with our 2 small children have moved to the Bairnsdale area in late 2017 and only recently purchased on a block in Salvatore Drive, we made the move from Melbourne as part of a "Sea Change" to get away from the chaos of Melbourne traffic, hence the reason for us purchasing a block in Salvatore Drive. I feel that our newly purchased property will be affected by this sub division with added traffic and noise associated with the additional 200+ new lots being accessed from Salvatore Drive and Clifton West Road. Our block faces north and would have have amazing views of the Mt Taylor range but now that looks like it will be covered with additional lots and many, many more houses. We also face the gully that is a sound basin currently and this will only be heightened with an increase of up to 700 cars travelling past daily each day. I strongly believe that this will see our property value decrease over time and would be financially devastating to our family, since this purchase and subsequent building of our dream house in our dream location will be ruined by 200+ more lots. I also see the intersection of Clifton West Road and Bullumwaal Road with increased traffic pressure as extremely dangerous. without a significant upgrade it will only be a matter of time before a serious accident occurs. This could potentially be my family or loved ones visiting our dream home.

**Privacy Statement:** Yes

**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 7:58 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Lisa Roseman

**Email address**

**Postal address**

**Mobile phone numb**

**Home phone numbe**

**Work phone number**

**Planning permit number:** 475/2020P

**What has been proposed?:** Multi-lot subdivision and road works

**What is the address to be used or developed?:** 30 Clifton West Road Wy Yung Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** I object to this application due to the following; - concerns about the environmental impact on Clifton Creek and surrounding water catchment. - safety concern about the impact of increased traffic flow on Bullumwall Road - inadequate, inaccurate traffic assessment supplied by Beveridge Williams - No of proposed lots - visual amenity ( but not loss of private view ) - previous VCAT decision

**How would you be affected by the granting of this permit?:** - loss of visual amenity - reduced road safety on Bullumwall Road - and all other objections stated

**Privacy Statement:** Yes



**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 8:16 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Nicole Thompson

**Email address:**

**Postal address:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks, Clifton West Road

**What is the address to be used or developed?:** 30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** - Inadequate allocation of open space for the subdivision - A number of blocks too small to adequately place all necessary infrastructure e.g secondary wastewater systems, housing, shedding - Small blocks in steep areas, erosion management issues - Weak soil profile for 213 waste water systems to be placed in close proximity to a water course (Clifton Creek) - Weak soil profile for appropriate drainage - Unnecessary loss of cultural heritage - Lack of connectivity for biodiversity with no plans to increase it - Increased traffic on an already dangerous road and intersection, it needs to be taken into consideration that young families will be moving to these blocks and will be doing more than 1 or 2 trips in to town each day - All intersection between the subdivision and Bairnsdale will be impacted, residents in Wy Yung will be heavily impacted when trying to enter onto Bullumwaal Road - Creating an isolated community with no connection to the town of Bairnsdale, lack of infrastructure connecting the two - Increased number of youth with no means of moving safely into town I feel that the subdivision does not align with the State Planning Policy Framework and the following points have not been addressed adequately: Section 14.02-15 Catchment planning and management: Objective- To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment. Strategies- Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments. - Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to: Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, - Reduce polluted surface runoff from adjacent land uses. - Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas. - Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins. - Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their

instream uses. - Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms. -

**How would you be affected by the granting of this permit?:** - Increased traffic on an already narrow and dangerous road. (Bullumwaal Road included) - Increased noise with little to no compliance being undertaken in the current state of the area - Increased pollution, mainly rubbish along the Clifton West Road - Congestion along all roads and intersections between Clifton West Road, Wy Yung, Eastwood and the centre of Bairnsdale - A degraded environment surrounding my place of residence - A loss to cultural heritage in the area

**Privacy Statement:** Yes

**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 8:38 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Matthew Walsh

**Email address:**

**Postal address**

**Mobile phone number**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road, Wy Yung

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** Increased traffic at intersection of Salvatore Drive and Clifton West Road. Increased noise and negative effect to the amenities. Increase risk to native wildlife including but not limited to the bird life in the area. Potential decrease in value to current owners. Risk to current waterways with increased sewerage run off. Review of speed limits in the area is already over due and a real concern.

**How would you be affected by the granting of this permit?:** Potential decrease in the value of my current residence. Increase in traffic cause an increase of risk to all road users on roads that are already inappropriate.

**Privacy Statement:** Yes

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 8:42 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Nicole Walsh

**Email address:**

**Postal address**

**Mobile phone number**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Road, Wy Yung

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** Increase in traffic flow using intersection of Salvatore Road and Clifton West Road, which is already a dangerous intersection which my husband has already brought up with council. No public transport available. Closest shops in Eastwood causing increase in traffic at all times. Only two roads into an estate of over 220 residence.

**How would you be affected by the granting of this permit?:** Traffic congestion. Affect on property prices.

**Privacy Statement:** Yes

**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Tuesday, 11 May 2021 8:25 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Irene Harrison

**Email address**

**Postal address :**

**Mobile phone number:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi lot subdivision and roadworks

**What is the address to be used or developed?:** 30 Clifton West Rd wyung

**Who has applied for the permit?:** Woody group pty ltd

**What are the reasons for your objection?:** My reason is the congestion morning and night going to work, we brought out of town to escape this. Excessive lighting in the new subdivision and noise and clutter. The families that brought out here wanted less of all this. This is what we found appealing with the blocks and why we built here.

**How would you be affected by the granting of this permit?:** I would be affected by all of the above.

**Privacy Statement:** Yes

**Alex Murphy**

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**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Wednesday, 12 May 2021 7:04 AM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Peter Ganci

**Email address**

**Postal address :** WY YUNG VIC 3875,

**Mobile phone number**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Multi-lot subdivision

**What is the address to be used or developed?:** 30 Clifton West Rd Wy Yung Lot 1&2 TP 663976, Lot 2 LP 146101

**Who has applied for the permit?:** Woody Group Pty Ltd

**What are the reasons for your objection?:** My Major concerns for this very large subdivision is the quality of road that wont cater for this amount of traffic, being a resident for the past 55 years. Intersection of Bullumwaal Rd, Hodges Estate Rd & Clifton West Rd will become a death trap and even more now a smaller developement has started on Hodges Estate Rd. Bullumwaal Rd to the Lind Bridge will be chaotic at morning & night making the intersection at Howitt Avenue impossible to enter or exit. Very little if any thought has been considered into the traffic congestion this IS going to cause.

**How would you be affected by the granting of this permit?:** SAFETY

**Privacy Statement:** Yes



5/12/2021

dwa6B0C.htm

**From:** Bill  
**Sent:** Tuesday, 11 May 2021 11:32:46 AM  
**To:** Feedback Address For Web Page  
**Subject:** Objection Permit 475/2020/P

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please find attached my objection to the Planning Permit Application 475 /2020/ P as applied for by Woody Group Pty Ltd for a multi lot subdivision and roadworks at 30 Clifton West Rd.



Bill Flack

Objection to Planning Permit Application 475/2020/P  
by Bill Flack May 2021

**How would you be affected by the granting of this permit?**

1. I will be affected by the continual noise of development in this area for many years to come. Heavy machinery, road blocks and closures, reduced traffic speeds due to road works both construction and maintenance. Building noise resulting in the urbanisation of what has been a serene rural area.

2. I am concerned about the huge increase to traffic on our country roads over the next few years due to the number of subdivision permits that have already been approved let alone an additional 208 homes. How will the increased traffic be managed and the conditions of the roads upgraded and maintained. Who will be responsible? Will there be provisions for public transport? Public transport finishes at Woodward St close to Eastwood Rd.  
How do I find out the answers to these questions?

---

Objection to Planning Permit Application 475/2020/P  
by Bill Flack May 2021

### **What are the reasons for your objection?**

1. In 2019 Louise Crisp and myself, Bill Flack appealed to VCAT against the EGSC decision in May 2019 to issue a planning permit to Woody Group Pty Ltd for a 213 lot subdivision (345/2017/ P), on the basis in part, of potential detrimental stormwater impacts on the downstream waterways. In August 2020 VCAT Member Justice Michelle Blackburn set aside the decision of the responsible authority (EGSC) and rejected the permit application. I am concerned that the revised permit for the 208 lot subdivision does not provide sufficient evidence that the proposed permit addresses the reasons why VCAT rejected the first permit application.

Since the plans for the first permit ( 345/2017/P ) were announced there has been considerable more developments around this vicinity approved by EGSC. This includes developments already happening off Hodges Estate Rd and Mount Lockout Rd, and 2 adjacent subdivisions by the Woody Group in Clifton West Rd, and 66 Lanteri's Rd.


***When all developments are connected and operational this will only put more pressure on the storm water management. There is evidence of natural wetland basins already in existence, one which flows directly through areas of our property at 70 Lanteri's Rd.***

2. Urbanisation of rural areas is a completely different concept than rural residential zoning. 208 homes with only two roads out on to a narrow country road, community recreation areas and street lights is urbanisation. The current population lives in this area to avoid the noise and interaction with neighbours and their pets which is indicative of suburban living. Permit conditions which include recreational areas ( it is noted that the proposed Recreational areas are indeed storm water management land and it remains to be seen how community friendly they will be) within the subdivision does not provide for the rest of us who will be unable to safely use the roads for recreation due to high increases in the traffic. I can assure you that the additional **1926 vehicles per day** as quoted in the permit application will increase the amount of traffic traveling on Lanteri's rd. The time taken due to the traffic backing up and risk to life to access Bullumwaal rd will guarantee the fact! The increased traffic in Wy Yung will then flow on to traffic at the Lind bridge and Howitt Avenue which is already at capacity.

**While EGSC saw fit to zone areas to the north of Bairnsdale Rural Residential many years ago, albeit including the bush fire overlay, it is my understanding that the Growth corridor for Bairnsdale is to spread to the East. If this is the case and many more permits are being approved in that area, then the infrastructure of Bairnsdale required to service this huge increase in expected population to live in these houses, will be inadequate to say the least.**

**East Gippsland Shire Council**

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ABN: 61 957 967 765

**Objection to Planning Permit Application**  
Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: William Flack	
Postal address:	Wy Yung 3875
Phone number: Home	
Email address:	
Mob:	
Fax:	

Permit Details:

Planning permit number:	475 / 2020 / P
What has been proposed?	Multi lot subdivision & road works.
What is the address to be used or developed?	30 Clifton West Rd Wy Yung 3875
	Lot 1 & 2 TP 663976, Lot 2 LP 146101
Who has applied for the permit?	Woody Group Pty Ltd.

Objection Details:

What are the reasons for your objection?
See Attachment


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When information is given out, Council will always try to make sure your privacy is protected in line with the Privacy and Data Protection Act 2014. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@gipps.vic.gov.au](mailto:feedback@gipps.vic.gov.au)

JUL15



**East Gippsland Shire Council**

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 Residents' Information Line: 1300 555 886  
 ABN: 81 957 967 765

How would you be affected by the granting of this permit? \_\_\_\_\_

*See Attachment*

If you need more space \_\_\_\_\_ form please attach another sheet.

Signature: \_\_\_\_\_

Name: *BILL FLACK* Date: *11/15/2021*

Office Use Only:

From: Jen [redacted]  
Sent: Tuesday, 11 May 2021 12:16:38 PM  
To: Feedback Address For Web Page  
CC: Margaret Hallett  
Subject: Objection Permit Number 475 / 2020 / P

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please find attached Objection to Planning Permit Application 475 /2020 /P for a multi lot subdivision and roadworks at 30 Clifton West Road, Wy Yung by Woody Group Pty Ltd.

Submitted on behalf of Margaret Hallett, 390 Bullumwaal Rd. Wy Yung.

## East Gippsland Shire Council

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ABN: 81 957 967 765

### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

#### Your Details:

Name:	MARGARET HALLETT		
Postal address:	BAIRNSDALE		
	Postcode		
Phone number:		Mobile	
Email address:		Fax:	

#### Permit Details:

Planning permit number:	475 / 2020 / P
What has been proposed?	multi lot subdivision and road works
What is the address to be used or developed?	30 Clifton West Road Ny Yung 3875
	Lot 1 & 2 TP 663976 , Lot 2 LP 146101
Who has applied for the permit?	Woody Group Pty Ltd.

#### Objection Details:

What are the reasons for your objection?
1. urbanization of a basically rural area
consequences = vast increase in traffic on rural roads with subsequent traffic hazards (Note Bullerwood Rd bottleneck)
2. lack of public transport + public facilities
3. Effect on an already depleted environment + habitat for wildlife

#### Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

JUL15



## East Gippsland Shire Council

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National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

How would you be affected by the granting of this permit?

- I have lived here for 20 years  
• I am aware of the number of car  
accident on Bullumvaal Rd near by  
I am already super careful on road  
entry - Laurien Rd (my Boundary)  
will be used as a thoroughfare for which  
it was never intended  
• Concern for urbanization of a rural  
area with consequences for  
bushland + wild life - my observations

If you need more space for any part of this form please attach another sheet.

Signature

Name: MARGARET HALLETT

Date: 9/5/2021

that wild life - birds in particular  
has diminished over my 20 years  
here + can only imagine it  
will get worse - see attachment

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

### Privacy Statement

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JUL15

**OBJECTIONS TO THE MULTI LOT SUBDIVISION AND ROAD WORKS AT 30  
CLIFTON WEST ROAD WY YUNG**

**3875 LOT 1.2 TP 663976 LOT 2 LP 146101**

My objections are based on the fact that I have lived at this address for 20 years . I purchased the property because it offered me the opportunity to engage in a rural life style and pursue my interest in gardening and wild life

Over the decades I have witnessed a large increase in traffic, clearing of vegetation and a serious diminution in species of wild life, both birds and animals

My concerns are as follows -

1. The proposed development consists of 208 housing blocks and service roads on 150 hectares at Clifton West Road amounts to an urbanization of what is basically zoned and serviced as a rural area.

This urbanization, with 208 houses ,would mean an increased population of some 400 to 500 people needing, since there is no public transport, well in excess of 400 vehicles using roads designed to service what was basically a rural and farming community.

Note that Bullumwaal Road, just south of Clifton West Road is the one major CRB road servicing Hodges Estate, Mount Lookout, Clifton West, Calulu roads and is thus a bottle neck The only exception is Lanteries Rd which was never meant to be other than a side road ,

All this adds up to a hazardous situation .None of the roads are more than single lanes and, from my observation, becoming increasing dangerous with the increase in traffic over the years. As you will be , no doubt, aware of the number of accident, fatal and near fatal , in this area.

How the Shire Council, responsible for all the side roads ( the exception being Bullumwaal Rd), intends to both develop and maintain road safety in the face of such increased traffic is a subject for concern,

2 . The proposed development with it emphasis on high housing density does not allow for the recreational needs of the inhabitants. There appears to be no adequate areas set aside for parks, walking tracks, sporting activities or civic and social pursuits. As a consequence the population must either use their cars or risk isolation which is of growing concern for older retirees moving to a new area and needing to make new friends and contacts.

These should be part and parcel of any new developments out of town and of considerable size. Compare this plan with that of the Eastwood development with its parks and public spaces

3 I am especially concerned about our environment and the preservation , and indeed habit, for wildlife.

Over the 20 years bird life in my garden has greatly diminished, I account for this as the result of land clearing and the growth of housing in my environs Flight corridors have vanished with the removal of vegetation and , no doubt the presence of cats and dogs The current propensity for larger and larger houses means less green space for bird attracting garden habitat for bird life.

We will all be the poorer

I trust you will take my concerns into account . Margaret Hallett 9/5/21

*Wy Yung.*

From: Jen  
Sent: Tuesday, 11 May 2021 1:02:57 PM  
To: Feedback Address For Web Page  
Subject: Objection - 475/2020/P

EXTERNAL EMAIL:This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please find attached my objection for proposed planning permit application 467/2020/P for a multi lot subdivision and roadworks at 30 Clifton West Rd, Wy Yung by Woody group Pty Ltd.

Kind regards,  
Jennifer Lawrence,

Wy Yung.

## East Gippsland Shire Council

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### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

#### Your Details:

Name: Jennifer Lawrence			
Postal address:		Ny Yung 3875	
		Postcode	3875
Phone number: <del>Home:</del>	<del>Work:</del>	Mobile:	
Email address:		<del>Fax:</del>	

#### Permit Details:

Planning permit number:	475 / 2020 / P
What has been proposed?	multi lot subdivision & road works
What is the address to be used or developed?	30 Clifton West Rd Ny Yung 3875
	Lot 1 & 2 TP 663976, Lot 2 LP 146101
Who has applied for the permit?	Woody Group Pty Ltd

#### Objection Details:

What are the reasons for your objection?
Please see attachment

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JUL15



## East Gippsland Shire Council

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Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

How would you be affected by the granting of this permit? \_\_\_\_\_

*Please see attachment.*

If you need more space for any part of this form please attach another sheet.

Signature \_\_\_\_\_

Name: *Jennifer Lawrence*

Date: *5 / 5 / 2021*

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

### Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property. When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

JUL15

Permit number - 475/2020/P

Multi Lot subdivision and roadworks by Woody Group Pty Ltd.

**The reasons for my objection -**

Firstly this is a second attempt by the Woody Group to have a planning Permit approved. You should be aware that my husband Bill Flack along with Louise Crisp filed an objection with VCAT and the ruling was in our favour and the East Gippsland Shire approved planning permit was revoked. In the most part due to concerns over storm water management. It was hoped by interested parties that the potential impacts of a development on downstream waterways may become something of a precedent here in East Gippsland. We are still concerned that this revised permit application does not sufficiently address the issues raised during the VCAT hearing.

It is also worth mentioning that Barry Wood, owner of Woody Group has since verbally threatened both my husband and I as well as many of my neighbours. He does not live in Wy Yung and has no respect for this beautiful part of our shire and he is bullying us in order to silence us. It was our hope that when VCAT ruled against the approved permit that the Shire Council would think long and hard before approving such a large and potentially damaging environmental subdivisions well away from the approved Shire growth corridor on the Alpine Highway. Coincidentally which is where Mr Woods resides.

Is it time after the past 18 months to rethink decisions that were made years ago? We are well aware of the rural residential zoning which is allowing in theory for the planning permit to be applied for, however after the real threat to lives and land during the 2019 /2020 bushfires and this proposed subdivision so close to the bush fire overlay perhaps it is time to revoke some of these decisions that were made without the knowledge that we now have. Also due consideration should be given to those who purchased sizeable land packages in order to escape suburbia. A drive around the surrounding area of Bairnsdale will demonstrate how much subdivision has been approved and how minimum land sizes to qualify for rural residential zoning has been manipulated. Goose Gully Golf course and surrounding homes is a perfect example and that happened over two decades ago.

Of real concern is the roadways accessing this subdivision. Since the approval of the first permit which had only one access to all 213 house lots, there has since been an additional road, Hamilton drive, which feeds onto Salvatore drive. This has only come about because the Woody group has since received and developed another planning permit. Do we really think that with a minimum of 400 extra vehicles in this subdivision that 2 suburban like roads will provide adequate assurance to families in the need for evacuation onto Bullumwaal rd? I am also writing this objection the day after the fatal accident on Bullumwaal rd. This tragedy happened almost opposite the access into Clifton West Rd which will service the proposed subdivision. The infrastructure is insufficient to service all the permits that have been approved over the past 2 years let alone another one for 208 houses. Out of interest which school will the children of these families who buy this land attend?

While I acknowledge that areas have been put aside for community areas within this subdivision it appears that the inclusions of "community areas" in this subdivision is just a crude attempt at showing an interest in the families that will purchase the land in good faith when in actual fact they are necessary to capture the stormwaters.

I am hoping that the recently elected councillors will think long and hard about this subdivision. Have significant changes been made to the plans to appease the previous VCAT ruling? Are we considering the impact on our struggling infrastructure of another approved subdivision. Our roads, our schools and medical services all need to be considered. Where are the builders and the trades people in our area to service these land buyers. My information is that there is a least a 2 year wait for homes to be built in our area.

**How would I be affected by the granting of this permit -**

I believe the granting of this permit would effect me personally on many levels.

**Noise** - The construction noise of roads, and then houses would be continual for at least 5 years.

**Use of local roads** - Road restrictions in both speed limits and access to our major arterial roads during the construction phase are inevitable. Access to Bullumwaal rd from Link rd has restricted visibility, increased traffic flow will only enhance the danger. Ultimately speed limits will change as it is perceived as an easier fix than upgrading roads to the required standards to meet the increased traffic.

**Urbanisation** - This planning permit will result in an estate not unlike the Eastwood estate that contains suburban like roads and street lighting. I will be surrounded by urbanisation rather than relaxed rural living that I thought I was purchasing. Lanteri's rd is already used as part of a loop to drop off school children or avoid the dangerous access on to Bullumwaal rd from Clifton West rd. This will only increase to the point that it will no longer to be safe to walk with our children and grandchildren and pets. While community areas may be included in the subdivision where do all the landowners who purchased in this area exercise themselves and their pets. Are footpaths along the roads impacted by this subdivision going to be part of the conditions for approval?

**Rate rises** - I am also concerned that the council may use this as an opportunity to increase the land rates in the area to finance the required infrastructure.



5/12/2021

dwa57A8.htm

**From:** Marika Percival  
**Sent:** Tuesday, 11 May 2021 7:30:03 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to planning permit number 475/2020/P

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Attached is my objection to planning application number 475/2020/P

Regards  
Marika Percival

file:///C:/DATAWRKS/TEMP/8988810/dwa57A8.htm

1/1

## **Objection to planning permit application 475/2020/P**

Address of proposed permit: 30 Clifton West Road Wy Yung.

Applicants name: Woody Group Pty Ltd.

Application Number: 475/2020/P

### **Objectors Details: Marika Percival**

Wy Yung

### **Reasons for objection:**

1. Safety of the Bullumwaal Road Clifton West Road intersection.
2. Safety of the New Road Clifton West Road intersection.
3. Safety of driveway access onto Clifton West Road.
4. Howitt Avenue Bullumwaal Road intersection
5. Eastwood Road Bullumwaal Road intersection
6. Access to local schools Grammar and Lucknow Primary
7. Vital infrastructure to sustain the increase in population including internet access, public transport, school buses and water.
8. Habitat corridor required to protect the native plants, animals and ecological communities with establishment and maintenance of this corridor needing to be factored into the approval process. Essential

within the first two stages of the development to minimise the disruption and displacement of local fauna.

9. Area of parkland and playground required within the first two stages for community activities to build community and create a sense of place.

10. Size of the allotments does not meet the areas current variety of lot size.

11. No consideration for the increase of noise with increase in population.

12. Provisions for maintaining current recreational activities such as horse riding and bike riding.

1. & 2. Safety of the Bullumwaal Road Clifton West Road intersection is extremely important, vision is poor when accessing Bullumwaal Road from Clifton West Road. Furthermore, when accessing Clifton West Road from Bullumwaal Road there is no traffic island or safety measures of any kind to wait safely whilst giving way to oncoming traffic in a 100km p/h speed zone. Making significant changes to improve the safety of this intersection is imperative for the safety of all. An allotment of 213 blocks will bring at least 428 new cars and drivers to the area, on average we have at least four car movements per day from my house, with kinder drop offs, work commitments

and children's activities, if the 428 cars make 4 moves per day each that makes an increase of 1712 car movements per day, the current road systems in the area are not safe enough for this volume of traffic. Significant changes to both the current and proposed intersections is imperative for the safety of the entire community.

3. Frontage access directly onto Clifton West Road is not safe. There are already too many blind driveways with direct access to Clifton West Road, allowing more direct access onto Clifton West Road will further compromise the safety of all road users, not to mention the horse riders and bike riders.

4. Howitt Avenue and Bullumwaal Road intersection will be heavily impacted with the increase of 428 cars passing through that intersection to access vital infrastructure in the Bairnsdale CBD. That intersection is already congested and dangerous, particularly at school drop off and pickup times.

5. Local traffic currently travels along Eastwood Road to avoid the Howitt Avenue Bullumwaal Road intersection congestion, with such increase in traffic on Bullumwaal Road, accessing Bullumwaal Road from Eastwood Road and vice versa would become more difficult and potentially unsafe.

6. The large volumes of traffic that this subdivision would create would inhibit the safe access to local Primary Schools Lucknow and Grammar. Potentially jeopardising the ability to safely enter and exit these locations.

7. Our social and economic wellbeing depends on good infrastructure.

Consideration of this to sustain the increased population is required.

Internet access is vital for things such as banking and children's health records, the current speed of the internet in this area is sub-par at best, significant infrastructure to accommodate the increased burden on the current system is essential for preventing significant impact on the social and economic wellbeing of the community.

Public transport is required for providing people with access to employment, medical care, community resources, and education, it also provides an alternate means of travel to the private vehicle which will be important to reducing carbon emissions which all governments should be providing infrastructure to enable the reduction of emissions Nationally. The bus stop documented in the proposal is not safe, as it is on an outside bend, near a rise, only metres from a fatal crash scene, with the road in poor unsafe condition. This is not capable of meeting the needs of the current population and is far from meeting the needs of an increase of potentially 852 in the local population (based on 4 people in each residence).

Water access is critical, and pressure is currently poor, provisions for improvement of this are needed.

8. Allocation of space for a habitat corridor have not been made, such corridors are a critical means of protecting and increasing habitat and biodiversity, particularly the fauna. Establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road, comprising native vegetation relevant to the location is essential for maintaining and increasing habitat for native wildlife in the area. The establishment and maintenance of this land used needs to be factored into the approval process.

9. Play is an essential part of childhood, with research showing it helps with strength, coordination, and balance. When children play with other children there are opportunities for children to develop social skills, imagination and creativity, problem solving skills, a sense of self as they master new skills and play with other children improving self-confidence and a sense of connection to their local community and environment. For this reason, children within this community should be provided the space and equipment (such as a playground) to play together. Furthermore, this communal area creates a

space for adults to gather, a place to communicate with neighbours and build community spirit. This area is necessary for all people in the community to build a feeling of belonging, and to create a sense of place, which cannot be achieved with the proposal of each person using their own private space.

10. The proposed size of the blocks around the periphery of this development does not meet the areas current variety of lot size. The people of Clifton West Road and surrounds chose their homes because of the amenity that 2, 3 and 4 acre lots sizes give, that is to not live in suburbia. A significant number of the blocks in the proposed development, particularly around the periphery are 1-acre blocks. Larger blocks are necessary to maintain the current amenity of the area, that is the more semi-rural lifestyle *not* high density quasi suburban.

11. Consideration is required for the increase of noise within the area, an increase in population will result in an increased noise, as for example loud music, barking dogs, people's voices, lawn mowers, leaf blowers, to name a few. This is another aspect of local amenity that will decline drastically. One option to ameliorate this to a degree would be the establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road,



as discussed above, this could benefit both the local wildlife and serve as noise reduction to the community. As mentioned above the establishment and maintenance of this land needs to be factored into the approval process and it is essential that it is included within the first two stages of the development to minimise the disruption and displacement of local fauna.

12. Current local community members cycle and horse ride along Clifton West Road, the Australian Government Department of Health recommends that adults aged between 18-64 participate in at least 2.5 hours of moderate intensity physical activity per week, cycling or horse riding could fulfil this requirement. However, with the proposed development provisions have not been made for maintaining these recreational activities. This could result in increased sedentary behaviour of the local community, which is discouraged by the Department of Health. Provisions need to be made to enable the local community to continue participating in these physical activities. The inclusion of a 30-metre habitat corridor as discussed above could assist in this, as it reduces the noise that would not be acceptable for horse riding and assists in creating a more natural environment of both cyclists and horse riders to enjoy, it would also stop the addition of blind driveways directly onto Clifton West Road which would make both cycling and horse riding unsafe.

Concluding comments:

I am reserving the right to add extra objections later, as this is my first reaction to this monumental change to my amenity.

5/12/2021

dwaE544.htm

**From:** R and J Gray  
**Sent:** Tuesday, 11 May 2021 7:38:38 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to subdivision

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern, please find attached our objection to a proposed sub division on Clifton West Rd, Wy Yung.  
Regards, Jodi Gray.

file:///C:/DATAWRKS/TEMP/8988749/dwaE544.htm

1/1

**Objection to planning permit application 475/2020/P**

Address of proposed permit: 30 Clifton West Road Wy Yung.

Applicants name: Woody Group Pty Ltd.

Application Number: 475/2020/P

**Objectors Details: Rob and Jodi Gray**

Wy Yung

**Reasons for objection:**

1. Safety of the Bullumwaal Road Clifton West Road intersection.
2. Safety of the New Road Clifton West Road intersection.
3. Safety of driveway access onto Clifton West Road.
4. Howitt Avenue Bullumwaal Road intersection
5. Eastwood Road Bullumwaal Road intersection
6. Access to local schools Grammar and Lucknow Primary
7. Vital infrastructure to sustain the increase in population including internet access, public transport, school buses and water.
8. Habitat corridor required to protect the native plants, animals and ecological communities with establishment and maintenance of this corridor needing to be factored into the approval process. Essential within the first two stages of the development to minimise the disruption and displacement of local fauna.
9. Area of parkland and playground required within the first two stages for community activities to build community and create a sense of place.
10. Size of the allotments does not meet the areas current variety of lot size.

11. No consideration for the increase of noise with increase in population.
12. Provisions for maintaining current recreational activities such as horse riding and bike riding.

1. & 2. Safety of the Bullumwaal Road/Clifton West Road intersection is extremely important, vision is poor when accessing Bullumwaal Road from Clifton West Road. Furthermore, when accessing Clifton West Road from Bullumwaal Road there is no traffic island or safety measures of any kind to wait safely whilst giving way to oncoming traffic in a 100km p/h speed zone. Making significant changes to improve the safety of this intersection is imperative for the safety of all. An allotment of 213 blocks will bring at least 428 new cars and drivers to the area; if the 428 cars make 4 moves per day each that makes an increase of 1712 car movements per day in and out of the intersection. The current road systems in the area are not safe enough for this volume of traffic. Significant changes to both the current and proposed intersections is imperative for the safety of the entire community.

3. Frontage access directly onto Clifton West Road is not safe. There are already too many blind driveways with direct access to Clifton West Road, allowing more direct access onto Clifton West Road will further compromise the safety of all road users, not to mention the horse riders and bike riders.

4. Howitt Avenue and Bullumwaal Road intersection will be heavily impacted with the increase of 428 cars passing through that intersection to access vital infrastructure in the Bairnsdale CBD. That intersection is already congested and dangerous, particularly at school drop off and pickup times.

5. Local traffic currently travels along Eastwood Road to avoid the Howitt Avenue Bullumwaal Road intersection congestion, with such increase in traffic on Bullumwaal Road,

accessing Bullumwaal Road from Eastwood Road and vice versa would become more difficult and potentially unsafe.

6. The large volumes of traffic that this subdivision would create would inhibit the safe access to local primary schools Lucknow and Gippsland Grammar.

7. Our social and economic wellbeing depends on good infrastructure. Consideration of this to sustain the increased population is required.

Internet access is vital as so many aspects of our lived depend on it and the current speed of the wireless-only internet in this area is below par. Significant infrastructure to accommodate the increased burden on the current system is essential for preventing significant impact on the social and economic wellbeing of the community.

Public transport is required for providing people with access to employment, medical care, community resources, and education, it also provides an alternate means of travel to the private vehicle which will be important to reducing carbon emissions which all governments should be providing infrastructure to enable the reduction of emissions nationally. The bus stop documented in the proposal is not safe, as it is on an outside bend, near a rise, only metres from a fatal crash scene, with the road in poor unsafe condition. This is not capable of meeting the needs of the current population and is far from meeting the needs of an increase of potentially 852 in the local population (based on 4 people in each residence).

Water access is critical, and pressure is currently poor, provisions for improvement of this are needed.

8. Allocation of space for a habitat corridor have not been made, such corridors are a critical means of protecting and increasing habitat and biodiversity, particularly the fauna.

Establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road, comprising native vegetation relevant to the location is essential for maintaining and increasing habitat for native wildlife in the area. The establishment and maintenance of this land used needs to be factored into the approval process.

9. Play is an essential part of childhood, with research showing it helps with strength, coordination, and balance. When children play with other children there are opportunities for children to develop social skills, imagination and creativity, problem solving skills, a sense of self as they master new skills and play with other children improving self-confidence and a sense of connection to their local community and environment. For this reason, children within this community should be provided the space and equipment (such as a playground) to play together. Furthermore, this communal area creates a space for adults to gather, a place to communicate with neighbours and build community spirit. This area is necessary for all people in the community to build a feeling of belonging, and to create a sense of place, which cannot be achieved with the proposal of each person using their own private space.

10. The proposed size of the blocks around the periphery of this development does not meet the areas current variety of lot size. The people of Clifton West Road and surrounds chose their homes because of the amenity that 2, 3 and 4 acre lots sizes give, that is to not live in suburbia. A significant number of the blocks in the proposed development, particularly around the periphery are 1-acre blocks. Larger blocks are necessary to maintain



the current amenity of the area, that is the more semi-rural lifestyle *not* high density quasi suburban.

11. Consideration is required for the increase of noise within the area, an increase in population will result in an increased noise, as for example loud music, barking dogs, people's voices, lawn mowers, leaf blowers, to name a few. This is another aspect of local amenity that will decline drastically. One option to ameliorate this to a degree would be the establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road, as discussed above, this could benefit both the local wildlife and serve as noise reduction to the community. As mentioned above the establishment and maintenance of this land needs to be factored into the approval process and it is essential that it is included within the first two stages of the development to minimise the disruption and displacement of local fauna.

12. Currently, local community members walk, cycle and horse ride along Clifton West Road. The Australian Government Department of Health recommends that adults aged between 18-64 participate in at least 2.5 hours of moderate intensity physical activity per week and walking, cycling or horse riding could fulfil this requirement. However, with the proposed development provisions have not been made for maintaining these recreational activities. This could result in increased sedentary behaviour of the local community, which is discouraged by the Department of Health. Provisions need to be made to enable the local community to continue participating in these physical activities. The inclusion of a 30-metre habitat corridor as discussed above could assist in this, as it reduces the noise that would not be acceptable for horse riding and assists in creating a more natural environment for

walkers, cyclists and horse riders to enjoy. It would also stop the addition of blind driveways directly onto Clifton West Road which would make walking, cycling and horse riding unsafe.

Concluding comments:

I am reserving the right to add extra objections later, as this is my first reaction to this monumental change to my amenity.

5/12/2021

dwaE580.htm

**From:** Paul Percival  
**Sent:** Tuesday, 11 May 2021 1:43:55 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to Planning Application no. 475.2020.P

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern

Please find attached my objection to planning application no. 475.2020.P 30 Clifton West Road Wy Yung

Regards

Paul Percival

## **Objection to planning permit application 475/2020/P**

Address of proposed permit: 30 Clifton West Road Wy Yung.

Applicants name: Woody Group Pty Ltd.

Application Number: 475/2020/P

### **Objectors Details Paul Percival**

Wy Yung

#### **Reasons for objection:**

1. Safety of the Bullumwaal Road Clifton West Road intersection.
2. Safety of the New Road Clifton West Road intersection.
3. Safety of driveway access onto Clifton West Road.
4. Howitt Avenue Bullumwaal Road intersection
5. Eastwood Road Bullumwaal Road intersection
6. Access to local schools Grammar and Lucknow Primary
7. Vital infrastructure to sustain the increase in population including internet access, public transport, school buses and water.
8. Habitat corridor required to protect the native plants, animals and ecological communities with establishment and maintenance of this corridor needing to be factored into the approval process. Essential

within the first two stages of the development to minimise the disruption and displacement of local fauna.

9. Area of parkland and playground required within the first two stages for community activities to build community and create a sense of place.

10. Size of the allotments does not meet the areas current variety of lot size.

11. No consideration for the increase of noise with increase in population.

12. Provisions for maintaining current recreational activities such as horse riding and bike riding.

1. & 2. Safety of the Bullumwaal Road Clifton West Road intersection is extremely important, vision is poor when accessing Bullumwaal Road from Clifton West Road. Furthermore, when accessing Clifton West Road from Bullumwaal Road there is no traffic island or safety measures of any kind to wait safely whilst giving way to oncoming traffic in a 100km p/h speed zone. Making significant changes to improve the safety of this intersection is imperative for the safety of all. An allotment of 213 blocks will bring at least 428 new cars and drivers to the area, on average we have at least four car movements per day from my house, with kinder drop offs, work commitments

and children's activities, if the 428 cars make 4 moves per day each that makes an increase of 1712 car movements per day, the current road systems in the area are not safe enough for this volume of traffic. Significant changes to both the current and proposed intersections is imperative for the safety of the entire community.

3. Frontage access directly onto Clifton West Road is not safe. There are already too many blind driveways with direct access to Clifton West Road, allowing more direct access onto Clifton West Road will further compromise the safety of all road users, not to mention the horse riders and bike riders.

4. Howitt Avenue and Bullumwaal Road intersection will be heavily impacted with the increase of 428 cars passing through that intersection to access vital infrastructure in the Bairnsdale CBD. That intersection is already congested and dangerous, particularly at school drop off and pickup times.

5. Local traffic currently travels along Eastwood Road to avoid the Howitt Avenue Bullumwaal Road intersection congestion, with such increase in traffic on Bullumwaal Road, accessing Bullumwaal Road from Eastwood Road and vice versa would become more difficult and potentially unsafe.

6. The large volumes of traffic that this subdivision would create would inhibit the safe access to local Primary Schools Lucknow and Grammar. Potentially jeopardising the ability to safely enter and exit these locations.

7. Our social and economic wellbeing depends on good infrastructure.

Consideration of this to sustain the increased population is required.

Internet access is vital for things such as banking and children's health records, the current speed of the internet in this area is sub-par at best, significant infrastructure to accommodate the increased burden on the current system is essential for preventing significant impact on the social and economic wellbeing of the community.

Public transport is required for providing people with access to employment, medical care, community resources, and education, it also provides an alternate means of travel to the private vehicle which will be important to reducing carbon emissions which all governments should be providing infrastructure to enable the reduction of emissions Nationally. The bus stop documented in the proposal is not safe, as it is on an outside bend, near a rise, only metres from a fatal crash scene, with the road in poor unsafe condition. This is not capable of meeting the needs of the current population and is far from meeting the needs of an increase of potentially 852 in the local population (based on 4 people in each residence).



Water access is critical, and pressure is currently poor, provisions for improvement of this are needed.

8. Allocation of space for a habitat corridor have not been made, such corridors are a critical means of protecting and increasing habitat and biodiversity, particularly the fauna. Establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road, comprising native vegetation relevant to the location is essential for maintaining and increasing habitat for native wildlife in the area. The establishment and maintenance of this land used needs to be factored into the approval process.

9. Play is an essential part of childhood, with research showing it helps with strength, coordination, and balance. When children play with other children there are opportunities for children to develop social skills, imagination and creativity, problem solving skills, a sense of self as they master new skills and play with other children improving self-confidence and a sense of connection to their local community and environment. For this reason, children within this community should be provided the space and equipment (such as a playground) to play together. Furthermore, this communal area creates a

space for adults to gather, a place to communicate with neighbours and build community spirit. This area is necessary for all people in the community to build a feeling of belonging, and to create a sense of place, which cannot be achieved with the proposal of each person using their own private space.

10. The proposed size of the blocks around the periphery of this development does not meet the areas current variety of lot size. The people of Clifton West Road and surrounds chose their homes because of the amenity that 2, 3 and 4 acre lots sizes give, that is to not live in suburbia. A significant number of the blocks in the proposed development, particularly around the periphery are 1-acre blocks. Larger blocks are necessary to maintain the current amenity of the area, that is the more semi-rural lifestyle *not* high density quasi suburban.

11. Consideration is required for the increase of noise within the area, an increase in population will result in an increased noise, as for example loud music, barking dogs, people's voices, lawn mowers, leaf blowers, to name a few. This is another aspect of local amenity that will decline drastically. One option to ameliorate this to a degree would be the establishment and maintenance of a habitat corridor of 30 metres width along Clifton West road,

as discussed above, this could benefit both the local wildlife and serve as noise reduction to the community. As mentioned above the establishment and maintenance of this land needs to be factored into the approval process and it is essential that it is included within the first two stages of the development to minimise the disruption and displacement of local fauna.

12. Current local community members cycle and horse ride along Clifton West Road, the Australian Government Department of Health recommends that adults aged between 18-64 participate in at least 2.5 hours of moderate intensity physical activity per week, cycling or horse riding could fulfil this requirement. However, with the proposed development provisions have not been made for maintaining these recreational activities. This could result in increased sedentary behaviour of the local community, which is discouraged by the Department of Health. Provisions need to be made to enable the local community to continue participating in these physical activities. The inclusion of a 30-metre habitat corridor as discussed above could assist in this, as it reduces the noise that would not be acceptable for horse riding and assists in creating a more natural environment of both cyclists and horse riders to enjoy, it would also stop the addition of blind driveways directly onto Clifton West Road which would make both cycling and horse riding unsafe.

Concluding comments:

I am reserving the right to add extra objections later, as this is my first reaction to this monumental change to my amenity.

## East Gippsland Shire Council

273 Main Street (PO Box 1618)  
Bairnsdale Vic 3875  
Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
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ABN: 81 957 967 765

EGSC

### Objection to Planning Permit Application

Planning and Environment Act 1987

12 MAY 2021

INFORMATION  
MANAGEMENT

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

#### Your Details:

Name: <u>Wesley Vague</u>			
Postal address:			
<u>WY-YUNG</u>			Postcode <u>3875</u>
Phone number: Home:	Work:	Mobil:	
Email address:	Fax:		

#### Permit Details:

Planning permit number:	<u>475/2020/P</u>
What has been proposed?	<u>Muller lot subdivision and roadworks</u>
What is the address to be used or developed?	<u>30 Clifton West Rd WyYung</u> <u>Lot 1 &amp; 2 TP 663976 Lot 2 LP 146101</u>
Who has applied for the permit?	<u>Woody Group Pty Ltd</u>

#### Objection Details:

What are the reasons for your objection?
<p>•VISUAL IMPACT/ MENTAL HEALTH: We moved here in 1998 with <del>our</del> my elderly mother-in-law to support our mental health. The view of the lovely rolling hills was a significant part of the plan. If this application goes ahead the lovely <sup>natural</sup> view we had will be destroyed.</p> <p>•TRAFFIC CONCERNS/ SAFETY ISSUES: Bullunward Rd already has a history of tragic vehicle accidents. The massive increase in traffic will only escalate the dangers. The corner of Learner's Rd and Bullunward Rd is a school bus stop. I truly fear for the safety of the students if this application is successful.</p>

#### Privacy Statement

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JUL15

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Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

How would you be affected by the granting of this permit?

- Because of the 'urban style' ugliness of this development it will decimate the wonderful natural karma of the rolling hills – so much for our original mental health plans. My 83 yr old mother-in-law will no longer be able to say to me each morning how much she enjoys sipping coffee and enjoying the natural outlook.
- Our property value will go down.
- The increased traffic flow will be a life and death issue greatly and in particular I worry about the safety of the young bus travellers.

If you need more space for any part of this form please attach another sheet.

Signature

Name: Wesley U Vague Amaboile Vague Date: 11 / 5 / 2021

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Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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1/2

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EGSC

## Objection to Planning Permit Application

Planning and Environment Act 1987

12 MAY 2021

INFORMATION

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: <u>WAYNE and MAREE STAGG</u>		<div style="border: 1px solid black; padding: 5px;"> <p>Received Time: 3.25pm 11 MAY 2021 Corporate Centre</p> </div>
Postal address: <u>EASTWOOD</u>		
Phone number:		Postcode <u>3875</u>
Email address:		

Permit Details:

Planning permit number: <u>475/2020/P</u>
What has been proposed? <u>A MULTI LOT SUBDIVISION AND ROADWORKS BY WOODY GROUP PTY. LTD.</u>
What is the address to be used or developed? <u>30 CLIFTON WEST ROAD, WY YUNG LOT 1 &amp; 2 TP 663976, LOT 2 LP 146101</u>
Who has applied for the permit? <u>WOODY GROUP PTY. LTD.</u>

Objection Details:

<p>What are the reasons for your objection? <u>TRAFFIC INCREASE ON BULLUMWALL RD.</u></p> <p><u>WE ARE CONCERNED AT THE ALREADY DANGEROUSLY CONGESTED INTERSECTION OF BULLUMWALL ROAD AND HOWITT AVE. EASTWOOD AT MORNING AND EVENING PEAK TRAFFIC TIMES AND SCHOOL TIMES.</u></p> <p><u>OTHER ROAD JUNCTIONS WILL ALSO HAVE INCREASED RISK EG. WY YUNG - CALDWAY ROAD AND HODGES ESTATE ROAD.</u></p> <p><u>THE CLIFTON WEST ROAD ITSELF IS A DANGEROUSLY ANGLED ROAD TO ENTER ONTO BULLUMWALL ROAD.</u></p>
---

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How would you be affected by the granting of this permit? INCREASED TRAFFIC RISKS  
FOR MY WIFE AND I COMING AND GOING FROM KATWOOD  
INTO BAIRNSDALE.

If you need \_\_\_\_\_ of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: WAYNE STAGG

WAYNE STAGG

Date: 11 / 05 / 2021

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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113

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EGSC

### Objection to Planning Permit Application

Planning and Environment Act 1987

12 MAY 2021

INFORMATION  
MANAGEMENT

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

#### Your Details:

Name: <u>Jacquel Calabro + Sam Calabro</u>		
Postal address: <u>WY-Young</u>		
Postcode <u>3875</u>		
Phone number: Home:	Work:	Mobi
Email address		Fax:

#### Permit Details:

Planning permit number: <u>475/2020/P</u>
What has been proposed? <u>MULTI-LOT SUBDIVISION + ROADWORK</u>
What is the address to be used or developed? <u>30 CLIFTON WEST ROAD</u> <u>WY-Young 3875 # LOT 1 + 2 TP 663976,</u> <u>LOT 2 LP 146101</u>
Who has applied for the permit? <u>WOODY GROUP Pty Ltd</u>

#### Objection Details:

What are the reasons for your objection? <u>Attache #1</u>
<u>See attached</u>
<u>— thank you</u>
Received EGSC Time: 3:09...am (PM) 11 MAY 2021 Corporate Centre

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JUL15

Objection

## # 4. Traffic Consideration

## #4-1 - Subject site Traffic Generation

- # your assessment of 1 vehicle per dwelling is out dated. The current dwelling has a min of 2 vehicles, thus 213 dwellings = 426 cars. This makes the amount of trips per day closer to 3834 = 1917 am & 1917 pm (peak)
- Your plan shows 3 exit points onto Clifton West Road which already has at least 1 large subdivision on it (w/pc cars). Clifton West Road feed into Bullumwoal Rd (no where else to go).
- # The intersection of Clifton West Road + Bullumwoal Road is already a very dangerous intersection (add another 400 plus) cars and it not a matter of if but when. Someone dies trying to get in or out -
- # As this isn't the only subdivision happening out this way where the traffic feeds onto Bullumwoal Road your 400 plus car will be closer to 600 plus (no traffic)

- that's this year what about the next 5/10 years - forward planning needs to be happening (not catch up).
  - # Bullumwood Road isn't up to the traffic it's already carrying -
  - # Every feeder road coming off Bullumwood Road from the WY-Yung Bridge to @ least Mount Look out road requires either a turning lane and some even require a roundabout also these intersection require lighting.
  - # There is no public transport past the WY-Yung Dam and nothing in any way I can find.
  - # The Eastwood Road + Bullumwood Road (T-intersection) is already a death trap - more traffic on this road @ peak time will end in people being killed there
  - # I feel as our council + planning officers you have both a duty of care to provide safe road(etc) to the current + further rate payers
- Thank-you Jacque Cabelac

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How would you be affected by the granting of this permit? I don't have a problem with the permit so long as all the infrastructure is forward planned for the future not the past. eg: water, power, internet drainage, roads - green space, public transport (safty) lighting - sewage ?? the list is huge but so are peoples basic requirments - this is + was farming land + bush land - what about the nature side of things - if not my generation then the next - Natural water ways - feeder into Mitchell River + Gippsland Lakes

If you need more space for any part of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: Jacque Calabro

Date: 11/5/21

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Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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### Objection to Planning Permit Application

Planning and Environment Act 1987

Received EGSC

Time 1:55 am

11 MAY 2021

Corporate Centre

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Your Details:

EGSC

12 MAY 2021

Name:	Sebastian + Daniella Lanteri			INFORMATION
Postal address:	Eastwood			MANAGEMENT
	Postcode	3870		
Phone number: H				
Email address:				

Permit Details:

Planning permit number:	475/2020/P
What has been proposed?	Multi-lot subdivision and roadworks
What is the address to be used or developed?	30 Clifton West Rd Wy Yung Lot 1 & 2 TP663976, Lot 2 LP 146101
Who has applied for the permit?	Woody Group Pty Ltd

Objection Details: We Object to this permit.

What are the reasons for your objection?	Our reasons for objecting this planning permit are we feel the infrastructure (com of Clifton West Rd & Buddlemusall Road especially) will not cope with traffic as it is already a hotspot for accidents. Also there is not adequate lighting in these areas to support more traffic. Congestion in traffic will effect our transport delivery times and have an effect on our business.
--	---

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How would you be affected by the granting of this permit? Being vegetable farmers  
at 185 Clifton West Road Wy Yung, our business  
will suffer immensely. We use these local  
roads to transport our vegetables to and  
from hinders and as the roads aren't  
catered for large volume; we feel there would  
be delays and accidents as the roads  
are single lanes only. Having larger estates  
close to farming lands makes it hard  
as residents find the noise from  
machinery & animals annoying and often make  
issues for farmers

If you need more space for any part of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: SEBASTIAN LANTERI

Date: 11 / 5 / 2021

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Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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5/12/2021

dwaD7F8.htm

**From:** Louise Crisp  
**Sent:** Wednesday, 12 May 2021 2:29:00 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to Planning Permit Application 475/2020/P

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

To whom it may concern,

Please find attached my objection to Planning Permit Application 475/2020/P.

Yours sincerely  
Louise Crisp

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### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: LAUSE CRISP	
Postal address:	
BAIRNSDALE	Postcode 3875
Phone number: 1	Mobile
Email address:	Fax:

Permit Details:

Planning permit number: 475/2020/P
What has been proposed? Multi-lot (208) subdivision and roadworks
What is the address to be used or developed? 30 CHIFTON WEST RD WYUNGU
Who has applied for the permit? WOODY GROUP PTY LTD

Objection Details:

What are the reasons for your objection?
Please see attached: LAUSE CRISP: Objection to Planning Permit application 475/2020/P

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How would you be affected by the granting of this permit? \_\_\_\_\_

*see attached*

If you need more space for any part of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: *LOUISE CRISP*

Date: *12 / 5 / 2021*

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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**Louise Crisp: Objection to planning permit application 475/2020/P**

My partner and I live at 300 Bullumwaal Rd Wy Yung and own two additional properties which abut the proposed 208 lot subdivision on its eastern boundary (2/199 Orrs Rd) and southern boundary (330 Eastwood Rd).

We have revegetated (approx 40,000 plants) and protected approx 25 ha of land along the Clifton Creek, 18.5 ha being under two Trust for Nature covenants which include the nationally listed Swamp Scrub and Red Gum Grassy Woodland EVCs. We undertook the project in order to restore degraded farmland, create habitat, improve water quality in the Clifton Creek to the Gippsland Lakes, and carbon storage. The project has received support from Trust for Nature, EGCMA, Rainforest CMN, EG Landcare, and Love our Lakes.

In 2019 we appealed to VCAT to review the approval by EGSC (May 2019) of planning permit 345/2017 which was a 213 lot subdivision over the same land as the current application. In August 2020 VCAT set aside Council's approval and rejected the permit on the grounds that the applicant had not provided sufficient evidence for VCAT to decide that development would not detrimentally affect the downstream waterways of Clifton Creek and the Ramsar listed Gippsland Lakes, nor had the proponent identified a legal point of discharge over our land from the south-eastern retarding basin.

Whilst the proponent has addressed some of issues raised in the previous objection they have omitted some key details and made significant changes without explanation.

**Reasons for objection:**

1. Stormwater impacts on the downstream waterways of Clifton Creek and Ramsar listed Gippsland Lakes

***There is no development phase erosion and silt management strategy discussed.***

Significant land disturbance during road and lot formation will occur and the Stormwater Management Plan does not discuss how this phase will be managed to comply with environmental management guidelines.

Staging of sediment basin and wetland construction not stated. Sediment basin and hydraulic controls need to be put in place as well as roadside sediment collection systems upstream to protect downstream areas.

Stormwater Management Plan and MUSIC modelling is inconsistent with stated stormwater measures in the summary report.

Specifically:

- Water tanks are stated as 10kl capacity, but are modelled as 5kl in the stormwater report
- Road swales are mentioned in the report but are not modelled in the stormwater report's water quality section

Construction of the wetlands show up to 5.4m of embankment to be formed. Refer to Cross Section B. This is a significant embankment and no discussion on ANCOLD (Australian National Committee on Large Dams) assessment is made despite the scale.

Wetland areas are now at least halved from original statement:

Catchment	Initial	Revised
North	12,200m <sup>2</sup>	4,700m <sup>2</sup>
East	6,900m <sup>2</sup>	4,700m <sup>2</sup>
South	11,000m <sup>2</sup>	4,500m <sup>2</sup>

No comment as to why this has changed! The fact that the original calculations were so incorrect raises questions regarding the responsible authority's capacity to adequately evaluate the current design and modelling.

No sustainability assessment on the wetlands has been provided.

Who will maintain the wetlands and water sensitive urban design (WUSD) measures? No maintenance regime included in the SMP. This is a typical statement requirement.

No details on wetland reserve area revegetation in fact the application appears to be proposing to plant majority of the area with grasses which are much less effective in capturing sediment and would not be representative of the EVC assemblage and contrary to CMA advice. The Council also originally refused to manage the southern drainage wetland reserve, contrary to CMA recommendation, as it was too steep. What are the current arrangements?

Wetland batters are shown at 1:5 however, industry guidelines recommend 1:8 batters for safety around the normal top water level. This will significantly affect the land area required to meet compliance.

2. No legal point of stormwater discharge from south-east retarding basin over our property to the Clifton Creek

There is no declared watercourse from the south-eastern valley (location of south-eastern retarding basin) that conveys water over our farm property to the Clifton Creek. The current design of the south-eastern retarding basin includes a weir (previous design a single outlet pipe) to spread the stormwater discharge but that is still far more concentrated than the natural pre-development spread of stormwater across the steep sided valley in which the basin will be constructed and poses risk of erosion and flooding across both the gas pipeline easement and our land, and still requires a legal point of discharge to be negotiated.

Other:

3. Inappropriate and unsustainable development:

- The proposed subdivision of 208 lots will effectively create a car-dependent isolated satellite suburb with no community facilities, very little public open

space for recreation, or sporting facilities, no public transport, no walking or bicycle paths along Clifton West Rd and Bullumwaal Rd to town, the nearest shopping centre is at Eastwood (5km) or Bairnsdale CBD (6 km), (the Wy Yung 'shopping strip' referred to in the application comprises only a bakery and pub).

- Impact of additional 1800 vehicle movements per day down Clifton West Rd and Bullumwaal Rd on existing residents' safety and amenity (Bullumwaal Rd- Howitt Av intersection already seriously congested at peak hour)
- Increased risk in the event of bushfire - Bullumwaal Rd is the only southbound road for bushfire evacuation (bushfire historically emerges from forest to northwest) and an additional 400 plus vehicles all needing to use this road at the same time will increase the threat to existing residents attempting to escape
- Impact of wandering domestic pets (cats and dogs) on farm stock and Trust for Nature covenanted and protected land which now hosts 70 different species of birds including the rare migratory species Lathams snipe (a ground dweller).

#### **How would you be affected by the granting of this permit?**

The current application has failed to provide key details as regards stormwater management. The current design risks causing significant downstream stormwater impacts not only on our high ecological value Trust for Nature covenanted land and broader farmland but also the downstream waterway of Clifton Creek and the Gippsland Lakes.

The south-eastern retarding basin has no legal point of discharge over our farm property to Clifton Creek and this issue has not been addressed in the planning application. Potential increased flows across our farm will limit access between adjoining farm paddocks to manage stock.

The construction of a very large subdivision (effectively a small town) without services to our immediate north and west will reduce amenity; increase pressure on protected habitat and bird species on our land, as well as on as farm stock, from wandering domestic cats and dogs; increase pressure from surrounding residents for access to our farmland and the waterway for recreation; limit rapid egress down Bullumwaal Rd in the event of bushfire; increase traffic danger to existing residents, pedestrians and cyclists; increase the Bullumwaal Rd traffic bottleneck at Howitt Avenue.

5/12/2021

dwaC988.htm

**From:** Harry Barton  
**Sent:** Wednesday, 12 May 2021 12:05:19 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to Planning Permit approval

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please see attached Objection to Planning Permit Application  
Application number 475/2020/P  
Thank you,  
Harry Barton



## East Gippsland Shire Council

273 Main Street (PO Box 1618)  
Bairnsdale Vic 3875  
Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
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Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in **blue**. You can read what they mean on page 3.

Your Details:

Name: Harry Barton				
Postal address:		0123 456 789		
		Postcode	3	8 7 5
Phone number: Home:	Work:	Mobile:		
Email address:			Fax:	

Permit Details:

Planning permit number:	475/2020/P
What has been proposed?	208 lot subdivision and roadworks
What is the address to be used or developed?	30 Clifton West Road WY YUNG Lot 1 & 2 TP 663976, Lot 2 LP 146101
Who has applied for the permit?	Woody Group PTY LTD

Objection Details:

<p>What are the reasons for your objection?</p> <p>I am concerned about the stormwater, wastewater and sediment capture and treatment not being sufficient to protect Clifton Creek and the Gippsland lakes from contamination and excessive sediment deposition. My family owns 201 Orrs road, which is the property directly across the creek from the planned development. We have been working to re-vegetate the creek to provide healthier waterways and habitat for wildlife. We also rely on the creek for watering stock. The size of the wetlands to be constructed for water treatment have shrunk significantly since the first statement, why is this, and will they still be sufficient?</p> <p>It is not specified who will be concerned with looking after these wetlands once constructed.</p> <p>I'm concerned that there is no specification that any stormwater retarding basins, sediment traps or erosion control are specifically required to be constructed <b>before</b> and road building and earthmoving begins.</p> <p><b>Comments continued on last page of document &gt;&gt;&gt;</b></p>
--

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JUL15

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How would you be affected by the granting of this permit?

As a user (and potential future owner) of the property adjacent and downstream from the development, I will be affected by the water and sediment flowing from the development. If there are not sufficient measures to deal with stormwater, erosion and water quality, my stock, the creek's health, and the health of the RAMSAR listed Gippsland Lakes is at risk.

The prevalence of roaming domesticated animals will negatively impact the habitat value of the re-vegetated creek area. Similarly, escaped introduced plants from gardens may become weed infestations on our property.

I will also be affected by the amenity of having many houses overlooking My family's property. This will affect land prices, as well as the privacy of future dwellings on the land.

If you need more space for any part of this form please attach another sheet.

Signature:		
Name:	Harry John Barton	Date: 12 /05 / 2021

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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**Additional Objection Details**

- Domestic animals  
My other concern is with the domesticated animals that will be introduced into the area with the 208 homes. The work that we and our neighbours have done to create habitat for native wildlife is at risk of roaming cats and dogs. We suggest that a dog and cat proof fence should be one of the conditions of any approvals given.
- Bushfire egress - vehicles on road  
With the addition of many more people in the area, what plans are there to deal with the excess vehicles on the road? Especially during times of emergency such as bushfire.

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### Important Notes about **Objections** to Permit Applications

1. This form is to help you make an **objection** to a planning permit application in line with the Planning and Environment Act 1987, and which can be readily understood by East Gippsland Shire Council. You do not have to use this form to make an **objection**. Do not use this form to make a submission about a planning scheme change.
2. Make sure you clearly understand what is put forward before you make an **objection**. You should look at the application at one of Council's offices.
3. To make an **objection** you should complete the details on this form and submit it with Council.
4. An **objection** should explain:
  - Why you **object** to the application, and
  - How you would be affected if a permit is granted.
5. Council may reject an **objection** which it considers has been made to secure **commercial** benefit for the **objector**.
6. Any person may inspect an **objection** during the Council's office hours.
7. If your **objection** is about an effect on property that is not your address shown on this form, give details of that property and your interest in it.
8. Council needs to get your **objection** by the date shown on the notice you were sent, the sign on site or in the newspaper, if they don't have it by the date shown your **objection** will not be considered.
9. If you **object** before the date shown on the notice you were sent, the sign on site or the newspaper article, Council will tell you it's decision.
10. If Council still gives permission for the permit after your **objection**, you can appeal the decision. Information on how to appeal will be on the back of the Notice of Decision that Council will send to you. All appeals need to be made on the correct form from the Victorian Civil and Administrative Tribunal and sent with the correct fee. You only have 21 days to appeal after Council tell you their decision.
11. If Council refuses the application, you can also appeal. The rules are set out on the Refusal of Planning Application which will be issued at the time.

#### Hard Words

**Object:** Say something to express one's disapproval of or disagreement with something.

**Objector:** The person/s disagreeing or disapproving.

**Objection:** An expression or feeling of disapproval or opposition; a reason for disagreeing.

**Commercial:** Concerned with or engaged in making or intending to make a profit.

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JUL15

**Alex Murphy**

---

**From:** Snapforms Notifications <no-reply@snapforms.com.au>  
**Sent:** Wednesday, 12 May 2021 7:04 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

**Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Stephen Harrison

**Email address:**

**Postal address**                      wyyung 3875

**Mobile phone number**

**Planning permit number:** 475/2020/p

**What has been proposed?:** Multi lot subdivision and road works

**What is the address to be used or developed?:** 30 Clifton west road wyyung lot 1 and 2

**Who has applied for the permit?:** Woody group pty Ltd

**What are the reasons for your objection?:** We bought in a rural area to be away from town and this will cause more traffic on the roads where we live and will effect our rural area and the road works will effect going to and from work

**How would you be affected by the granting of this permit?:** Going to and from work every day and not having a nice and quiet area for our family and kids to grow up

**Privacy Statement:** Yes

From: Tom Cameron  
Sent: Wednesday, 12 May 2021 3:20:38 PM  
To: Feedback Address For Web Page  
Subject: Objection to Planning Permit Application by Woody Group P/L

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Attached is Objection to Planning Permit Application  
Permit No. 475/2020/P  
Proposed: 208 Lot Subdivision Multi-lot subdivision  
Address: 30 Clifton West Rd Wy-Yung  
Lot 1&2 TP663976 & Lot 2 LP146101  
Applicant: Woody Group P/L

Thanking you

Tom Cameron

Bairnsdale Vic 3875

## East Gippsland Shire Council

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Bairnsdale Vic 3875  
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### Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: <u>Tom CAMERON (GEOFFREY)</u>	
Postal address:	
<u>BAIRNSDALE</u>	Postcode <u>3875</u>
Phone number:	Mobile:
Email address:	Fax:

Permit Details:

Planning permit number: <u>475/2020/P</u>
What has been proposed? <u>208 LOT MULTILOT SUBDIVISION</u>
What is the address to be used or developed? <u>30 CLIFTON WEST RD WY-YUNG</u> <u>LOT 1 + 2 TP 663976, LOT 2 LP146101</u>
Who has applied for the permit? <u>WOODY GROUP PTY LTD</u>

Objection Details:

<p>What are the reasons for your objection? <u>I am a co owner of rural land adjoining the Southern + Eastern sides of this proposal with a joint frontage of approx 1.3 km.</u></p> <ul style="list-style-type: none"> <li><u>Our properties will have immediate impact downhill + downstream of this proposal with runoff over our land + into the Clifton Creek which runs approx 2km down through the middle of our land.</u></li> <li><u>The proposed subdivision site is very steep + has only been farmed</u></li> <li><u>We have previously taken this applicant to VCAT with the granted permit withdrawn for environmental reasons which are still there</u></li> </ul>
---

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*Continued. attached*

JUL15



## Continued Reasons for OBJECTION

(1) of (2)

- There is no sewerage connection to EAW system
- The septic treatment systems have proved unsuccessful in other municipalities with eventual difficulties in maintenance & service
- There is a lack of any revegetation details in the proposal
- The intent of Planning Scheme in 1980's was for rural land to have small 'corner' cluster subdivisions & the balance left as farmland
- The applicant appears to require the 'maximum' lots
- After residing at Clifton West Rd 40 years ago, then the road was a single width (1 vehicle) seal with gravel shoulders. It has had the shoulders sealed and minor T intersection work. The applicant's traffic report shows a total increase of 1872 vpd which will impact on existing users, Bullumwaal Rd intersection, Lankens Rd intersection with Bullumwaal Rd. The traffic report claims that Clifton West Rd is capable of 6000 vpd which is completely disputable & I would challenge this. The intersections will be traffic accident likelihood increased. Both Clifton West Rd & Lankens Rd, Cululu Rd junctions have had fatal accidents since I have lived at my current address. All increased traffic joins on Bullumwaal Rd into W/Yung.
- All Local residents have not been notified regarding details of the size of this application & are quite shocked & bewildered. These are immediate adjoining landholders.
- During bushfires Clifton West Rd only has a Northern or Southern escape route, any road blockage or accident would trap entire residents. This is much more relevant due to climate change and the recent bushfires



## Continued Reasons for Objection

(2) of (2)

- adjoining the proposed subdivision we have a Trust for Nature covenant on the wetlands, Clifton Creek frontage. This is a documented site for ~~100~~ 80 Species of Birds returning to habitat from us planting over 40,000 native local trees & shrubs over an area of 25 hectares. This is documented & recorded with Trust for Nature, Landcare, CMA, EACMN with co-funding as a restoration & rehabilitation of the Clifton Creek
- The Clifton west Rd does not have School Bus route as it is deemed unsafe so I'm not sure how any proposed Bus access for Public use applies which is vaguely mentioned in the applicant's traffic report & Public services
- There is virtually no Public amenities, Parks, reserves
- the applicant has purchased adjoining properties & subdivided them to give a second road Hamilton Drive into Salvatore Drive
- The subdivisions proposal would be a suburb in the foothills which is completely inadequately serviced by, correct roads, correct control of sewerage & stormwater, pollutants entering Clifton Creek into the Gippsland Lakes.
- Any subdivision of this magnitude needs to be fully engaged with not only the immediate local residents & landowners affected but also with other sections of W/Yung & Barmstale. There needs to be full disclosure of these large developer driven applicants proposals.
- The applicant has contributed to candidates in the recently elected shire election & full disclosure is required to keep this known and open to any votes
- the applicant has previously contacted people opposed to this project
- Our 14th East common boundary has a Wedge Tail Eagle nest in one of our mature trees within 50-60m of lot 103

## East Gippsland Shire Council

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Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

How would you be affected by the granting of this permit? Introduction of domestic dogs + cats

- Water, pollutants, erosion run off over our land into Clifton Creek
- Major affect on re-emerging birdlife in adjoining Reserve Wetlands
- Our access driveway at 300 Bullumna Rd would be increased traffic flows becoming much more dangerous to enter + leave our property
- Trespassers onto our farmland, rubbish + weeds
- altering our activities, with numerous 13 adjoining lots along our common boundaries, on our farming + revegetation restoration of Clifton Creek + valley.
- Retaining dams above our land interfering with natural water flows
- A suburb without any correct access + services is not suited to the foothills above Bairnsdale in a fire prone susceptible rural steep location

If you need more space for any part of this form please attach another sheet.

Signature: \_\_\_\_\_

Name: Tom Cameron

Date: 12 / 5 / 21

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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JUL15

6/1/2021

dwa398E.htm

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Monday, 17 May 2021 8:48:27 AM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

### **Objection to a Planning Permit Application**

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Mark Alford

**Email address:**

**Postal address** Wy Yung

**Mobile phone number:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** Subdivision

**What is the address to be used or developed?:** 30 Clifton West Rd Wy Yung

**What are the reasons for your objection?:** The aesthetic value of the area will be greatly damaged and the amount of traffic affecting Clifton West and Bullumwaal Rds will be incredibly taxing. These roads are narrow and will not cope with this amount of extra traffic.

**How would you be affected by the granting of this permit?:** Access to and from our street will be severely affected.

**Privacy Statement:** Yes



6/1/2021

dwaC690.htm

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Thursday, 13 May 2021 9:14:47 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

### Objection to a Planning Permit Application

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

**Name:** Kristian martenyi

**Email address:**

**Postal address:** Wy YUNG

**Mobile phone number:**

**Planning permit number:** 475/2020/P

**What has been proposed?:** 208 lot subdivision

**What is the address to be used or developed?:** 30 Clifton west road wy YUNG

**Who has applied for the permit?:** Woody Pty Ltd

**What are the reasons for your objection?:** Traffic. Local roads are insufficient to cope with an additions 500-700 cars per day Environment- how can the local land and waterways cope with sewage from and additional 208 residences without reticulated sewage. Not to mention the airborne refuse from these houses? Local telecommunications inc access to internet are a joke! How will an additional 208 residences stretch already pathetic services?

**How would you be affected by the granting of this permit?:** Local traffic congestion Airborn rubbish Overwhelming of waterways re sewage Congestion of telecommunications Increases in local crime Loss of life style Overpopulation of local schools

**Privacy Statement:** Yes

6/1/2021

dwaFE75.htm

**From:** PlanningAlerts [contact@planningalerts.org.au]  
**Sent:** Thursday, 13 May 2021 8:04:09 PM  
**To:** Feedback Address For Web Page  
**Subject:** Comment on application 475/2020/P

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

## For the attention of the General Manager / Planning Manager / Planning Department

Application 475/2020/P  
Address 30 Clifton West Road Wy Yung, VIC  
Description Multi-lot subdivision and roadworks  
Name of commenter Kristian Martenyi  
Address of commenter WY YUNG  
Email of commenter

### Comment

What an abortion! The local roads are unable to support this massive increase in traffic!

Not to mention the land handling the waste produced by 208 extra houses! What are the council going to do about 208 houses worth of sewage? Surely 208 house lots will overburden the lands ability to absorb that much waste?

Not to mention the amount of airborne litter and rubbish that will be present. Clifton acres has increased the amount of airborne rubbish and refuse what will 208 extra houses add?

Has a local road survey been completed to see if the roads can handle at least 500 extra cars per day? And has an environmental impact study been completed on 208 extra houses in this area?

---

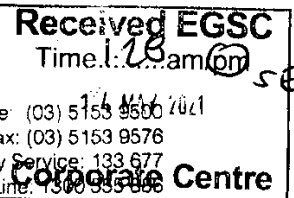
This comment was submitted via PlanningAlerts, a free service run by [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)

# East Gippsland Shire Council

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## Objection to Planning Permit Application

Planning and Environment Act 1987

EGSC

17 MAY 2021

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

INFORMATION  
MANAGEMENT

### Your Details:

Name:	Daniel Carrett		
Postal address:			
	Wyguna	Postcode	3875
Phone number: Home:	Worl		
Email address			

### Permit Details:

Planning permit number:	4752020P
What has been proposed?	Subdivision
What is the address to be used or developed?	30 Clifton west rd Wyguna
Who has applied for the permit?	Woody Group Pty LTD

### Objection Details:

What are the reasons for your objection? *
* Road are suited now for traffic now or then.
* Noise to other Properties (10+ years of (Housing growth) Built)
* No sign on Property of Notification of this yellow sign.
* No Park for kids to Play on now or later.
* Parks in 1st Part of Permit.
* Increase traffic
* etc - etc - etc.

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## East Gippsland Shire Council

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ABN: 81 957 967 765

How would you be affected by the granting of this permit? \_\_\_\_\_

\* Parks, Play Ground, footpaths in 1st (one) sub.  
\* Fix Roads  
\* Intersection Cittern west - Bullumeraul rd  
\* Foot Path at all sub old + New  
\* Compensation for over Population area that was open farm.  
(THIS IS WHY WE BOUGHT OUT HERE FOR " " )  
etc - etc - etc .

If you need

if this form please attach another sheet.

Signature: \_\_\_\_\_

Name: Daniel Garrett

Date: 13 / 15 / 2021

### Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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JUL15

6/1/2021

dwa9A3.htm

**From:** Meryl Edwards  
**Sent:** Sunday, 30 May 2021 7:34:09 PM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to Planning Permit Application - 30 Clifton West Road, Wy Yung 475/2020/P

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**Objection to Planning Permit Application**  
**Planning permit number: 475/2020/P**  
**30 Clifton West Road, Wy Yung**

**Your Details:**

Name: Meryl Edwards  
Postal address: Sale VIC  
Postcode 3850  
Phone number  
Email address  
Permit Details:  
Planning permit number: 475/2020/P

What has been proposed? 208 housing lot sub-division  
What is the address to be used or developed? 30 Clifton West Road, Wy Yung VIC 3875  
Who has applied for the permit? Woody Group Pty Ltd

**Objection Details:**

What are the reasons for your objection?  
Concerned and affected neighbouring resident.

**How would you be affected by the granting of this permit?**

My lifestyle will be compromised. The aspect, atmosphere and lifestyle of existing residents of Clifton West Road, Orrs Road and the broader rural area of Wy Yung will be detrimentally affected by increased noise pollution; increased light pollution from houses, sheds and street lighting; increased glare from rooves & window reflection; increased noise pollution from short-term development of the estate, followed by noise pollution from the building process including driving pylons for stabilising the land and ultimately continual noise pollution from the residences and traffic. The proposed 208 properties will create an eye-sore to all existing residents and diminish every aspect of their enjoyment of their properties as they currently stand. It will also reduce the value of the existing properties as the aspect they now have and the environment in which they now stand will be irrevocably changed.

Existing residents made their homes here as there was no mass housing project; because there are open spaces. The current community character will be shattered if 208 extra house blocks eventuate. It will not provide any sort of rural lifestyle, but an Eastwood-like suburb.

**Signature:**

Name: Meryl Edwards  
Date: 30 May 2021

6/1/2021

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30 Clifton West Road, Wy Yung  
475/2020/P  
Proposed subdivision of farmland into 208 house lots.

Thank you for the opportunity to comment on this project.

I object to this subdivision proposal in the following areas :

- the number of house lots suggested
- the proposed drainage
- the proposed stormwater
- the proposed septic sewerage
- the quality and dimensions of the roadways
- the proposed removal of a pine tree coppice
- the unsuitability of the piece of land to subdivide into so many small lots due to steepness of land
- social conclusions all based on out-of-date information
- drain on current water supply

#### **Number of house lots proposed**

It is my opinion that the house lot sizes are too small and there are too many of them. Simply because the land has been zoned 'low density residential' and is geographically located in the Bairnsdale Growth Strategy does not mean that every piece of the land in said zone is suitable or capable of carrying so many lots with so few services. There is plenty of other, flatter land available to develop.

The steepness of the land does not offer a lot of useful land on which to build affordable houses. As each block needs to leave space for dispersing its' own waste water without it encroaching onto neighbours land, more of the block will be un-useable. Fewer & larger blocks would provide more useable space for purely residential living.

Although the existing small estates of Salvatore, Maclure, Roder & Wakefield have similar sized blocks to the proposed development, they are on flatter ground. They offer good examples of the poor quality of the roads provided with the subdivisions, the huge sheds built, the very suburban looking small homes and the drainage issues.

#### **Proposed drainage**

On such undulating and in many places steep slopes, all water will drain onto other people's land, then into Clifton Creek, flowing into the Mitchell River and eventually into the Gippsland Lakes.

Swales along the roadside on the flat areas of this farmland sound fine. (Remember flat land is reserved for roads and the step land is reserved for houses in this proposal.) I would like to draw your attention to a prime example of the failure of swale drains on flat land - the DELWP premises on the Princes Highway in Bairnsdale. Not only are these swales Venice-like canals when any rain occurs, they very frequently overflow and flood the DELWP private car park and driveway and lap at the edge of the Princes Highway roadway. The use of swale drains on sloping roads will certainly carry the water away, most likely very quickly and with the added issue of creating culverts and erosion. If swales have to be used on the roadsides, who will be responsible for their maintenance?

#### **Proposed stormwater**

Currently, the farmland absorbs all rain water and naturally filters it and purifies it as it flows via the natural water courses into Clifton Creek. This works perfectly at the moment as the natural land is processing naturally falling rain water.

If these 208 house lots are developed, around 50% of the same land mass will be covered by man-made hard surfaces such as buildings, roads, paving etc which will not absorb the rain water, but will create run-off that will need to flow somewhere. The proposal suggests that stormwater retarding basins (dams) will be used to catch this run-off. I am concerned and can vividly foresee that these dams will be stagnant water dams, mosquito breeding ponds which

will come a health hazard, will not be child or family friendly and will become an weedy, overgrown eye-sore. Will they be fenced so the children cannot drown in them? Who will be responsible for the maintenance of the stormwater retarding basins? Who will be responsible for the maintenance of the proposed 30m buffer zone along the drains leading to the stormwater retarding basins? The report says that the developer wants to plant vegetation along the drains (declared water courses), but once again, who will be responsible for the maintenance? Do the drains become Council property? Will Council have to maintain them?

The proposal only recognises that there will be run-off and drainage required for rain. With 208 houses, these will be 208 times the usage of chemicals and other liquids, with potential chemical leakage into the soil. The same argument the report uses to complement their use of swales and drainage into Clifton Creek applies to the problem of chemical contamination.

But still worst of all, all drainage exiting the proposed subdivision must cross an innocent third-party owner of adjoining land before it enters Clifton Creek. This is intolerable and unreasonable and cannot be allowed to happen.

There is already signs of uncontrolled run-off from Roder Rise. This run-off is from a handful of houses. What will happen with 208 houses?

#### **Proposed septic sewerage**

208 proposed individual septic systems to handle all household waste, located in such a concentrated area presents too big a risk of contamination due to septic failure and lack of maintenance. Problems with septics could easily contaminate adjoining house lots and once that happens, it's too late for everyone. The clean-up cost is huge and the result never returns the ground to pre-problem or spill quality.

Steep slopes will naturally draw the water expelled from the septic lines into the natural waterways and eventually into Clifton Creek, having passed across another private landowners property – contaminating all the way.

#### **Quality and dimensions of the roadways**

The roads provided in the estates of Salvatore, Maclure, Roder & Wakefield are in poor order. The thinly tarred & stoned surface broke up very quickly with the amount of traffic using the roads during the construction of the houses and sheds. Repairs have either not occurred or have been very flimsy.

Since the creation of the estates of Salvatore, Maclure, Roder & Wakefield and the subsequent increase in population and vehicles using the road, the suitability of the intersection of Clifton West Road and Bullumwaal Road is questionable. The angle is sharp and the visibility is poor. These are both country roads with a 100kmph speed limit and are perfectly suitable as they are for the current purpose they serve.

Adding a further 208 houses to the Clifton West Road will make the current road unfit for purpose, the intersection with the Bullumwaal road dangerous and command a substantial improvement to cater for the residents and road users of the area.

#### **Proposed removal of a pine tree coppice**

The proposal is for the pine coppice to be 'harvested'. Some trees have already been 'harvested', removed and stacked into enormous bonfire piles and burned.

The pine trees were originally planted on a very steep slope to try and stop erosion. This was a very common practice all over Gippsland throughout the 1960's and 1970's. The removal of these trees will open the land up once again to erosion due to the disturbance of the soil and water shed. The trees are very close to Clifton Creek, so the run off with any other debris will make its' way quickly into Clifton Creek.

#### **Unsuitability of the piece of land to subdivide into so many small lots due to steepness of land**

A report suggests that the roads should occupy the flattest areas of the land. This translates to flat roads and steep house lots. Steep house blocks means more expensive building prices and complex building procedures.

There is flatter land available, with better access to Bairnsdale, commanding more economical development costs and cheaper building costs.

#### **Social conclusions all based on out-of-date information**

The social comment and evaluation made in the reports available to be viewed about this proposal were researched and presented :

6/1/2021

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- Pre-drought
- Pre-bushfires
- Pre-Covid
- Pre-unemployment rise due to the above three factors
- Pre-downturn in the East Gippsland Shire due to the above four factors and as such are no longer valid nor current.

Their assumption that larger, more expensive blocks will attract wealthy people who wish to build huge houses and send their children to the local school (which just happens to be Gippsland Grammar, a private school with high fees) is not justifiable.

Higher land and house prices simply means more debt. Using the reporters' logic, this would mean ..... more debt equals more fights, equals more separations, equals less money. Also, the assumption that the residents of this estate would be older; wealthier people in their language would mean older people have worsening health, have less disposable wealth etc etc. The wild assumptions have been listed according the idealism of their 'Detriments of Health' matrix. These assumptions about community and the social niceties of the idealised purchasers may have been partially entertained pre-2019, but simply do not represent the reality of 2021 in Bairnsdale and surrounds.

#### **Drain on water supply**

208 extra households, especially if they are as affluent and building such large homes as the report suggests, will place a huge additional demand on the water supply of Wy Yung. The quality of the existing water is often marginal and cuts to supply occur intermittently.

#### **General comments**

Comment on soil report - All soil and water observations were made in drought times, so the water table was extremely low. The reporter openly acknowledges that they were subject to considerable time and budgetary restraints and concludes that the risk associated with the site development creating erosion is high. It appears that the developer wants to shift all the responsibility of any problems from themselves and place full responsibility on to the purchaser of the house lots.

-

The report talks about these house blocks 'being in Wy Yung'. They are nowhere near the village. The proposal has not offered a cycle path or footpath to use to get into Wy Yung village or over to Bairnsdale. There is no public transport and the closest bus stop is more than 2km away and reachable only by walking on the narrow Clifton West Road and Bullumwaal Road. The report assumes that the residents are going to be so wealthy that each property will be a minimum 2 car household and that no one will walk or cycle anywhere nor have the use for public transport. This is unacceptable.

-

The report refers to the 'Wy Yung Shopping Strip' on the map when speaking about how far away any facilities are. The 'Wy Yung Shopping Strip' consists of one very small food store, open 5 or sometimes 5.5 days per week selling drinks and bakery items brought out from a Baker in Bairnsdale. It does not constitute any sort of basic food necessities outlet.

-

Wy Yung has two main access roads from Bairnsdale. Eastwood Road, linking the Great Alpine Highway and Wy Yung, via a low-lying bridge. The other is the Bullumwaal Road over the ageing Lind Bridge across the Mitchell River. Both roads are single lane basic country roads. They will both require major upgrades if 208 house blocks are added.

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The report refers to a school being close by in Wy Yung village. It is a private Grammar school, out of reach of most family budgets.

-

The report states that the plans allow for all houses to have enough 'defendable space' to be able to withstand a potential bushfire. How it is possible for them to say this? Have they not heard of embers? Clearly they do not understand the behaviour of a bushfire. There is no quantifiable or definable 'defendable space' and it is an insult and misleading to make such a statement.

In conclusion :

The report states that the plan will "provide a pleasant and interesting environment for future housing that will take advantage of the significant landscape elements of the property in terms of views and areas of topographical interest". This may apply before building commences, but once it does, all anyone will be able to see are the neighbours' huge sheds and houses. By creating a 208 block suburb, the very thing that the report says will be the main attraction will in fact be destroyed. This is also exactly what the 208 development will deny existing residents of the area.

Existing residents made their homes here as there was no mass housing project; because there are open spaces. The current community character will be shattered if 208 extra house blocks eventuate. It will not provide any sort of rural lifestyle, but an Eastwood-like suburb.

The current residents of Salvatore Drive did not know that Hamilton Drive was going to happen, nor Clifton Acres. This information was not provided by the estate agent selling the blocks of Salvatore Drive. Buyer beware is well known now, but the estate agent then deliberately with-held paperwork of the complete sub-division plans when presenting the sales proposal for house blocks.

This site is not suitable for a 208 house block sub-division.

There is so much flatter land elsewhere, much better suited to a more const-effective development.

As extra 533 (or so suggested by the report) people is too heavy an imprint on the locality and the environment.

The aspect, atmosphere and lifestyle of existing residents will be detrimentally affected by increased noise pollution; increased light pollution from houses, sheds and street lighting; increased glare from rooves & window reflection; increased noise pollution from short-term development of the estate, followed by noise pollution from the building process including driving pylons for stabilising the land and ultimately continual noise pollution from the residences and traffic. The proposed 208 properties will create an eye-sore to all existing residents and diminish every aspect of their enjoyment of their properties as the currently stand. It will also reduce the value of the existing properties as the aspect they now have and the environment in which they now stand will be irrevocably changed.

This is a highly unsuitable piece of land for a sub-division and development to such high density levels and I strongly object to it proceeding.

Signature:

Name: Meryl Edwards

Date: 30 May 2021



**EAST GIPPSLAND SHIRE COUNCIL  
PLANNING CONSULTATION MEETING  
475/2020/P - 30 CLIFTON WEST ROAD  
multi-lot subdivision, roadworks and  
removal of vegetation**

**Record of Meeting  
(Minutes)**

**MONDAY, 21 JUNE 2021**

**VIA MICROSOFT TEAMS AND BROADCAST EASTGIPPYTV YOUTUBE**

**COMMENCING AT 6:03 P.M.**

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**1. PROCEDURAL**

**1.1 APOLOGIES**

Councillors: Kirsten Van Diggele, John White

Objectors: various

**1.2 IN ATTENDANCE**

Councillors: Mindy Urie, Mark Reeves, Trevor Stow, Arthur Allan, Crooke, Sonia Buckley

Applicant: Chris Curnow - Beveridge Williams  
Barry Wood

Objectors: Louise Crisp represented by Marc Noyce, Tom Cameron, Adam Cairns & Michelle O'Connell, Lisa Christina Roseman, Kirby Luke Armstrong, Nicole Ann Thompson, William (Bill) Donald Flack, Margaret Hallett

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 475/2020/P – 21 June 2021*



Officers: Anthony Basford, Chief Executive Officer; Jodie Pitkin, General Manager Place & Community; Nicole Reynolds, Acting Manager Planning; Robert Pringle, Statutory Planning Coordinator; Emine Mestan, Acting Senior Land Use Planner

### **1.3 DECLARATIONS OF CONFLICT OF INTERESTS**

NIL -

### **1.4 ACKNOWLEDGEMENT OF COUNTRY**

### **1.5 CLARIFICATION**

Jodie Pitkin, General Manager Place & Community provided some clarification regarding:

1. Decision not to change the date for the planning consultation meeting.
2. Discussion and investigation regarding conflict of interest of a Councillor.
3. Discussion regarding privacy concerns raised by the objectors. An assessment has been made that no privacy breaches have occurred, as officers managed the information to ensure captured information was limited as if the viewing was done in-office, as is prescribed by the Planning & Environment Act 1987.

## **2. REPORTS/PRESENTATIONS**

### **2.1 PLANNERS REPORT**

Emine Mestan – Acting Land Use Planning Officer

Provided background of the site location, planning controls, proposal details and summary of the number and content of objections and submissions. Included in the summary was a history of the prior permit application and VCAT ruling for a similar proposal on the site, and clarification of what modifications have been made to the proposal.

Q: Cr. Stow

Sewerage – 200 allotments close to Bairnsdale

Mrs. Mestan: Land Capability Assessment has been accepted. Effluent and building envelope site plan proves that there is space available.

Does Clifton West road also need to be updated?

Mrs. Mestan – intersection will be upgraded.

Cr. Crooke

Q: Concerning that the waterway management plan will be deferred to a later date.

A: it is not abnormal for the waterway management plan to be asked for as a condition. Similar to a construction management plan. The designs have been improved over the previous.

### **2.2 APPLICANT PRESENTATION**

Chris Curnow – Beveridge Williams

Provided some responses to the above questions, noting that the land would need to be greater than 8000 sqm to be subdivided further, and that the predicted traffic impact would not exceed the design capacity of Clifton West road at current.

Provided a summary of the proposal, inclusive of points which have been altered since the last application was determined.

Provided a high level response to the objector's concerns.

**Q: Cr Reeves**

Relating to indicative envelope and transpiration areas. Some of these abut footpaths and roads. What happens during maintenance, and would they have any impacts on these public assets.

**A: Mr Curnow.** Secondary treatment is required, which are pumped systems. The envelopes show the absolute worst case scenarios – slopes, size of dwelling, and soils.

**Q. Cr. Crook**

Will the area of public open space be sufficient?

**A: Mr Curnow** – area was not required under the SIA, but Council officers in the previous application asked for such a size

**Q. Cr. Urie**

Is there room in the road reserves for things like public bus stops.

**A: Yes** – two road intersection connections, allows for flow. No area was designated by DoTransport – but road speed limit would accommodate a bus stop safely.

**Q. Cr. Buckley**

Have we provided space for the dogs and trees?

**A:** footpath provision on one side of each road, and footpaths in a reserve, with trees to be planted.

**Q. Cr. Geracen**

There appear to be significantly steep blocks, will the sites be suitable for development, maintenance of the lots, sewerage, etc?

**A:** There has been some debate about design in relation to the significant gully – blocks have been made larger – management of the site in less ownership – potentially easier overall to manage the land and waterways. Mandatory building envelopes are a potential outcome through permit conditions and maintain plantings.

## **2.3 REFERRAL AUTHORITY**

### **Gavin Sherriff – Jemena**

Longford-Sydney high pressure gas transmission line. Noting that several conditions are required, such as construction management plan, traffic safety, ensuring no easements affected by stormwater runoff, plantings, etc. Easement crossing 6 total allotments, with a building envelope to be established on the affected lots.

## 2.4 OBJECTOR PRESENTATIONS

- **Tom Cameron**

Largest rural subdivision presented to Council. Population similar size to Bruthen – to far out of town. Living at Wy Yung 40 years. Adjoins the site for 1.3km

Flaws in advertising. Permit description  
Lack of services – amenities, sewerage  
Traffic considerations through to Bairnsdale CBD

- **Adam Cairns & Michelle O'Connell**

Over-development concerns – roads, services  
Safety concerns  
Water management plan and potential damage

- **Lisa Christina Roseman**

Procedural questions and traffic management  
Councillor Buckley's Conflict of Interest  
Have Councillors personally viewed the site?  
Roads – what peak traffic times were recorded? Not representative of true peak times  
Volume of site

Cr Urie – questions to be answered outside forum

- **Kirby Luke Armstrong**

Concerns that the uproad developments haven't been added  
Where would a bus go?  
Is it too far for people to walk?  
Lifestyle - moved from city to country  
Slope of land – impact building envelope, septic and cost of building  
Have councillors personally viewed site?

- **Nicole Ann Thompson**

Lack of open space and infrastructure  
Foot path and walkability connection limited  
No playground  
Bus stop concerns and vehicle dependency  
Block sizes due to slope  
Septic poorly planned  
Steepness of blocks  
Risk Assessment and Doyle reports contradict each other  
Flora and Fauna assessment, protection of waterways and cultural heritage

Q. Cr Crook – What are the dates of the geotechnical and Doyle reports?

A. Doyle report was completed post VCAT hearing, does not have the geotechnical risk assessment report date on hand. Assume they were completed years apart.

Q. Cr Crook – Are the reports addressing the same criteria?

A. Doyle report much shorter and argues the point of the risk assessment. Does not understand the purpose of this report.

Q. Cr Crook – still confused. Will follow up at a later time.

- **William (Bill) Donald Flack**

Septic concerns

Trust issue

Block size differentials – large to very small (due to septic overlays)

Overdeveloped and unnecessary

Q. Cr Crook – option to connect to reticulated sewerage? Current problems with septic tanks in other subdivisions.

A. R.Pringle – subdivision application referred to EGW. Sewerage type dependent on size of development. Could result in over development if septic not used.

Q. Kirby Armstrong – what is the minimum block size regardless if reticulated or septic?

A. Minimum lot size if serviced by sewerage is 2,000 sq metres, if unserviced on site sewerage it is under 4,000 sq metres.

- **Margaret Hallett**

Current traffic concerns and speed of vehicles, Bullumwaal Road main thoroughfare for the increased traffic

Need to plan as a “whole” and consequences in 50 years

Decline in fauna

Cr. Buckley left the meeting at 7:40 pm

- **Louise Crisp – represented by Marc Noyce**

Sediment Management Control Plan - how is this going to be managed? - construction of site, sediment run off during road and wetlands.

Further details required for water management in relation to erosion and sediment  
Environmental risk management - management and accountability

Mr. Basford advised that Cr. Buckley left the meeting due to discussions regarding Conflict of Interest at 7:40 pm

## **2.5 CLOSING COMMENTS**

Mrs Mestan advised that a detailed assessment of the planning application would proceed, taking into consideration all of the content of the evening's proceedings. Further information may be requested of the applicant. The application will eventually be reported to a Council meeting for a determination. Further notification to the public is unlikely, however there will be advice sent when the application is brought before Council.

## **3. MEETING CLOSE**

The meeting closed at 7:52 PM



## Department of Transport

GPO Box 2392  
Melbourne, VIC 3001 Australia  
Telephone: +61 3 9651 9999  
[www.transport.vic.gov.au](http://www.transport.vic.gov.au)  
DX 201292

Kerry Stow  
East Gippsland Shire Council  
273 Main Street  
Bairnsdale VIC 3875

Dear Kerry

**PLANNING APPLICATION No.:** 475/2020/P  
**DEPARTMENT REFERENCE NO:** PPR 34894/20  
**PROPERTY ADDRESS:** 30 CLIFTON WEST ROAD, WY YUNG VIC 3875

### Section 55 – No objection subject to conditions

Thank you for your referral dated 15 December 2020 of the above application to the Head, Transport for Victoria under Section 55 of the *Planning and Environment Act 1987*.

*The traffic impact assessment provided with the application has shown a traffic movement in the order of 1,284 VPD entering onto Clifton West Road which adjoins Bullumwaal Road. Although a sidra analysis has been performed at the intersection of Clifton West Road and Bullumwaal Road, there has been no assessment against the required turn warrants.*

The Head, Transport for Victoria has considered this application and does not object if the permit is subject to the following conditions:

1. **At the intersection of Clifton West Road and Bullumwaal Road, a right turn lane short CHR(s) and an Auxiliary left turn lane generally in accordance with the Austroads guidelines must be constructed.**
2. **At the intersection, a splitter island must be provided.**
3. **The intersection is to be provided with V3 roadway lighting to the satisfaction of the Department.**
4. **Prior to the statement of compliance of stage 1, a detailed functional layout in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the Head, Transport for Victoria.**
5. **Prior to the certification of stage 2, detail design plans in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the Head, Transport for Victoria.**
6. **Prior to the issue of a statement of compliance for stage 2, the intersection works at Clifton West Road and Bullumwaal Road must be completed at no cost and to the satisfaction of the Department.**



7. Prior to works beginning in the road reserve, detail plans in accordance with Eastern Regions Developer funded checklist must be submitted and approved by the by the Head, Transport for Victoria.
8. Prior to intersection roadwork design plans being prepared, a pre-design meeting with the Department of Transport must be attended.
9. The subdivision must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the Responsible Authority and the Head, Transport for Victoria.
10. Prior to commencement of the development hereby approved a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.
11. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development with the prior approval of VicRoads.


**NOTE:-**

- Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:
  - Right turn lane
  - Left turn lane
  - Roadway Lighting
  - Splitter island

Please forward a copy of any decision to this office as required under the *Planning and Environment Act 1987*.

Should you have any enquiries regarding this matter, please contact Stuart Fenech on 5172-2693 or [Stuart.Fenech@roads.vic.gov.au](mailto:Stuart.Fenech@roads.vic.gov.au).

Yours sincerely



**Chris Padovan**

Team Leader – Integrated Transport & Land Use  
Under delegation from the Head, Transport for Victoria  
13 / 01 / 2021

cc: Permit applicant



12<sup>th</sup> January 2021

East Gippsland Shire Council  
PO Box 1618  
Bairnsdale VIC 3875

Attention: Planning Department

Dear Sir / Madam

**Re: 475/2020/P - 30 Clifton West Road WY YUNG –  
Subdivision of land, roadworks and removal of  
vegetation.**

Eastern Gas Pipeline  
Joint Venture  
  
Jemena Eastern Gas Pipeline (1)  
Pty Ltd  
ABN 15 068 570 847  
Jemena Eastern Gas Pipeline (2)  
Pty Ltd  
ABN 77 006 919 115  
  
Level 16, 567 Collins Street  
Melbourne, VIC 3000  
PO Box 16182  
Melbourne, VIC 3000  
T +61 3 9173 7000  
F +61 3 9173 7516  
[www.jemena.com.au](http://www.jemena.com.au)

I refer to the email received from Kerry Stow on behalf of the East Gippsland Shire Councils Planning department dated 15<sup>th</sup> of December 2020, regarding the proposed subdivision at the above location.

Jemena Asset Management Pty Ltd on behalf of Jemena Eastern Gas Pipeline (1) and (2) Pty Ltd (collectively Jemena) Whilst Jemena does not object to the proposed subdivision we wish to place the following provisions regarding to the proposed Multi-Lot subdivision as there is pre-existing high pressure gas main located in this area whereby Jemena possesses statutory rights to occupy the Land to operate and maintain the gas pipeline.

Jemena's provisions are as follows:

- Jemena requires a construction safety management study (SMS) to determine threats and controls. This will be required once civil contractors have been awarded the works
- Jemena accepts the two road crossings, but will be subject to a review of detail designs by Jemena, these road crossings may require concrete protection slabbing and further integrity testing of the pipeline at the proponents expense
- The location of effluent systems adjacent to the pipeline easement will be subject to a review of detail designs by Jemena, as excavation adjacent to the pipeline may have a detrimental effect, and discharge of the effluent systems over the easement is not allowed
- The creation of wetlands and retarding basin on or near the easement may requires clarification.
- Access along easement (gates at fence lines) through the created allotments may require LCA consideration, additionally the style of fencing crossing the easement will need to be considered by Jemena, ideally wire stock fencing or similar
- Allotments, 212, 213, 214, 303, 304 and 305 will be subject to subject to Jemena approval of any services crossings, or driveway crossings of Jemena's easement. Additionally Jemena will not approve any encroachment



of Building envelopes over the easement, this includes and not limited to eave and pergola overhangs

- Allotments, 212, 213, 214, 303, 304, 305 and 1003, cannot install any structures, this includes and not limited to, sheds, garages, chicken coops, swimming pools and spas over the gas pipeline easement
- Jemena also reserves the right to limit the vegetation planting within the easement, the planting of large trees, bushes and orchards will not be allowed
- During the construction of the subdivision the easement boundaries are to be clearly marked by flagging and or temporary fencing to ensure the safety of the gas pipeline from heavy machinery
- All subdivision works around the gas pipeline easement should refer to Jemena's *GUIDELINE TO DESIGNING, CONSTRUCTING AND OPERATING AROUND EXISTING AS2885 NATURAL GAS PIPELINES GAS-960-GL-PL-001* (attached)

Jemena is willing to discuss the provisions further in consultation with the applicant and the East Gippsland Shire council.

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

Yours faithfully,



**Gavin Sherriff**

Lands Management – EGP VIC/NSW

**Jemena**

Level 16, 567 Collins Street, Melbourne VIC 3000

P: 03 9173 7825 M: 0428 805 300

[gavin.sherriff@jemena.com.au](mailto:gavin.sherriff@jemena.com.au)



East Gippsland Water

Our Ref: DOC/21/12830

133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875

Tel: (03) 5150 4444 Fax: (03) 5150 4477

Email: [egw@egwater.vic.gov.au](mailto:egw@egwater.vic.gov.au) Web: [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au)

17 March 2021

East Gippsland Shire Council  
([planning@egipps.vic.gov.au](mailto:planning@egipps.vic.gov.au))

**EGSC REFERENCE NUMBER(S): 475/2020/P**

**FOR: SUBDIVISION OF LAND INTO 208 LOTS**

**LOCATION: 30 CLIFTON WEST ROAD WY YUNG (LOTS 1 & 2 TP 663976, LOT 2 LP 146101)**

**APPLICANT: WOODY GROUP PTY LTD**

In response to your email of 17 February 2021, regarding the above Planning Permit application, East Gippsland Water does not object provided the permit is subject to the following conditions:

1. Water reticulation infrastructure must be extended to service each Lot to East Gippsland Water's requirements, at the cost of the Applicant/Developer. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become Gifted Assets (refer Notes). Each Lot is to be separately serviced by the water reticulation system and able to be separately metered.
2. Arrangements for the design, construction, commissioning and acceptance of all Gifted Assets required by East Gippsland Water to extend water services to each lot require written approval by East Gippsland Water. Design drawings to be sent to [developerworks@egwater.vic.gov.au](mailto:developerworks@egwater.vic.gov.au) after Certification Application has been made.
3. If the existing dwelling is retained, the current water meter (#96837) is to be relocated to within the boundaries of the relevant lot. If existing dwelling is removed, the current water meter is to be disconnected and returned to East Gippsland Water.
4. Provide easements on the plan of subdivision over newly created or existing infrastructure, as required by East Gippsland Water.
5. Payment of applicable Development Planning Charges by the Applicant/Developer to East Gippsland Water (refer Notes)
6. Any additional infrastructure required to adequately service the development would need to be provided by the developer at the developer's cost. The type and extent of additional infrastructure, if needed, is subject to detailed engineering design and approval by East Gippsland Water.

Notes:

- (A) Subject to its written acceptance of the Gifted Assets, East Gippsland Water will become responsible for ownership and the ongoing maintenance and operation of the assets in perpetuity.
- (B) Development Planning Charges apply where East Gippsland Water are involved in the developer's works (actual charge is based on the final cost of the works). Contact East Gippsland Water for further information on these fees.

Further enquiries may be directed to Gary Pini (5150 4421) at our Bairnsdale Office.





Yours faithfully,

A handwritten signature in black ink, appearing to read "CAROL ROSS".

**CAROL ROSS**  
**EXECUTIVE MANAGER CUSTOMERS**

133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875  
**Tel:** (03) 5150 4444 **Fax:** (03) 5150 4477  
**Email:** [egw@egwater.vic.gov.au](mailto:egw@egwater.vic.gov.au) **Web:** [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au)

Cc: Woody Group Pty Ltd C/- Beveridge Williams & Co Pty Ltd ([curnowc@bevwill.com.au](mailto:curnowc@bevwill.com.au))



EAST GIPPSLAND  
CATCHMENT  
MANAGEMENT  
AUTHORITY



574 Main Street  
(PO Box 1012)  
Bairnsdale Vic 3875  
PHONE: (03) 5152 0600  
FAX: (03) 5150 3555  
EMAIL: [egcma@egcma.com.au](mailto:egcma@egcma.com.au)  
ABN 72 411 984 201

EGCMA Ref: EGCMA-F-2020-00284  
Document No: 03  
Date: 11 May 2021

OFFICIAL

Emine Mestan  
Land Use Planner  
East Gippsland Shire Council

Dear Emine,

**Planning Permit Application No.:** 475/2020/P

**Property**      **Street:**                      30 Clifton West Road Wy Yung Vic 3875  
**Cadastral:**                      Lot 2 LP146101, Parish of Wy-yung

**Applicant(s):**                      Woody Group Pty Ltd C/- Beveridge Williams & Co Pty Ltd

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 14 April 2021 in accordance with the provisions of Section 55 of the *Planning and Environment Act 1987*. The Authority notes the supplied Indicative Building and Effluent Envelope Plan, Version 13 and the Indicative Subdivision and Staging Plan Ver 17 both dated 26/02/2021 and that the application is for a 208 lot subdivision.

The Authority does not have any official record of flooding for the property.

The Authority is a recommending referral authority for this application. Pursuant to Section 56(1) of the *Planning and Environment Act 1987*, the Authority **does not object** to the issue of a Planning Permit, subject to the following conditions being included in the permit:

1. Prior to the commencement of any works related to the subdivision, a Waterway Management Plan must be endorsed in writing by the East Gippsland Catchment Management Authority. The Waterway Management Plan must provide for a significant improvement in the ecological health of all waterways on the subject land and must include:
  - a. Details of the existing environmental values;
  - b. Details of any initial stabilisation and vegetation works;
  - c. A landscape plan for revegetation of land within a 30 metre buffer of the waterway, drainage corridor and all water quality works, including a species list and proposed density of the plantings. The vegetation must be representative of the Ecological Vegetation Class for the site. The revegetation of land within the 30m buffer of the waterways should comply with the following requirements:
    - i. Channel/Lower Bank Zone - Mass tubestock planting (6/m2) and 800 GSM jutemat where required for stabilisation.
    - ii. Primary Buffer Zone – A minimum 10m wide planted continuous buffer zone is to be established to both sides of the waterway channel, wetland area or other conservation zone. The buffer zone is to be planted at 4/m2 to establish scattered trees, areas of shrubs and ground layer vegetation recreating the prevailing EVC. Existing trees and areas of existing natural vegetation are to be incorporated into the planted buffer zone where possible.

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email [westgippy@wgcm.vic.gov.au](mailto:westgippy@wgcm.vic.gov.au) | Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)

Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 5 October 2021

- iii. Secondary Buffer Zone Areas - outside the primary bufferzone/waterway channel/wetlands, but within 30m of the waterway, are also to be revegetated to form a secondary buffer and should focus on providing good ground cover with a density of 2 plants/m<sup>2</sup> and with a scattered planting of overstorey trees.
  - d. A maintenance plan detailing the sequencing and periods of short, medium and long term actions and the parties responsible for each action.
2. Prior to the issue of a Statement of Compliance for the subdivision, the owner(s) shall enter into an Agreement with the responsible authority pursuant to Section 173 of the Planning and Environment Act 1987 ('the Act') and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act. The owner(s) must pay all reasonable costs of the preparation, execution and registration of the Agreement. The Agreement will stipulate that:
- a. A Waterway Management Plan to the satisfaction of the East Gippsland Catchment Management Authority applies to all lots in the plan of subdivision
  - b. The current and future owner(s) of all lots in the plan of subdivision must comply with all requirements of the Waterway Management Plan at all times.

The revegetation of the waterways may have an impact on the achievable BAL rating for lots with proposed building envelopes. An assessment may be needed to determine if the revegetated waterway reserves will result in a BAL of greater than 12.5. If a higher BAL is not acceptable, a 'defendable space' buffer will be required in addition to the 30 metre vegetated waterway buffer.

Pursuant to Sections 64 to 66 of the *Planning and Environment Act 1987*, please ensure that you provide the Authority a copy of your decision in a timely manner to allow for an application for review to VCAT if required.

The Authority **objects** to the issue of the Planning Permit if these conditions are not included.

The attached **explanatory report** provides further detail regarding the Authority's assessment.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email [planning@wgcm.vic.gov.au](mailto:planning@wgcm.vic.gov.au). To assist the Authority in handling any enquiries please quote **EGCMA-F-2020-00284** in your correspondence with us.

Yours sincerely,



**Adam Dunn**  
**Gippsland Floodplain Officer**

Cc: Woody Group Pty Ltd C/- Beveridge Williams & Co Pty Ltd ([curnowc@bevwill.com.au](mailto:curnowc@bevwill.com.au))

The information contained in this correspondence is subject to the disclaimers and definitions attached.

## EXPLANATORY REPORT

### Decision Guidelines

The East Gippsland Catchment Management Authority assesses all applications against the following National, State and Local Policies, Guidelines and Practice Notes:

1. [‘Technical Flood Risk Management Guideline: Flood Hazard’](#) (Australian Emergency Management Institute, 2014)
2. [‘Victorian Floodplain Management Strategy’](#) (Victoria State Government, 2016)
3. Council Planning Schemes ([Planning Schemes Online](#)), including the:
  - i. Planning Policy Framework
  - ii. Local Planning Policy Framework
  - iii. Relevant Zones and Overlays
4. [‘Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise’](#) (DSE, 2012)
5. [‘Applying for a Planning Permit under the Flood Provisions – A Guide for Councils, Referral Authorities and Applicants’](#) (DELWP, 2015)
6. [‘East Gippsland Waterway Strategy’](#) (2014-2022)
7. [‘East Gippsland Regional Catchment Strategy’](#) (2013-2019)
8. [‘East Gippsland Floodplain Management Strategy’](#) (2018-2027)

### 1% AEP<sup>3</sup> Flood Level Determination

Floods are classified by the frequency at which they are likely to occur. In Victoria, all proposals for development on floodplains are assessed against a flood that, on average, will occur once every 100 years. A flood of this size has a 1% chance of occurring in any given year and is known as either the 100 year Average Recurrence Interval (ARI<sup>5</sup>) flood or the 1% Annual Exceedance Probability (AEP) flood.

Please note that the 1% AEP flood is the minimum standard for planning in Victoria and is not the largest flood that could occur. There is always a possibility that a flood larger in height and extent than the 1% AEP flood may occur in the future.

The Authority does not have any information regarding whether this property would be subject to riverine inundation during a 1% Annual Exceedance Probability (AEP<sup>3</sup>) flood event (commonly known as the 1 in 100 year flood). The property is more than 240 metres from the 1% AEP flood extent, however a number of designated waterways are located within the property as shown in Figure 1. The property may be subject to localised flooding from these designated waterways during periods of high rainfall. However, the Authority does not have any information about the level and extent of this flooding.

The Authority holds no information in relation to the arrangement and capacity of stormwater drainage infrastructure in the area.

### Waterways and buffers

A number of designated waterways are located in the proposed area. Clause 14.02- 1S (Catchment planning and management) of the Planning Policy Framework (PPF) seeks to assist the protection and restoration of catchments, water bodies, groundwater and the marine environment through the following strategies:

- Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.
- Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.
- Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:
  - Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
  - Minimise erosion of stream banks and verges, and
  - Reduce polluted surface runoff from adjacent land uses.
- Undertake measures to minimise the quantity and retard the flow of stormwater runoff from developed areas.
- Encourage measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.
- Ensure that works at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.
- Ensure land use and development proposals minimise nutrient contributions to water bodies and the potential for the development of algal blooms.
- Require appropriate measures to restrict sediment discharges from construction sites.
- Ensure planning is coordinated with the activities of catchment management authorities.

The East Gippsland Catchment Management Authority's Waterway Strategy (2014-2022) also states that 'riparian corridors along waterways play an important role in maintaining and improving waterway health. The maintenance and restoration of riparian corridors are essential to provide the appropriate environmental conditions'. Ephemeral waterways or natural drainage corridors serve as conduits for conveying and treating rainfall runoff. While some minor waterways may have low environmental values, their function in conveying and treating runoff from surrounding catchments into major waterways plays a significant Floodplain Management and River Health role.

To ensure the long term protection of designated waterways and to minimise future maintenance requirements for any reserves created over the waterways, a Waterway Management Plan is required.

The revegetation of the waterways may have an impact on the achievable BAL rating for lots with proposed building envelopes. An assessment may be needed to determine if the revegetated waterway reserves will result in a BAL of greater than 12.5. If a higher BAL is not acceptable, a 'defendable space' buffer will be required in addition to the 30 metre vegetated waterway buffer.



**Definitions and Disclaimers**

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.
6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.
7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.
10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.



## Department of Environment, Land, Water & Planning

23 December 2020

Emine Mestan  
Planning Officer  
East Gippsland Shire Council  
PO Box 1618  
BAIRNSDALE VIC 3875

71 Hotham Street  
Traralgon Victoria 3844  
Australia  
Telephone: +61 3 5172 2111  
Facsimile: +61 3 5172 2100  
[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)  
DX 219284

Our ref: SP474324  
Your ref: 475/2020/P

Dear Emine

**PLANNING PERMIT APPLICATION 475/2020/P  
MULTI-LOT SUBDIVISION, ROADWORKS AND VEGETATION REMOVAL  
30 CLIFTON WEST ROAD, WY YUNG  
LOT 1 & 2 TP663976 AND LOT 2 LP146101**

Thank you for your correspondence dated and received 15 November in respect of the above-described application.

The Department of Environment, Land, Water and Planning (DELWP) has considered the above application in accordance with section 52 of the *Planning and Environment Act 1987* (Act), with the specific referral trigger being section 52 (1) (d) of the Act.

The application seeks to undertake a multi-lot subdivision including roadworks and vegetation removal within the Low Density Residential and Farming Zones and affected by Schedule 1 of the Vegetation Protection Overlay and the Erosion Management Overlay.

DELWP offers the following comments in respect of the above described application.

- The proposal involves a multi-lot subdivision with ten stages, roadworks and vegetation removal. Tree 6 is a small scattered tree located within a proposed roadway and is the only native vegetation removal proposed for the site. This means the remaining 38 existing indigenous trees are to remain as described in Table 3 Tree Census Data for 30 Clifton West Road, Wy Yung - *Practical Ecology Flora and Fauna Assessment 30 Clifton West Road, Wy Yung*, November 2017. Nine of these trees are regarded as Large Old Trees.
- None of these 38 trees have been provided with any specific protection either during or after subdivision construction. DELWP notes that numerous trees are located along proposed allotment boundaries and hence their removal may be exempt from a planning permit and offsetting. It is recommended that the responsible authority apply protection measures for this native vegetation particularly any large old trees.

#### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to [foi.unit@delwp.vic.gov.au](mailto:foi.unit@delwp.vic.gov.au) or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



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- Lots 108-118 are some of the smallest allotments proposed and they contain a linear corridor of native vegetation along their northern boundary. It is recommended that the responsible authority apply protective measures on this native vegetation or if any building and effluent envelopes impact on TPZ's, then assumed loss of native vegetation applies and an updated Native Vegetation Removal Report is required.

**Clause 42.02 Vegetation Protection Network *Tambo-Bairnsdale Roadside Vegetation Protection Network***

The above overlay seeks to protect high conservation value roadside vegetation and applies along the Clifton West Road frontage abutting Lots 101 -108 and 417 -419. Tree protection zones (TPZ) will need to be added to the site plan and if any building and effluent envelopes impact on TPZ's, then assumed loss of native vegetation applies and an updated Native Vegetation Removal Report is required. Supplementary planting in and adjacent to the roadside should also be considered to assist in achieving the objectives of Schedule 1 to Clause 42.02.

**I wish to advise DELWP has no objection to the granting of a permit for the above application and makes the following recommendations:**

1. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
2. The Department of Environment Land Water and Planning native vegetation report (ID: 319-20201106-002, dated 6/11/2020) included with the application will be endorsed and form part of this permit.
3. Before works start, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the responsible authority will endorse the plans, which will then form part of this permit. The plans must include:
  - a) a detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 *Protection of Trees on Development Sites*
  - b) an amended site plan, drawn to scale with dimensions and georeferences (such as VicGrid94 co-ordinates), that clearly shows:
    - i) the location and identification of the land affected by this permit, including standard parcel identifiers for freehold land
    - ii) the location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit
    - iii) all areas of native vegetation to be retained, including roadside native vegetation with tree protection zones extending onto the subject land.
4. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
  - a) vehicular or pedestrian access

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- b) trenching or soil excavation
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d) entry and exit pits for the provision of underground services
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

***Native vegetation permitted to be removed, destroyed or lopped***

- 5. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.031 hectares of native vegetation, which is comprised of:
  - a) 1 scattered small tree

***Native vegetation offsets***

- 6. To offset the removal of 0.0031 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017):
  - a) a general offset of 0.006 general habitat units:
    - i) located within the East Gippsland Catchment Management boundary or East Gippsland municipal area
    - ii) with a minimum strategic biodiversity value of at least 0.320,
- 7. Before the issue of a Statement of Compliance, evidence that the required offset for stage 7 of the subdivision has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
  - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
  - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

***Offset evidence***

- 8. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the Department of Environment, Land, Water and Planning Traralgon regional office via [gippsland.planning@delwp.vic.gov.au](mailto:gippsland.planning@delwp.vic.gov.au).

***First party offset reporting***

- 9. Where the offset includes a first party offset, the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Please provide a copy of the permit, if one is granted, or any notice to grant or refusal to grant a permit to the address or email below.

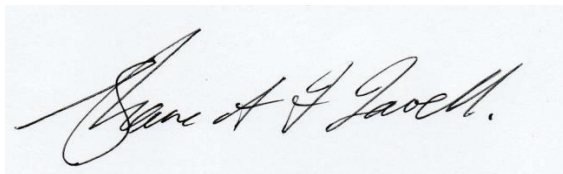
All written correspondence should be sent electronically to [gippsland.planning@delwp.vic.gov.au](mailto:gippsland.planning@delwp.vic.gov.au) or mailed to:

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Planning Approvals Gippsland  
Department of Environment, Land, Water & Planning  
71 Hotham Street  
TRARALGON VIC 3844

If you have any queries regarding this matter, please contact Planning Approvals - Gippsland at the department's Traralgon office on (03) 5172 2111.

Yours sincerely

A handwritten signature in black ink, reading "Shane A J Lavell". The signature is written in a cursive style with a large initial 'S'.

**Shane Lavell**  
Planning Approvals Program Officer

OFFICIAL



Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness  
8 Lakeside Drive Burwood East Vic 3151  
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 11000-66115-108991  
Council Ref: 475/2020/P

23 April 2021

Emine Mestan  
East Gippsland Shire Council  
PO BOX 1618  
**BAIRNSDALE VIC 3875**

Dear Emine,

**CONDITIONAL CONSENT TO GRANT A PERMIT INCLUDING  
CERTIFICATION HOWEVER COMPLIANCE IS REQUIRED**

**Application No:** 475/2020/P  
**Applicant Name:** Chris Curnow C/- Beveridge Williams & Co  
**Site Name:** Multi-Lot Subdivision & Road Works  
**Address:** 30 Clifton West Road Wy Yung  
**Purpose:** Multi-Lot Subdivision

CFA, acting as a Referral Authority pursuant to Section 55 of the Planning and Environment Act does not object to the grant of a permit to Beveridge Williams & Co for the subdivision at 30 Clifton West Road Wy Yung subject to the following conditions being attached to any permit which may be issued, and a copy of the permit being forwarded to CFA.

**– Start of Conditions –**

**1. Subdivision plan not to be altered**

The subdivision as shown on the endorsed plans must not be altered without the consent of CFA

**2. Hydrants**

Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

- 2.1 Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 90 metres and the hydrants must be no more than 120 metres apart. These distances must be measured around lot boundaries.
- 2.2 The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note –CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

**3. Roads**

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- 3.1 The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- 3.2 Curves must have a minimum inner radius of 10 metres.
- 3.3 Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- 3.4 Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

**– End of Conditions –**

**Additional Comments**

CFA also consents under Section 9 of the Subdivision Act to the Certification of the Plan of Subdivision. CFA does not require the Plan of Subdivision for this planning permit application to be referred under Section 8 of the Subdivision Act.

CFA does not consent to the Statement of Compliance for Subdivision at this stage.

If you wish to discuss this matter in more detail, please do not hesitate to contact Peter Rogasch, Fire Safety Officer, on 0437 012 114

Yours sincerely



**Justin Meli**  
**Bushfire Planning Coordinator**  
**FIRE PREVENTION & PREPAREDNESS**

cc: Beveridge Williams & Co  
curnowc@bevwill.com.au



**From:** James Hammond [James.Hammond@ausnetservices.com.au]  
**Sent:** Wednesday, 17 February 2021 1:01:44 PM  
**To:** Planning Unit Administration  
**Subject:** 475/2020/P - 30 Clifton West Road WY YUNG - Multi-lot subdivision and roadworks

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

**475/2020/P - 30 Clifton West Road WY YUNG - Multi-lot subdivision and roadworks**

**AUSNET ELECTRICITY SERVICES PTY LTD** does not object to the issue of a Planning Permit in respect of the abovementioned application if the permit is subject to the following conditions:

The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.

The applicant must –

- Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of “Power Line” in the favour of “AUSNET ELECTRICITY SERVICES PTY LTD” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY

SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.

- Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

### **END OF CONDITIONS**

It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

If you require any further information in relation to the above, please do not hesitate to contact myself on 9237 4496 at the Lilydale Office.

Yours faithfully,

James Hammond  
URD EPC  
AusNet Services  
9237 4496

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**From:** Subdivisions [Subdivisions@apa.com.au]  
**Sent:** Wednesday, 13 January 2021 10:10:57 AM  
**To:** Planning Unit Administration; Subdivisions  
**Subject:** RE: 475/2020/P - 30 Clifton West Road WY YUNG - Multi-lot subdivision and roadworks

**EXTERNAL EMAIL:** This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

**APA GROUP**

APT O&M Services Pty Ltd (APT) is a company under the APA Group.

Our Reference: ps 13.01.2021 -01

Enquires: Paula Soluncevski  
Telephone 9463 8323

Dear Sir/Madam,

Re: **APPLICATION FOR PLANNING PERMIT**  
30 CLIFTON WEST ROAD WYYUNG  
Plan No. :

Reference is made to the above correspondence dated 10.11.2020 and accompanying plan.

APT pursuant to Section 56 (1) (b) of the Planning and Environment Act 1987 has no objection to the granting of a permit.

APT does not require the plan to be forwarded under Section 8 of the Subdivision Act 1988, and consents to the issue of a statement of compliance at the appropriate time.

Yours faithfully,

*Per*  
**Rebecca May**  
Planning Manager  
Planning & Engineering

475/2020/P

30 Clifton West Road WY YUNG 3875

**Multi-lot subdivision, roadworks and removal of vegetation****PLANNING CONTROLS**

Control	Clause	Consideration
Low Density Residential Zone	32.03	A permit is required to subdivide land.
Vegetation Protection Overlay (Schedule 1)	42.02	A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.
Erosion Management Overlay	44.01	A permit is required to subdivide land. A permit is required to remove, destroy or lop any vegetation. A permit is required for roadworks
Native Vegetation	52.17	A permit is required to remove, destroy or lop any vegetation, including dead native vegetation.
Decision Guidelines	65.02	Decision Guidelines – Subdivision.

The application under assessment does not require assessment under the Stormwater Management in Urban Development, Clause 53.18 Particular Provisions, by virtue of the exemption under the provision for applications to subdivide land under a provision of the Low Density Residential Zone.

**Cultural sensitivity**

The applicant has provided a Cultural Heritage Management Plan with recommendation that an area in the south-east portion of the site is to be set aside in reserve in order to protect an artefact scatter found during the course of the site testing. The Plan also recommends that this reserve is not to be accessible to the general public and that only Council officers can only enter to maintain the native vegetation. A 1.42 hectare reserve has been created to facilitate this (refer to **Figure 1** from **Attachment 2** (first link), Planning Submission, Version B, Section 4.8, page 58 of 113).

**REFERRAL AUTHORITIES**

Authority	Determining or Recommending Authority	Referral Clause	Response
CFA	Rec (s55)	44.06 and 66.03	Conditional consent
DELWP	s52 Notice		Conditional consent
APA Group (Gas Distribution)	Det (s55)	66.01	Conditional consent
Jemena (Gas transmission)	Det (s55)	66.01	Conditional consent
AusNet Services	Det (s55)	66.01	Consent with no conditions

Department of Transport	s52 Notice		Conditional consent
Department of Transport (PTV)	Det (s55)	66.02	No response received
EGW	Det (s55)	66.01	Conditional consent
WGCMA	S52 Notice		Sought further information; amended plans received then provided Conditional consent

#### INTERNAL ADVICE

Department	Scope of Advice	Outcome
Strategic Planning Department	Bairnsdale Growth Strategy (November 2009)	Consent
Technical Officer - Development	Drainage, Access	Conditional consent
Environmental Health	Sewerage	Consent
Parks and Gardens & Community Planning	open space/parks/landscape	Consent (expressed support for the municipal reserve)
Waste	Environment	Consent
Operations	Civil works	Consent

On 23 December 2020, the Catchment Management Authority (EGCMA) responded to the planning application by requesting additional information relating to an updated subdivision plan showing all designated waterways contained within a Council reserve and a Waterway Management Plan be submitted. As a result, the applicant provided a response that they would be able to place the northern branch of the northern waterway into a Council reserve with an expectation that it will be planted and managed, not to extend the Council reserve any further to the west along the southern waterway, and approach the EGCMA about a 'like for like' payment to fund works/planting elsewhere in the Clifton Creek Catchment in lieu of plantings being made along the section of the southern waterway that will remain in private ownership.

Following discussions between EGCMA and internal Council staff and the applicant around the time of March 2021, additional plans were added to the application that related to the watercourses and agreement of maintenance of vegetation.

On 9 July 2021, four Councillors (Cr Urie, Cr Graecen, Cr Stow & Cr Crook) and officers from the East Gippsland Shire Council attended the site. Additional materials have been provided following the PCM and circulated to Councillors and Objectors. A copy of the additional information is available on Council's [website](#):

The details include:

1. Applicant's response to matters raised by Marc Noyce at the PCM held on 21 June 2021.
2. A revised Stormwater Management Strategy clarifying the issues mentioned in the matters raised by Marc Noyce. The changes occurred on:
  - Page 29, where Table 14 and Figure 15 have been updated to clarify the treatment catchments and reflect the fact that outfall from catchments P2 and V will bypass the southern wetland and outfall from catchment M will bypass the eastern wetland before joining the balance of the outfall again downstream. This outcome was already assumed

in the strategy, just not explicitly stated. So, the drainage assets had already been oversized to accommodate it. As a result it does not lead to any further changes to the strategy; and,

- Pages 28 & 31, where the manner in which rainwater tanks on each property would be used to treat and detain stormwater is more precisely explained.

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## PUBLIC NOTIFICATION

### Advertising Required:

Public notification was undertaken in the form of letters to adjoining landowners in accordance with Section 52 of the *Planning and Environment Act 1987*.

Thirty-two (32) individual objections (**Attachment 3**) were received at the time of writing this report. The application was presented to Council at a Planning Consultation Meeting on Monday 21 June 2021. All objectors interested in presenting an oral submission were afforded the ability to speak. Minutes of the PCM are at **Attachment 4**.

### Objections

Issues raised in the objections highlighted concerns relating to the following:

- Increased traffic/safety/vehicle noise
- Lack of public transport in the area
- The sewer system won't be able to cope
- Increased soil erosion
- Poor water management affecting Clifton Creek and adjoining properties
- Stormwater impacts onto Clifton Creek
- Bushfire concerns
- Loss of views
- Increase in Council rates
- Boundary setbacks insufficient
- Intersection to be updated between Salvatore Drive and new thoroughfare into the new subdivision
- Excessive street lighting
- Council reserve to be built
- Size of proposed blocks not providing variety
- Inappropriate and unsustainable development
- Loss of vegetation is a negative outcome in terms of the impact on the biodiversity of the area

### Commentary on grounds for objection:

Many of the grounds for objection are valid and reasonable. The character of an area is often difficult to define, however in Wy Yung the character of the existing lot layout is quite apparent (i.e. larger lots above 4,000sqm in size). Below is a response to common concerns:

### Loss of views/ Visual impact on landscape

The visual outlook will change, given the low-density nature of the proposed development compared to the existing agricultural conditions. There will still be ample green and open space that will define the landscape.

When a landowner seeks to develop their land in accordance with the planning scheme, inevitably there will be some degree of change experienced by those who own adjoining land. The key test is whether or not the change is positive or negative. On balance of all relevant factors, the net effect of this proposal is positive, and as such the impact on existing views is not enough to warrant a refusal of the proposal.

### Noise pollution

Noise emanating from dwellings in a new residential estate is an expected outcome which the planning system does not take into account. Some residents will naturally be quieter or louder than others, however as a matter of personal behaviour it is not a planning-based ground for refusal.

*Increase in rates*

The claim has been made that the rates of adjoining land will increase should the subdivision proceed. This may occur if property values increase, however that is not a relevant planning consideration.

*The number of lots is too high*

One of the grounds of objection put forward includes the number of lots being too high, in other words, the density is too high. The underlying zone allows for lots to be created that are minimum 4,000 square meters in size based on the lack of reticulated sewerage. The subdivision has met this requirement, and in fact most lots are significantly higher than the minimum lot size. As such, the subdivision does not represent high density development. In addition, this is an increased average size lots compared to the previous application (application 345/2017/P, which was refused by VCAT).

*The Bullumwaal Road/Clifton West Road intersection will become unsafe/road safety generally*

VicRoads has requested permit conditions that would bind the applicant to upgrading the Clifton West/Bullumwaal Road intersection. These conditions will require the proponent to upgrade the intersection. In light of this, concerns relating to that intersection can successfully be addressed.

It is considered that no direct access to and from new lots created be allowed onto Clifton West Road, this can be achieved via a permit condition requiring a legal agreement to be entered into requiring access to these lots to be undertaken from the internal road within the subdivision.

*Impact on flora and fauna*

The vast majority of the land is already cleared of vegetation. The vegetation to be removed involves two dead silver Banksia's and one 'red box' tree.

In terms of impact on fauna, the planning application included a biodiversity report which detailed that there was very little evidence of native fauna coexisting on the subject site.

*Pedestrian safety*

The proposed subdivision includes provision of a shared walking/cycle path throughout the estate. There is also provision for passive open space in the northern reserves and Municipal Reserve, linking to existing pedestrian trails. General pedestrian safety is not expected to be adversely impacted.

*Lack of public transport*

The application was referred to the Head, Transport for Victoria but unfortunately no response was received. It is anticipated that bus services would extend to the estate at some point in the future, and the road network would afford the ability for a loop without need for backtracking.

*Stormwater impacts*

The hydrology and drainage strategy submitted with the application details the manner in which the storm water drainage will be treated, retained and released from the site. The provision of two retention basins along with the required physical infrastructure usually



installed as a part of a residential subdivision, gives rise to confidence that the development will not lead to an unacceptable storm water drainage outcome.

As this was the key ground of refusal by the Tribunal, considerable additional detail has been provided to satisfy the concerns of the Tribunal and objectors in relation to the grant of a permit. It is considered that the additional information surrounding the stormwater regime, specifically the outflow over the Crisp property, combined with the deletion of some lots and improved clarity regarding waterway quality, will provide for suitable development outcomes and will not compromise waterway health and safety.

*Lack of open space*

The plan of subdivision includes a suitable amount of open space. It is important to note that the average lot size will be at least 5,871sqm in size. It is expected that most lots will leave 80-90% of their footprint undeveloped, providing for private open space. There will be ample 'passive' open space for the future residents to enjoy. The social impact assessment clarifies that the proposal will not put an undue strain on existing regional public open space and amenities.

*Boundary setbacks insufficient*

The application documentation included a building envelope plan which showed where each lot might contain a dwelling or a shed. Boundary setbacks included in this subdivision are typical of a low-density estate, and based on a planning assessment, they are suitable for support.

*Not appropriate for a rural area*

The land has been zoned low density residential since the new format planning scheme was adopted in 1999, and similar zoning was provided for in the former Shire of Bairnsdale Planning Scheme. The proposed subdivision, having met the technical requirements established by the LDRZ can be considered on merit.

Although people may feel that the subdivision is not appropriate, the proposal before Council seeks to subdivide land in accordance with the underlying zone. The underlying zone indicates that the outcome is acceptable.

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**PLANNING CONSIDERATION**

**Planning Policy Framework (PPF)**

The assessment of the application requires assessment against Planning Policy Framework.

The clauses that have an influence upon the assessment of this application include:

- 11 Settlement
- 12 Environmental and Landscape Values
- 13 Environmental Risks and Amenity
- 14 Natural Resource Management
- 15 Built Environment and Heritage
- 16 Housing

**Assessment:**

Clause 11-01-1S relating to Settlement seeks to promote sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of

settlements. The proposal responds positively as the subject land is located within an existing rural residential precinct which contains numerous dwellings and is only a short drive from the main commercial precinct of Bairnsdale. It also has access to power, water and telecommunications.

The proposal has taken into consideration Clause 12 relating to Environmental & Landscape Values which seeks to protect the health of ecological systems and the biodiversity they support. This has been achieved by designing the allotments to have sufficient area and dimensions to provide for future residential development that is suitably offset from the existing drainage lines and through limiting the extent of vegetation losses.

Although the subject land is not contained within the Bushfire Management Overlay, there is some risk from bushfire which is identified through the Bushfire Prone mapping. Some consideration has therefore been given to Bushfire at Clause 13.02-1S.

Consideration has been given to Clause 13.04-2S Erosion & Landslip given the sites inclusion within the Erosion Management Overlay. The objective of this Clause is to protect areas prone to erosion, landslip or other land degradation processes which the proposal is considered to achieve.

Clause 15 relates to Built Environment & Heritage and outlines that planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments. The proposal responds positively as it will provide opportunity for further development within an existing rural residential precinct.

Clause 15.01-3S relating to Subdivision Design seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The proposed subdivision adheres to this objective and relevant supporting strategies as the scheme of subdivision has been designed to ensure each allotment is capable of accommodating future residential development as demonstrated by the accompanying Building Envelope Plan.

### **Municipal Strategic Statement (MSS)**

Council is required to consider Local Policy as a part of this assessment.

Local Policy clauses that are relevant include:

21.03 Settlement

21.04 Environmental and Landscape Values

21.05 Environmental Risk

21.06 Natural Resource Management

21.07 Built Environment and Heritage

21.08 Housing

21.12 Strategies for Sub-Regions, Towns and Localities

### **Assessment:**

Consideration has been given to Clause 21.04-1 relating to Biodiversity, the objectives of which relate to maintaining, conserving and enhancing the biodiversity of East Gippsland and to recognise, protect and maintain environmental, cultural and aesthetic values of East Gippsland. Whilst a small element of vegetation removal forms part of the Application it is minimal in extent and is not remnant.

The proposal responds well to Clause 21.04-3 relating to Urban Waterways as the subdivision has been specifically designed to enable the ability to establish dwellings on each of the allotments which are well setback from the drainage line to maintain its health and integrity.

Clause 21.05-2 relating to Erosion seeks to ensure that land use and development is directed to locations and carried out in ways that minimise its vulnerability to the threat of erosion. The objective and strategies to this Clause are addressed through the inclusion of a Geotechnical Risk Assessment which has been commissioned to support the proposal.

The proposal will allow for an increase in housing density and potential housing diversity as is encouraged in Clause 21.08. In terms of settlement growth, local policy in the East Gippsland Planning Scheme supports this locality to the north west of the existing Bairnsdale settlement as a low density growth area. The Bairnsdale Growth Strategy (November 2009) being the relevant strategic document which is a Reference Document forming part of the Scheme at Clause 21.12 *Strategies for sub-regions, towns and localities*. The Planning Scheme response to this policy position is reflected in the zoning of the land as Low Density Residential Zone. The proposed development aligns with the principle of low-density residential growth in this locality and enjoys strategic policy support.

In relation to the northern growth front the strategy seeks *the provision of pedestrian networks and open space links to assist in north-south movements through the area and into town are a key component of delivering a sustainable neighbourhood outcome in this growth front*.

The proposal responds to integration with road linkages to abutting subdivision where it exists.

Relevant environmental constraints identified in the Bairnsdale Growth Strategy are that:

- appropriate level assessments of native vegetation will be required ahead of any development approvals.
- appropriate level cultural heritage assessments will be required ahead of any development approvals.

The supporting documentation in the planning permit application addresses these matters.

The application has been assessed against both the PPF and LPPF and it is considered that the proposal is consistent with relevant policies contained within this section of the East Gippsland Planning Scheme.

#### Low Density Residential Zone

The purposes of the LDRZ are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

The Application triggers approval at Clause 32.03-3 for subdivision of the land in accordance with Low Density Residential Zone provisions. The subdivision has been designed in accordance with the zone requirements by nominating allotments which are greater than 4000m<sup>2</sup> in area.

The proposed subdivision is considered to respond positively to the purpose of the Low Density Residential Zone as it will result in the creation of allotments which can accommodate lower density residential living with capacity for onsite wastewater disposal.

Accompanying the application is an Indicative Building and Effluent Envelope Plan (**Attachment 2** (fourth link), page 2 of 99), which demonstrates the available area for future residential development. This plan has been prepared having regard for the landform, access points, vegetation, and other significant site features such as drainage lines. There is more than ample area available within each of the demonstrational building envelopes to cater for future development and associated effluent disposal fields.

The proposed subdivision has been designed to minimise vegetation loss across the site. There are a number of proposed lots which contain established native vegetation.

A Land Capability Assessment Report has been commissioned from Strata Consulting ([website](#)) to confirm the sites suitability to treat and retain wastewater on site associated with future residential development of the land.

The Land Capability Assessment Report has been assessed by Environmental Health, confirming the sites suitability to treat and retain wastewater on site associated with future residential development of the land.

The capacity of the road has been assessed by Engineering as being able to accommodate the likely increase in traffic (refer to Traffic and Transport Assessment, **Attachment 2** (fourth link), page 10 of 99).

Additionally, a Soil and Water Management Plan (SWMP) (**Attachment 2** (second link), page 148 of 166) and a Stormwater Management Strategy ([website](#)) has taken a precautionary assessment on the monitoring of excessive runoff that can be implemented with corrective measures via the proposed provision of three retarding basins and four wetlands.

The Decision Guidelines pertaining to the Low Density Residential Zone further detail how the proposed subdivision needs to demonstrate how it enhances the natural environment and character of the area by including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries. It is also important whether the proposed subdivision can demonstrate the availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

Equally conditions on the permit are considered to appropriately manage stormwater runoff and possible erosion during road construction. A condition on the permit will ensure that appropriate landscaping occurs within the road reserve. For these reasons the application is assessed as being in accordance with the zone requirements.

#### Erosion Management Overlay

The purposes of the EMO are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.*

Apart from the subdivision requiring a planning permit, as roadworks are also proposed, a planning permit is triggered under the EMO. Vegetation removal is also subject to a planning permit trigger unless the vegetation was either planted or grown as a result of direct seeding for crop raising or grazing animal production. The site has a pine plantation located to the south-east corner of the property that will be required for removal to reduce any bushfire risk.

An Erosion, Slope and General Geotechnical Risk Assessment and Management Strategies was provided (**Attachment 2** (second link), page 60 of 166) provided with the erosion and landslip risk assessment includes instructions for how to manage the estate construction so as to avoid causing erosion. The applicant expects that compliance with that report will be enforced through a permit condition. So, it is our expectation that those instructions will be applied within the estate.

#### Vegetation Protection Overlay, Schedule 1

The Purposes of the VPO are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

The proposed subdivision does not include the removal, destruction or lopping of any vegetation that is listed in the schedule to the overlay within the portion of the property that is affected by the VPO1. Hence, there is no planning permit triggered against the VPO1 provisions.

#### Native Vegetation – Clause 52.17

A planning permit is triggered to remove native vegetation, which in this case there is one native scattered paddock tree that might be removed in case the tree cannot be avoided (as it is located within a proposed roadway), thus its removal is part of this application.

The Applicant has provided a Native vegetation removal report and a Flora and Fauna Assessment as part of the initial application documents (**Attachment 2** (second link), pages 1 and 11 of 166).

DELWP was referred and provided conditional consent providing offset requirements and conditions relating to tree protection measures, in particular, that the remaining 38 indigenous trees and vegetation on site that serve a high conservation purpose are provided protection (Tree Protection Zones) during the subdivision construction.

There are also some native trees growing near the common boundary with the Salvatore Drive estate, in which DELWP have required through their permit conditions that any of these trees that are going to be located within 4 metres of one of the new boundaries created by the estate also be offset, given their removal would become exempt under the fencing section of the Table in Clause 52.17 once the new title boundaries are created.

#### Public Open Space Contribution

Pursuant to Clause **53.01**, a person who proposes to subdivide land must make a contribution to the Council for public open space. However, it is unlikely that each lot will be further subdivided and there are areas set aside for public open space, including provision of extensive shared paths through the subdivision and in reserve areas. No additional cash public open space contribution is considered necessary.

#### Decision Guidelines for subdivision - Clause 65.02

The Decision Guidelines pertaining to the subdivision of land detail how the proposed subdivision demonstrates suitability and how it enhances the natural environment and character of the area by including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries. It is also important that the proposed subdivision can demonstrate the availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

It is considered that the proposed subdivision has been designed to minimise vegetation loss across the site. There are a number of proposed lots which contain established native vegetation. The stormwater management concerns have been effectively demonstrated to

meet the concerns from the previous VCAT hearing which encourages that the functions and maintenance of reserves and outfalls can be adequately maintained without any detriment to adjoining properties.

### 5.3.2                      **Planning Permit Application 120/2018/P - 860 Stephenson's Road, Tambo Upper - for refusal - two lot subdivision**

Authorised by            General Manager Place and Community

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#### **Conflict of Interest**

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

#### **Executive Summary**

This report relates to a planning permit application for a two-lot subdivision at 860 Stephenson Road, Tambo Upper.

A full copy of the proposed subdivision included plans, planning report and a bushfire hazard site assessment is provided at **Attachment 1**.

The proposal is considered to be a rural residential outcome rather than an agricultural outcome. The history of subdivision involving the subject land has already fragmented the original property, allowing for rural residential development on the land. The agricultural holding is at risk of further land use conflict, potentially compromising its full agricultural potential. Approval of the proposal would further diminish the potential range of agricultural activities which could occur on the site.

Council is in the early stages of preparing a Rural Land Use Strategy which seeks to strengthen provisions discouraging fragmentation of agricultural land. Given that the Strategy is still in its formulation stage, it cannot be considered in the assessment of this proposal.

Nonetheless, there remains a strong policy position against this subdivision under the current planning scheme policy.

The proposal follows a recent (2017) subdivision that enhanced the agricultural potential of the land through partial consolidation and resulting larger allotments. The current proposal will reverse recent gains and exert a negative influence on agricultural operations. The applicants have provided information regarding the subdivision history, provided at **Attachment 2**.

The purpose of the report is to recommend that the permit application be refused. A detailed assessment of the proposal against the provisions of the East Gippsland Planning Scheme to support the recommendation is located at **Attachment 3**.



## Officer Recommendation

### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report; and**
- 2. being the Responsible Authority and having considered all the relevant planning matters, determines that planning application 120/2018/P is inconsistent with the purpose and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Refuse to Grant a Permit for a Two Lot Subdivision at 860 Stephenson Road Tambo Upper on the following grounds:**
  - a. The application relates to land which is already considered to have utilised its full entitlement to subdivision, based on a minimum lot size of 40 hectares to establish a new lot and single dwelling. Over the combined land area in the historical 3 lots of 100 hectares, there are now an additional two lots, and a sixth lot is proposed.**
  - b. The Application is inconsistent with the Planning Policy Framework Clause 14.01 and Local Planning Policy Framework Clause 21.06, by creating a small lot in an area of agricultural production;**
  - c. The Application is inconsistent with the Local Planning Policy Framework, Specifically Clause 21.08 by creating a rural living outcome in an agricultural area;**
  - d. The Application is inconsistent with the Local Planning Policy Framework, Specifically Clause 21.12-2 and -3 by failing to meet the general policy strategies identified for the Twin Rivers region and 'Agricultural Hinterland' sub-region;**
  - e. The Application is inconsistent with the Twin Rivers Land Use Plan;**
  - f. The Application is inconsistent with the purpose and decision guidelines of the Farming Zone;**
  - g. The Application results in an unacceptable agricultural outcome.**

## Background

### Description of the Land and Application

The Application seeks approval for a two-lot subdivision to excise an existing dwelling in the Farming Zone. A permit for subdivision is also required pursuant to the Bushfire Management Overlay and Erosion Management Overlay provisions. The Vegetation Protection Overlay applies to the site but is not a permit trigger in this instance.

The application documents (**Attachment 1**) include a plan of subdivision which shows an indicative building envelope for a future dwelling on the vacant lot.

The application proposes to create a smaller lot containing the existing dwelling and shed on a lot of 7387sqm in area. The subdivision will result in the creation of a balance lot of approximately 48 hectares in area, containing the dams, and predominantly cleared pasture.

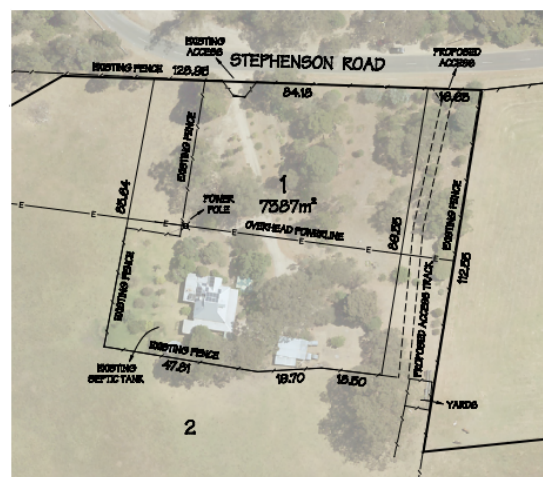
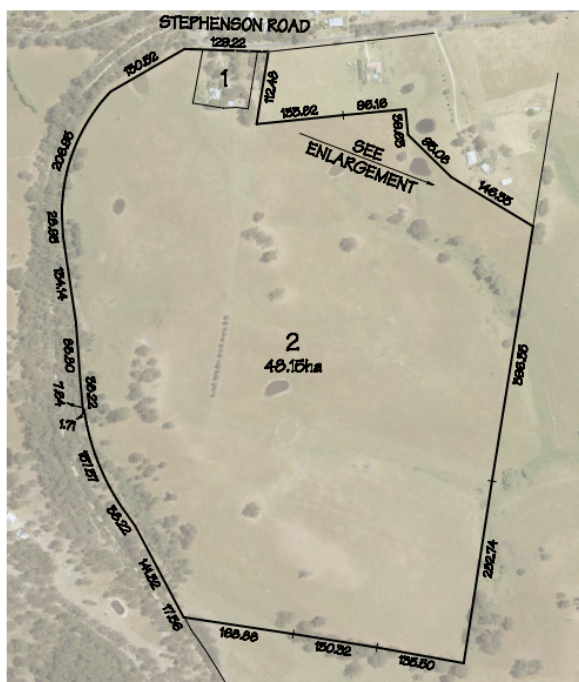
To the west of the subject land is a rural living precinct defined by small lots with dwellings and ancillary outbuildings. To the east are large holdings which are used predominantly for grazing and are productive agricultural holdings. The East Gippsland Rail Trail on the western boundary provides an effective boundary between the productive and non-productive agricultural areas.

The larger holdings are used for grazing, while the smaller lots contain little to no agricultural component. The Rivendell function centre and accommodation estate is located to the east of the subject site.



*Figure 1 – The subject land*





SCALE OF ENLARGEMENT  
1:1000

Figure 2 – The Proposed Subdivision

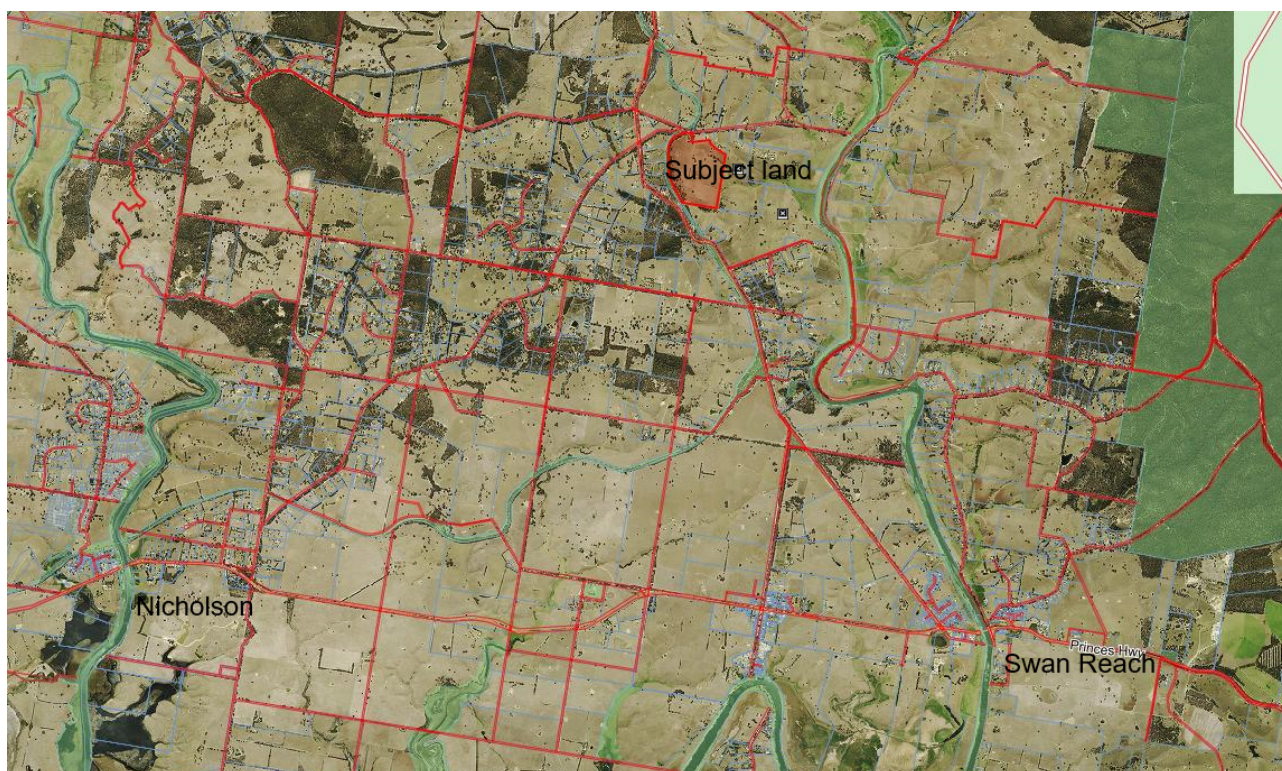


Figure 3 – Locality Plan in reference to Swan Reach and Nicholson

### Subdivision History

The land is a part of a series of four subdivisions since 1993, which re-aligned boundaries and excised dwellings, taking benefit of the provisions of the Tambo Shire and East Gippsland Shire planning schemes over those years.

The series of subdivision is more fully pictured in **Attachments 2 and 3**, but is summarised as follows:

1. In 1993, two lots were created from the parent title, resulting in Lot 1 of 3.034 ha and Lot 2 of 41.68 ha on PS329638. Net + 1 lot
2. In 1994, Crown Allotment 47 to the south was joined with Lot 2 PS329638, and Lot 1 PS340030 of approximately 4.5 ha was created. The balance lot became 77.64 ha. Net + 1 lot
3. In 2002, a dwelling was excised from the above balance lot, creating Lot 1 PS510092 of approximately 3.56 ha. The balance lot became 74.38 ha. Net + 2 lots.
4. In 2018, Crown allotment 68b of approximately 13.58 ha to the northwest was combined to the planning unit, but the balance was split, resulting in Lots 1 of 48.89 ha and 2 of 39.07 ha on PS808306. Net +2 Lots

Each time the land was subdivided, a dwelling was either established on the small lot or was retained or established on the balance lot, allowing for further subdivision to be justifiable under the scheme provisions.

In total, the original 3 lots (circa 1993) was 99.9 hectares. Under today's planning controls, the subdivision potential would be expected at 2 lots. The subdivision provisions over the years allow for smaller lots to be created where the purpose is to excise a dwelling or to restructure lot boundaries without increasing the number of lots. This subdivision history has combined these two strategies to achieve 5 total lots from the original 3.

### Current status/Issues

This application has been under consideration for over three years now. A consistent message to the applicants since late 2018 has been the officer recommendation for the application to be refused. For many reasons, the application has not yet been presented to Council. Requests from the applicant for a determination have given rise to the finalisation of the matter. It is considered that the referral response from the Country Fire Authority would not be affected by the intervening time, and no significant scheme provisions have changed which impact on the consideration of the matter.

The application was subject to notification in accordance with Section 52 of the Planning and Environment Act 1987. No objections were received.

### **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*.

This planning application has been processed and assessed in accordance with the *Planning and Environment Act 1987*.

## Planning Scheme Controls

Zone:	Farming Zone
Overlays:	Bushfire Management Overlay, Vegetation Protection Overlay, Erosion Management Overlay
Notice:	Instructions given to the applicant, who provided the required notice via letters to the neighbouring landowners. No objections were received
Referrals:	Section 55 recommending referral to Country Fire Authority. Consent provided subject to conditions.

A detailed assessment of the proposal against the relevant controls is contained within **Attachment 3**. The assessment is summarised as follows:

### *State and Local Planning Framework*

The specific clauses of the Planning Policy Framework that suggest that the proposal should not be supported are:

- *Clause 14.01-1S (Agriculture) which states that the fragmentation of farms and the creation of dwellings 'as of right' which are not connected to farming are a negative outcome.*

Clause 21.06 (Natural Resource Management) states that the fragmentation of farms should be avoided, and that subdivision not connected to agriculture should be discouraged.

The Local Policy contained within the East Gippsland Planning Scheme also requires that rural land should be used efficiently and that productive soils should be protected. The proposal currently before Council does not include any measure to demonstrate how this policy is met.

Specifically, policy states the decisions should not support small lot subdivision outside areas identified for rural residential purposes. The land in this proposal is not identified as being an area for rural living purposes.

Strategies include discouraging the creation of smaller lots, to facilitate the effective use of land for agriculture and that when an approval is issued that conditions be applied to prohibit future development of dwellings.

### *Response to the Policy Framework*

The state and local planning policy frameworks provide for the protection of agricultural land from fragmentation and discourage rural residential outcomes in land zoned for agricultural purposes. The policy talks to consolidation of land, not further subdivision. The policy encourages the land, regardless of productivity, to remain in agricultural holdings to prevent future land use conflict from other agricultural activity. This is essentially reverse amenity impact – making sure that residential use does not detrimentally affect the ability of a genuine farmer from carrying out what would otherwise be permissible in the Farming Zone.

The proposal does not meet the objectives of state and local planning policy with respect to natural resource management and preservation of agricultural amenity.

### *Farming Zone*

The subject land and surrounding area is zoned Farming Zone. The purpose of the Farming Zone in the Planning Scheme is to protect and 'hold' land for the continued ability for Victoria to produce and generate food and fibre.

An Application for Planning Permit is regulated by clause 35.07 which allows application for allotments to be created in accordance with the nominated Schedule to the Zone, in this case 40 hectares is the scheduled minimum lot size. Lots less than 40 hectares are deemed to be smaller lots in the Farming Zone provisions.

A Planning Permit may be granted to create smaller lots if the subdivision is to create a lot for an existing dwelling.

### *Response to the Farming Zone requirements*

The application is premised on the ability for the land to be subdivided based on the current lot size and the lack of restrictions or conditions on the dwelling excision provision. The ability to make the application does not mean that it is a reasonable planning outcome, and when considered in the context of the historical subdivisions, the application is considered to be contrary to the purposes of the Farming Zone, and does not represent orderly planning in the district.

Officers recognise that the Farming Zone provisions from 2006 through 2013 provided that where a dwelling is to be excised, that the land would then be subject to a mandatory requirement for a legal agreement preventing further subdivision of the land, but that such requirement was removed. Since the amendment to remove the mandatory agreement, Officers and Council have regularly imposed (or sought to impose) conditions preventing further subdivision and dwelling development on the balance allotments. In the absence of the condition, the entitlement to subdivide is perpetuated without control.

On the basis that the original planning unit (the subdivision history) under the current controls would allow for only 2.4 total lots on a density basis, the current five lots and five dwellings is considered overly dense, and the proposal to add a sixth lot and not provide a restriction against another dwelling is unreasonable.

The use of the land for the desired use, agricultural production, is already disadvantaged, and would experience further detriment through the proposal.

### *Bushfire Management Overlay*

The subject land is partly contained within the Bushfire Management Overlay.

The application is supported by a full Bushfire Management Statement prepared by the consultant, which confirms that the land, when considering the landscape perspective of fire behaviour, is at low risk.

When assessing a planning application for a permit Council must:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk if the risk is sufficiently low.*

### *Response to Bushfire Planning*

The subject land is partly contained within the Bushfire Management Overlay and the inherent risk of bushfire attack is high. It is important to note that not all rural locations within East Gippsland are 'high risk'.

The south west boundary of the lot is near to densely vegetated freehold land. A result of the subdivision is that the 'use' of land for a dwelling will become 'as of right' on the balance lot. A future proposed dwelling might require a planning permit by virtue of the BMO, however, there is the potential to site a dwelling outside the overlay.

The CFA have provided consent in terms of the technical application requirements relating to the Bushfire Management Overlay controls.

### *General Overview:*

The creation of small lots in agricultural areas has the potential to:

- Permanently remove land from being used for productive agriculture;
- Create amenity conflicts between genuine farming enterprises, and residents of a dwelling on a 'lifestyle residential lot';
- Create a resource burden on service providers and Council;
- Place people in an isolated environment away from social infrastructure;
- Artificially inflate the price of land in rural areas (which prevents genuine enterprises from expanding their holdings or operations); and
- Threaten the broader agricultural sector.

It has been observed that the agricultural value of the land is in 'dry land grazing'. It is difficult to sustain an argument that two agricultural operations or enterprises are able to efficiently and effectively farm the land, without further detail. There is no evidence of existing or new proposed agricultural uses for the land.

### **Collaboration**

Not applicable

### **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.



## **Council Policy**

### Twin Rivers Land Use Plan

The Twin Rivers Land Use Plan covers Nicholson, Swan Reach, Johnsonville and Tambo Upper. It is the most relevant and important strategic document for this area. Its key findings include:

#### ***Rural Living Zoned Land***

*8) A sufficient supply of lots exists on RLZ to meet forecast demand over the next 20-year period, provided that the subdivision of large RLZ vacant lots occurs.*

*9) Potential exists for a number of the larger lots to be used for farming purposes, and in that case the land might not be subdivided over the next 20-year planning period.*

*Further research into the potential for large vacant and occupied lots to be subdivided in the future may be required.*

*10) The minimum subdivision size for RLZ1 land is 2ha, which is half the minimum subdivision size of RLZ2 land of 4ha. Rezoning parts of the RLZ2 land in Twin Rivers to RLZ1 could encourage the subdivision of this land and contribute to an additional supply of RLZ lots. This should only be entertained where land is located in close proximity to a Township area, and where land is not required for potential future township growth.*

From this, there is an identified finding that the Twin Rivers area has sufficient supply of rural living zoned land. Therefore, there is sufficient rural living opportunities and outcomes already available in the immediate locality. Future rural living opportunities are also directed to occur closer to settlements and services. The Twin Rivers Land Use Plan does not support the creation of further rural residential outcomes in farming areas or land zoned farming.

The Twin Rivers Land Use Plan also highlights that there is no short or medium term need to further create rural living type outcomes outside of area already zoned for that purpose. In other words, the creation of rural living outcomes in this case is not supported by the Twin Rivers Land Use Plan.

### Rural Land Use Strategy

Council is in the early stages of preparing a Rural Land Use Strategy. This will be one of the most important strategic planning documents that Council undertakes in the context of the East Gippsland Planning Scheme.

Given that the Strategy is still in its formulation stage, it cannot be considered in the assessment of this proposal.

Currently, there is very little policy basis for approving this subdivision under the current planning scheme policy.

## Options

1. Endorse the officer recommendation.
2. Move an alternate motion for approval subject to conditions.

Officers strongly recommend that an alternative motion, if proposed, contain a provision for prevention of a dwelling on the balance allotment and prevention of further subdivision, for the reasons outlined in the report regarding the development of the land over time.

## Resourcing

### *Financial*

Not applicable

### *Plant and equipment*

Not applicable

### *Human Resources*

The application was assessed utilising existing officer resources.

### *Risk*

The risks of this proposal have been considered and are relatively minor in nature. There is a usual risk in relation to a challenge to Council's determination of the matter through VCAT.

## Economic

There are minor economic risks associated, however the long-term sustainability of agricultural production on the land and in the locality must be considered, and the position taken is that there is a long term detriment to the economic viability of agricultural production as a result of this and past subdivisions.

## Social

There are minimal social implications of the proposal, whether the recommendation is supported or not.

## Environmental

The proposal will have a detrimental impact on the capability of the land to be farmed and will have negative impacts on the ability of the land to accommodate intensive agricultural production. This ability has already been degraded over time, and the outcome would be further detrimental.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

The proposed recommendation forms a part of sustainable land use planning, by way of restriction of development for non-agricultural purposes outside of settlement areas, especially prevention of inappropriate subdivision creating rural-residential expectations. Allowing further encroachment threatens agricultural productivity and creates demand for higher intensity agricultural production which can come at increased environmental costs.

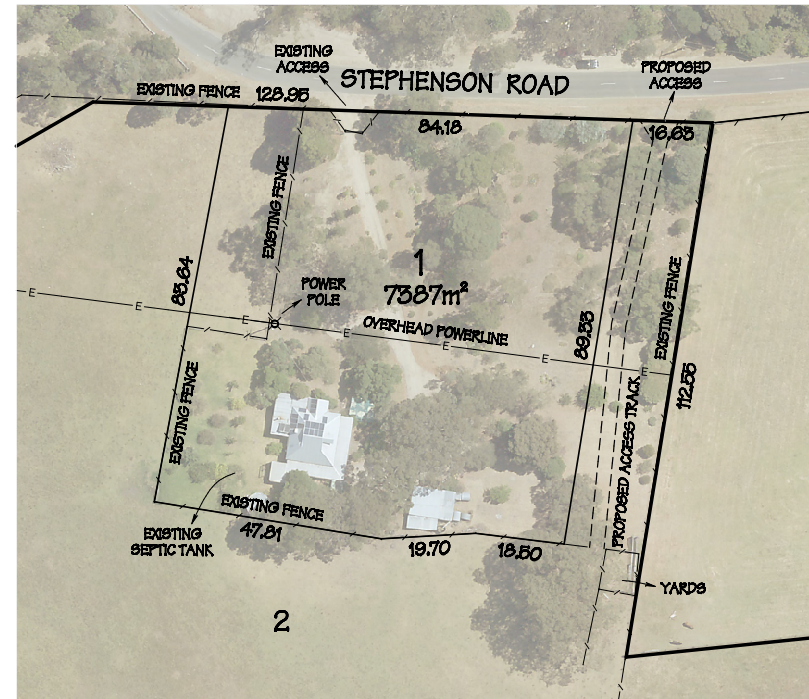
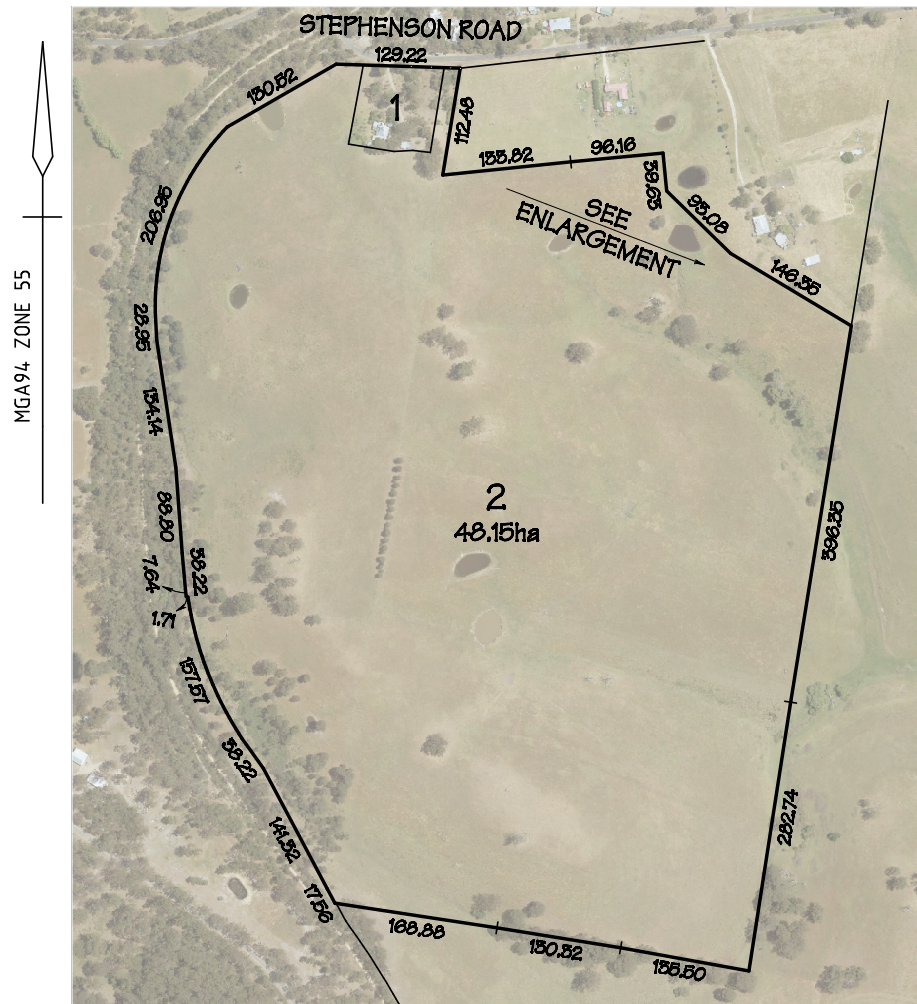
### **Engagement**

Public notice was undertaken in accordance with section 52 of the *Planning and Environment Act 1987*. Adjoining land owners were notified and a sign placed on site.

No objections were received.

### **Attachments**

1. Application Materials [5.3.2.1 - 33 pages]
2. Applicant Supporting Information - Subdivision History [5.3.2.2 - 5 pages]
3. Detailed Assessment against the Planning Scheme [5.3.2.3 - 17 pages]



SCALE OF ENLARGEMENT  
1:1000

<p><b>DARREN TRUSCOTT</b> 568 SWAN REACH ROAD, TAMBO UPPER</p>	<p><b>NOTATIONS</b></p>		<p><b>PROPOSED SUBDIVISION</b></p>	
<p><b>Crowthers &amp; Sadler Pty. Ltd.</b> LICENSED SURVEYORS &amp; TOWN PLANNERS 182 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 8182 8011 E. contact@crowthersadler.com.au</p>	<p>AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY</p>		<p>PARISH OF TAMBO CROWN ALLOTMENTS 46A, 47, 68B &amp; 68C (PARTS)  LOT 1 ON PS808306W</p>	
	<p>SCALE (SHEET SIZE A3)</p>	<p>SURVEYORS REF.</p>		
<p>FILENAME: N:\Jobs\17000-17999\17300-17399\17376 Truscott\17376 Prop V3.pro East Gippsland Shire Council - Agenda Council Meeting - Tuesday 5 October 2021</p>	<p>1 : 5000</p>	<p>17376 VERSION 3 - DRAWN 03/04/2018</p>		

**Kerry Stow**

---

**From:** SeamlessCMS@seamless.com.au  
**Sent:** Friday, 13 April 2018 10:40 AM  
**To:** Planning Department  
**Subject:** Planning Permit Submitted  
**Attachments:** COT\_Vol11907Fol669.pdf; 17376\_Prop\_V3.pdf; 17376Reportdidg.pdf

**Online Form Submitted**

Date Submitted: 13 Apr 2018 10:39 AM

Name	
Business trading name	Crowther & Sadler Pty Ltd
Email address	contact@crowthersadler.com.au
Postal address	PO Box 722 Bairnsdale, VIC, 3875
Home	
Work	5152 5011
Mobile	
Owners name	Darryn Truscott
Owners business trading name. (if applicable)	
Owners email address	
Owners postal address	C/- Crowther & Sadler PO Box 722 Bairnsdale
Home.	
Work.	
Mobile.	
Street number	860
Street name	Stephenson Road
Town	Tambo Upper
Post Code	3885
Lot Number	1
Plan Number	PS808306W
Plan type	Plan of subdivision
Copy of plan	No file attached
Crown allotment No	
Section No	
Parish/Township name	
Has there been a pre-application meeting:	Yes
If yes, Officers' name:	Martin Ireland
Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	No
Will the proposal result in a breach of a registered covenant restriction or agreement?	No

Description of proposal - Describe the use, development or other matter which requires a permit	Proposed Two lot Subdivision (Dwelling Excision)
Existing conditions - Describe how the land is used and developed now	Existing Dwelling & associated Outbuildings
Estimated cost of development. Note: You may be required to verify this estimate	n/a
Title (must have been generated within the past 30 days	COT_Vol11907Fol669.pdf (Attached)
Covenants or Section 173 agreements	No file attached
Site Plan/floor - plan/elevations	17376_Prop_V3.pdf (Attached)
Planning report	17376Reportdidg.pdf (Attached)
1. Supporting information/reports	No file attached
2. Supporting information/reports	No file attached
3. Supporting information/reports	No file attached
4. Supporting information/reports	No file attached
5. Supporting information/reports	No file attached
6. Supporting information/reports	No file attached
7. Supporting information/reports	No file attached
8. Supporting information/reports	No file attached
I declare that I am the applicant and that all the information in this application is true and correct and the owner (if not myself) has been notified of the permit application.	Yes



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## REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 11907 FOLIO 669

Security no : 124071245758M  
Produced 11/04/2018 04:44 pm

### LAND DESCRIPTION

Lot 1 on Plan of Subdivision 808306W.

PARENT TITLES :

Volume 09345 Folio 174      Volume 10685 Folio 542

Created by instrument PS808306W 16/08/2017

### REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

DARRYN WAYNE TRUSCOTT of 229 TAMBO UPPER ROAD SWAN REACH VIC 3903  
AQ214731F 06/09/2017

### ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

### DIAGRAM LOCATION

SEE PS808306W FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

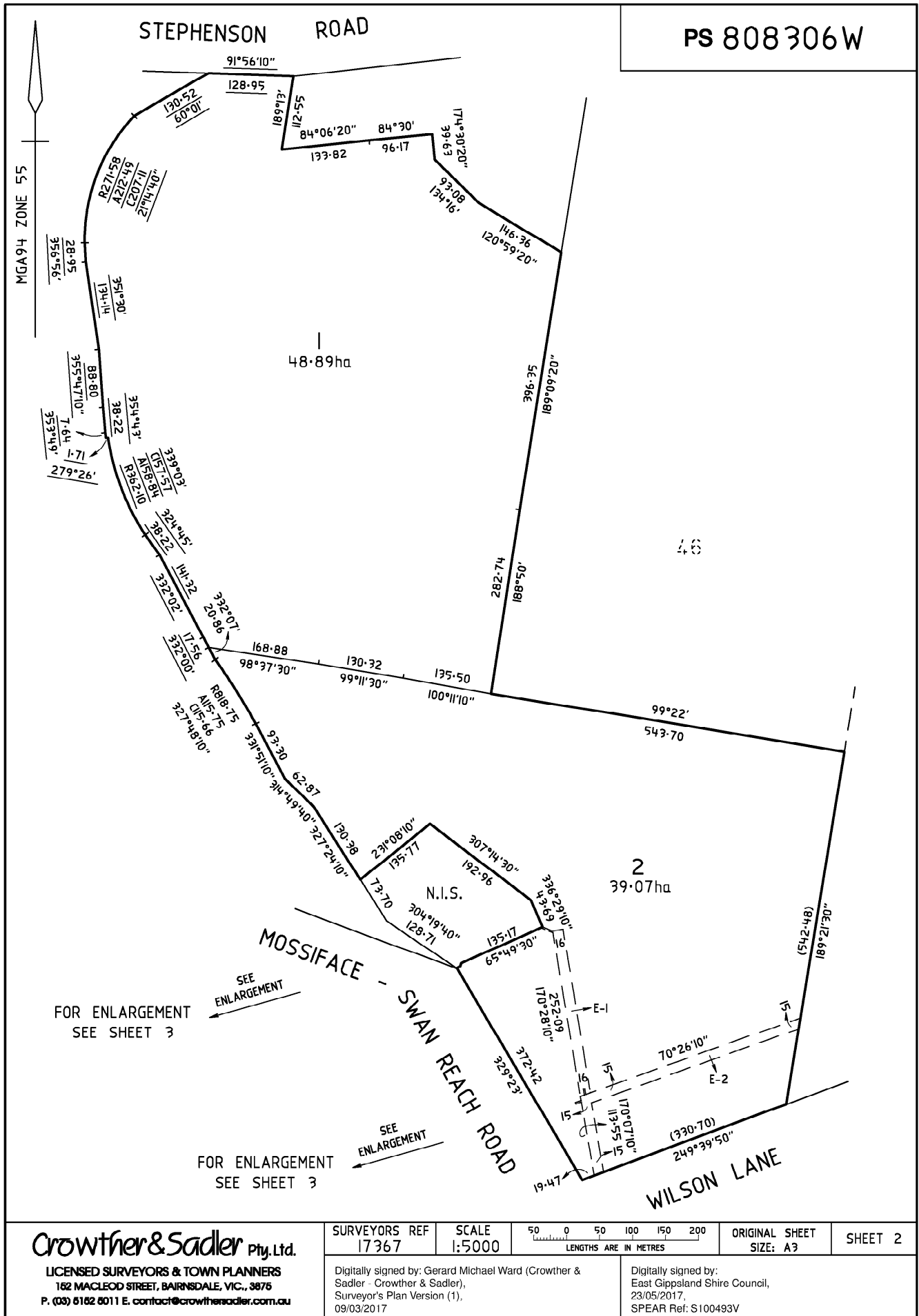
Additional information: (not part of the Register Search Statement)

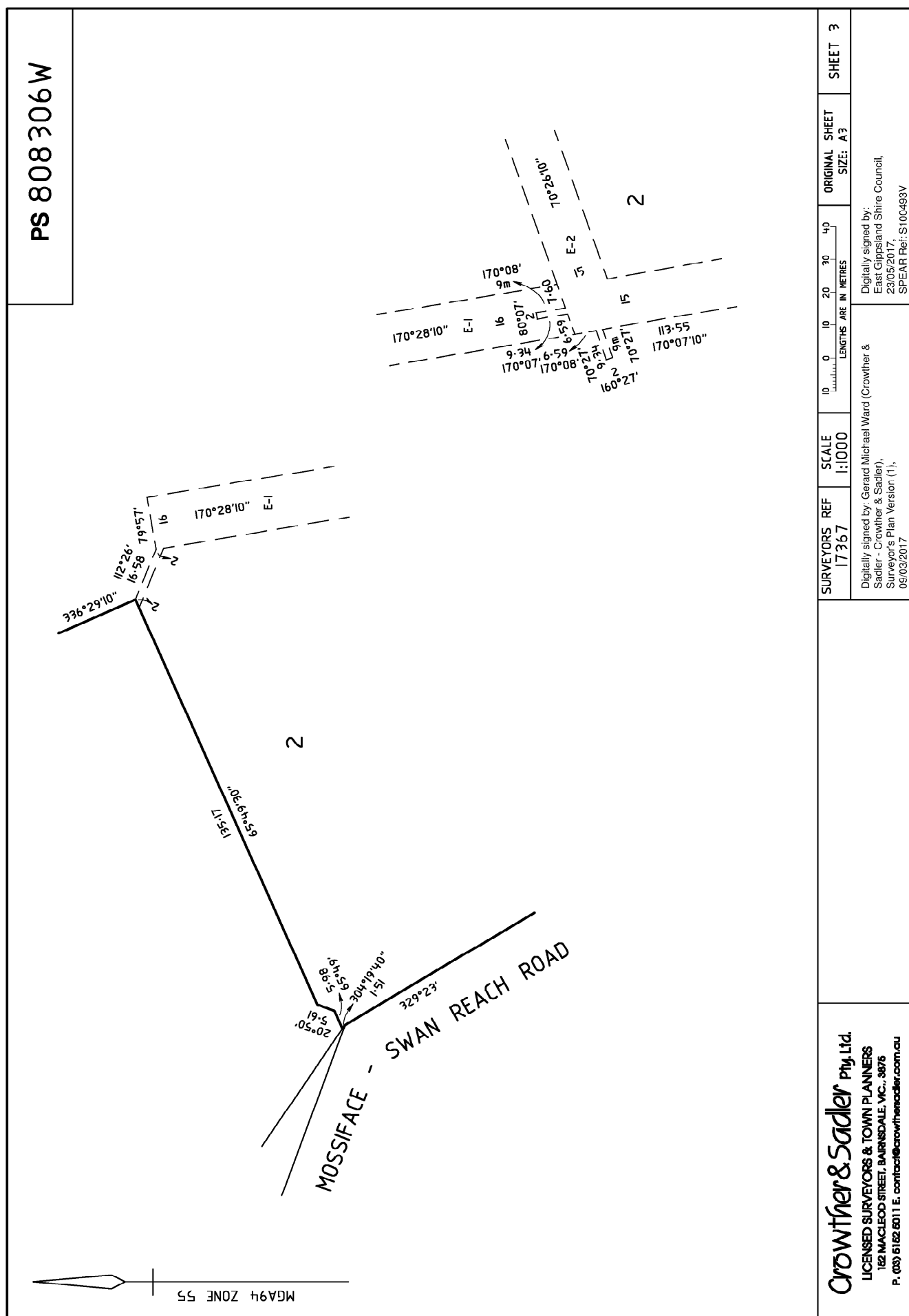
Street Address: 860 STEPHENSON ROAD TAMBO UPPER VIC 3885

DOCUMENT END



PLAN OF SUBDIVISION		EDITION 1		PS 808306W	
<b>LOCATION OF LAND</b>  <b>PARISH:</b> TAMBO <b>TOWNSHIP:</b> _____ <b>SECTION:</b> _____ <b>CROWN ALLOTMENT:</b> (PARTS) 46A, 47, 68B & 68C <b>CROWN PORTION:</b> _____ <b>TITLE REFERENCE:</b> VOL 9345 FOL 174 VOL 10685 FOL 542  <b>LAST PLAN REFERENCE:</b> LOT 1 - TPI7066IN LOT 2 - PS510092Y <b>POSTAL ADDRESS:</b> 568 SWAN REACH ROAD & (at time of subdivision) 860 STEPHENSON ROAD, TAMBO UPPER, 3885  <b>MGA CO-ORDINATES:</b> E: 572 490 <b>ZONE:</b> 55 (of approx centre of land in plan) N: 5818 880 <b>GDA 94</b>			Council Name: East Gippsland Shire Council  Council Reference Number: PS808306W Planning Permit Reference: 75/2017/P SPEAR Reference Number: S100493V  Certification  This plan is certified under section 6 of the Subdivision Act 1988  Statement of Compliance  This is a statement of compliance issued under section 21 of the Subdivision Act 1988  Public Open Space  A requirement for public open space under section 18 of the Subdivision Act 1988 Has not been made at Certification  Digitally signed by: Aaron David Hollow for East Gippsland Shire Council on 23/05/2017		
<b>VESTING OF ROADS AND/OR RESERVES</b>			<b>NOTATIONS</b>		
IDENTIFIER		COUNCIL/BODY/PERSON		DIMENSIONS SHOWN UNDERLINED ARE NOT THE RESULT OF THIS SURVEY. THE AREA OF LOT 1 IS BY DEDUCTION FROM TITLE.	
NIL		NIL			
<b>NOTATIONS</b>					
<b>DEPTH LIMITATION</b> 15.24 METRES BELOW THE SURFACE APPLIES TO CROWN ALLOTMENTS 68B & 68C (PARTS)					
<b>SURVEY:</b> This plan is based on survey.  <b>STAGING:</b> This is not a staged subdivision. Planning Permit No. 75/2017/P  This survey has been connected to permanent marks No(s).  In Proclaimed Survey Area No.					
<b>EASEMENT INFORMATION</b>					
<b>LEGEND:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	POWERLINE	SEE DIAG.	PS510092Y - SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	TXU ELECTRICITY LTD	
E-2	TRANSMISSION OF ELECTRICITY	SEE DIAG.	M811710V - SEC. 103 S.E.C. ACT 1958 SEC. 49 LANDS COMPENSATION ACT	S.E.C.V.	
<b>Crowther &amp; Sadler Pty. Ltd.</b> <b>LICENSED SURVEYORS &amp; TOWN PLANNERS</b> 162 MACLEOD STREET, BAIRNSDALE, VIC., 3875 P. (03) 8182 8011 E. <a href="mailto:contact@crowthersadler.com.au">contact@crowthersadler.com.au</a>		SURVEYORS FILE REF: <b>17367</b>  Digitally signed by: Gerard Michael Ward (Crowther & Sadler - Crowther & Sadler), Surveyor's Plan Version (1), 09/03/2017		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 3 SHEETS
				PLAN REGISTERED TIME: 4:59 PM DATE: 16/8/17 L. White Assistant Registrar of Titles	





## Planning Report

Proposed Two Lot Subdivision (Dwelling Excision)  
860 Stephenson Road, Tambo Upper  
Reference – 17376

13 April 2018



17376Reportdidg.doc

## Contents

<b>1.</b>	<b>Introduction</b>	<b>3</b>
<b>2.</b>	<b>Subject Land &amp; Surrounding Context</b>	<b>4</b>
<b>3.</b>	<b>The Application &amp; Proposal</b>	<b>6</b>
<b>4.</b>	<b>Cultural Heritage</b>	<b>9</b>
<b>5.</b>	<b>Planning Policy</b>	<b>10</b>
	5.1 State Planning Policy	10
	5.2 Local Planning Policy	10
<b>6.</b>	<b>Planning Elements</b>	<b>11</b>
	6.1 Farming Zone	11
	6.2 Erosion Management Overlay	13
	6.3 Bushfire Management Overlay	14
<b>7.</b>	<b>Conclusion</b>	<b>17</b>
<b>8.</b>	<b>Attachments</b>	
	Fees (Chq - \$1,240.70)	
	Proposed Subdivision Plan (Version 3, dated 3/04/2018)	
	COT (Lot 1 on PS808306W)	

*Applicable Planning Application Fee: \$1,265.60 (to be paid by credit card)*

## 1. Introduction

This planning report is prepared in support of proposed Two Lot Subdivision (Dwelling Excision) at 860 Stephenson Road, Tambo Upper. The report addresses the provisions of the Farming Zone, Erosion Management Overlay and Bushfire Management Overlay as contained within the *East Gippsland Planning Scheme*.



*Aerial view of subejct land and surrounding precinct – Source: LASSI SPEAR (DELWP)*

## 2. Subject Land & Surrounding Context

The subject land is formally described as Lot 1 on PS808306W and is approximately 48.89ha in area.

An existing dwelling and associated outbuilding and infrastructure reside on the northern portion of the land however the majority of the sited is cleared grazing land.



*View of existing dwelling and outbuilding*



*View south west across subject land from north western corner of site*



There are some remnant scattered trees located throughout the site however vegetation within proximity to the existing house has been planted by the current owner's late mother.



*View towards some planted site vegetation (east of existing dwelling) – Google Earth*

The site has frontage to Stephenson Road to the north which is a good quality bitumen road provided with gravel shoulders. The East Gippsland Rail Trail also adjoins the western property boundary which is a gravel track which extends approximately 100km from Bairnsdale through to Orbost.



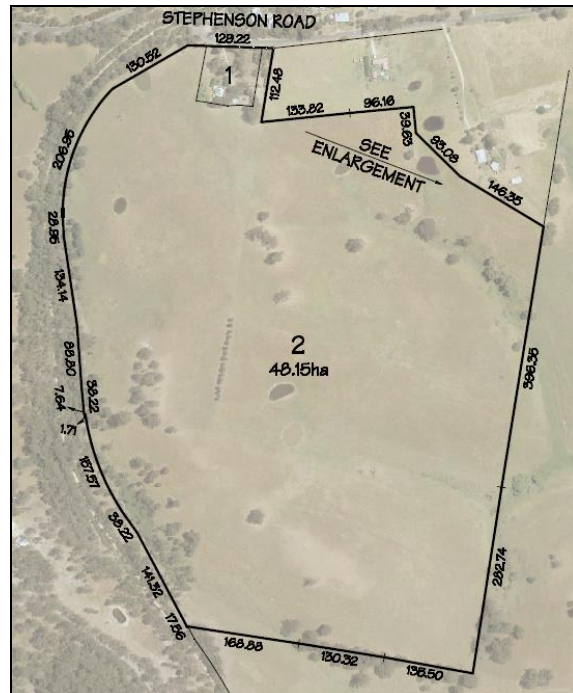
*View east along Stephenson Road (subject land on right)*

The subject land is mapped as being affected by the provisions of the Farming Zone – Schedule 1, Erosion Management Overlay, Bushfire Management Overlay and Vegetation Protection Overlay – Schedule 1 of the *East Gippsland Planning Scheme*.

Whilst the subject land and surrounding precinct is mapped as being Farming Zone – Schedule 1 the precinct essentially forms a rural residential precinct given the presence of numerous dwellings on smaller sized allotments.

### 3. The Application & Proposal

The Application seeks approval for a Two Lot Subdivision to Excise an Existing Dwelling. The subdivision of the land will result in the creation of Lot 1 of approximately 7387m<sup>2</sup> in area which will contain the existing dwelling and Lot 2 of approximately 48.15ha in area which will be a balance allotment containing the farming land.



*Proposed Subdivision Layout – Crowther & Sadler Pty Ltd*

The subdivision has been designed to ensure the existing access provisions associated with the dwelling will be retained with proposed Lot 1.



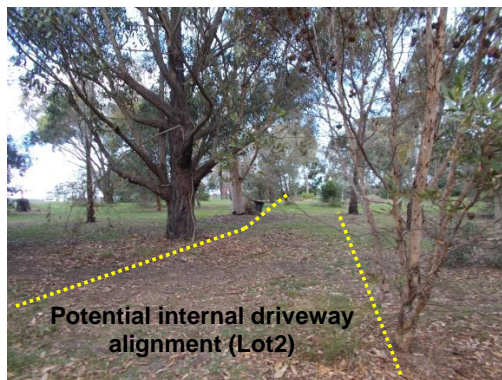
*Existing access to service Lot 1*

New access will need to be facilitated from Stephenson Road to proposed Lot 2. This access will be established to the east of the existing dwelling to ensure there are adequate sight lines when exiting and entering Stephenson Road.



*View south towards proposed access point for Lot 2*

Internal access for proposed Lot 2 will have the ability to meander through the existing planted vegetation to facilitate access to the farming balance and cattle yards.



*Planted vegetation and cattle yards within proposed Lot 2*

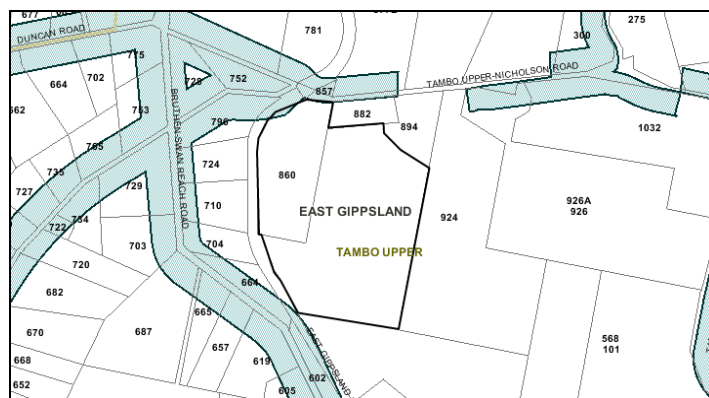


The boundaries have also been nominated to ensure the existing septic lines and discharge area associated with the existing dwelling are retained wholly within Lot 1.



*View east towards existing dwelling and effluent disposal area*

Whilst the site is affected in part by the provisions of the Vegetation Protection Overlay – Schedule 1, it does not trigger planning approval herein as there is no vegetation removal proposed or that will result from the subdivision.



*Vegetation Protection Overlay Mapping – Source: Planning Maps Online (DELWP)*

The subject Application triggers approval at the following Clauses of the *East Gippsland Planning Scheme*:-

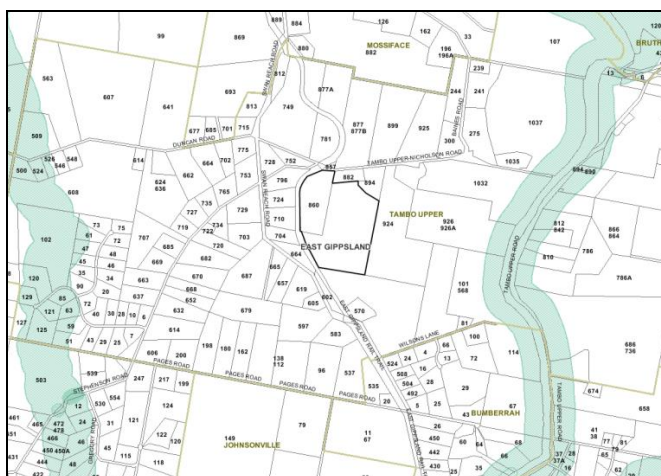
- **Clause 35.07-3** for subdivision of land in accordance with Farming Zone provisions;
- **Clause 44.04-4** for subdivision of land in accordance with Erosion Management Overlay provisions; &
- **Clause 44.06-2** for subdivision of land in accordance with Bushfire Management Overlay provisions.

#### 4. Cultural Heritage

The proposal does not trigger any mandatory requirement to provide a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

Pursuant to Regulation 6 of the *Aboriginal Heritage Regulations 2007*, a CHMP is required for an activity if:

- all or part of the activity area for the activity is in an area of cultural heritage sensitivity; and*
- all or part of the activity is a high impact activity.*



*Cultural Heritage Sensitivity Mapping – Source: Planning Maps Online (DELWP)*  
Sensitive areas shown 'green'

The subject land is not mapped as being cultural heritage sensitive and the proposed Two Lot Subdivision is not identified as being a high impact activity under the *Aboriginal Heritage Regulations 2007*. There is therefore no mandatory requirement to provide a CHMP as part of the Application.

## 5. Planning Policy

State and Local Planning Policy is addressed below in support of the proposed development.

### 5.1 State Planning Policy

Clause 12 of the State Planning Policy Framework relates to *Environmental & Landscape Values* and highlights the importance of protecting and conserving Victoria's biodiversity. The proposed subdivision responds positively to the objectives of the Clause as the subdivision will simply segment the existing dwelling from the larger farming component of the land. There will be no loss of native vegetation as a result as the proposed boundaries have been nominated to ensure retention.

Consideration has been given to Clause 13 relating to *Environmental Risks* given the inclusion of the subject land within the Erosion Management Overlay and Bushfire Management Overlay mapping.

The objectives of Clause 13.03-2 relating to *Erosion & Landslip* seek to protect areas prone to erosion, landslip and other land degradation processes. Although the whole of the land is affected by the Erosion Management Overlay the proposal for Two Lot Subdivision in a rural zone is not considered to significantly increase the risk of land degradation hazards.

The objectives of Clause 13.03-2 relating to *Bushfire Planning* seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises protection of human life. The proposed subdivision is not considered to result in any significant increase in risk to life and property as both proposed allotments will contain sufficient area for future development to be established outside of the Bushfire Management Overlay mapping.

The proposed subdivision responds positively to the objectives of Clause 14.01-1 relating to Protection of Agricultural Land as it will not remove any productive agricultural land from rural production. The subdivision will simply segment the existing dwelling paddock from the farming component of the land.

### 5.2 Local Planning Policy

The proposal is considered to respond positively to Clause 21.06 of the Municipal Strategic Statement which relates to *Natural Resource Management*. The Clause discusses the importance of protecting agricultural land which the proposed subdivision is considered to achieve given the proposed boundaries will simply segment the existing dwelling from the farming component of the land.

Consideration has been given to Clause 21.05-2 relating to *Erosion* which seeks to ensure that land use and development is directed to locations and carried out in ways which minimise its vulnerability to the threat of erosion. As the subdivision simply seeks to create two allotments within a farming zone, the risk of erosion is limited and negates the need for a Geotechnical Risk Assessment to be provided in support of the Application.

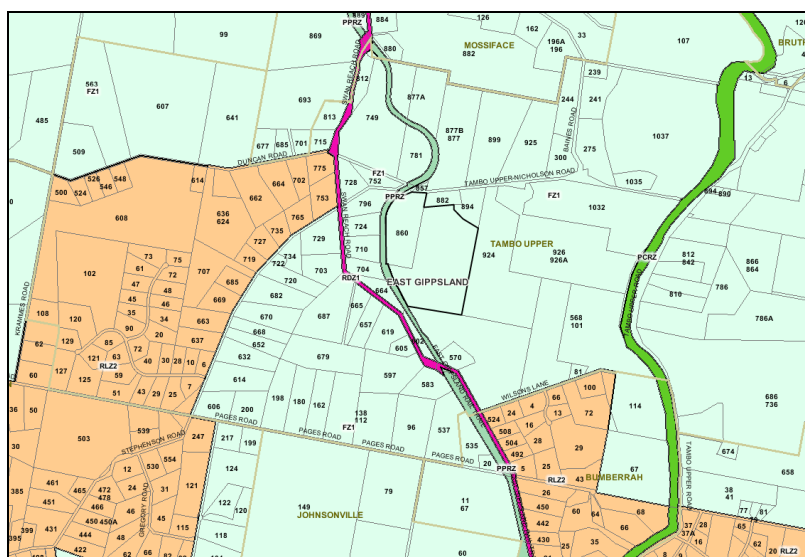
Clause 21.05-3 relating to *Bushfire* outlines that the extent of forested areas and the species composition of forests leads to high risk of bushfire, relative to many other areas of Victoria. The main objective to this Policy is to ensure that land use and development is directed to locations and carried out in ways that minimise its vulnerability to the threat of fire. A response has been provided to the provisions of the Bushfire Management Overlay which demonstrates how vulnerability to the threat of fire can be appropriately minimised.

## 6. Planning Elements

The planning zone and overlays as affecting the subject land are addressed below.

### 6.1 Farming Zone

The whole of the subject land is mapped as being within the Farming Zone – Schedule 1, the purpose of which is to provide for the use of land for agriculture and ensure non-agricultural uses do not adversely impact on agriculture. The zone also seeks to encourage retention of employment and population to support rural communities and encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.



Zone Mapping – Source: Planning Maps Online (DELWP)



The proposal is most consistent with the purpose of the Farming Zone as it will simply excise the existing dwelling from the farming component of the land. It will not result in the loss of any productive agricultural land.

Schedule 1 to the Farming Zone has a minimum subdivision area of 40ha. Notwithstanding this, the Application has been made in accordance with dot point 1 to Clause 35.07-3 which allows for creation of a lot less than 40ha for an existing dwelling.

#### Decision Guidelines

The subdivision has been designed having regard for the location of the existing dwelling, associated infrastructure and access provisions.

- The proposed boundaries ensure that the existing effluent disposal will be contained wholly within the boundaries of proposed Lot 1.
- The existing access provisions will be retained with the dwelling (Lot 1) and the new access to proposed Lot 2 has been sited having regard for safe sight lines.
- It would be impractical to provide access to Lot 2 from the western side of the existing dwelling due to the alignment of Stephenson Road.



*View west along Stephenson Road from existing driveway*

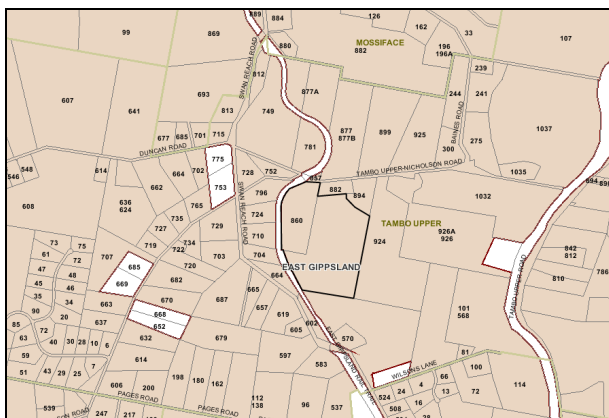
The proposed subdivision layout will be easily incorporated into the surrounding allotment pattern having regard for the rural residential nature of the precinct. There are numerous smaller style allotments within the immediate and wider locality.

The subdivision will simply excise the existing dwelling from the balance of the land and will not result in the loss of any viable productive land.

The proposed subdivision will not have a detrimental impact on the amenity of the surrounding rural residential precinct. There will be no change in use as a result of the proposal.

## 6.2 Erosion Management Overlay

The whole of the subject land is mapped as being affected by the provisions of the Erosion Management Overlay which triggers planning approval at Clause 44.01-4 for subdivision of the land.



*Erosion Management Overlay – Source: Planning Maps Online (DELWP)*

Given the subdivision will simply subdivide the existing dwelling from the balance of the land it is not considered to give rise to any detrimental impacts from erosion, landslip or any other land degradation processes.

### Application Requirements

- The below contour diagram provides a pictorial demonstration of the landform.
- Works associated with the subdivision will be limited given it will simply excise the existing dwelling from the balance of the land. A new access point will need to be established for access into Lot 2 and some minor fencing may be established.
- It is anticipated that the standard suite of Conditions pertaining to sediment control will be placed on Permit.



*Contour Mapping – Source: LASSI SPEAR (DELWP)*

- There are no buildings and works associated with the proposed subdivision. The Application seeks approval for subdivision of the land only.
- There is no vegetation removal associated with the proposal. Existing site vegetation will not be adversely impacted upon.

### 6.3 Bushfire Management Overlay

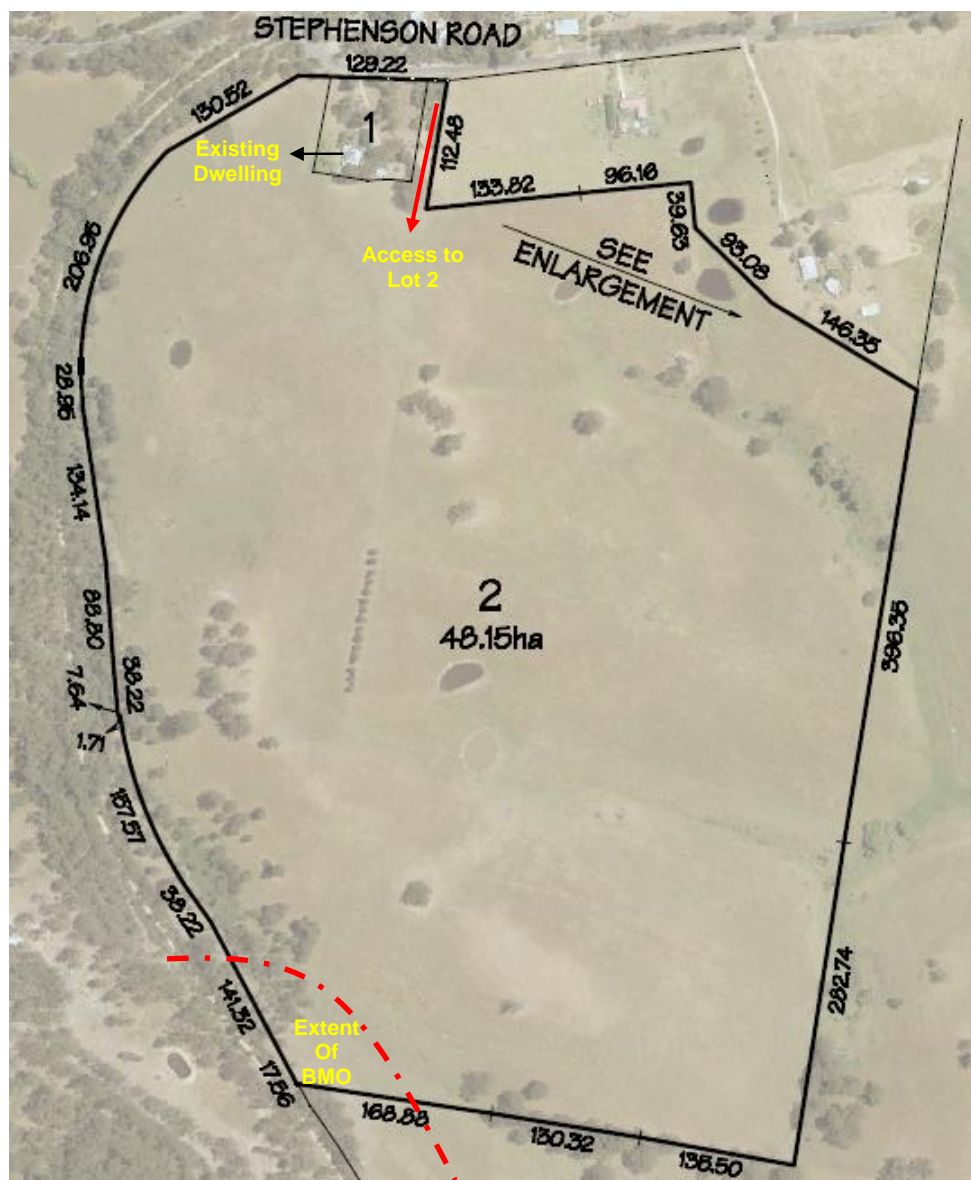
*Bushfire Management Overlay Mapping – Source: Planning Maps Online (DELWP)*

Proposed Lot 1 as containing the existing dwelling will be totally excluded from the Bushfire Management Overlay. Should the owner of Lot 1 decide to either replace the existing dwelling or construct an additional dwelling, approval will not be triggered by the Bushfire Management Overlay.

Proposed Lot 2 is a large balance allotment with only the south western corner being affected by the provisions of the Bushfire Management Overlay. It is unlikely that any future development of a dwelling on Lot 2 would be located within the area affected by the provisions of the Bushfire Management Overlay.

Access and servicing is provided from Stephenson's Road to the north making the northern section of the site much more attractive for any future residential development on Lot 2. It would be considerably more expensive to provide a dwelling on the south western portion of the site.

It is highly likely that if in the event a dwelling were to be established on Lot 2 into the future, that it would be excluded from the Bushfire Management Overlay Mapping having regard for the vast area available.



Proposed Subdivision and Aerial Photograph – Source: Crowther & Sadler Pty Ltd



Providing a future dwelling on the northern section of proposed Lot 2 will respond well to the provisions of the Bushfire Management Overlay. The risk to life and property is considered to be minimised most of all by not constructing a dwelling on land within the Bushfire Management Overlay.

If in the unlikely event someone decided to build a future dwelling on the south western portion of the property it would trigger further consideration and approvals under the provisions of the Bushfire Management Overlay.

The broader context of the site is not considered to provide any excessive risk in terms of bushfire. This is evident by the omission from the majority of the subject land and some surrounding allotments from the Bushfire Management Overlay.



*Bushfire Hazard Landscape Assessment – Source: LASSI SPEAR (DELWP)*

As the subject land is zoned Farming Zone, there is no requirement for the mandatory subdivision condition as referenced at Clause 44.06-5.

Having regard for the above commentary it is respectfully requested that the Responsible Authority waive the requirement for a Bushfire Hazard Landscape Assessment, Bushfire Hazard Site Assessment and Bushfire Management Statement document. These documents are not considered relevant to the assessment of the Application given the limited inclusion of the site within the Bushfire Management Overlay and circumstances of the land.

## 7. Conclusion

The proposed Two Lot Subdivision (Dwelling Excision) at 860 Stephenson Road, Swan Reach is considered to accord with all relevant provisions of the Farming Zone, Bushfire Management Overlay and Erosion Management Overlay of the *East Gippsland Planning Scheme*. The proposal is consistent with State and Local Policy and has been designed to complement the adjoining properties.

For these reasons we respectfully request that Council consider the merits of the Application favourably and resolve to issue a Planning Permit.

MICHAEL SADLER  
Managing Director

Our ref: 17376<sup>AMP</sup>

22 May 2018

Acting Development Coordinator  
East Gippsland Shire Council  
Via Email: [planning@egipps.vic.gov.au](mailto:planning@egipps.vic.gov.au)

**Attention: Mr. Martin Ireland**

Dear Martin,

**Re: Planning Application 120/2018/P  
Two Lot Subdivision (Dwelling Excision)  
860 Stephenson Road, Tambo Upper**

We refer to your correspondence (dated 20 April 2018) wherein you sought additional information in the form of Application Requirements under the provisions of the Bushfire Management Overlay. The following information and documentation has been provided in response.

Please find enclosed a Bushfire Hazard Site Assessment Plan (Version 1) for consideration as part of the Application. The Plan demonstrates how the majority of the property is excluded from the Bushfire Management Overlay and how there is sufficient area available to construct dwellings on each lot without triggering approval under the Bushfire Management Overlay.

Also enclosed is a Bushfire Management Statement document which describes how the proposal responds to the requirements of Clause 52.47: Planning for Bushfire and Clause 44.06: Bushfire Management Overlay.

The proposal is considered to respond positively to the relevant bushfire provisions given both allotments contain sufficient area outside of the Bushfire Management Overlay which can accommodate future development. Nominating future development outside of the Bushfire Management Overlay would ensure that the risk to life and property from bushfire is reduced to an acceptable level.

The broader context of the site is not considered to provide any excessive risk in terms of bushfire. This is evident by the omission from the majority of the subject land and some surrounding allotments from the Bushfire Management Overlay.



17376 resp.doc





*Bushfire Hazard Landscape Assessment – Source: LASSI SPEAR (DELWP)*

We trust that the enclosed information and documentation will satisfy Council's request and enable the further processing and assessment of the matter at hand.

As always, please do not hesitate to contact our office should we be able to assist further in relation to this matter.

Regards,

MICHAEL SADLER

*Encl: Bushfire Management Statement document (Version 1)  
Bushfire Hazard Site Assessment (Version 1)*

Our ref: 17376

## Bushfire Management Statement Document

### Application for Planning Permit Two Lot Subdivision (Dwelling Excision) 860 Stephenson road, Tambo Upper

#### Response to Objectives and Standards to Clause 52.47

##### CLAUSE 52.47-2.1 LANDSCAPE, SITING & DESIGN OBJECTIVES

###### Objective

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

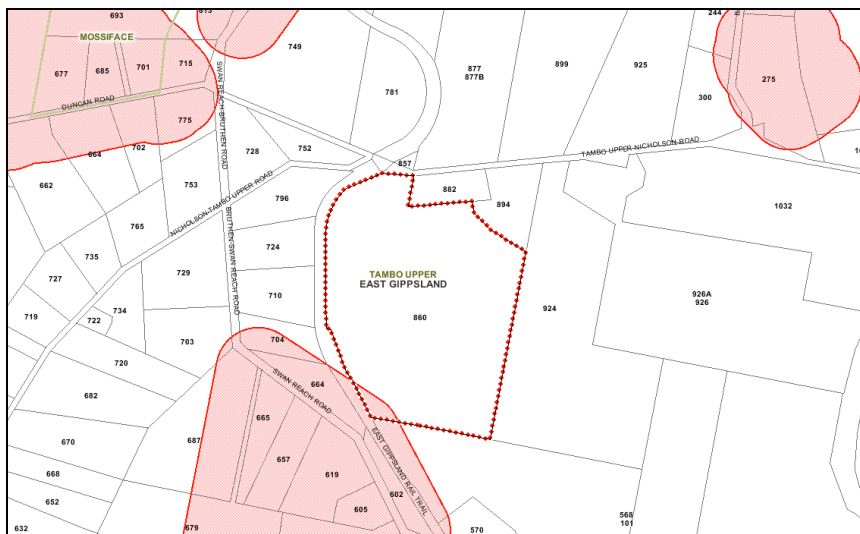
###### Approved Measures

###### AM 2.1

The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.

###### Response:

The broader context of the site is not considered to provide any excessive risk in terms of bushfire. This is evident by the omission from the majority of the subject land and many of the surrounding allotments from the Bushfire Management Overlay.



*Bushfire Management Overlay Mapping – Source: Planning Maps Online (DELWP)*



17376 BMS.doc

Principal: Michael J. Sadler, L.S., Dip Surv, M.I.S., MAICD





*Bushfire Hazard Landscape Assessment – Source: LASSI SPEAR (DELWP)*

Whilst the subject land and the immediately surrounding properties provide limited bushfire threat and are used as rural and rural residential style properties, the much wider landscape does provide some risk from wildfire given the presence of the Colquhoun Forest to the east.

Access to the township areas of nearby Nicholson and Swan Reach is provided by Stephenson Road which is a good quality sealed bitumen road capable of accommodating emergency vehicles.



*View east along Stephenson Road*

**AM 2.2**

A building is sited to ensure the site best achieves the following:

- The maximum separation distance between the building and the bushfire hazard.
- The building is in close proximity to a public road.
- Access can be provided to the building for emergency service vehicles.

**Response:**

Proposed Lot 1 as containing the existing dwelling will be totally excluded from the Bushfire Management Overlay. Should the owner of Lot 1 decide to either replace the existing dwelling or construct an additional dwelling, approval will not be triggered by the Bushfire Management Overlay.

Proposed Lot 2 is a large balance allotment with only the south western corner being affected by the provisions of the Bushfire Management Overlay. It is unlikely that any future development of a dwelling on Lot 2 would be located within the area affected by the provisions of the Bushfire Management Overlay.

Access and servicing is provided from Stephenson's Road to the north making the northern section of the site much more attractive for any future residential development on Lot 2. It would be considerably more expensive to provide a dwelling on the south western portion of the site.

In addition, there is an existing water course which traverses the section of the subject land which is affected by the provisions of the Bushfire Management Overlay. Any future development of a dwelling on Lot 2 would need to be adequately offset from this watercourse. It is therefore even more unlikely that the south western portion of the site will be utilised for a future dwelling.

It is highly likely that if in the event a dwelling were to be established on Lot 2 into the future, that it would be excluded from the Bushfire Management Overlay Mapping having regard for the vast area available.

Providing a future dwelling on the northern section of proposed Lot 2 will respond well to the provisions of the Bushfire Management Overlay. The risk to life and property is considered to be minimised most of all by not constructing a dwelling on land within the Bushfire Management Overlay.

The accompanying Bushfire Hazard Site Assessment provides a demonstration of the area available for a future dwelling on Lot 2 that is excluded from the Bushfire Management Overlay and other site constraints.

The Application at hand simply seeks to subdivide the land however if in the event a dwelling is established into the future there is the ability to site it close to the access from Stephenson Road which is capable of accommodating emergency vehicles.

**AM 2.3**

A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

**Response:**

Whilst there are no dwellings proposed as part of the Application the Bushfire Hazard Site Assessment Plan provides a demonstration of how future redevelopment within Lot 1 and future development within Lot 2 could be sited in a manner to ensure exclusion from the Bushfire Management Overlay.

Nominating development outside of the Bushfire Management Overlay is considered to dramatically reduce the risk to life and property by providing separation from main bushfire threats. Furthermore, consideration would still be given to a BAL under AS3959 at the Building Permit stage as the site and surrounds is mapped as being bushfire prone.

#### CLAUSE 52.47-2.3 WATER SUPPLY & ACCESS OBJECTIVES

##### Clause 52.47-2.3 Objective

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire

##### Approved Measures

##### AM 4.1

A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:

- A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 52.47-3.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 52.47-3.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.

##### Response:

Whilst it is unlikely that a future dwelling would be sited within the area affected by the provisions of the Bushfire Management Overlay, in the event it was to occur, a static water supply would be required to be provided in accordance with table 4 to Clause 52.47-3.

##### AM 4.2

A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:

- A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 52.47-3.
- An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

##### Response:

N/A

**CLAUSE 52.47-2.4 SUBDIVISION OBJECTIVES****Clause 52.47-2.4 Objective**

To provide lots that are capable of being developed in accordance with the objectives of Clause 52.47.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

**Approved Measures****AM 5.1**

An application to subdivide land, other than where **AM 5.2** applies, demonstrates that each proposed lot is capable of meeting:

- The defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 52.47-3.
- The approved measures in Clause 52.47-2.1 and Clause 52.47-2.3

**Response:**

As proposed Lot 1 is totally excluded from the Bushfire Management Overlay and it is highly likely that any future development on proposed Lot 2 would be located outside of the Overlay, there is no need to show defensible space on the accompanying Bushfire Hazard Site Assessment Plan.

The Bushfire Hazard Site Assessment Plan demonstrates the ability for future development to occur on the land which is totally excluded from the provisions of the Bushfire Management Overlay. Excluding development from the Overlay is considered to assist greatly with reducing bushfire risk.

**AM 5.2**

An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:

- Each lot satisfies the approved measure in **AM 2.1**.
- A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defensible space in accordance with:
  - Columns A or B of Table 2 to Clause 52.47-3 for a subdivision that creates 10 or more lots; or
  - Columns A, B or C of Table 2 to Clause 52.47-3 for a subdivision that creates less than 10 lots.

The bushfire attack level that corresponds to the defensible space provided in accordance with Table 2 to Clause 52.47-3 must be noted on the building envelope.

- Defensible space wholly contained within the boundaries of the proposed subdivision.

Defensible space may be shared between lots within the subdivision. Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space.

- Vegetation management requirements in accordance with Table 6 to implement and maintain the defensible space required under this approved measure.
- Water supply and vehicle access that complies with **AM 4.1**.

**Response:**

The Application seeks approval for subdivision within the Farming Zone.

**AM 5.3**

An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.

**Response:**

N/A

The Application seeks approval for Two Lot Subdivision (Dwelling Excision).

**AM 5.4**

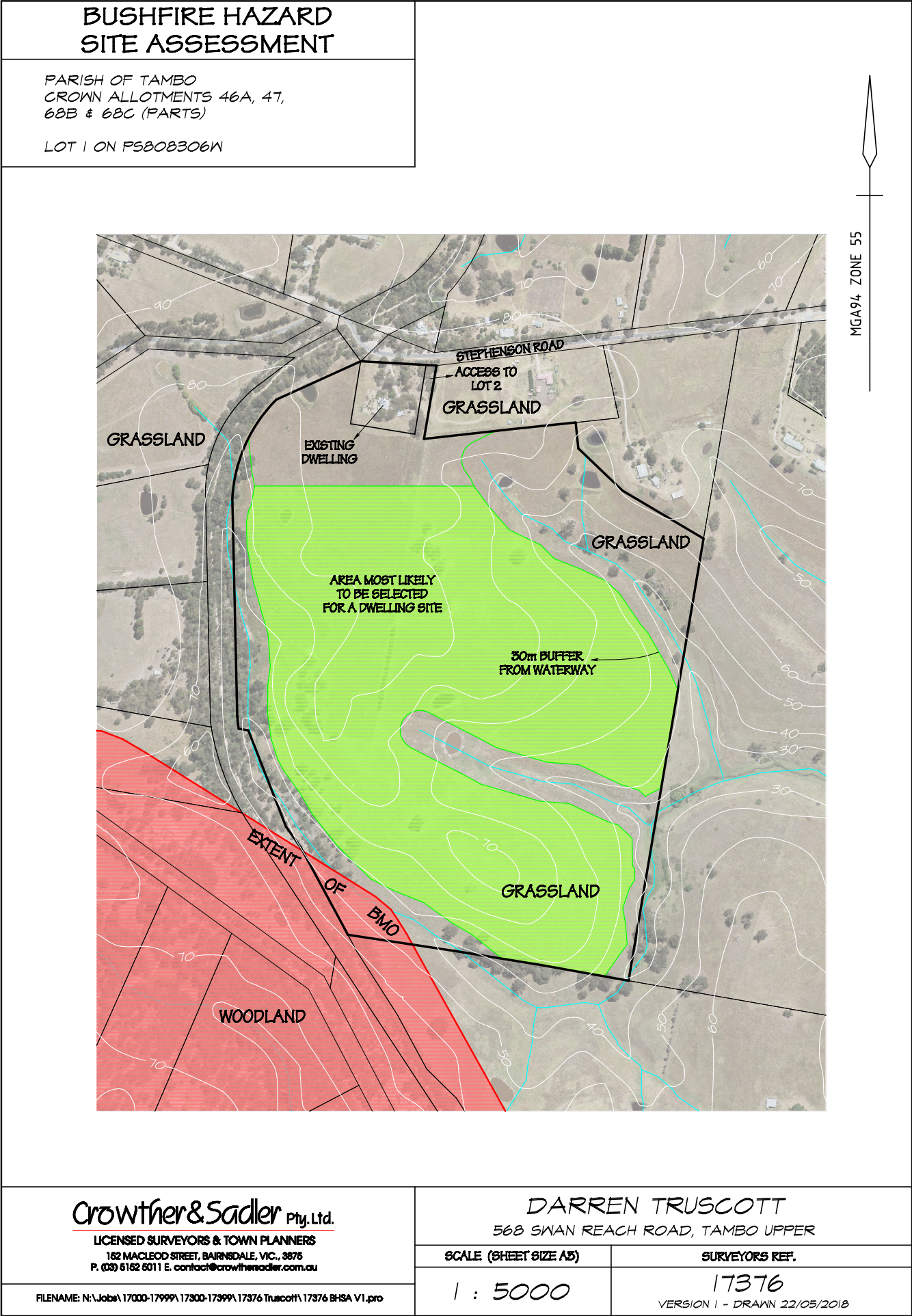
A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

**Response:**

N/A

The site forms part of an existing farming precinct and there is no known development proposed on the adjoining land that will result in additional landscaping.





Our ref: 17376AMP

18 April 2019

The Manager Statutory Services  
East Gippsland Shire Council  
Via Email: [planning@egipps.vic.gov.au](mailto:planning@egipps.vic.gov.au)

**Attention: Mr. Aaron Hollow**

Dear Aaron,

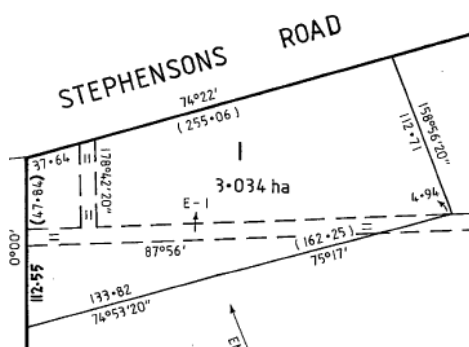
**Re; Planning Application 120/2018/P  
Two Lot Subdivision  
860 Stephenson Road, Tambo Upper**

We refer to our meeting of Wednesday 27 March 2019 where you advised you have instructed your Officers to undertake research into the subdivision history of the subject land. We have taken the liberty of compiling the following information to assist your team and to progress this matter.

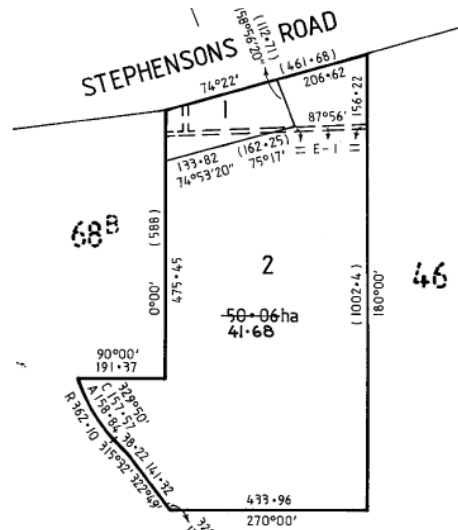
It is understood you are particularly interested in how the smaller allotments to the east of the subject land with frontage to Stephenson Road were created.

We can advise that in 1993 the Terril family subdivided part of their farm described as Crown Allotments 46A & 68c (parts), being 44.714ha. The subdivision resulted in the creation of Lot 1 of 3.034ha in area and Lot 2 of 41.68ha in area, as shown on PS329683J.

Our research determined that this subdivision was undertaken and approved under the Rural 'A' provisions of the *Tambo Planning Scheme* as applicable at that time.



Extracts from PS329683J



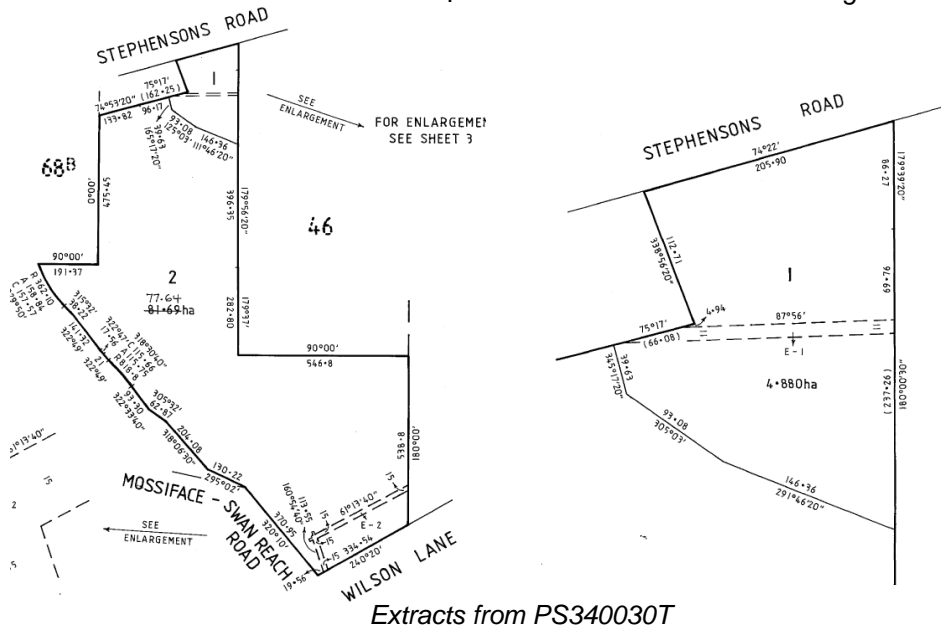
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152 Macleod St.  
PO Box 722,  
Bairnsdale, VIC 3875

P: 5152 5011  
F: 5152 5705

E: [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

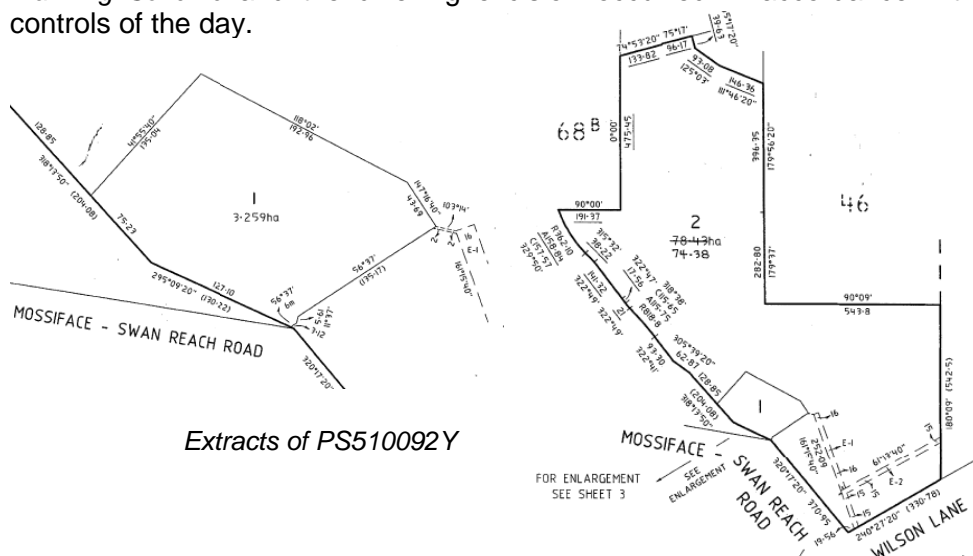
Lot 2 on PS329683J was subsequently subdivided in 1994 by the Terril family to create Lot 1 of approximately 4.88ha in area and balance Lot 2 of approximately 77.64ha in area as shown on PS340030T. This subdivision was also facilitated under the Rural 'A' provisions of the *Tambo Planning Scheme*.



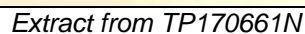
Lot 2 on PS340030T was later transferred to the Wilson family who undertook a dwelling excision in 2002. This dwelling excision resulted in the creation of Lot 1 of 3.259ha in area, with the balance of 74.38ha in area retained as Lot 2 on PS510092Y.

Amalgamation of the various Shires and associated Planning Schemes had occurred during the intervening period with the *East Gippsland Planning Scheme* occurring on 26 August 1999.

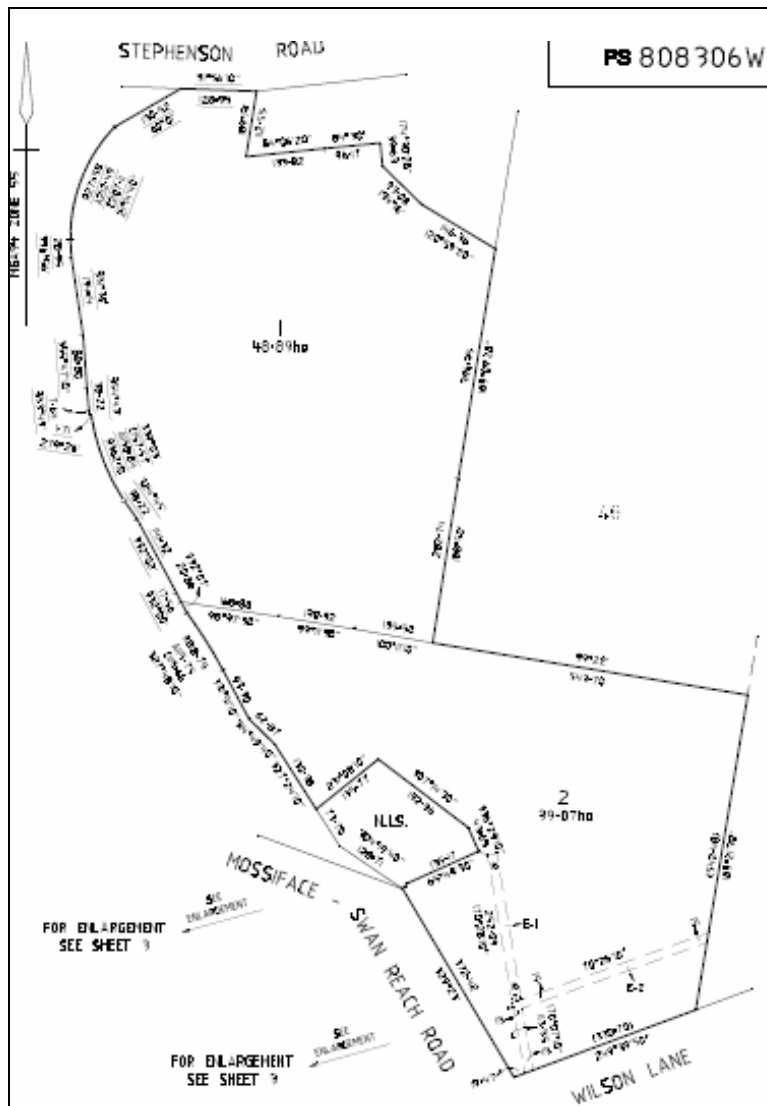
The land was then contained within the Rural Zone of the *East Gippsland Planning Scheme* and the dwelling excision occurred in accordance with the controls of the day.



In 2017 the Wilson family undertook a Not In Common Ownership ('NICO') subdivision between their land (described as Lot 2 on PS510092Y) and land in ownership by the Truscott family (described as Lot 1 on TP170661N). Lot 1 on TP170661N at approximately 13.58ha in area constituted a small rural lot containing an existing dwelling. It is the Truscott property that is the focus of the subject Application.







Extract from PS808306W

The Application at hand seeks to subdivide the land described as Lot 1 on PS808306W under the dwelling excision provisions of the Farming Zone.

Any previous subdivision affecting the subject land historically were undertaken in accordance with the controls of the day. Each subdivision was permitted under the applicable Planning Scheme controls and were completely genuine.

The proposal is not seeking to take advantage of past or present planning controls enabling the creation of small lots for the purposes of a dwelling.

Our client is a genuine farmer and owns several properties within the wider area all of which are utilised to graze stock. The properties in our client's ownership include:

- 67 Johnsons Road, Bumberrah (appx 26ha);
- 67 Pages Road, Bumberrah (appx 36ha);
- 537 Mossiface Road, Bumberrah (appx 12.14ha);
- 229 Tambo Upper Road, Swan Reach (appx 4.45ha);
- 860 Stephensons Road, Swan Reach (subject land).

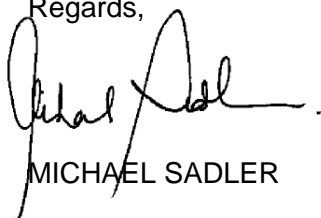
Whilst lodgement of any future Planning Application including the subject land would be subject of further scrutiny by Council, in good faith we would like to offer that a Section 173 Legal Agreement be entered into to prevent the further subdivision of the subject land that would result in the creation of additional lots.

We trust that the above information and enclosed documentation will assist Council with their investigations and enable the further processing and assessment of the matter at hand.

We reiterate our view that the proposal is respectful of the prevailing character and allotment pattern within the surrounding precinct and will facilitate increased investment within the broader rural holding without the need to retain a surplus dwelling. The proposal does not remove any land from productive use, and is entirely in accordance with the provisions of the Farming Zone.

We look forward to hearing from you in the near future.

Regards,



MICHAEL SADLER

Encl: Plans of Subdivision: PS329683J  
PS340030T  
PS510092Y  
PS80306W

## Detailed Assessment of the Proposal Against the East Gippsland Planning Scheme

### Subdivision History

#### Previous subdivision and lot density

The land is a part of a series of four subdivisions since 1993, which re-aligned boundaries and excised dwellings, taking benefit of the provisions of the Tambo Shire and East Gippsland Shire planning schemes over those years.

1. In 1993, two lots were created from the parent title, resulting in Lot 1 of 3.034 ha and Lot 2 of 41.68 ha on PS329638. Net + 1 lot
2. In 1994, Crown Allotment 47 to the south was joined with Lot 2 PS329638, and Lot 1 PS340030 of approximately 4.5 ha was created. The balance lot became 77.64 ha. Net + 1 lot
3. In 2002, a dwelling was excised from the above balance lot, creating Lot 1 PS510092 of approximately 3.56 ha. The balance lot became 74.38 ha. Net + 2 lots.
4. In 2018, Crown allotment 68b of approximately 13.58 ha to the northwest was combined to the planning unit, but the balance was split, resulting in Lots 1 of 48.89 ha and 2 of 39.07 ha on PS808306. Net +2 Lots

Each time the land was subdivided, a dwelling was either established on the small lot or was retained or established on the balance lot , allowing for further subdivision to be justifiable under the scheme provisions.

In total, the original 3 lots (circa 1993) was 99.9 hectares. Under today's planning controls, the subdivision potential would be expected at 2 lots in total. The subdivision provisions over the years allow for smaller lots to be created where the purpose is to excise a dwelling or to restructure lot boundaries without increasing the number of lots. This subdivision history has combined these two strategies to achieve 5 total lots from the original 3.



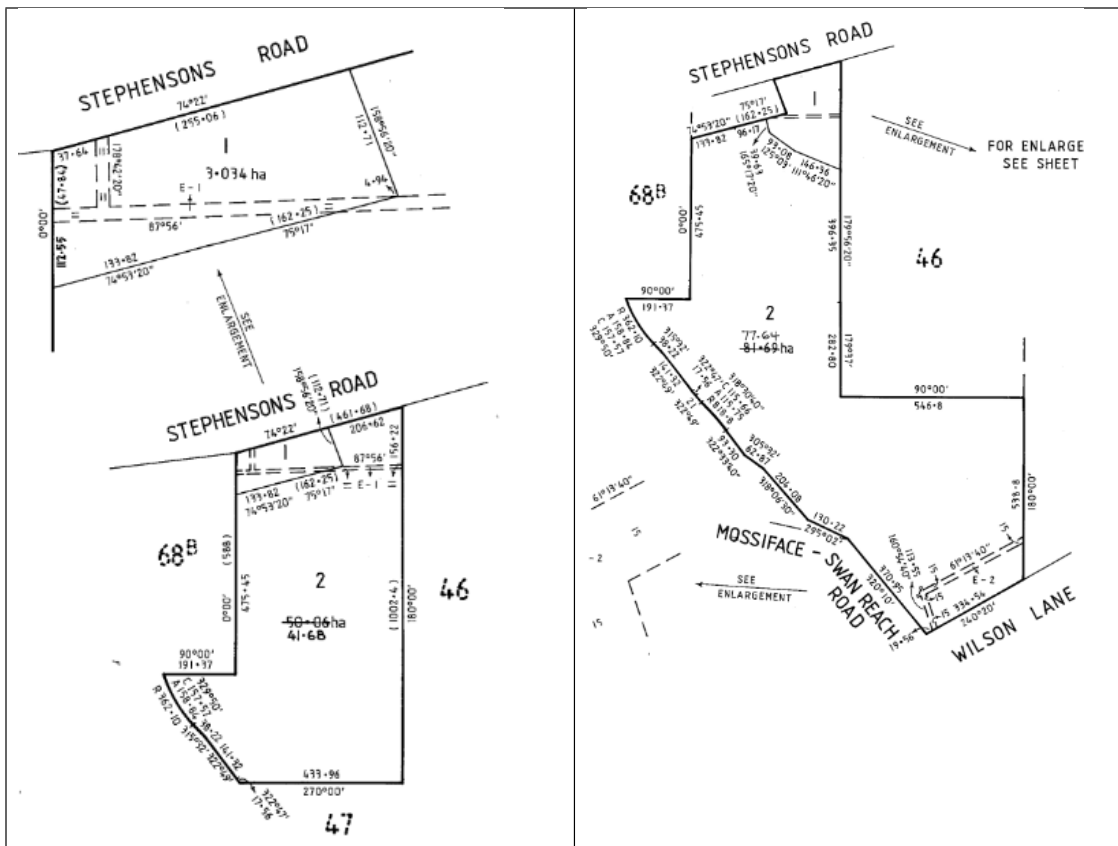


Figure 1 – 1993 subdivision.

Figure 2 – 1994 subdivision

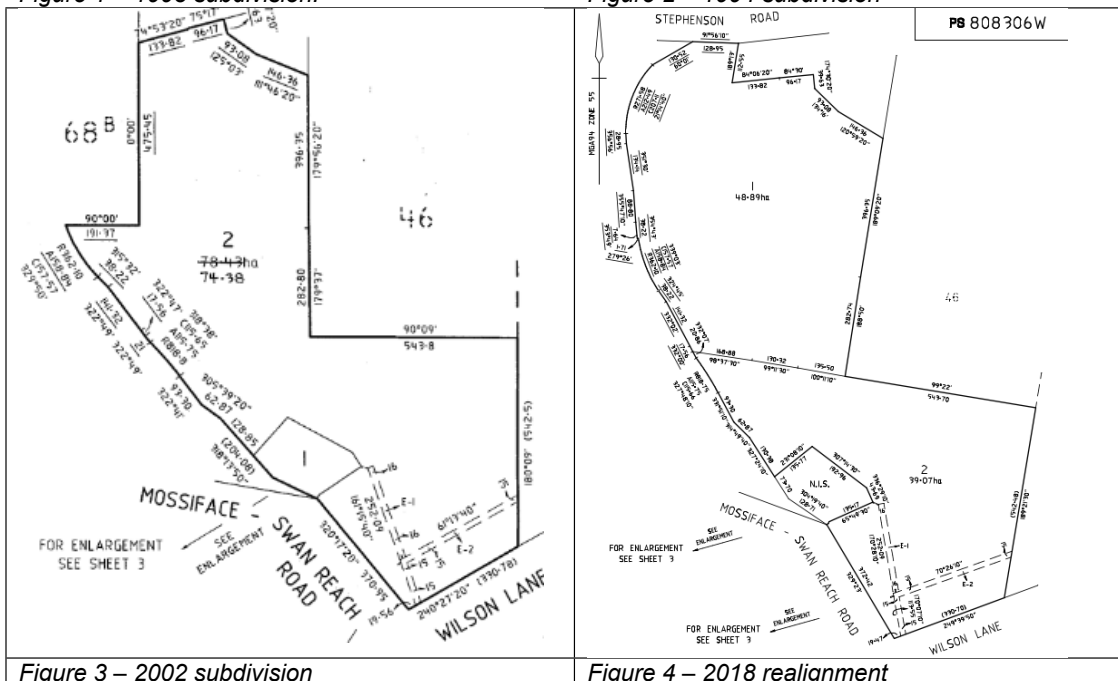


Figure 3 – 2002 subdivision

Figure 4 – 2018 realignment

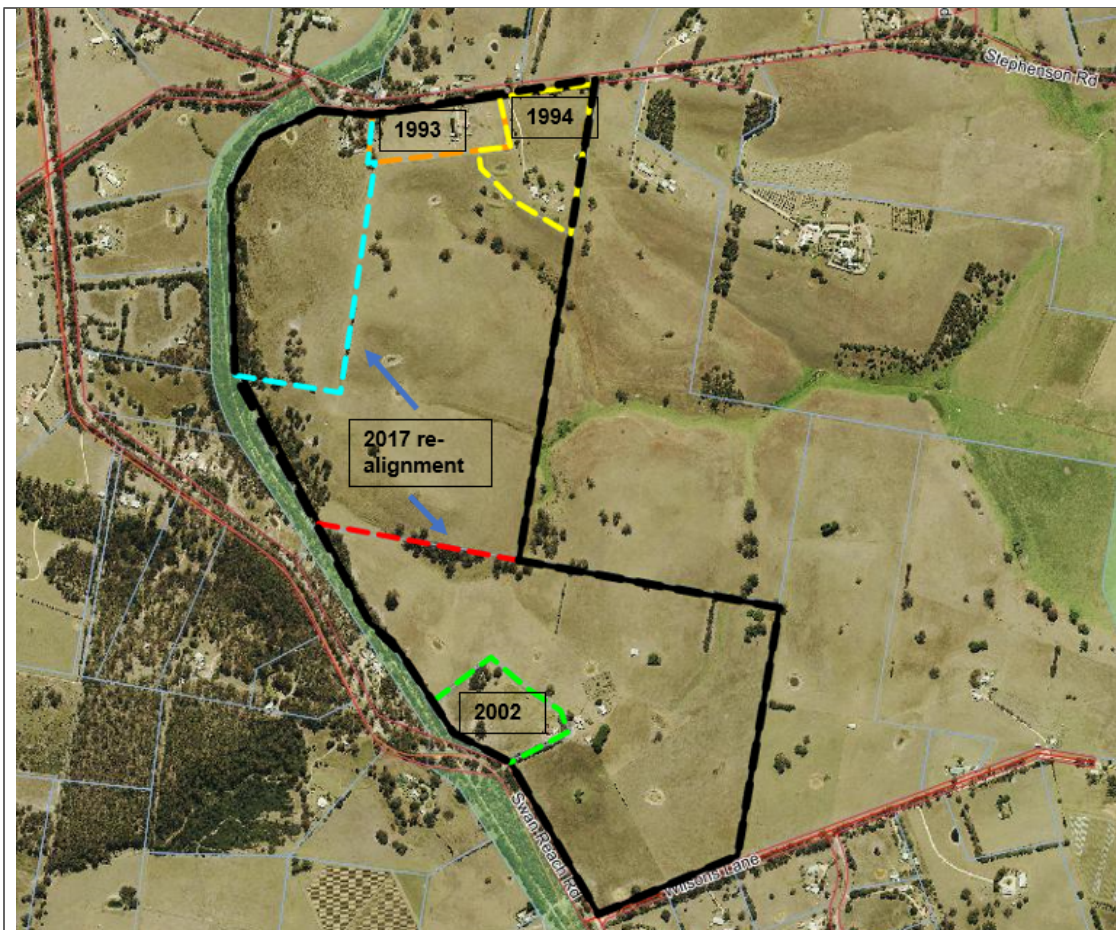


Figure 5 – The collective impact of the previous subdivisions.

At law, the previous subdivisions do not mean that the current subdivision cannot legally be approved, but they do serve as an example of the detrimental impact that small lot subdivisions can have on rural land.

Their combined effect shows that 11 hectares has incrementally been removed from farming and given over to rural living outcomes. These sorts of outcomes have (over time) come to demonstrate why planning policy is so strong in terms of protecting agricultural land.

The subject site (In the context of these subdivisions) is approximately 99 hectares in area. The scheme sets the minimum lot density at one lot (and also dwelling) per 40 hectares. Therefore, the subject site should contain 2.4 lots and 2.4 dwellings (in practicality – 2 lots and 2 dwellings). In reality as a result of these subdivisions, the site contains 5 lots and 5 dwellings. The current proposal would deliver a 6<sup>th</sup>.

This pattern of subdivision serves as an example of how small lots creation negatively impacts on and removes land from productive agriculture.

It also emphasises why planning policy has changed over the last 15 years. It is apparent from the aerial imagery that with small lots comes a loss of land from agriculture.

## Planning Scheme History

### Tambo Shire Planning Scheme:

To gain insight on the 1993 and 1994 approvals, the Tambo Shire planning scheme was consulted. At this time, the land was Zoned 'Rural A'. The applicable control in relation to subdivision was:

#### *Part III – Zone Provisions*

#### *7. Rural "A" Zone*

##### *7.2 Subdivision*

- (a) (i) *Subject to Clause 10A of Chapter 1, a permit is required to subdivide land in the Rural "A" Zone.*
- (b) *Except as provide in Clause 10B of Chapter 1 and paragraphs (c) and (d) of this clause, the following provisions shall apply:*
  - (i) *Tenements within the Rural "A" Zone shall not be subdivided except with the consent of the Responsible Authority and provided that:*
    - (a) *That the boundaries of lots forming part of the currently specified tenement (i.e. all the land comprised in a lot or lots in the same ownership which adjoin each other or which are separated only by a stream, reserve, or road (not being a major road) as at 6<sup>th</sup> March 1990), may, subject to the granting of a permit, be subdivided provide no additional lots are created.*
    - (b) *Where the land was a part of an existing tenement on the 6<sup>th</sup> March 1990, and the number of lots proposed to be created by the subdivision together with any existing lots forming part of the land, is not greater than the maximum specified I table 7.2.1; and*
    - (c) *In any tenement of land being subdivided each new lot to be created shall have a minimum area of 2 hectares.*

*Table 7.2.1*

<i>Column 1</i>		<i>Column 2</i>
<i>Area of Tenement</i>		<i>Maximum number of lots into which the tenement may be subdivided</i>
<i>Not less than</i>	<i>But less than</i>	
<i>0 ha</i>	<i>50 ha</i>	<i>No subdivision</i>
<i>50 ha</i>	<i>100 ha</i>	<i>2</i>
<i>100 ha</i>	<i>200 ha</i>	<i>3</i>
<i>200 ha</i>	<i>And over</i>	<i>4</i>

- (iii) *For the purpose of this clause, a tenement at the date referred to in sub—clause (a) of this clause cannot be altered by subsequent changes of ownership or subdivision.*

- (iv) *The onus of proof in determining the exact size and nature of a tenement at the said date shall be that of the Applicant for subdivision.*
- (c) *Notwithstanding paragraph 7.2 (a) the Responsible Authority may consent to the creation of one lot less than 30 hectares in area for the purpose of:*
  - (i) *increasing the area of an existing lot by consolidation with that existing lot for the sole purpose of agricultural activities; or*
  - (ii) *for any use or development other than a house or houses permitted by the Responsible Authority under column 4 of the 'Table of Uses to Clause 7' and any use or development referred to above must have commenced before the Responsible Authority can approve of any subdivision; and providing the balance of the land is not reduced below 30 hectares or is to be consolidated with an adjoining lot.*

### **East Gippsland Planning Scheme**

#### **35.01-4 Subdivision (as at NFPS1 August 1999)**

A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots. The number of lots must not be increased and all lots must be at least 0.4 hectare.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. All lots must be at least 0.4 hectare. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots, unless creating a lot for an existing dwelling. The agreement must be registered on title.
- The subdivision is to create a lot for an existing dwelling. Only one additional lot which does not contain a dwelling may be created in the subdivision. Each lot must be at least 0.4 hectare.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

#### **35.07-3 Subdivision (as at 19/01/2006 VC37)**

A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to create a smaller lot for an existing dwelling. The agreement must be registered on title.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased. An agreement under Section 173 of the Act must be entered into with the

owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

35.07-3 Subdivision (as at 05/09/2013 VC103/ Current)

A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

- A permit may be granted to create smaller lots if any of the following apply:
- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

## PLANNING POLICY FRAMEWORK

### Clause 13.02 Bushfire

Approximately a third of the subject land is contained within the Bushfire Management Overlay.

From a landscape scale risk assessment, the land is at a low risk of bushfire attack.

The application is supported by a Bushfire Management Statement prepared by *Crowther and Sadler*, which confirms that the land, when considering the landscape perspective of fire behaviour, is at higher risk of bushfire.

The subject land is partly contained within the Bushfire Management Overlay as implemented in October 2017 and was also in the former BMO as it applied prior to 2017.

When assessing a planning application for a permit Council must:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk if the risk is sufficiently low.*

The proposed lot 2 will contain a sufficient amount of space that a dwelling could be built without need for a permit. Given the opportunity to construct a potential dwelling outside the BMO, there is the ability to reduce the risk to human life and property through appropriate siting.

In the Black Summer bushfires, the property was within 3km of the fire front (Sarsfield district), and patches of fire impact were experienced within 1km as shown below.



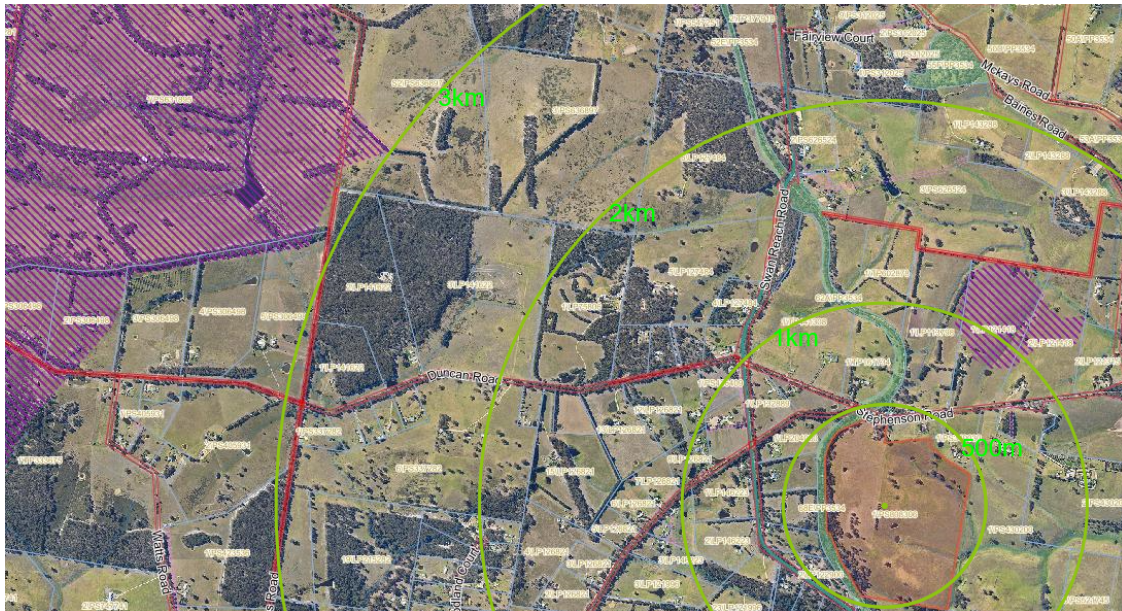


Figure 1 – Black Summer Fire Impacted areas (purple) in relation to the land.

A landscape scale assessment is shown below at 5km and 20km radius respectively.



*Figure 2 – The bushfire landscape scale risk within a 5km radius.*



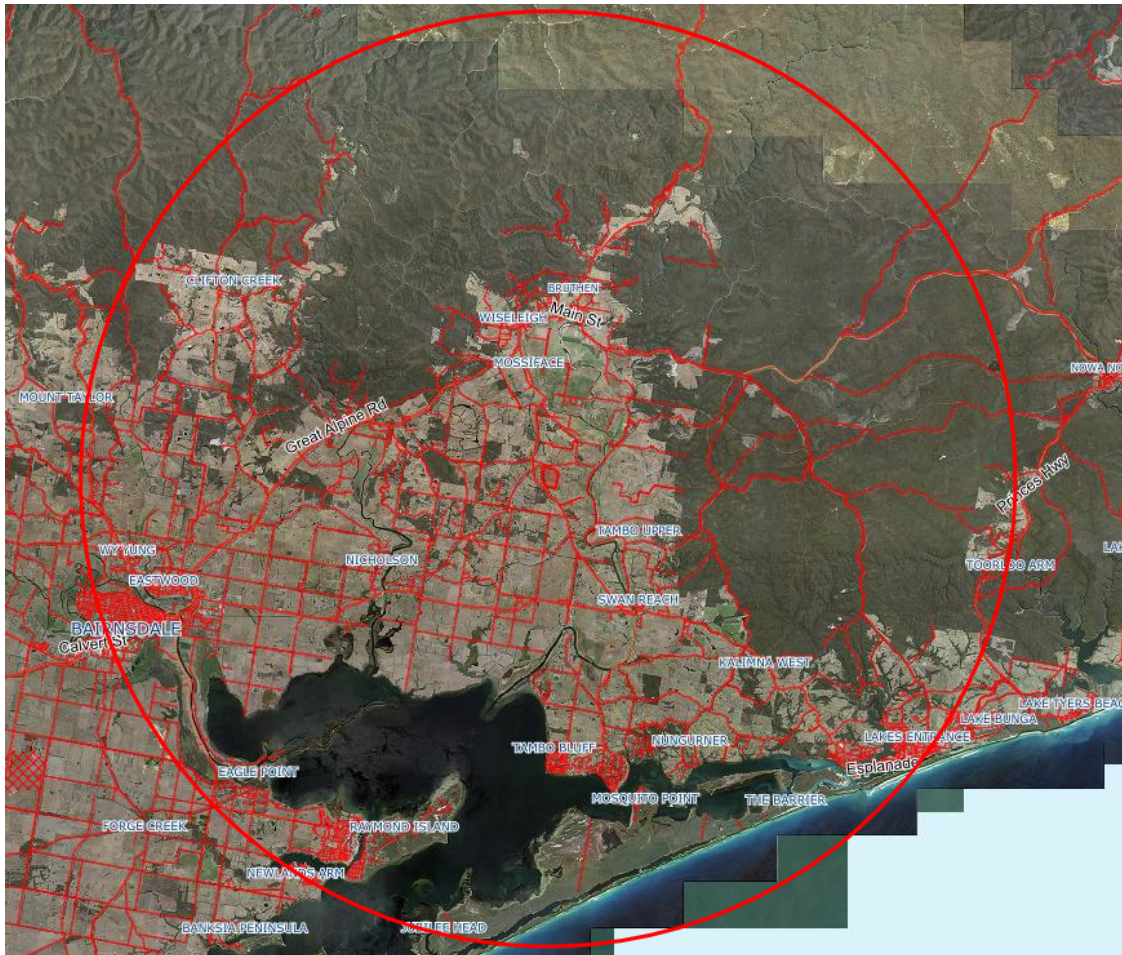


Figure 3 - The bushfire landscape scale risk within a 20km radius.

### Response to Bushfire Planning

It is important to note that not all rural locations within East Gippsland are 'high risk'.

The subject land is partly contained within the Bushfire Management Overlay and the inherent risk of bushfire attack is high. The north-east boundary of the lot adjoins densely vegetated freehold land. A result of the subdivision is that the 'use' of land for a dwelling will become 'as of right' on the balance lot.

The CFA have provided consent in terms of the technical application requirements relating to the Bushfire Management Overlay controls. The CFA response does not address the broader policy considerations that Council is required to take into account when making decisions of this nature.

It is considered that the proposal has met the policy objective in this regard through providing lot 2 with appropriate siting options for a future dwelling. Such dwelling would be able to be built to a standard that reduces the risk to human life and property to an acceptable level.

#### **Clause 14.01 Agriculture**

Policy directs that planning outcomes should protect agricultural land from developments and subdivision that could compromise the ongoing productivity of the land.

By virtue of its inherent nature (creating a small lot in an area of agricultural production), the proposed subdivision is inconsistent with policy as it seeks to create a small lot in a farming area, which in stark contrast with the objectives of clause 14.01. Policy encourages the consolidation of small lots in rural areas, and discouraged their creation.

The creation of small lots can be detrimental to the efficient operation of farming, if the lot to be created does not relate to farming activity. In this case, no link has been demonstrated. The small lot to be created would effectively be removed from the stock of available agricultural land – an outcome which can not be supported under this clause.

There is also the potential for amenity conflicts to arise between productive farming operations and people with a higher level of expectation of a 'quiet lifestyle'

Additionally, the creation of an 'as of right' second dwelling on the subject land has not been justified in terms of its relationship with the active farming of the land.

The subdivision is in conflict with this clause.

#### **MUNICIPAL STRATEGIC STATEMENT**

#### **Clause 21.06 Natural Resource Management**

##### **21.06-1 Protection of Agricultural Land**

##### **Objective 1**

*To ensure that rural land is used and developed in a way that will support efficient agricultural production.*

##### **Strategy 1.1**

*Avoid subdivision outside areas defined as being suitable for rural residential development to the lot sizes shown in the Schedule to the Farming Zone.*

##### **Strategy 1.2**

*Discourage subdivision for smaller lots in agricultural areas except where the subdivision will facilitate more effective use of the land for agricultural or related purposes. Conditions may be applied to subdivisions prohibiting or limiting development of dwellings.*

Under local planning policy – small lot subdivisions are discouraged where the subdivision has no relationship to efficient agricultural production. No link has been demonstrated in this application.

Local Policy seeks to protect agricultural land from inappropriate subdivision – the application before us seeks to create a small lot which would be set aside for rural residential purposes and remove agricultural land from production. The plans indicate that the existing shed will be located in the small lot.

As such, the proposal is inconsistent with this clause of the local policy framework.

**Clause 21.08 - Housing**

**Strategy 1.2**

*Permit rural living development (lots 2-8 hectares), in areas having the capacity for provision of full urban services or identified future growth corridors, as an interim measure with designs to facilitate re-subdivision in future.*

**Strategy 1.3**

*Discourage subdivision for rural living in agricultural areas.*

**Strategy 1.4**

*Provide for primarily residential uses in a non-urban environment on land zoned Low Density Residential (lot sizes from 4000 square metres to 2 hectares) or Rural Living (from 2 to 8 hectares).*

**Small Lot Subdivisions**

*Request small lot subdivision proposals to provide the following information as appropriate:*

- *A whole farm management plan for each relevant lot, showing:*
  - *the proposed range of uses;*
  - *any native vegetation on the lots which is proposed to be cleared as a consequence of the development;*
  - *how the development and use of the land will address any constraints or special values identified;*
  - *how the agricultural use of the land will be managed to minimise impacts on dwellings or potential dwellings on adjoining lots.*

*Assess applications for small lot excisions against the following criteria:*

- *applications that excise existing dwellings should have a minimum of 2 hectares that contains the dwelling;*
- *dwellings excised must be in a habitable condition; and*
- *where applications to excise an existing dwelling would leave a balance area which is smaller than the minimum lot size for the zone, consolidation of the balance of the lot with an adjoining lot or lots should occur.*

The proposal currently before Council is in direct conflict with this clause as it is counter to the very spirit and intent of the policy, and the application also fails to provide the required information (a whole farm management plan). The proposal seeks to create a rural living outcome in an agricultural area. The small lot to be created would create a rural living outcome in an area not suited or identified for rural residential development.

**Clause 21.12 Strategies for sub-regions, towns & localities**

**21.12-2 Lakes and Coastal (and Twin Rivers Land Use Plan)**

Tambo Upper forms part of the Twin Rivers area for the purpose of the MSS and the Twin Rivers Land Use Plan, however Tambo Upper relates more to being an agricultural hinterland than being part of the Lakes and Coastal area.

The Twin Rivers Land Use Plan affects the subject land, and the proposal is viewed as being in consistent with it and the policy strategies of Clause 21.12.-2.

There is a clearly identified finding that the Twin Rivers area has sufficient supply of rural living zoned land. Therefore, there is sufficient rural living opportunities and outcomes already available in the immediate locality. Future rural living opportunities are also directed to occur closer to settlements and services.

The Twin Rivers Land Use Plan also highlights that there is no short or medium term need to further create rural living type outcomes outside of area already zoned for that purpose. In other words, the creation of rural living outcomes in this case is not supported.

### **21.12-3 Agricultural Hinterland**

The locality of Tambo Upper falls under the agricultural hinterland sub-region.

Agriculture is nominated as an opportunity for land identified in this area. The proposal before Council involves creating a small lot with no demonstrated link between it and any agricultural use. As such, the 7387sqm hectares in proposed lot 1 would be lost from the stock of available agricultural land. The proposal could compromise any future agricultural opportunities and is inconsistent with this clause of local policy.

The balance lot could be compromised by the subdivision by virtue of the increased number of small lots in the immediate area. By creating small rural living lots, where there is an expectation by land owners of a higher amenity level, the ability for an agricultural enterprise to operate, is limited.

## **ZONE**

### **Clause 35.07 Farming Zone**

#### ***Decision guidelines***

*Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

#### ***General issues***

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

***Agricultural issues and the impacts from non-agricultural uses***

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

***Dwelling issues***

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

***Environmental issues***

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

***Design and siting issues***

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*

- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*

The application documentation suggests that the existing dwelling serves no farming purpose and the curtilage around it is already removed from production. On that basis the applicant advances that the subdivision will not remove any land from agricultural production.

The subdivision will then result in another dwelling that serves a rural living outcome instead of a farming outcome. Dwellings that do not serve agricultural land uses ultimately fragment and remove land from farming. Dwellings such as this are actively discouraged in farming areas and are directed to rural living areas and residential areas.

Sometimes, intensive agricultural activities can take place on small lots. These are high value crops, such as olives, grapes, flowers and fruits. Such activity is not present in the current planning application, and no farm management plan has been submitted with the application

The applicants claim does not address the decision guidelines that are relevant to the application. If the existing dwelling does not serve an agricultural purpose, the subdivision in turn serves no agricultural purpose. In light of this, the subdivision then fails to meet the policy objectives.

The proposed subdivision will allow for the use of land on the balance lot, for a dwelling 'as of right', by virtue of the balance being greater than 40 hectares in area.

The fragmentation of rural land, by the creation of allotments less than 40 hectares in area, results in an expectation that dwellings are occupied for primarily residential purposes not for farming purposes. Land owners occupy dwellings on lots less than the area identified Schedule to Zone for rural lifestyle purposes.

This inevitably leads to competition for rural land which results in an increase in land prices and facilitates speculation. By doing so, genuine farming operations are priced out of the market and are prevented from expanding their operations.

Given the economic importance of agriculture to the East Gippsland economy, land identified and zoned for farming purposes needs to be protected from small lot subdivisions. The incremental loss of land from farming by small lot subdivisions incrementally undermines the wider economic and social wellbeing of East Gippsland. It is for this reason that small lot subdivision is discouraged and that this application is inconsistent with planning policy.

In this case, the nature of the existing agricultural infrastructure and the activities occurring on the land, do not support a premise that a new agricultural pursuit will be sustained, the small lot will be occupied for lifestyle reasons.

The outcome is a rural living outcome, the land is larger than typical residential allotments, however, too small for agricultural use. Limited residential development can occur in rural zones, however land proposed for rural residential development should be included in the low-density residential zone or the rural living zone.

The planning scheme currently has appropriate opportunities for rural living, as part of providing for housing diversity and choice.

Land use conflict can arise between agricultural activities and the amenity expectations of the people occupying rural living allotments.

Agricultural land is a finite resource that requires protection from inappropriate rural living outcomes. East Gippsland is a region that relies on a strong agricultural sector for its economic security and productivity.

Rural living type subdivisions in farming areas have permanent and lasting negative impacts on agriculture. Planning policy (especially at a local level) discourages small lots from being created unless there is a proven reason and benefit to the long term and ongoing agricultural use of the land.

## **OVERLAYS**

### **Clause 44.06 - Bushfire Management Overlay**

The BMO is a planning control that seeks to ensure that human life and property is protected from the risk of bushfire. The application included a Bushfire Management Statement, and the application was referred to the Country Fire Authority in accordance with the scheme.

For the reasons listed above as assessed against the PPF and MSS, the proposal is consistent with the BMO.

### **Clause 44.01 – Erosion Management Overlay**

The EMO is an overlay that covers most of the rural areas of the East Gippsland Shire. The schedule of the EMO exempts two lot subdivisions in the rural zones from the application requirement of obtaining a geotechnical risk assessment.

Broadly, the proposed subdivision itself presents no risk to the land via erosion or land failure.

The only part of the proposal before Council, that requires consideration against the EMO is the subdivision. On its own, it will not give rise to the erosion or failure of the land. The application is consistent with the EMO.

### **Clause 42.02 – Vegetation Protection Overlay**

No vegetation to be removed – no assessment has been made against this clause.

## **PARTICULAR PROVISIONS**

### **Clause 53.02 – Bushfire Planning**

As mentioned above, the application included a Bushfire Management State that demonstrated how each lot accorded with the scheme in terms of its technical ability to withstand a bushfire attack. The approved measures identified in clause 53.02 have been demonstrated and met. However, and despite this, the net increase in risk to human life in a medium-risk area means that the proposal can be supported under this clause.

## **GENERAL PROVISIONS**

### **Clause 65, Approval of an Application or Plan, Approval of an Application to subdivide land**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:



- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

**Assessment:**

In relation to the decision guidelines generally, Officers have sought to engage with the applicants, hoping to arrive at the position that the proposal could be supported through the imposition of a Section 173 agreement preventing further subdivision and development of a dwelling on the balance allotment. No agreement is given, and as such any determination to impose the condition would be challenged.

The imposition of an agreement is reasonable in the context of the decision guidelines as:

- The balance lot would be preserved for agricultural operations rather than being available for alternative uses, including rural residential outcomes.
- The density of the proposed development, when considering the subdivision history, exceeds the desired density of 1 dwelling per 40 hectares. The current conditions represents 1 dwelling per 20 hectares. Without an Agreement in place, there is a possibility for a further dwelling that would not require a planning permit. The resulting ratio is further reduced to 1 dwelling per 16.6 hectares.
- The further 'rural residential' lot creation diminishes the ability of the balance lot to be used for a wide range of agricultural activity, that, were it not for the history of subdivision, could be established as-of-right. This limits the ability of a future landowner with genuine farm interests to diversify and intensify rural activity

It is argued therefore that the land in its historical context is not suitable for further subdivision and is overly dense. The subdivision, if approved, would create further potential for land use conflict between genuine farm activity and the rural residential activity. These impacts might not be experienced in this generation, but in the next, the residents and officials will likely grapple with conflicting views on appropriate agricultural activity and expectations of amenity.

The proposal is considered inconsistent with the objectives of the zone, the state and local policy framework, and the municipal strategic statement.

**CONCLUSION**

There are competing controls that apply to the land, and while some may support the issue of a permit, the balance of controls, and the weight given to each one leads to the conclusion that the proposal represents an unacceptable planning outcome. Specifically, the negative impact that the proposal will have on the agricultural use of the land and adjoining land can not be supported. On the balance of the controls, the application is inconsistent with the East Gippsland Planning Scheme and should be refused.

### 5.3.3 Submission on the draft Marine and Coastal Strategy

Authorised by Acting General Manager Place and Community

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#### Conflict of Interest

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

#### Executive Summary

The purpose of this report is to seek endorsement of a written Submission to the Department of Environment, Land, Water and Planning (DELWP) in relation to the Draft Marine and Coastal Strategy, July 2021 ("the draft Strategy").

The written submission at **Attachment 1** has been lodged in draft form to DELWP to meet the deadline of 10 September 2021. DELWP have been advised that a Council endorsed submission will be provided following Council's formal consideration.

The written submission has been prepared to align with previous written submissions provided by Council in August 2019 in relation to the draft Marine and Coastal Policy, endorsed at the Council Meeting of September 2019 (Item 3.4.1).

The draft Strategy, in general, is supported, however it will have a direct impact on Council's roles as a Planning Authority and as Committee of Management for extensive sections of coastal Crown Land.

The submission provides commentary on various actions contained within the draft Strategy, particularly in relation to implementation and funding responsibilities.

#### Officer Recommendation

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

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. endorses the written Submission to the Draft Marine and Coastal Strategy as provided in Attachment 1.***

#### Background

The preparation of a Marine and Coastal Strategy is a requirement of Victoria's Marine and Coastal Act 2018, which sets the principles and objectives for planning and managing the coastal spatial environment.

The draft Marine and Coastal Strategy seeks to.

- Empower Traditional Owners to fully integrate cultural values, uses and practices in the healing and ongoing management of country.
- Build the foundations for long term climate change adaptation in Victoria's marine and coastal environment.
- Improve integration and coordination across governments, industries and communities when planning and managing marine and coastal areas.

- Build the skills and capabilities of communities, managers and governments to plan and manage a healthy and resilient marine and coastal environment.

The draft strategy will have a direct impact on Council's operational activities relating to our role as Committee of Management for extensive areas of coastal Crown Land, together with our role in land use planning along the coast, including inland waterways, (specifically, the Gippsland Lakes) and for our coastal townships and settlements. Council's role is vital to the economic prosperity of coastal settlements which are inextricably linked to the coastal location, natural environment, land uses, facilities and infrastructure provided in these places and spaces.

It is acknowledged that the current draft strategy is the first of three strategies that will outline priority actions to achieve the Policy and as such aims to lay the foundations for the subsequent strategies.

Key comments are summarised as.

- 1) Provide high level support for the MAV submission.
- 2) Provide support for Traditional Owner integration with coastal spatial planning.
- 3) Provide support for the progressive updating of strategic plans and statutory planning tools requiring DELWP resources and technical expertise as the lead agency.
- 4) Acknowledgment that local government plays a key role in education and interpretation programs, which requires recognition of the need for funding for implementation.
- 5) Confirms and agree with the importance of the role of Coastal and Marine Management Plans, which require funding for preparation, review and progressive implementation, including maintenance activities of ageing infrastructure.
- 6) Importance of need to understand and adapt to the impacts of climate change and having community conversation with the local communities about impacts and actions.
- 7) Support of planning scheme amendment processes to reflect sea level rise, coastal hazards projections and other projections relating to climate change. This includes the preparation of relevant practice notes and drafting of new zones and overlay planning provisions.
- 8) Provide support for the establishment of coastal erosion advisory support.
- 9) Support for the establishment of a clear governance framework for integrated and coordination coastal spatial planning.
- 10) Critical need to establish clear, strategic and sustainable funding and resource allocation for the implementation of the actions and activities as identified in the strategy.

## **Legislation**

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021 all provisions from the new Act have commenced.

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*.

## **Collaborative Procurement**

This is not relevant to this Council Report.

## **Council Plan**

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2:2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

## **Council Policy**

The Coastal and Inundation Erosion Policy is relevant. This policy provides a framework for the considerations of the risks of climate change through the planning and decision-making processes both now and into the future.

## **Options**

Council may:

1. Endorse the submission as presented;
2. Endorse the submission with any changes of emphasis required by Council; or
3. Not endorse the submission.

It is important for Council to continue to advocate on matters of state policy and strategy and to maintain advocacy for appropriate resourcing. The submission as drafted provides a response that balances general support for the draft Strategy with a request for resourcing to be addressed.

Option 1 is recommended.

## **Resourcing**

### *Financial*

The written position confirms ongoing concerns in relation to resourcing of the co-investment model being implemented through the Marine and Coastal Policy. The ongoing resourcing and funding model seek to allocate some of the responsibilities (and costs) associated with the implementation of the draft Strategy to local government. Local Government requires increased resources and capacity to ensure maintenance and improvement to coastal infrastructure together with resources to implement the many actions and activities recommended in the draft Strategy.

### *Plant and equipment*

There are no direct implications.

### *Human Resources*

Officers have prepared the written submission and attended relevant information sessions. The submission was drafted within budget resources.

### *Risk*

The risks of this proposal have been considered and are highlighted in the written submissions with respect to ongoing resourcing of the actions and activities recommended in the draft Strategy for Local Government responsibility.

## **Economic**

Council's submission to the 2019 Draft Policy sought to emphasis in addition to the environmental sustainability objectives, the importance and recognition of the economic values associated with the use and development around coastal settlements. It is important that there is adequate recognition of the community and social values of coastal infrastructure and coastal settlements.

## **Social**

The preparation, review and implementation of Coastal Management Plans on a progressive and a place basis by Council recognises the importance of place in social planning objectives.

## **Environmental**

The overarching aims of the draft Strategy are to seek to protect and sustainably manage the marine and coastal environment. The strategy aims to integrate the management of the coastal zone, ecosystem management, ecologically sustainable development, and risk based adaptative management strategies.

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

## **Engagement**

There was no external consultation undertaken with reference to the preparation of the written submission. Comments made in relation to DELWP engagement processes were taken into account.

## **Attachments**

1. Draft Submission on Marine and Coastal Strategy [**5.3.3.1** - 7 pages]
2. Summary - Draft Marine and Coastal Strategy 2021 [**5.3.3.2** - 2 pages]
3. FA Qs - Draft Marine and Coastal Strategy [**5.3.3.3** - 4 pages]





# **East Gippsland Shire Council**

## **Submission on Draft Marine and Coastal Strategy**

**September 2021**

Table of Contents

1. Introduction	1
2. Key Issues	1
3. Background	1
4. Comments on Actions	2
5. Comments on MAV Submission	4
6. Conclusion	4

## 1. Introduction

The East Gippsland Shire Council made a written submission to the Draft Marine and Coastal Policy in August 2019 and has continued to participate in ongoing discussions and workshops in relation to the development of the draft Marine and Coastal Strategy ("the draft strategy"). Council welcomes the opportunity to participate in the process of the strategy development, and the ongoing implementation of the key actions and recommendations. This submission also provides support for the Municipal Association of Victoria submission.

## 2. Key Issues

Council supports the overall intent of the draft strategy which is to:

- Empower Traditional Owners to fully integrate cultural values, uses and practices in the healing and ongoing management of Country.
- Build the foundations for long term climate adaptation in Victoria's marine and coastal environment.
- Improve integration and co-ordination across governments, industries, and communities when planning and managing marine and coastal areas.
- Build the skills and capability of communities, managers, and governments to effectively plan and manage for a healthy and resilient marine and coastal environment.

The key issue of concern for Council is the question of resourcing.

Council has concerns in relation to potential cost shifting to local government to implement the increased responsibilities for the range of actions and activities required by the key elements of the strategy.

Resourcing and expertise are required to implement actions including updates to mapping in planning schemes, incentivising landowners, implementing engineering upgrades and improvements, delivering education programs, and educating the community.

Council is particularly interested in the achievement of priority action No. 6: Identify resource needs and funding for sustainable marine and coastal management. Council notes that "Some actions and activities in this draft Strategy are funded...Additional funding to implement other actions and activities will be subject to budget and service delivery priorities". (p5.)

## 3. Background

The draft strategy will have direct and significant impact on the current operational activities relating to our role as Committee of Management for extensive areas of coastal Crown Land, together with our role in land use planning along the Victorian coastline, including inland waterways, (specifically, the Gippsland Lakes) and for our coastal townships and settlements. Council's role is vital to the economic prosperity of coastal settlements which are inextricably dependent upon the coastal location, environment, uses, facilities and infrastructure provided in these places and spaces.

It is acknowledged that the current draft strategy is the first of three strategies that will outline priority actions to achieve the policy and as such aims to lay the foundations for the subsequent strategies.

## 4. Comments on Actions

### 1. Action 1 – Traditional Owner management

Council recognises and supports the critical role and inherent importance of empowering Traditional Owners to fully integrate cultural values, uses and practices in the healing on ongoing management of Country. Council supports the key actions associated with applying objectives and knowledge into local planning and partnering to understand the needs and options for marine and coastal planning and management.

### 2. Action 2 – Improvement of condition and connectivity of habitat

Action 2.3 provides for the updating of strategic plans and statutory controls with reference to mapping of habitat linkages required as part of future migration of marine and coastal habitats. It is noted that this will require commitment from DELWP with respect to allocation of resources and expertise to assist with the update of mapping across private and public land to enable incorporation into the East Gippsland Planning Scheme. The update of statutory controls will require the expertise of DELWP to assist with the community consultation and conversation around mapping update and drafting of schedules to overlays as part of the implementation.

Council resourcing in the strategic planning portfolio would not support such a large overall and comprehensive update to the mapping basis of the East Gippsland Planning Scheme. The commitment to the updating of planning schemes is supported however will require the expertise and financial allocation from DELWP to implement. The implementation will require the DELWP to lead the community conversation in relation to the drafting of planning scheme controls.

Action 2.4 seeks to implement economic and policy instruments to incentivise landowners to allow the migration of coastal and near shore habitat and adoption of nature-based climate change adaptation. This action is supported. There is need for a public fund which allows for projects such as adaptive ecological engineering and rehabilitation of wetlands and coastal fringing vegetation to be trialled. Such a funding program should consider the enabling public ownership and management of important buffer areas and conservation significant places.

Council agrees that such an incentivisation scheme should rest with DELWP as the lead agency.

Actions 2.5 and 2.6 relate to the concept of 'blue carbon' seeking to map and adjust the legal and policy framework for Crown Land managers to access the economic benefits. Council is generally supportive of developing a framework for optimising future investment in the protection and restoration of these ecosystems and agrees that DELWP is the lead agency.

Action 2.8 nominates local government as a lead agency for the delivering of education and interpretation programs and compliance with rules and regulations. Funding of this role is critical and vital to the success of increasing respect and care for the marine and coastal areas. There will need to be allocation of funding to allow for the design and implementation of interpretation programs.

The issue of public compliance with rules and regulation resting in part with Local Government at Action 2.8 is important and will require the expertise of DELWP and technical expertise with respect to appropriate mitigation and environmental measures. DELWP is considered to have an ongoing role in provision of technical expertise on environmental matters.

### 3. Action 3 - Support sustainable use and development

This section has direct and significant impact to our Council. These actions directly relate to infrastructure such as boat ramps, jetties, ports and support industries, specific reference to ageing infrastructure, visitation pressures and adaptation to climate change.

Council supports Action 3.4 which seeks to trial a system which implements a coastal infrastructure investment framework. Council suggests that, given the considerable pressures on coastal infrastructure in East Gippsland, growth in boating activity and the ageing of coastal infrastructure, the Gippsland Lakes may be considered as a potential trial location as well.

Action 3.5 seeks to develop Coastal and Marine Management Plans, which is a key role for East Gippsland Shire Council. Given our extensive Committee of Management coverage, it is important that the preparation and implementation of these plans, including maintenance activities are funded by DELWP. A funding pathway should be identified which allows for the preparation, review and implementation of CMMPs by Local Government.

Council also supports Action 3.9 which supports the development of training and capacity building programs.

### 4. Action 4 – Adapt to impacts of climate change

It is Council's view that one of the most critical elements relating to this action is Action 4.1 which seeks to develop a communication package for local government and others to hold climate conversations with local communities. This action needs to be funded and implemented as identified during the period of 2022 to 2024.

The idea of collective knowledge at Action 4.2 which seeks to establish a body of practice and network for marine and coastal managers is supported and welcomed.

Action 4.4 seeks to deliver state-wide hazard mapping that facilitates fit for purpose coastal hazard risk assessment. It is appropriate that DELWP is nominated as the lead agency in collaboration with local governments.

Action 4.7 seeks to enable and facilitate timely data driven planning scheme amendment processes to reflect sea level rise projects, coastal hazards projections and other relevant projections related to climate change. It is agreed that DELWP is the lead agency together with local government as collaborators. This will be dependent upon applying the best available science and data as required at Action 4.8 with DELWP as the lead Agency.

The preparation of specific planning controls such as zones and overlays in consultation with local government is important. The drafting of such guidelines as Practice Notes and Practice Guidelines are important for providing a tool kit for local government. The drafting of new zones and overlay controls needs to be premised upon the best available science, data and a consistent implementation at Victorian Government level. The drafting of place-based responses at a township level to implement key actions relating to climate change and adaptation are important tools to recognise the importance of place and localised growth and adaptation strategies for existing settlements and townships.

Action 4.9 seeks to establish a coastal erosion advisory support to approach the issue for long term planning, management and adaptation responses. This needs to be funded to support the progressive implementation of site-based projects, premised upon the prioritisation based on risk assessment. This funding stream needs to be longitudinal and allow for progressive staged and phased projects, improvements and upgrades. Individual local government areas

should be recognised with a funding allocation, not requiring competition between local government areas for funding at each founding round.

Action 4.13 proposes to develop and roll out grant programs to support the implementation of long-term coastal hazard adaptation response. This is welcomed and supported.

#### 5. Action 5 – Implement integrated planning of the marine environment

Action 5.1 seeks to determine a governance framework and funding approach with an aim to provide an overarching structure to guide integrated and coordinated planning, management and decision making by marine sectors. This is supported.

#### 6. Action 6 – Identify resource needs and funding

Actions 6.1 through to 6.6 seeks to provide for an overall framework for a strategic and sustainable approach to funding the planning and management of marine and coastal Crown Land.

The Policy established that the funding is a shared responsibility across all levels of government, beneficiaries and users of marine and coastal environment.

Council's position is that the question of funding of the marine environment and its health is a responsibility of the Victorian Government. Local Government needs increased resources and financial capacity to enable maintenance and improvements to coastal infrastructure.

## 5. Comments on MAV Submission

The MAV submission is supported by Council. A summary of the key issues in the submission is:

1. The policy intent is not reflected strongly enough in the draft strategy.
2. Funding is insufficient to deliver the activities of the draft strategy.
3. There is a need for clear and concise planning guidance.
4. There is a need for a hierarchy of action and activity terms.
5. Criticism with respect to the ambiguous language.
6. Other matters:
  - a. Proposed engagement is not documented;
  - b. Issue of ground water is not addressed;
  - c. Guidelines for Marine and Coastal Management Plans have not been released or finalised;
  - d. Need to broaden the definition of marine and coastal sector;
  - e. Local government listed as a collaborator of 76% of actions, lead in 8 of the 30 and level of resources; and
  - f. Funding is not recognised; and
  - g. Need for strategy to be clear in terms of timelines.

## 6. Conclusion

Council appreciates the opportunity to participate and provide comment in relation to the draft strategy and looks forward to a continued participation in its refinement.

## Contact us

### Telephone

Residents' Information Line: 1300 555 886 (business hours)

Citizen Service Centre: (03) 5153 9500 (business hours)

National Relay Service: 133 677

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Lakes Entrance: 18 Mechanics Street

Mallacoota: 70 Maurice Avenue

Omeo: 179 Day Avenue

Orbost: 1 Ruskin Street

Paynesville: 55 The Esplanade

### Outreach Centres

Bendoc Outreach Centre -

18 Dowling Street

Buchan Resource Centre -

6 Centre Road

Cann River Community Centre -

Princes Highway

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273 Main Street PO Box 1618

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Website: [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)

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# Draft Marine and Coastal Strategy

## Summary

Victorians value our coast and ocean – choosing to live nearby, visit often and experience everything our coast and ocean has to offer. Coastal and marine-dependent industries like fishing, tourism, ports and shipping support and create jobs for Victorians. These industries make significant contributions to local and regional economies. DELWP is leading the development of a Marine and Coastal Strategy (the Strategy). The Strategy will identify the priority actions for the next five years to lay the foundations for achieving long term outcomes for our marine and coastal environment.

## Highlights of the Strategy

The draft Strategy will:

- Empower Traditional Owners to fully integrate cultural values, uses and practices in the healing and ongoing management of Country.
- Build the foundations for long term climate adaptation in Victoria's marine and coastal environment.
- Improve integration and co-ordination across governments, industries, and communities when planning and managing marine and coastal areas.
- Build the skills and capability of communities, managers, and governments to effectively plan and manage for a healthy and resilient marine and coastal environment.

## It will do this by implementing six priority actions

<b>Action 1.</b>	Traditional Owners determine how their rights and obligations are embedded into planning and management of the marine and coastal environment.	<b>Action 4.</b>	Adapt to impacts of climate change by: <ul style="list-style-type: none"> <li>• normalising public conversations about climate change</li> <li>• applying knowledge and science of climate impacts in the planning of adaptive responses</li> <li>• creating and adopting a state-wide approach to improve long-term resilience and adaptation to coastal hazards.</li> </ul>
<b>Action 2.</b>	Improve the condition and connectivity of habitats and respect and care for marine and coastal areas.	<b>Action 5.</b>	Implement integrated planning of the marine environment.
<b>Action 3.</b>	Support sustainable use and development of the marine and coastal environment by: <ul style="list-style-type: none"> <li>• encouraging industries and recreational activities that are sustainable and adaptable</li> <li>• providing access to information and building skills of decision makers.</li> </ul>	<b>Action 6.</b>	Identify resource needs and funding for sustainable marine and coastal management.

## Have your say

The draft Strategy is currently available for public comment on Engage Victoria. We invite you to help ensure the Strategy reflects Victoria's priorities for action over the next five years by heading to [engage.vic.gov.au/draft-marine-and-coastal-strategy](https://engage.vic.gov.au/draft-marine-and-coastal-strategy) and sharing your thoughts.



## Why develop a Marine and Coastal Strategy

The *Marine and Coastal Act 2018* outlines principles and objectives for planning and managing our marine and coastal environment, so that future generations can continue to experience and enjoy its multiple benefits.

The *Marine and Coastal Policy* (the Policy), released in March 2020, sets a 15-year vision for "A healthy, dynamic and biodiverse marine and coastal environment that is valued in its own right, and that benefits the Victorian community, now and in the future."

The *Marine and Coastal Strategy* (the Strategy) identifies **how** we will achieve the Policy's vision. It is the first of three five-year strategies. It will outline priority actions to achieve the intended outcomes of the Policy over the next 15 years, including timeframes and responsibilities for delivery.

## Working together

The draft Strategy was developed by the Department of Environment, Land Water and Planning, working closely with Traditional Owners and the Victorian Marine and Coastal Council, and in consultation with state government departments, local government, marine and coastal managers, and peak bodies with marine and coastal interests.



## Acknowledgment

Traditional Owners have an unbroken custodianship of the land and seas that extends back tens of thousands of years. Their knowledge, understanding and relationships to Country are fundamental to the health of the environment and the success of any strategy to manage the natural environment.

Traditional Owner management of Country is a valued and time-tested application of knowledge about environmental management. Both access to and management of Country enable the self-determination of Aboriginal peoples and promotes environmental sustainability and connected Country outcomes. The Strategy therefore proposes to support Traditional Owners to determine how their rights and obligations are embedded in planning and management.

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

## Photo Credits

Cape Conran Coastal Park - East Gippsland. **Credit:** Andrew Bray

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## Draft Marine and Coastal Strategy

### Frequently Asked Questions

#### Why is a Marine and Coastal Strategy being developed?

Development of a Marine and Coastal Strategy is a requirement of Victoria's *Marine and Coastal Act* 2018, which sets principles and objectives for planning and managing this sensitive part of our environment.

The Marine and Coastal Policy released in March 2020, sets a 15-year vision for a healthy, dynamic and biodiverse marine and coastal environment that is valued in its own right, and that benefits the Victorian community, now and in the future.

The draft Marine and Coastal Strategy identifies how we will achieve this vision. It is the first of three strategies that will deliver the objectives of the policy and lays the foundation for the next 15 years of work to preserve our marine and coastal environment.

#### What is the process for developing the Marine and Coastal Strategy?

The first step in developing the Marine and Coastal Strategy is a draft for public consultation. A draft Marine and Coastal Strategy is now available for public consultation at <https://www.engage.vic.gov.au/>.

Once submissions have been received, they will be considered in developing the final Marine and Coastal Strategy. A final Marine and Coastal Strategy will be prepared for government approval towards the end of 2021.

#### Who developed the draft Marine and Coastal Strategy?

The draft Marine and Coastal Strategy was developed through 2020 and 2021 by the Department of Environment, Land, Water and Planning, working closely with Traditional Owners and the Victorian Marine and Coastal Council.

State government departments, local governments, marine and coastal managers and peak bodies with marine and coastal interests were also involved, with online tools used to gather ideas for priority actions.

#### What does the draft Marine and Coastal Strategy include?

The draft Marine and Coastal Strategy seeks to:

- Empower Traditional Owners to fully integrate cultural values, uses and practices in the healing and ongoing management of Country.
- Build the foundations for long-term climate adaptation in Victoria's marine and coastal environment.
- Improve integration and co-ordination across governments, industries, and communities when planning and managing marine and coastal areas.
- Build the skills and capabilities of communities, managers and governments to plan and manage a healthy and resilient marine and coastal environment.

It will do this by:

1. Supporting Traditional Owners to embed their rights and obligations into planning and management of the marine and coastal environment.
2. Improving the condition and connectivity of habitats and respect and care for marine and coastal areas.

3. Supporting sustainable use and development of the marine and coastal environment by encouraging industries and recreational activities that are sustainable and adaptable, and by providing access to information and building skills of decision makers.
4. Adapting to impacts of climate change by:
  - normalising public conversations about climate change
  - applying knowledge and science of climate impacts in the planning of adaptive responses
  - creating and adopting a state-wide approach to improve long-term resilience and adaptation to coastal hazards.
5. Implementing integrated planning of the marine environment.
6. Identifying the resource needs and funding for sustainable marine and coastal management.

#### How will Victorians benefit from a Marine and Coastal Strategy?

Victorians value our coast and ocean - choosing to live nearby, visit often and experience everything our coast and ocean has to offer.

Coastal and marine-dependent industries like fishing, tourism, ports and shipping support and create jobs for Victorians. These industries make significant contributions to local and regional economies.

Our coasts also form a core part of our shared cultural identity and lifestyle, whether visiting or living near city beaches, smaller seaside towns or remote untouched wilderness across Victoria.

These experiences are only possible because they are supported by a healthy and resilient marine and coastal environment. Clean water, diverse species, and sufficient space for shorelines to shift and change are important for generations of Victorians to continue enjoying our coastal environments.

The Marine and Coastal Policy, released in March 2020, sets a 15-year vision for a healthy, dynamic and biodiverse marine and coastal environment that is valued in its own right, and that benefits the Victorian community, now and in the future.

The draft Marine and Coastal Strategy identifies how we will achieve this vision. It is the first of three strategies that will deliver the objectives of the policy and lays the foundation for the next 15 years of work to preserve our marine and coastal environment.

#### What does the draft Marine and Coastal Strategy mean for marine and coastal industries?

Marine and coastal industries rely on and are supported by a healthy marine and coastal environment.

The draft Marine and Coastal Strategy will help industries make smart and sustainable investments in our marine and coastal environment.

It does this by promoting integrated and coordinated strategic planning for intensive uses like boating access, port access and tourism, and fostering the development of strategic tools like Coastal and Marine Management Plans across Victoria.

These actions will support sustainable industries now and for the future by protecting the ecosystems and resources on which those industries depend.

### What funding is committed under the draft Marine and Coastal Strategy to tackle challenges facing the marine and coastal environment?

While the draft Marine and Coastal Strategy sets the priority actions for the next five years, these may change based on feedback from public consultation on the draft, but some actions are already funded. For example, the Government has allocated \$4.52 million for marine spatial planning, Victoria's Resilient Coast adaptation framework and activities led by Traditional Owners.

Further funding will be subject to budget and service delivery priorities. The final Marine and Coastal Strategy will detail future investment.

### Why has the planning benchmark for sea level rise to 2100 not been changed?

The Marine and Coastal Policy 2020 determines that the sea level rise planning benchmark will be updated as necessary and that this will be supported by modelling that places global projections into the Victorian context.

As we develop the draft Marine and Coastal Strategy, we are also reviewing sea level rise planning benchmark based on the latest projections from the Intergovernmental Panel on Climate Change and how these relate to Victoria.

Revised modelling is underway and will be incorporated into the Marine and Coastal Policy if the Government approves any changes.

### How does the draft Marine and Coastal Strategy relate to the draft climate change Adaptation Actions Plans (AAPs)?

Adaptation Action Plans (AAPs) are a commitment under Victoria's Climate Change Act 2017 to prepare for and respond to the changing climate.

The Victorian Government is preparing AAPs for seven systems to ensure Victoria's climate resilience. These are:

- primary production
- built environment
- education and training
- health and human services
- transport
- natural environment and the water cycle.

The seven AAPs harness the opportunities and tackle the impacts of climate change, and bolster Victoria's economy.

Coastal and marine adaptation has been considered in the draft AAPs. These complement the draft Marine and Coastal Strategy, which will be the key mechanism for addressing these new and challenging adaptation issues in the marine and coastal environment.

### What other marine and coastal reforms are happening?

The Marine and Coastal Act, the Marine and Coastal Policy, and this draft Marine and Coastal Strategy are the major state-wide components of the marine and coastal reforms program.

Other programs that support the reforms and implement the Marine and Coastal Policy across the state include:

- State of the Marine and Coastal Environment Report
- Cape to Cape Resilience Project in South Gippsland (Regional and Strategic Partnership)
- Port Phillip Bay Environmental Management Plan

- The Great Ocean Road and Coastal Parks
- Implementing Coastcare Victoria Strategy
- Victorian Coastal Monitoring Program
- Renourishing priority beaches and maintaining critical coastal protection infrastructure
- Developing Coastal and Marine Management Plans
- Developing regulations for the Marine and Coastal Act.

#### **How will Traditional Owners be involved in implementing the Marine and Coastal Strategy?**

The draft Marine and Coastal Strategy empowers Traditional Owners to build their cultural values, uses and practices into healing and managing Country.

The draft Marine and Coastal Strategy empowers Traditional Owners to manage coastal and marine areas, and offers them the resources and tools they need to realise their obligations in this space.

It encourages Traditional Owners to embed their rights and their obligations into the planning and management of coastal and marine environments.

#### **Will private jetties or bathing boxes be removed under the draft Marine and Coastal Strategy?**

No. The draft Marine and Coastal Strategy does not propose removal or relocation of private jetties or bathing boxes from Victorian beaches and coastal lakes.

#### **Does the draft Marine and Coastal Strategy look at the issue of ambulatory titles?**

An ambulatory title is a property that has a body of water defining part of the property boundary. Approximately 96% of the Victorian coast is in public ownership. The Victorian Government has held a longstanding policy position to provide public access, use and enjoyment of beaches in Victoria.

While the draft Strategy does not include a specific action on ambulatory titles there are a suite of activities that relate to managing erosion, inundation and sand movement on the high-water mark. These activities are about maintaining public access and use of beaches.

Concurrently to the draft Marine and Coastal Strategy actions, Government is considering options to provide more certainty around this issue.

#### **How can I have a say on the draft Marine and Coastal Strategy?**

Please go to [engage.vic.gov.au/draft-marine-and-coastal-strategy](https://engage.vic.gov.au/draft-marine-and-coastal-strategy) to access the draft Marine and Coastal Strategy and provide your comments.

### 5.3.4 East Gippsland Shire Council Arts and Heritage Grants Round 1 2021-2022

Authorised by Acting General Manager Place and Community

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#### Conflict of Interest

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

#### Executive Summary

The East Gippsland Shire Council supports a wide range of projects and innovative activities through its grants program. This report is in relation to the Arts and Heritage Grants program.

The objective of the East Gippsland Shire Council Arts and Heritage grants program is to provide local individuals (artists) and organisations the opportunity to access funding for a variety of needs and initiatives in a manner that is open, transparent, and accountable. It offers support to individuals (artists) and local organisations to present and / or develop arts activity and heritage projects. The program aims to foster a strong sense of local identity, creativity and community spirit.

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.

#### Officer Recommendation

##### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. adopts the recommendations for funding through the East Gippsland Shire Council Arts and Heritage Grants program as follows:***

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Funding Amount</i></b>
Albatross Photography & Design	Artworks for East Gippsland Kids	\$6,000.00
Marlo ratepayers and Residents Association Inc.	Snowy Estuary Sculptures	\$8,000.00
Crashendo! Bairnsdale Inc	Music changes lives for the better!	\$2,500.00
Friends of Paynesville and Raymond Island	Paynesville Pop-Up Choir	\$2,000.00
Lee Nickless	Art Labs - Workshop series (Digital media)	\$2,500.00
Reclink Australia Mallacoota	Reclink Recovery Arts Program	\$2,500.00
Total		\$23,500.00



## Background

Round one of the Arts and Heritage grants programs opened on Wednesday 2 June 2021 and closed on Wednesday 4 August 2021. The grant round was advertised by direct email to community and arts groups, local newspapers, through the East Gippsland Shire website, and on BraveArtsEG and the East Gippsland Shire Council Facebook pages.

The current round attracted seven applications requesting a total of \$39,080.20 to support projects, with a total project value of \$214,320.20. (Refer Table 1 for a category breakdown). 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.

**Table 1.**

### **All Funding Applications for the East Gippsland Shire Council Arts and Heritage Grants Program Round One 2021-2022.**

<b>Funding program</b>	<b>Funding requested total</b>	<b>Project investment</b>	<b>Number of applications</b>
<b>Major Arts Projects</b>	\$20,000.00	\$65,000.00	2
<b>Arts Projects</b>	\$15,605.20	\$142,370.20	4
<b>Heritage Projects</b>	\$3475.00	\$6950.00	1
<b>Total</b>	\$39,080.20	\$214,320.20	7

## Legislation

On 24 March 2020, the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021, all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with Local Government Act 2020 106 Service performance principles

- (1) A Council must plan and deliver services to the municipal community in accordance with the service performance principles.
- (2) The following are the service performance principles—
  - (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.
  - (b) services should be accessible to the members of the municipal community for whom the services are intended.
  - (c) quality and costs standards for services set by the Council should provide good value to the municipal community.

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*.

## Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 1:

- 1.2 Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to.
- 1.4 Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being, and resilience.
- 1.6 Council is culturally and linguistically inclusive and celebrates diversity.

Connection to the Council Plan or Adopted Strategy by recommended Arts and Heritage Project Applicants can be found in **Attachment 4**

## Council Policy

Council historically supports a budget allocation for two rounds of Arts and Heritage Project Grants in the annual budget.

This program aligns with the Service Performance Principles in the Local Government Act 2020 that suggest services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.

## Resourcing

### *Financial*

The Arts and Heritage funding allocation for 2021/2022 is \$50,000.00. \$5,000.00 is set aside to distribute annually via the Arts and Heritage Quick Response Grants of up to \$500.00 each. \$3,000.00 is set aside to pay for the Arts and Heritage proportion of the annual Smarty Grants program fee. The remainder of that fee (\$12,000 annually) is paid by Community Grants and Regional and District Event grants, leaving \$42,000.00 for the Arts and Heritage for rounds 1 and 2. The funding allocated in Round one of the Arts and Heritage grants is \$23,500.00, leaving a pool of \$18,500.00 for Round two 2021-2022 applications.

Officers ensure decisions around funding allocation is based on each individual applications merit, with intention to provide funding for as many projects as possible each round. At the end of round two each year there is expectation all funding is allocated to projects within the community.

### *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 Council Enterprises Unit are responsible for the administration of the Arts and Heritage Grants Programs.

## The Evaluation Process

The evaluation process for each round of funding is imperative 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.

The process for assessment of the applications received each round requires a minimum of three people to assess and score each application against program specific criteria. This assessment panel consists of:

- Manager Council Enterprises
- Arts and Culture Coordinator
- Forge Theatre and Arts Hub Manager.

Each panel member ensures during their individual assessment of the applications, there commentary is recorded on each application to deliver proof of transparency in decision making. This feedback is also available to applicants upon request.

After applications are reviewed by panel members individually, the panel reviews each project collectively and consider the project applications based on the eligibility and specific program criteria within the East Gippsland Shire Council Grants Guidelines (**Attachment 2**).

A further Grants Assessment Panel meeting is then held to brief the General Manager Place and Community on all applications received and the panel's recommendations for funding. This meeting is attended by the panel and Acting General Manager Place and Community and not only are recommendations for funding discussed, but further support for non-successful applications is also considered.

The Grants Program Assessment Panel's recommendations for funding allocations are detailed at **Attachment 3**.

### *Risk*

The risks of this proposal have been considered and have been assessed as minimal impact. Management through officer support to address incidents of backlash and supported processes are in place through communications.

## Economic

The Arts and Heritage Projects recommended amount to a total contribution of \$23,500.00 from Council if endorsed but generate a total investment of \$207,370.00 overall.

## Social

Through this program, Council supports a wide range of projects that strengthen our artistic communities, encourage sustainability, social connection, health and wellbeing, social inclusion, and cultural diversity.

The Community and Arts Grant Guidelines have been developed to align with the priorities communicated through the Community vision, The Council Plan, The Municipal Health and Wellbeing Plan, and various other Council Strategies.

Applicants are asked to make a connection between their projects and the Council Plan or adopted strategy. A table of connections outlined how each of the recommended Arts and Heritage Project grants link to the Council plan can be found at **Attachment 4**.

## **Environmental**

Not applicable

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

This report is assessed as having no direct impact on climate change.

## **Engagement**

The funding round dates have been on the Council website for over 6 months. Advertisements were published in local newspapers as well as BraveArtsEG and Councils social media pages.

Advertising in local newspapers as well as in Councils social media page and website about the four information sessions held in June -July 2021, information flyers about the funding round were sent to Service Centres and Neighbourhood House's before the sessions to inform the community of the funding round.

Application guidelines were made available on the Shire website.

Applicants were invited to contact the Arts and Culture 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.

Four Council grants information sessions were held via Microsoft teams in June- July 2021, two during the day and two in the evening to allow access for community members. Multiple one-on-one skype meetings between program staff and applicants were also held in the lead up to the closing date.

## **Attachments**

1. East Gippsland Shire Council Arts and Heritage grants All applications Round1 2022022 [5.3.4.1 - 4 pages]
2. East Gippsland Shire Council Community and Arts Grants Guidelines 2021-2022 [5.3.4.2 - 13 pages]
3. East Gippsland Shire Council Recommended Arts Project Grants Round One 2021 2022 [5.3.4.3 - 3 pages]
4. East Gippsland Shire Council Arts Project Grants Round One 2021 2022 Recommended connection to the Council Plan [5.3.4.4 - 4 pages]

## East Gippsland Shire Council Major Arts Project Grants – Round One 2021-2022

### All Major Arts Project grant applications

#### Major Arts Project

Applicant	Project Title	Project Description	Requested Amount	Recommended Amount
Albatross Photography & Design	Artworks for East Gippsland Kids	Albatross Photography & Design will create custom Photographic Artworks for kids with special needs which will be ready just in time for Christmas. This is an extension project to go region-wide to allow more kids the opportunity to attend the photoshoots and have their own artworks created from various templates; including Christmas theme, including a Secret Santa, dinosaurs, unicorns, fairies and knights.	\$10,000	\$6,000  Good social diversity extension project for Lakes Entrance and Orbost.
Marlo ratepayers and Residents Association Inc.	Snowy Estuary Sculptures	This project will engage Richard Moffat as an Artist in residence who will, reuse farm implements to create enduring bird and animal sculptures symbolising place and life. Distinctive artforms shall lift spirits, improve wellbeing and unify a community, which has endured drought, bushfires and isolation. He will also mentor young East Gippsland sculptor Madeleine Last and assist local business in attracting visitors.	\$10,000	\$8,000  Strong application with cultural tourism outcomes for the far east of the region.  Amount reduced due to a competitive round and to meet budget constraints
		Total	\$20,000	\$14,000

## East Gippsland Shire Council Arts Project Grants - Round One 2021-2022

### All Arts Project grant applications.

Applicant	Project Title	Project Description	Requested Amount	Recommended Amount
Crashendo! Bairnsdale Inc	CRASHENDO! Bairnsdale - Music changes lives for the better!	At CRASHENDO! Bairnsdale Inc.'s core is the conviction that the experience of ambitious, joyful group music-making in a safe place will support people of all ages, who are experiencing challenges, to build community connections, develop new skills, resilience plus musical mastery.	\$5,000	<b>Recommended</b>  \$2,500  Strong application with good community engagement. Amount reduced due to a competitive round and to meet budget constraints.
Friends of Paynesville and Raymond Island	Paynesville Pop-Up Choir	A community-based choir that rehearses and performs regularly in public over a 6-8 month period, bringing up to 100 community members together to develop their singing skills, connect as community members, foster community well-being and bring joy to the local community and visitors.	\$2,500	<b>Recommended</b>  \$2,000  Strong application with broad community engagement.
Lee Nickless	Art Labs - Workshop series	A series of free workshops delivered by specialist artist in East Gippsland. The workshop topics include Augmented reality for artist, Painting and sculpting in Virtual reality and interactive projection installations. The workshops will be used as a basis for under pinning skills that will function as a catalyst for further arts projects including the 2022 East Gippsland Winter Festival and a summer exhibition at Ice	\$5,000	<b>Recommended</b>  \$2,500  A good application and the digital arts are well worth developing skill

		Works Gallery titled: Synthesizing Reality - an exhibition of new media arts.		capacity in the creative sector for the future.  Amount reduced due to a competitive round and to meet budget constraints.
Reclink Australia Mallacoota	Reclink Recovery Arts Program	The Reclink Recovery Arts Program will be a series of weekly classes and workshops over 10 weeks aimed at bringing community members together through various visual arts sessions - including acrylic and watercolour painting, canvas building, recycled and textile artwork, drawing skills, portraiture, landscape or still life, collage, digital art and nature based art. The series would culminate in an exhibition of collected works from the program.	\$3105	<b>Recommended</b>  \$2,500  Strong application with significant Creative recovery merit and focused on a broad cross section of community.  Amount reduced due to a competitive round and to meet budget constraints.
		<b>Total</b>	15,605.00	\$9,500.00



## East Gippsland Shire Council Heritage Project Grants – Round One 2021-2022

### All Heritage grant applications

#### Heritage Projects

Applicant	Project Title	Project Description	Requested Amount	Recommended Amount
Glenaladale Landcare Group	Glenaladale Cemetery	To construct a post & rail fence to roadside of Glenaladale Historic Cemetery boundary.	\$3475	<b>Not Recommended</b>  This project has valid historic importance and is one of two Council managed cemeteries. Officers will work with the group to seek alternate funding.
		<b>Total</b>	\$3475	



# East Gippsland Shire Council

## Community Grants Program Guidelines

### Round 1, 2021-2022



East Gippsland Shire Council Grants Program -Funding Guidelines

1

## Grants Program Guidelines

### Overview

The East Gippsland Shire Council's Community grant programs provide funding opportunities for East Gippsland based community groups, organisations and in some categories, individuals (artists).

Through these programs the Shire supports a wide range of services and innovative activities that strengthen our communities, encourage environmental sustainability, health and well-being, while fostering cultural diversity, the arts and local economies.

There are two funding rounds each financial year. Round 1 opens at 9:00am on Wednesday 2 June 2021 and all applications must be submitted by 5.00pm on Wednesday 4 August 2021. Applications in this round must be for projects that start after mid October 2021.

Dates for subsequent rounds are listed on the [East Gippsland Shire Council website](#).

Applications need to be submitted and acquitted, if successful, via the online grants management program called Smartygrants. Applications forms can be started, saved and submitted at: [www.eastgippsland.vic.gov.au/grants](http://www.eastgippsland.vic.gov.au/grants)

EGSC staff are available to help support you to make an application. It is strongly recommended that all applicants contact the relevant grant officer, listed in the table on page 3, prior to commencing their application on 03) 5153 9500.

Applicants can only be successful for a specific project in one grant program per funding round.

There is a '[Help Guide for Applicants](#)' available which outlines how to use the Smartygrants system.

All applications must be submitted via the online program.

There will be grant information sessions held at various locations across the Shire. Please visit the [Community Grants webpage](#) for further information.

#### Are you planning an event?

As an accessible, alternative and healthier option East Gippsland Water have a portable drinking water trailer available to be used at events free of charge for large community and/or non-profit making events. For further details please see their website <https://www.egwater.vic.gov.au/drinking-water-trailer/>

The following table outlines the categories available under the East Gippsland Shire Grants program. As well as the standard guidelines, each category has specific eligibility criteria.

## East Gippsland Shire Council Grants Program Categories

Category	Maximum Request	Program Officer	Criteria Page No.
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### Community Grants Program

Community Projects	\$5,000.00	Rebecca Pantry	7
		Acting Community Programs Coordinator	

### Arts and Heritage Grants Program

Arts Projects	\$5,000.00	Andrea Court	8-9
Major Arts Projects	\$10,000.00	Arts and Culture Coordinator	
Heritage Projects	\$5,000.00		

It is the responsibility of the applicant to ensure the application is submitted to the correct program. Your application cannot be switched between programs after submitting.

If you are unsure as to which category you should be applying for, please call program staff on 03) 5153 9500.

## General Information

Please familiarise yourself with the standard grant program guidelines as well as the specific criteria for the category you intend to apply for prior to commencing the application form.

### Important Information

- After reading this document which includes the assessment criteria you can access the application forms on the [East Gippsland Shire Council website](#)
- These funding programs are not recurrent funding programs. Council will not support the same project, event or program each year unless there is obvious change to its reach, target market or outcomes.
- You may attach supporting documentation such as letters of support, letter of agreement to auspice (if required), photos, financial information that will be of use when assessing your application. If applying for an art grant it is expected that you would supply artistic support material.
- Completed applications and supporting documentation must be submitted no later than 5.00 pm on the closing date indicated on page 1.
- If you have difficulty completing the form or need assistance with determining the appropriate category for your project/event, please contact the relevant Shire Officer (refer to page 3) on (03) 5153 9500.
- The Smartygrants system will save a PDF of your application for you. Shire staff can also email you a PDF copy if required. Be sure to save a copy in case you are contacted for further information.
- Read the questions carefully and ensure you answer them fully.
- Information provided as part of this application must be true and correct to the best knowledge of the nominated representative.
- Demonstrate that your application is financially viable and that the project can be successfully delivered within the specified budget. For Community Projects and Arts and Heritage grant programs your budget must balance, and you must be showing dollar for dollar matching. For every dollar, you are asking from the grant there must be a dollar coming from elsewhere to match it. 50% of which can be in-kind support.
- If you are applying for an upgrade of a facility it must be on Shire owned land, Crown land or land under an acceptable deed or trust for non-profit incorporated bodies.
- Any grant funding that is unspent at the completion of the project or used on expenses that have not been approved in the funding agreement, must be returned to the Shire.
- Ensure if your project involves children that you adhere to the new Child Safety Standards. For further details please visit their website: <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/>
- Successful grant applicants will be required to submit and COVID -19 safe plan. it is the applicant's responsibility to ensure COVID -19 Health guidelines issued by Department of Health and Human Services (DHHS) are always followed. Please refer to the DHHS Covid safe - workplace guidelines. For further details please visit their website: <https://www.dhhs.vic.gov.au/coronavirus>

## Eligibility

### What is eligible for funding?

To be eligible for funding, your organisation must be able to demonstrate:

- That the project primarily benefits residents and/or service organisations/groups within the East Gippsland Shire.
- Incorporation, or have a letter of support from an incorporated organisation willing to support the project under an auspice agreement.
- Evidence of financial viability and sound management of the project.
- That the project is well planned and achievable within the proposed timeframe.
- That the grant proposal is for a specific project/event that does not require recurrent or ongoing funding.
- That the project organiser will obtain all written approvals, consent and permits from the relevant authorities and/or stakeholders prior to commencing. Failure to do so will result in the removal of funding support.

### What is not eligible for funding?

- Fireworks. In time of drought and extreme fire risk Council will not support the purchase of fireworks. Projects and/or Events that included fireworks must provide stringent compliance and risk management assessment plans and approvals.
- An organisation that has not satisfactorily acquitted a previous grant from the East Gippsland Shire Council.
- Projects seeking funding for activities that will be conducted outside the boundaries of the East Gippsland Shire.
- Projects that are not showing other financial (including in-kind) support to the value of the grant request or higher.
- Projects requesting funding for wages/salaries for staff not directly engaged in the delivery of the project.
- General operating expenses.
- Commercial activities or business start-up costs.
- Projects requesting retrospective funding for monies that have already been spent or monies to cover shortfalls in the operational budget.
- Activities and programs that duplicate existing services.
- Individuals and unincorporated bodies, unless auspiced by an incorporated body. The exception is for individual artists in the Arts categories.
- Projects that are the responsibility of the State or Commonwealth Government.
- Activities with a focus on the promotion of a single faith, political activities and/or religious ceremonies.
- Projects that are primarily for the purpose of fundraising and/or where Council's contribution will be specifically used to purchase trophies, prizes or prize money.
- Incomplete applications or applications that have not enclosed all required documentation.
- Projects that are scheduled to occur before Council has made a final decision on the funding round.
- NOTE: Regular maintenance is not eligible and should be built into yearly budgets. Upgrade of equipment may be considered where there is a clear increased benefit to the community.

- Successful grant recipients will need to agree to protect, respect and promote the Human Rights of all and comply with the [Charter of Human rights](#).

## Community Grants Program

The aim of the Community grants program is to assist in creating an inclusive, healthy, safe and resilient East Gippsland community. The program is underpinned by community strengthening principles. These principles include but are not limited to:

- Valuing collaborations and partnerships
- Providing access and equity to ensure a socially inclusive community
- Asset based – building on strengths that exist within our community
- Valuing the environmental sustainability of East Gippsland

The maximum amount available to apply for is \$5,000 and all requested amounts require a dollar for dollar contribution, 50% of which can be in-kind.

All applications will be required to identify how the project aligns with the East Gippsland Shire Council Plan or adopted plan such as those linked below:

[Council Plan](#)

[Age-Friendly Communities Strategy](#)

[Community Health and Wellbeing Plan](#)

[Reconciliation Action Plan](#)

[Built Recovery Action Plan](#)

[Culture and Healing Recovery Action Plan](#)

[Economic Recovery Action Plan](#)

[Natural Environment Recovery Action Plan](#)

[Social Recovery Action Plan](#)

Additional plans can be found on Council Website

<https://www.eastgippsland.vic.gov.au/community/community-plans>

<https://www.eastgippsland.vic.gov.au/community/my-family>

### What is in-kind support?

It is charitable giving in which, instead of giving money to buy needed goods and services, the goods and services themselves are given. Or, given goods, commodities or services that are worth money, instead of money.

For example: A committee member has lumber in the shed that she is giving to the project. The wood would have been worth approximately \$600 if it was bought specifically for the project. Meaning, \$600 in-kind support would show in the budget under income as well as expenditure.



# Community Grants Program

## Required documentation

The support materials listed below must be submitted with your application. **Failure to do so will make your application ineligible.**

- A copy of the organisation's most recent Annual Report or Financial Statement showing profit, loss and reserves as a minimum.
- If the applicant is not legally incorporated, a letter and the above documentation must be provided from an incorporated organisation indicating its willingness to auspice the proposed project for you.
- If your project is taking place on someone else's land, an email/letter of support or agreement from the land owner.

## Assessment Criteria

### Community Projects

All Community Projects applications received will be assessed against the following criteria:

- Meet all eligibility criteria on page 5.
- The extent to which the project addresses a community need and reflects a clear and ongoing community benefit.
- The extent to which the project makes a clear connection to priorities within the East Gippsland Shire [Council Plan](#) or an adopted plan.
- The depth of demonstrated partnerships between community, groups and or organisations.
- The level of inclusion and participation for all community members.
- The applicant has a proven track record and can show clear capacity to manage the project.
- The depth and number of measurable impacts including how these impacts will continue once the funding and or project ends.
- The amount requested must be matched dollar for dollar as detailed on page 6. (50% of the grant request needs to be shown in the budget as other support, half of this needs to be cash and the other half can be in-kind)

Examples of community projects can include (but are not limited to):

- A community celebration, festival or show that is inclusive of the local community.
- Projects focusing on our environment – Resource Smart projects (bio-diversity, waste, energy and water).
- Energy audits, with the aim of improving the viability and sustainability of a community facility, which will in turn could make it cheaper to hire for the community, increasing usage.
- Community education and planning events.
- Projects that improve the health and well-being of the community.

- Projects that build strength and resilience in communities, empowering people of all ages and abilities to feel engaged and connected.
- Upgrade of a community facility for example, adding a kitchenette to a community hall with the aim of attracting more diverse hires, while generating more income for the hall committee, making the hall more sustainable.
- Partnerships with Traditional Owner groups, education, celebration and inclusion of culture.



## Arts and Heritage Grants

The Arts and Heritage grants program aims to support to individuals (Artists) and local organisations to present and or developmental arts activity and heritage projects. The program aims to foster a strong sense of local identity, creativity and community spirit through the categories' below.

- Arts Projects up to \$5,000
- Major Arts Projects up to \$10,000
- Heritage Projects up to \$5,000

Projects in this category must generally result in some form of public presentation. Visual arts, literature, music, theatre, dance, multimedia and other art forms.

### Arts Projects Criteria

The Arts Projects will be assessed against the following criteria:

- The level of artistic/cultural merit, to be shown through artist support material – images and the explanation of the rationale of the work, i.e. the thinking behind the work.
- The extent to which the approach to the artform and presentation shows innovation.
- The extent to which the outcome increases the awareness, appreciation and participation by a broad cross-section of the local community, particularly communities not regularly involved in local cultural activity with the aim of increasing creativity and well-being.
- The amount requested must be matched dollar for dollar. This can include in-kind support. No more than 50% of other support can be in-kind (25% of the total project cost). Other sources of contribution may include ticket sales, cash reserves, donations, other grants, philanthropic, corporate or fundraising.
- Artists should be shown as being paid in the budgets.

### Major Arts Projects Criteria

In addition to the criteria listed under Arts Projects (above) the following criteria must also be addressed when applying for a Major Arts Grant:

- The extent to which the project provides new and expanded opportunities to express and celebrate East Gippsland's cultural diversity.
- The demonstrated level of partnerships between artists or art, organisations and the wider community and opportunities to develop new skills.
- That the public presentation will attract a broad or new audience and is accessible to community in the hope of growing creativity and expression in the community.
- The level of community involvement in the creation and/or presentation of the project.
- The extent to which the development and or presentation uses public spaces and places in the municipality, notably East Gippsland halls, community facilities, streets and open spaces.

### Heritage Projects

The Heritage Projects aim to support work that enhances East Gippsland heritage. This could include structures, sites, streetscapes, people or objects. Projects could include, but are not limited to, creation of a cultural tourism or attraction, acknowledgement of a local person, cataloguing of community museum's artefacts, event or place known for its historical significance, oral history projects or enhancement of a heritage structure.

- To the extent that the place, person or site is historically significant.
- The depth and level of relevant partnerships.
- The applicant has a proven track record and can show clear capacity to manage the project.
- That the correct procedures are outlined and followed. For example, cataloguing follows the [Museums Victoria guidelines](#).
- The amount requested must be matched dollar for dollar. This can include in-kind support. No more than 50% of other support can be in-kind (25% of the total project cost). Other sources of contribution may include ticket sales, cash reserves, donations, other grants, philanthropic, corporate or fundraising.

## Assessment and Selection Process

The Grants Program is a competitive process and each application is assessed based on the relevant funding criteria.

Below is the expected timeframe of the grants process.

Funding Round 1, 2021/2022 opens	9.00am on Wednesday 2 June 2021
Funding Round 1, 2021/2022 closes	5:00pm Wednesday 4 August 2021
All applications assessed by grants panel	August 2021
Recommendations for funding compiled for Council report	August 2021
Reviewed by Councillors	August 2021
Recommendations approved at the Council meeting	September or Early October 2021
Applicants notified of funding outcome	After approval by Council September or Early October

All applicants will be advised in writing via the contact email address of the outcome of their application.

Funding allocations in each grants category may not be fully allocated, and the Shire reserves the right to make this decision following assessment of all submissions.

## Approved projects

Successful applicants will be asked to sign a Funding Agreement before receiving the grant money, you will be given a purchase order number to add to your invoice and when the invoice is received the payment will be released.

## Acquittal report

If successful, on completion of the project you will be required to fill out a final acquittal report, also through the Smartygrants system. The acquittal report includes financial reconciliation and a project evaluation. This is where you will be asked to provide:

- A description of your project and how it met your objectives
- An evaluation of the impact of your project, including things like attendance figures, community impact and outcomes
- A financial reconciliation, showing your actual finances compared with the budget you submitted in the application
- Supporting documentation, including receipts proof of Council acknowledgement on all promotional material, photographs of the project outcomes and feedback on the program.

The acquittal report will be due 30 days after the project end date. You can fill it out and save it as you deliver the project.

## Why you are required to acquit the grant

To account for your use of public funds, demonstrating that the funding has been used for the purpose that it was provided for and in accordance with your Funding Agreement. To assist the Council in assessing how successful the programs are and to provide you with an opportunity to make suggestions regarding improvements to the funding programs.

**Contact us**

**Telephone**

Residents' Information Line: 1300 555 886 (business hours)

Council general number: (03) 5153 9500 (business hours)

National Relay Service: 133 677

**Post**

East Gippsland Shire Council, PO Box 1618

Bairnsdale 3875 Australia

Fax (03) 5153 9576

Web [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)

Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

**In person**

Bairnsdale: 273 Main Street

Lakes Entrance: 18 Mechanics Street

Mallacoota: 70 Maurice Avenue

Omeo: 179 Day Avenue

Orbost: 1 Ruskin Street

Paynesville: 55 The Esplanade

**Outreach Centres**

Bendoc Outreach Centre -

18 Dowling Street

Buchan Resource Centre -

6 Centre Road

Cann River Community Centre -

Princes Highway



East Gippsland Shire Council Major Arts Project Grants – Round One 2021-2022 Recommended Major Arts Project grants				
Major Arts Project				
Applicant	Project Title	Project Description	Requested Amount	Recommended Amount
Albatross Photography & Design	Artworks for East Gippsland Kids	Albatross Photography & Design will create custom Photographic Artworks for kids with special needs which will be ready just in time for Christmas. This is an extension project to go region-wide to allow more kids the opportunity to attend the photoshoots and have their own artworks created from various templates; including Christmas theme, including a Secret Santa, dinosaurs, unicorns, fairies and knights.	\$10,000	\$6,000  Good social diversity extension project for Lakes Entrance and Orbost.  Amount reduced due to a competitive round and to meet budget constraints
Marlo ratepayers and Residents Association Inc.	Snowy Estuary Sculptures	This project will engage Richard Moffat as an Artist in residence who will, reuse farm implements to create enduring bird and animal sculptures symbolising place and life. Distinctive artforms shall lift spirits, improve wellbeing and unify a community, which has endured drought, bushfires and isolation. He will also mentor young East Gippsland sculptor Madeleine Last and assist local business in attracting visitors.	\$10,000	\$8,000  Strong application with cultural tourism outcomes for the far east of the region.  Amount reduced due to a competitive round and to meet budget constraints
		Total	\$20,000	\$14,000

## East Gippsland Shire Council Arts Project Grants - Round One 2021-2022

### Recommended Arts Project grants.

Applicant	Project Title	Project Description	Requested Amount	Recommended Amount
Crashendo! Bairnsdale Inc	CRASHENDO! Bairnsdale - Music changes lives for the better!	At CRASHENDO! Bairnsdale Inc.'s core is the conviction that the experience of ambitious, joyful group music-making in a safe place will support people of all ages, who are experiencing challenges, to build community connections, develop new skills, resilience plus musical mastery.	\$5,000	<b>Recommended</b> \$2,500  Strong application with good community engagement. Amount reduced due to a competitive round and to meet budget constraints.
Friends of Paynesville and Raymond Island	Paynesville Pop-Up Choir	A community-based choir that rehearses and performs regularly in public over a 6-8 month period, bringing up to 100 community members together to develop their singing skills, connect as community members, foster community well-being and bring joy to the local community and visitors.	\$2,500	<b>Recommended</b> \$2,000  Strong application with broad community engagement.
Lee Nickless	Art Labs - Workshop series	A series of free workshops delivered by specialist artist in East Gippsland. The workshop topics include Augmented reality for artist, Painting and sculpting in Virtual reality and interactive projection installations. The workshops will be used as a basis for under pinning skills that will function as	\$5,000	<b>Recommended</b> \$2,500  A good application and the digital arts are well

		a catalyst for further arts projects including the 2022 East Gippsland Winter Festival and a summer exhibition at Ice Works Gallery titled: Synthesizing Reality - an exhibition of new media arts.		worth developing skill capacity in the creative sector for the future.  Amount reduced due to a competitive round and to meet budget constraints.
Reclink Australia Mallacoota	Reclink Recovery Arts Program	The Reclink Recovery Arts Program will be a series of weekly classes and workshops over 10 weeks aimed at bringing community members together through various visual arts sessions - including acrylic and watercolour painting, canvas building, recycled and textile artwork, drawing skills, portraiture, landscape or still life, collage, digital art and nature based art. The series would culminate in an exhibition of collected works from the program.	\$3105	<b>Recommended</b> \$2,500  Strong application with significant Creative recovery merit and focused on a broad cross section of community.  Amount reduced due to a competitive round and to meet budget constraints.
		<b>Total</b>	15,605.00	\$9,500.00

East Gippsland Shire Council Major Arts Project Grants – Round One 2021-2022 Recommended Major Arts Project grants connection to the Council Plan Major Arts Project				
Applicant	Project Title	Project Description	Connection to the Council Plan	Recommended Amount
Albatross Photography & Design	Artworks for East Gippsland Kids	Albatross Photography & Design will create custom Photographic Artworks for kids with special needs which will be ready just in time for Christmas. This is an extension project to go region-wide to allow more kids the opportunity to attend the photoshoots and have their own artworks created from various templates; including Christmas theme, including a Secret Santa, dinosaurs, unicorns, fairies and knights.	<p>The aim of the Community grants program is to assist in creating an inclusive, healthy, safe and resilient East Gippsland community. The program is underpinned by community strengthening principles. These principles include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Valuing collaborations and partnerships (with Rose McKenna and Jacque Archer and their communities)</li> <li>• Providing access and equity to ensure a socially inclusive community (with children with special needs and their families)</li> <li>• Asset based – building on strengths that exist within our community (artists, carers, children, people with disabilities)</li> </ul> <p>The socially connected, have greater capacity to accept and adapt to change, and are more accepting of diversity and cultural differences."</p>	<p>\$6,000</p> <p>Good social diversity extension project for Lakes Entrance and Orbost.</p> <p>Amount reduced due to a competitive round and to meet budget constraints</p>

Marlo ratepayers and Residents Association Inc.	Snowy Estuary Sculptures	This project will engage Richard Moffat as an Artist in residence who will, reuse farm implements to create enduring bird and animal sculptures symbolising place and life. Distinctive artforms shall lift spirits, improve wellbeing and unify a community, which has endured drought, bushfires and isolation. He will also mentor young East Gippsland sculptor Madeleine Last and assist local business in attracting visitors.	The Snowy Estuary Sculptures project links to all aspects of the East Gippsland Shire Council's Council Plan. It demonstrates inclusivity with a broad cross section of the community being involved in the creation of the artworks, the indigenous community has been consulted; it will add infrastructure that enriches our built and natural environment and will augment the character of Marlo by introducing public art that relates to our environment and place. It will add pride and a sense of connection to the community. It will add to the points of interest for visitors, thus encouraging longer stays and tourist visits and assisting our local businesses. It will celebrate the characteristics that make Marlo and East Gippsland unique.	\$8,000  Strong application with cultural tourism outcomes for the far east of the region.  Amount reduced due to a competitive round and to meet budget constraints
			<b>Total</b>	\$14,000

**East Gippsland Shire Council Arts Project Grants - Round One 2021-2022**  
**Recommended Arts Project grants connection to the Council Plan 2021- 2025.**

<b>Applicant</b>	<b>Project Title</b>	<b>Project Description</b>	<b>Connection to the Council Plan</b>	<b>Recommended Amount</b>
Crashendo! Bairnsdale Inc	CRASHE NDO! Bairnsdale	At CRASHENDO! Bairnsdale Inc.'s core is the conviction that the experience of	This project will work towards the recovery and strengthening resilience in the community and activities to promote community wellbeing	<b>Recommended</b> \$2,500

	- Music changes lives for the better!	ambitious, joyful group music-making in a safe place will support people of all ages, who are experiencing challenges, to build community connections, develop new skills, resilience plus musical mastery.	Group instrumental learning and playing has been shown to decrease stress and increase resilience, memory, organisational skills, team skills, perseverance, coordination, mathematical ability, language and reasoning, cultural history, self-expression and responsibility. This delivers better health, wellbeing and potential longer-term employment outcomes for the community. The traineeships provide opportunity for local employment opportunities now and in the future.	Strong application with good community engagement. Amount reduced due to a competitive round and to meet budget constraints.
Friends of Paynesville and Raymond Island	Paynesville Pop-Up Choir	A community-based choir that rehearses and performs regularly in public over a 6-8 month period, bringing up to 100 community members together to develop their singing skills, connect as community members, foster community well-being and bring joy to the local community and visitors.	<p>The project supports the Council Plan in the following respects:</p> <p>1.2 Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to.</p> <p>1.3 Community groups and volunteers are acknowledged, promoted and supported.</p> <p>The project also supports resilience of local communities and their ability to develop cultural and social programs to support community connection, social interaction across generations and local learning and development opportunities. Also, it provides a unique opportunity for the local community to celebrate its character and connectedness.</p>	<p><b>Recommended</b></p> <p>\$2,000</p> <p>Strong application with broad community engagement.</p>
Lee Nickless	Art Labs - Workshop series	A series of free workshops delivered by specialist artist in East Gippsland. The workshop topics include Augmented reality for artist, Painting and sculpting in	The project is designed to upskill our local artists to build on their artistic capacity, the project aligns with outcomes in the objective to have a thriving and diverse economy that attracts investment and generates inclusive local employment through the	<p><b>Recommended</b></p> <p>\$2,500</p> <p>A good application and the digital arts are well worth developing skill</p>

		Virtual reality and interactive projection installations. The workshops will be used as a basis for under pinning skills that will function as a catalyst for further arts projects e.g. a summer exhibition at Ice Works Gallery titled: Synthesizing Reality - an exhibition of new media arts.	<p>delivery of new innovative skills that build our artists capacity.</p> <p>The workshop series will also achieve this by delivering effective, engaging and responsive services by responding to the technology needs of artists and engaging with them on their creative level.</p>	<p>capacity in the creative sector for the future.</p> <p>Amount reduced due to a competitive round and to meet budget constraints.</p>
Reclink Australia Mallacoota	Reclink Recovery Arts Program	The Reclink Recovery Arts Program will be a series of weekly classes and workshops over 10 weeks aimed at bringing community members together through various visual arts sessions - including acrylic and watercolour painting, canvas building, recycled and textile artwork, drawing skills, portraiture, landscape or still life, collage, digital art and nature based art. The series would culminate in an exhibition of collected works from the program.	<p>The Reclink Recovery Arts Program falls under the first objective in the council plan - creating an inclusive and caring community that respects and celebrates diversity.</p> <p>This program aims to support the Mallacoota community and surrounding East Gippsland districts in promoting community unity, social connection across demographics, and inclusion of individuals that may feel isolated within the community. Providing the opportunity to create art in a safe, welcoming social setting offers the community an activity which is inclusive, enjoyable, fosters self-expression, assists healing and improved mental health outcomes in our rural, fire affected districts.</p> <p>Workshops will be offered to all interested community members, free of charge, making it accessible and inclusive for all.</p>	<p><b>Recommended</b></p> <p>\$2,500</p> <p>Strong application with significant Creative recovery merit and focused on a broad cross section of community.</p> <p>Amount reduced due to a competitive round and to meet budget constraints.</p>
			<b>Total</b>	\$9,500.00



### **5.3.5 East Gippsland Shire Council Community Projects Grants Program Funding Round 1 2021-2022**

Authorised by      Acting General Manager Place and Community

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#### **Conflict of Interest**

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

#### **Executive Summary**

The East Gippsland Shire Council's Community Projects Grant program provides funding opportunities for East Gippsland based community groups and organisations. Through this program, Council supports a wide range of projects that strengthen our communities, encourage environmental sustainability, social connection, health and well-being, and social inclusion and cultural diversity.

The objective of the Community Projects 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.

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.

The current grant round attracted 18 applications, 11 of which had been recommended for funding. 1 application has subsequently withdrawn due to no longer being unable to meet commitment to 50% funding contribution and one due to cancellation of 2022 annual event.

5 applications were not recommended for Round 1 funding due to ineligibility or other reasons, applicants will be contacted and supported to apply for alternative funding opportunities or further develop their projects in order to access future funding rounds.

## Officer Recommendation

### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report; and*
- 2. endorse the recommendations for funding through the East Gippsland Shire Council Community Projects Grant Program outlined in Attachment 1. Summary below.*

Application ID		Project Title	Recommended Total Amount Requested
CPGR1/21-2200005	GippSport	Streetgames Action Sports Events	\$5,000.00
CPGR1/21-2200011	Valid - Victorian Advocacy League for Individuals with Disabilities	Bairnsdale Community Expo - Together We Are Better	\$5,000.00
CPGR1/21-2200008	Bairnsdale Recycle Enterprise Inc (BREI)	Bairnsdale repair cafe safety project	\$3,975.00
CPGR1/21-2200021	Cassilis Recreation Reserve	Living it Up	\$2,500.00
CPGR1/21-2200009	Snowy Grower Community Garden	Community garden fencing project	\$3,385.00
CPGR1/21-2200018	Reading Out of Poverty	Books from Birth	\$5,000.00
CPGR1/21-2200015	Paynesville Motor Cruiser Club	Infrastructure improvement – Verandah/outdoor shade	\$5,000.00
CPGR1/21-2200022	Howitt Park Management Committee	Little Aths Equipment Upgrade	\$2,402.00
CPGR1/21-2200024	East Gippsland United Football Club	Ball Stop Net and Post System	\$4,800.00
CPGR1/21-2200013	Omeo Soldiers Memorial Hall CoM Inc.	Giving the Floor in the Hall a Polish	\$5,000.00
CPGR1/21-2200006	Lindenow Recreation and Bowling Club Inc.	Club room upgrade	\$3,634.00
			<b>\$45,696.00</b>

## Background

There are two funding rounds each financial year. Round 1 of the Community Project Grants opened on Wednesday 2 June 2021 and closed on Wednesday 4 August 2021. Applications in this round must be for projects that start after notification in October 2021. The grant round was advertised by direct email to community groups, in Community newsletters, local newspapers, through the East Gippsland Shire website and on the East Gippsland Shire Council Facebook page.

The round attracted 18 applications, requesting a total of \$74,696.00 to support projects with a total project value of \$218,898.91. A list of all applications received can be found in **Attachment 2**.

Before the grant round opened the Grant Guidelines **Attachment 3** were updated to reflect date and program staff changes.

## Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). As of 1 July 2021 all provisions from the new Act have commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 2020*

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*.

## Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has been prepared in collaboration Not applicable

## Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 1:

- 1.1 Council strives to provide equitable access to their services, support and facilities.
- 1.2 Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to.
- 1.3 Community groups and volunteers are acknowledged, promoted and supported.
- 1.4 Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience.

Strategic Objective 2:

- 2.2 Infrastructure provision and maintenance supports a diverse range of current and future user needs and activities and is both environmentally and financially sustainable.

Strategic Objective 5:

- 5.3 Communities are engaged in decision-making and support is provided to develop local solutions to local issues.

## Council Policy

Council historically support budget allocation for two rounds of Community Project Grants in the annual budget.

This program aligns with the Service Performance Principles in the Local Government Act 2020 that suggest services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.

## Process

The process for assessment of the applications requires a minimum of three Council Officers 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:

- Acting Coordinator Community Programs, Place and Community
- Youth Engagement Officer, Community Programs Place and Community
- Drought Assistance Officer, Economic and Emergency Management Team

Applications are assessed against the grant program criteria and guidelines and each proposed project is 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 **Attachment 3**

The purpose of the assessment panel is:

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

It was identified that a number of applications received did not meet the eligibility criteria and subsequently the panel were unable to recommend these applications for funding.

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

## Options

The 11 recommended applications from the 18 received are detailed in **Attachment 1**. All applications received were assessed against the grant guidelines and eligibility criteria found in **Attachment 3**. Grants that did not meet the eligibility criteria, rated low on the assessment criteria, were assessed as offering low/no community benefit, or if there were other funding streams better suited for the proposed project were not recommended to be funded.

Support and feedback will be offered to unsuccessful applicants to assist them to further develop their project applications to make submission to future Council funding rounds or seek other external funding opportunities.

Reportedly applications are down due to the current community engagement and program delivery complexities.

## Resourcing

### *Financial*

<b>Funding Program</b>	<b>Total number of applications</b>	<b>Funding Recommended</b>	<b>Total Project Investment</b>	<b>Number of projects Recommended</b>
Community Projects	18	\$ 45,696.00	\$ 97,917.00	11

The 2021 - 2022 budget allocation for the Community Project Grants is \$111,000.00 \$4,500.00 is allocated to the SmartyGrants program usage fee. The remaining \$106,500.00 is for allocation across Round 1 and 2. Funds are evenly distributed between the two rounds.

Officers have supported individual groups and organisations with project development, application submission as is appropriate.

### *Plant and equipment*

Not applicable

### *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 Unit are responsible for the administration of the Community Grants Programs

### *Risk*

The risks of this report have been considered as minimal impact. Management through Officer support to address incidents of backlash and supported processes are in place through communications.

## Economic

The Community Projects recommended amount to a total contribution of \$45,696.00 from Council if endorsed, but generate a total investment of \$97,917.00 overall, with the 50% matching criteria required and in some cases additional partner project investment.

## Social

Through this program, Council supports a wide range of projects that strengthen our communities, encourage environmental sustainability, social connection, health and well-being, and social inclusion and cultural diversity.

The Community Grant Guidelines have been developed to align with the priorities communicated through the Community vision, The Council Plan, The Municipal Health and Wellbeing Plan, and various other Council Strategies.

## Environmental

Assessment and scoring of projects were in consideration of environmental and community impacts. Some individual projects have direct and specific positive environmental impacts

### *Climate change*

This report has been prepared and aligned with the following Climate Change function/category:

This report is assessed as having no direct impact on climate change.

## Engagement

The proposed funding opening round dates have been advertised on the Council website since the last Round 2 2020 - 2021 successful projects were announced. Round 1 2021 - 2022 advertisements commenced in May 2021 and were published in local newspapers as well as community newsletters and social media.

Online Q&A and grant information sessions were held on  
Friday, 25 June 2021, 10.00AM – 11.00AM  
Monday, 28 June 2021, 6.00 PM-7.00 PM  
Monday, 5 July 2021, 10.00AM – 11.00AM  
Wednesday, 7 July 2021, 6:00 PM-7:00 PM

The Information Session links were available on Council website.

<https://www.eastgippsland.vic.gov.au/community/grants>

Email dissemination advertising information sessions and the funding round were sent utilising existing community and sector networks, Service Centres and Neighbourhood House's.

Applicants were invited to contact the programs staff for information regarding:

- Completing applications correctly
- Budget assistance
- Understanding timelines and processes involved
- Need for supporting documentation
- 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.

Due to COVID-19 restrictions Council grants information sessions were held online through an online platform and an information session presentation has been made available via YouTube.

The Information sessions are conducted to assist community members with their project queries, to give examples of successful projects, advise on how to plan and write a project budget and to connect community with the appropriate program staff.

Multiple online and phone support meetings between program staff and applicants were also held in the lead up to the closing date.

Application guidelines were made available on the Shire website and printed copies at all the Service Centres and libraries.

## **Attachments**

1. Recommended applications R 1 2021-2022 Council Report [**5.3.5.1** - 2 pages]
2. All Applications R 1 2021-2022 Council Report [**5.3.5.2** - 2 pages]
3. Community Grants Guidelines Round 1 2021-2022 [**5.3.5.3** - 13 pages]



## Recommended Applications – Community Projects Round 1 2021-2022

Place of Delivery	Application ID	Project Title	Expected Outcomes	Total Amount Requested	Total Project Cost	Recommended Amount
Mallacoota	CPGR1/21-2200005	Streetgames Action Sports Events	Event and clinics - Host Victorian Skate Association accredited action sport competitions and clinics for young people aged 12-25 years. Event will encompass a whole of community and have a family friendly focus, with Make Your Move: Kidido who will also attend the events to facilitate an active participate space for children and families.	\$5,000.00	\$10,000.00	\$5,000.00
Bairnsdale 805	CPGR1/21-2200011	Bairnsdale Community Expo - Together We Are Better	Community groups, programs and activities Expo - to advertise and showcase the various opportunities for residents and local community members including but not specific to those living with disability to engage in for enhanced participation and contribution. I.e. Sporting, social and volunteer groups.	\$5,000.00	\$5,000.00	\$5,000.00
Bairnsdale 805	CPGR1/21-2200008	Bairnsdale repair cafe safety project	Purchase of safety equipment and training of volunteers. Additional electrical safety testing equipment to enhance capacity for program delivery for existing social enterprise.- The project is delivered onsite at the Hub Bairnsdale and have created a partnership with Gippsland East LLEN and the Bairnsdale men's shed.	\$3,975.00	\$7,956.00	\$3,975.00
Cassilis	CPGR1/21-2200021	Living it Up	<p>Community Event /Music performance get together &gt; two professional bands, support any local musicians "Open Mic" session.</p> <p>The local Swifts Creek Bush Nurse has given support to this project and explanation of why it would contribute to the wellbeing of community.</p> <p>The Department of Environment, Water, Land and Planning (DEWLP) are also supportive of this event and are responsible for land management for the Cassilis Recreation Reserve.</p>	\$2,500.00	\$9,540.00	\$2,500.00

## Recommended Applications – Community Projects Round 1 2021-2022

Orbost	CPGR1/21-2200009	Community garden fencing project	Stage two of Boundary fence project - Stage one complete and fully funded by committee. The Snowy Growers Community Garden is managed by Orbost Regional Health and a volunteer committee made up of community members who are beginner and avid gardeners / run events, open days and social gardening days for anyone in the community.	\$3,385.00	\$6,510.00	\$3,385.00
805 Early Years	CPGR1/21-2200018	Books from Birth	Provision of literacy kits to Early Years families across EG - addressing our poor statistics and supporting parents engagement and promoting reading in Early years . ROOP has an existing strong partnership with the local Rotary Club of Bairnsdale Sunrise will work closely with them to distribute and seek to collaborate with other local community organisations and form partnerships with them to distribute the kits such as local playgroups, parent groups, libraries, GP clinics and child health centres. Funding from the GWA Griffiths Estate Charitable Fund which we will use to co-fund this opportunity in East Gippsland	\$5,000.00	\$13,500.00	\$5,000.00
Paynesville	CPGR1/21-2200002	Construction of Verandah roof over an existing viewing deck at the Paynesville Motor Cruiser Club	To build the verandah over outdoor area Paynesville Motor Cruiser Club	\$5,000.00	\$20,250.00	\$5000 – #funding agreement conditions /Works approval provision
Bairnsdale	CPGR1/21-2200022	Little Aths Equipment Upgrade	Upgrade Equipment - Hurdles > senior and junior.	\$2,402.00	\$4,804.00	\$2,402.00
Bairnsdale	CPGR1/21-2200024	Ball Stop Net and Post System	Equipment purchase and infrastructure to support safety net between user groups	\$4,800.00	\$9,882.00	\$4,800.00
Omeo	CPGR1/21-2200013	Giving the Floor in the Hall a Polish	Refurbish repairs of the floor.	\$5,000.00	\$10,725.00	\$5,000.00
Lindenow	CPGR1/21-2200006	Club room upgrade	Replacement of indoor floor covering	\$3,634.00	\$10,000.00	\$3,634.00
			<b>TOTALS</b>	<b>\$45,696.00</b>	<b>\$97,917.00</b>	<b>\$45,696.00</b>

## All Applications – Community Projects Round 1 2021-2022

Place of Delivery	Application ID	Project Title	Expected Outcomes	Total Amount Requested	Total Project Cost	Recommended Amount R
Paynesville	CPGR1/21-2200023	Paynesville Classic Boat Rally 2022	An on-water event + land based support community festival/activities > weekend	\$5,000.00	\$55,000.00	Withdrawn
Mallacoota	CPGR1/21-2200005	Streetgames Action Sports Events	Event and clinics - Host Victorian Skate Association accredited action sport competitions and clinics for young people aged 12-25 years. Event will encompass a whole of community and have a family friendly focus, with Make Your Move: Kiddo who will also attend the events to facilitate an active participate space for children and families.	\$5,000.00	\$10,000.00	\$5,000.00
Bairnsdale 805	CPGR1/21-2200011	Bairnsdale Community Expo - Together We Are Better	Community groups, programs and activities Expo - to advertise and showcase the various opportunities for residents and local community members including but not specific to those living with disability to engage in for enhanced participation and contribution. I.e. Sporting, social and volunteer groups.	\$5,000.00	\$5,000.00	\$5,000.00
Bairnsdale 805	CPGR1/21-2200008	Bairnsdale repair cafe safety project	Purchase of safety equipment and training of volunteers. Additional electrical safety testing equipment to enhance capacity for program delivery for existing social enterprise.- The project is delivered onsite at the Hub Bairnsdale and have created a partnership with Gippsland East LLEN and the Bairnsdale men's shed.	\$3,975.00	\$7,956.00	\$3,975.00
Cassilis	CPGR1/21-2200021	Living it Up	Community Event /Music performance get together > two professional bands, support any local musicians "Open Mic" session.	\$2,500.00	\$9,540.00	\$2,500.00
Orbost	CPGR1/21-2200009	Community garden fencing project	Stage two of Boundary fence project - Stage one complete.	\$3,385.00	\$6,510.00	\$3,385.00
Orbost	CPGR1/21-2200019	Orbost Christmas Eve Festival	The Annual Festival event is a collaboration between the Orbost Chamber of Commerce, the Rotary Club of Orbost, and members of the community who make up the organising committee.	\$2,500.00	\$10,000.00	Not Recommended
805 Early Years	CPGR1/21-2200018	Books from Birth	Provision of literacy kits to Early Years families across EG	\$5,000.00	\$13,500.00	\$5,000.00
Bairnsdale	CPGR1/21-2200010	Community Forest Therapy Walks	Forest Therapy walk - Pilot > Sol Synergy aims to expand delivery across EG will link in with support services, mental health and NDIS providers to reach out to all members of the community which could benefit from this practice.	\$5,000.00	\$11,731.91	Not Recommended

## All Applications – Community Projects Round 1 2021-2022

Bairnsdale	CPGR1/21-2200020	Security Cameras	Installation of security camera	\$3,000.00	\$6,000.00	Withdrawn
Johnsonville	CPGR1/21-2200015	Multi Media System	Installation of full online meeting room technology infrastructure and equipment upgrade for main hall to enable digital presentations and event activities/sound/internet connection.	\$5,000.00	\$10,000.00	Withdrawn Successful for alternative funding
Bairnsdale	CPGR1/21-2200022	Little Aths Equipment Upgrade	Upgrade Equipment - Hurdles > senior and junior.	\$2,402.00	\$4,804.00	\$2,402.00
Bairnsdale	CPGR1/21-2200024	Ball Stop Net and Post System	Equipment purchase and infrastructure to support safety net between user groups	\$4,800.00	\$9,882.00	\$4,800.00
Bairnsdale	CPGR1/21-2200016	Range safety earthworks	Range upgrade - rebuild of target safety earth mounds	\$5,000.00	\$11,000.00	Panel recommended Further development resubmission Round 2
Paynesville	CPGR1/21-2200002	Construction of Verandah roof over an existing viewing deck at the Paynesville Motor Cruiser Club	To build the verandah over outdoor area Paynesville Motor Cruiser Club	\$5,000.00	\$20,250.00	\$5000 – #funding agreement conditions /Works approval provision
Omeo	CPGR1/21-2200013	Giving the Floor in the Hall a Polish	Refurbish repairs of the floor.	\$5,000.00	\$10,725.00	\$5,000.00
Lindenow	CPGR1/21-2200006	Club room upgrade	Replacement of indoor floor covering	\$3,634.00	\$10,000.00	\$3,634.00
Lakes Entrance	CPGR1/21-2200014	East Gippsland Winter Festival Singing Stories & Choir	2 Facilitated workshops to draw raw content to be used by artist into musical composition /song > potential audio visual recording /performance at next winter festival - # Extension to current externally funded artist in residence program	\$3,500.00	\$7,000.00	Not Recommended
			<b>TOTALS</b>	<b>\$74,696.00</b>	<b>\$218,898.91</b>	<b>\$45,696.00</b>



# East Gippsland Shire Council

## Community Grants Program Guidelines

### Round 1, 2021-2022



East Gippsland Shire Council Grants Program -Funding Guidelines

1

## Grants Program Guidelines

# Overview

The East Gippsland Shire Council's Community grant programs provide funding opportunities for East Gippsland based community groups, organisations and in some categories, individuals (artists).

Through these programs the Shire supports a wide range of services and innovative activities that strengthen our communities, encourage environmental sustainability, health and well-being, while fostering cultural diversity, the arts and local economies.

There are two funding rounds each financial year. Round 1 opens at 9:00am on Wednesday 2 June 2021 and all applications must be submitted by 5.00pm on Wednesday 4 August 2021. Applications in this round must be for projects that start after mid October 2021.

Dates for subsequent rounds are listed on the [East Gippsland Shire Council website](#).

Applications need to be submitted and acquitted, if successful, via the online grants management program called Smartygrants. Applications forms can be started, saved and submitted at: [www.eastgippsland.vic.gov.au/grants](http://www.eastgippsland.vic.gov.au/grants)

EGSC staff are available to help support you to make an application. It is strongly recommended that all applicants contact the relevant grant officer, listed in the table on page 3, prior to commencing their application on 03) 5153 9500.

Applicants can only be successful for a specific project in one grant program per funding round.

There is a '[Help Guide for Applicants](#)' available which outlines how to use the Smartygrants system.

All applications must be submitted via the online program.

There will be grant information sessions held at various locations across the Shire. Please visit the [Community Grants webpage](#) for further information.

### Are you planning an event?

As an accessible, alternative and healthier option East Gippsland Water have a portable drinking water trailer available to be used at events free of charge for large community and/or non-profit making events. For further details please see their website <https://www.egwater.vic.gov.au/drinking-water-trailer/>

The following table outlines the categories available under the East Gippsland Shire Grants program. As well as the standard guidelines, each category has specific eligibility criteria.

## East Gippsland Shire Council Grants Program Categories

Category	Maximum Request	Program Officer	Criteria Page No.
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### Community Grants Program

Community Projects	\$5,000.00	Rebecca Pantry Acting Community Programs Coordinator	7
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### Arts and Heritage Grants Program

Arts Projects	\$5,000.00	Andrea Court	8-9
Major Arts Projects	\$10,000.00	Arts and Culture Coordinator	
Heritage Projects	\$5,000.00		

It is the responsibility of the applicant to ensure the application is submitted to the correct program. Your application cannot be switched between programs after submitting.

If you are unsure as to which category you should be applying for, please call program staff on 03) 5153 9500.



# General Information

Please familiarise yourself with the standard grant program guidelines as well as the specific criteria for the category you intend to apply for prior to commencing the application form.

## Important Information

- After reading this document which includes the assessment criteria you can access the application forms on the [East Gippsland Shire Council website](#)
- These funding programs are not recurrent funding programs. Council will not support the same project, event or program each year unless there is obvious change to its reach, target market or outcomes.
- You may attach supporting documentation such as letters of support, letter of agreement to auspice (if required), photos, financial information that will be of use when assessing your application. If applying for an art grant it is expected that you would supply artistic support material.
- Completed applications and supporting documentation must be submitted no later than 5.00 pm on the closing date indicated on page 1.
- If you have difficulty completing the form or need assistance with determining the appropriate category for your project/event, please contact the relevant Shire Officer (refer to page 3) on (03) 5153 9500.
- The Smartygrants system will save a PDF of your application for you. Shire staff can also email you a PDF copy if required. Be sure to save a copy in case you are contacted for further information.
- Read the questions carefully and ensure you answer them fully.
- Information provided as part of this application must be true and correct to the best knowledge of the nominated representative.
- Demonstrate that your application is financially viable and that the project can be successfully delivered within the specified budget. For Community Projects and Arts and Heritage grant programs your budget must balance, and you must be showing dollar for dollar matching. For every dollar, you are asking from the grant there must be a dollar coming from elsewhere to match it. 50% of which can be in-kind support.
- If you are applying for an upgrade of a facility it must be on Shire owned land, Crown land or land under an acceptable deed or trust for non-profit incorporated bodies.
- Any grant funding that is unspent at the completion of the project or used on expenses that have not been approved in the funding agreement, must be returned to the Shire.
- Ensure if your project involves children that you adhere to the new Child Safety Standards. For further details please visit their website: <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/>
- Successful grant applicants will be required to submit and COVID -19 safe plan. it is the applicant's responsibility to ensure COVID -19 Health guidelines issued by Department of Health and Human Services (DHHS) are always followed. Please refer to the DHHS Covid safe - workplace guidelines. For further details please visit their website: <https://www.dhhs.vic.gov.au/coronavirus>

# Eligibility

## What is eligible for funding?

To be eligible for funding, your organisation must be able to demonstrate:

- That the project primarily benefits residents and/or service organisations/groups within the East Gippsland Shire.
- Incorporation, or have a letter of support from an incorporated organisation willing to support the project under an auspice agreement.
- Evidence of financial viability and sound management of the project.
- That the project is well planned and achievable within the proposed timeframe.
- That the grant proposal is for a specific project/event that does not require recurrent or ongoing funding.
- That the project organiser will obtain all written approvals, consent and permits from the relevant authorities and/or stakeholders prior to commencing. Failure to do so will result in the removal of funding support.

## What is not eligible for funding?

- Fireworks. In time of drought and extreme fire risk Council will not support the purchase of fireworks. Projects and/or Events that included fireworks must provide stringent compliance and risk management assessment plans and approvals.
- An organisation that has not satisfactorily acquitted a previous grant from the East Gippsland Shire Council.
- Projects seeking funding for activities that will be conducted outside the boundaries of the East Gippsland Shire.
- Projects that are not showing other financial (including in-kind) support to the value of the grant request or higher.
- Projects requesting funding for wages/salaries for staff not directly engaged in the delivery of the project.
- General operating expenses.
- Commercial activities or business start-up costs.
- Projects requesting retrospective funding for monies that have already been spent or monies to cover shortfalls in the operational budget.
- Activities and programs that duplicate existing services.
- Individuals and unincorporated bodies, unless auspiced by an incorporated body. The exception is for individual artists in the Arts categories.
- Projects that are the responsibility of the State or Commonwealth Government.
- Activities with a focus on the promotion of a single faith, political activities and/or religious ceremonies.
- Projects that are primarily for the purpose of fundraising and/or where Council's contribution will be specifically used to purchase trophies, prizes or prize money.
- Incomplete applications or applications that have not enclosed all required documentation.
- Projects that are scheduled to occur before Council has made a final decision on the funding round.
- NOTE: Regular maintenance is not eligible and should be built into yearly budgets. Upgrade of equipment may be considered where there is a clear increased benefit to the community.

- Successful grant recipients will need to agree to protect, respect and promote the Human Rights of all and comply with the [Charter of Human rights](#).

## Community Grants Program

The aim of the Community grants program is to assist in creating an inclusive, healthy, safe and resilient East Gippsland community. The program is underpinned by community strengthening principles. These principles include but are not limited to:

- Valuing collaborations and partnerships
- Providing access and equity to ensure a socially inclusive community
- Asset based – building on strengths that exist within our community
- Valuing the environmental sustainability of East Gippsland

The maximum amount available to apply for is \$5,000 and all requested amounts require a dollar for dollar contribution, 50% of which can be in-kind.

All applications will be required to identify how the project aligns with the East Gippsland Shire Council Plan or adopted plan such as those linked below:

[Council Plan](#)

[Age-Friendly Communities Strategy](#)

[Community Health and Wellbeing Plan](#)

[Reconciliation Action Plan](#)

[Built Recovery Action Plan](#)

[Culture and Healing Recovery Action Plan](#)

[Economic Recovery Action Plan](#)

[Natural Environment Recovery Action Plan](#)

[Social Recovery Action Plan](#)

Additional plans can be found on Council Website

<https://www.eastgippsland.vic.gov.au/community/community-plans>

<https://www.eastgippsland.vic.gov.au/community/my-family>

### What is in-kind support?

It is charitable giving in which, instead of giving money to buy needed goods and services, the goods and services themselves are given. Or, given goods, commodities or services that are worth money, instead of money.

For example: A committee member has lumber in the shed that she is giving to the project. The wood would have been worth approximately \$600 if it was bought specifically for the project. Meaning, \$600 in-kind support would show in the budget under income as well as expenditure.

# Community Grants Program

## Required documentation

The support materials listed below must be submitted with your application. **Failure to do so will make your application ineligible.**

- A copy of the organisation's most recent Annual Report or Financial Statement showing profit, loss and reserves as a minimum.
- If the applicant is not legally incorporated, a letter and the above documentation must be provided from an incorporated organisation indicating its willingness to auspice the proposed project for you.
- If your project is taking place on someone else's land, an email/letter of support or agreement from the land owner.

## Assessment Criteria

### Community Projects

All Community Projects applications received will be assessed against the following criteria:

- Meet all eligibility criteria on page 5.
- The extent to which the project addresses a community need and reflects a clear and ongoing community benefit.
- The extent to which the project makes a clear connection to priorities within the East Gippsland Shire [Council Plan](#) or an adopted plan.
- The depth of demonstrated partnerships between community, groups and or organisations.
- The level of inclusion and participation for all community members.
- The applicant has a proven track record and can show clear capacity to manage the project.
- The depth and number of measurable impacts including how these impacts will continue once the funding and or project ends.
- The amount requested must be matched dollar for dollar as detailed on page 6. (50% of the grant request needs to be shown in the budget as other support, half of this needs to be cash and the other half can be in-kind)

Examples of community projects can include (but are not limited to):

- A community celebration, festival or show that is inclusive of the local community.
- Projects focusing on our environment – Resource Smart projects (bio-diversity, waste, energy and water).
- Energy audits, with the aim of improving the viability and sustainability of a community facility, which will in turn could make it cheaper to hire for the community, increasing usage.
- Community education and planning events.
- Projects that improve the health and well-being of the community.

- Projects that build strength and resilience in communities, empowering people of all ages and abilities to feel engaged and connected.
- Upgrade of a community facility for example, adding a kitchenette to a community hall with the aim of attracting more diverse hires, while generating more income for the hall committee, making the hall more sustainable.
- Partnerships with Traditional Owner groups, education, celebration and inclusion of culture.



## Arts and Heritage Grants

The Arts and Heritage grants program aims to support to individuals (Artists) and local organisations to present and or developmental arts activity and heritage projects. The program aims to foster a strong sense of local identity, creativity and community spirit through the categories' below.

- Arts Projects up to \$5,000
- Major Arts Projects up to \$10,000
- Heritage Projects up to \$5,000

Projects in this category must generally result in some form of public presentation. Visual arts, literature, music, theatre, dance, multimedia and other art forms.

### Arts Projects Criteria

The Arts Projects will be assessed against the following criteria:

- The level of artistic/cultural merit, to be shown through artist support material – images and the explanation of the rationale of the work, i.e. the thinking behind the work.
- The extent to which the approach to the artform and presentation shows innovation.
- The extent to which the outcome increases the awareness, appreciation and participation by a broad cross-section of the local community, particularly communities not regularly involved in local cultural activity with the aim of increasing creativity and well-being.
- The amount requested must be matched dollar for dollar. This can include in-kind support. No more than 50% of other support can be in-kind (25% of the total project cost). Other sources of contribution may include ticket sales, cash reserves, donations, other grants, philanthropic, corporate or fundraising.
- Artists should be shown as being paid in the budgets.

### Major Arts Projects Criteria

In addition to the criteria listed under Arts Projects (above) the following criteria must also be addressed when applying for a Major Arts Grant:

- The extent to which the project provides new and expanded opportunities to express and celebrate East Gippsland's cultural diversity.
- The demonstrated level of partnerships between artists or art, organisations and the wider community and opportunities to develop new skills.
- That the public presentation will attract a broad or new audience and is accessible to community in the hope of growing creativity and expression in the community.
- The level of community involvement in the creation and/or presentation of the project.
- The extent to which the development and or presentation uses public spaces and places in the municipality, notably East Gippsland halls, community facilities, streets and open spaces.

### Heritage Projects

The Heritage Projects aim to support work that enhances East Gippsland heritage. This could include structures, sites, streetscapes, people or objects. Projects could include, but are not limited to, creation of a cultural tourism or attraction, acknowledgement of a local person, cataloguing of community museum's artefacts, event or place known for its historical significance, oral history projects or enhancement of a heritage structure.

- To the extent that the place, person or site is historically significant.
- The depth and level of relevant partnerships.
- The applicant has a proven track record and can show clear capacity to manage the project.
- That the correct procedures are outlined and followed. For example, cataloguing follows the [Museums Victoria guidelines](#).
- The amount requested must be matched dollar for dollar. This can include in-kind support. No more than 50% of other support can be in-kind (25% of the total project cost). Other sources of contribution may include ticket sales, cash reserves, donations, other grants, philanthropic, corporate or fundraising.



## Assessment and Selection Process

The Grants Program is a competitive process and each application is assessed based on the relevant funding criteria.

Below is the expected timeframe of the grants process.

Funding Round 1, 2021/2022 opens	9.00am on Wednesday 2 June 2021
Funding Round 1, 2021/2022 closes	5:00pm Wednesday 4 August 2021
All applications assessed by grants panel	August 2021
Recommendations for funding compiled for Council report	August 2021
Reviewed by Councillors	August 2021
Recommendations approved at the Council meeting	September or Early October 2021
Applicants notified of funding outcome	After approval by Council September or Early October

All applicants will be advised in writing via the contact email address of the outcome of their application.

Funding allocations in each grants category may not be fully allocated, and the Shire reserves the right to make this decision following assessment of all submissions.

## Approved projects

Successful applicants will be asked to sign a Funding Agreement before receiving the grant money, you will be given a purchase order number to add to your invoice and when the invoice is received the payment will be released.

## Acquittal report

If successful, on completion of the project you will be required to fill out a final acquittal report, also through the Smartygrants system. The acquittal report includes financial reconciliation and a project evaluation. This is where you will be asked to provide:

- A description of your project and how it met your objectives
- An evaluation of the impact of your project, including things like attendance figures, community impact and outcomes
- A financial reconciliation, showing your actual finances compared with the budget you submitted in the application
- Supporting documentation, including receipts proof of Council acknowledgement on all promotional material, photographs of the project outcomes and feedback on the program.

The acquittal report will be due 30 days after the project end date. You can fill it out and save it as you deliver the project.

## Why you are required to acquit the grant

To account for your use of public funds, demonstrating that the funding has been used for the purpose that it was provided for and in accordance with your Funding Agreement. To assist the Council in assessing how successful the programs are and to provide you with an opportunity to make suggestions regarding improvements to the funding programs.

## **Contact us**

### **Telephone**

Residents' Information Line: 1300 555 886 (business hours)

Council general number: (03) 5153 9500 (business hours)

National Relay Service: 133 677

### **Post**

East Gippsland Shire Council, PO Box 1618

Bairnsdale 3875 Australia

Fax (03) 5153 9576

Web [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)

Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

### **In person**

Bairnsdale: 273 Main Street

Lakes Entrance: 18 Mechanics Street

Mallacoota: 70 Maurice Avenue

Omeo: 179 Day Avenue

Orbost: 1 Ruskin Street

Paynesville: 55 The Esplanade

### **Outreach Centres**

Bendoc Outreach Centre -

18 Dowling Street

Buchan Resource Centre -

6 Centre Road

Cann River Community Centre -

Princes Highway

## **6 Urgent and Other Business**

## **7 Confidential Business**

Nil

## **8 Close of Meeting**