



Council Meeting Agenda

Tuesday 16 November 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) 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 Mark Reeves (Mayor)
Cr Arthur Allen (Deputy Mayor)
Cr Sonia Buckley
Cr Tom Crook
Cr Jane Greacen OAM
Cr Trevor Stow
Cr Mendy Urie
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
Sam McPherson Acting 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

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1 Procedural

1.1 Recognition of Traditional Custodians

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

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

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of minutes

That the minutes of the Council Meeting held Tuesday 26 October 2021 and Thursday 28 October 2021 be confirmed.

1.5 Next meeting

The next Council Meeting of Tuesday 7 December 2021 to be held at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

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 1450 Infrastructure Project Consultancy Services Panel of Providers

Authorised by General Manager Assets and Environment

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, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

The purpose of this report is to provide the background to the establishment of a Panel of Providers for infrastructure project consultancy services; provide an overview of the tender; and in accordance with the Procurement Policy seek approval from Council to award contracts as per the recommendation of the Tender Evaluation Panel.

The intent of this panel of providers is to streamline the engagement of qualified and professional administrative, technical and engineering consultancy services used by Council for a broad range of activities related to infrastructure projects. Panels of Providers are used by a range of Victorian Councils in this manner to provide time and cost efficiencies, and to ensure that there is an open and transparent process for engaging consultants.

The panel of providers includes 17 service streams. Tenderers were invited to provide a schedule of rates for any number of service streams, consistent with the firm's available resources and expertise:

- Service stream A: Grant funding;
- Service stream B: Procurement and Contract Administration;
- Service stream C: Communication and stakeholder engagement;
- Service stream D: Marketing and media;
- Service stream E: Asset Management;
- Service stream F: Surveying;
- Service stream G: Geotechnical;
- Service stream H: Environmental;
- Service stream I: Heritage;
- Service stream J: Traffic Engineering;
- Service stream K: Civil Engineering
- Service stream L: Structures
- Service stream M: Marine & Coastal
- Service stream N: Building
- Service stream O: Landscaping / open space
- Service stream P: Utilities & services
- Service stream Q: Project Management

The panel of providers will allow for a direct engagement of consultants for each of the service streams based on tendered rates, or a Request for Quotation for lump-sum projects using pre-agreed contract conditions.

The duration of the panel of providers contract will be for an initial 2 years with extension options for up to a further 24 months.

As a result of the invitation to tender and the subsequent tender evaluation provided as **Confidential Attachment 1**, Council is now able to consider the recommendation to establish a panel of providers.

An external Probity Auditor also observed the tender evaluation process in accordance with Council's Procurement Policy for cumulative expenditure above \$2M. A copy of the Probity Auditor's report is provided as **Confidential Attachment 2**.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report,***
- 2. accepts:***
 - a. the Schedule of Rates for Service stream A: Grant Funding submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and***
 - b. the Schedule of Rates for Service stream B: Procurement and Contract Administration submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and***
 - c. the Schedule of Rates for Service stream C: Communication and stakeholder engagement submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and***
 - d. the Schedule of Rates for Service stream D: Marketing and media submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and***

- e. *the Schedule of Rates for Service stream E: Asset Management submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- f. *the Schedule of Rates for Service stream F: Surveying submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- g. *the Schedule of Rates for Service stream G: Geotechnical submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- h. *the Schedule of Rates for Service stream H: Environmental submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- i. *the Schedule of Rates for Service stream I: Heritage submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- j. *the Schedule of Rates for Service stream J: Traffic Engineering submitted by submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- k. *the Schedule of Rates for Service stream K: Civil Engineering submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*
- l. *the Schedule of Rates for Service stream L: Structures submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council's discretion; and*

- m. the Schedule of Rates for Service stream M: Marine & Coastal submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council’s discretion; and*
 - n. the Schedule of Rates for Service stream N1 – Building Designer submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council’s discretion; and*
 - o. the Schedule of Rates for Service stream O: Landscaping submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council’s discretion; and*
 - p. the Schedule of Rates for Service stream P: Utilities submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council’s discretion; and*
 - q. the Schedule of Rates for Service stream Q: Project Management submitted by _____ for Contract No CON2022 1450 – Infrastructure Project Consultancy Services – Panel of Providers for a two-year term with one extension option of up to twenty-four months to be made available solely at Council’s discretion; and*
- 3. authorises signing and sealing of all contracts 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 intent of this panel of providers (the Panel) is to establish agreements with a broad range of consultancy services used in the planning, development, design and delivery of infrastructure projects.

The Panel will provide a resource to Council, assisting to streamline the engagement of qualified and professional administrative, technical, and engineering consultancy services. This will improve Council’s agility and timeliness with respect to project management, supporting a high level of service to the community, while also ensuring good value for money.

The panel of providers includes 17 individual service streams. Tenderers were invited to provide a schedule of rates for any number of service streams, consistent with the firm's available resources and expertise. The streams within the Panel include the following:

- Service stream A: Grant funding;
- Service stream B: Procurement and Contract Administration;
- Service stream C: Communication and stakeholder engagement;
- Service stream D: Marketing and media;
- Service stream E: Asset Management;
- Service stream F: Surveying;
- Service stream G: Geotechnical;
- Service stream H: Environmental;
- Service stream I: Heritage;
- Service stream J: Traffic Engineering;
- Service stream K: Civil Engineering
- Service stream L: Structures
- Service stream M: Marine & Coastal
- Service stream N: Building
- Service stream O: Landscaping / open space
- Service stream P: Utilities & services
- Service stream Q: Project Management

The Panel will allow for a direct engagement of consultants for each of the service streams based on a tendered schedule of rates. Alternatively, a Request for Quotation for lump-sum pricing of larger projects is available using pre-agreed contract conditions. The establishment of agreements with successful tenderers does not commit Council to an engagement and there is no minimal amount or value of work to be issued under these agreements.

The duration of the panel of providers contract will be for an initial 2 years with extension options for up to a further 24 months.

Legislation

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

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

This report has been prepared in accordance with *Local Government Act 2020*.

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, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

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

Council Officers considered collaboration opportunities for this tender and engaged with staff from the regional procurement group consisting of Wellington Shire Council, Latrobe City Council, Bass Coast Shire Council and South Gippsland Shire Council.

Following further assessment with interested parties and a review of the process required for a successful collaboration, a collaborative tender was not pursued. Procurement system interoperability across Councils and other limitations were seen as key challenges.

While a collaborative procurement was not pursued, the related engagement provided opportunity for the sharing of relevant tender documentation with other Councils.

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). The procurement commenced prior to the adoption by Council of the new Procurement Policy and Procedure in September 2021.

Options

An assessment of all tenders and options for appointment to the Infrastructure Project Consultancy Services – Panel of Providers is contained within the Tender Evaluation Panel report, provided as **Confidential Attachment 1**.

Resourcing

Financial

The panel of providers does not commit council to any amount of financial expenditure. Engagement of services in accordance with the panel of providers will be funded through relevant adopted capital works project budgets or relevant adopted operational budgets. The panel assists Council with future budgeting and cost management as it fixes consultant fees for the next two years, allowing projects to be costed and budgeted with certainty.

Human Resources

The Infrastructure Project Consultancy Services – Panel of Providers will be administered by existing staff within the Procurement and Assets and Projects Teams.

Risk

The risks of this proposal have been considered and are low. The Infrastructure Project Consultancy Services – Panel of Providers does not commit Council to any level of expenditure, however, provides a sound basis for future engagement based on tendered rates, utilising Australian Standard contract conditions. This understanding of contractor rates will also assist with the accurate budgeting of future services

Economic

The Infrastructure Project Consultancy Services – Panel of Providers will support the local professional services sector. A significant number of the recommended panel members are local businesses.

Social

The Infrastructure Project Consultancy Services – Panel of Providers will improve Council's agility and responsiveness and assist generally in providing a high level of service to the community with respect to infrastructure project delivery.

Environmental

Environmental sustainability criteria have been utilised in the evaluation of prospective tenderers for the Infrastructure Project Consultancy Services – Panel of Providers.

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

Engagement via notification was undertaken with all consultancies in which Council had an established working relationship, to maximise the awareness and response to the tender, particularly by local businesses.

Attachments

1. CONFIDENTIAL - CON 2022 1450 Infrastructure Project Consultancy Services - Tender Evaluation Panel Report [5.1.1.1 - 118 pages]
2. CONFIDENTIAL - CON2022 1450 - Probity Review Report 2021 [5.1.1.2 - 2 pages]

5.1.2 CON2022 1463 Seawall Reconstruction, Lakes Entrance Coastguard

Authorised by General Manager Assets and Environment

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, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

The purpose of this report is to provide an overview of the tender for the reconstruction of the seawall adjacent to the Lakes Entrance Coastguard; and in accordance with the Procurement Policy seek approval from Council to award the contract as per the recommendation of the Tender Evaluation Panel.

Following concerns over the state of the ageing seawall infrastructure in Lakes Entrance, Council and the Department of Environment, Land, Water and Planning (DELWP) have been working together for the past five years on a program of remediation and replacement works based on seawall condition and risk assessment. Stage 1 of these remediation works reconstructed the highest priority section of seawalls West of the Coastguard building. Stage 2 focused on the area between the Gippsland Ports yards and the Cunningham Arm Pedestrian Footbridge. This contract is effectively stage 3 of the Lakes Entrance seawall renewal program and involves the reconstruction of the seawall in front of the Coastguard building. Like for previous stages, this project is jointly funded between Council and the State Government.

As a result of the invitation to tender and the subsequent tender evaluation provided as **Confidential Attachment 1** Council is now able to consider a recommendation to award the contract.

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 1463 Seawall Reconstruction, Lakes Entrance Coastguard for the contract amount of \$ _____ exclusive of GST;***
- 3. authorises the signing and sealing of the contract in the form presented; and***
- 4. resolves that the attachments to this report, and all discussions in relation to the attachments remain confidential.***

Background

In 2016, DELWP and Council engaged Black Geotechnical to complete a condition assessment of the seawalls along the Esplanade in Lakes Entrance. The purpose of the investigations and subsequent report was to provide a risk rating for each damaged section of seawall to allow the prioritisation of remediation works.

Stage 1 of these remediation works reconstructed the highest priority section of seawalls west of the Coastguard building. Stage 2 focused on the area between the Gippsland Ports yards and the Cunningham Arm Pedestrian Footbridge. This contract is effectively stage 3 of the Lakes Entrance seawall renewal program and involves the reconstruction of the seawall in front of the Coastguard building.



Location of the works

This stage follows the same design principles as previous stages in utilising the same construction materials and in raising the height of the wall to cater for climate change.

The existing structure is 60 metre grouted stone facing constructed on an angle. It is in poor condition and a small section recently collapsed. This contract will construct a new pile and concrete panel seawall 6 metres in front of the existing wall. This provides opportunities to reclaim some land and aligns with the development of the Old Slipway site.

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.

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

This report has been prepared in accordance with *Local Government Act 2020*.

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, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

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

Given the contractual nature of this report, it has not been prepared in collaboration with another local government or agency. However, the design stage was managed by DELWP with input from both Gippsland Ports and Council officers.

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 new Procurement Policy (2021).

Options

The design aligns with other seawalls recently reconstructed in Lakes Entrance and is considered the best option for a range of reasons including, aesthetics, effectiveness, cost, ability to be maintained, and ability to be modified over time if required.

Resourcing

Financial

The project has received \$500,000 in external funding from the State Government through the Department of Environment, Land, Water and Planning, and together with a contribution from Council, provides an adequate budget for the proposed works and overheads. Budget detail is provided within **Confidential Attachment 1**, Tender Evaluation Report.

Plant and equipment

Provision of all plant and equipment is part of the contracted works.

Human Resources

This project will be supervised by a Project Supervisor from the Assets and Projects unit.

Risk

The risks of this proposal have been considered and as part of this contract the successful contractor will develop a Project Management Plan to mitigate identified risks.

Economic

Economic benefit for the project includes the economic activity associated with the construction. The tender evaluation process for this tender included weighted criteria for local content and assessment of the contractor's ability to provide benefit to the local economy. This project will contribute to retaining jobs in East Gippsland and assists protect the Lakes Entrance business area from inundation.

Social

The completion of this project will contribute to the overall redevelopment of the foreshore in Lakes Entrance. The realignment of the seawall will provide additional land adjacent to the Old Slipway site.

Environmental

The project is situated in an environmentally sensitive area within the Gippsland Lakes. As part of the contract requirements, the Contractor will develop and implement a site-specific Construction Environmental Management Plan to mitigate environmental risks such as sediment run off.

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.

DELWP and Council Officers agreed that 1.3m AHD was the optimal height for the new seawall to protect the site of future inundation whilst ensuring that the chosen wall height does not have an adverse impact on flooding of the Princes Highway and surrounding facilities.

Engagement

During the design stage DELWP Officers liaised with the Lakes Entrance Coastguard and with Gippsland Ports as the nearby land managers. Engagement will continue during construction with all key stakeholders and with the wider Lakes Entrance community.

Attachments

1. CONFIDENTIAL - CON2022 1463 Seawall Reconstruction Lakes Entrance Coastguard - Tender Evaluation Report [5.1.2.1 - 7 pages]

5.1.3 **Petition - Non-reduction of parking along Paynesville Progress Jetty Foreshore**

Authorised by General Manager Assets and Environment

Conflict of Interest

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

Executive Summary

This report is prepared in response to a petition received by Council on at the ordinary meeting of 26 October 2021. The petition was signed by approximately 472 people, stating:

“We, the undersigned, are concerned citizens who urge our Shire to act now to retain and increase carparking along the Paynesville foreshore.”

Planning for a redevelopment of the Progress Jetty Precinct in Paynesville has been underway for the past 18 months.

A key strategic document guiding the Progress Jetty Precinct redevelopment is the Foreshore Management Plan that was adopted by Council in 2017. This Foreshore Management Plan included extensive community and stakeholder engagement. Guided by this, an initial concept for the development of the Progress Jetty area was developed in 2020.

Following significant community engagement, the plan was updated following with the current version finalised and released in July 2021. This plan is provided as **Attachment 1**. This plan has been presented previously to the community, but will be revised and updated to reflect the changes identified in this report, pending Council approval.

Since the release of the revised concept plan in July 2021, some members of the Paynesville community have raised concerns about car parking. Council officers have committed to making changes to the existing version of the concept plan to include additional angled parking on the southern side of the Esplanade.

The development of an additional off-street car parking area at 10 Wellington Street, opposite the IGA Supermarket 100m from the Esplanade intersection is seen as a further opportunity to increase the amount of parking within the precinct.

A number of options, including making revision to the existing concept plan to incorporate additional car parking, or ceasing the project, are provided for Council's consideration.

Should Council support the officer recommendation detailed in this report, this will lead to further refinement of the plans and additional community and stakeholder consultation.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;**
- 2. notes that Officers will write to the head petitioner, notifying them that Council will include in the concept plans additional convenient parking on the southern side of the Esplanade and further consider the development of additional off-street car parking into the project; and**
- 3. notes that the concept plan for the upgrade of the Progress Jetty Precinct will be modified to include additional parking as detailed in this report and released for further community consideration.**

Background

At the ordinary Council meeting of 26 October 2021, Council received a petition outlining objection to outcomes of a concept plan developed by Council to guide the redevelopment of the Paynesville Progress Jetty Precinct. The petition from 472 signatories' states:

"We, the undersigned, are concerned citizens who urge our Shire to act now to retain and increase carparking along the Paynesville foreshore."

Upgrades of the Progress Jetty precinct in Paynesville has been identified in a range of strategic plans adopted for Paynesville – recognising the aesthetic importance of this precinct to Paynesville's character and attractiveness. A key strategic document is the Foreshore Management Plan (FMP) that was adopted by Council in 2017. The development of the FMP plan has included extensive community and stakeholder engagement.

Guided by these adopted Plans, an initial concept for the development of the Progress Jetty area was developed in 2020. This initial concept plan was guided by a community reference group comprising members of various representative groups and agencies.

Significant consultation was undertaken with the community in late 2020 on the proposed concept designs. This consultation included two well attended drop-in sessions on-site and an online survey and a range of one-on-one meetings with traders and other stakeholders. The feedback was generally very supportive. A thematic analysis of feedback was developed which was then used to revise the initial concept plan, with a number of changes made in response to the community feedback. A key concern raised was the reduction in parking and a reduction in convenient parking adjacent to the shops.

Due to the impact of the pandemic and a focus on scoping and progressing recovery funded projects, there was some delay in formally addressing this feedback with the community and progressing the changes to the design based on the feedback.

A revised concept plan was developed in collaboration with the community reference group. A key change was the placement of angled parking directly in front of the shops on the Esplanade. This provides convenient, high turnover parking adjacent to the traders, all day parking within precinct and an increase to green space on the foreshore. Council officers believed this strikes a key balance between providing accessible parking and increasing available public open space on the foreshore. This revised concept plan was released in July 2021 and provided as **Attachment 1**. This plan has been presented previously to the community, but will be revised and updated to reflect the changes identified in this report, pending Council approval.

Since the release of the revised concept plan – some members of the Paynesville community have continued to raise concerns about a perceived lack of parking. Council officers have committed to making changes to the existing version of the concept plan including additional angled parking on the southern side of the Esplanade. This commitment has been communicated to community members who have raised these concerns. This option would result in a net loss of 7 parking spaces in the precinct but would increase parking on the Esplanade in closest proximity to the adjacent businesses by 12 spaces.

Additionally, the development of an additional off-street car parking area at 10 Wellington Street, opposite the IGA Supermarket, approximately 100m from The Esplanade intersection, is being considered for inclusion in a revision to the concept plan. This site is anticipated to accommodate an additional 30 parking spaces and would also link to and service Gilsenan Reserve. The inclusion of this option would see the project provide a net gain of over 20 parking spaces within the precinct.

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*.

The redevelopment of the Progress Jetty Precinct is required to conform with provisions of the *Marine and Coastal Act 2018*.

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has not been prepared in collaboration as it does not relate to 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 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

This project has arisen from the adopted Paynesville Foreshore Management Plan 2017.

Any decisions made in respect to this development will need to be considered against the actions adopted in the Township Precinct C section of the Paynesville Foreshore Management Plan 2017.

Options

There are a range of options available to Council. These include abandoning the project and various design modification options. Options identified include:

1. Proceed through next steps of design and consultation-based on the concept plan finalised and released in July 2021; or
2. Proceed through next steps of design and consultation based on a revision to the concept plan finalised and released in July 2021, with modifications to increase parking provision, including the addition of angled parking on the southern side of the Esplanade; or
3. Proceed through next steps of design and consultation based on a revision to the concept plan finalised and released in July 2021, with modifications to increase parking provision including the addition of angled parking on the southern side of the Esplanade and development of a new off-street car parking area at 10 Wellington Street; or
4. Commence a complete review of the design existing concept plan; or
5. Do not proceed with the project.

Abandoning the project in its entirety would not be in keeping with the previously adopted Paynesville Foreshore Management Plan which recognises the importance of the Progress Jetty foreshore to Paynesville and the opportunities to enhance the foreshore as part of the reasons for living, investing and visiting Paynesville.

Option Three is the preferred option to advance this project and respond to the concerns raised in the petition.

Resourcing

Financial

There is presently \$1.3M in funding within Councils adopted budget across 2021/22 and 2022/23 for the Progress Jetty Precinct redevelopment.

Based on current estimates, it is anticipated that this funding amount will be suitable to deliver the following components of the project:

- Esplanade Parking
- Primary and secondary pedestrian crossing points
- Removal of hardstand on the foreshore, and creating public open space

A further funding source will be required to implement the balance of the plan, including the following elements:

- Themed Playground and Water Play
- Nature Playground
- Picnic and BBQ Area
- Boating and Fishing Amenities
- Boardwalks
- Paynesville Community Craft Centre Upgrades
- Overflow Parking Upgrades

Economic

The Progress Jetty Precinct redevelopment project aims to support positive outcomes for the Paynesville economy. The project will provide greater appeal for visitors, improving amenity, accessibility, safety and provide additional high quality public recreational facilities. The project will also cater for boating and fishing, a key economic driver for Paynesville.

Social

The Progress Jetty Precinct redevelopment project will support positive social outcomes. The project will provide greatly improved public open space and a range of new recreational facilities. This will facilitate greater social interaction and recreation for people of all ages and abilities.

Environmental

The Progress Jetty Precinct redevelopment project seeks to support the management and protection of the adjacent environmentally significant Gippsland Lakes, specifically in keeping with the management strategies identified in the Gippsland Lakes Ramsar Site Management Plan.

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

Council's decision with respect to this report will be communicated to the Head Petitioner. Further community communication and engagement will be undertaken once the concept plan for this precinct has been updated to incorporate the additional parking outlined in this report.

Attachments

1. Progress Jetty Foreshore Masterplan - Revision B [5.1.3.1 - 1 page]

Progress Jetty Foreshore Concept Masterplan

June 2021



5.2 Bushfire Recovery

5.2.1 Draft Land Management Strategy

Authorised by General Manager Bushfire Recovery

Conflict of Interest

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

Executive Summary

Parks Victoria released a draft Land Management Strategy for public comment. With more than 17,000 km² of public land in East Gippsland and nine National Parks managed by Parks Victoria, the East Gippsland community has a significant interest in the draft Land Management Strategy.

Officers have prepared a submission and due to time frames the submission has been provided to Parks Victoria, subject to endorsement by Council. The draft submission is presented at **Attachment 1** for endorsement.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. endorses the submission (Attachment 1) on the Parks Victoria draft Land Management Strategy provided by Officers; and***
- 3. requests the Chief Executive Officer to write to Parks Victoria to advise that the submission has been endorsed by Council and in addition:***
 - a. reiterate that climate change has significant implications for park management, including management of natural values and management of fire risk, and emphasises the importance of sufficient resources being allocated for these matters;***
 - b. recognise the important step taken in the draft Strategy to provide a link to the United Nations Sustainable Development Goals.***

Background

The draft Land Management Strategy has been prepared by Parks Victoria to address a range of challenges facing the management of parks and make the most of the opportunities to protect the valuable and much treasured natural and cultural heritage within Victoria's parks as a legacy for future generations. The draft strategy is attached (**Attachment 2**).

The draft strategy identifies priorities organised under the following eight themes:

- Managing Country together
- Protecting Victoria's natural riches
- Adapting to climate change
- Enriching the visitor experience
- Managing the landscape through partnerships
- Recognising connections to place
- Contributing to the visitor economy
- Managing infrastructure and operations

Officers have prepared a submission and provided this to Parks Victoria in line with the closure of the consultation period on the 1 November 2021. The submission was made subject to endorsement by Council. The draft strategy includes a number of priorities that are well aligned to the priorities of Council. The submission sought to reinforce some priorities and also make recommendations based on our experience working with Parks Victoria in recent years.

The submission addresses:

- Managing Country together
- Connection to local communities and local economies (including local engagement and input to park planning and operations)
- Protecting Victoria's Natural Riches (focus on weed and pest management and reinforcing Council's resolution in relation to the management of wild horses)
- Importance of maintenance, especially asset management
- Commercial development in parks
- Enhancing cultural tourism opportunities
- Reinstating assets following disasters
- Delivering the announced projects (recognising the significant investments committed in relation to development of visitor experiences in the parks of East Gippsland).

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*.

Parks Victoria operate under the Parks Victoria Act 2018 and manages national parks, state parks, coastal parks, marine national parks, marine sanctuaries and wilderness parks reserved under the National Parks Act 1975. There is a range of other legislation, including conservation legislation that impacts on the management of parks.

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 1: 1.4 Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience.

Strategic Objective 4: 4.5 Tourism sector investment is sought in business capability, product development and experience to meet the changing needs of domestic and international markets.

Strategic Objective 4: 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience.

Council Policy

The submission makes reference to the Council resolution on 4 May 2021 in relation to the management of wild horses.

Options

Council may endorse the submission provided, with or without amendments, or Council may determine not to endorse the submission.

Resourcing

Financial

There are no financial implications for Council associated with this submission.

Plant and equipment

There are no plant and equipment considerations relevant to this submission.

Human Resources

There are no human resource implications associated with this submission.

Risk

The risks of this proposal to Council have been considered and the risks associated with this submission are low. The submission does highlight several risks and opportunities to the East Gippsland community associated with the management of parks and these are discussed in the submission.

Economic

The submission addresses the significant role parks play in the visitor economy and makes recommendations to strengthen this contribution.

Social

The draft Land Management Strategy explicitly includes a focus on social outcomes through improved visitor experiences and the associated social and recreational benefits.

Environmental

The draft Land Management Strategy explicitly includes a focus on management of parks for environment outcomes in line with their purpose.

Climate change

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

Adaptation Planning: Comprehensive adaptation measures exist and include responses to direct and indirect impacts of climate change.

Community Risk: Climate change is considered as a community risk and includes responses to direct and indirect impacts.

Engagement

No external engagement was undertaken in the preparation of this submission. Other stakeholders were also able to provide a submission on the draft Land Management Strategy.

Attachments

1. EGSC Land Mgt Strategy Submission 29102021 [5.2.1.1 - 5 pages]
2. Parks Victoria Final DRAFT Land Management Strategy [5.2.1.2 - 40 pages]

Contact: Stuart McConnell
Telephone No: (03) 5153 9500
Email: feedback@egipps.vic.gov.au

29 October 2021

Mr Matt Jackson
Chief Executive Officer
Parks Victoria

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Dear Mr Jackson

Submission in relation to the Parks Victoria draft Land Management Strategy

Thank you for the opportunity to provide a submission in relation to Parks Victoria's draft Land Management Strategy.

With more than 17,000 km² of public land in East Gippsland and nine National Parks managed by Parks Victoria, the East Gippsland community has a significant interest in the draft Land Management Strategy. Our natural environment, including some of the most precious areas managed by Parks Victoria, are not just important in terms of their biodiversity and cultural values and as a recreational asset for our communities, but they are also critical for the prosperity of local communities that rely on the visitor economy.

Managing Country together

There is much about the draft Land Management Strategy that Council supports; in particular, Council supports the strategy's focus on Managing Country Together. The Gunaikurnai already have well established joint management arrangements with Parks Victoria and we look forward to these being further developed. Managing Country Together provides important opportunities to:

- support self-determination,
- improve land management,
- incorporate traditional knowledge in fuel management and
- increase cultural tourism

We also note that there are a number of other aboriginal organisations active in areas of East Gippsland for which there is no Registered Aboriginal Party and there are opportunities to also engage with these organisations.

Connection to local communities and local economies

The draft Land Management Strategy recognises the significant role that Victoria's National Parks play in the visitor economy, particularly hero destinations of Buchan Caves, Cape Conran, the UNESCO nominated World Biosphere Reserve of Croajingalong National Park, Raymond Island and more.

The last two years have illustrated that nature-based tourism is possibly no more important than in East Gippsland. Closure or partial closure of Buchan Caves, Cape Conran and other parks in response to the 2019/20 fires, damage to key infrastructure associated with the fires and compounding impacts of COVID-19 has been devastating for local visitor economies, and as a result, local communities. Small businesses in particular are reliant on visitors to the various parks for a significant portion of their income. When various factors impact on the opening of

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these assets, local businesses and communities are catastrophically affected. There is a need for much greater understanding and recognition of the local economic impacts of decisions regarding park management and in particular park closures.

There is an opportunity for Parks Victoria to establish much clearer communication channels and partnerships with local communities and local businesses, to engage in business and tourism forums that recognise the important role of National Parks in attracting visitors and to engage local communities in park decision making. Further, there is the opportunity to better harness local knowledge in park planning and operations. Consideration should be given to the establishment of local management boards as a structure to formalise such engagement.

The park is often very much part of the local economy and in some areas, the single largest driver of visitation and local employment. Understanding this relationship is becoming even more critical with the decision to phase out native timber harvesting in Victoria as nature-based tourism becomes an increasingly important part of how communities can derive new value from the public land estate.

The Land Management Strategy should explicitly recognise the connection between parks and local communities and local economies and include a greater priority on engaging with local communities and harnessing local knowledge.

Protecting Victoria's Natural Riches

Theme 2 Protecting Victoria's Natural Riches includes priorities related to weed and pest management. These are critically important both for the protection of natural values within parks and also as part of a contribution to landscape-scale, cross-tenure weed and pest management that protects biodiversity and other natural values as well as agricultural productivity.

Management of feral animals including wild dogs is a critical issue for the agricultural sector in East Gippsland, as is the management of wild deer populations. Deer impact agricultural production but also present a range of other risks such as road safety. The cost to landholders associated with feral animals is significant both in lost production and the cost of mitigating measures such as dog-proof fences. It is critically important that there is effective control in the parks estate and that such work is appropriately resourced.

While not specifically referenced in the Land Management Strategy, wild horse management was the subject of a formal Council resolution earlier this year. The resolution was as follows:

That Council writes to the Honourable Lily D'Ambrosio Minister for Energy, Environment and Climate Change to:

- 1. Express Council's objection to helicopter shooting and ground shooting of wild horses in East Gippsland and request a meeting to discuss the draft feral horse action plan and the long-term management and extraction of wild horses from National Parks in East Gippsland, and*
- 2. Request that the Draft Feral Horse Action Plan 2021 be put on hold until the matter is discussed and rectified.*

Council subsequently wrote to Minister D'Ambrosio on this matter and met with representatives of the Minister and Parks Victoria and so it is appropriate to again raise this matter as part of our response to the draft Land Management Strategy.

The Land Management Strategy should reflect the position of Council indicated in the above resolution and previously communicated to the Minister for Energy, Environment and Climate Change.

Importance of maintenance, especially asset management

The draft Strategy includes a focus on Enhancing the Visitor Experience, however from time to time the visitor experience is compromised by a lack of maintenance, effective asset management and investment in new product. It is therefore pleasing to see that the Strategy also includes a theme on Managing Infrastructure and Operations and in particular, Priority 8.3 *'Invest in infrastructure maintenance and renewal to enable visitors to access and experience parks, to protect the environment from impacts, and support the park workforce in undertaking conservation and emergency management work'*.

The two most prominent examples of asset or maintenance failure compromising visitor experience in recent times in East Gippsland are the ongoing closure of the Buchan swimming pool and the immediate close of the access bridge to the Buchan Caves Reserve (effectively closing the reserve). While we understand the bridge closure was fire related, its immediate closure more than 12-months after the fire impacts and the associated immediate works, indicates that there is an opportunity and a need to strengthen Parks Victoria's approach to and investment in asset management. These two closures have had a very significant impact on the local community and local economy.

While it is pleasing to see maintenance and renewal identified as a priority, there is a need for a significant increase in the focus and investment in asset management and maintenance to provide the quality of visitor experiences expected.

Commercial development in parks

In the context of the phasing out of native timber harvesting in Victoria by 2030, supporting the visitor economy will be critical and in a post-COVID 19 context, in the long term it may be difficult for the Victorian Government to sustain the level of investment necessary to create and maintain world class visitor facilities and experiences. There is an opportunity to support private investment in appropriate development within parks or directly adjoining, in addition to the operation of facilities established by government. This is consistent with focus on connecting with nature in the Biodiversity 2037 strategy, and is well established in other States such as Tasmania and Western Australia giving them distinct market competitiveness,

The focus in the draft Land Management Strategy on working with private operators to provide nature-based and cultural experiences is strongly supported as a means to creating local employment and providing new opportunities for visitors to experience the best the parks have to offer.

There are already some world-class nature-based offerings in East Gippsland that harness the beauty and biodiversity values of our parks, however the "offer" in terms of nature-based commercial product and experiences in East Gippsland is under-developed. We are keen to work in partnership with Parks Victoria to develop and promote new investment opportunities. For example, East Gippsland is currently working toward "Eco-Destination" status and while Parks Victoria is engaged in this undertaking along with Council, DEWLP, GLaWAC and Destination Gippsland, there is opportunity to grow this partnership further.

The Land Management Strategy should include a focus on increasing private sector investment to provide the very best visitor experiences.

Enhancing cultural tourism opportunities

Creating transformational tourism experiences and deepening visitors' connection with East Gippsland through powerful story telling is going to be the key to successful and sustained tourism growth and prosperity. This is consistent with Theme 7 – Contributing to the Visitor Economy and in particular Priorities 7.5 and 7.6.

GLaWAC recently published their Aboriginal Economic Development Strategy Gippsland and have outlined clear aspirations to become active drivers in the domestic and international tourism arena.

Consumer expectations of quality experiences has evolved and with greater demand for authenticity and opportunities to connect emotionally, traditional cultural tourism needs to be re-imagined.

There is an opportunity within the Strategy to elevate the quality and variety of commercial activity and cultural tourism engagement. Parks Victoria plays a lead role in setting the tone and standards for exciting new tourism partnerships – both as a consent authority and a member of the State's commercial tourism ecosystem.

Alignment with the emerging Indigenous Tourism and Nature-Based Tourism Action Plans currently in development by State Government is essential to ensure these opportunities are maximised and a sustainable nature-based tourism future for East Gippsland is cemented. Nature-based tourism and aboriginal cultural tourism opportunities also feature in the Gippsland Destination Management Plan and Council's recently adopted East Gippsland Events Growth Action Plan.

The focus on cultural tourism experiences and aboriginal economic development is supported and it is important that this is linked to the Indigenous Tourism and Nature-Based Tourism Action Plans currently being developed.

Reinstating assets following disasters

The Strategy includes the following priority:

8.7 Rapidly assess the impacts of extreme weather events on park infrastructure, prioritise recovery works, and identify opportunities to improve the design and/or location of replacement infrastructure.

Parks Victoria is undertaking tremendous amount of work to reinstate assets and address damage following the 2019-20 Black Summer Fires. We do note however that the commencement of this work appeared to be delayed compared to other agencies and as of October 2021 there remains significant visitor assets that have not been reinstated e.g. some assets at Cape Conran and Buchan Caves Reserve and the Thurra River bridge.

The loss of the Thurra River Bridge is significant in terms of access to popular camping areas and to the Point Hicks Lighthouse – with development of the lighthouse proposed as part of the Coastal Wilderness Walk (identified as a "Hero Experience" in the Gippsland Destination Management Plan). Currently the Parks Victoria website indicates that this bridge is not likely to be replaced until end 2023 – approaching four years following the Black Summer fires.

It is critical that Parks Victoria pre-plan its approach to asset restoration, including funding of such work, in the event of a disaster to enable quicker commencement and restoration of assets, returning access to local communities and visitors more quickly and thereby supporting local economies.

Develop the announced projects

Already there are significant visit projects in the pipeline in (or at least partially in) parks in East Gippsland including the:

- Point Hicks Development
- Wilderness Coast Walk
- Sea to Summit trail
- Upgrade of the Cape Conran accommodation and associated infrastructure
- Improvements to jetties in Mallacoota and Tamboon
- Redevelopment of the Buchan Caves Reserve
- Koala experience at Raymond Island
- Gippsland Lakes Aquatic Trail (in planning through Destination Gippsland)

It is critical that these projects are delivered in a timely manner. They have been announced at least in part to support East Gippsland's recovery from the 2019/20 Black Summer fires, and we would thank the Victorian Government for this support.

Overall Council is supportive of the themes and priorities set out in the draft Land Management Strategy and we look forward to its finalisation and implementation in East Gippsland.

I note that due to time constraints this submission is made subject to endorsement at an upcoming Council meeting. I will advise you when the submission has been endorsed. Thank you for the opportunity to provide comment.

Yours faithfully


ANTHONY BASFORD
Chief Executive Officer

LAND MANAGEMENT STRATEGY

Protecting our natural and cultural
heritage for future generations

DRAFT | Sept 2021




Parks
VICTORIA


VICTORIA
State
Government

Acknowledgement of Country

Victoria's network of parks and reserves form the core of Aboriginal cultural landscapes, which have been modified over many thousands of years of occupation. They are reflections of how Aboriginal people engaged with their world and experienced their surroundings and are the product of thousands of generations of economic activity, material culture and settlement patterns. The landscapes we see today are influenced by the skills, knowledge and activities of Aboriginal land managers. Parks Victoria acknowledges the Traditional Owners of these cultural landscapes, recognising their continuing connection to Victoria's parks and reserves and their ongoing role in caring for Country.

This publication may be of assistance to you but Parks Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

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Cover image: Mount Bogong, Alpine National Park

Facing page: Smoking ceremony, Parks Victoria Aboriginal Staff Conference



Review of the Land Management Strategy

Parks Victoria will report on progress with implementing this strategy every 3 years. The strategy will be reviewed at least every 10 years, or when directed to do so by the responsible Minister.

This draft Land Management Strategy was approved by the Board of Parks Victoria in August 2021 for submission to the Minister for Energy, Environment and Climate Change for release for public comment.

Your submission is invited on this strategy

This draft Land Management Strategy is now released for public comment until **5:00pm, Monday 1 November 2021**. Interested individuals, community organisations, groups and agencies are invited to make written submissions.

All submissions are public documents within the scope of the *Freedom of Information Act 1982*. Please do not include personally identifying information in the body of your submission. If you want to discuss this further please contact parkstrategy@parks.vic.gov.au.

Submissions can be:

Mailed to:

Manager Park Management Planning
Parks Victoria
Level 10, 535 Bourke Street
Melbourne VIC 3000

Emailed to: parkstrategy@parks.vic.gov.au

Plan viewed, survey completed, and submissions uploaded: Engage Vic website: engage.vic.gov.au/lms

All submissions will be carefully considered when the final strategy is being prepared for approval.

For further information Phone: 13 1963

Copies may be downloaded from the Parks Victoria website 'www.parkweb.vic.gov.au' or purchased for \$10 (including GST) from:

Parks Victoria
Level 10, 535 Bourke Street

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Introduction

Parks Victoria is a statutory authority of the Victorian Government, acting in accordance with the *Parks Victoria Act 2018*. Parks Victoria is responsible for managing a diverse public land estate of 4.1 million hectares, including more than 3,000 land and marine parks and reserves that make up 18 per cent of Victoria's area and 70 per cent of its coastline.

Victoria's parks face many challenges. Our climate is changing, leading to more extreme weather events and more severe and extensive fires – as occurred in south eastern Australia in late 2019 and early 2020. As the climate changes, the distribution of species, both native and introduced, is changing, challenging park management and conservation. Invasive species, direct human impacts and legacy land management practices are also significant challenges to nature conservation. Effective and timely responses to these threats are required to continue to consolidate our biodiversity and reduce the growing number of threatened species recorded in Victoria.

Victoria's increasing population and popularity as a tourist destination mean more people are visiting parks. Also, as metropolitan Melbourne and regional centres grow, more people are seeking the open space and recreational opportunities that urban parks provide. This is a great opportunity for more people to connect with nature and cultural heritage, and for them to enjoy the many benefits of being in a park. However, more visitors can add pressure on the environment and visitor facilities, and impact on the visitor experience.



Parks Victoria Junior Rangers program

For many thousands of years, Traditional Owners have had a continued connection and affinity with the land. Self-determination is a core priority for many Victorian Traditional Owners, with management of Country a fundamental imperative and right – including becoming involved in park management. Already, many parks are being jointly managed in partnerships between Traditional Owners and the Victorian Government. More parks will be managed this way in the future, and other management models, such as collaborative and sole management by Traditional Owners, will also need to be considered as recognition of Traditional Owner rights to, and goals for Country continue to evolve.

The severe and large-scale bushfires experienced in Victoria in late 2019 and early 2020 had unprecedented impacts on the forested landscapes in the east of the state; much of it within parks. Large numbers of plants and animals were destroyed, and recovery will take many years. Some parts of the environment may not fully recover or will change permanently. The closure of parks and the destruction of park assets meant tourism, local economies and communities in the region suffered greatly, and much work and support are required to help them recover. The damage to Aboriginal heritage values has not been fully assessed but may be considerable.

In 2020 and 2021, the world has been challenged by the coronavirus pandemic. This crisis has led to people being isolated and less connected. It has also challenged businesses that provide nature, culture and recreation-dependent services. The pandemic has illustrated how people seek to be connected, to people and to places, and the importance of the future of the Victorian parks and waterways to provide for this. The full impacts of the pandemic on the community, the economy and Parks Victoria's management of the estate are not yet known but are likely to be far-reaching.

The Land Management Strategy will provide the framework for ongoing recovery efforts in response to these large-scale and long-term impacts. The *Parks Victoria Act 2018* (the Act) Section 38(1) requires preparation of a Land Management Strategy to set out the general long-term directions, strategies and priorities for the protection, management and use of the terrestrial, coastal and marine parks and reserves managed by Parks Victoria.

The recent Government investment into parks across the state to deliver economic, environmental and community benefits is aligned with the themes, outcomes, and priorities set out in the Land Management Strategy. There are current major investments in conservation, cultural and nature-based tourism in parks. See Figure 1. These include:

Managing Country together: through embedding the Cultural Landscape Strategy in the LMS, and delivering joint management plans for the Gunaikurnai, Dja Dja Wurrung and Yorta Yorta People.

Protecting Victoria's natural riches: through creating the Wilsons Promontory Sanctuary to support habitat restoration, species recovery and rewilding programs with community and volunteer involvement.

Adapting to climate change: through broadscale pest management to reduce competition and protect habitat for recovering fauna, post fire.

Enriching the visitor experience: through the creation of three new urban parks, and improving camping and visitor facilities, including new campsites, across many parks in the estate.

Managing the landscape through partnerships: through commitment to planning, understanding and managing impacts on the landscape, and fostering resilience in our flora and fauna.

Recognising connections to place: through recognising the major contribution of volunteers to the park estate and encouraging new connections through the Great Outdoors programs.

Contributing to the visitor economy: through rebuilding and investing in new initiatives to support regional economies and tourism.

Managing infrastructure and operations: through investing in critical terrestrial and marine assets to support visitation and protect cultural and environmental values.

All of this highlights the scale and complexity of the risks and challenges facing park managers and reinforces the need for strategic planning for the future of park management in Victoria.

This Land Management Strategy describes how Parks Victoria will address these challenges and make the most of the opportunities to protect the valuable and much treasured natural and cultural heritage within Victoria's parks as a legacy for future generations.

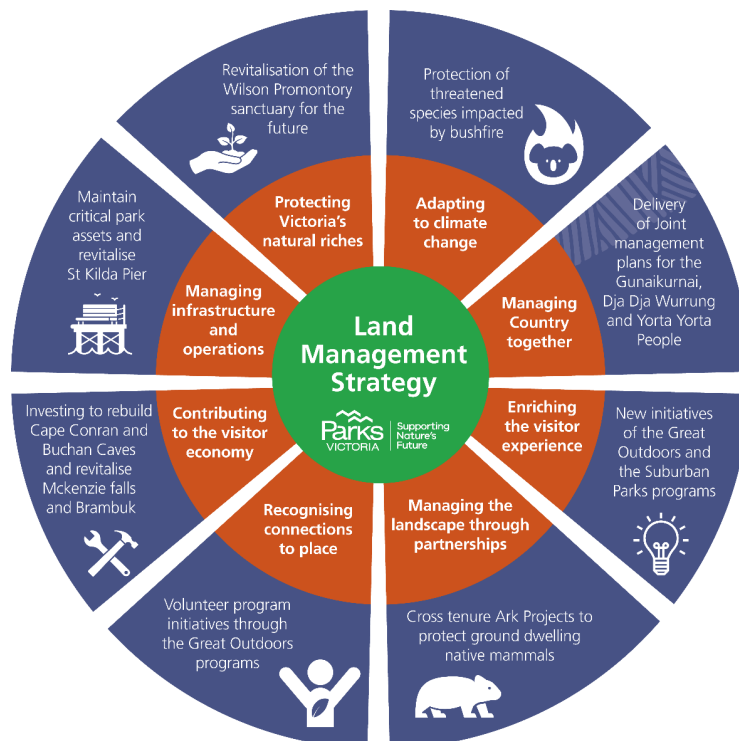


Figure 1. Programs and investment Parks Victoria and the Victorian Government are undertaking to enable the LMS long-term outcomes

Protecting our natural and cultural heritage for future generations

Page 6 of 40

The Parks

Parks Victoria manages national parks, state parks, coastal parks, marine national parks, marine sanctuaries, and wilderness parks reserved under the *National Parks Act 1975*, as well as metropolitan, reservoir and regional parks, heritage gardens, conservation reserves and recreation reserves managed under other legislation. Collectively, these areas are referred to as parks throughout this strategy. Parks Victoria is not responsible for state forests, or parks managed by other organisations such as local government but works in close collaboration with other responsible agencies.

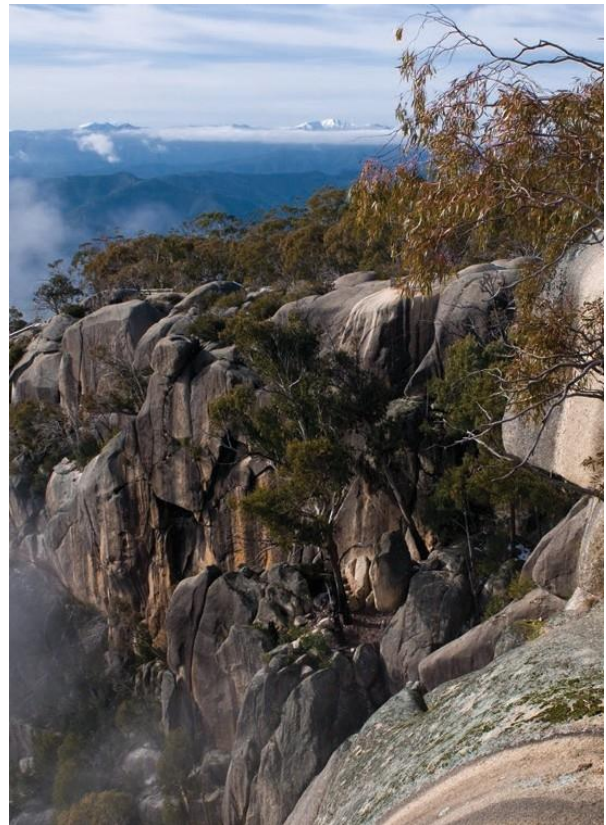
Victoria's parks protect many of the state's most precious places; significant and spectacular natural landscapes that have unique and intrinsic value.

The parks are the stronghold of the state's flora and fauna, providing critical habitat for many threatened species. They protect extensive Aboriginal cultural values, including Cultural Heritage sites and many of the state's most significant historic places. The parks receive almost 100 million recreational visits per year and are a mainstay of regional tourism and community well-being.

Key parks are an important component of Australia's National Reserve System¹, a network of formally recognised parks, reserves and protected areas primarily dedicated to the long-term protection of Australia's biodiversity. The National Reserve System is managed to protect and maintain biological diversity based on 6 international classes developed by the International Union for Conservation of Nature. The 6-level system classifies protected areas according to their management objectives, which range from strict nature conservation to multi-use reserves.

The areas protected by Victoria's parks and reserves reflect in part the state's contribution to achieving a comprehensive, adequate and representative National Reserve System. Actions to meet this national objective and to achieve relevant state policy objectives, such as the creation of new parks or changes to existing parks, are determined by governments.

The services provided by Victoria's parks make a substantial contribution to the environmental, social and economic wellbeing of Victoria. Parks contribute at least \$2 billion and 20,000 jobs to the Victorian economy each year through nature-based tourism.² Parks also provide many other services to the community such as the provision of clean water, flood mitigation, coastal asset protection, pollination services for agriculture, and health benefits through recreational and cultural values. Parks also make a significant contribution to climate change mitigation by storing over 270 million tonnes of carbon; equivalent to 9 years' worth of Victoria's greenhouse emissions.



Mount Buffalo National Park



Figure 2.
Parks Victoria managed parks and reserves: including joint managed parks with Traditional Owners

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Blue Sprite, Murray River Reserve

The Land Management Strategy

This is the inaugural Land Management Strategy for the terrestrial, coastal and marine parks and reserves managed by Parks Victoria and, as required by the Act, the strategy will be reviewed at least every 10 years. Parks Victoria will report on progress with implementing this strategy every 3 years.

This strategy will underpin park planning and other park management activities, with the goal of achieving transparent and consistent park management at the state level. It will be an important guide for developing and reviewing park management plans and will help partners and stakeholders understand park management priorities and how they can help to achieve the long-term outcomes.

The strategy is supported by, and reflects, government legislation, policies and key priorities. In particular, the strategy is designed to meet the objects of the Act, which are to:

- protect, conserve and enhance Parks Victoria managed land, including its natural and cultural values, for the benefit of the environment and current and future generations.
- recognise and support Traditional Owner knowledge of, and interest in, Parks Victoria managed land.
- provide for and encourage the community's enjoyment of, and involvement in, Parks Victoria managed land.
- improve the community's knowledge and appreciation of Parks Victoria managed land.
- contribute to the wellbeing of the community through the effective protection and management of Parks Victoria managed land.
- contribute to the achievement of state and regional land management outcomes as far as is consistent with the effective protection and management of Parks Victoria managed land.

The strategy is part of the planning framework that guides the activities of Parks Victoria, as shown in Figure 3.

Our Planning Framework

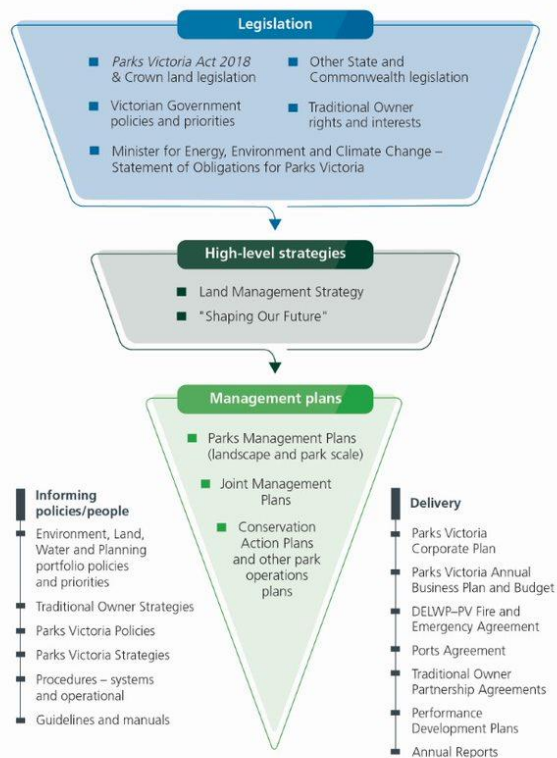


Figure 3. The Land Management Strategy relative to Parks Victoria's Planning Framework.

Note: this strategy does not apply to the local ports managed by Parks Victoria under the Ports Agreement between the Minister for Ports and Parks Victoria.

This strategy will complement the development and implementation of Forest Management Plans, being prepared by the Department of Environment, Land, Water and Planning (DELWP), which will guide planning, decisions and management of Victoria's state forests for their multiple uses in line with community and cultural values. This strategy also reflects the strategic framework from the *Victorian Traditional Owner Cultural Landscapes Strategy (2021)*, which details Traditional Owner strategies for activating their rights and obligations to Country.

Where Aboriginal title has been granted over a park it will be managed in accordance with a Joint Management Plan developed by the responsible Traditional Owner Land Management Board. Parks Victoria will ensure this strategy supports its role as a partner in joint management.

There may be cases where other organisations have management roles in Victorian parks; for example, the Great Ocean Road Coast and Parks Authority, which has recently been established to manage Crown land along the Great Ocean Road. Parks Victoria will use this strategy to inform its role as a partner with any such organisation.

This strategy sets out an Aspiration for the parks, identifying what they should be like in future, and 8 integrated, Long-term Outcomes. This is followed by a set of Principles that will guide park management. The strategy then articulates specific Priorities for responding to the opportunities and challenges facing park management, organised into 8 themes. Each set of priorities has indicators to help track progress towards the outcomes they are supporting. These components are illustrated in Figure 4.

Twelve Apostles Marine National Park



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Aspirations and Outcomes

Aspiration

Victoria’s parks will be resilient, inclusive and valued; conserving nature and cultural heritage; supporting Traditional Owner aspirations; and contributing to healthy communities.

Using the guiding principles and implementing the priorities set out in this strategy will help achieve the following 8 integrated, long-term outcomes.

- 1. Traditional Owner self-determination is advanced through managing Country together.
- 2. High value natural systems, cultural values and landscapes are protected and restored.
- 3. The impacts of climate change are responded to by planned adaptation, mitigation and, where necessary, accepting irreversible changes to some natural and cultural values and landscapes.
- 4. Visitors enjoy high quality experiences and are empowered to make informed decisions about where they go and what they do in parks.
- 5. Partnerships increase park management capability and capacity and enable management across boundaries and at the landscape scale.
- 6. Communities and people of all backgrounds and abilities value and are advocates for parks.
- 7. Regional economies and parks benefit from healthy parks and nature-based tourism.

- 8. Sustainable assets and park management provide quality visitor experiences and protect natural and heritage values.

Success in achieving these outcomes will be measured using a set of indicators. Additionally, Parks Victoria is committed to contributing to the United Nation’s Sustainable Development Goals. These goals provide a blueprint for achieving a better and more sustainable future. Effective management of Victoria’s parks will help achieve this. Each theme includes the relevant Sustainable Development Goals that the priorities will help support.



Figure 4. The components of the Land Management Strategy



Gunnamatta Beach, Mornington Peninsula National Park

Guiding Principles

The guiding principles set out below are designed to ensure that:

- park management decisions are consistent, transparent, practical, well-informed and well considered.
- protection of environmental and cultural values is paramount.
- risks are assessed and managed.

Protect natural and cultural values

The ecological and cultural integrity of parks will be strengthened by being protected and managed at a landscape scale. This will improve biodiversity and ecosystem health and resilience to major disturbances. The natural and cultural values of parks are inextricably connected. A holistic nature and culture journey approach will recognise and respect the close relationship between people and the natural environment. Park management will recognise and protect the contribution of culture – Aboriginal and non-Aboriginal – acknowledging its association with natural values.

Prepare for the future

Park planning and management will prepare for, and respond to, emerging environmental and social issues, and anticipate how parks will need to change in the future in response to climate change, threats to biodiversity, population growth, and changing recreational patterns and uses.

There will be support for transfer of parks and reserves to Aboriginal title, joint management of parks and formal agreements that recognise Traditional Owners' rights and connection to Country, and management of cultural landscapes.

Maintain and strengthen the parks estate

All parks will be managed according to their specified purpose and function, to protect environmental, cultural and social values. All actions will enhance the parks, reflect best practice, and embrace universal design including access, equity, diversity, quality and sustainability. Connections between parks and adjacent land will be strengthened to provide linked or complementary recreation experiences, cultural landscapes and habitat corridors regardless of tenure. Any changes to the estate should be for the protection of important environmental, cultural or social values.

Use expert knowledge and evidence-based management

Park management will use the best available science, digital technology and expert knowledge to be adaptive and handle uncertainty. Decisions will account for risks and social values. Traditional Owner knowledge of living biocultural values will be used to guide park management and be respectfully integrated into planning and science. Traditional Owner land management practices and customary uses will be recognised as integral components of knowledge systems and management actions.

Promote public safety

A safe environment will be provided in parks as far as practicable, while recognising that risk and adventure are part of experiencing the parks.

Managing risk – including preparing for and managing fire and other threats, responding to emergencies, and appropriately managing risks to park visitors – will be a key consideration in park management decision making. All reasonable efforts will be made to keep visitors safe and provide information, including for major public safety responses when necessary, so that people can make informed decisions about how they use parks.

Connect with community

Diverse opportunities will be provided for the community to enjoy and benefit from parks, through recreation activities, events, tourism activities, education programs and volunteering. The visitor experience will be guided by the purpose of the park reservation and ensure the protection of natural and cultural values. The community will be encouraged to engage with, and develop, social and cultural connections to Aboriginal and post-contact heritage, and understand, be active in, and appreciate parks. The importance of parks to local and regional communities will be acknowledged.

Build partnerships

Partnerships with other public land managers, park user groups, neighbours, community, volunteers and many other government, non-government and corporate organisations will be consistent with conservation priorities and legislation. The expertise and contribution of volunteers to park management will be recognised and supported. Partnerships with Traditional Owners will empower them, help improve the health of cultural landscapes, recognise and enable Traditional Owner rights, provide opportunities to incorporate traditional knowledge and practices, and strengthen connection to Country. Opportunities within parks will be identified for appropriate business activities that enhance the parks' values and the visitor experience, and are environmentally sustainable.

Priorities

The future will bring challenges and opportunities. Managing parks requires preparing for, and responding to, environmental and social changes. Addressing these changes requires understanding their causes, developing effective responses, and then determining the most appropriate way of implementing the responses.

The priorities for responding to the opportunities and challenges influencing Parks Victoria's management of parks are grouped under the following themes:

1. Managing Country together.
2. Protecting Victoria's natural riches.
3. Adapting to climate change.
4. Enriching the visitor experience.
5. Managing the landscape through partnerships.
6. Recognising connections to place.
7. Contributing to the visitor economy.
8. Managing infrastructure and operations.

Listed under each theme is the long-term outcome that implementation of these priorities will help achieve, along with indicators that will be used to track progress. Case studies are presented outlining a relevant land management practice.



Cope Hut, Falls to Hotham Alpine Crossing, Alpine National Park

THEME 1

Managing Country Together



Sperm Whale Head, Gippsland Lakes Coastal Park

Victoria's parks contain a high concentration of the cultural heritage values and living biocultural values remaining in the state. Parks Victoria has a legal responsibility to protect all Aboriginal cultural heritage within parks, and through partnerships with Traditional Owners, has a unique opportunity to make a significant contribution to the conservation of Aboriginal cultural heritage and incorporation of cultural values in park policy, management and planning in Victoria.

Parks Victoria is building capacity internally and with Traditional Owner partners to enable the effective joint management of protected areas and living biocultural values and the tangible and intangible cultural heritage they contain. In addition, as more Traditional Owner groups gain experience with joint management, and their aspirations for managing Country are implemented, Parks Victoria will be ready for new management models, such as sole management, that support Aboriginal self-determination.

The Victorian Government actively supports Traditional Owner self-determination and is pursuing agreements with Traditional Owners that recognise

their rights and interests. The Victorian Aboriginal Affairs Framework³ provides the strategic policy framework for Government to undertake systemic, structural and institutional change to enable self-determination. This recognises that it is the role of Government to change and remove systemic and institutional barriers. It is also the Government's role to empower Aboriginal Victorians to drive and own programs that meet their community's needs while increasing the safety, relevance and accessibility of Government systems. Parks Victoria is implementing these commitments, working with Traditional Owners to protect and manage parks and reserves that form part of Victoria's cultural landscapes.

The connection to land, biodiversity and natural resources on Country is fundamental to the health and wellbeing of Traditional Owners and other Aboriginal people. Supporting this connection brings significant benefits to both parks and the broader Victorian community. Parks Victoria will work effectively in partnership with Traditional Owners to restore and care for healthy cultural landscapes in all aspects of park management.

Traditional Owner approaches to land and water management are holistic, combining culture, society and economy. The expansion of joint management in Victoria is providing more opportunity for Traditional Owners to manage public land. By incorporating decision-making rights for Traditional Owners, joint management is already having significant implications for parks, including greater capacity to protect cultural sites and the incorporation of Traditional Owner knowledge, perspectives and values into park planning.

CASE STUDY

Victoria's first joint management plan

In 2018, the *Gunaikurnai and Victorian Government Joint Management Plan* was launched. This plan, which guides the management of 10 parks in Gippsland previously solely managed by Parks Victoria, was the first joint management plan in Victoria.

Joint management aims to bring together the combined skills, expertise and cultural knowledge of the Gunaikurnai people and the Victorian Government for the management of these parks and reserves in a way that respects and values, culture and traditions of the Traditional Owners.

This approach is leading to:

- Gunaikurnai people having a real influence on how the land is managed.
- employment creation, education and training opportunities.
- park users and visitors continuing to be able to enjoy both traditional and new activities that connect them with nature and Gunaikurnai culture.

Parks Victoria is working closely in partnership with the Gunaikurnai people to implement outcomes and actions from the joint management plans for the jointly managed parks. A further goal of joint management is to progress self-determination, social justice and reconciliation for the Gunaikurnai people.

Priorities

Parks Victoria will:




- 1.1 Work in partnership with Traditional Owners to support the principles, objectives and outcomes expressed in the Cultural Landscapes Strategy (see Figure 5.).
- 1.2 Support self-determination for Traditional Owners as owners and rights holders over public land, including protection and recognition of cultural and natural values in the joint management of parks.
- 1.3 Improve tools, procedures and knowledge to effectively protect and restore Aboriginal cultural heritage on parks, in partnership with Traditional Owners.
- 1.4 Support cultural landscapes as the basis for planning and management.
- 1.5 In a culturally appropriate manner promote Aboriginal culture, values, languages and stories more visibly across parks, in partnership with Traditional Owners, to enrich the experience and education of visitors.
- 1.6 Work to ensure that the cultural values and impacts of visitation are appropriately managed for commercial, visitor economy and tourism opportunities.
- 1.7 Share experiences, skills and resources between Parks Victoria and Traditional Owner partners to increase shared capacity to protect cultural landscapes.

The *Victorian Traditional Owner Cultural Landscapes Strategy (2021)* details Traditional Owner goals for Country. The strategic framework below sets out the 5 program areas that are detailed in the Cultural Landscapes Strategy.

1. RESTORING THE KNOWLEDGE SYSTEM	2. STRENGTHENING TRADITIONAL OWNER NATION RESILIENCE	3. TRADITIONAL OWNER CULTURAL LANDSCAPES PLANNING	4. EMBEDDING TRADITIONAL OWNER KNOWLEDGE AND PRACTICE	5. TRADITIONAL OWNER CULTURAL LANDSCAPES MANAGEMENT
COMPONENT OBJECTIVES				
To restore and protect the Traditional Owner knowledge system.	To strengthen Traditional Owner Nation resilience to enable delivery of our contemporary role as custodians of Country.	To enable Traditional Owner cultural landscapes planning.	To embed Traditional Owner knowledge and practice into policy, planning and the management of Country.	To enable the application of Traditional Owner cultural objectives, knowledge and practice in the management of public land.
COMPONENT AREAS				
Reading Country Programs Traditional Owner led research partnerships Traditional Owner knowledge and practice networks.	Strengthening the government funding model for Traditional Owner Corporations and Nations NRM based Economic Development Diverse Self Determination Pathways for Diverse Nations.	Cultural governance guides decision making Development of planning frameworks that are tailored and appropriate to each group's pathway System development for assessing health of Country.	Institutional arrangements of the Government are enhanced to reflect Traditional Owner rights regarding management of Country Two-way capacity is developed Co-Governance arrangements are in place.	Country Management programs are established Cultural landscapes are managed by Traditional Owners through shared governance arrangements and Sole Management is established Collaborative management pilots in priority cultural landscapes.
COMPONENT OUTCOMES				
Traditional Owner led practices are rejuvenated and knowledge protected and applied to meet cultural objectives that include social, ecological and economic co-benefits.	Traditional Owner Nations are enabled to lead the process to heal and strengthen Country through their governance systems and with active, adaptive management.	Cultural landscapes are the basis for land management planning.	Victorian Government policy, legislation and procedures enable and embed Traditional Owner knowledge and practice across all cultural landscapes.	Traditional Owners have decision making authority over the management of Traditional territories.

Figure 5. Cultural Landscapes Strategy framework

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
1. Traditional Owner self-determination is advanced through managing Country together.	<p>Indicators:</p> <p>Increased Traditional Owner decision making in park management.</p> <p>Increased Traditional Owner participation in park management.</p> <p>Incorporation of Traditional Owner knowledge and cultural perspectives in park planning and management.</p>	  

THEME 2

Protecting Victoria's Natural Riches



Fat-tailed Dunnart, Murray Sunset National Park

Victoria's parks are incredibly rich in biodiversity and cultural values, containing the best of the State's natural riches. Parks provide ecosystem services, including clean water supplies, carbon storage, protection from storms and flooding, and cooling of urban environments. Parks contribute to community and individual health and wellbeing, cultural and spiritual connection, recreation and tourism.

Parks face many threats in these unprecedented times. Climate change is with us, here and now, and its impacts are intensifying, evident in the 2019-20 bushfire season with major loss of tall forests and rainforest and the death of countless animals. The meteorological records show that over the last fifty years the Victorian climate has become hotter and drier with many more extreme fire danger days, and those trends are likely to continue.

The changing climate will not only bring its own threats – it will make many existing threats worse, such as invasive species and altered stream flows in terrestrial parks and marine pests, population pressures and nutrient and sediment runoff in marine and coastal environments. Using climate change forecasts and modelling, information drawn from the State of the Parks process and other monitoring data and research, we can categorise

the key threats to nature in parks as: catastrophic bushfires and other large-scale events; invasive species; altered fire regimes; altered hydrology and water quality; human disturbance and natural resource use; legacies of past land uses; gradual major ecological transitions; inadequate conservation capability and resourcing.

Protecting nature is a fundamental goal of park management, and Parks Victoria seeks to address the above threats through a range of programs and actions. This includes conserving diverse ecosystems and the 90 per cent of Victoria's threatened species that are found within parks.

Parks Victoria acknowledges that enabling Traditional Owners to be decision makers and actively manage cultural values through applying Traditional Owner knowledge and practice-led approach will greatly contribute to biodiversity objectives and help protect threatened species.

Park management strives to meet best-practice conservation standards, based on the internationally recognised Open Standards for the Practice of Conservation⁴. This approach uses a collaborative process to identify priorities and develop strategies drawing on conservation experience, scientific understanding, local

environmental and operational knowledge, partnerships, and traditional ecological knowledge and strategic thinking.

A landscape approach is important for managing the protected area network. This recognises landscape-scale processes that often extend beyond traditional management boundaries and involves cross-tenure management to address threats to parks such as fire, weeds and pest animals. It also acknowledges the importance of cultural landscapes for Traditional Owners and for broader natural system health and community resilience.

*State of the Parks*⁵ reporting shows that sustained investment is needed for environmental protection in parks. Urgent action is needed to expand conservation management and increase responsiveness. Building resilience of natural systems is an important response to mitigate climate change.

Building community support for protecting the parks' environmental, social and cultural values is essential for their continued conservation. The challenge is to provide sustainable, accessible and meaningful visitor experiences while protecting the environment, conservation and heritage values of protected areas.

Parks Victoria will seek to establish landscape-scale sanctuaries that benefit threatened species, tackle threats and restore ecosystems. This will involve large-scale programs that incorporate increased citizen science, volunteer and Traditional Owner participation. If successful, such flagship projects will demonstrate the importance and value of working at this landscape scale. Traditional Owners have expressed interest in cultural tourism and flagship projects, and there is an opportunity to partner with Traditional Owners to co-design and deliver these outcomes.

Parks Victoria applies a risk-based, adaptive management approach that enables managers to see a clear connection between desired conservation outcomes and the actions which are delivered on the ground. A best-practice conservation action planning methodology is used to identify and focus on strategies that will achieve the greatest improvement in the overall health of ecosystems within parks. Conservation Action Plans at the landscape scale identify the priority threats to conservation assets and the management strategies that will improve their condition.

CASE STUDY

One step ahead of the game

The Otway Ark Project began in 2015 as an extension of a fox baiting program in the Great Otway National Park. Its aim was to build resilience by maintaining or enhancing species richness and distribution, and the abundance of ground dwelling native mammals, including the Long-nosed Potoroo and Southern Brown Bandicoot (both at risk of extinction from predation, climate change impacts and urbanisation).

Ongoing research is measuring the effectiveness of the baiting program and monitoring the response of specific mammal species that are impacted by fox and feral cat numbers. While it will take time to see significant outcomes, the project is showing the importance of adaptive management such as through improvements to monitoring and changes to baiting types and frequency.

Other opportunities were also identified to support increasing the resilience of mammals in the Otways. This has included targeting the management of introduced invasive and pest species, such as goat and deer, and community engagement on responsible cat ownership.

The project is being achieved through cross tenure management across public land and private property, which has included knowledge sharing, improved planning and growing community involvement. It is also supported by key research partners including the Arthur Rylah Institute, DELWP, University of Melbourne, and a growing citizen science program.

Priorities

Parks Victoria will:

2.1 Invest in addressing threatening processes through conservation programs, including the eradication or reduction of invasive and pest species, to build the resilience of natural systems in parks.

2.2 Improve ecosystem protection and restoration, including active intervention such as the reintroduction of threatened species and species with cultural values and uses that are in decline to support resilience of natural systems and cultural connections.

2.3 Incorporate research, citizen science and Traditional Owner knowledge into evidence-based management underpinned by Conservation Action Plans.




2.4 Address critical information gaps to increase understanding of the environmental and social values and benefits of parks, including management effectiveness and outcomes.

2.5 Develop proposals for, and seek to establish, landscape-scale sanctuaries focused on threatened species, large-scale threat and restoration programs and increased citizen science, volunteer and Traditional Owner participation.

2.6 Adopt a landscape (including cultural landscapes) approach for cross-tenure management of parks and forests for forest health outcomes to respond to the complex and widespread environmental, social and political challenges that transcend existing management boundaries.

2.7 Respect natural processes in planning for, and managing risks to, coastal and marine park habitats and assets from coastal hazards and events linked to climate change.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
2. High-value natural systems and cultural values are protected or restored.	<p>Indicators:</p> <p>Improve condition of ecosystems and habitats.</p> <p>Increase protection or restoration of threatened or culturally significant species .</p> <p>Increase protection of Aboriginal and non-Aboriginal cultural heritage values.</p> <p>Improve integration of science and traditional ecological knowledge.</p>	  

THEME 3

Adapting to Climate Change



Ranger checking traps, Wilsons Promontory National Park

Climate change represents the greatest threat to Victoria's natural environment, posing significant challenges for conservation of nature and heritage. Impacts of climate change are already being experienced. Parks Victoria is acting to respond, supported by long-term climate change science and greater collaboration with partners.

Victoria has been warming over the past century, with the average annual temperature rising by just over 1 °C between 1910 and 2018.⁶ There have been more warm years than cool years in recent decades.

Victoria is forecast to continue to experience increasing temperatures, with more extremely hot days and fewer extremely cool days. Higher temperatures and less cool season rainfall with longer droughts will create more high fire danger days and a longer fire season. The scale and severity of the fires experienced in Victoria and other parts of south eastern Australia in late 2019 and early 2020 reflect this. As the climate warms, extreme rainfall events are becoming more intense, causing flooding. Parks will be closed more often because of safety considerations and damage caused by fires and floods.

Ecosystems are changing, and will likely continue to change, as human-induced atmospheric carbon dioxide concentrations rise. This rise correlates with increasing temperatures, disrupted weather and seasons, melting land- and sea-ice, rising sea level, ocean acidification, and more weather extremes.

Extreme events are also leading to the loss of tangible cultural heritage through flood events, aeolian (sand and dust storm) events, rising sea levels and resultant exposure of sites.

As coastlines are increasingly impacted by rising sea level and more frequent and severe storms, decisions will need to be made about where action can mitigate impacts, and where retreat should be accepted and managed. This is a significant management issue for Parks Victoria given around 70 per cent of Victoria's approximately 2,500 kilometres of coastline is within parks.

An important focus of this strategy is to manage the health of the land, marine and coastal environment so that ecosystems, communities and built assets are as resilient as they can be in the face of future change. Resilience is the ability of a system to adapt to, or tolerate, change without losing its original function. It is also the ability of a system to overcome or bounce back from a disruption.

Extreme events such as bushfires can have major impacts on communities close to parks, such as the economic losses from reduced visitation when parks are closed during emergencies and recovery actions. Such events also add to the challenges of maintaining sustainable, safe park visitor services and responding to changes in recreation and tourism patterns.

Parks play a valuable role in mitigating the impacts of climate change. Urban parks provide cooling benefits in built areas, while forests and other plants remove and store carbon from the atmosphere.

Protecting them and their ecosystems, and investing in their restoration or enhancement, is therefore vital. There is also a significant mitigation opportunity in reducing the carbon footprint of the many park facilities and services managed by Parks Victoria or licensed operators, as considered under Theme 8.

Addressing climate change will involve managing and/or accepting impacts such as retreating alpine areas, loss of coastal and wetland areas, and changes in the geographic distribution of species. Meeting these challenges requires sound management approaches, including emergency and contingency planning, and undertaking recovery work as soon as possible following damaging events. Managing parks under a changing climate also requires increased and effective collaboration with partners and the community, particularly Traditional Owners, whose knowledge and practices are strongly adaptive to climate change and the effects on the condition of Country.

CASE STUDY

Managing threatened natural features in Gippsland Lakes Reserve

The Mitchell River silt jetties are a unique geomorphological feature within Victoria's Gippsland Lakes and are recognised as a site of national and international significance. Due to their narrow and low-lying nature, the jetties are highly vulnerable to wave and wind erosion.

This erosion could damage not just the silt jetties themselves but, if they were breached, the salinity of the lake could change. This in turn could impact important bird and fish habitat.

The jetties also have substantial cultural heritage and social values associated with them.

To manage the risk to these multiple values, joint managers Parks Victoria and the Gunaikurnai people partnered with the East Gippsland Catchment Management Authority to undertake works to protect the jetties from erosion, including by laying rocks along the shoreline of the southern silt jetty. Works such as these highlight the importance of the values at risk and reasons for intervention in a natural process. As climate change increasingly impacts Victoria's coastline and other natural systems, tackling challenges like this, including deciding if, how and when to prevent or mitigate impacts, is likely to be required more frequently.

Priorities

Parks Victoria will:

3.1 Implement conservation management and Traditional Owner applied knowledge and practice to improve the resilience of ecological systems and species in a changing climate.

3.2 Anticipate changes to terrestrial and marine landscapes and, where mitigation is not feasible, investigate and implement practicable solutions.


3.3 Further develop contingency planning for responses to extreme events, including worst-case scenarios, guided by scientific evidence and Traditional Owner knowledge.

3.4 Undertake 'climate ready' trials to build knowledge of climate impacts on habitat types and most-affected species, and test the effectiveness of adaptation responses.

3.5 Build community capacity and resilience by working with partners to improve understanding of climate change impacts on parks and park experiences.

3.6 Support opportunities for carbon regulation and carbon sequestration in natural systems within parks.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
3. Responses to the impacts of climate change include planned adaptation, mitigation and, where necessary, accepting irreversible changes to some natural and cultural values and landscapes.	<p>Indicators:</p> <p>Increase understanding of park ecosystems that best provide climate change refuges, carbon sequestration and other ecosystem services.</p> <p>Improve the protection of biodiversity values at risk from climate change impacts through planned adaptation and targeted interventions.</p> <p>Improve community understanding of climate change impacts on park values, current and predicted rates of change and what is being done in response.</p>	 <p>The icons represent four Sustainable Development Goals: 3 (Good Health and Well-being), 13 (Climate Action), 14 (Life Below Water), and 15 (Life on Land).</p>

THEME 4

Enriching the Visitor Experience



Lysterfield Park, Melbourne

Parks provide many benefits for the people who visit them. Spending time in nature promotes positive physical and mental health, and improves concentration, learning, problem solving and creativity.⁷ Enriching the visitor experience to enhance these benefits is therefore an important part of park planning.

Visitor experience planning will prioritise the protection of cultural and natural values when anticipating and responding to park visitor and user needs and aspirations, broader community desires, external trends and available resources. The principle of 'universal design', which requires consideration of access, equity, diversity, quality and sustainability, is also a key consideration in park planning. There are barriers that make it difficult for some people to engage with parks, such as limited physical mobility; the way facilities are designed; lack of transport options; and lack of multiculturally appropriate park information about, and within, parks. Addressing these barriers is important if more people are to enjoy the benefits of parks.

Parks are planned and managed to provide a diversity of settings to support experiences in appropriate areas. Providing access for people with different levels of abilities, in appropriate locations, enables them to connect with parks in diverse and enriching ways. Enhanced access will increase people's willingness to be advocates for, and stewards of, these special places.

The benefits of volunteering in parks are many. For park managers, volunteers bring capabilities to assist in park conservation and they act as strong community

advocates. Volunteers gain new skills, physical exercise in wonderful landscapes, social connection and the satisfaction of being able to actively contribute to protecting the great parks network.

Park management, based on an 'open, safe and clean' approach, prioritises the safety of staff and visitors, and the availability of essential visitor services. While safety is paramount, parks offer opportunities for activities that carry risks. This can be the reason some visitors seek experiences in more remote and challenging areas.

Population and tourism growth, changes in technology and encouragement of diverse groups and activities are collectively leading to more visits to parks. Parks Victoria applies a visitor experience framework to all parks to determine what experiences can be supported in a park and where best to invest in infrastructure to help meet changing and growing demands.

Some parks are currently experiencing visitation at, or above, capacity at peak times. This can adversely affect people's experiences and enjoyment and can often be detrimental to the biodiversity and other values of these parks. There is a need to manage growing and changing visitor demand while protecting park values.

Changes in technology, from electronic devices to higher quality outdoor equipment, allows more people to access parks and to do so in new ways. For example, social media is increasingly influencing where people go in parks, while fat tyre bikes now allow cyclists to ride in snow and deep sand. Park management needs to be responsive to these new and

changing uses and where possible, anticipate the possible effects of emerging technologies and recreational preferences.

New technologies, such as digital mapping and real-time data from visitor monitoring and the use of drones, enable improved park management.




An effective visitor compliance program, supported by park regulations, is also essential in encouraging appropriate visitor behaviour and protecting parks. Habitat damage from illegal activities has increased, with illegal tree felling for firewood the most destructive activity. Offences can arise from visitors being unaware of park rules and therefore education and provision of information are important. Compliance and enforcement can only be effective through working across tenures with other partners and stakeholders such as DELWP, the Game Management Authority and peak user groups.

Priorities

Parks Victoria will:

- 4.1 Prioritise the protection of natural and cultural heritage values when planning visitor experiences.
- 4.2 Manage visitation relative to park visitor carrying capacity and communicate management approaches effectively to visitors.
- 4.3 Ensure park design and planning provides for inclusive experiences and access for people from culturally and linguistically diverse and low socio-economic communities, people with a disability, the elderly, and teenagers.
- 4.4 Support events in parks that are sustainable and that maximise benefits and minimise adverse impacts on park values.
- 4.5 Use technological innovations to gather visitation data to inform understanding of park visitor carrying capacity, and changes and trends in recreational activities to enable sustainable park management.
- 4.6 Promote and foster the understanding of health and wellbeing benefits of being in, and engaging with, parks.
- 4.7 Improve existing parks, and plan for new parks in metropolitan and regional growth areas to meet growing demand, multiple use and community safety.
- 4.8 Plan for and support a diversity of contemporary activities appropriate to the setting and location to encourage active and healthy people and communities.
- 4.9 Research and monitor changes in technology, recreational equipment and uses, and adapt park management to respond to, or anticipate, changes where possible and consistent with park values.
- 4.10 Enforce park regulations in collaboration with partners, supported by education and monitoring, to reduce adverse impacts on parks and visitors.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
4. Visitors enjoy high quality experiences and are empowered to make informed decisions about where they go and what they do in parks.	<p>Indicators:</p> <p>Improve alignment of park settings and experiences with visitor demand and expectations.</p> <p>Increase the numbers and times that parks and visitor sites are open, safe, and clean.</p> <p>Increase the number of parks that provide for diverse settings, are equitably distributed and manage capacity and impacts of visitation.</p> <p>Improve pre-visit information and in-park interpretation and information to enable informed decision-making and compliance.</p>	  

THEME 5

Managing the Landscape through Partnerships



Volunteers, Alpine National Park

Land management responsibilities and objectives are often shared by different groups, so partnerships are essential for effective parks management. Parks Victoria works with Traditional Owners, DELWP, other land management and conservation agencies, and community groups to be more efficient and to achieve greater benefits at a landscape scale. Park management partnerships include:

- Traditional Owners (see Theme 3: Managing Country together).
- government conservation and land management agencies and other land managers; for example, DELWP, Zoos Victoria, catchment management authorities, Melbourne Water, local government.
- volunteers and community conservation groups, such as Friends groups.
- specialist groups such as Four Wheel Drive Victoria, Sporting Shooters' Association, and Bushwalking Victoria.
- service providers, including tour operators and community organisations.
- not for profit and philanthropic groups associated with land management, conservation, research, education and health sectors, such as the People and Parks Foundation, and the Victorian National Parks Association.

Parks do not exist in isolation but are part of a connected ecosystem of public and private land and waters. Parks often border privately-owned land, and pest animals and invasive species readily move between land tenure boundaries. Parks Victoria will partner with neighbours and other agencies to deliver broader programs, such as invasive species control, to maximise the benefits of those programs across land tenures and at the landscape scale where possible. Conservation work on private land also complements the conservation role of parks.

In Victoria, more than 100,000 hectares of native habitat on private land has been protected with the help of organisations like Trust for Nature. Similarly, local government manages many urban and peri-urban parks and coordinating park planning can provide better outcomes for the community.

Parks Victoria works with DELWP as part of Forest Fire Management Victoria (FFMV) and other agencies to prepare for, respond to, and recover from, fire, floods and other emergencies involving public land. The management of fire on public land, including planned burning for bushfire risk reduction, is the responsibility of DELWP. Parks Victoria plays an active role in the planning and delivery of fire management services, particularly on parks and reserves. Parks Victoria's emergency management roles and responsibilities, such as preparing and maintaining emergency management planning for parks, reserves, rivers and waterways, are set out in the Emergency Management Manual Victoria.

DELWP and catchment management authorities are funding partners for important conservation projects in many parks. These partnerships often focus on biodiversity, habitat connectivity, pest and weed management, as well as landscape and catchment-based matters.

Volunteering in parks is an important activity as it not only allows people to connect with parks, but also provides an invaluable boost to park management capacity. Volunteers undertake many thousands of hours of conservation work in Victoria's parks every year, including through Friends groups associated with a particular park or region, as individuals or through education groups or third party and community organisations.

Partnerships with health and recreation organisations and not-for-profit groups, as well as those that encourage involvement with parks by diverse and under-represented groups, are important for obtaining better outcomes for parks and people. For example, a partnership with Bendigo Community Health is making parks more accessible to residents, particularly the growing Karen community, by improving how information about parks is provided.

Partnerships are most effective when everyone understands and shares objectives. Successful partnerships involve strong governance, pooling knowledge, and building people's capabilities. Protecting and improving park values are core to any park management partnership.

CASE STUDY

Improving seagrass habitat in eastern Victoria

In 2014, large numbers of a native purple sea urchin (*Heliocidaris erythrogramma*) were observed overgrazing seagrass in a crucial wetlands biodiversity site in Nooramunga Marine and Coastal Park in eastern Victoria. The barren areas created by the urchins were estimated to be expanding by 0.5-1 m per month, with the largest 2.6 ha, which prompted an investigation.

In a bid to manage the overabundance, Parks Victoria and the Victorian Fisheries Authority (VFA) invited local commercial fishers to participate in a program to reduce the number of sea urchins. VFA issued 6 applicants with permits allowing them to collect and sell the urchin between May and September. This approach greatly improved the seagrass habitat, as well as providing a valuable commercial opportunity for the fishers.



Sea urchins, Nooramunga Marine and Coastal Park

Priorities





Parks Victoria will:

- 5.1 Establish and support partnerships with public land managers and neighbouring private landowners to enable more effective and efficient programs across tenures.
- 5.2 Establish and support more effective partnerships with land management and conservation agencies, researchers, educational institutions and interest groups to maximise the use of expertise, knowledge and capacity.
- 5.3 Recognise and celebrate the role of volunteers in protecting natural and cultural values in parks and contributing to communities, provide effective support for volunteers, and increase the number of people involved in volunteering.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.



Splendid Fairy-wren (Photo: Thomas Hunt)

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
5. Partnerships increase park management capability and capacity, and enable management across boundaries at the landscape scale.	<p>Indicators:</p> <p>Improve the effectiveness of existing and new partnerships.</p> <p>Increase the number and quality of cross-tenure agency and organisation partnerships.</p> <p>Increase the number and quality of volunteer partnerships.</p>	   

THEME 6

Recognising Connections to Place



Werribee Mansion, Werribee Park

The relationships between people and nature have shaped our physical environment and our belief systems. People's connections with parks are integral to the significance of cultural landscape.⁸

People have strong connections to specific parks, particularly local and regional communities where there are historic connections of use, such as camping, fishing or grazing. These places become an expression of a community's cultural heritage and social values through the telling of its stories. For example, in the development of the *River Red Gum Parks Management Plan 2018*, an inter-generational connection between visitors and specific sites within the Murray River parks corridor was documented. Recognition of people's connection to places will continue to be considered as part of park planning and management, particularly when a change of use is proposed.

The spiritual connection of Traditional Owners to Country, and the inherent responsibility that is held for ensuring healthy Country, are supported and outlined in Theme 3: Managing Country together.

Parks Victoria recognises that many places are extremely important for Traditional Owners and for

non-Aboriginal people, and that these places may therefore have shared heritage value. Contemporary heritage practice emphasises the connections between all natural and cultural aspects. Parks Victoria will promote a holistic nature and culture journey approach to heritage that recognises the close relationship between people and the natural environment, and that many places hold value for Aboriginal and non-Aboriginal people.

To manage and conserve nature in areas identified as having shared heritage value, a co-design approach actively involving the community will promote broad public support of projects, increase public awareness, and engender emotional connection to parks, giving people the licence to care and opportunities for action.

Introducing young people to nature helps ensure that they develop an understanding of its many benefits, gain confidence in accessing nature, and develop the passion and understanding to become custodians of the parks and their values in the future.

Education and interpretation programs are essential to enhance visitor experience and connecting with nature. Everyone benefits from quality, timely information about parks and the value they offer.

Outstanding and contemporary learning experiences connect visitors with parks and encourage them to help protect parks and the values within them.

Parks contain the most diverse portfolio of historic places and collections on public land in Victoria. There are at least 140 heritage places of national and state significance and many other places of regional and local significance. There are strong community connections to these places, and people expect to be able to access them to connect to the rich stories. It is important to link contemporary culture to places of heritage significance. Access to these places, which can be through enabling new uses and innovative presentation of historic buildings and places, also provides wonderful opportunities for learning, community use and social connection, and delivers benefits to regional economies.

It is important that everyone feels safe and welcome in parks, including women, children, and members of the LGBTIQ community. Safety will be considered in park planning, design principles and ongoing operations. Incorporation of Crime Prevention Through Environmental Design (CPTED) processes will reduce the incidence and fear of crime. This is likely to help improve the quality of life for individuals and communities that use parks.


Priorities

Parks Victoria will:

- 6.1 Acknowledge the close relationship between people and the natural environment, and that many places hold significant history for all people.

- 6.2 Recognise and share stories about past connections people and communities have had, and continue to have, with parks.
- 6.3 Provide information about park values using diverse communication methods to support enjoyable, safe and appropriate experiences in parks.
- 6.4 Provide opportunities for learning in natural environments through delivering and supporting learning programs and interpretation across parks, including, for example, Junior Rangers and citizen science programs.
- 6.5 Enable new connections between people and parks, especially for those from diverse backgrounds and abilities, including through activation of historic places in parks that facilitate strong cultural connection.
- 6.6 Implement Healthy Parks Healthy People programs in partnerships with the health, community and outdoor recreation sectors that will further activate parks for nature-based mental, social and physical health benefits, including enabling access for all abilities and greater inclusion of under-represented groups.
- 6.7 Integrate safety, especially of women, children and LGBTIQ people in park planning and management as well as through application of CPTED principles.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
6. Communities and people of all backgrounds and abilities are advocates for parks.	<p>Indicators:</p> <p>Improve the health and wellbeing of communities through contact with nature.</p> <p>Improve connection to parks and nature for communities from diverse backgrounds, abilities and under-represented groups.</p> <p>Improve the level of awareness of the cultural values of heritage places.</p> <p>Increase volunteer opportunities for activities and involvement in Parks Victoria.</p> <p>Improve access to life long learning experiences in, about and for parks.</p>	 <p>The image shows six Sustainable Development Goal icons arranged in a 2x3 grid. The top row contains Goal 3 (Good Health and Well-being, green icon with a heart and pulse line), Goal 11 (Sustainable Cities and Communities, orange icon with buildings), and Goal 13 (Climate Action, green icon with a globe and eye). The bottom row contains Goal 14 (Life Below Water, blue icon with a fish), Goal 15 (Life on Land, green icon with a tree and cloud), and Goal 17 (Partnerships for the Goals, blue icon with interlocking circles).</p>

THEME 7

Contributing to the Visitor Economy



Dandenong Ranges Botanic Gardens, Dandenong Ranges National Park

Protecting our natural and cultural heritage for future generations

Page 32 of 40

Victoria's parks have great economic value to the state and regional economies.⁹ Parks attract tourists, income and jobs to regional and local communities. Overall, the state's tourism industry contributes over \$26 billion annually to Victoria's economy, and in 2017-18 generated over 230,000 jobs. It is important to protect and conserve the natural, cultural and social values within parks that encourage visitors.

Recent surveys of park visitors indicate high levels of satisfaction. Experiencing nature offers people many benefits and helps demonstrate the importance of protecting the environment. If parks are valued by people, they are more likely to be advocates for parks and their effective management.¹⁰

Parks contribution to the visitor economy is supported by commercial arrangements between Parks Victoria and private providers, partnership programs such as with Visit Victoria, and through delivery of strategic nature-based tourism plans. Nature-based tourism is the fastest growing tourism sector in Australia, and there is an opportunity to embrace this growth within Victoria's parks¹¹, which is an important contributor to regional economies.

Parks Victoria's Licensed Tour Operator Framework provides effective support for the tourism industry and contributes valuable revenue for park management through the more than 3 million visitors experiencing parks with these operators annually. Parks are increasingly popular locations for events, art spaces, visitor service businesses, restaurants and cafes, retail spaces, accommodation, and education and training providers. To protect parks and visitor experiences, the location, nature and operation of these activities must be consistent with park objectives, deliver benefits to the park, have minimal impact on park values and comply with local government planning schemes.

With changing community expectations about the types and quality of park infrastructure and services, Parks Victoria will continue to explore opportunities for new in-park environmentally sustainable services, some delivered in partnership with private operators, to meet visitor needs and to manage visitation demands. This will involve ensuring that operators pay appropriately for the business that they generate through the parks.

Any surplus funds generated by Parks Victoria through these arrangements will be invested back into park management, including conservation programs. These opportunities can include different accommodation types, including roofed accommodation, and other new products and services that complement and enhance the visitor experience.

CASE STUDY

Grampians Peaks Trail

The Grampians Peaks Trail is planned to be one of Victoria's iconic long distance trails, showcasing the beauty and majesty of Gariwerd (Grampians) National Park's natural and cultural landscapes. By improving existing tracks and constructing new tracks, Parks Victoria is developing a 160-kilometre world class walking experience that can be undertaken in sections or as one 13-day walk. The trail is being developed with Traditional Owner involvement and through community consultation. When completed, the walk will provide:

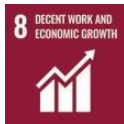
- significantly improved cultural heritage protection, interpretation and design.
- greater accessibility by increasing and diversifying walk options, trail difficulty and accommodation types.
- a significant economic uplift, including through higher yield visitors for local businesses.

Priorities

Parks Victoria will:

- 7.1 Ensure that existing and proposed private operations add value and deliver benefits for parks, meet legislation and planning requirements and are consistent with park environmental, cultural, heritage and social objectives.
- 7.2 Work to ensure that private operations and Parks Victoria's own business operations in the parks are efficient and sustainable and support employment, access, quality park experiences and regional growth.
- 7.3 Adapt and reuse heritage places where appropriate to support tourism, commercial and community activities.
- 7.4 Develop, where appropriate in partnership with private operators, sustainable tourism businesses, including nature-based attractions, experiences and appropriate accommodation in key parks that are consistent with the values and purpose of the park, meet visitor expectations, and legislative and planning requirements.
- 7.5 Partner with tourism, industry organisations and Traditional Owners to initiate and promote.
- 7.6 innovative, nature-based and cultural experiences that are sustainable and sensitive to the landscape and Traditional Owner values.
- 7.7 Improve diversity, culture and inclusion access to parks via third-party operators that appeal to different target markets, communities and visitor segments.
- 7.8 Support events, Licensed Tour Operators and other activities in parks that deliver clear benefits for parks and minimise adverse impacts on park values, and improve efficiency of administration.
- 7.9 Develop and deliver against environmental sustainability targets in parks and support tenants and Licensed Tour Operators in their sustainability initiatives that contribute to sustainable organisational operations.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
7. Regional economies and parks benefit from healthy parks and nature-based tourism.	<p>Indicators:</p> <p>Increase nature-based tourism, with facilities and access in the right places.</p> <p>Increase opportunities for LTOs involvement in delivering nature-based tourism and outdoor education.</p> <p>Increase cultural tourism led or supported by Traditional Owners.</p>	  

THEME 8

Managing Infrastructure and Operations



Solar panels, Gabo Island Lighthouse, Gabo Island

Within Victoria's parks there are buildings, facilities and other assets, including roads, offices, camping infrastructure, piers, sports fields, dams, communication towers, power supply equipment and water pipes, with a total value of around \$1.8 billion. This park infrastructure protects the environment, enables visitors to enjoy and safely access parks, and helps staff undertake conservation and emergency management work.

An objective of park management is to mitigate the adverse impacts associated with development and provision of infrastructure in parks. Sustainability principles will be incorporated into the design, performance criteria, material selection and location of park infrastructure, which also must be resilient to extreme weather and fire.

New facilities will incorporate universal design principles and allow, where practical, adaptation for changing visitor needs. These principles consider the needs of all visitors, including those with disabilities, the elderly, families with young children and people from diverse cultural backgrounds.

Unless regularly maintained, infrastructure degrades. In parks, this deterioration can harm the environment, reduce visitor services and add to costs. The condition of many assets needs to be improved, especially as visitor numbers and expectations rise and the impacts

of climate change are increasingly felt. Parks, particularly in regional Victoria, are major tourism attractors.

Some facilities and services at flagship destinations, such as Wilsons Promontory and the Alpine National Parks, currently do not meet the expectations of local, interstate and international visitors.

Urban parks, such as Albert Park, Plenty Gorge Park and Jells Park, provide extensive visitor experiences, recreational and sporting opportunities and health and wellbeing benefits to Victorians and visitors. They are the first experience many people have with parks, and the quality of this experience can influence views on the values of parks more broadly as well as the interest in further visits. The quality of infrastructure in these parks has a big impact on the quality of these experiences, and therefore the careful design, location and ongoing maintenance of assets are important.

Parks Victoria has responsibility for much of the state's historic heritage. This includes hundreds of historic places ranging from large complex cultural landscapes, such as Werribee Park, Point Nepean Quarantine Station and Forts, and the Castlemaine Diggings National Heritage Park, to alpine huts, lighthouses, archaeological sites, gardens, cemeteries, monuments, and shipwrecks. Parks Victoria also manages

thousands of heritage objects in collections associated with significant places.

Infrastructure renewal is often required following fires and floods. Parks and their facilities can be closed for periods following these events, and rapid but thorough assessments of damage are important. Opportunities will be taken to consider how and where facilities are best rebuilt, including using new designs and materials that are more resilient, and locating facilities in safer or more efficient areas.

Licensed critical infrastructure, such as power lines and water pipes, occurs in parks. Park planning considers this infrastructure, its security and the safety of visitors, in collaboration with the agencies that own and operate it.

CASE STUDY

Parks Victoria's most remote solar power system





Until 2017, Parks Victoria staff and guests staying on Gabo Island relied exclusively on a diesel generator and battery storage for electricity. With the installation of a 10 kW solar power system, the sun is now playing a major role in meeting the island's electricity needs.

The 32-panel solar power system substantially improves environmental, economic, and social benefits, and there are fewer safety risks with transporting fuel to the island. The greenhouse gas emissions reduction is estimated to be about 17 tonnes a year, and there are significant cost savings through reduced fuel, maintenance, and generator depreciation.

Parks Victoria will:

- 8.1 Plan, build and manage infrastructure based on universal design principles to ensure it is safe, fit-for-purpose, adaptive where practicable, sustainable, secure, provides value for money, and meets increased and diverse visitation needs.
- 8.2 Incorporate climate change resilience in design and location of infrastructure and consider relocation of assets when risk of loss or damage to infrastructure significantly increases.
- 8.3 Invest in infrastructure maintenance and renewal to enable visitors to access and experience parks, to protect the environment from impacts, and support the park workforce in undertaking conservation and emergency management work.
- 8.4 Strengthen environmental design and impact assessment to ensure proposals for projects and activities in parks meet or exceed contemporary environmental and planning standards.
- 8.5 Manage assets with heritage values appropriately to ensure their conservation, and support visitation or adaptive re-use where appropriate.
- 8.6 Ensure utility assets within parks are managed safely and with minimal adverse impact on park values.
- 8.7 Rapidly assess the impacts of extreme weather events on park infrastructure, prioritise recovery works, and identify opportunities to improve the design and/or location of replacement infrastructure.

Together, these priorities will help achieve the following long-term outcome and Sustainable Development Goals, with success measured against nominated indicators.

OUTCOME	OUTCOME INDICATORS	SUSTAINABLE DEVELOPMENT GOALS
8. Sustainable assets and park management provide quality visitor experiences and protect natural and heritage values.	<p>Indicators:</p> <p>Improve infrastructure and services to provide high-quality and safe visitor experiences in the right places.</p> <p>Increase commercial activity, including events, that is appropriate given park and site values.</p> <p>Improve sustainability practices and universal design application.</p> <p>Increase maintenance of existing assets and ongoing conservation works to protect natural and cultural heritage assets.</p>	   

Implementation

The strategy will be implemented through:

- park management decision-making guided by the principles, outcomes and priorities set out in the strategy.
- park planning when developing or reviewing park management plans.
- other Parks Victoria strategies, plans, policies and guidelines as they are developed or reviewed.
- the use of other Parks Victoria park management processes and tools.
- partner organisations developing or reviewing relevant strategies and plans.

This is outlined in Figure 6: Framework for park planning and management decision-making.

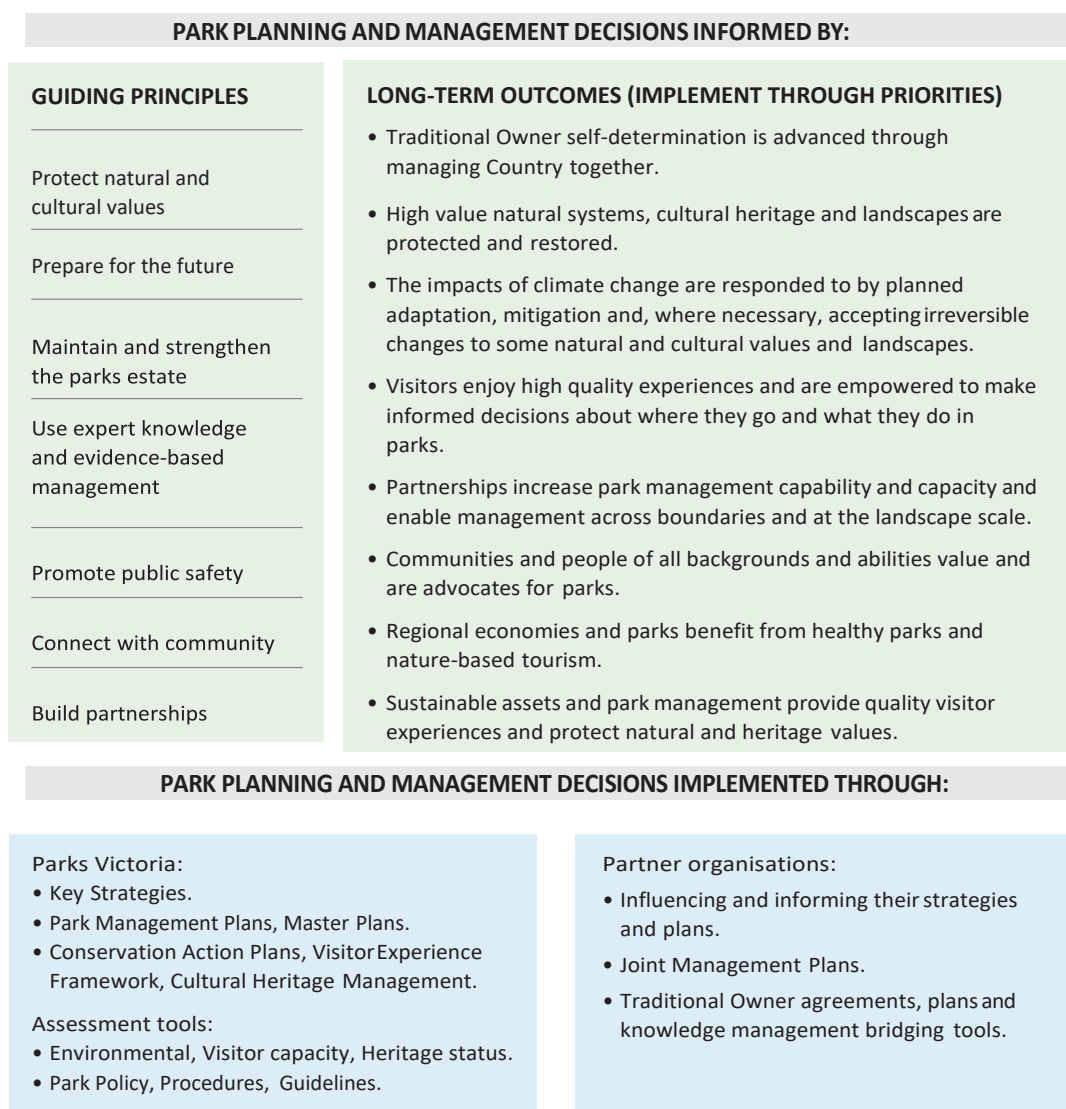


Figure 6. Framework for park planning and management decision making

Park management plans – which may be for a single park or may cover multiple parks within a landscape – are the primary tool for documenting the management intention for those parks.

When park management plans are developed or reviewed, Parks Victoria will use the principles, outcomes and priorities set out in this strategy to inform its decisions as needed and to guide the plan development or review process.

The development or review of a park plan is also a key opportunity for partners, stakeholders and the community to contribute to the park management direction-setting for that park. At the commencement of a park planning process, Parks Victoria will communicate how and when consultation will occur.

Parks Victoria will report on progress with implementing this strategy every 3 years.

The strategy will be reviewed at least every 10 years, or when directed to do so by the responsible Minister.

CASE STUDY

Planning with the community at Point Nepean

Point Nepean has a rich history as a significant place for Traditional Owners, military training and defence, immigration, quarantine and, most recently, as a national park. In 2016, Parks Victoria commenced a review of the Point Nepean National Park Master Plan to ensure it would continue to protect the park's significant landscape and heritage, and would reflect contemporary community aspirations.

The review involved extensive community and stakeholder engagement, including through the release of a discussion paper followed by a draft master plan for consultation. This was complemented by onsite public information days, meetings with community and stakeholder groups, and an online questionnaire.

The new master plan was released in early 2018. It builds on the wealth of knowledge gathered during the engagement process. The plan, which has strong community support, provides for a range of park services and activities, balances the possible uses identified for the Quarantine Station precinct and heritage buildings, and protects this significant park to ensure its rich history and environment are conserved for future generations. Implementation of the master plan is being overseen by Parks Victoria in close consultation with Traditional Owners and with community input.



Students, Point Nepean National Park

Endnotes

- ¹ Department of the Environment and Energy 2018 National Reserves System <https://www.environment.gov.au/land/nrs> – accessed 24 April 2020.
- ² Parks Victoria 2015 *Valuing Victoria's Parks. Accounting for ecosystems and valuing their benefits: Report of first phase findings*. Parks Victoria and the Department of Environment, Land, Water and Planning https://www.forestsandreserves.vic.gov.au/data/assets/pdf_file/0027/57177/Valuing-Victorias-Parks-Report-Accounting-for-ecosystems-and-valuing-their-benefits.pdf – accessed 24 April 2020.
- ³ Aboriginal Victoria 2018 Victorian Aboriginal affairs framework <https://www.aboriginalvictoria.vic.gov.au/victorian-aboriginal-affairs-framework-2018-2023> accessed 24 April 2020 Conservation Measures Partnership 2013 *Open Standards for the Practice of Conservation* <https://cmp-openstandards.org/wp-content/uploads/2014/03/CMP-OS-V3-0-Final.pdf> – accessed 24 April 2020.
- ⁴ The Conservation Measures Partnership 2013 *Open Standards for the practice of conservation Version 3.0*, https://www.iai.int/admin/site/sites/default/files/uploads/2015/08/CMP_Open_Standards_Version_3.0_April_2013.pdf – accessed 27 April 2020.
- ⁵ Parks Victoria 2017 *State of the Parks report, research data output (unpublished)*.
- ⁶ State of Victoria Department of Environment, Land, Water and Planning 2019 *Victoria's Climate Science Report 2019*, Melbourne, Victoria https://www.climatechange.vic.gov.au/data/assets/pdf_file/0029/442964/Victorias-Climate-Science-Report-2019.pdf – accessed 27 April 2020.
- ⁷ Davern, M *et al.*, 2017 *Quality green space supporting health, wellbeing and biodiversity: a literature review*, National Heart Foundation, South Australia https://www.healthylifebydesign.com.au/images/uploads/Green_Spaces_Evidence_Review_-_FINAL_website.pdf – accessed 27 April 2020.
- ⁸ UNESCO World Heritage Convention <https://whc.unesco.org/en/convention/> – accessed 24 April 2020.
- ⁹ Tourism and Transport Forum Australia 2017 *Unlocking the Great Outdoors* <https://www.ttf.org.au/wp-content/uploads/2017/08/TTF-Unlocking-our-Great-Outdoors-August-2017.pdf> – accessed 24 April 2020.
- ¹⁰ Arthur Rylah Institute, *Victorians value nature* <https://www.ari.vic.gov.au/research/people-and-nature/victorians-value-nature> – accessed 24 April 2020.
- ¹¹ Department of Economic Development, Jobs, Transport and Resources 2016 *Victorian Visitor Economy Strategy*, Melbourne, Victoria https://economicdevelopment.vic.gov.au/data/assets/pdf_file/0006/1340979/Visitor_Economy_Strategy.pdf – accessed 27 April 2020.



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5.3 Business Excellence

5.3.1 Draft Advocacy Strategy

Authorised by General Manager Business Excellence

Conflict of Interest

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

Executive Summary

Council acknowledges and accepts the critical role it plays in advocating for its communities on a broad range of issues.

Council directs its advocacy through an Advocacy Strategy. It is acknowledged that advocacy is an essential component of the planning, development and delivery of many individual programs and services that Council provides.

The advocacy priorities are sourced from:

- Council Plan and policies (planned and budgeted approach),
- Council resolutions as they arise (require full scoping and costing),
- issues of the day as they arise (not planned and may require resourcing),
- Government budget and policy cycles, policy announcements, election cycles; and
- strategic policy and reform platform.

By clearly defining the priorities and "The Ask" in our strategy it allows us to:

- support the Mayor and Councillors, who have been appointed to represent the Council, with resources to enable effective advocacy
- make representations at State and Federal Government level for advocacy purposes that address Council's priorities for East Gippsland Shire
- work closely with other partners who have a common interest in issues and participate in joint actions, where appropriate; and
- effectively engage and communicate with our community.

A draft strategy has been collated from the work completed with the Council Plan and opportunities identified in Council resolutions. (Refer **Attachment 1** Draft Advocacy Strategy).

Following a Councillor workshop in August and feedback provided by Councillors regarding content and prioritisation, the Draft Advocacy Strategy has been refined and prioritised for adoption.

This document needs to be fluid to adapt to changes as they occur in our region and will be reviewed on a regular basis.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. adopts the Draft Advocacy Strategy;***
- 3. requests a further iteration of the Advocacy Strategy be presented to Council following input from the Municipal Health and Wellbeing, Environment and Sustainability, Economic Development strategies and other relevant Council strategies as they arise; and***
- 4. agrees to advocate on issues that will arise from time to time, that are not included in this Advocacy Strategy.***

Background

Following the Advocacy Strategy workshop with Councillors on 31 August 2021, Councillors were asked to provide further feedback to inform the development of the strategy.

Councillors were sent a document and asked to provide feedback on the following:

- if they felt anything was missing, or if anything should be removed,
- comment on “The Ask” that had been identified for each item and whether they had specific considerations to add; and
- prioritise the items identified using the scale below:
 1. Extremely valuable and critically important to the community
 2. Important but not critical for the community
 3. Good idea but could wait

Responses were received and the items were collated based on priority. The items ranked from 1, where all Councillors had considered the item as extremely valuable, to 2.67, where the scores were a mix of 2 and 3.

Taking into consideration feedback comments provided, further work was undertaken to refine some of “The Asks” and some items were removed due to duplication.

The themes for grouping the items were aligned to the recently adopted Council Plan themes.

The attached draft Advocacy Strategy now contains the items in priority order within the Council Plan themes and has been limited to items that reached a prioritisation of 1 to 1.8.

There are currently 34 items in the draft 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. 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*.

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: 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community.

Council Policy

The draft Advocacy Strategy has been prepared following the principles of the Advocacy Policy adopted at the 26 October 2021 Council Meeting.

Resourcing

Financial

Through appropriate advocacy, Council seeks funding to enable key projects and programs to be undertaken that would otherwise not be financially viable for Council alone.

Plant and equipment

Not applicable.

Human Resources

The Advocacy Strategy provides council resources with clarity on the priorities that should be pursued on behalf of the community. When items in the strategy are successful in gaining attention or funding at a Federal or State Government level, any further resource requirements should be reflected in the yearly operational plans and adjusted in the workforce plan.

Risk

The risks of this proposal have been considered and the highest risk to Council is identified as missed opportunities regarding Federal and State budgets and elections, should Council not endorse the draft Advocacy Strategy.

Economic

Working in partnership with communities, Council develops priorities to attract government investment through advocacy. The identified items link to the Council Plan objectives to seek economic support for a range of capital expenditure projects and non-capital programs to support the community need.

Social

Councils provide a pathway to policy, advocating for resources and educating policy makers on issues relevant to our community.

Environmental

Through advocacy, the Council seeks to influence policy makers on strategic positions that align with East Gippsland's values and principles. The Advocacy Strategy articulates the agreed priorities of the Council on behalf of the community.

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.

Attachments

1. Draft Advocacy Strategy [5.3.1.1 - 19 pages]



East Gippsland Shire Council

- Advocacy Strategy

Acknowledgements

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of the land that encompasses East Gippsland Shire. We pay our respects to all Aboriginal and Torres Strait Islander people living in East Gippsland and their Elders past and present.

DRAFT

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East Gippsland – who we are

The Gunaikurnai, Monero and the Bidjil people - the Traditional Custodians - have cared and nurtured East Gippsland for tens of thousands of years and represent the second largest population of Aboriginal people in Victoria. Council values their living culture and practices and their right to self-determination.

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.

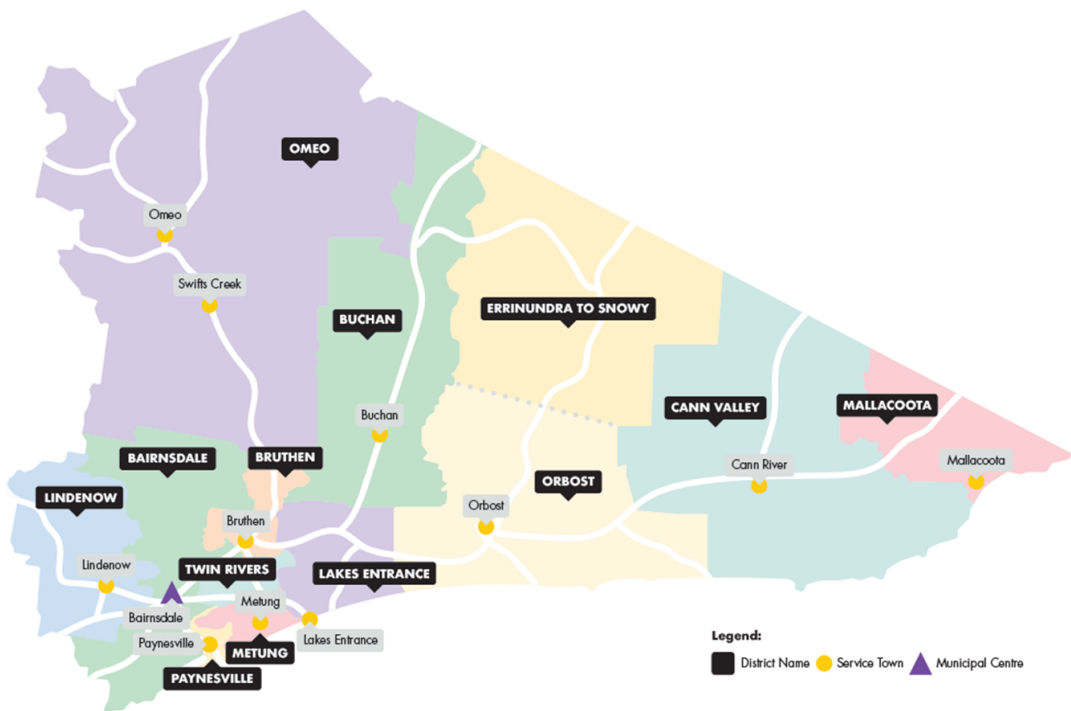
The past 30 years have seen East Gippsland evolve from its rural origins to a flourishing economic and tourism region in eastern Victoria, drawing more than one million visitors each year.

The region has kept its identity and sense of place as it has grown. The shire is the second largest in Victoria and stretches from west of Bairnsdale to the New South Wales border, covering more than 21,000 square kilometers or 10 per cent of the state.

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 characterise the region and surround our communities.

With its fertile soils, good rainfall and temperate climate, East Gippsland has diverse agriculture and horticulture sector renowned nationally for its highly quality produce.

As East Gippsland has matured as a region, its communities have also developed and diversified. Residents, both new and old, continue to understand the importance of place and our direct relationship to where we live.



Shire profile – a snapshot



Population

47,725 (2040: 57,799)
 Aboriginal and Torres Strait Islander: 2.9% (Victoria: 0.8%)
 Over 60 years old: 36/5% (Victoria: 21%)
 Born overseas: 10.8% (Victoria 28.3%)



Major towns by population

Bairnsdale 17,468
 Lakes Entrance 8,534
 Paynesville 6,387
 Orbost 3,939



Community

Cultural belonging – 41% of the community highly value their long-standing cultural connections and sense of community and belonging.
 Connection to country – 77% of community members strongly value the natural environment in which they live.



Economy

Registered business: 4,403
 Economic output: \$4.9 billion
 Gross Regional Product: \$2.587 billion
 Jobs in the region: 16,539
 Unemployment rate: 6.3%
 Visitors to the region: 1,608,000



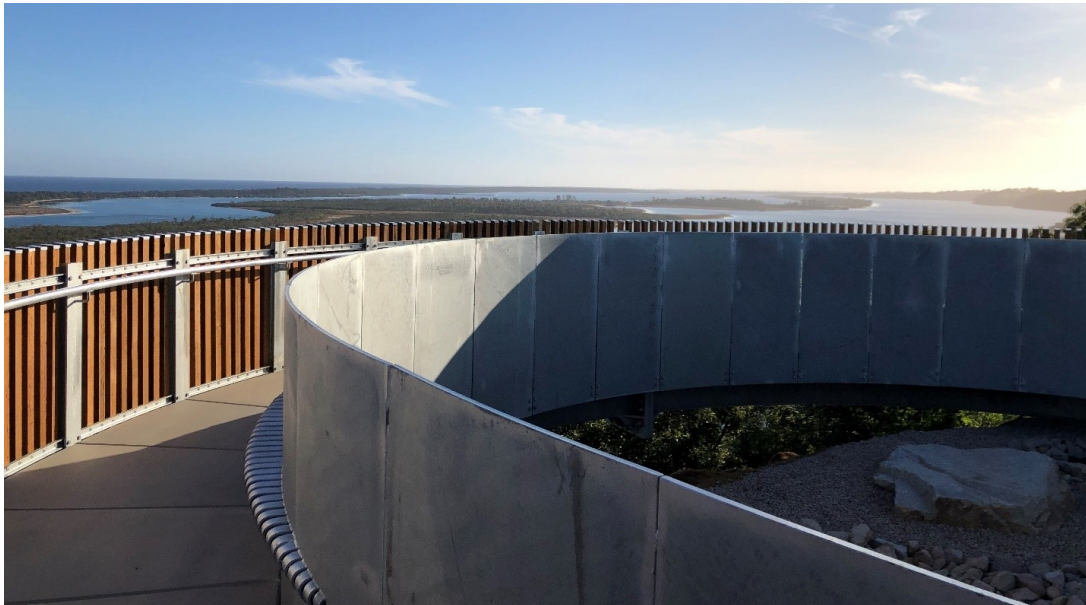
Environment

- 426 MWh of solar generated yearly by solar panels on Council facilities
- 63% (2,961) of streetlights are LED (or 2,961)
- 1 licensed landfill, 1 unlicensed landfill, 45 known legacy landfills, 16 stand-alone waste transfer stations, 10 transfer trailers, 400+ street litter and public place recycling bins and 21,000+ residential kerbside services
- 250km of roadside weeds treated
- Over 700 hectares of native vegetation (under Council management) fire impacted during the 2019-20 Black Summer Bushfires



Land, roads and bridges

Location and land area – East Gippsland Shire is located in eastern Victoria, between 280 and 550km from the Melbourne CBD
 Land area: 20,931km²
 Roads and bridges
 2,898km of formed roads
 203 road bridges
 27 footbridges
 223km of footpaths
 8.452 culverts (129 major culverts)



Our advocacy

Council's Advocacy Strategy provides a prioritised set of initiatives to focus our efforts on delivering the community's priorities.

Advocacy and partnership priorities are based on the adopted decisions of Council. These decisions include the strategic objectives in the 2021-25 Council Plan, Annual Budget, other strategic documents and partnerships, and items identified and resolved at Council meetings.

Priorities

The advocacy priorities as outlined are for a point in time. The document needs to be fluid to adapt to changes as they occur in our region and will be reviewed on a regular basis.

Council will promote these priorities in its advocacy to Federal and State Governments. The priorities have been identified as either issues seeking support or capital works projects that require funding.

This document provides an overview of each item. Detail supporting the identified priorities can be found in the Advocacy Strategy Supplement.

OUR COMMUNITIES



An inclusive and caring community that respects and celebrates diversity.

Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience. (Strategic indicator 1.4)



Homelessness

The ask: A dedicated (non-competitive) funding allocation from the Victorian 'Big Housing Build' and immediate action to address the lack of housing stock in Mallacoota in the short to medium term through the provision of temporary housing, pending reconstruction of housing lost during the Black Summer Fires.



Youth services

The ask: Support to lead a partnership to provide collective impact for youth, including delivery of a range of youth-led services, activities and programs for young people in East Gippsland Wellington shires.



Long-term bushfire recovery and community resilience

The ask: Victorian and Commonwealth Government to commit to supporting bushfire recovery services at least until year five with a particular focus on community resilience and wellbeing related services such as mental health support, and support for economic recovery.



Active ageing

The ask: Funding for awareness campaigns, events, and activities, to implement programs to improve physical and mental wellbeing strategies, support services that encourage participation and awareness around the focus areas of housing (older women and homelessness), respect and social inclusion (ageism, volunteers, carers), and communication and information (digital literacy, access to lifelong learning).

OUR PLACE



Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.

- Infrastructure provision and maintenance support a diverse range of current and future user needs and activities and is both environmentally and financially sustainable. (Strategic indicator 2.2)



Mitchell River Bridge duplication

The ask: That funding is committed for the detailed design of the duplication of the Mitchell River Bridge, in recognition of its importance to regional connectivity and interstate freight routes.



Shared approach to fire management

The ask: That the Victorian Government provides funding for local governments to review their emergency management strategies and ensure appropriate resourcing allocations.



Bairnsdale Aerodrome upgrade

The ask: \$9 million be committed to the widening and lengthening of the Bairnsdale Airport runway to meet new CASA standards and to recognise the importance of this runway in the management of emergencies and air patient transfers for the region.



Bullumwaal Road realignment

The ask: Funding to realign seven roads to intersect with Bullumwaal Road at a 90-degree angle at a cost of \$250,000 per intersection.



Asset management

The ask: A policy change that allows funding to be allocated to asset maintenance, and a change to funding programs to see more funding allocated on need rather than competitive funding rounds - a continuation of the Local Roads and Community Infrastructure Fund (federal) and reintroduction of the Local Government Community Infrastructure Fund (state).



Marlo Road upgrade

The ask: \$7m in funding to ensure the Marlo Road has the capacity to safely accommodate current and future volumes of traffic, and include a walking/cycle path to enhance access to employment, education, health services and major retail centres.



National disaster recovery funding reform

The ask: Review of National Disaster Relief Funding to streamline access to funding, including evidence requirements, enable appropriate betterment and broaden the coverage of essential infrastructure.



Resilient housing stock

The ask: That the Victorian and Australian governments provide funded programs to support people in bushfire prone areas to retrofit homes to be more resilient to reduce the risk of loss, economic impact and cost to governments following natural disaster.



Industrial land supply – Lakes Entrance

The ask: To overcome market failure, the Victorian Government provides direct intervention and sufficient funding for Council to enable planning for and rezoning of industrial land in Lakes Entrance.



Buchan Recreation Reserve upgrade

The ask: That \$7m is committed to the redevelopment of the Buchan Recreation Centre to ensure it is an all-weather facility that acts as the major hub for this isolated community.



Great Alpine Road widening

The ask: That funds are committed to continue the widening and corner treatments of the Great Alpine Road, recognising the strategic importance of this road to connect communities and industries, access to snowfields and mountain biking infrastructure, and provide uninterrupted road access during times of emergency.



Coastal hazards and assets renewal

The ask: That the Victorian Government commits to an ongoing funding stream to support the aspirations of the Marine and Coastal Act, that this funding stream be open to local governments to access, and a collaborate approach be taken with other public land management agencies.



Lakes Entrance Indoor Stadium

The ask: That \$8m be committed to the relocation and expansion of a multi-purpose indoor court complex to cater for the sporting needs of East Gippsland's second largest town.



Benambra-Corryong Road sealing

The ask: Commit \$6.5m in funding to seal the remaining 65km of the Benambra-Corryong Road to support the farming and livestock transport industries, improve social and commuter traffic safety, facilitate an increase in tourist traffic between East Gippsland and the Upper Murray and allow tourists to access the eastern end of the new Great River Road.

OUR ENVIRONMENT



A natural environment that is managed and enhanced.

- Sustainable land use practices are used to manage council land to protect biodiversity and to provide education and incentives to support the management of private land. (Strategic indicator 3.2)
- Natural values on key Council managed land are managed and enhanced. (Strategic indicator 3.3)



Weed and pest management

The ask: Funding for pest management to be significantly increased to \$500,000 pa and an ongoing commitment made to the funding.

Private land managers are adequately supported and funded to manage pests and weeds, and the community environment sector, Agriculture Victoria and DELWP are funded to provide expert advice to landowners on an ongoing basis.



Investment in waste management

The ask: That the Victorian Government make a commitment that at least 50% of council landfill levies collected will be provided back to council, on a non-competitive model, to implement a range of waste management initiatives.



Shared approach to fire management

The ask: That the Victorian Government provides funding for local governments to review their emergency management strategies and ensure appropriate resourcing allocations.



Strategic firebreaks and roadside vegetation management

The ask: In addition to the \$5m allocated to DELWP for the creation of strategic firebreaks, the Victorian Government makes a funding commitment for the ongoing management of these firebreaks.



Lakes Entrance Training Walls

The ask: Support to fund the replacement of critical marine infrastructure at the entrance to Bass Strait, Lakes Entrance.



Coastal risk management

The ask: That the Victorian Government commits to an ongoing allocation of an initial \$2m per annum for the management of seawall replacement and coastal hazards. Regular and ongoing funding for local government to assist with the management of Crown land foreshores and inundation management.



Biodiversity strategies

The ask: The Victorian Government provides Council, as a Crown land manager, an initial \$1m pa over the next four years to:

- Revegetate and manage weed infestation in burnt areas
- Map and manage local roadside vegetation and reserves
- Manage crown reserves
- Manage fire effected and hazardous trees and risks to public safety associated with bushfire impacts



Climate change mitigation

The ask: That local government and the private sector are provided access to funded programs to implement a net zero emissions target and environment strategy actions so Council can help the Australian and Victorian governments' meet their commitment to a net zero emissions by 2050.



Gippsland Lakes health audit

The ask: Financial support for a full audit of the health of the Gippsland Lakes, building on the work of the already committed one-year \$350,000 project assessing the vulnerability and sensitivity of the RAMSAR-listed wetlands.

OUR ECONOMY



A thriving and diverse economy that attracts investments and generates inclusive local employment.

- Leadership enables economic prosperity, investment, recovery, resilience and growth. (Strategic indicator 4.1)
- Collaboration amongst key partners is facilitated to improve pathways for education and skills training. (Strategic indicator 4.2)
- Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change. (Strategic indicator 4.3)
- Targeted information and streamlined approvals and processes make it easier for business to invest. (Strategic indicator 4.4)
- Tourism sector investment is sought in business capability, product development and experience to meet the changing needs of domestic and international markets. (Strategic indicator 4.5)



COVID stability for business continuity

The ask: That the Victorian and Australian Governments provide funding for the maintenance of COVID-related business programs so that businesses can continue to plan and operate effectively in uncertain times.



The Hub Bairnsdale

The ask: \$500,000 to implement the masterplan to transform the current Council owned site into a true collaborative education centre.



Education

The ask: Victorian Government to finalise funding for the upgrade of Bairnsdale Secondary College. Provide additional funding and support for regional students having to relocate for tertiary education.



Develop performing arts and culture centre

The ask: \$300,000 in funding support to identify the appropriate space for a regional performing arts / arts centre and for the detailed design of such a facility.



Gippsland Agriculture Group Education Centre

The ask: \$1 million for the development of an agricultural training hub at the Bairnsdale Airport to support growth in training, and agricultural field days and events to support the region's largest sector transform to new practices and products.



Digital connectivity

The ask: Commitment to funding infrastructure upgrades to increase the resilience of telecommunications infrastructure during disasters, improve the quality and extent of coverage to support regional living, provide equitable access to services and digital technologies to improve productivity in agriculture, and meet demand during holiday periods.



Local development strategy

The ask: That the Victorian Government extend the development of Local Development Strategies to other communities, including Cann River and Buchan, that have been historically dependent on the native timber sector and have not yet made an effective transition. That the Victorian Government provides funding for specific projects arising out of the Local Development Strategies for Orbost, Nowa Nowa and Swifts Creek.

OUR COUNCIL



A transparent organisation that lists and delivers effective, engaging, and responsive services.

- Resources are managed to meet current and future needs and priorities. (Strategic indicator 5.5)



EES statement process overhaul

The ask: The Victorian Government review the EES framework and that the process takes into account the financial and resource burden on local government in engaging and representing local interests, and that an independent expert group be established and funded by the proponent or Victorian Government to ensure the technical integrity of the EES. Support from the Municipal Association of Victoria and Rural Councils Victoria to establish a local government working group that has a focus on improving processes and outcomes for community and local government throughout the mine licence application process.

Strategic partnerships in advocacy

East Gippsland Shire Council has formal alliances with organisations and peak bodies to advocate and influence decisions on policies and funding for the region where our priorities align. Through these partnerships we can benefit by targeting common objectives while still maintaining our uniqueness, independence and diversity of interests.

We work closely with our border councils including Wellington, Towong, Alpine and Bega Valley shires and Snowy Monaro Regional Council to explore opportunities for cross border initiatives.

The following illustrates some of these key partnerships and key priorities, supported by detailed strategies.

One Gippsland

Is a peak regional advocacy body for the Gippsland region that brings together local government, industry and education providers to address the key challenges and opportunities faced in our region.

Key priorities include:

- Increasing digital inclusion throughout Gippsland
- Progressing major transport infrastructure and services to open Gippsland to new business, visitors, and residents
- Renewable, clean and community energy initiatives
- Hero tourism destinations and Traditional Owner and Aboriginal cultural tourism
- Encouraging innovation and investment to sustainably grow our key industries
- Expanding programs that support and enable our most vulnerable communities and people

Timber Towns

Council is a member of Timber Towns Victoria, an incorporated Local Government Association representing the interests of municipal councils in relation to forestry on both public and private land.

The organisation advocates for the interests of local government on the impact of timber related issues on local government and their communities, particularly roads infrastructure.

In addition, the partnership provides information and advice to members on planning requirements for plantation development and sustainable land use practices.

South East Australia Transport Strategy (SEATS)

Established to advocate for an effective integrated transport network that stimulates economic growth that is sustainable and sensitive to the environment and enhances communities.

The objective is to significantly improve the efficiency of the transport network across the region, support sustainable growth, boost the economic competitiveness, improve employment prospects and enhance communities through improved, safer access to vital health, education, sport and recreational, government agencies and business services.

Municipal Association Victoria

Produce submissions and reports on behalf of the local government sector and publish a range of information and resources to build the capacity of councils and support their delivery of services to local communities.

Key focus areas include:

- Zero waste
- Township fire protection, including Marlo
- Impacts of COVID-19
- Emergency management
- Environment and water
- Planning and building
- Public Health and safety
- Social planning and community services
- Transport and infrastructure

Rural Councils Victoria (RCV)

Partnership in advocacy on state and federal budget initiatives with a significant focus on sustainability of rural communities including:

- impacts from Natural Disasters,
- regional infrastructure strategies,
- rural land use strategies
- health and wellbeing of rural communities

Canberra Region Joint Organisation (CRJO)

Due to our state border boundary, it is also beneficial to foster cross-border partnerships so that impacts and opportunities are considered in the delivery of all strategic regional priorities.

Key priorities include:

- Facilitate funding to eliminate telecommunication blackspots
- Develop Regional Social Infrastructure Prospectus

Supporting reference information

East Gippsland Shire Council: [Council Plan 2021 - 2025](#)

Gippsland Regional Plan 2021 – 2025: [Gippsland Regional Plan 2021 - 2025](#)

Timber Towns Victoria: [Strategic Plan 2019 - 2022](#)

SEATS East Gippsland Projects: [SEATS East Gippsland Advocacy Projects](#)

Rural Councils Victoria: [RCV Advocacy Priorities](#)

Canberra Region Joint Organisation: [CRJO Strategic Regional Priorities](#)

Municipal Association Victoria: [MAV Advocacy](#)

Contact us

Councillors

Mark Reeves - Mayor

Arthur Allen – Deputy Mayor

Sonia Buckley

Tom Crook

Jane Greacen OAM

Trevor Stow

Mendy Urie

Kirsten Van Diggele

John White

Chief Executive Officer

Anthony Basford

General Managers

Fiona Weigall – Assets and Environment

Peter Cannizzaro – Business Excellence

Stuart McConnell – Place and Community

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes

DRAFT

Authorised by General Manager Business Excellence

Conflict of Interest

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

Executive Summary

The attached report, refer **Attachment 1**, covers the reporting period 1 July to 30 September 2021 (Quarter 1) and provides a high-level summary of major initiatives and actions listed in the Annual Action Plan 2021-22. The actions and strategic indicators are listed under the Council Plan Strategies they contribute to.

Some of the salient points for this period include:

8 of the 10 major initiatives are on schedule, with one behind schedule and one yet to commence. An update of the status of each major initiative is:

- Major initiative 1 - The Creative Arts and Culture Strategy has not commenced as yet as it is to be discussed with Councillors regarding next steps in the development process.
- Major initiative 2 - The Asset Management Policy has been revised and adopted by Council. Work also commenced on an Asset Management Strategy and seven Asset Management Plans for Council's main asset classes. All work is on schedule.
- Major initiative 3 - Work commenced and is on schedule on the development of Asset Management Plans for seven of Council's main asset classes. This will lead to the development of high-level maintenance service standards.
- Major initiative 4 - The review and update of the Municipal Emergency Management Plan is underway. Additional preparedness activities are also underway to mitigate the impact of natural disasters and streamline recovery.
- Major initiative 5 - Engagement was undertaken on the discussion paper for the development of the Environmental Sustainability Strategy 2021-2030.
- Major initiative 6 - The first draft Waste Minimisation Action Plan has been developed internally.
- Major initiative 7 - Development of the Economic Development Strategy is progressing, with background research and initial consultation complete.
- Major initiative 8 – Implementing the Tourism Events Strategy has not commenced as it is awaiting endorsement of the East Gippsland Events Growth Action Plan before progressing actions.
- Major initiative 9 – Implementing the Customer Service Strategy is on schedule with the customer experience benchmarking baseline exercise has been undertaken, the Complaints Management Policy and related Procedure has been redrafted, and a review of Council's Service Centres has commenced.
- Major initiative 10 – The community engagement toolkit scoping for inclusions, use and access was undertaken. Engagement templates, including engagement action plan and checklists, have been drafted.

Officer Recommendation

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

Background

The attached report, refer **Attachment 1**, covers the reporting period 1 July to 30 September 2021 (Quarter 1) and provides a high-level summary of major initiatives and actions listed in the Annual Action Plan 2021-22. The actions and strategic indicators are listed under the Council Plan Strategies they contribute to.

This report has been created directly from General Managers and Managers who provide quarterly updates on their actions that contribute to achieving the strategies of the Council Plan. Councillors are presented with these reports following the end of each quarter at a Council Meeting.

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*, 18 (1)(d) section from the Act; The role of the Mayor is to report to the municipal community, at least once each year, on the implementation of the Council Plan.

By developing quarterly reporting Council is undertaking best practice in reporting to the community on the progress of implementing the Council Plan.

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 any external party.

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 and were managed accordingly.

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:

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

Engagement

This report will be provided to the community following Council review. This will be made available on Council's website and promoted through social media channels.

Attachments

1. Quarter 1 - 2021-22 Council Plan Progress Report [5.3.2.1 - 34 pages]



Council Plan Progress Report – Quarter 1 2021-22

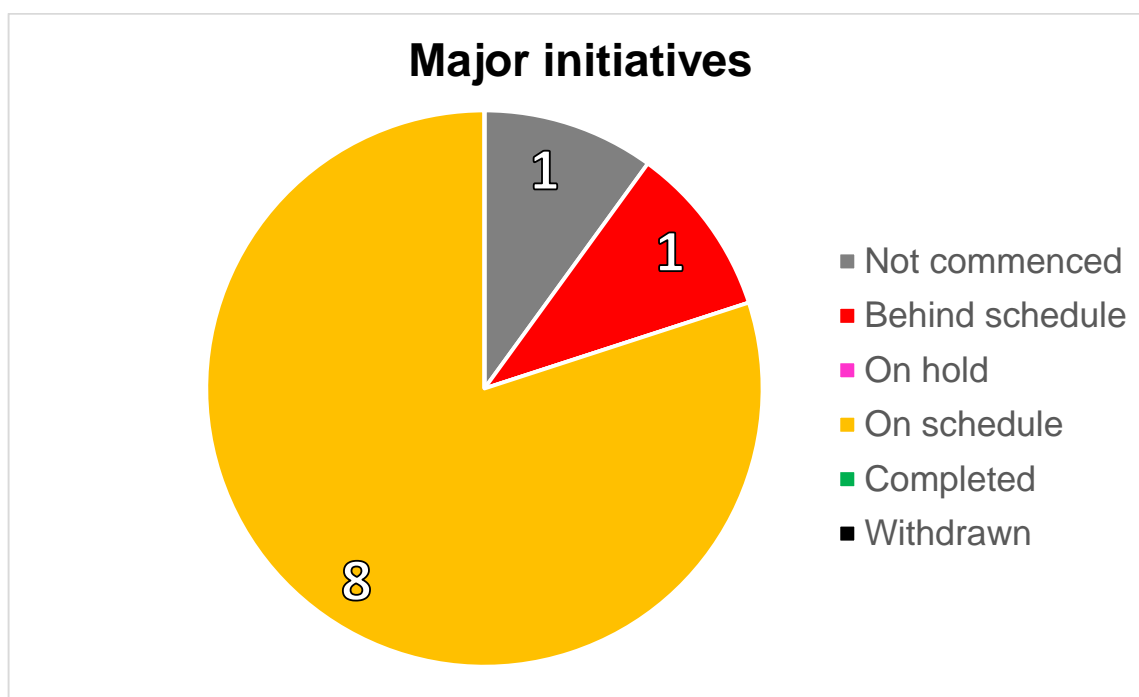
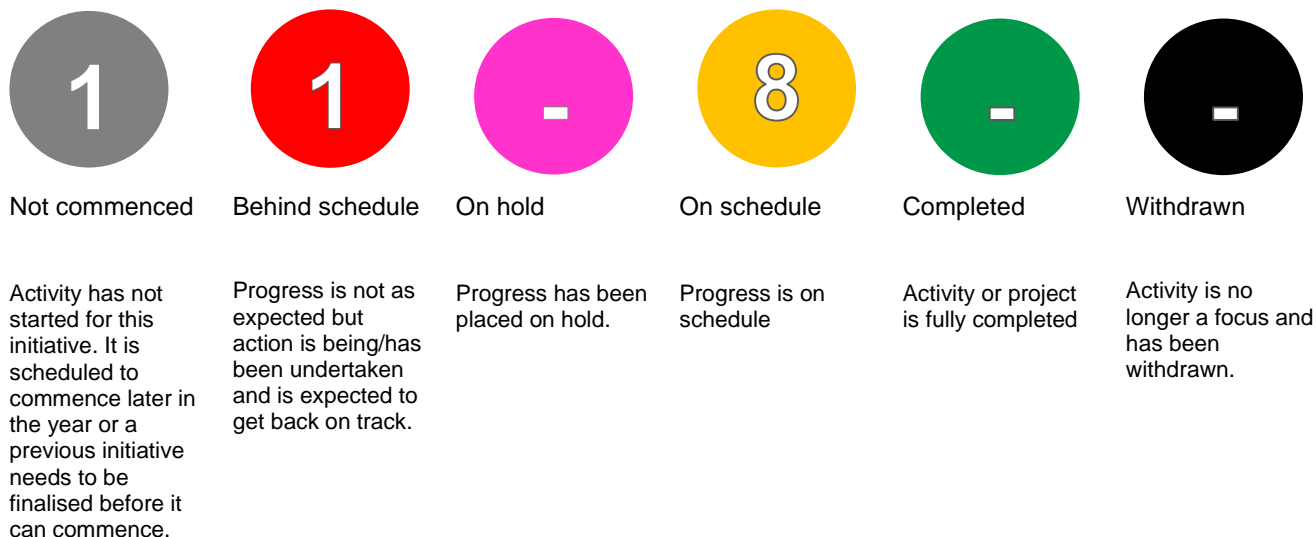
Period ending 30 September 2021

Major Initiatives

Status of major initiatives

Council identified 10 major initiatives for 2021-22. Major initiatives are high priority activities from the Council Plan that will require substantial time and resources to deliver.

Overall progress against these initiatives is summarised below.



Progress Indicator Legend


- Not commenced
 - Behind schedule
 - On hold
 - On schedule
 - Completed
 - Withdrawn



Mayor Cr Mendy Urie with Aunty Sandra Patten at the NAIDOC Week flag raising ceremony held at the Corporate Centre in Bairnsdale

1 An inclusive and caring community that respects and celebrates diversity



1.1: Council strives to provide equitable access to their services, support and facilities

Code	Action Name	Comments	Progress	Status
1.1.1	Universal access principles are applied to all infrastructure construction and upgrades	During the quarter Council introduced new project management software through Pulse to support the design and management of capital projects. This software includes hold points and checklist requirements for a range of considerations, including universal access. This will allow for monitoring of design projects for universal design consideration.	25%	







Strategic Indicators

Name	Comments	Actual	Target
Develop a way to capture data that can be used to report on this strategy	Initial discussions are being undertaken to develop a stakeholder inclusion working committee to support strategic inclusion objectives across East Gippsland, including reporting and outcomes.	-	Achieved year 1
Community satisfaction with recreational facilities	Survey results will be made available later in 2022	-	≥ Large Rural Council average

1.2: Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to

Code	Action Name	Comments	Progress	Status
1.2.1	Provide arts and cultural services and experiences that encourages connection and creativity, while supporting businesses, community groups and individuals to foster the creative, cultural and artistic life of the region regardless of age or ability	Though this action is on hold pending further development of the new Arts and Culture Strategy, support of a limited number of external events was provided during the quarter.	10%	
Major initiative 1	Develop an arts and culture strategy	The Creative Arts and Culture Strategy is to be discussed with Councillors regarding next steps in the development process. It has not commenced as yet.	0%	





Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn




Strategic Indicators

Name	Comments	Actual	Target
Number of community organisations / individuals funded through Council's arts and heritage grants program	Round 1 of the 2021-22 grants will be awarded in October.	-	≥ Nine annually
Number of community organisations / individuals funded through Council's community grants program	Round 1 of the 2021-22 grants will be awarded in October.	-	≥ 25 annually
Total value of arts and heritage grants projects funded by Council	Round 1 of the 2021-22 grants will be awarded in October.	-	> \$45,000 annually
Total value of community grants projects funded by Council	Round 1 of the 2021-22 grants will be awarded in October.	-	> \$100,000 annually

1.3: Community groups and volunteers are acknowledged, promoted and supported

Code	Action Name	Comments	Progress	Status
1.3.1	Plan and deliver an annual celebration to recognise the contribution of volunteers across the Shire	Preparation for this event will commence in Quarter 3, for it to be delivered in 2022.	0%	
1.3.2	Develop an appropriate recruitment, training and management system for internal volunteers	Not commenced.	0%	
1.3.3	Improve the online customer experience to enable access to current information about the wide range of community groups and activities, services that is accessible to the public	This action is planned to commence in Quarter 3 with the recruitment of the new Manager Community Engagement and Resilience.	0%	
1.3.4	Implementation of an online platform that supports the promotion of volunteer opportunities and events across the shire	This action is planned to commence in Quarter 3 with the recruitment of the new Manager Community Engagement and Resilience.	0%	



Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn






Strategic Indicators


Name	Comments	Actual	Target
Develop a survey to capture community group satisfaction with Council support	Not commenced, requires background work on context prior to a survey going out.	-	Achieved year 1
Number of events held that recognise and support volunteers	National Meals on Wheels Day was held on 25 August. Council supported social media, newsletter promotion and staff who provided Meals on Wheels service in Bairnsdale and the delivery of promotional bags with additional support items to program participants.	1	≥ Five events annually

1.4: Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience

Code	Action Name	Comments	Progress	Status
1.4.1	Develop the Municipal Public Health and Wellbeing Plan 2021-25 and associated action plan	<p>The Project Plan was developed outlining a three staged process to develop the four year Well Placed for Wellbeing Plan.</p> <p>An external workshop was held with partner agencies, where the information gathered guided the development of a draft framework that was presented to Councillors.</p> <p>High level community engagement was conducted in September around the five health areas. The engagement period was extended due to COVID-19 lockdown to provide people with the opportunity to participate.</p>	40%	
1.4.2	Work with communities and partners to support development of local bushfire recovery plans	<p>Council is continuing to support Community Recovery Committees to develop their recovery plans. Status of district plans include;</p> <ul style="list-style-type: none"> • Mallacoota has completed their plan; • Sarsfield are currently consulting on a draft plan; • Bruthen is consulting on proposed priorities; and • Omeo District has commenced engagement in relation to a resilience plan. 	25%	

Progress Indicator Legend




 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Code	Action Name	Comments	Progress	Status
1.4.3	Coordinate bushfire recovery planning at a municipal level	The East Gippsland 2019-20 Fires Recovery Committee has reviewed its operation and decided to cease its regular meetings in September 2021. This reflects the stage of recovery and the capacity to continue coordinating activity through other mechanisms. Council is continuing to work with Bushfire Recovery Victoria to coordinate activity in East Gippsland.	30%	



Strategic Indicators

Name	Comments	Actual	Target
Develop health and wellbeing indicators through the development of the Municipal Public Health and Wellbeing Plan that integrate with the Council Plan	Health and wellbeing indicators will be developed through later stages of the plan's development.	-	Achieved year 1

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn





1.5: Strong working relationships are further developed with Aboriginal people and organisations

Code	Action Name	Comments	Progress	Status
1.5.1	Work with our partners to develop appropriate agreements and actions to strengthen working relations with traditional owners and the broader aboriginal community	<p>Council has developed working relationships and connected with partners in the Black Summer bushfire funding application process.</p> <p>Supported training and engagement of Local Area Networks broker to VicHealth Local Government partnership project to support connection and drive outcomes for indigenous children and youth.</p> <p>Work has commenced with Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) to embed Welcome to Country practices into citizenship and major events.</p>	10%	
1.5.2	Identify appropriate and effective collaboration opportunities to strengthen working relationships with Aboriginal communities and organisations	A new role is currently being advertised, a Place Manager - Aboriginal Engagement. This role will focus on supporting the engagement, connection and build relationships with aboriginal community.	10%	



Strategic Indicators

Name	Comments	Actual	Target
Develop an action plan that promotes and facilitates positive relationships between Council, the East Gippsland community and Aboriginal and Torres Strait Islander peoples.	Research in consultants to assist with the development of the plan has been undertaken.	-	Achieved year 1
Percentage of new employees who participate in Culture Awareness training	<p>Cultural Awareness and Safety Training was provided to all staff in July. The training was facilitated by local indigenous elder, Grattan Mullet. All staff were invited to this training.</p> <p>All new staff that commenced after this training are currently waiting for the next Corporate Induction to participate in the presentation of the Cultural Awareness video.</p>	23.5%	100%

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







1.6: Council is culturally and linguistically inclusive and celebrates diversity

Code	Action Name	Comments	Progress	Status
1.6.1	Develop an evaluation process to verify inclusive and accessible features of Council programs	<p>Council undertook the People Matters Survey, which assists local Councils to find out what they're doing well and where they need to improve for workplace equality. An internal inclusion working group has been established to provide an initial review of People Matters data to identify priority actions.</p> <p>A procedure and template for a Gender Audit of Council policy, procedures and strategies has been developed and in trial phase.</p> <p>An accessible events checklist has been developed in collaboration with the Disability Advisory Committee.</p>	20%	
1.6.2	Undertake research to better understand the needs of different groups, and plan to incorporate these into Council's activities and services	<p>A municipal scan was undertaken as part of Municipal Health and Wellbeing Plan development. The data will be compiled as support documentation.</p> <p>A review is underway of available local reporting and data profiles to contribute to this document. Data will inform further action planning and will be used to develop priority action areas for community programs and engagement staff.</p> <p>There was a successful application that incorporates a component to undertake research into the impacts and relationships of bushfire and violence on women in our communities.</p>	20%	

Strategic Indicators

Name	Comments	Actual	Target
The number of multicultural events supported by Council	Council teams are collaborating to establish baseline for reporting on the number of multicultural events supported by Council.	-	Baseline to be developed Year 1
The number of multicultural people / groups engaging with Council	Council teams are collaborating to establish baseline for reporting on the number of multicultural groups engaged with Council.	-	Baseline to be developed Year 1

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn






Service standards are being developed at a more detailed level of parks, gardens and reserves as part of the development of Asset Management Plans.

2

Planning and infrastructure that enriches the environment, lifestyle, and character of our communities







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

Code	Action Name	Comments	Progress	Status
2.1.1	Deliver rebuilding support for landholders that lost a house and/or sheds in the 2019-20 Black Summer Bushfire	Delivery of the Rebuilding Support Service continues, with assistance provided to 196 landholders to date (11 new referrals in this Quarter). This service assists with navigating the planning and approval processes for rebuilding. A gap analysis was completed that identifies where landholders have not accessed supports and to identify needs. This will inform the focus of the program through to the end of the funding period 30 December 2022.	40%	
2.1.2	Deliver Statutory Planning services that meet the Victorian target guidelines	Due to increased workload (increase in planning applications by up to 50%) and position vacancies unable to be filled, Council has been unable to meet Victorian target guidelines for processing of planning permit applications. Backlogs are likely to take another three to six months to be cleared.	10%	
2.1.3	Develop and commence implementation of the Rural Land Use Strategy and associated action plan	The draft Rural Land Use Strategy has been prepared and released for public consultation.	25%	





Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with planning and building permits	Survey results will be made available later in 2022	-	≥ Large Rural Council average
Council planning decisions upheld at VCAT	No decisions were made by the tribunal during the period.	n/a	≥ 60%
Planning applications decided within required time frames	Due to increased applications and position vacancies unable to be filled, Council has been unable to meet target for planning permit applications.	34.6%	≥ 77.5%
Average time taken to decide planning applications	Due to increased applications and position vacancies unable to be filled, Council has been unable to meet target for planning permit applications.	84 days	< 61 days






Progress Indicator Legend


 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

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

Code	Action Name	Comments	Progress	Status
2.2.1	Work with community and stakeholders to plan, design, implement and maintain infrastructure to meet community needs in an affordable way	<p>A range of project engagements were undertaken during the quarter. Many of these required modification and rescheduling due to changing COVID-19 restrictions. Significant engagement included: working with project reference groups for three streetscape projects; drop in sessions for Buchan traffic layout and for the Raymond Island Koala Experience.</p> <p>Online engagement was also undertaken using Council's YourSay platform on a range of projects. These included: Mallacoota Streetscape; Skidale Close Reserve (Lake Tyers Beach); Mallacoota Skate Park; Raymond Island Ferry Park; Cann River Transfer Station; Marlo Triangle Park and Lakes Entrance Foreshore Park.</p> <p>Social media was also used extensively along with Council's e-newsletter to keep the community informed of the progress of a range of infrastructure projects.</p>	25%	
2.2.2	Develop and implement a strategic approach to planning and prioritising capital infrastructure management and maintenance, with criteria for prioritisation, balancing communities needs with financial sustainability	Work has commenced with the focus on development of Asset Management Plans to inform project planning and development of the approach to be used to roll out 2022-23 Capital budget planning.	25%	
2.2.3	Build the capacity of volunteer groups and provide support for volunteer managed community facilities	Limited work was undertaken on this action due to other priorities.	10%	
Major initiative 2	Develop an asset management framework to drive Council's capital and maintenance infrastructure investment in a transparent and financially sustainable way	The Asset Management Policy has been revised and adopted by Council. Work also commenced on an Asset Management Strategy and seven Asset Management Plans for Council's main asset classes. All work is on schedule.	25%	

Progress Indicator Legend






 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Code	Action Name	Comments	Progress	Status
Major initiative 3	Develop service standards for the maintenance of asset classes	Work commenced this quarter on development of Asset Management Plans for seven of Council's main asset classes. This will lead to the development of high-level maintenance service standards.	25%	




Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with appearance of public areas in East Gippsland	Survey results will be made available later in 2022	-	≥ Large Rural Council average
Capital Works projects on schedule or complete	Of the 172 projects, 139 are listed as complete or on schedule	80.81%	≥ 80%
Committees of Management and volunteer groups for Council managed land with a guiding plan	Work on this has not yet commenced. Council and the Committees of Management have had a strong focus on responding to Black Summer Bushfire funding opportunities during the period.	-	≥ 10 plans by 30 June 2022
Asset renewal and upgrade expenses as a percentage of depreciation	This indicator is only calculated at year end when the financial data has been reconciled.	-	> 100%
Percentage of sealed roads that meet Council's target condition rating	The condition of sealed road assets is only assessed every three years and were therefore not reassessed during the period.	96.81%	> 97%
Collect baseline data on community recreation reserves and halls asset condition for future years asset condition ratings	The baseline data collection has commenced, as some inspections have taken place. The completion of this as a project is dependent on the completion of the Asset Management Plan.	-	Achieved year 1

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







2.3: Planning with local communities for natural disasters and emergencies strengthens capacity, infrastructure, resilience, preparedness, and recovery

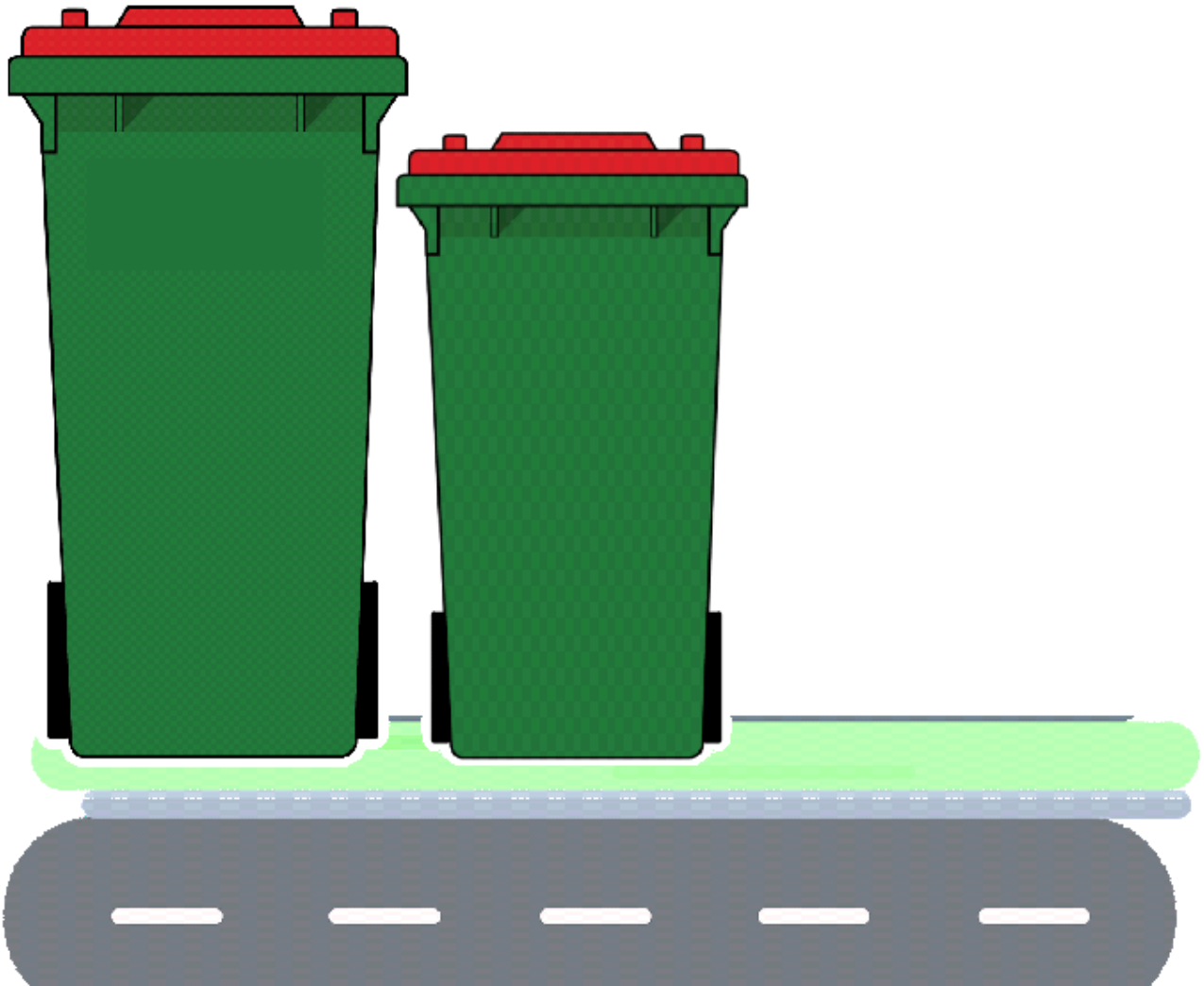
Code	Action Name	Comments	Progress	Status
2.3.1	Support and strengthen new municipal emergency planning arrangements to meet community expectations for resilience and preparedness	<p>The Municipal Emergency Management Planning Committee (MEMPC) was formed and progressing well.</p> <p>Activities to strengthen resilience and preparedness has occurred in some community localities. These activities include preparedness days with a multi-agency lens and training to self-activate a relief centre.</p> <p>Staff training for 2021 emergency response and relief is currently being rolled out.</p>	40%	
2.3.2	Develop and update Local Incident Management Plans in collaboration with local communities and stakeholders	The progression of updating of Local Incident Management Plans (LIMPs) is on track. All previously created LIMPS have been reviewed and updated as needed. Council is working with communities to create new LIMPs.	50%	
Major Initiative 4	Develop plans that enhance the organisations preparedness and ability to manage and mitigate the impact of natural disasters and streamline recovery	<p>The final draft of the updated Municipal Emergency Management Plan (MEMP) is progressing.</p> <p>There is also an ongoing review of current flood event.</p>	30%	

Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with emergency and disaster management	Survey results will be made available later in 2022.	-	≥ Large Rural Council average
Percentage of communities that need a Local Incident Management Plan have one in place and reviewed annually	All communities that need a plan has a current one in place.	100%	100%

Progress Indicator Legend




 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn



In Council's effort to reduce the waste going into landfill, there was a promotion for residents to reduce the size of their kerbside collection waste bins to win a prize.

3 A natural environment that is managed and enhanced






3.1: Council works to reduce its own and the communities carbon emissions while supporting the community to mitigate the impact of a changing climate on the environment, safety, health and lifestyles

Code	Action Name	Comments	Progress	Status
3.1.1	Adopt greenhouse gas emissions scenario for 2050 and identify actions and targets to reduce climate vulnerability	Work has commenced on a full greenhouse gas emissions audit to identify all scope 1,2 and 3 emissions, inclusive of vehicle emissions landfill, refrigerants, bottled gas and contractors in order to set target and develop emissions reduction plan.	10%	
3.1.2	Implement infrastructure enhancement and improvements to respond and assist manage impacts of climate change	This activity has scoped and discussions have commenced with consultants to source a cost for providing an assessment of different asset classes (buildings, roads and bridges etc) across the municipality from modelled climate risk factors including storms, soil subsidence, heat, bushfire, sea level rise, riverine and surface water flooding. This is a pilot project only to evaluate compatibility of climate modelling in evaluating asset risk. This information will then inform future improvements and responses.	30%	
Major Initiative 5	Develop and commence implementation of Environmental Sustainability Strategy with a strong focus and framework for Council and community climate change mitigation measures	Engagement was undertaken with the whole of organisation, internal and key stakeholders on the discussion paper for the development of the Environmental Sustainability Strategy 2021-2030. This consultation led to simplification and improved clarity of the draft strategy text. It is proposed that this strategy will include a significant focus on climate change mitigation measures for both the organisation and the community.	85%	





Strategic Indicators

Name	Comments	Actual	Target
Output from solar energy systems in East Gippsland	Will be reported annually when data is consolidated.	-	> 10.00%
Emissions from Council's energy use	Emissions are reported annually.	-	< 5,535 annually
Percentage of Council's electricity use from renewable sources	Electricity use is reported annually.	-	> 10.00%
Proportion of Council passenger vehicle fleet is electric, hybrid or uses alternate fuel sources	Currently there are five vehicles in the passenger fleet of 110, which includes one full electric, two hybrid and two alternative fuel sources. There are another seven hybrid vehicles on order that will increase this result.	4.5%	> 10.00%

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







3.2: Sustainable land use practices are used to manage council land to protect biodiversity and to provide education and incentives to support the management of private land

Code	Action Name	Comments	Progress	Status
3.2.1	Undertake community education to promote the need to protect the natural environment and actions community members can undertake to support this	The spring edition of Environment Connect has been published. This has included articles and information relating to Bushfire Revegetation Guide, Victoria Nature Festival, Nature Led Recovery Grants, Native Seed Collection (Workshop by Wildseed Nursery) and Whale Watching (Citizen Science initiative).	25%	
3.2.2	Develop and commence implementation of Environmental Sustainability Strategy with strong focus on supporting sustainable land use and landscape capacity	The draft strategy is in development, which will have a focus on supporting sustainable land use and landscape capacity.	85%	
3.2.3	Planning tools and policies are reviewed and used to identify and protect key public and private land	No review of planning tools was undertaken. Sustainability requirements were built into Council's revised Procurement Policy, which was prepared in this period.	25%	
3.2.4	Practices are introduced to manage fire effected Council land to protect biodiversity and ensure public safety	Two projects are currently being undertaken in the Mallacoota area to address weeds in fire effected areas, which will deliver biodiversity outcomes. Fire prevention slashing was also commenced, which included contractor induction on the weed management requirements of contractors to assist with weed identification and to ensure that contractors are not spreading noxious weeds through slashing actions.	25%	



Strategic Indicators

Name	Comments	Actual	Target
Kilometres of regionally controlled and prohibited weeds treated	The kilometres of weeds treated is not tracked periodically, it is calculated at the end of the financial year.	-	> 200 kilometers annually
Community satisfaction with slashing and weed control	Survey results will be made available later in 2022	-	≥ Large Rural Council average
A baseline for the quality and quantity of land being managed for 'at risk' habitat, biodiversity purposes, and community safety on Council and private land	Not commenced.	-	Achieved year 1

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn





3.3: Natural values on key Council managed land are managed and enhanced

Code	Action Name	Comments	Progress	Status
3.3.1	Establish which values are to be managed and develop management plans to guide management of key Council land	Yet to commence.	0%	
3.3.2	Implement a framework to support partners and volunteers to work on key priority projects for Council land	Requires the development and adoption of a Volunteer Management Policy and Procedure before this action can be progressed further.	5%	



Strategic Indicators

Name	Comments	Actual	Target
Total investment in Council managed land to support natural areas	Council spent \$456,731 on council managed land for environmental management purposes. This expenditure included staff resources, material and contractors and was spread across: environmental works; weed and pest management; erosion management (boat ramps); mosquito control; walking track maintenance; roadside weed control; and specific bushfire regeneration works.	\$456,731.00	≥ 2020-21 baseline

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







3.4: Environmentally and financially sustainable practices reduce waste going to landfill

Code	Action Name	Comments	Progress	Status
3.4.1	Waste education program developed and implemented to focus on key areas of waste reduction	The development of a three-year Waste Education Work Plan has commenced, but is reliant on the completion of the Waste Action Plan prior to being finalised. In addition, a range of projects commenced, including Better Business Guide: Get Grubby program; and Compost bin subsidies for residence. Implementation of some proposed activities have been hindered or delayed by COVID-19 restrictions.	30%	
Major Initiative 6	Develop Waste Minimisation Action Plan	The first draft action plan has been developed internally. Some of the actions within the plan will be dependent on Victorian Government direction and funding, which is yet to be determined. This includes organics processing, Container Deposit Schemes and associated infrastructure requirements.	50%	

Strategic Indicators







Name	Comments	Actual	Target
Number of community waste education programs delivered	<i>East Gippsland Better Business Program</i> – There were six participants' last quarter. <i>Get Grubby Program</i> – This was launched and received 10 sign-ups. <i>Compost Rebate</i> – 125 rebates were delivered with the purchase of compost bins, worm farms, bokashi bins or pet poo bins.	Three	> Five programs annually
Use of recycled materials in construction projects on Council assets	The reporting for this indicator is still in development and will be calculated to be reported quarterly from the next report.	-	> 10.00% of projects
Community Satisfaction with waste management	Survey results will be made available later in 2022	-	≥ Large Rural Council average
Kerbside collection waste diverted from landfill	This is consistent with our usual rates of diversion for this time of year. This	50.65%	> 52%

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Name	Comments	Actual	Target
	result tends to increase over quarter two and three when green organics collection increases.		

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn




Pictured at the launch of the East Gippsland Business Awards are Councillor Trevor Stow, Member for Gippsland East Tim Bull, Federation University Dean of Graduate Studies Wendy Wright, and Mayor Cr Mendy Urie and CEO Anthony Basford.

4

A thriving and diverse economy that attracts investment and generates inclusive local employment



4.1: Leadership enables economic prosperity, investment, recovery, resilience and growth

Code	Action Name	Comments	Progress	Status
Major Initiative 7	Develop the Economic Development Strategy	Development of the strategy is progressing, with background research and initial consultation complete. A draft background report has been prepared and two initial focus group meetings held. The co-design workshop has been planned and is to be delivered in early October.	30%	

Strategic Indicators

Name	Comments	Actual	Target
Develop indicators through the Economic Development Strategy that integrate with the Council Plan	Preparation of the 2021-25 Economic Development Strategy is currently underway and indicators will be finalised on completion	-	Achieved year 1







4.2: Collaboration amongst key partners is facilitated to improve pathways for education and skills training

Code	Action Name	Comments	Progress	Status
4.2.1	Identify key actions through the development of the Economic Development Strategy	The development of the Economic Development Strategy is progressing as outlined above. Actions will be developed as part of strategy and action plan.	25%	
4.2.2	Strengthen partnerships with higher education providers, industry and other providers to explore opportunities for new targeted programs	Council has worked with Workways Program to support funding applications to engage youth in agriculture projects. Council has engaged with GELLEN and Gippsland TAFE via Mallacoota Wilderness Centre. The Industry Capability Network has been engaged to explore a pilot program to help shorten industry supply chains.	15%	




Strategic Indicators

Name	Comments	Actual	Target
Proportion of exiting Year 12 students continuing to university education	This is reported annually, with the 2020 results due to published in October 2021.	-	> 20%
Proportion of exiting secondary school students undertaking an apprenticeship / traineeship or TAFE training	This is reported annually, with the 2020 results due to published in October 2021.	-	> 24%

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







4.3: Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change

Code	Action Name	Comments	Progress	Status
4.3.1	Support entrepreneurship programs (such as Start Up Gippsland)	Orbost and Bairnsdale Agribusiness programs have progressed up to the second stage, Omeo has commenced with online sessions only due to COVID-19. Ongoing support, advice and local promotion of the StartUp Gippsland program continues, with two East Gippsland businesses in the current program.	10%	
4.3.2	Partner with Victorian Government on industry transition programs to support new business and employment opportunities	Council has agreed to auspice Community Transition Program (Regional Renewal and Local Economic Growth Plan) funding for the communities of Swifts Creek and Nowa Nowa, subject to further consultation with communities. A Project Control Group has been established with the Timber Transition Task Force, Regional Development Victoria and Council.	15%	
4.3.3	Support industry awards programs	Council is coordinating the delivery of the 10th Annual Federation University East Gippsland Business Awards to be celebrated in November - over 70 entries received and assessed. Council has supported industry nominations for the Victorian Tourism Towns Awards, Gippsland Business Awards, Food and Fibre Gippsland Awards and Gippsland Wines Awards.	80%	

Strategic Indicators




Name	Comments	Actual	Target
Participation in Council run programs delivered to support business growth	<p>Council run programs that supported business growth included;</p> <ul style="list-style-type: none"> <i>Women in Business</i>: 5 workshops - 56 attended, with another 56 viewed recording post event. <i>Home Based Business</i>: 3 workshops - 5 attended, 30 viewed recording post event. <i>Customer Experience</i>: 3 workshops - 9 attended, 29 viewed recording post event. <i>Tourism101</i>: 5 workshop program. <i>Small Business Mentoring Service - Business Clinic Vouchers</i>: 4 issued, with a attendees = 88 <p>Total businesses engaged, including online views of recordings post event = 203</p>	29.30%	> 70.00% uptake annually

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Name	Comments	Actual	Target
Number of new businesses registered	This is only reported annually by Australian Bureau of Statistics and will be updated when the new figures are published.	-	> 4,446





4.4: Targeted information and streamlined approvals and processes make it easier for business to invest

Code	Action Name	Comments	Progress	Status
4.4.1	Continue pilot concierge program	The Business Concierge continues to lead delivery of actions identified in the Better Approvals Project. The Concierge now mainly works with individual businesses who make direct contact or connect via local business advisors. The Concierge supported connection with 98 business, including 43 new business enquiries this quarter.	25%	
4.4.2	Update information to support business investment and approvals	Key recommendations from the Building Better Approvals Program (funded in 2020 by State Government) were progressed with major information updates scheduled for Council's website. A new "Invest East Gippsland" website has been scoped for delivery by East Gippsland Marketing Inc.	45%	
4.4.3	Coordinate approvals and facilitation support for major projects	Ongoing work continues to support a range of projects. The awareness of the role of the Business Concierge in assisting new investment grows. Council continues to provide background material, such as economic modelling and forecasts, partnership opportunities, grants application support, and advice on internal and external approvals.	25%	




Strategic Indicators

Name	Comments	Actual	Target
Number of businesses engaged through business facilitation programs	84 businesses engaged across six separate business facilitation programs from July to September, 2021	84	> 300 businesses annually
Council processing time for event permits, goods on footpath, trading permits, domestic animal business and food premises registrations	Awaiting Council endorsement of new East Gippsland Event Growth Action Plan before commencing data gathering.	-	Baseline developed for 2021-22

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn




4.5: Tourism sector investment is sought in business capability, product development and experience to meet the changing needs of domestic and international markets

Code	Action Name	Comments	Progress	Status
4.5.1	Implement bushfire and COVID-19 recovery plans and support delivery of key projects	<p>Council continues to work with Community Recovery Committees, Business and Tourism Associations and others to support priority recovery projects. Initiatives include:</p> <ul style="list-style-type: none"> • Wilderness Workspace, • Bruthen and Buchan Streetscapes, • Local Tourism Opportunity Plans (Buchan, Cann Valley and Errinundra to Snowy regions), • Business events collateral development, • Ecodestination status, • Facade enhancement scheme, and • a series of business development programs. 	40%	
4.5.2	Partner with Destination Gippsland and other relevant stakeholders to implement key actions of the Destination Management Plan and associated strategies	<p>Council has engaged and been actively involved in delivery of several initiatives well underway, including:</p> <ul style="list-style-type: none"> • Gippsland Lakes Aquatic Trails Project, • new Destination Brand roll-out, • Dark Skies Project, • Regional Events funding program, • improved data insights systems for live-time information on visitor activity, • Gippsland Tracks and Trails Strategy, and • prefeasibility for East Gippsland Discovery Centre. <p>Council has recently provided expert input and feedback into the recent Destination Management Plan Review.</p>	30%	
Major Initiative 8	Implement the Tourism Events Strategy	Awaiting endorsement of the East Gippsland Events Growth Action Plan before progressing actions.	0%	

Strategic Indicators



Name	Comments	Actual	Target
Number of tourism events held during the low and shoulder season periods	Total number of event permits issued was 21.	21	> 100 events

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Name	Comments	Actual	Target
	Two of these events were sponsored by Council; The Final east@Laneway3875 and the Vic Bream Classics Marlo.		
Total visitation to East Gippsland (international, domestic and daytrip combined)	Quarter one statistics will be released later in October or November 2021.	-	> 1,300,000 annually
Tourism expenditure in East Gippsland	Quarter one statistics will be released later in October or November 2021.	-	> \$360,000,000 annually






4.6: East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience

Code	Action Name	Comments	Progress	Status
4.6.1	Develop industry case studies which showcase best practice in: <ul style="list-style-type: none"> agribusiness and food manufacturing industry; opportunities for investment; farming diversification, expansion, and transformation opportunities for sustainable agriculture 	Not commenced	0%	
4.6.2	Engage with agriculture sector to identify key issues through the Agriculture Sector Advisory Committee	The Agriculture Sector Advisory Committee (ASAC) met once during the quarter. ASAC commenced identifying key issues and areas of focus for the agricultural sector, requested presentations on the Rural Land Use Study, and the Economic Development Strategy. ASAC recommended Council seek clarification regarding the Environment Protection Authority regulation of waste in relation to farms.	25%	

Strategic Indicators







Name	Comments	Actual	Target
Participation in Council run agricultural programs	Council agriculture programs include; <ul style="list-style-type: none"> Agribusinesses – 45 farmers participating. 	65	> 200 participants annually

Progress Indicator Legend

 - Not commenced
 - Behind schedule
 - On hold
 - On schedule
 - Completed
 - Withdrawn

Name	Comments	Actual	Target
	<ul style="list-style-type: none"> <i>African Love Grass Training with Luke Pope and Landcare</i> - Nine of Council's roadside contractors in attendance. <i>Council's Farmer Survey 2021</i> – 452 participation <i>Recharge Family Packages</i> – One family and two adults <i>Rural Agency Network Support Services</i> – Nine in attendance <p>Total participation was 517. If the Farmer Survey participation is removed, program engagement this quarter was 65.</p>		
Number of jobs in the agriculture sector in East Gippsland	This is only reported annually and will be updated when the new figures are published.	-	> 1,612
Value added by the agriculture section in East Gippsland	This is only reported annually and will be updated when the new figures are published.	-	> \$288.043 million

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Rural Land Use Strategy Community Consultation



Council has prepared a Draft Rural Land Use Strategy (RLUS) for East Gippsland.

The Strategy creates a planning vision and objectives that seeks to support agriculture and rural industries, promote opportunities in rural tourism and recognise and protect important environmental, cultural and landscape values.

The RLUS aims to:

- Provide strategic direction and policy to facilitate a consistent approach to use and development of rural land.
- Provide a decision-making tool that assists East Gippsland Shire to determine planning applications and
- Promote

Key Dates

Survey Opens
28 July 2021

Survey Closes
10 September 2021

FAQs

[Why is a Rural Land Use Strategy required?](#)

[What is the problem?](#)

[What does the Rural Strategy do?](#)

[What does the draft Rural Strategy not do?](#)

[What are the main changes?](#)

[What other things does the draft Rural Strategy contain?](#)

[How was the draft Rural Strategy prepared?](#)

[How can I have my say?](#)

[Will my comments make any difference?](#)

[What happens after the final Rural Strategy is considered by Council?](#)

[How can I get more information?](#)

Documents


[Draft Information Sheet 1 - Draft RLUS June](#)

Council increased its engagement with communities on key projects by using tools such as the YourSay portal. Numerous projects and programs used the online portal to conduct a community survey, provide information or request feedback on a proposed project or works.

5

A transparent organisation that listens and delivers effective, engaging, and responsive services


5.1: A better everyday customer experience is created for our residents and visitors

Code	Action Name	Comments	Progress	Status
Major Initiative 9	Implement the Customer Experience Strategy	<p>The customer experience benchmarking baseline exercise has been undertaken.</p> <p>The Complaints Management Policy and related procedure has been redrafted to align to the Victorian Ombudsman's guide.</p> <p>A review of Council's Service Centres has commenced.</p> <p>The Customer Service Charter research has been undertaken in preparation for the development of a draft for consultation.</p>	50%	







Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with customer service	Survey results will be made available later in 2022	-	≥ Large Rural Council average

5.2: Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community

Code	Action Name	Comments	Progress	Status
5.2.1	Develop advocacy plan for Federal and State elections	A draft advocacy strategy is being developed.	50%	

Progress Indicator Legend







 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

Code	Action Name	Comments	Progress	Status
5.2.2	Participate in One Gippsland advocacy activities	<p>Through One Gippsland, Council participated in the following advocacy meetings:</p> <ul style="list-style-type: none"> Minister for Agriculture and Regional Development to discuss Gippsland's priorities; Startup Gippsland to discuss the future of Startup Gippsland beyond 2022 the value of entrepreneurial ecosystem for Gippsland; Harriet Shing MP to discuss Gippsland's priorities and the priorities of Government in relation to Gippsland; Leader of the Opposition, Leader of the Nationals; and Local Gippsland Coalition members to establish shared understanding of regional priorities for 2023 State election; Gippsland Waste and Resource Recovery Group for the Resource Recovery Gippsland Gippswide Kerbside Briefing; and Industry Capability Network (ICN) who view from Councils that 'local' jobs are not transpiring into enough procurements of contractors in the Gippsland region. 	25%	



Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with advocacy (lobbying on behalf of the community)	Survey results will be made available later in 2022	-	≥ Large Rural Council average

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn




5.3: Communities are engaged in decision-making and support is provided to develop local solutions to local issues

Code	Action Name	Comments	Progress	Status
5.3.1	Continue to use place plans and local recovery plans as a primary mechanism for developing locally based solutions	In addition to progress in the development of recovery plans (see update above), with the commencement of a new Place Manager, implementation of the first of the priorities of the Twin Rivers Community Plan has commenced. Recovery plans are including a focus on local solutions to improve preparedness for future disasters, including both infrastructure and planning.	25%	
Major Initiative 10	Finalise the community engagement toolkit	Scoping has been undertaken for the toolkit inclusions, use and access. Engagement templates, including engagement action plan and checklists, have been drafted. Staff that conduct engagement across Council services have established a working group and will contribute to development of consistent approach.	10%	




Strategic Indicators

Name	Comments	Actual	Target
Community satisfaction with advocacy (lobbying on behalf of the community)	Survey results will be made available later in 2022	-	≥ Large Rural Council average
Community satisfaction with making community decisions	Survey results will be made available later in 2022	-	≥ Large Rural Council average
Community satisfaction with informing the community	Survey results will be made available later in 2022	-	≥ Large Rural Council average

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







5.4: Continuous improvement systems are strengthened, and organisational efficiency enhanced

Code	Action Name	Comments	Progress	Status
5.4.1	Develop a strategic management framework	A draft Strategic Management framework and a list of priority initiatives have been developed.	30%	
5.4.2	Service reviews are undertaken for priority services and the recommendations implemented.	Council's Service Review Policy was adopted by Council at the August 2021 Council meeting. Two service reviews have commenced.	10%	
5.4.3	Fit for purpose technology is explored, implemented and used to generate productivity and efficiency gains across the organisation	A collaborative tender process with Wellington Shire Council for the procurement of technology equipment has been completed.	10%	



Strategic Indicators

Name	Comments	Actual	Target
Number of service reviews undertaken	Part 1 of the service review on Community Laws is completed. A review of Service Centres has commenced	2	≥ 4 reviews annually
Permanent workforce has access to mobile technology	Due to a global shortage of computer chips and delay in manufacturing of equipment, estimated delivery of new laptops and equipment is February 2022.	60%	> 70.00%

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







5.5: Resources are managed to meet current and future needs and priorities

Code	Action Name	Comments	Progress	Status
5.5.1	Manage resources in accordance with Council's 10-year Financial Plan	Council's 2021/22 Annual Budget has been managed in accordance with the 10-year Financial Plan.	25%	
5.5.2	Opportunities to attract external and partner funding for high priority needs are maximised	<p>Council has supported and advocated for East Gippsland to obtain a fair share of bushfire related grant funding. These funding applications are sought through the following competitive programs:</p> <ul style="list-style-type: none"> • Black Summer Bushfire Funding - 11 Council applications were made and an additional 45 community-based grant applications supported and assisted. • Sport and Recreation Victoria - 5 applications made. • Infrastructure Investment Fast Track - 5 Expressions of interest submitted with two invited to submit full applications. <p>Non-competitive funding is also being managed through three main projects being: Roads to Recovery, Local Roads and Community Infrastructure, and Regional Recovery Partnerships</p>	25%	


Strategic Indicators

Name	Comments	Actual	Target
Victorian Auditor-General's Office assessment of Council's overall financial sustainability is rated low risk	The Auditor-General's report will not be made available to Council until early in 2022.	-	Achieve low risk rating

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn







5.6: Council attracts, develops, and retains an inclusive workforce to deliver services and priorities

Code	Action Name	Comments	Progress	Status
5.6.1	Implement the Workforce Plan 2021-25	<p>A Service Review Policy was developed and endorsed by Council at the August 2021 Council meeting. Two service reviews have commenced.</p> <p>A Gender Workplace Audit (GEA) has been completed. The de-identified results of the GEA have been shared with staff and Councillors. Consultation and engagement on the results has commenced, inviting staff to provide feedback.</p> <p>A review of our current reward and recognition framework was undertaken in preparation for wider staff consultation.</p>	5%	

Strategic Indicator

Name	Comments	Actual	Target
The percentage of actions implemented from the Workforce Plan 2021-25	No actions were planned to be completed within the first quarter.	0%	≥ 80% of actions implemented by 30 June 2022

Progress Indicator Legend

 - Not commenced
  - Behind schedule
  - On hold
  - On schedule
  - Completed
  - Withdrawn

5.3.3 Audit and Risk Committee activities

Authorised by General Manager Business Excellence

Conflict of Interest

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

Executive Summary

A requirement of the *Local Government Act 2020*, Council's Audit and Risk Committee must prepare a biannual audit and report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations and provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting. This is reflected in the Audit and Risk Committee Charter at clause 1.5(o).

This report provides the Council with the biannual report of the Audit and Risk Committee (the Committee), refer **Attachment 1**, which relates to the business undertaken by the Committee during the period 1 July – 31 October 2021.

The Committee has reviewed a wide range of reports from the internal auditors and management. Each meeting there is standard suite of quarterly reports, as outlined in the annual work program, considered by the Committee. In line with its roles and responsibilities outlined in the Audit and Risk Committee Charter (the Charter), the Committee provides feedback to management on the reports and matters presented to it.

Officer Recommendation

That Council receives and notes the report on the Audit and Risk Committee activities for the period 1 July – 31 October 2021.

Background

The Audit and Risk Committee assists the East Gippsland Shire Council to fulfil its oversight and corporate governance responsibilities. The Committee meets five times per year and consists of seven members—four independent members, the Mayor and two Councillors. One of the independent members is elected the Chair.

The biannual report, refer **Attachment 1**, is based on the Committee's annual work plan and includes several officer reports on other matters considered at the meetings.

The Committee has developed a strong reporting regime that meets the requirements set out in its Charter. It has monitored the progress of the annual internal audit program and reviewed and provided feedback on Council's management of financial and risk management.

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.

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 sections 53 and 54 of the *Local Government Act* 2020 which establish the requirements for the Council's Audit and Risk Committee.

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

As this report does not involve procurement, there is no requirement for collaboration.

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

The Audit and Risk Committee Charter, adopted by Council in August 2020, sets out the role and responsibilities of the Committee. The requirement to report bi-annually is outlined in clause 1.5(o) of the Charter and complies with the legislative requirements.

Resourcing

Financial

There are no financial implications for this report.

Plant and equipment

There are no implications for plant and equipment with this report.

Human Resources

Secretariat support is provided to the Committee within existing resources.

Risk

This report ensures that Council is complying with the legislative requirements of the Act and its Charter.

Economic

There are no economic implications with this report.

Social

There are no social implications with this report.

Environmental

There are no environmental implications with 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

This report has been prepared with appropriate internal engagement.

Attachments

1. ARC Work Plan report 2021 [**5.3.3.1** - 2 pages]

	Reporting Period 1 January - 30 June 2021				Reporting Period 1 July - 31 December 2021						Comments
	18 February 2021		20 April 2021		20 July 2021		14 September 2021		19 October 2021		
	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
Finance Report	✓		✓						✓	✓	This report not considered at July meeting due to the Annual Financial and Performance statements being considered at the September meeting.
Capital Works and Landfill Rehabilitation Report	✓		✓						✓	✓	This report not considered at July meeting due to the Annual Financial and Performance statements being considered at the September meeting.
Investment report									✓	✓	
Performance Report (to include periodic updates on performance (against Local Government Performance Reporting Framework - KPIs and service outcomes); and development of performance targets for LGPRF indicators and KPIs to measure success).	✓	✓	✓		✓				✓		No report for April, July and October meetings
Internal Audit Plan delivery status updates (Internal Auditor report)	✓	✓	✓	✓	✓	✓			✓	✓	
Internal Audit Program Actions Report	✓	✓	✓	✓	✓	✓			✓	✓	
Internal Audit Statutory Planning Actions Report			✓	✓	✓	✓			✓	✓	
Internal Audit - Waste Management Statutory and Regulatory Compliance actions report			✓	✓					✓	✓	Close out report.
Annual Internal Audit Plan 2021/22			✓	✓							
Audit and Risk Committee Meeting Actions Report	✓	✓	✓	✓	✓	✓			✓	✓	
Audit and Risk Committee Meeting Actions completed during the previous calendar year	✓										
Risk Management Report	✓	✓	✓	✓	✓	✓			✓	✓	
Legal Activities Report	✓	✓	✓	✓	✓	✓			✓	✓	
Insurance Claims Report	✓	✓	✓	✓	✓	✓			✓	✓	
WorkForce Statistics			✓	✓	✓	✓			✓		No report for October meeting.
Annual - Insurance Claims report					✓	✓					
East Gippsland 2019/20 Bushfires update	✓	✓	✓	✓	✓	✓			✓	✓	
COVID-19 East Gippsland Shire Council Update	✓	✓									
Emergency Management Preparedness report									✓	✓	
Councillor Expenses Report	✓	✓			✓	✓			✓	✓	
External Auditor's Interim Management Letter and Audit Strategy for 2021/22 financial year			✓	✓							
Review draft audited Financial Statements and Performance Statement against the Local Government Performance Reporting Framework for the 2020/21 financial year (undertaken at a joint meeting with Councillors at which the external auditor presents).							✓	✓			
Review External Auditor's Final Management Letter for 2020/21							✓	✓			
Meet with external auditor privately (i.e. with no Council officers present).							✓	✓			
Council's Drone program					✓				✓	✓	Deferred from July meeting to October meeting
Review operation of Council's Public Space and Corporate Closed-Circuit Television (CCTV) programs for 2020/21	✓		✓						✓		No report for 2021
Confirm process to be undertaken - Audit and Risk Committee's performance review 2020/21	✓										Chair approved the process via email. No report to the meeting.
Finalise Audit and Risk Committee performance evaluation for 2020/21 (final report for consideration by Council)							✓	✓			
Discuss final report on Audit and Risk Committee performance evaluation for 2020/21 with Councillors							✓	✓			
Council Policies - statutory obligations and management framework					✓	✓			✓	✓	
Review Council's Risk Management framework (policies, procedures and program)			✓								
Review Operating and Strategic Risk Registers – full report			✓								
Adopt annual Audit and Risk Committee work program for 2021/22			✓	✓							
Progress report on Council Plan 2017--2021			✓								
Review Audit and Risk Committee Charter			✓		✓				✓	✓	Deferred from April and July meetings to October meeting

	Reporting Period 1 January - 30 June 2021				Reporting Period 1 July - 31 December 2021						Comments
	18 February 2021		20 April 2021		20 July 2021		14 September 2021		19 October 2021		
	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
Other matters considered at the meetings											
ICT Security report	✓	✓									
Internal Audit - Community Grants (Outgoing) Management report	✓	✓									
Internal Audit - IT Cyber Security Management report	✓	✓									
Internal Audit - Community Laws Management report					✓	✓					
Internal Audit - Procurement below tender threshold					✓	✓					
Lakes Entrance Landfill Gas Monitoring Progress Report			✓	✓	✓				✓	✓	No report for July meeting. Listed for October meeting.
Confidential - Update Gippsland Business Initiative			✓	✓							
Integrity Agency notificationsVAGO - Sexual Harassment in Local Government 2020 Maintaining Local Roads March 2021			✓	✓							
Response - VAGO Local Government Sexual Harassment 2020 report					✓	✓					
Integrity Agency notifications - Ombudsman Investigation into how local Councils response to ratepayers in Financial Hardship Investigation into Melton City Council's Engagement of IT Company VAGO Measuring and report on service delivery					✓	✓					
Response - Ombudsman's recommendations Rates and Charges and Financial Hardship									✓	✓	
Gender Audit Results presentation									✓	✓	
Emerging Issues - Verbal Updates Raymond Island Ferry Contract, Capital Works Budget 2021/22 and Planning Manager					✓	✓					
Gifts, Benefits and Hospitality policies					✓	✓					
Human Resources Activity Report					✓	✓					
Mallacoota Ocean Access Boat Ramp at Bastion Point – Independent Compliance Audit of Environment Management Plan and Response Action Plan					✓				✓	✓	No report for July meeting. Listed for October meeting
Workforce Plan 2021-2025									✓	✓	
Cyber report - City of Stonnington Security Breach									✓	✓	
Confidential - Contract CON2022 1457 Bushfire Road Repairs									✓	✓	
Project Management Software and processes presentation									✓		Due to time constraints, item deferred to February 2022 meeting
Insurance									✓	✓	

5.3.4 Adopt Draft Chief Executive Officer Employment and Remuneration Policy

Authorised by General Manager Business Excellence

Conflict of Interest

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

Mr Anthony Basford, Chief Executive Officer has declared a material interest in this matter, as the Policy relates directly to his role.

Executive Summary

The purpose of this report is to seek Council consideration of the draft Chief Executive Officer Employment and Remuneration Policy (the Policy) provided at **Attachment 1**.

At the meeting of the CEO Employment and Remuneration Committee (Committee) held on 15 October 2021, the Committee reviewed and endorsed the draft CEO Employment and Remuneration Committee Policy to be presented at the 16 November 2021 Council Meeting for adoption.

This Policy provides direction on Council's commitment to the application of good governance, transparency and fairness in all matters relating to the employment, management and remuneration of the Chief Executive Officer (CEO). Supporting the high performance of the CEO is one of the key responsibilities of the Council.

This Policy ensures that the Council meets its obligations to support the ongoing high performance of the CEO through professional development, performance planning and management and appropriate recognition and remuneration.

The draft Chief Executive Officer Employment and Remuneration Policy was developed using a template prepared by legal firm Maddocks which has incorporated the requirements of the *Local Government Act 2020*. The draft Chief Executive Officer Employment and Remuneration Policy will supersede the existing Chief Executive Officer Employment and Remuneration Policy which was approved on 20 October 2020 (refer to **Attachment 2**).

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. adopts the draft Chief Executive Officer Employment and Remuneration Policy provided at Attachment 1; and***
- 3. publishes the Chief Executive Officer Employment and Remuneration Policy on Council's website.***

Background

At the meeting of the CEO Employment and Remuneration Committee (Committee) held on 15 October 2021, the Committee reviewed and endorsed the draft CEO Employment and Remuneration Committee Policy to be presented at the 16 November 2021 Council Meeting for adoption.

This Policy revision incorporates changes to meet the requirements of the *Local Government Act 2020* (the Act). The Act requires all Councils to adopt a revised Chief Executive Officer Employment and Remuneration Policy by 31 December 2021.

The Policy has been developed in accordance with s.45 of the Act and provides for the following matters which the Council is responsible for under the Act or as a requirement of this Policy:

- a. the recruitment and appointment of the Chief Executive Officer;
- b. approving the Contract of Employment entered into between the Council and the Chief Executive Officer;
- c. the appointment of an Acting Chief Executive Officer for periods over 28 days;
- d. the provision of independent professional advice in relation to the matters dealt within the Policy;
- e. the monitoring of the Chief Executive Officer's performance and professional development;
- f. an annual review; and
- g. determining the Chief Executive Officer's remuneration.

Legislation

This report has been prepared in accordance with s.45 of the *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

There is no Collaborative procurement required 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: 5.6 Council attracts, develops, and retains an inclusive workforce to deliver services and priorities.

Council Policy

The draft Chief Executive Officer Employment and Remuneration Policy was developed using a template prepared by legal firm Maddocks which has incorporated the requirements of the *Local Government Act 2020*. The draft Chief Executive Officer Employment and Remuneration Policy will supersede the existing Chief Executive Officer Employment and Remuneration Policy which was approved on 20 October 2020 (refer to **Attachment 2**).

Options

This Policy update has been prepared in accordance with s.45 of the *Local Government Act 2020*.

Resourcing

Financial

The resource implications of the Policy can be accommodated within existing resources and budget.

Plant and equipment

There are no plant and equipment implications with this report.

Human Resources

Not Applicable

Risk

This Policy reduces risk through the provision of direction on Council's commitment to the application of good governance, transparency and fairness in all matters relating to the employment, management and remuneration of the Chief Executive Officer.

Economic

There are no perceived economic implications with this report.

Social

There are no perceived social implications with this report.

Environmental

There are no perceived environmental implications with 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

The Policy has been developed after benchmarking of sector best policies and through the provision of independent expertise.

Attachments

1. DRAFT CEO Employment and Remuneration Policy updated October 2021 [**5.3.4.1** - 15 pages]
2. CEO Employment and Remuneration Policy 2020 [**5.3.4.2** - 11 pages]

Version number: 3
Authorised by: General Manager Business Excellence



Chief Executive Officer Employment and Remuneration Policy

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1 Purpose and Scope

This is the Chief Executive Officer Employment and Remuneration Policy (**Policy**) of East Gippsland Shire Council Council (**Council**), made in accordance with section 45 of the *Local Government Act 2020* (the Act).

This Policy provides for the following matters which Council is responsible for under the Act or as a requirement of this Policy:

- (a) the recruitment and appointment of the Chief Executive Officer ensuring that:
 - (i) the recruitment decision is based on merit;
 - (ii) the recruitment processes support transparency in the recruitment process and, subject to Council's discretion to offer re-appointment in accordance with section 44 of the Act, the public advertising of the position; and
 - (iii) regard is had to gender equity, diversity and inclusiveness;
- (b) approving the Contract of Employment entered into between Council and the Chief Executive Officer;
- (c) the appointment of an Acting Chief Executive Officer in accordance with *Local Government Act 2020* section 11(3).
- (d) the provision of independent professional advice in relation to the matters dealt with in the Policy;
- (e) the monitoring of the Chief Executive Officer's performance;
- (f) an annual review of the Chief Executive Officer's performance; and
- (g) determining the Chief Executive Officer's remuneration.

2 Policy Context

Under the provisions of the *Local Government Act 2020* (the Act) Council is responsible for the appointment of the Chief Executive Officer (CEO) (section 44(1)) and at least once each year a Council must review the performance of its CEO (section 45(2)(b)(iv)).

Council is also responsible for determining the remuneration of the CEO.

This Policy has been developed to support the requirements of the *Local Government Act 2020* (section 45) through the establishment of an advisory committee known as the Chief Executive Officer (CEO) Employment and Remuneration Committee (**Committee**). The Committee will assist Council to fulfil its responsibilities relating to CEO employment, performance and remuneration matters.

3 Policy Statement

This Policy outlines the mechanisms which support Council in fulfilling its obligations regarding the CEO's employment and under the Act.

The aims of the CEO in relation to this Policy are to:

- work collaboratively with the Committee in determining the Performance Plan on an annual basis;
- actively participate in the performance appraisal process as required by the Committee;
- make use of constructive feedback from Councillors and Committee Members in relation to performance appraisals;
- undertake professional development on an as needed basis, or as part of the Performance Plan; and
- promptly draw the Committee's attention to any situation where any variation of the Performance Plan may be required in light of the current circumstances.

The aims of Council (including via the Committee) in relation to this Policy are to:

- establish the Committee;
- provide processes for the recruitment of a natural person, and their appointment, to the position of CEO;
- draft and approve the Contract of Employment entered into between Council and the CEO;
- seek and be guided by independent professional advice (Independent Member) in relation to the matters dealt with in this Policy;
- provide processes for determining and reviewing the CEO's Remuneration Package;
- provide processes for the monitoring of the CEO's performance including setting the Performance Plan and conducting an annual review;
- determine, as required, whether any variations to the Remuneration Package and terms and conditions of employment of the CEO; and
- provide processes for the appointment of an Acting Chief Executive Officer.

3.1 CEO Employment and Remuneration Committee

Council will maintain a CEO Employment and Remuneration Committee (**Committee**) for the purposes of this Policy.

The Committee will be an advisory committee to Council.

The purposes of the Committee are to consider, and make recommendations to Council with respect to, the:

- selection and appointment of the Independent Member;
- independent advice received from the Independent Member;
- performance monitoring of the CEO, including with respect to achievement of the KPIs;
- annual review of the CEO's performance, including against the KPIs;

- CEO's remuneration;
- recruitment and appointment (or reappointment) of a CEO, if required;
- provisions to be included in the Contract of Employment from time to time;
- appointment of an Acting CEO as per *Local Government Act 2020* section 11(3); and
- implementation of this Policy.

The Committee will consist of the Mayor, Deputy Mayor, two Councillors and an Independent Member appointed by Council.

The Independent Member will chair all meetings of the Committee; during the period in which there is no Independent Member, the Mayor will chair the meeting.

A quorum will be achieved when three (3) people including the Mayor or deputy Mayor and at least two other members of the Committee are in attendance.

The Committee is to hold meetings as often as is necessary to:

- prepare documentation relevant to the CEO's employment and remuneration, including Council reports and contractual documents, for the approval of Council;
- conduct and maintain appropriate records regarding performance reviews of the CEO; and
- review the Remuneration Package and conditions of employment of the CEO,
- provided that the Committee meets at least twice in each year.

The Committee will provide a report to Council following each meeting describing its activities and making recommendations about any action to be taken by Council.

The Committee will determine its procedures at its first meeting, which will include:

- the rules for its meetings, noting that meetings should be conducted with as little formality and technicality as appropriate to fulfil the Committee's purposes;
- how often the Committee will meet, provided that the Committee meets at least twice in each year;
- means of attendance at Committee meetings (eg in person or electronically);
- the taking of the minutes of the Committee meetings; and
- communication of the procedures to Council.

For the avoidance of doubt, nothing in this Policy requires Council to accept any or all of the Committee's recommendations.

3.2 Appointment and reappointment of CEO

The Council's role is to appoint the CEO, on the advice of the Committee.

The appointment (or reappointment) of the CEO must be made by a resolution of Council.

Council will, by resolution, determine whether reappointment of the incumbent CEO pursuant to section 44(3) of the Act is under consideration or whether Council will go to or test the market for a CEO.

Where the reappointment of the current CEO is under consideration:

3.2.1 at least nine months prior to the expiration of the period of employment, Council and the CEO will confer about whether the CEO shall be re-appointed for a further period and, if so, on what terms;

3.2.2 Council must advise the CEO no later than six months (or such other period as they may agree in writing) prior to the expiration of the period of employment whether it is proposing to exercise its discretion to offer re-appointment to the CEO; and

3.2.3 where the period of employment is one year or less, the period of months referred to in clause 3.2.1 shall be three and the period of months referred to in clause 3.2.2 shall be two months.

The Committee shall ensure a confidential, fair and respectful process is undertaken so that Council should make its decision on whether and on what terms to offer re-appointment only after reasonable time is provided for Councillors to be informed adequately on relevant matters and to allow an opportunity for the incumbent CEO to make a formal presentation to the Council and/or the Committee.

3.3 Recruitment of CEO

Where Council makes the decision to go to or test the market for a CEO

The Committee will establish and lead the process to recruit the CEO, designed to ensure that Council can select the best available candidate from a short list of preferred candidates (with or without a recommendation from the Committee).

The Committee shall, in accordance with Council's Procurement Policy and Procedures seek and appoint an independent Executive Search Consultant/Provider to manage and conduct the process of selection of a suitable candidate(s) for Council's consideration for appointment to the position of CEO, and ensure professional care throughout administration of the process.

If an Executive Search Consultant is engaged, the Committee, the Chair of the Committee or a member of Council staff nominated by the Committee must liaise with the Executive Search Consultant in connection with the recruitment process.

The Committee shall, in conjunction with the Executive Search Consultant engaged, develop and agree upon:

- a search and selection process and timeframe
- setting the salary and conditions based on industry benchmarks
- key accountabilities
- key selection criteria
- candidate application material
- a candidate identification strategy

- methods of applicant evaluation – embracing diversity and gender equity principles and best practice processes to eliminate bias

When considering the recruitment of the position of CEO, the Committee shall, in conjunction with the Recruitment Provider:

- ensure that the recruitment decision is based on merit;
- support transparency in the recruitment process and the public advertising of the position; and
- ensure that regard is had to gender equity, diversity and inclusiveness.
- ensure that the CEO role is publicly advertised;
- oversee the development of the candidate pool by the Executive Search Consultant, providing feedback on the quality and diversity of candidates being identified;
- Review the Executive Search Consultant report on the final candidate pool and determine which candidates will be long-listed for consideration by the Consultant and/or the Committee.
- In consultation with the Executive Search Consultant, prepare a report for Council on all applications received and recommend the candidates that should be short-listed for interview by the full Council. All Councillors will be provided with the opportunity to be part of the interview process.

3.4 Appointment of CEO

Council will receive a report from the Committee on the completion of its role in the recruitment process, and Council will proceed to decide on a preferred candidate with the support of the Committee to negotiate and finalise the Contract of Employment.

Once the preferred candidate is determined by the full Council, with the support of the Executive Search Consultant, the Committee will provide a recommendation to Council on the provisions to be contained in the proposed Contract of Employment.

The appointment of the CEO must be made by a resolution of the Council.

The Committee shall then:

- ensure, through the Executive Search Consultant, that all candidates are updated on the outcome of the recruitment and selection process; and
- develop and recommend to the Council an on-boarding program for the new CEO.

3.5 Contract of Employment

The Contract of Employment is to be read in conjunction with this Policy (but the terms of this Policy are not incorporated into the Contract of Employment).

The Contract of Employment will, at a minimum, outline the following:

- the employment term, which must not exceed 5 years in accordance with section 44(2) of the Act;
- the responsibilities and duties of the position, including compliance with the Act and the Code of Conduct for Council staff;
- how conflicts of interest will be managed;
- the CEO's Remuneration Package and other entitlements;
- any legislative and contractual obligations, including those during and continuing after appointment;
- the CEO's leave entitlements;
- dispute resolution procedures;
- processes for managing unsatisfactory performance;
- processes for early termination, including notice of termination provisions
- any other matters required to be contained in the Contract of Employment by the Regulations.

The Contract of Employment may only be varied by agreement between the Council and the CEO. A resolution of Council will be required, with such variation to be recorded in a deed of variation.

3.6 Remuneration and Expenses

The Remuneration Package provided to the CEO will form part of the Committee's annual review, having regard to (in accordance with section 45(3) of the Act):

- any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent);¹ and
- any Public Sector Wages Determination.²

Remuneration will be reviewed on an annual financial year basis, in accordance with the CEO's Performance Plan and contractual requirements.

Council will meet expenses incurred by the CEO in relation to:

- membership and subscription fees payable to professional associations which are reasonably necessary in order to carry out duties;

¹ Section 45(3)(a) of the Act requires Council to have regard to any statement of policy issued by Government of Victoria which is in force with respect to its wages policy (or equivalent). The current Victorian Government Wages Policy applies in the public sector until 31 December 2021. See: <https://www.vic.gov.au/wages-policy-and-enterprise-bargaining-framework>

² Section 45(3)(b) of the Act requires Council to have regard to the published remuneration bands for executives employed in public service bodies. See: <https://www.vic.gov.au/tribunals-determination-vps-executive-remuneration-bands>

- reasonable costs incurred where attending conferences, seminars or other networking functions; and
- reasonable costs incurred in performance of required duties.
- Professional development
- Training and education

3.7 Performance monitoring

Council will adopt an annual Performance Plan for the CEO, which will include KPIs. The Performance Plan must be developed collaboratively between the CEO and the Committee and confirmed through a resolution of Council.

To assist Council to fulfil its obligations in this respect, each year the Committee will develop a framework for Council's consideration through which the CEO's performance and remuneration will be reviewed. As a minimum, the framework will provide for the following:

- in consultation with the CEO, identify and agree on performance criteria that will be used to measure the CEO's performance for the next 12-month financial year period;
- in consultation with the CEO, determine a personal and professional development plan (if required) for the CEO for the next 12-month financial year period;
- review of the CEO's performance against the performance criteria;
- review of the CEO's remuneration package as a component of the annual review, having regard for expert advice on remuneration benchmarks from a recognised recruitment consultant and the provisions of the CEO's employment contract;
- annual report to Council on the CEO's performance review to determine outcomes of the review process in relation to:
 - the CEO's performance against the performance criteria;
 - the performance criteria for the next 12-month financial year review period; and
 - whether remuneration should be varied.

The framework will also observe the following principles:

- the CEO is aware of the performance review process to be undertaken;
- the CEO has an opportunity to submit a self-assessment performance report and to present that report to both the Committee and the full Councillor group;
- all Councillors are invited to provide feedback to the Committee in respect of the CEO's performance as measured against the performance criteria approved by Council;

- the CEO is provided with timely feedback on the outcomes of the Committee's review of his/her performance.

The CEO is to provide progress reports against the Performance Plan to the Committee on a quarterly basis.

The Committee may meet with the CEO following each progress report to discuss the matters contained in the progress report.

Following the initial 4 to 6 months of the CEO's term, a workshop with Councillors and the CEO should be coordinated so that:

- the CEO can prepare and present an overview of their findings during the early months, and highlight any projections or forecasts of relevance to Council during their tenure;
- Councillors can provide feedback to the CEO on their perspective of the CEO's performance during the initial period; and
- Council and CEO can agree to projects and priorities for inclusion in the CEO's Performance Plan and KPIs.

Nothing in this Policy prevents the Committee and/or Council from monitoring the CEO's performance on an ongoing basis.

3.8 Annual review

In preparation for Council's review, the Committee is required to submit an annual review report (**Annual Review Report**) to Council which includes recommendations on the following:

- whether, and to what extent, the CEO has met the KPIs under the Performance Plan;
- whether, and to what extent or in what respect, any KPIs or other criteria ought to be varied under the Performance Plan;
- whether, and to what extent, the Remuneration Package ought to be varied; and
- any other necessary matters.

The Committee will submit the Annual Review Report to Council only after meeting with the CEO to discuss the Committee's proposed recommendations.

The CEO may request the opportunity to address Council as part of this process.

Council shall, after receipt of the Annual Review Report, review the recommendations in the Annual Review Report, resolve upon the matters described above and advise the CEO of the terms or effect of the resolution.

3.9 Acting CEO

Council must appoint an Acting CEO when there is a vacancy in the office of the CEO or the CEO is unable to perform their duties of the office of Chief Executive Officer.

The appointment of the Acting CEO must be made by a resolution of Council unless the Acting CEO is appointed for a period not exceeding 28 calendar days, in which case the CEO may appoint an Acting CEO under delegation from Council pursuant to section 11(3) of the Act.

The Committee may advise Council on the selection and appointment of an Acting CEO.

3.10 Independent advice

The Independent Member is responsible for providing independent professional advice in relation to the matters dealt with under this Policy in accordance with section 45(2)(a) of the Act.

The Independent Member will be appointed on the recommendation of the Committee following a process to seek experienced and suitably qualified persons but must not be the Executive Search Consultant appointed by Council to assist in the recruitment process.

The term of appointment will be two years, with the option of a further two, one-year terms or one, two-year term extension at the discretion of the Council.

Duties of the Independent Member include:

- Actively participate in the Committee's annual review of the Chief Executive Officer's performance and development of a draft performance plan for the next 12-month period for consideration by Council.
- Provide advice and guidance to the Committee on any matter pertaining to the Chief Executive Officer's employment with Council.

The role of Independent Member will be remunerated as follows:

- (1) A sitting fee per meeting, together with reimbursement of travel costs (where applicable) in line with the ATO amount, will be paid to the independent member. The fee to be paid has regard for the specific roles and responsibilities of the Independent Member as set out in this policy.
- (2) The fee will be paid to the Independent Member immediately following his/her attendance at each of the four scheduled committee meetings; and
- (3) an additional fee will be paid to the Independent Member for every meeting of the Committee attended over and above the four meetings required each year.

Council will ensure that it is a term of the Independent Member's engagement that the Independent Member keep confidential all information which the Independent Member acquires by virtue of the engagement.

Council, or the Committee with the approval by resolution, can, on an as needed basis, obtain additional independent professional advice in relation to the matters dealt with under this Policy.

3.11 Administrative Support

Council acknowledges that, in implementing this Policy, it, the Committee and/or the Independent Member will from time to time require the assistance of members of staff, including assistance in relation to governance and human resources matters.

3.12 Interaction with Act and Regulations

This Policy applies subject to any inconsistent obligations in the Act or the Regulations.

3.13 Confidential Information

Council is not required to disclose any **confidential information** including personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Confidential information has the meaning as provided in the Definitions section of this policy.

3.14 Delegations

Council must not delegate the power to appoint the CEO, whether on a permanent or acting basis, however, it may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days (sections 11(2)(d) and 11(3) of the Act).

Council must not delegate the power to make any decision in relation to the employment, dismissal or removal of the CEO (section 11(2)(e) of the Act).

3.15 Review of Policy

This Policy will be reviewed within 12 months of its adoption by Council.

This Policy will thereafter be reviewed at least every 2 years by the Committee and within 6 months of each Council election, and the Committee will make a recommendation to Council with respect to any suggested changes.

4 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
Chief Executive Officer	Responsible for ensuring the Committee is provided with: <ul style="list-style-type: none"> information and any necessary training for Committee members in relation to their responsibilities under the <i>Local Government Act 2020</i> and this Policy; independent advice in respect of matters before the CEO Employment and Remuneration Committee; and Administration and logistical support.
General Manager Business Excellence	Responsible for ensuring compliance with the requirements of this policy. Required to review and update the policy as required through the passing of time, changing circumstances or amendments to the Act or its successor legislation.
Manager People, Performance and Culture	Assist the Committee to discharge its responsibilities, as set out in this policy.

5 References and Supporting Documents

Chief Executive Officer's employment contract
 East Gippsland Shire Council Procurement Policy
Local Government Act 2020 and any successor Act
 Victorian Government Public Entity Executive Remuneration Policy

6 Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with any matter pertaining to the Chief Executive Officers employment will be handled in accordance with all applicable privacy legislation and will be used only to assist Council to manage the recruitment, performance management and remuneration of the Chief Executive Officer.

The policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

7 Definitions

In this Policy, unless the context suggests otherwise, the following words and phrases mean:

Term	Meaning / Responsibility
Act	<i>Local Government Act 2020</i>
Annual Review Report	Has the meaning given clause 4.8
Chief Executive Officer or CEO	Person appointed Chief Executive Officer of East Gippsland Shire Council
Committee	The Chief Executive Officer Employment and Remuneration Committee established under this Policy
Confidential Information	Confidential information has the meaning as provided by the <i>Local Government Act 2020</i> Section 3(1) confidential information (a), (f) and (h) and at Section 66(2)(a) and Section 66(5)
Contract of Employment	The contract of employment between Council and the CEO, including any schedules
Council	East Gippsland Shire Council
Councillors	The individual holding the office of a member of East Gippsland Shire Council.
Council meeting	Has the same meaning as in the Act
Executive Search Consultant	A consultant with specialist expertise in sourcing and evaluating candidates for senior executive roles.
Independent member	The consultant appointed by Council from time to time to provide independent advice in accordance with section 45(2)(a) of the Act.
Mayor	A Councillor elected by Council to perform the role of Mayor as defined in the Act.
Performance Plan	The annual performance plan setting out KPIs for the CEO
Policy	This Chief Executive Officer Employment and Remuneration Policy adopted in accordance with section 45 of the Act.
Public Sector Wages Determination	Any Determination that is currently in effect under section 21 of the <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i> in relation to remuneration bands for executives employed in public service bodies.
Recruitment Policy	The Recruitment Policy adopted by the CEO under section 49(2) of the Act.
Regulations	The Regulations made under Division 7 of Part 2 of the Act.
Remuneration Package	The total gross remuneration package paid to the CEO pursuant to the Contract of Employment.
Resolution	A resolution of Council made at a properly constituted Council meeting.

8 Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
DRAFT		July 2019	Director Corporate		
Final Draft		August 2019	Committee		Minor changes as per Committee discussion for finalisation and presentation to Council
1	Approved	10/09/2019	Council	8217685	
2	Approved	20/10/2020	GM Business Excellence	8706359	Administrative change 'Immediate Past Mayor' to 'Deputy Mayor',
3					Updated to reflect changes from <i>Local Government Act</i> 1989 to <i>Local Government Act</i> 2020 and insertion of the appropriate clauses

Version number: 2

Authorised by: General Manager Business Excellence



Chief Executive Officer Employment and Remuneration Policy

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Purpose

Council has established an advisory committee to be known as the CEO Employment and Remuneration **Committee** (the Committee) to help 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.

Scope

This policy sets out the composition, role and functions of the CEO Employment and Remuneration Committee.

Policy Context

Under the provisions of the *Local Government Act 1989* (the Act) Council is responsible for the appointment of the Chief Executive Officer (CEO) (section 94(1)) and at least once each year a Council must review the performance of its CEO (section 97A(1)).

Council is also responsible for determining the remuneration of the CEO.

This policy has been developed to support the requirements of the *Local Government Act 1989* through the establishment of an advisory committee known as the Chief Executive Officer Employment and Remuneration Committee. The Committee will assist Council to fulfil its responsibilities relating to CEO employment, performance and remuneration matters.

Council will carry out its functions relating to the appointment, performance review and remuneration of the Chief Executive Officer in accordance with best practice principles including:

- decision-making processes that are fair, accessible and applied consistently in comparable circumstances;
- decision-making criteria that is relevant, objective and available to the people who are responsible for or subject to the decision;
- documentation that is sufficiently clear and comprehensive to make decisions transparent and capable of effective review;
- employment decisions that are based on the proper assessment of an individual's work-related performance, qualities, abilities and potential against the requirements of the role; and
- decisions to appoint new employees that are based on transparent processes and objective criteria.

Policy Statement

1. COMMITTEE COMPOSITION AND MEETING FREQUENCY

1.1 Membership of the Committee

The Committee will consist of:

- the **Mayor**;
- the **Deputy Mayor**;
- two other **Councillors** appointed by Council; and
- an **independent member** appointed by Council (to commence on the first anniversary of the Committee's inaugural meeting).

1.2 Chair

The Independent member will chair all meetings of the Committee; during the period in which there is no Independent member, the Mayor will chair the meeting.

1.3 Quorum

A quorum will be achieved when three (3) people including the Mayor or immediate past Mayor and at least two other members of the Committee are in attendance.

1.3 Meeting frequency

The Committee will meet at least four times a year with authority to reschedule meetings or convene additional meetings as circumstances require.

1.4 Recruitment and Term of Independent Member

The independent member will be appointed by Council following a public process seeking Expressions of Interest from suitably qualified and experienced candidates to fill the position of independent member of the Committee.

The term of appointment will be two years, with the option of a further two, one-year terms or one, two-year term extension at the discretion of the Council.

1.5 Role of Independent Member

Duties of the independent member include:

- Actively participate in the Committee's annual review of the Chief Executive Officer's performance and development of a draft performance plan for the next 12-month period for consideration by Council.
- Provide advice and guidance to the Committee on any matter pertaining to the Chief Executive Officer's employment with Council.

1.6 Remuneration of Independent Member

The role of independent member will be remunerated as follows:

- (1) A sitting fee per meeting, together with reimbursement of travel costs (where applicable) in line with the ATO amount, will be paid to the independent member. The fee to be paid has regard for the specific roles and responsibilities of the independent member as set out in this policy.
- (2) The fee will be paid to the independent member immediately following his/her attendance at each of the four scheduled committee meetings; and
- (3) an additional fee will be paid to the independent member for every meeting of the Committee attended over and above the four meetings required each year.

2. ROLE AND FUNCTIONS OF THE COMMITTEE

The Committee's role is to assist and advise Council on matters pertaining to the employment of the Chief Executive Officer, including:

2.1 Recruitment of Chief Executive Officer

It is Council's role to appoint the CEO.

The Committee will assist Council by identifying and recommending a suitable person for appointment for Council's consideration. To achieve this, the Committee will undertake the following:

2.1.1 Recruitment Consultant

In accordance with Council's Procurement Policy and with the assistance of Council's Manager People, Performance and Culture, the Committee will seek and appoint a recognised Recruitment Consultant to manage the process of selecting a suitable candidate for the position of CEO.

2.1.2 CEO appointment framework

In consultation with the Recruitment Consultant, develop and seek Council's approval for an appointment framework that includes as a minimum:

- a candidate identification strategy (e.g. research, advertising, social media) and selection process and timeframe;
- proposed remuneration arrangements and conditions based on relevant industry benchmarks;
- key accountabilities of the role (i.e. succinct statements about the most important things on which the CEO will need to focus);
- key selection criteria against which applicants will be assessed;
- development of appropriate candidate material, in consultation with Manager People, Performance and Culture and the Recruitment Consultant; and
- proposed methodology for evaluation of applicants.

2.1.3 Long and short-listing of candidates

In conjunction with the Recruitment Consultant, the Committee will:

- Oversee the development of the candidate pool, providing feedback on the quality of candidates being identified.
- Review the Recruitment Consultant's report on the final candidate pool and determine which candidates will be long-listed for consideration by the Consultant and/or the Committee.
- In consultation with the Recruitment Consultant, prepare a report for Council on **all applications received** and **recommend the candidates that should be short-listed** for interview by the full Council.

2.1.4 Interviews

- All Councillors will be provided with the opportunity to be part of the interview process.

2.1.5 Preferred candidate

- Following identification of a preferred candidate by Council, with the support of the Recruitment Consultant negotiate terms and conditions within the general employment terms and conditions framework approved by Council.
- Through the Recruitment Consultant, ensure all candidates are regularly updated on the progress and ultimately the outcome of the process.
- With the assistance of Manager People, Performance and Culture, develop and recommend to Council an orientation and on-boarding program for the incoming CEO.

2.2 Framing remuneration and other contractual conditions of employment

The CEO remuneration package will be consistent with the principles of the Victorian Government Public Entity Executive Remuneration Policy, which stipulate that remuneration:

- should be fair and reasonable;
- should consider entity performance as well as Victorian fiscal and economic conditions;
- decisions should have regard to the financial performance of the entity, together with the fiscal and economic conditions of the state, reflected in the Victorian Government's wages policy as updated from time to time;
- should be competitive;
- should be set at a competitive level for the relevant market and sector, to attract and retain talented people;
- should not be the overriding factor in attracting and retaining executives, in recognition of the fact that there are a variety of non-financial benefits of public sector employment; and
- arrangements should be consistent and understandable to both the CEO and the public.

Remuneration arrangements will also have regard for prevailing practice within the sector. Key arrangements will be:

- Maximum term **contract** of employment for up to five years (can be less).
- Total remuneration package (includes salary, cost to employer of motor vehicle, superannuation and other employment benefits, all including associated Fringe Benefits Tax).
- A probationary period of not less than six months.
- Provisions for termination of contract by Council or the CEO.
- Unless specifically determined otherwise by Council, terms and conditions of the CEO's contract will generally be in accord with the Maddocks Lawyer's Senior Officer model contract as updated from time to time.
- No performance bonus arrangements will apply.

2.3 Determine the CEO's annual performance review framework

Council is responsible for working with the CEO to determine the CEO's annual performance criteria, assessing the CEO's performance against that criteria at least annually, and determining whether an adjustment to the CEO's remuneration or to any other contractual terms and conditions is appropriate.

To assist Council to fulfil its obligations in this respect, each year the Committee will develop a framework for Council's consideration through which the CEO's performance and remuneration will be reviewed. As a minimum, the framework will provide for the following:

- in consultation with the CEO, identify and agree on performance criteria that will be used to measure the CEO's performance for the next 12-month period;
- in consultation with the CEO, determine a personal and professional development plan for the CEO for the next 12-month period;
- review of the CEO's performance against the performance criteria;
- review of the CEO's remuneration package as a component of the annual review, having regard for expert advice on remuneration benchmarks from a recognised recruitment consultant and the provisions of the CEO's employment contract;
- through the Manager People, Performance and Culture, report annually to Council on the CEO's performance review to determine outcomes of the review process in relation to:
 - the CEO's performance against the performance criteria;
 - the performance criteria for the next 12-month review period; and
 - whether remuneration should be varied.

The framework will also observe the following principles:

- the CEO is aware of the performance review process to be undertaken;
- the CEO has an opportunity to submit a self-assessment performance report and to present that report to both the Committee and the full Councillor group;
- all Councillors are invited to provide feedback to the Committee in respect of the CEO's performance as measured against the performance criteria approved by Council;
- the CEO is provided with timely feedback on the outcomes of the Committee's review of his/her performance.

2.4 Determine the Chief Executive Officer's annual performance criteria, monitor performance and review remuneration

To assist Council to fulfil its obligations in this respect, in or around July each year and in accordance with the approved performance review framework, the Committee will undertake the following:

- review the CEO's performance against the adopted performance criteria and having regard for the provisions of the CEO's employment contract, form a view about whether remuneration should be varied;
- prepare draft performance criteria for the next review period for Council's consideration; and
- through the Manager People, Performance and Culture, report formally to Council on the CEO's performance review.

3. INDEPENDENT PROFESSIONAL ADVICE

Through the Manager People, Performance and Culture and in accordance with the provisions of Council's Procurement Policy, the Committee may obtain independent professional advice to help it discharge its obligations in respect of any matter dealt with in this Policy. This can be on any basis the Committee considers will deliver the best outcomes for Council, including:

- for a specified term (e.g. appointed for a 12-month term to assist the Committee to meet its obligations under this Policy); and/or
- for a specific purpose (e.g. to support the Committee's preparation of a draft performance review framework, or to undertake benchmarking in respect of the CEO's annual remuneration review).

Roles and Responsibilities

These management positions are responsible for implementation and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
Chief Executive Officer	Responsible for ensuring the Committee is provided with: <ul style="list-style-type: none"> • information and any necessary training for Committee members in relation to their responsibilities under the <i>Local Government Act 1989</i> and this Policy; • independent advice in respect of matters before the CEO Employment and Remuneration Committee; and • Administration and logistical support.
General Manager Business Excellence	Responsible for ensuring compliance with the requirements of this policy. Required to review and update the policy as required through the passing of time, changing circumstances or amendments to the Act or its successor legislation.
Manager People, Performance and Culture	Assist the Committee to discharge its responsibilities, as set out in this policy.

References and Supporting Documents

Chief Executive Officer's employment contract
 East Gippsland Shire Council Procurement Policy
Local Government Act 1989 and any successor Act
 Victorian Government Public Entity Executive Remuneration Policy

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with any matter pertaining to the Chief Executive Officers employment will be handled in accordance with all applicable privacy legislation and will be used only to assist Council to manage the recruitment, performance management and remuneration of the Chief Executive Officer.

The policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Definitions

Term	Meaning / Responsibility
Act	<i>Local Government Act 1989</i>
Chief Executive Officer or CEO	Person appointed Chief Executive Officer of East Gippsland Shire Council
Committee	The Chief Executive Officer Employment and Remuneration Committee appointed by Council
Contract	Chief Executive Officer's employment contract
Council	East Gippsland Shire Council
Councillors	Individuals publicly elected to service in the role of Councillor as defined by the Act
Independent member	<p>Appropriately qualified person engaged to act as the independent member of the Committee who is not a Councillor or officer of East Gippsland Shire Council. The independent member will have:</p> <ul style="list-style-type: none"> • demonstrated human resource management skills, senior business experience and/or local government experience and/or employment law background; • demonstrated ability in relation to performance management and development of Executive level staff; and • previous experience working with Executives, Governance bodies or Board Members in membership and/or facilitation roles. • Strong analytical skills.
Mayor	A Councillor elected by Council to perform the role of Mayor as defined in the Act.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
DRAFT		July 2019	Director Corporate		
Final Draft		August 2019	Committee		Minor changes as per Committee discussion for finalisation and presentation to Council
1	Approved	10/09/2019	Council	8217685	
2	Approved	20/10/2020	GM Business Excellence	8706359	Administrative change 'Immediate Past Mayor' to 'Deputy Mayor',

CEO Employment and Remuneration Policy
 Date approved: 20/10/2020
 Document owner: General Manager Business Excellence

Version number: 2
 Next review date: October 2022

5.4 Place and Community

5.4.1 Planning Application 340/2019/P - Multi lot subdivision, presumed loss of native vegetation and creation of a carriageway easement - 17 Forge Creek Road Eagle Point

Authorized by General Manager Place and Community

Conflict of Interest

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

Executive Summary

The purpose of this report is to present to the Council a recommendation to approve an application for subdivision at 17 Forge Creek Road Eagle Point following Planning Consultation Meetings conducted in August 2020 and October 2021. The application (available via hyperlinks in **Attachment 2**) was lodged in late 2019 and has been the subject of written objections (**Attachment 4**).

The Applicant has responded to a range of issues associated with the existing mature native vegetation and landscape context.

The proposal on balance is found to be consistent with the relevant provisions of the East Gippsland Planning Scheme and will achieve an outcome which provides for an additional supply of appropriately serviced residential land within an existing residential precinct of Eagle Point, zoned for residential purposes.

The recommendation is premised upon the inclusion of an extensive set of conditions to be included in the Notice of Decision to Grant a Permit as attached at **Attachment 1**.

The conditions include a requirement for upgrade of section of Woodman Road, retention of roadside vegetation in Forge Creek and Woodman Road, building envelopes to implement tree protection zones and provision of public infrastructure such as drainage and footpaths. Conditions are also imposed resulting from referral responses (**Attachment 3**).

The proposed subdivision is consistent with the principles established in the Eagle Point Structure Plan (June 2019) and specifically implementing the requirements identified therein which nominates the site as being of 'strategic significance'.

The application has been the subject of Planning Consultation Meetings conducted in August 2020 and October 2021. A copy of the Minutes is attached at **Attachments 5 and 6**.

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 340/2019/P at 17 Forge Creek Road Eagle Point for a multi-lot subdivision and removal of native vegetation 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 in accordance with the conditions at Attachment 1.*

Background

The matter currently before Council is a planning permit application 340/2019/P for a multi lot subdivision, to create 20 lots, loss of native vegetation and creation of a carriageway easement. The affected property is known as 17 Forge Creek Road which has an area of 2.3 hectares. The site has dual street frontages to Forge Creek and Woodman Roads. The site is currently vacant. Residential lots ranging from 650 square metres up to 7000 square metres range border the land on all sides, and each lot contains a single dwelling and associated outbuildings. The details of the planning permit application are attached at **Attachment 2**.

The subject land is zoned General Residential Zone 1, with several overlays including Design and Development Overlay – Schedule 11, Bushfire Management Overlay – Schedule 1, and Vegetation Protection Overlay Schedule 1. An assessment against Clause 56 (Subdivision) is provided as a part of the application documents.

The proposed application originally sought approval for a twenty lot (20) residential subdivision and removal of native vegetation.

The twenty (20) lot residential subdivision was as follows:

- Lots 1, 2, 9, 10, 11, 14, 15, and 16, directly front Woodman Road to the south, with lot sizes ranging from 809m² up to 1124m².
- Lots 17, 18, 19 and 20 front Forge Creek Road to the west, with lot sizes ranging from 936m² to 1830m².
- Lots 3, 4, 5, 6, 7 and 8 accessed via a new court created within the existing carriageway easement (E-2), with lots sizes ranging from 820m² up to 1257m².
- Lots 12 and 13, arranged in a battle-axe arrangement (behind lots 11 and 14) access from Woodman Road by two carriageway easements.
- Removal of 15 lower canopy to upper canopy trees.

There has since been a change to the configuration of the proposed lots and all the lots exceed 900 square metres as per the Eagle Point Draft Structure Plan. While the proposed number of lots remains the same, there is now inclusion of a Building Envelope on Lot 19 and Lot 20 as well retention of native vegetation on Lots 16, 19 and 20 except for removal of one (1) tree. In total only two trees will be removed from the subject site. Due to the Native Vegetation removal guidelines, all trees on the land will be offset. Retained trees of significance are proposed to be protected through a Section 173 Legal Agreement.

Following public notice, the application received 45 objections. The objections are provided at **Attachment 4**. The content of the objections is of a similar nature.

Subject Site and Surrounds

The subject land comprises of an irregular shaped measuring 2.3-hectare in size, abutted on two sides by Forge Creek Road and Woodman Road, both having sealed bitumen surfaces. A survey of the site shows that the topography is relatively flat with a fall of about 4 metres down from the southern boundary towards the northern boundary. Existing mid to upper canopy vegetation on the land is primarily located along the Forge Creek and Woodman Road verges, with a number scattered through the western end of the site.

The lot formed by Plan of Subdivision PS307157F is currently encumbered by three easements, two are for drainage and sewerage infrastructure, however the third is for a carriageway easement which forms a court at the eastern end of the property (designate E-2), culminating in Reserve number 1 (See figure 1).

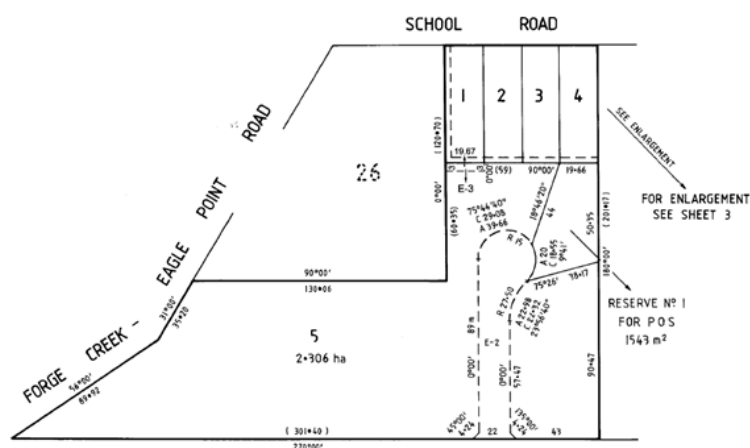


Figure 1 – Existing Plan of Subdivision for the subject site (PS307157F)

The land is surrounded by existing residential lots ranging in size from 650 square metres along Forge Creek and Woodman Roads, to larger lots ranging from 1250 square metres to 1.1 hectares along School and Eagle Point Roads (see figure 2). The site is located 250 metres from Eagle Point Primary School, and 900 metres from the Lake King foreshore. Shopping and other services are located an 8-minute drive to the Paynesville town centre and a 10-minute drive to the CBD of Bairnsdale.



Figure 2: Subject site and neighborhood context.

Land to the south of the subject land comprises numerous residential allotments created recently as part of the Eagle Bay Rise estate. The precinct is undergoing transition as these residential allotments are progressively developed with single storey detached dwellings. The southern side of Woodman Road is formalised with kerb and channel along the roadway and a separate footpath, whilst most other adjoining streets have no, or little formal footpath or kerb infrastructure (see figure 4).



Figure 3: Residential zoning pattern surrounding site which is shown in red (GRZ1 – Shown pink, LDRZ – shown orange, PPRZ – shown green)

Whilst Forge Creek Road is a major connector road, the second street interface with the site Woodman Road is a relatively short road terminating at a T-intersection with Eagle Point Road. The proposed subdivision plan, shown overlayed on an aerial photo is shown below. Four (4) lots are accessible from Forge Creek Road, the remainder are reliant on direct, or indirect access to Woodman Road (see figure 4).

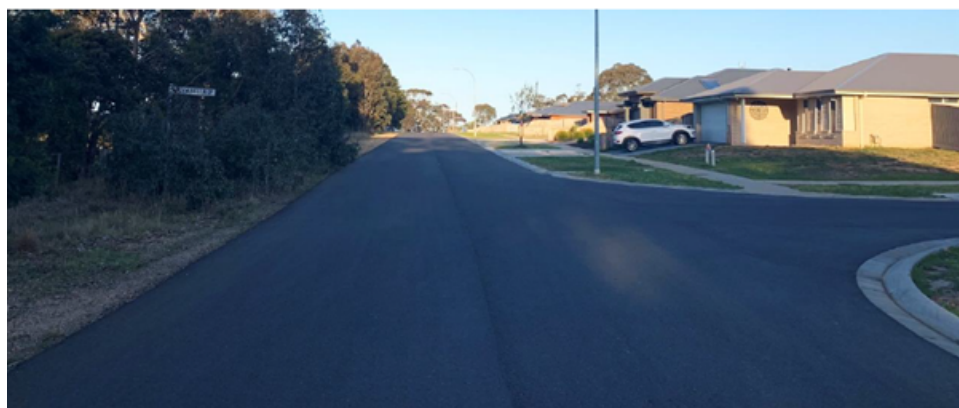


Figure 4: Woodman Road upgraded surface finish, pedestrian, and drainage infrastructure



Figure 5: Forge Creek and Woodman Road intersection

The revised proposal seeks approval for:

A twenty (20) lot residential subdivision as follows:

- a. Lots 1, 2, 9, 10, 11, 14, 15, and 16, directly front Woodman Road to the south, with lot sizes ranging from 930 square metres up to 1184 square metres.
- b. Lots 17, 18, 19 and 20 front Forge Creek Road to the west, with lot sizes ranging from 1413 square metres to 1693 square metres.
- c. Lots 3, 4, 5, 6, 7 and 8 accessed via a new court created within the existing carriageway easement (E-2), with lots sizes ranging from 921 square metres up to 1112 square metres.
- d. Lots 12 and 13, arranged in a battle-axe arrangement (behind lots 11 and 14) access from Woodman Street by two carriageway easements.
- e. Removal of 0.268 Hectares of native vegetation including a 0.098 Hectares patch of native vegetation including 1 large tree located on Lot 11 as well as 1 tree located on Lot 20.

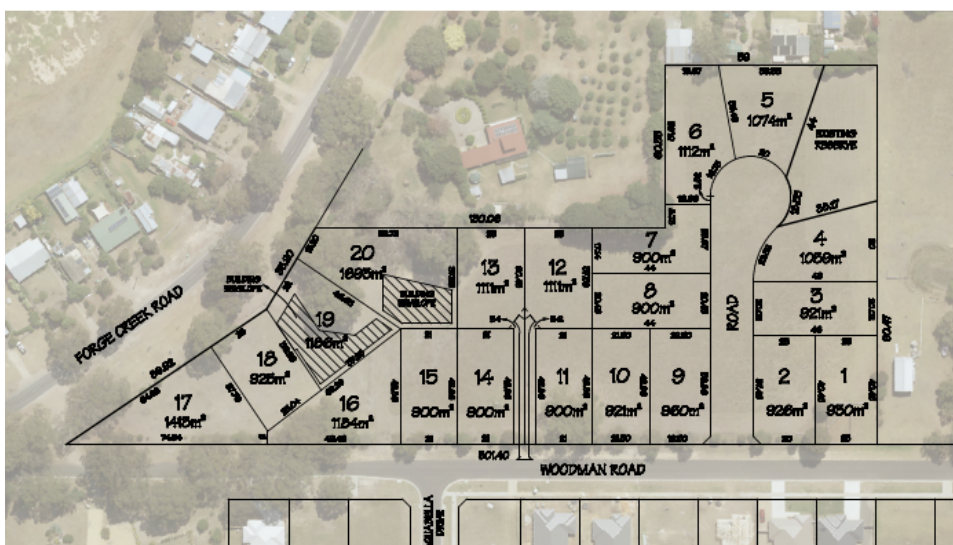


Figure 6: proposed Plan of subdivision (Ref 18469, version 4 – 30/03/21)



Figure 7: Plan of trees to be removed (shown red)
 (Please note that only one tree is now proposed to be removed from Lot 20 and both the trees on Lot 16 will be retained. A Revised Vegetation Management Plan indicating the trees to be removed will be requested as a part of Condition 1 plans)

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 proposal has been assessed in accordance with the provisions of the Planning and Environment Act 1987.

East Gippsland Planning Scheme

Planning policy relating to the proposal seeks to:

- Develop appropriately zoned and serviced land.
- Protect residential amenity and respect neighbourhood character.
- Protect environmental features of significance and ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
- Ensure that human life and property is not placed at an unacceptable level of risk.

The Planning Policy and Local Planning Policy Frameworks

Clause 11.01-1R seeks to support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed. Clause 11.03-3S seeks to manage growth in peri-urban areas to protect and enhance their identified valued attributes. The relevant strategies include supporting the continuing role of towns and small settlements in providing services to their districts, recognizing their relationships and dependencies with larger towns as well as Identify and protect areas that are strategically important for the environment, biodiversity, and agriculture etc.

Clause 21.03 further details out the local context in terms of Clause 11 The proposed subdivision responds positively to Clause 11 relating to Settlement as it will result in creating opportunities for future residential development to occur on suitably zoned land which is able to be serviced appropriately. They also focus upon best use of the community's investment in urban infrastructure and to provide support for community and commercial services. The relevant strategies in the context of Bairnsdale pertain to provision of a range of lot sizes and dwelling types to provide diversity and choice in new residential areas.

Clause 12.01-1S pertaining to *Protection of Biodiversity* seeks to assist with the protection and conservation of Victoria's Biodiversity. The relevant strategies pertaining to this objective relate to identifying critical areas of biodiversity, conservation of biodiversity and ensuring that decision making considers land use and development on Victoria's biodiversity. Clause 12.01-2S seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. In terms of the relevant strategies, it seeks to ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017). i.e., to Avoid the removal, destruction or lopping of native vegetation, minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided as well as provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Clause 21.04 seeks to provide further support to the larger objective of conserving biodiversity and minimizing the loss of native vegetation. Specifically, it seeks to focus upon maintaining, conserving, and enhancing the biodiversity of East Gippsland as well as ensuring that development is sympathetic to character of the area and preserves its aesthetic values as well. Ensure that development in significant landscape areas is designed and implemented in a way that is sympathetic to character of the area and preserves its aesthetic values.

The applicant has undertaken a habitat assessment for Growling Grass Frog (18 and 19 March 2021) to appropriately address the provisions of Clause 12.01-1S as well as Clause 21.04. The farm dam within the study area supports varying levels of fringing, submergent and floating vegetation (Plate 3 and 4) and is located on farmland and surrounded by pasture grass and is isolated from any source waterbodies or streams where frogs can disperse into the study area. Consequently, due to the limited suitability of habitat within the study area, an absence of connectivity to other water sources, the dam on the property provides suboptimal habitat for Growling Grass Frog.

There have been five documented records of Growling Grass Frog within 10 kilometers of the study area, with the most recent being nearly 40 years ago (1982) along Rivermouth Road, approximately 3.7 kilometers northeast of the study area (Figure 2) (DELWP 2020). Based on the targeted survey results and the fact that Growling Grass Frog was not detected within the study area despite suitable survey conditions during the species' active period, the removal of the dam associated with the proposed residential subdivision is not likely to impact the species or habitats, and therefore there are no implications under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, the State Flora and Fauna Guarantee Act 1988 or provisions under the local planning scheme.

The objective pertaining to Clause 13.02-1S and Clause 21.05-3 relating to Bushfire Planning seek to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritizes protection of human life. The relevant strategies pertaining to Bushfire seek to give priority to the protection of human life by prioritizing the protection of human life over all other policy considerations, directing population growth and development to low-risk locations, and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

Clause 15.01-2S seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm. The relevant strategies focus upon ensuring development provides safe access and egress for pedestrians, cyclists, and vehicles, ensuring development provides landscaping that responds to its site context, enhances the built form, and creates safe and attractive spaces as well as encourage development to retain existing vegetation.

Clause 15.01-3S seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse, and sustainable neighborhoods. The relevant strategies in this instance are creating compact neighborhoods that have walkable distances between activities, providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of diverse groups of people, protecting and enhancing native habitat as well as creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management. Clause 21.08-1 seeks to cater for the housing needs and preferences of all segments of the community. The relevant strategies focus upon encouraging the supply of elderly people's housing in the main centers and facilitate development of community housing as well as support expansion of housing and support services for young people

Clause 16.01-1S seeks to facilitate well-located, integrated, and diverse housing that meets community needs. The relevant strategies seek to ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing as well as increase the proportion of housing in designated locations in established urban areas (including under-utilized urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas. Clause 21.08 focusses upon catering for the housing needs and preferences of all segments of the community as well as encouraging development of East Gippsland as a retirement destination and supporting expansion of housing and support services for young people.

The objectives pertaining to Clause 21.12 pertaining to Eagle Point seek to enhance the character and setting of Eagle Point, create a community focal point and reinforce the town's identity as well as protect and enhance the natural environment of the area, including the Lakes system. The specific strategies relate to ensuring the development of Eagle Point occurs generally in accordance with the Eagle Point Strategy Plan, Retain the low intensity character of development, Encourage the retention of the Gippsland Redgum throughout the township as well as contain low density residential development within existing zoned areas. The applicant has proposed lots between 0.08 Hectares to 0.18 Hectares which will be in line with the existing low density residential character as well future preferred character. The lots are of appropriate size which will help in increasing the housing density as well as housing affordability options for residents around Eagle Point Area. The applicant has also demonstrated that most existing vegetation including mature trees (Gippsland Redgum) will be retained on site keeping in line with larger objective of retention of existing native vegetation as per the Eagle Point Structure Plan.

General Residential Zone (Schedule 1)

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighborhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The subject land is currently a large residential allotment in the context of the precinct. Allotments have been designed to complement the surrounding pattern of subdivision, and to provide access and egress from the subject land to the adjoining main entry and exit point for the Eagle Point township of both Forge Creek Road to the west and Eagle Point Road to the east. The proposed subdivision responds positively to the purpose of the General Residential Zone as it will create vacant residential allotments that will provide for housing growth respectful of the neighborhood character in an appropriate location. The proposed subdivision will further contribute to the diversity of lot sizes and future styles of housing within the neighborhood while also making better use of serviced residential land supported by community infrastructure within a direct and nearby distance to the subject land.

The design and location of the proposed subdivision respects the residential character of the neighborhood and can be easily integrated within the existing neighborhood and streetscape. A Clause 56 assessment has been provided with the supported documentation which has been found compliant with the provisions. The Eagle Point Structure Plan specifically states that the Lot size for new residential subdivision within Eagle Point is to vary in size from 900 square metres in area to 2000 square metres in area. Whilst the previous scheme of subdivision provided an average Lot size of 1,153 square metres in area, Lots 7-11 (inclusive) and Lots 14 & 15 were below 900 square metres in area. The amended layout therefore seeks to ensure that the proposed allotments accord with the desires of the Eagle Point Structure Plan by enhancing the area of the smaller allotments to 900 square metres in area.

It is noted that the subdivision design accords with the desired outcome for this location as it responds appropriately to the Eagle Point Structure Plan as adopted by the Council on 6 August 2019 which anticipates future growth within the subject land. Not only is subdivision of this lot an expected strategic outcome, but it also has access to a full range of reticulated services and is positioned in an 'in town' location which makes it ideal for residential development.

Thus, it can be ascertained that the proposed subdivision is an appropriate outcome in terms of zoning.

Design and Development Overlay – Schedule 11

Permit requirement

A permit is required to subdivide land as per Clause 43.02-2.

Design objectives

- To protect and manage the township character of coastal settlements.
- To ensure that new development is designed to minimize visual impacts on the natural landscape.
- To ensure that new development is visually and physically integrated with the site and surrounding landscape.
- To protect the vegetated character of the landscape, particularly where it is a dominant visual and environmental feature.

Key Decision Guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape, or the area.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape, or the area.
- Any other matters specified in a schedule to this overlay

Subdivision (Schedule 11)

In relation to a proposed subdivision:

- The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land, and activity areas such as commercial or community precincts, recreation areas or foreshore areas.
- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.
- Whether the potential for wildlife corridors through the area has been retained or created by limiting fencing and maintaining indigenous and native vegetation.
- The provision for water sensitive urban design.
- Provision in the design for the impact of coastal processes (the impacts from wind, waves, floods, storms, tides, erosion) on foreshore areas.
- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.
- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

The proposal will provide infill development within an existing residential precinct which has access to a full range of reticulated services and capacity to cater for future residential development. The presence of the layout of the proposed subdivision will respond appropriately to the surrounding allotment pattern, with each allotment provided with access to Forge Creek Road as well as Woodman Road and will assist in creating a compact neighborhood that will have walkable distances between activities and provide a range of lot sizes to suit a variety of dwelling and household types.

The amended proposal also sufficiently demonstrates that a balance between protecting and enhancing native habitat as well as providing water sensitive design utilities and services is achieved. Future development of proposed lots will need to have consideration for the Design and Development Overlay; however, the generous size of the allotments, retainment of majority of native significant vegetation will provide an ample opportunity for future development that appropriately responds to the design objectives.

Bushfire Management Overlay (Schedule 1)

Permit requirement

Under this Overlay a permit is required to subdivide land.

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Key Decision Guidelines:

General issues

- Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:
 - o The Municipal Planning Strategy and the Planning Policy Framework.
 - o Any other matters specified in a schedule to this overlay.

Subdivision

- Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all the bushfire protection measures in this schedule have been met.

The applicant has nominated building envelopes on the proposed lots including Lot 19 as well as Lot 20 to ensure defensible space and access requirements are met. The revised proposal seeks to strike a balance between the biodiversity values of the existing mature vegetation contained on the western portion of the property and the controls of the Bushfire Management Overlay which apply to the northern portion of the land. The nomination of Building Envelopes on proposed Lots 19 & 20 will further ensure that any future development and existing on-site vegetation will be appropriately managed in terms of bushfire risk.

In terms of detail of the Bushfire Management Plan the Building Envelope on Lot 20 will have the notation under the vegetation management requirements modified to state the following i.e., "the canopy of trees must be separated by at least 5.0 metres". It is considered reasonable to remove this notation as the site is provided with good separation from classifiable vegetation and does not have a direct connection through continuous canopy cover given the managed nature of the surrounding area. The Bushfire Management Plan also indicates that a new fire hydrant will be nominated within the new section of road being within 120 metres of the rear of proposed Lot 7. In terms of any future dwelling on site, the proposed dwelling must meet all the requirements set out in Schedule 1 of Bushfire Management Overlay. The proposed subdivision is an appropriate outcome in terms of the Bushfire Management Overlay, as Bushfire Management Plan has been prepared by the applicant to ensure any future development on site is managed in an appropriate manner and the bushfire risk is minimized.

The amended proposal has been referred to CFA and awaiting their comments in terms of the Bushfire Management Plan provided by the applicant, but it is most likely that they will provide consent citing their previous two referral responses and agreeing to the proposal in principle. Therefore, considering the above, it can be inferred the proposal is a suitable outcome in terms of balancing defensible space requirements, access requirements as well as minimizing bushfire risk.

Vegetation Protection Overlay (Schedule 1) and Native Vegetation Provisions

Permit requirement

A permit is required to remove, destroy, or lop any vegetation specified in a schedule to this overlay.

A permit is required to remove, destroy, or lop native vegetation, including dead native vegetation.

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of significant vegetation.
- Avoid the removal, destruction or lopping of native vegetation.
- Minimize impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy, or lop native vegetation.
- To ensure that development minimizes loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognize 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.

Key Decision Guidelines:

Overlay

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay

Schedule 1

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the vegetation sought to be removed or cleared contributes towards the need to:
 1. Conserve and enhance areas of high conservation value roadside vegetation.
 2. Conserve and enhance fauna habitat and habitat corridors.
 3. Protect and enhance the visual amenity and landscape quality in areas of natural beauty and rural areas.
- The need to assess alternative options regarding the removal of vegetation to better achieve the Overlay objectives.
- The need to undertake revegetation with appropriate indigenous species to offset any loss of environmental values resulting from the works or development.
- The need to have regard to the Roadside Management Plan, (East Gippsland Shire Council, 1995) and as updated from time to time.

The revised proposal seeks to strike a balance between the biodiversity values of the existing mature vegetation contained on the western portion of the property and the controls of the Bushfire Management Overlay which apply to the northern portion of the land. The amended proposal seeks to now remove 0.268 hectares of native vegetation, comprising of 0.098 hectares of patch native vegetation including 1 large tree, and 1 scattered tree with a strategic biodiversity value of 0.220. In terms of adherence to Native Vegetation objectives, the applicant has demonstrated an approach of “avoid, minimise offset” by ensuring majority of the significant native trees except for one, are retained on the site. Offset credits will be required for the trees including 1 large tree at Lot 11 to appropriately compensate for the biodiversity impact on the subject site as a result of the removal of the said tree.

The amended proposal was referred to DELWP who have provided consent to the proposal in principle including requirement of third party offset credits. It is noted that Building Envelopes have been nominated on proposed Lots 19 & 20 will ensure that the placement of future residential development will not unnecessarily trigger the physical removal of site vegetation. It is acknowledged however that the vegetation offsets will still be provided to accommodate 'presumed loss' given the allotments created will become less than 4000m² in area.

It is noted that the Council is currently engaging with the applicant to ensure that the existing mature tree at Lot 16 is also retained on site as a result of the concerns raised by the objectors at the PCM meeting conducted on 05 October 2021. Concerns were also raised in relation to existing large tree on Lot 11 but given the location of the tree it is understood that the proposed development on that lot will be constrained and out of character than the rest of surrounding allotments if the tree is to be retained on site. As detailed above, offset credits therefore will be requested in lieu of the large tree. This is therefore considered an appropriate outcome in terms of striking a balance between protecting existing mature vegetation as well as ensuring infill development in an area zoned for residential development. A revised Vegetation Removal Plan as well as additional information required by DELWP will be requested as a condition on the recommendation for approval for a Planning Permit.

It can therefore be reasonably ascertained that the amended proposal is an appropriate outcome in terms of Vegetation Protection Overlay, Schedule 1.

Clause 52.02 - Easements, Restrictions and Reserves

The purpose of this clause is to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

The proposal includes the creation of two carriageway easements to provide access from Woodman Road to Proposed Lots 12 and 13. Each four metres in width, the proposed carriageway easements will facilitate shared access to the sequestered allotments, with a shared driveway to be constructed centrally within the easement corridor. The proposed width of the combined easement area provides an opportunity for landscaping adjoining the shared driveway, which will assist in providing a sense of arrival to the sequestered lots.

Though the proposal was advertised, and multiple objections were received, the objectors did not raise concern with the proposed carriageway easements to provide access to the lots in question. Therefore, it is considered appropriate to support the creation of carriageway easements in this instance.

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must contribute to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial, or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Public Open Space Contribution has already been charged for the previous subdivision in this instance. Therefore, there will be no further requirement for Public Open Space contribution.

Clause 65 – Decision Guidelines

The consideration of the proposal, in summary, for a proposal for subdivision and development includes:

- a. The proposed subdivision is consistent with the Eagle Point Draft Structure Plan.
- b. The proposed subdivision is consistent with the prevailing neighborhood character for the General residential zone area of this locality.
- c. The proposed subdivision is consistent with the planning policy framework relating to neighborhood character at clause 15.01-5S; and
- d. The proposed subdivision appropriately responds to the local planning policy framework at clause 21.12-2, Eagle Point Strategy Plan, particularly in relation to landscape and environmental values and character of the area.
- e. The proposed subdivision appropriately strikes a balance between the environmental values including protection of biodiversity and protection of existing mature vegetation as well as the Bushfire Protection measures including defensible space provisions.

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

As the application has more than 10 objections, the matter has been reported to Council for consideration and determination pursuant to Council's Planning Permit Application Delegations Policy 2018.

Options

The matter must be determined by Council. The options available for a recommendation include:

1. Recommendation for approval, subject to conditions.
2. Recommendation for refusal, subject to specific grounds for refusal.

Council officers recommend approval of the application based on the amended proposal and its consistency with the prevailing neighbourhood character, Planning Policy Framework and Local Planning Policy Framework, zoning and overlays as well as Eagle Point Structure Plan.

Resourcing

Financial

The assessment of the planning permit application is subject to standard statutory fees which contribute to cost recovery.

Plant and equipment

Nil resources required outside standard working equipment.

Human Resources

The application assessment is undertaken by staff in the planning team.

Risk

The risks of this proposal have been considered and there is limited organizational assessed risk outside the typical planning assessment process.

Economic

It could be considered that the proposal will provide further opportunities for housing affordability as well as housing diversity through an increase in provision of lots for housing.

Social

Despite the proposal receiving 46 objections, it is argued that as a result of the amended proposal there will be limited adverse impact on community infrastructure, amount of traffic, noise, and the creation of related amenity impacts on the surrounding neighbourhood as mentioned.

Environmental

The applicant has demonstrated that majority of the existing vegetation including mature trees (Gippsland Redgum) will be retained on site keeping in line with larger objective of retention of existing native vegetation as per the Eagle Point Structure Plan. There were also concerns raised in relation to Growling Grass Habitat existing on the subject site. The applicant has submitted a report prepared by "Ecology and Heritage Partners Pty Ltd dated March 2021 which makes the following observations in relation to the Growling Grass Habitat.

".....due to the limited suitability of habitat within the study area, an absence of connectivity to other water sources, the dam on the property provides suboptimal habitat for Growling Grass Frog.

There have been five documented records of Growling Grass Frog within 10 kilometers of the study area, with the most recent being nearly 40 years ago (1982) along Rivermouth Road, approximately 3.7 kilometers northeast of the study area (Figure 2) (DELWP 2020). Based on the targeted survey results and the fact that Growling Grass Frog was not detected within the study area despite suitable survey conditions during the species' active period, the removal of the dam associated with the proposed residential subdivision is not likely to impact the species or habitats.....".

The documentation was also referred to DELWP who have indicated no concerns with the observations recorded in the report. Therefore, it is established that the proposal is an appropriate outcome in terms of compliance with the Environmental objectives.

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

Following public notice, the application received 46 objections. The objections are provided at **Attachment 4**. The content of the objections is of a similar nature.

The summarised grounds of objection are listed below with officer comments.

Increase lot density is an overdevelopment, not in accordance with neighbourhood/subdivision character or area.

The Local Planning Policy framework focuses upon enhancing the character and setting of Eagle Point as well as protecting and enhancing the natural environment of the area, including the Lakes system. The relevant strategies seek to encourage the retention of the Gippsland Redgum throughout the township, containment of low-density residential development within existing zoned areas, ensure that all new subdivisions and development incorporate satisfactory waste disposal and storm water management with the utilization of water sensitive urban design techniques as well as ensure the retention of indigenous vegetation in all new development areas. The Eagle Point Draft Structure Plan lends further support to the Local Planning Policy framework by identifying Woodman Road as a key location to be further developed for residential development.

Whilst the proposed lot sizes ranging between 900 square metres to 1693 square metres, are smaller than the existing lots in the low-density residential area to the south-west, they are in line with the subdivision pattern of the newer development to the south. The proposed subdivision will also provide varied housing density and housing affordability options for future residents including increased retirement housing options in line with the strategies identified for Eagle Point as a part of Local Planning Policy Framework.

The applicant has also submitted updated "Design Response Plan (Dated 23/08/2021)" which indicates retention of majority of existing redgums on the subject site especially along Forge Creek Road frontage as well as inclusion of Building Envelopes which will be in line with the objective of retention of significant vegetation. A Section 173 Agreement pertaining to the protection of existing trees will be included in the draft conditions to further ensure the existing native vegetation is retained as a part of the proposed subdivision.

Loss of property value due to more intensive small lots.

Provision of an additional 20 lots for an upcoming residential area with preferred low-density character such as Eagle Point will help in providing opportunities for the housing diversity and housing affordability options in accordance with the Planning Policies as well as Local Planning Policies. The subject site is zoned General Residential and relatively smaller sized lots than the existing lots located southwest of the subject site will have a minimal impact on the property value for established dwellings on surrounding lots.

Traffic Impacts, including risk to pedestrians, and loss of on street parking.

The application was initially referred to the Council's Senior Technical Officer who provided the following comments pertaining to the requirement of Traffic Assessment Report:

"The projected traffic figures 18 x10 movements per lot =180 vpd on Woodman Road, a road carrying approx.1000vpd (18% increase) naturally triggers the requirement for a Traffic Impact Assessment Report (TIAR) which must be prepared by a suitably qualified Traffic Engineer and be submitted to and be approved by the Responsible Authority."

Detailed information about aspects such as estimated traffic volumes, proposed road closures, impact of staged development, pedestrian and cyclist movements, entry to and egress from the development as well as recommendations for appropriate mitigating works was also sought as a part of the "Traffic Impact Assessment Report."

The applicant subsequently submitted a "Traffic Impact Assessment Report (TIAR)" (prepared by One Mile Grid Engineering, dated 28 May 2020) to address traffic issues. The TIAR concludes that the proposed subdivision is designed appropriately, in accordance with the relevant design standards. For assessment purposes, the future residential development is conservatively projected to generate 140 daily and 14 peak-hour vehicle movements. The additional traffic will have no material impact on the operation of Woodman Road / Forge Creek Road intersection, which will remain operating under existing conditions. It also concludes the traffic generated by future development itself will approach the estimated capacity for the reduced width section of Woodman Road, though this remains just under the threshold for a two-way carriageway.

The Council's technical staff have subsequently amended their response to indicate the following:

"..... though the Traffic Impact Assessment Report is non-conforming with IDM standards (as it adopts generation of 7 movements per day traffic per each lot) and does not adopt the IDM's 10 vehicles per day per lot, the additional 3 vehicles per day as required by the IDM is not fatal in terms of turning movements or queuing times (average delays) in the morning and afternoon to make the proposed subdivision unacceptable".

The Council Officers as well as Senior Technical Officer are of the understanding that the Traffic Assessment Report relies on traffic movements in an ideal condition and further detail regarding Woodman Road intersection is required to ensure concerns pertaining to traffic are addressed in an appropriate manner. A subsequent discussion was held with the applicant considering the concerns raised above. A response addressing an appropriate reconfigured intersection treatment for Woodman Road, stop sign and traffic calming measures to ensure the speed along Woodman Road is controlled has been submitted by the applicant. It is discussed in detail in "Vehicle Sightlines and proposed crossovers to Forge Creek Road" section of the report.

Loss of vegetation from site (including mature Redgums).

The applicant had initially provided a Vegetation Removal Plan, which indicated removal of two scattered trees located within the southern portion of the subject land, and a patch of vegetation to the north-west of the site. It is noted that the removal of planted vegetation within four metres of the property boundary is exempt from the requirement to obtain a Planning Permit, in accordance with the Table of exemptions at Clause 52.17-7.

Significant concerns regarding loss of mature vegetation including native vegetation were raised by the objectors as well as Planning Officers handling the proposal at that time. The applicant has subsequently amended the design for the proposed subdivision to appropriately address the principle of "Avoid, minimize, offset" for native vegetation. The applicant has submitted updated "Design Response Plan" (Version 2 – Dated 30/03/2021) demonstrating majority of the trees on the subject site will be retained including mature Redgums along Forge Creek Road frontage. The applicant has also proposed a Building Envelope for Lots 19 and 20 to further support the Vegetation Management Plan to ensure the future dwellings are accommodated to a particular section of the site while the existing mature Tree "A" and Tree "B" are retained on the site. Additionally, though the third party offset credits for the remaining eight trees (8) will be paid, the applicant has indicated the remaining trees can be conserved and managed on site with pruning. The revised proposal thus seeks to strike a balance between the biodiversity values of the existing vegetation contained on the western portion of the property and the controls of the Bushfire Management Overlay which apply to the northern portion of the land.

The applicant has also provided an Amended Bushfire Management Plan (Version 2, Dated 30/03/2021) to show the Building Envelope on Lot 20 and to remove reference to the notation under the vegetation management requirements which states "the canopy of trees must be separated by at least 5.0 metres". The applicant contends it is reasonable to remove this notation as the site is provided with good separation from classifiable vegetation and does not have a direct connection through continuous canopy cover given the managed nature of the surrounding area. The Bushfire Management Plan was referred to CFA who have reviewed the information and have provided consent to the proposal in principle. It is noted that a further revision to the Bushfire Management Plan (Ref: 18469, Dated 25 August 2021) detailing the bushfire protection measures has been submitted by the applicant which is awaiting a response from CFA.

Furthermore, A Section 173 Agreement will be included as one of the draft conditions to ensure the remainder of the trees (8 in number) as well as any other native vegetation is still retained on site in line with the larger objectives of "protecting significant vegetation" on site.

Increase intensity of lots creating amenity and noise impacts to abutting properties.

Noise emissions for residential properties are subject to control by the Environmental Protection Agency guidelines. The area is currently designated for residential use, and it is considered that reasonable noise emissions in line with as of right residential uses should not create unreasonable impacts to surrounding properties. Uses other than those as of right within a residential zone will be subject to further planning approval.

Impact on local wildlife and its habitat on site, including from increase light pollution from dwellings.

Significant concerns were raised by the objectors regarding the presence of potential local habitat within the study area in the form of an existing small dam. The council's Planning Department has made the following remarks in relation to the concerns raised by the objectors.

"It is recommended that an initial study of the area be carried out by an expertise to establish if the proposed subdivision would have any impact on fauna (Growling Grass Frog) habitat; namely the old pond in the Existing Reserve and surrounds."

To address the concerns raised by the objectors as well as further information in the above context sought by the Planning Officers, the applicant has undertaken a habitat assessment for Growling Grass Frog (18 and 19 March 2021). The Report seeks to appropriately address the provisions of Clause 12.01-1S as well as Clause 21.04.

The farm dam within the study area supports varying levels of fringing, submergent and floating vegetation (Plate 3 and 4) and is located on farmland and surrounded by pasture grass and is isolated from any source waterbodies or streams where frogs can disperse into the study area. Consequently, due to the limited suitability of habitat within the study area, an absence of connectivity to other water sources, the dam on the property provides suboptimal habitat for Growling Grass Frog. There have been five documented records of Growling Grass Frog within 10 kilometers of the study area, with the most recent being nearly 40 years ago (1982) along Rivermouth Road, approximately 3.7 kilometers northeast of the study area (Figure 2) (DELWP 2020).

The report concludes that based on the targeted survey results and the fact that Growling Grass Frog was not detected within the study area despite suitable survey conditions during the species' active period, the removal of the dam associated with the proposed residential subdivision is not likely to impact the species or habitats, and therefore there are no implications under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, the State Flora and Fauna Guarantee Act 1988 or provisions under the local planning scheme. The Documentation was also referred to DELWP who have raised no concerns in relation to the submitted information prepared by "Ecology and Heritage Partners Pvt Ltd dated March 2021". Therefore, it is considered that there will be minimal impact on the local wildlife and habitat if any as a result of the proposed subdivision.

Impact on cultural heritage existing onsite (CHMP).

A cultural heritage management plan has been prepared for the subject site and to mitigate any risk the activity may pose to cultural heritage values. The CHMP management conditions developed in consultation with GLAWAC will be put on the approved Permit.

Impacts/change in hydrology of underground water flows.

Overloading of existing stormwater/sewerage systems.

Significant concerns have been raised by the objectors in relation to overloading of existing stormwater/ sewerage systems. The council's Engineering Department had provided the following initial comments in relation to existing stormwater/ sewerage system in the area

"In consideration of the significant drainage issues and community concern in this area of Eagle Point, and before Engineering will further consider this application, a Storm Water Management Strategy Report must be prepared by an appropriately qualified Drainage Consultant and must be submitted to Council's Planning and Development department for approval as a request for further information."

The applicant has submitted "Drainage Strategy Plans" (2275.002.B) and additional details in response to Council's Engineering Department initial response including pipe sizes, i.e., for 375mm dia. to outfall to the 3 road reserves of Woodman Road, Forge Creek Road and School Road. The "Storm Water Drainage Report" prepared by CROSSCO P/L has been reviewed, including the proposed three rain gardens and provision of 6,000litre rainwater tanks on each lot for flushing of toilets etc. The submitted information has been reviewed and is considered compliant with the proposed subdivision's drainage treatment. Conditions pertaining to Clause 53.18 requirements and WSUD requirements including a requirement for MUSIC Storm Water Modelling assessment of the storm water will ensure the Stormwater Drainage and sewerage issues are appropriately addressed as a part of the proposed subdivision.

Impact on established street trees, vehicle sightlines and streetscape character due to crossovers proposed to Forge Creek Road.

The previous PCM report had indicated that impacts to the trees within the road verge along Forge Creek Road from any crossover would be subject to permit conditions to minimize impacts to these trees, whilst providing a suitable egress for future occupiers of the lots.

The applicant has submitted further information to appropriately address the issues raised by Objectors regarding the intersection of Woodman Road and Forge Creek Road. They have indicated safety of the intersection along Woodman Road can be achieved by a slight modification to the alignment of Woodman Road. Reorientation of the westernmost section of the road to achieve a T intersection with Forge Creek Road is suggested as a part of the response.

In terms of detail of the traffic improvement measures suggested, a realignment to Woodman Road, utilizing an existing gap in roadside vegetation, will achieve a right-angled intersection, providing strong sight lines in each direction along Forge Creek Road. This minor modification would substantially improve the safe and efficient function of the existing intersection. The location for the proposed realignment will ensure there is minimum impact on the significant large trees within the road reserve. As per the submitted documentation, only one single small tree may need to be removed to facilitate the intersection, or likely to have its Tree Protection Zone impacted to an extent that the tree would be presumed lost.

In addition to the above, the applicant has suggested a condition can be also placed on the Planning Permit requiring a financial contribution to the improvement of the intersection, as it will deliver benefits to future purchasers of the proposed allotments and to the broader community. Appropriate traffic calming devices such as signage, line marking, and if deemed necessary, traffic islands will further ensure the concerns raised earlier by the objectors as well as Council Officers are suitably addressed.

Attachments

1. Proposed Permit Conditions [5.4.1.1 - 10 pages]
2. Application Documents Link [5.4.1.2 - 1 page]
3. Referral Responses - 17 Forge Creek Road Eagle Point [5.4.1.3 - 9 pages]
4. Objections (redacted) [5.4.1.4 - 1 page]
5. Minutes of the PCM 24 August 2020 340.2019. P 17 Forge Creek Road EAGLE POINT [5.4.1.5 - 3 pages]
6. Minutes of the PCM 11 October 2021 340.2019. P 17 Forge Creek Road EAGLE POINT [5.4.1.6 - 4 pages]

340/2019/P - 17 Forge Creek Road EAGLE POINT
 Lot 5 PS 307157 - Multi lot subdivision, presumed loss of native
 vegetation and creation of a carriageway easement

1. Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans 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 then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application/other specified plans but modified to show:
 - a) An amended Vegetation Removal, Management and tree protection plan, drawn to scale with dimensions and geo references (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 and protected within the land and road reserves.
 - iv. the location and dimensions of vehicle accessways to provide access from existing roads to the new allotments.
 - v. details of how native vegetation to be retained within adjoining road reserves will be protected from any adverse impacts during the construction of driveway crossovers to the new allotments, which must include tree and vegetation protection zones for native trees to be retained. Tree protection zones must accord with AS 4970-2009 Protection of Trees on Development Sites.

2. Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning & Environment Act 1987, which will provide that:
 - a) Vegetation is to be protected in accordance with the endorsed tree protection plan for Lots 16, 19 and 20.
 - b) Buildings and works and construction of structures must not be undertaken outside of the specified building envelopes without the written consent of the Responsible Authority:
 - c) Any works undertaken on Lots 16, 19 and 20 must be only undertaken in accordance with an approved tree protection plan.
 - d) Except for those trees shown on the Vegetation Removal plan as to be removed, no tree or native vegetation may be removed, destroyed or lopped without the written consent of the Responsible Authority.

- e) Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 6,000 litres; and
- f) The rainwater tank must collect rainwater runoff from the roof of the dwelling; and
- g) 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.

This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority must be borne by the owner of the land.

- 3. The plan of subdivision submitted for certification must be generally consistent with endorsed plans and must not otherwise be altered without the prior written consent of the Responsible Authority.
- 4. The owner of the land must enter into an agreement with:
 - A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 6. All new services to the subdivision must be placed underground in shared trenching. Design for the installation of services must meet the requirements of the relevant authorities and must be approved by those authorities to the satisfaction of the responsible authority.
- 7) Before the Issue of a 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.

- 8) Before the Issue of Statement of Compliance each lot as shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority.
- 9) Before any works associated with the subdivision start, detailed drainage management 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 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 (where required and as appropriate to the site), including kerb and channel and underground 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 and gross pollutant traps.
 - e) PS Clause 53.18
Documentation detailing stormwater treatment methods, including the provision of 6,000litre Rainwater tanks for each lot, rain gardens etc. demonstrating compliance to Clause 53.18 of the East Gippsland Planning Scheme.
 - f) Music Modelling to confirm compliance with Clause 53.18 of the Planning Scheme.

The works must be subject to a twelve-month defects liability period.

All earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure, and must not encroach onto other properties.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

- 10) Before the commencement of any works associated with the subdivision starts, 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 any sedimentation/retention basin or dam 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.

- 11) Before the commencement of works, a road construction 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 plans must be drawn to scale with dimensions. The plans must show:
- a) Fully sealed pavement for all new roads, with a minimum width of 7.3m metres, with kerb and channel on each side of the road.
 - b) A sealed carriageway easement driveway of minimum width 3.5m to Lots 12 and 13, with a swale drain on either side.
 - c) Fully sealed pavement with a turning area with a minimum radius of ten metres effective pavement on internal road.
 - d) Verge areas with a width sufficient for the construction of drainage infrastructure and for pedestrian access.
 - e) Concrete footpaths a minimum of 1.5 metres wide on both sides of the internal road.
 - f) Vehicular crossings as shown on the endorsed proposed plan of subdivision.
 - g) Intersection upgrade for Forge Creek Road and Woodman Road generally consistent with the *Proposed Intersection Realignment Plan* (Crossco, 15 October 2021).
 - h) Street lighting (using LED technology) in accordance with AS1158.
 - i) Statutory signage and traffic control devices and line marking as/if required.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure.

The works must be subject to a twelve month defects liability period.

- 12) Before the issue of statement of compliance all works and requirements of the road construction plan must be undertaken and completed to the satisfaction of the Responsible Authority.
- 13) No roadside vegetation is to be removed, lopped or cleared until a separate planning permit has been issued by the Responsible Authority.
- 14) No vegetation other than approved via Vegetation Management Plan is to be removed, lopped or cleared until a separate planning permit has been issued by the Responsible Authority.

Native vegetation permitted to be removed, destroyed or lopped

- 15) The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.268 hectares of native vegetation, which is comprised of:
 - i. 0.098 hectares of patch native vegetation including 1 large tree with a strategic biodiversity value of 0.220
 - ii. 1 small tree.

Native vegetation offsets

- 16) To offset the removal of 0.268 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 0.122 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 0.176.

The offset(s) secured must also protect 1 large tree.

Before the issue of a Statement of Compliance, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:

- b) 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
 - c) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
- 17) 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 Gippsland regional office via Gippsland.Planning@delwp.vic.gov.au
- 18) Where the offset includes a first party offset(s), 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.

Time Limit condition

19) This permit will expire if any of the following circumstances applies:

- The plan of subdivision is not certified within two years.
- A Statement of Compliance is not issued within five 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.

Country Fire Authority Conditions

20) Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the East Gippsland Shire Planning Scheme.
- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
- State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Bushfire Management Plan endorsed

21) The Bushfire Management Plan (prepared by Crowther & Sadler, Plan Ref: 18469-BMP, dated 20 October'21) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority. When endorsed the plan must be included as an annexure to the section 173 agreement prepared to give effect to Clause 44.06-5 of the East Gippsland Planning Scheme.

Hydrants

22) 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:

- 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 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Roads

- 23) 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.
- 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.
 - Curves must have a minimum inner radius of 10 metres.
 - 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.

Maintenance of defensible space

- 24) Before the Statement of Compliance is issued under the Subdivision Act 1988, defensible space on every lot in the subdivision must be implemented and maintained as specified on the endorsed Bushfire Management Plan, unless otherwise agreed in writing by the CFA and the Responsible Authority.

East Gippsland Water Conditions

- 25) Water and sewer reticulation infrastructure (including sewer connection points) 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 and sewer reticulation system and able to be separately metered (water) as appropriate to the satisfaction of East Gippsland Water.
- 26) For any Lot area that is not able to be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are required to be listed as restrictions on title to the satisfaction of East Gippsland Water.
- 27) Current water meter 07W100823 to remain within the boundaries of the relevant proposed Lot.
- 28) Arrangements for the design, construction, commissioning and acceptance of all Gifted Assets required by East Gippsland Water to extend water and/or sewerage services to each Lot require written approval by East Gippsland Water.
- 29) Provide easements on the plan of subdivision over newly created or existing infrastructure, as required by East Gippsland Water.
- 30) Payment of applicable Development Planning Charges by the Applicant/Developer to East Gippsland Water (refer Notes)

AusNet Services conditions

- 31) The applicant must enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
- 32) The applicant must enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.

- 33) The applicant must 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.
- 34) 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.
- 35) The applicant must obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
- 36) The applicant must 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.
- 37) The applicant must set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for electric substations.
- 38) 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.
- 39) 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.
- 40) 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.
- 41) 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.
- 42) 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.
- 43) 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.

APA Group conditions

- 44) Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.
- 45) The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the Subdivision Act 1988.

Notes

- 1. Before undertaking works within a Council road reserve, a non-utility – minor works consent of works within road reserve application must be lodged with the *Roads and Traffic* unit of Council and approved. Refer to the Infrastructure Design Manual (IDM) for crossover designs.

AusNet Services Notes

- 2. 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.

East Gippsland Water Notes:

- 3.
 - (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.
 - (C) If water services are required for proposed Lots 12 and 13, future connections/meters must be located within the relevant boundaries along the Woodman Road boundary.
 - (D) 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.

Country Fire Authority Note

4. Hydrant conditions apply to lots 12 & 13 as well.

For application documentation, refer to the advertised copy of the application listed on Council's website:

[340/2019/P - Advertised Application](#)

The supporting documents have been provided with respect to additional information requests made following the PCM from August 2020. The information has been shared online so that the objectors may also view the information ahead of the PCM Scheduled for 11 October.

[340/2019/P – Supporting documents](#)



Department of Environment, Land, Water & Planning

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www.delwp.vic.gov.au

16 June 2021

Robert Pringle
Statutory Planning Coordinator
East Gippsland Shire Council
PO Box 1618
BAIRNSDALE VIC 3875

Our ref: SP476262
Your ref: 340/2019/P

Dear Ben

PROPOSAL: MULTI LOT SUBDIVISION, PRESUMED LOSS OF NATIVE VEGETATION AND CREATION OF A CARRIAGEWAY EASEMENT

APPLICANT: CROWTHER AND SADLER

ADDRESS: 17 FORGE CREEK ROAD, EAGLE POINT

LEGAL DESCRIPTION: LOT 5 PS 307157

Thankyou for the correspondence dated and received 30 March 2021 consistent with section 52 (1) (d) of the *Planning and Environment Act 1987* (the Act).

This application seeks to subdivide land and create a carriageway easement

The Department of Environment, Land, Water and Planning (DELWP) is providing advice in response to a planning permit application which may affect its responsibilities or assets. The referral trigger is clause 42.02 of the East Gippsland Planning Scheme.

DELWP does not object to the granting of the planning permit and recommends the following conditions are included on the planning permit.

Protection of retained vegetation

1. Before works start, amended plans 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 form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.
2. The plans must include:
 - a) 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 within the road reserves

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 the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



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- iv) the location and dimensions of vehicle accessways to provide access from existing roads to the new allotments
 - v) details of how native vegetation to be retained within adjoining road reserves will be protected from any adverse impacts during the construction of driveway crossovers to the new allotments, which must include tree and vegetation protection zones for native trees to be retained. Tree protection zones must accord with AS 4970-2009 Protection of Trees on Development Sites.
3. 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

- 1) The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.286 hectares of native vegetation, which is comprised of:
- a) 0.098 hectares of patch native vegetation including 1 large tree with a strategic biodiversity value of 0.220
 - b) 2 scattered large trees, and
 - c) 2 scattered small trees.

Native vegetation offsets

4. To offset the removal of 0.268 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 0.122 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 0.176.

The offset(s) secured must also protect 3 large trees.

Before the issue of a Statement of Compliance, evidence the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:

- b) 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
- c) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

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5. 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 Gippsland regional office via Gippsland.Planning@delwp.vic.gov.au.
6. Where the offset includes a first party offset(s), 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.

The accompanying supporting information provides further detail regarding DELWP's assessment of this application. If you have any queries, or require clarification please contact gippsland.planning@delwp.vic.gov.au.

Yours sincerely



Carmel Henderson
Program Manager Planning Approvals

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Supporting Information

Additional Advice

The application proposes a multi lot subdivision, presumed loss of vegetation and creation of carriageway easement. As the relevant permit triggers that apply to vegetation removal are specific to native vegetation removal under the VPO1 and Clause 52.17, the application should be amended to specifically allow for native vegetation removal (not presumed loss of vegetation).

DELWP has assessed this application in accordance with intermediate assessment pathway.

The total area of native vegetation proposed to be removed totals 0.286 hectares within location category 2. This comprises:

- 1 patch of native vegetation with a total area of 0.098 hectares containing 1 large tree
- 2 large scattered trees, and
- 2 small scattered trees.

This application has satisfied the information requirements of Clause 52.17 of the East Gippsland planning scheme. It clearly describes the native vegetation to be removed and the offset requirements, should clearing be approved.

DELWP is satisfied the applicant has taken adequate steps to avoid and minimise the proposed native vegetation removal, and the required offsets can be secured.

DELWP notes the application has not identified any adverse impacts to native vegetation present within the adjacent road reserves as a result of the provision of any utilities or services to the new allotments. Should the provision of utilities or services result in implications for native vegetation identified to be retained within the road reserves, a permit will be required.

In considering the Clause 52.17 and Clause 42.02-1 decision guidelines, DELWP has recommended permit conditions to ensure there is no incidental impacts to native vegetation within the adjacent road reserves resulting from any permit granted to develop the land with a residential subdivision.

Context

The subject land is within the General Residential Zone (GRZ1) of the East Gippsland Planning Scheme and affected by Schedule 1 of the Bushfire Management Overlay (BMO1), Schedule 11 of the Design Development Overlay (DDO11) and Schedule 1 of the Vegetation Protection Overlay (VPO1).

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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: 11000-68590-109363
Council Ref: 340/2019/P

12 May 2021

Ben Mcgeehan
East Gippsland Shire Council
273 Main Street
BAIRNSDALE VIC 3875

Dear Ben,

LETTER OF ADVICE

Application No: 340/2019/P
Site Address: 17 Forge Creek Road, Eagle Point
Proposal: Multi lot subdivision, presumed loss of native vegetation and creation of a carriageway easement.

I refer to correspondence dated 29 April 2021 seeking comments on the above application.

In providing this advice CFA have considered the following information:

- The amended Bushfire Management Plan prepared by Crowther & Sadler (Plan Ref 18469-BMP, Version 2, Drawn 30/03/2021)
- The original application and referral documentation

Having reviewed the revised documentation provided by council, CFA agree to the proposed changes. CFA note that in its response 11000-68590-96928 allows for the endorsed BMP to be altered if 'agreed in writing by CFA'. This consent can be considered CFA's 'agreement in writing'

When endorsed by the Responsible Authority the plan must be included as an annexure to the section 173 agreement prepared to give effect to Clause 44.06-5 of the East Gippsland Planning Scheme.

If you wish to discuss this matter in more detail, please do not hesitate to contact Peter Rogasch on 0437 012 114.

Yours sincerely

Mark Holland
Service Delivery Team Leader
FIRE PREVENTION & PREPAREDNESS

cc: Crowther & Sadler Pty Ltd
contact@crowthersadler.com.au

Our Reference: ps 16062020 -01

Enquires: Paula Soluncevski
Telephone 9463 8323

Dear Sir/Madam,

Re: **APPLICATION FOR PLANNING PERMIT**
 SCHOOL ROAD EAGLE POINT
 Plan No. : 307157F

Reference is made to the above correspondence dated 23.03.2020 and accompanying plan.

APT pursuant to Section 56 (1) (b) of the Planning and Environment Act 1987 has no objection provided the permit issued is subject to the following conditions:

1. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.
2. The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the Subdivision Act 1988.

Yours faithfully,

Per
Rebecca May
Planning Manager
Planning & Engineering

Our Reference: 75063106
Your Reference: 340/2019/P
SPEAR Reference: N/A
Date: 14 February 2020



EAST GIPPSLAND SHIRE COUNCIL

Locked Bag 14051
Melbourne City Mail Centre
Victoria 8001 Australia
T: 1300 360 795
www.ausnetservices.com.au

Dear Sir/Madam,

PLANNING PERMIT NUMBER: 340/2019/P
APPLICANT: Crowther & Sadler Pty Ltd
DESCRIPTION OF LAND: 17 Forge Creek Road EAGLE POINT Lot 5 PS 307157

CONDITIONAL CONSENT TO ISSUE OF PERMIT

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:

CONDITIONS REQUIRED BY AUSNET ELECTRICITY SERVICES PTY LTD

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.

For all enquiries subdivisions@ausnetservices.com.au

Yours sincerely,

Ryan Teuma
AusNet Services



133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875
Tel: (03) 5150 4444 Fax: (03) 5150 4477
Email: egw@egwater.vic.gov.au Web: www.egwater.vic.gov.au

Our Ref: DOC/20/5997

4 February 2020

East Gippsland Shire Council
(planning@egipps.vic.gov.au)

Attention: Ben McGeehan,

EGSC REFERENCE NUMBER(S): 340/2019/P
FOR: SUBDIVISION OF LAND INTO 20 LOTS
LOCATION: 17 FORGE CREEK ROAD EAGLE POINT (LOT 5 PS307157)
APPLICANT: CROWTHER & SADLER PTY LTD

In response to your letter of 16 January 2020, regarding the above Planning Permit application, East Gippsland Water does not object provided the permit is subject to the following conditions:

1. Water and sewer reticulation infrastructure (including sewer connection points) 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 and sewer reticulation system and able to be separately metered (water) as appropriate to the satisfaction of East Gippsland Water.
2. For any Lot area that is not able to be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are required to be listed as restrictions on title to the satisfaction of East Gippsland Water.
3. Current water meter 07W100823 to remain within the boundaries of the relevant proposed Lot.
4. Arrangements for the design, construction, commissioning and acceptance of all Gifted Assets required by East Gippsland Water to extend water and/or sewerage services to each Lot require written approval by East Gippsland Water.
5. Provide easements on the plan of subdivision over newly created or existing infrastructure, as required by East Gippsland Water.
6. Payment of applicable Development Planning Charges by the Applicant/Developer to East Gippsland Water (refer Notes)

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.
- (C) If water services are required for proposed Lots 12 and 13, future connections/meters must be located within the relevant boundaries along the Woodman Road boundary.
- (D) 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.

Further enquiries may be directed to Kristine Hunter (5150 4425) at our Bairnsdale Office.

Yours faithfully,

A handwritten signature in black ink, appearing to read "CAROL ROSS".

CAROL ROSS
EXECUTIVE MANAGER CUSTOMERS

Cc: Crowther & Sadler Pty Ltd 152 Macleod St Bairnsdale 3875 (contact@crowthersadler.com.au)



Planning Application 340/2019/P - Multi lot subdivision, presumed loss of native vegetation and creation of a carriageway easement - 17 Forge Creek Road Eagle Point

[Objections – Redacted](#)



**EAST GIPPSLAND SHIRE COUNCIL
PLANNING CONSULTATION MEETING
Planning Permit application 340/2019/P
17 Forge Creek Road, Bairnsdale
Multi Lot Subdivision**

**Meeting Minutes
Tuesday, 24 August 2020**

INSTANTANEOUS COMMUNICATION (VIA SKYPE)

COMMENCING AT 6:00 P.M.

1. Procedural

1.1 APOLOGIES

Councillors

- Cr Natalie O'Connell
- Cr Maryanne Pelz
- Cr Mark Reeves

Officers

1.2 IN ATTENDANCE

Councillors

- Cr John White (Mayor, Chair – in person)
- Cr Richard Ellis (via Skype)
- Cr Jackson Roberts (via Skype)
- Cr Colin Toohey (via Skype)

Applicant

Michael Sadler, Crowther & Sadler Pty Ltd

East Gippsland Shire Council Minutes Planning Consultation Meeting – 24 August 2020

Objectors

The following is a list of Objectors who registered as attending:

- Debbie Benson
- Jackie Barlow
- Richard Bennett
- Rodney Wood
- Sandra Hammond

Officers

- Anthony Basford, Chief Executive Officer
- Jodie Pitkin, General Manager Place & Community
- Nicole Reynolds, Acting Manager Planning
- Robert Pringle, Acting Senior Land Use Planner

1.3 DECLARATIONS OF CONFLICT OF INTERESTS

NIL

2. Reports/Presentations

2.1 PLANNERS REPORT

Nicole Reynolds, Acting Manager Planning presented the application overview from the perspective of the responsible authority.

Councillor Ellis and Nicole Reynolds discussed the identification and the removal of vegetation and offset arrangement.

2.2 APPLICANT PRESENTATION

The applicant was represented by Michael Sadler of Crowther & Sadler.

The applicant addressed landscape, drainage, bushfire management, cultural heritage, traffic, and structural plan.

Councillor Toohey questioned minimum 900 sq metre block size with Crowther and Sadler, Nicole Reynolds confirming it was a desired lot size rather than a requirement.

Q: Cr: John White questioned the proximity of vegetation with a house build. RP clarified and supported the BMP.

Cr: Colin Toohey and Crowther discussed existing reserve.

Cr: Jackson Roberts and Crowther discussed orientation of court and road

2.3 OBJECTOR PRESENTATIONS

Jacqueline Barlow and Debbie Benson

- Structure plan: number and size of proposed lots which is inconsistent with surrounding neighboured
- Woodman and Forge Road intersection
- removal of vegetation.

Richard Bennett

- Structure plan
- Traffic
- Removal of vegetation removal
- Council Plan

Rodney Wood

- Blocks 18 and 19 made into a reserve due to the important of the frog species in the current dam and other fauna.

Sandra Hammond

- The effect of light pollution on bat and other species.
- Intersection concerns
- Vegetation removal
- Driveways onto Forge Creek Road
- Frog species

2.4 FUTURE ACTIONS SUMMARY

Nicole Reynolds, Acting Manager Planning presented the likely next steps for the application.

3. Meeting Closed

The meeting closed at 7.26 PM



**EAST GIPPSLAND SHIRE COUNCIL
PLANNING CONSULTATION MEETING
Planning Permit application 340/2019/P
17 Forge Creek Road, EAGLE POINT
Multi lot subdivision, presumed loss of native vegetation
and creation of a carriageway easement**

**Meeting Minutes
Tuesday, 11 October 2021**

INSTANTANEOUS COMMUNICATION (VIA MICROSOFT TEAMS)

COMMENCING AT 6:06 P.M.

1. Procedural

1.1 APOLOGIES

Councillors

- Cr Jane Greacen
- Cr Allan Crook
- Cr Kirsten Van Diggele

Objectors

- Nil

Officers

- Acting GM Place & Community, Natarsha Baker

1.2 IN ATTENDANCE

Councillors

- Cr Mendy Urie (Mayor, Chair – via Teams)
- Cr Arthur Allen (via Teams)
- Cr Mark Reeves (via Teams)
- Cr Trevor Stow (via Teams)

East Gippsland Shire Council Minutes Planning Consultation Meeting – 11 October 2021

Applicant

- Kate Young, Senior Planner, Crowther & Sadler Pty Ltd

Objectors

The following is a list of Objectors who registered as attending:

- Brenton Rule and Stella Sakkeus
- Sandra Gard
- Rodney Wood
- Sandra Hamond

Officers

- Anthony Basford, Chief Executive Officer
- Martin Richardson, Manager Planning
- Robert Pringle, Statutory Planning Coordinator
- Nirveen Kaur, Land Use Planner

1.3 DECLARATIONS OF CONFLICT OF INTERESTS

NIL

2. Reports/Presentations

2.1 PLANNERS REPORT

Planning permit proposal overview given to those present by Land Use Planning Officer Nirveen Kaur from the perspective of the responsible authority.

Q. Cr: Trevor Stow size of blocks are above average are they within keeping with other blocks in vicinity?

A. Proposed lots a little smaller however they are In line with the subdivision to the new development to south, because it is a general residential subdivision it is not out of line.

2.2 APPLICANT PRESENTATION

The applicant was represented by Kate Young of Crowther & Sadler.

Would like to use this meeting to hear some of the questions Councillors may have.

General residential zone parcel earmarked for infill development for current and future developments

Subdivision of this property is an entirely expected outcome.

No objections from DELWP and CFA.

Native vegetation presumed lost and be able to provide an offset, it is hoped that he majority of vegetation can be retained.

Need to presume vegetation is going to be removed and provide an offset for biodiversity.

There has been a lot work on lots 19 and 20 to demonstrate how to build a BAL 25 rating and still maintain vegetation.

Achieves a sound planning outcome and would be pleased to receive any question from Councillors.

Q. Cr: Mendy Urie – where you have chosen to put the existing reserve block can you tell us why that is there?

A. Kate Young: This is a Council reserve cannot change that, master plan showed reserve would provide connectivity to though to Forge Creek road via the adjacent property to the north east, existing carriageway easement identical to proposal today and the core bowl that we are proposing is identical to the carriageway and will provide that for the activation for the land locked reserve. This shows up in the copy of title (Kate showed copy of title to those).

Q. Cr Arthur Allen – Is the dam to be filled in?

A. Kate Young: Yes the dam is proposed to be filled

2.3 OBJECTOR PRESENTATIONS

Brenton Rule and Stella Sakkeus

Brenton - focus on 2 old red gums, that seem to be overlooked. All guidelines ask authorities to minimise the impact and destruction of trees. Biodiversity benefits are the key here and has to be front of mind.

Two key issues and Shire can enforce, lodged 5 page objection and some of this has been addressed, delay in receiving this new planning permit.

This new planning permit overlooks 2 trees on lot 11 and 16, it appears Lot 11 has been addressed. Off sets has no benefit to the local community or the native life.

My suggestion is that the development commits to retain trees especially in Lots 11 and 16, could be converted to a public use space and retain native vegetation. Woodman Road development corner needs work and no tree in Lot 11.

Stella – taken on board reworking of plan, these large trees can be saved through smart changing of the plan. Please save some of these very large trees for the future.

Cr: Trevor Stow: Is it appropriate for Kate to comment on the tree?

Martin Richardson: This will be taken on board and the planning team will ensure there will be discussion on these trees

Sandra Gard

Sandra – Thanked the Mayor and Councillors for the opportunity to present, native fauna damage is a major concern, (*gave an example of different varieties of frog noises*).

Propose to make lot 13 and 19 larger and leave lot 20 with a small accessway keeping the dam billabong area in tact and the atmospheric area in tact.

Trees on nature strip are 100 plus years old, provide habitat for a variety of possums, owls and frogs.

Coming into Eagle Point the removal and changing of water courses may impact on water supply for these large trees and another drought they may be lost.

Main of objection is that there are a variety of fauna there and Council has an obligation to retain our flora and fauna.

A: Kate - provide one point of clarification we never said there were no frogs on site Council asked them to do a targeted study of growling grass frogs as part of the EPVC species listing.

Sandra Hammond

Concerned about impact of traffic on Forge Creek Road - School Road intersection and the Woodman Road - Eagle Point Road intersection. Feels the traffic study was done scantily, some of the times of the study during school holidays not a true indication of the traffic, concern about the traffic that is going to use the area. And with development an Estimate of an extra 140 vehicles.

Concerned about safety of parents and little children, school road is on a hill and narrow road leading up to school.

Trees what is the price of 100 years, it takes 100 years to grow and are a tremendous asset to the area.

Study regarding the frogs could have been looked at again, all part of the ecology, the effect on the ecology is an issue.

2.4 FUTURE ACTIONS SUMMARY

Council officers have been working on report to go to Council chambers for Councillors decision based on the number of objections we have received, it is our intent to bring this to council as soon as practicable. Expect the objectors and applicant to hear reasonable quickly in relation to a date to be set for this meeting, Council will try to give a shorter leave time than we might otherwise because of the length of time we have already gone through this process.

Because there has already been a PCM there will be no more opportunity for the applicant and objectors to make any presentations at the meeting itself, just making aware when the agenda is released and will contain officers recommendation towards the a grant of approval of r towards a refusal of the application as may be.

3. MEETING CLOSE

The meeting closed at 7:15 PM

6 Urgent and Other Business

7 Confidential Business

Nil

8 Close of Meeting