



Council Meeting Agenda

Tuesday 7 December 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 Bidjawan 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/EastGippsTV) 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 Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

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1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of minutes

That the minutes of the Council Meeting held Tuesday 16 November 2021 be confirmed.

1.5 Next meeting

The next Council Meeting of Thursday 16 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

3.1 Endorsement of Development Plan Overlay Request for 10 Marlo Road Marlo

Authorised by Acting 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 a recommendation to Council for the endorsement of the development plan for 10 Marlo Road Marlo as at **Attachment 1**. The development plan presented in this report is Version 15 dated 10 November 2021 and proposes the creation of 87 allotments designed for future residential development, with an amended subdivision layout which proposes additional public open space, amends the street network and offers an alternative range of lot sizes.

A letter from the applicant dated 11 November 2021 provides context for the revised plan and is at **Attachment 2**.

The amended proposal is the result of a mediation process undertaken by an independent Planning Consultant (Ratio Consultants), following Council Resolution on 21 June 2021.

At the ordinary meeting of 22 June 2021 (Item 5.2.1) Council resolved that debate be deferred on the matter until a future Council meeting to allow for further negotiation and the Proponent to make modifications to the development. The resolution required the appointment of an external mediator to negotiate regarding seven elements of the proposed development plan. Three of the seven elements have been successfully resolved, others partially resolved.

The report prepared by Ratio Consultants is at **Attachment 3**.

At the ordinary meeting of 16 September 2016 (Item 5.1.1) Council resolved to endorse 'in principle' the 10 Marlo Road Development Plan subject to a list of requirements and conditions. Community consultation was undertaken between 14 December 2016 and 16 January 2017. A total of 18 surveys and written responses were provided to the Council as part of this consultation.

Over the past 12 months there has been an increased interest by the local community in this application, culminating in a petition lodged by the Marlo Residents and Ratepayer Association against Version 7 of the development plan as proposed. The petition was presented at the ordinary Council Meeting of 23 February (Item 1.9.1).

This recommendation is being presented to Council for endorsement at the request of Council and as per the formal resolution of 22 June 2021 (Item 5.2.1). This decision is a new resolution in relation to the development plan request. Legal advice received is that Council is under no legal obligation to endorse the development plan based on the previous resolution of September 2016.

The recommendation provides for integrated decision making which balances the requirements of the planning scheme, addresses the site's constraints and opportunities, responds to the assessment of the hazard associated with bushfire, results in the provision of serviced residential land, carries forward the key recommendations contained with the *Marlo Urban Design Framework*, Meinhardt, 2007 (the UDF). and incorporates some of the elements negotiated further with the community.

This proposal at hand has been the subject of a protracted and complex planning process. This matter is now considered to have reached a point where no further compromise or negotiation is possible, and a decision of Council is required.

Following the conclusion of the mediation process, correspondence from the Marlo Ratepayers and Residents' Association was provided to Council on 30 November 2021 and is included at **Attachment 4**.

The matters identified in the Council resolution of 21 June 2021 (Item 5.2.1) have either been agreed between parties as not necessary (service road), achieved in part (augmentation of the public open space) and preparation of additional plans for drainage and landscaping (as part of the planning permit conditions into the future). No further community consultation is proposed.

Importantly agreement has been reached partially in conceding that Lot A is suitable for medium density development or tourist accommodation into the future. The resolution of Council was to convert Lot A to public open space.

On balance having considered the planning merits, with specific regard to the planning scheme requirements and the UDF, the recommendation to Council is for the endorsement and approval of the development plan (Version 15, 10 November 2021) for 10 Marlo Road Marlo with conditions requiring further particulars and information as contained in the recommendation.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. approves the endorsement of the Development Plan layout for 10 Marlo Road Marlo (as amended Version 15 dated 10 November 2021) as provided at Attachment 1, noting that prior to the development of Lot A on the plan of subdivision, a further detailed development plan is required to be considered by Council with appropriate community consultation;***
- 3. requires the execution of the two section 173 Legal Agreements as previously drafted but modified to clarify that infrastructure contributions will be limited to those reasonably required to provide all necessary on-site infrastructure and any infrastructure required to address offsite impacts of the development;***
- 4. refers the proposed Development Plan (as amended) to Country Fire Authority and Regional Roads Victoria for advice on any amended conditions as required;***

5. ***requires the preparation of addendum and updated technical reports and plans to support the Development Plan (as amended) to include but not limited to:***
 - a. ***Cultural Heritage Management Plan***
 - b. ***Site Analysis Plan***
 - c. ***Conservation and Archaeological Management Plan***
 - d. ***Environment Management Plan***
 - e. ***Public Open Space Plan***
 - f. ***Stormwater Management Plan***
 - g. ***Traffic Management Plan***
 - h. ***Infrastructure Plan***
 - i. ***Staging Plan***
 - j. ***Bushfire Management Statement and Bushfire Management Plan***
 - k. ***Preparation of the Management Plan for the proposed defendable space***
 - l. ***Vegetation Management Plan***
 - m. ***Detailed design and specifications of a fence to the western boundary adjoining Marlo Road being single material fence to provide a soft and positive contribution to the interface***
 - n. ***A Plan denoting vegetation to the retained-on site***
 - o. ***Cross sections for proposed roads and intersections (including Ward Street and Marlo Road), to include details pertaining to proposed street trees, street furniture and roundabout feature entry statement***
 - p. ***Building envelope plan excluding all buildings within 5.0 metres of the boundary to Marlo Road to address streetscape impact***
 - q. ***Proposed methods to control colour of outbuildings and structures to Marlo Road;***
6. ***requires Planning Permit conditions to include the preparation of detailed design and plans for stormwater management and provision;***
7. ***requires Planning Permit conditions to include the preparation of a Landscape Plan for all areas of proposed Public Open Space, including the area to be set aside for defendable space and for drainage purpose; and***
8. ***delegates to the CEO the authority to approve the modified Development Plan documentation subject to any conditions required by Regional Roads Victoria or Country Fire Authority or as required by the preparation of the updated Development Plan documents, provided that these modifications and/or conditions do not lead to any material change to the layout of the subdivision as shown in Attachment 1.***

Background

Council Meetings

Council resolved at the ordinary meeting of 16 September 2016 (Item 5.1.1) to endorse 'in principle' the 10 Marlo Road Development Plan subject to a list of requirements and conditions.

Following the resolution of Council at the ordinary meeting of 22 June 2021 (Item 5.2.1) a mediation process has been conducted by an external planning consultant at the cost of Council.

Outcomes of the Mediation process (June to November 2021).

Full agreement and consensus were not reached as part of the process undertaken.

A copy of the Mediation Report prepared by Ratio Planning is provided at **Attachment 3**.

There have been some concessions and compromises reached, however it is now necessary for an Addendum Council Report to be prepared for formal resolution to facilitate a decision on the matter.

The Applicant has submitted an amended subdivision layout plan, which reduces the number of allotments from 104 to 87, increases the area of proposed public open space, amends the street network and layout and offers an alternative range of lot sizes. The amended subdivision layout proposes 71 lots of 750 square metres or greater, as agreed in the mediation to be defined as 'larger' allotments.

The mediation process has resolved the following elements successfully.

1. The provision of a Service Road to Marlo Road is not necessary.
2. A modified entry point to Marlo Road north of the existing dwelling is proposed.
3. The Colorbond fence to the frontage to Marlo Road is deleted.
4. A single material fence to Marlo Road is proposed as an alternative to result in a softer contribution to the interface.
5. No individual residential allotment access to Marlo Road be permitted into perpetuity.
6. A minimum width of 10.0 metres of additional public open space with landscaping using indigenous species be provided to the interface with Marlo Road.
7. An agreed description on definition of larger and smaller allotment sizes.
8. Some existing vegetation to be retained on site.
9. Some additional linear public open space in the middle of the site to align with a drainage line is proposed as encumbered public open space.
10. The increased width of Road Reserves internal to the site to 22.0 metres to allow for additional verge width and street tree planting.
11. An increased provision of the number of larger allotments.

Consensus cannot be reached on the following elements:

1. Conversion of Lot A to Public Open Space.
2. Full linear strip of Public Open Space in middle of site aligned north south with the existing drainage line to provide connection from Ward Street to north of site in its entirety.
3. Small lots are not provided adjacent to Ward Street and thus closer to the village centre.
4. Not all existing vegetation on site is retained.

Outstanding matters

1. A legal agreement is required to prevent vehicle access from individual allotments to Marlo Road as road opening permits are able to issue to place 'rear' access gates to second Road Reserve through Works Department. This is a VicRoads requirement.
2. Need to retain 5.0 metre building exclusion zone to Marlo Road to minimise streetscape impact.
3. Recommendation of mediation report to control colour of outbuildings to Marlo Road.
4. Specification of acceptable fence type to Marlo Road.
5. Timing of the preparation of Detailed Drainage Plans.
6. Timing of the preparation of the Landscape Plan.
7. Inclusion of boat and caravan storage facility and availability on site.
8. Disagreement in relation to the question of viability and lot yield.

The Proponent Response

A copy of the Proponent response to the Mediation Report is provided at **Attachment 2** together with a copy of the proposed amended subdivision layout plan at **Attachment 1**.

Critically, the Proponent has advised an unwillingness to enter into a section 173 legal agreement with respect to maintenance costs and imposition of a maintenance levy into the future for the defensible space for bushfire purposes.

Further subsequent advice has been received from the Proponent, that they are no longer willing to enter into the separate section 173 legal agreement relating to developer contributions, specifically the clause relating to provision of upgraded infrastructure (which the Proponent argues is too general) and the provision of the fence to the Marlo Road frontage.

Amended Subdivision Layout Plan (Version 15)

The salient changes to the Subdivision Layout Plan (version 15) are.

- Internal Road Reserves increased to 22.0 metres to provide wider verges and space for street tree planting.
- The siting of the access road from Marlo Road has been repositioned to north of the existing dwelling on site, allowing for surveillance of some of the existing vegetation in the middle of the site for entry appeal.
- Augmentation of public open space in the central section of the subject land generally aligning with a drainage line.
- Reconfiguration of street network and allotment layout, reduction in lot numbers and an increased number of lots greater than 750 square metres in area.
- The provision of increased public open space adjacent to the fire buffer at the Eastern section of the land adjoining the Crown Land parcel. The space will be encumbered for drainage and bushfire purposes.

Each of these changes provides an improvement to the subdivision layout plan and is considered to address several of the requirements of the Council having regard for community concerns.

Marlo Ratepayers and Residents Association response

Correspondence was provided to Council by the Marlo Ratepayers and Residents' Association on 30 November 2021 and is included at **Attachment 4**. The correspondence takes issue with several elements of the revised layout and requests further modifications. It has not been possible to respond in detail to the requests, however Officers consider that the changes to the layout as included in **Attachment 1** achieve a suitable compromise in addressing the matters raised in Council's resolution and through the mediation process.

No further modifications are proposed.

Referrals

The amended subdivision layout together with the addendum and update of all the technical reports and information will require referral to the CFA and DELWP as part of the process following the Council resolution of the matter.

Section 173 legal agreements

The elements which have not been evidenced to Council satisfaction to date have been included in Section 173 legal agreements to ensure that future compliance is achieved. The Section 173 legal agreements were drafted by Council's lawyers and were distributed to the Proponent's advocate in March 2020.

The details of the legal agreements are summarised as follows:

- Imposition of maintenance levy by special rate on all allotments in relation to Reserve No. 1 for bushfire purposes (Agreement 1)
- Construction of a shared path in Perry Street
- Payment of a community infrastructure contribution before a building permit is issued for construction of a dwelling on each of the newly created allotments
- No vehicle access to Marlo Road
- Construction of fence to Marlo Road (to be deleted)
- Nomination of a building exclusion zone for allotments against a vegetation pathway
- Preparation of a Landscape Master Plan and completion of landscaping works, to include provision of playground equipment (requires modification)
- Agreement to provide other infrastructure works as required such as roads, drainage, services, pathways and plan supervision checking fees.

It is proposed to delete the reference to the fence on Marlo Road and add a specific requirement in relation to the provision of playground equipment, carrying forward the requirements of the original agreement.

The legal agreements are considered critical for the following reasons:

- The key benefit is that the agreements are recorded on certificates of title so that owners under the agreement bind future owners and occupiers.
- Makes it easier to achieve the planning objectives for the area.
- Often used for the provision of community infrastructure or specific development infrastructure.
- Helps local government plan and require things to be done rather than place further restrictions and conditions.
- Binds future owners which extends post the life of most planning permits.

The request

The request seeks approval for a development plan for land located at 10 Marlo Road, Marlo in accordance with Development Plan Overlay Schedule 7 of the East Gippsland Planning Scheme. The land has been zoned for General Residential Zone purposes since 2012.

The request for approval was lodged with Council in November 2015. The original plan was assessed by Officers to be deficient specifically in relation to the following highlighted elements: public open, road network contributions, intersection works, bushfire management buffer arrangements, urban design, pathway connections and storm water management.

Council considered the Request for approval at the ordinary Council Meeting of 16 September 2016 (Item 5.1.1) endorsing in principle the approval of the development plan subject to conditions. Over the past 6 years, officers have focused a considerable effort and dedicated time to rectifying a series of issues to facilitate approval of the 108-lot subdivision.

The planning history

In 2012 East Gippsland Planning Scheme Amendment C80 facilitated the rezoning of land from Farming Zone (Schedule 1) to Residential 1 Zone, introduced a new Schedule to the Development Plan Overlay (DPO) – Schedule 7, “Marlo Road, Marlo Development Plan Area” and applied the Design & Development Overlay (DDO) – Schedule 11, to the site.

As part of the formal consideration of the matter, Council resolved as part of the decision to proceed with the authorisation and public exhibition of Planning Scheme Amendment C80, to require that the Proponent enter into a voluntary section 173 Legal Agreement which was to determine the contributions and responsibilities for upgrades to the local road network, landscaping and playground equipment, public art and other hard landscape features. The legal agreement was registered on the subject land on 19 July 2012.

The planning scheme requirements

The subject land is zoned General Residential 1 Zone with the whole of the land contained within the Development Plan Overlay – Schedule 7 and the Design & Development Overlay – Schedule 11, with part of the land included within the Bushfire Management Overlay. Public exhibition of the planning scheme amendment was undertaken in accordance with the Act.

The request at hand requires detailed consideration of the purpose and requirements of the Development Plan Overlay and Schedule 7 which was drafted specifically to the site in question. The Overlay is underpinned by a strategic framework that sets out the desired development outcome, the design principles, major land uses, transport and open space networks.

Schedule 7 (clause 43.04)

The Schedule applying to the subject land contains seven development principles. These are as follows:

- A subdivision layout which responds to the features of the land, such as inundation and bushfire, as identified in the Site Analysis Plan
- A subdivision layout which is sympathetic to remnant vegetation, particularly mature indigenous trees and vegetation
- The provision of useable open space
- The new development incorporates water sensitive urban design principles for appropriate drainage solutions
- That indigenous plant species should be used for landscaping of public open space reserves and for revegetation in accordance with the Department of Sustainability and Environment's *Revegetation Planting Standard*
- That the subdivision layout is designed to facilitate the provision of efficient and effective pedestrian, bicycle and vehicle movements, and to ensure connectivity with the existing public transport (if present).
- The subdivision layout provides appropriate linkages to adjoining land.

Compliance with each of the development principles is required as part of the assessment of the development plan document set. The development plan suite of documents must provide the appropriate detail, design, and detailed construction plans to demonstrate compliance with each of the development principles.

The subject land is also partially encumbered by the Bushfire Management Overlay.

The Municipal Strategic Statement ("the MSS")

The objectives of the UDF have been carried forward into the planning scheme with the approval of C68 which implemented the UDF into the planning scheme. Strategies include facilitating development which implements the Marlo Strategy Plan. The plan specifically refers to opportunities for higher density residential development on the land (clause 21.12). Further strategic work still contained within the MSS refers to the subject land to allow for future residential use at a slighter higher than existing densities in order to contain the development of the town (clause 21.12, page 37 of 58).

The Development Plan process

The planning scheme and Planning and Environment Act 1987 process for consideration of development plan overlay requests differs from usual planning permit and subdivision processes. The planning scheme specifically exempts such requests from formal public notice and review (to the Victorian Civil and Administrative Tribunal).

The development plan is a planning tool used to guide the future use and development of land. It has two purposes: to identify the areas that require planning of future use or development to be shown on a plan before a planning permit can be granted and secondly to exempt a planning permit application from notice and review if it is generally in accordance with an approved plan. The development plan requires a plan to be prepared and aims to provide certainty with respect to the future development of the land. The development plan applies conditions that help implement the plan.

Clause 43.04-3 allows subject to the agreement of the responsible authority, the development plan may be prepared and implemented in stages. The project was completed in 2007 and is intended to provide a framework for development over a 15-to-20-year time period.

The UDF

The UDF provides strategic guidance for the future development of urban areas, establishing an integrated design vision. This design vision is implemented via tools in the planning scheme, capital works projects and guidelines for private development.

There are 3 key objectives and strategies namely the creation of an attractive town centre, improvement of pedestrian circulation and safety and enhancement of town character (pages 25 and 26).

One of the key implementation measures was to alter the modification of Marlo Road to intersect with Argyle Parade. The vision includes a tree lined median and an alternate intersection treatment to determine the optimum arrangement for traffic movement and pedestrian safety. Conceptual plans have been developed and the project is not currently funded.

The proposal will result in an upgrade to the intersection with Ward Street and Marlo Road, resulting in increased pedestrian safety and a constructed intersection.

Objective 3 of the UDF aims to enhance the town character. Strategy 3.5 specifically addresses the subject land and it states.

“Provide for the future comprehensive residential development to the east of Marlo Road and north of Ward Street. Development at slightly higher densities may be considered in order to contain the development of the towns” (page 26).

External Peer Review & Advice

To assist officers in the consideration and assessment of the matter, expert advice was sought from external Professional Consultants in the areas of Stormwater Management and Bushfire Management.

The first of these consultancies provided a peer review of the proposed storm water management plan and considered the broader implications for the Marlo township drainage system. The key findings of the Report were to provide key recommendations in relation to best practice approaches and to ensure that the existing drainage problems are not exacerbated. Additional storage and treatment of the drainage systems were recommended.

The second consultancy provided advice in relation to the risk associated with bushfire. Recommendations included requirements for Bushfire Attack Level of 12.5, review terms of management of the reserve for buffer purposes and management of defensible space. Management regime to be included section 173 legal agreement requirements.

The commissioning of both peer reviews has resulted specifically in the preparation of two separate section 173 legal agreements to ensure, amongst a series of matters, that drainage infrastructure is provided appropriately.

Secondly that there is payment of a maintenance levy with respect to Council's ongoing obligations with respect to the maintenance associated with the bushfire buffer. This decision is a significant decision as it proposes for Council to maintain the land specifically for bushfire protection and secondly foreshadows that into perpetuity individual landowners will be subject to a municipal charge to recoup the cost for the management and maintenance of the buffer. Officers consider this to be fair and reasonable, as the buffer directly benefits the future landowners, and in doing so builds the resilience of the township. The buffer land is for bushfire protection and is not deemed to be part of the public open space contribution as it is deemed to be encumbered. The buffer will offer passive recreation space for the residents of the subdivision.

Key planning considerations

Storm water drainage

Strategic planning commissioned two peer reviews for the stormwater provisions, specifically following the community engagement process. A high-level catchment analysis, overland flow and assessment of stormwater assets was undertaken. The recommendations included a more detailed township scale drainage strategy be considered. Public infrastructure upgrades will be required by Council as part of the approval of the development plan. Recommendations also included the preparation of a Storm Water Management plan as part of the conditions of the approval of the development plan.

The development plan approval establishes the commitment to upgrade the road and drainage infrastructure in Ward Street, which will result in the provision of infrastructure where it currently does not exist. The section 173 legal agreement requires infrastructure works as required.

Bushfire protection

The peer review recommended future actions with respect to Lot A, preparation of a bushfire management statement, preparation of a landscape plan for vegetation management, retention of the perimeter road and provision of defensible space, all dwellings minimum BAL of 19, preparation of a bushfire hazard landscape assessment, referral to CFA and maintenance plan for the buffer zone.

Lot A and staging

Lot A is identified as a future medium density site and will be subject to a further development plan.

Social Impact Assessment

An assessment of the proposal has been undertaken by a social planner. The recommendations included developer contribution towards public transport service node and connective pathway linkages for projects. Walkability and cycling connectivity is critical to the health and social outcomes for new residents. A second recommendation included an upgrade to an existing facility within Marlo for access for external services such as community facilities and playgrounds.

This is the foundation of the payment of a community infrastructure contribution. This is also the basis for the developer contribution for the shared pathway in Perry Street.

Neighbourhood character

The UDF provides key statements describing the character of Marlo and contains a vision statement which refers to neighbourhood character, specifically seeking to retain the character described as a “*seaside holiday town looking out towards the river and the ocean*” (page 25).

Objective 3 seeks to “enhance the town character”. Actions include street tree planting, retention of significant trees in new development areas, provision of design guidelines, reference to the development site, future land supply, containing low density residential and reinforcing the entry to Marlo with appropriate signage and landscaping to Marlo Road intersections.

The proposed subdivision responds effectively to all of the above.

Subdivision layout and road network

The amended subdivision layout proposes a shift in location of the intersection of the subdivision access road and Marlo Road to provide for an improved vista into the subdivision and a widening of road reserves to 22 metres, to provide ample road verges and street tree planting.

Developer Contributions

The following elements are provided as part of the developer contributions to the proposal: the shared pathway in Perry Street, upgrade in drainage and road infrastructure and agreement to a community infrastructure levy.

Open Space and Landscaping

A key component of the Master Plan contained in the UDF refers to the incorporation of new shared path system through residential areas. The requirement for the provision of a shared pathway in Perry Street is directly implementing this objective (number 10, page 30).

The Petition

A petition to the development was tabled at the Council meeting held on the 23 February 2021. The minutes of this meeting include the endorsed resolution of Council to this petition. This Report addresses resolution part 3 of the resolution.

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

Collaborative Procurement

Not applicable.

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

Development Plan Policy (the Policy) was approved by Council in May 2017, after the completion of the community consultation process undertaken by officers in relation to the current proposal. The purpose of the Policy is to endure a consistent and equitable approach to the consideration and management of development plans during their assessment, approval and endorsement phases.

Options

There are 2 Options.

The first Option is to approve the amended subdivision layout subject to the preparation of a series of addendum and additional information as required by the planning scheme in relation to the subject land and development plan overlay requirements. This is contingent upon the execution of the two section 173 legal agreements as drafted.

Option 2 is to refuse to endorse the development plan.

Option 1 is the preferred option.

Resourcing

Financial

Council Officers have undertaken the responsibility of assessment and consideration of the development plan request. Financial resources have been expended in relation to the procurement of external peer review of the bushfire management, drainage and the preparation of the two section 173 legal agreements.

Budgeted funds have also expended to fund the procurement of the external mediator in relation to the matter.

Plant and equipment

None.

Human Resources

None.

Risk

There are significant ongoing risks associated with the provision of adequate stormwater drainage for the site and impacts on existing external local drainage infrastructure and systems at the township scale for Marlo.

Economic

The land is the key source of residential growth for the township area of Marlo. There are significant financial implications for the Proponent in the event that a decision is made not to endorse the development plan.

Social

Social considerations have been considered as part of the assessment of the development plan process. The section 173 legal agreements include a provision for future community infrastructure contribution to Council being \$1,150 per lot with adjustment to index on a yearly basis. A social impact assessment was also undertaken to inform the assessment of the proposal.

Environmental

The development plan documentation will require the update of the Habitat & Offset requirements relating to the site, given the amended subdivision layout. The Department of Environment Land Water and Planning have raised issues in relation to the proposed loss of vegetation in Lot A.

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

A community consultation period was undertaken between 14 December 2016 and 16 January 2017. Officers undertook the community consultation process, which included a series of individual resident meetings. Methods for the community engagement included direct mail, your say page, your say web page, frequently asked questions, drop-in session in Orbost, appointments in Orbost and email newsletter. There were 18 survey and written submissions.

The primary key issues were focused on stormwater drainage.

- Numerous meetings were undertaken with individual landowners with key themes relating to existing stormwater drainage at a township scale
- The Marlo Ratepayers and Residents' Association provided support for the development in principle, reaffirmed merit in locating the development in the existing town centre and sought to ensure that the stormwater drainage was appropriately addressed
- Concerns in relation to ongoing drainage problems with the caravan park
- Comments that the proposal was not consistent with the vision statement for the township established in the Marlo Urban Design Framework (2007)
- The development will result in a significant increase to the size of the town
- Size and density of the proposed lots
- Lack of provision of public open space
- Lack of footpaths
- The Marlo UDF (2007) recommended the provision of a roundabout at Marlo Road, Ward Street and Argyle Parade.

The Petition (February 2021)

The receipt of the Petition and subsequent written submissions over the past six months have essentially reinforced the above issues and levied significant criticism in relation to the level of engagement and communication undertaken by Officers with regard to the matter.

There is no further community consultation or engagement proposed with respect to the proposed development plan request or further subdivision and planning permit application phases. The Mediation Report and Proponent's response has been provided to the Marlo Ratepayers and Residents' Association.

The future development of Lot A will be subject to the preparation of a development plan overlay request.

Attachments

1. Subdivision Layout Plan [3.1.1 - 1 page]
2. Correspondence - Crowther & Sadler Pty Ltd 11/11/21 [3.1.2 - 4 pages]
3. Final 10 Marlo Rd Marlo Mediation Ratio Report [3.1.3 - 14 pages]
4. Letter MRRA 30 November 2021 [3.1.4 - 3 pages]



Our ref: 16273

11 November 2021

152 Macleod St.
PO Box 722,
Bairnsdale, VIC 3875

P: 5152 5011
F: 5152 5705

E: contact@crowthersadler.com.au

Manager Planning
East Gippsland Shire Council
Via email: planning@egipps.vic.gov.au

Attention: Mr. Martin Richardson

Dear Martin,

**Re: Response to Mediation Report
10 Marlo Road, Marlo**

Further to our recent discussion we have reviewed the Mediation Report prepared by Tim Biles from Ratio and wish to offer the following response to the issues contained within the report and the six items listed within the Council resolution at the meeting held on 22 June 2021.

Council Resolution Item (a)

The Mediation Report acknowledges provision for a service road is not necessary and would impose an unreasonable burden on the development of the property. The measures recommended to achieve a sense of arrival are considered in our opinion, to be a reasonable alternative. A revised subdivision layout has been prepared that adopts the suggested location for access from Marlo Road on the north side of the existing dwelling (refer to attached Proposed Subdivision Plan, Version 15).

Council Resolution Items (b) and (c)

We believe common ground has been reached in regard to items (b) and (c) of the Council resolution. We agree to removing the Colorbond type fence to on the western boundary of lots adjoining Marlo Road. It is also agreed the proposed 5m wide Reserve adjacent to Marlo Road be retained with further landscape planting to be provided in order to achieve contiguous corridor of vegetation adjacent to the rear boundary of proposed lots adjoining Marlo Road.

Council Resolution Item (d)

While we agree with the retention and enhancement of planting along Marlo Road, we do not believe a landscape plan is necessary at this time (item (d) in Council resolution). It is common practice in circumstances such as this for a Development Plan to identify requirements such as areas to be landscaped, however detailed landscape plans are then required to be provided through conditions within a Planning Permit.

Schedule 7 to the Development Plan Overlay does not specify a detailed landscape plan be provided as part of a Development Plan. The Schedule includes mandatory permit conditions including the need for a detailed landscape plan prior to the commencement of any works.

We note the Mediation Report suggests a detailed landscape plan to be provided with a Planning Permit application. This is inconsistent with the requirements of Schedule 7.

Council Resolution Item (e)

The Mediation Report does not appear to have addressed this item in any way.

The Development Plan has included an extensive stormwater strategy in accordance with the requirements of the Schedule. We understand the Council officers also had the stormwater strategy peer reviewed by *Water Technology*. We therefore believe the information provided within the stormwater strategy adequately satisfies the requirements for the Development Plan.

It is unreasonable to expect detailed drainage plans be provided with a Development Plan. Detailed drainage plans are typically required as a condition of a Planning Permit when a proponent has certainty of approval. There is no reason to vary from what is otherwise common practice. Sufficient information has been provided to demonstrate development of the site can achieve best practice requirements and not further impact any deficiencies with existing drainage infrastructure.

Council Resolution Item (f)

We believe consensus has been reached through the mediation process that Lot A not be set aside for public open space, and instead be retained as a larger parcel for an alternative accommodation offering.

Council Resolution Item (g)

A revised subdivision layout has been prepared which is considered address the concerns regarding small lots and township character.

The subdivision layout has been revised to include wider road reserves and larger lots, will also offering some diversity in lot size.

The revised subdivision layout has reduced the total number of residential lots from 104 to 87, a reduction of 17 lots. The subdivision layout comprises 71 lots having an area of 750m or greater, which constitute large lots by the Mediation Report. The proposed subdivision layout contains just 16 "small" lots between 500-550m².

We believe the revised subdivision plan is consistent with the community's desire for larger lots consistent with the seaside character of the Marlo township.

Design Response Plan

We note the Mediation Report identifies a failing with the Schedule 7 of Development Plan Overlay by not requiring a Design Response and subsequently includes a suggested Design Response Plan at Appendix 1.

It appears a Design Response Plan has been formulated to portray the key issues discussed through the mediation process. However, we believe the Design Response fails to otherwise address all the items contained within the Council resolution and some elements are contrary to subdivision design standards.

Our first concern with the Design Response Plan is the inclusion of possible boat and caravan storage. Such a use is prohibited on land within the General Residential Zone. This use appears to have been suggested to cater for the need of future residents for storage that would not be achieved through the development of a significant number of smaller lots at the southern end of the site.

The Design Response plan includes a significantly greater proportion of land for smaller lots. The area identified for smaller lots is, in our opinion contrary, to resident's concerns regarding lots sizes. Residents have been opposed to the Development Plan on the basis lots sizes were considered too small. Surprisingly the Design Response Plan nominates large lots as having an area greater than 700m². This is surprising given the subdivision layout had proposed 92 lots with an area greater than 700m² and just 12 "smaller" lots with an area less than 700m².

The concept of small lots through clustering of dwelling fails to offer any sense of address to Ward Street. In fact, the smaller lots concept effectively turns its back to Ward Street which is a totally inappropriate response and contrary to subdivision design standards.

The central open space corridor similarly results in a poor design outcome. Areas of public open space must be capable of receiving passive surveillance which is achieved by having open space reserves adjoining roads and not the side and rear boundaries of allotments. The layout of the open space corridor through the site does not adjoin any roads and will therefore result in a poor design outcome.

Finally, the Design Response does not provide any indication as to what lot yield will be achieved. While the consideration of the Development Plan is not solely premised on lot yield, it is nonetheless important to ensure a development is viable. If a development is not found to be viable the benefits of the Development Plan will not be realised.

While there are some deficiencies with the Design Response Plan, we believe there are some elements that may be incorporated and achieve some middle ground.

Revised Subdivision layout

Having reviewed the Mediation Report we believe some of the suggested changes can be incorporated into the subdivision layout. The subdivision layout has been revised to incorporate the following changes:

- Road reserves have been increased to 22m to provide wider verges for tree planting.
- The access from Marlo Road has been relocated to the north side of the existing dwelling and is aligned to provide a focus to existing trees which will now be retained.
- The additional open space is proved in the south-east of the site outside of the bushfire buffer and adjacent to the caravan park.
- A central open space reserve is proposed providing a link from the north-east allowing pedestrian permeability in all directions and destinations.
- Generous lots sizes with a minimal number of small lots.

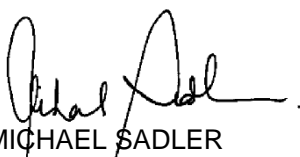
We believe the revised subdivision layout offers an appropriate balance between the previous subdivision layout, the matters contained within Council's resolution and recommendations arising from the mediation process.

Incorporating some of the elements arising from the mediation process has resulted in the total number of lots being reduced and areas of unencumbered public open space being increased.

Given the concessions to the subdivision layout made by the landowner we believe it is only reasonable for Council to now forgo the need for a Section 173 Agreement that imposes an ongoing special charge to future residents for maintenance of the reserve that provides a buffer from the bushfire hazard. Our client had previously agreed, albeit reluctantly, to enter into a Section 173 Agreement for the special charge scheme on the basis the subdivision layout containing 104 lots was to be approved. Ongoing maintenance of the Reserve that also provides separation from the nearby bushfire hazard will not impose an unreasonable burden on Council given the generous areas of unencumbered open space now proposed that Council will be required to maintain.

As always, please do not hesitate to contact our office should we be able to assist further.

Regards,



MICHAEL SADLER
Managing Director

Encl: Proposed Subdivision Plan (Version 15, 09/11/2021)

ratio

10 Marlo Road, Marlo

MEDIATION REPORT

22.10.2021

Prepared by

Timothy Biles

Prepared for

East Gippsland Shire Council

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1 Council Resolution

Introduction

This report sets out the consultation process and mediation outcome in relation to the subdivision and development of 10 Marlo Road. It concludes with recommendations set out in Appendix 2 and described in the report as a way forward in this matter. The recommendations respond to the Council resolution of 22 June 2021 which says as follows;

1. THAT THE DEBATE ON THIS MATTER BE DEFERRED UNTIL A FUTURE COUNCIL MEETING TO ALLOW FURTHER NEGOTIATION AND FOR THE PROPONENT TO MAKE MODIFICATIONS TO THE DEVELOPMENT PLAN AS PROPOSED TO 10 MARLO ROAD MARLO PRIOR TO THE CONSIDERATION OF THE MATTER.
2. THAT PRIOR TO THE PRESENTATION OF THIS MATTER FOR THE RESOLUTION THAT THE FOLLOWING DEVELOPMENT PLAN MODIFICATIONS BE NEGOTIATED, SUBJECT TO COMMUNITY CONSULTATION WITH THE INVOLVEMENT OF THE PROPONENT MEETING WITH THE COMMUNITY AND THE SUPPORT OF AN EXTERNAL MEDIATOR:
 1. Modification of the subdivision layout to incorporate a service road arrangement to the Marlo Road which results in no direct access for residential allotments from Marlo road.
 2. Retention of the proposed lineal public open space to augment the pathway and landscaping arrangement to the frontage of Marlo Road.
 3. Deletion of the proposed 1.8-metre-high fence to Marlo Road.
 4. Preparation of a landscaping plan which documents the proposed landscaping treatment to Marlo Road.
 5. That detailed drainage construction plans and specifications plans are prepared to document all aspects of the stormwater drainage system including stormwater connections and any water sensitive urban design measures as required.
 6. Creation of proposed lot a as public open space.
 7. Some modifications to parts of the development to create some lots of larger size to retain the seaside village character.



2 Summary : Consultation Process

Due to Covid restrictions the mediation conversations were in the first instance conducted by Zoom meetings. This included;

- 8 Zoom discussions in small groups and several individual telephone calls to over 45 residents.
- Emailed invitations explaining the process of consultation as well as numerous conversations with the proponent (by phone and Zoom) to explain the mediation process, discuss the Council resolution, relay resident comments and discuss the plan generally shown as **Appendix 1**
- Separate discussions in person with the proponents engineering consultant in relation to drainage and 2 in person and 1 zoom with the proponents Surveyor.
- Follow up discussion at Marlo, face to face, with a representative resident group of 10 from the Zoom discussions, to canvass solutions to issues raised by both parties.
- Final Zoom discussion with Martin Richardson, Nicole Reynolds and Michael Sadler to discuss details of the plan now in **Appendix 1**.
- Final written invitation to proponent for any further written comments.



3 Overview

The consultation has produced common ground on many of the issues affecting the future of the 10 Marlo Road site.

The basis of resolution is canvassed in the body of this report which includes recommendations about each of the matters in Councils June resolution. **The final recommendations are set out in one body at Appendix 2.**

There are two background matters that I consider Council should be aware of as follows;

1. The structure of the statutory control contained in the DPO7 (Clause 43.04) itself is open to interpretation about process, which in part is at odds with the GRZ1 provisions and the Clause 56 requirements related to subdivision.
2. In subdivisions of the nature now before Council, permit applications under Clause 56 are asked to step through 3 stages to planning approval.

- Site analysis
- Design response
- Planning proposal

The DPO does not ask for a 'Design Response' and this is a failing in its construction because it misses out the means of agreeing the 'constraints and opportunities' to the design logic and eventual subdivision design.

All parties to the resolution of this design benefit from that stage being agreed by Council before a detailed subdivision is settled. It is a missing link in the stewardship of the future development of the site.

While Councils resolution identified key points to be mediated with the parties, design is a process of exploring different techniques to achieve a particular aspiration. Trade-offs and alternative design techniques can be used to bring benefits to the overall goal of seeking 'to retain the seaside village character..' of Marlo (Point 7 of Council resolution).

In the process of consultation, a set of development design principles have been established which seek to integrate the commentary of all the parties in a manner that represents a balance of opinions or consensus. This is not everyone's preference, but it substantially represents the meeting points.

Adoption by Council of the Design response principles will give clearer guidance to all parties of a way forward that is grounded in the outcomes of the consultation process.



4 Key Design Issues

4.1 At the core of the debate about the development of 10 Marlo Road is the way it should be planned..” to retain the seaside village character...”

There is consensus that it is an important site to the future social and economic life of the township.

In the discussions with residents and the applicants, the tension lies principally with the layout expressed in the proponents DPO submission plans (submission plans). On the one hand the residents see it as ‘Pakenham by the sea’ while the proponents see it as satisfying the planning scheme.

Much of the coastal settlement of Victoria is a result of engineering and planning standards developed mainly for city based suburban development. Their application is not always responsive to the nuances of town character especially in small settlements in special landscapes.

How to achieve the primary objective of a settlement that celebrates the place of Marlo at the mouth of the Snowy River on the Bass Strait coast is the conundrum.

It starts with the sense of arrival.

Recommendation 1

The primary recommendation to Council is that the ‘Design response’ or Development Principles (DP’s) be adopted in an indicative plan which is shown at Appendix 1. It is to work in concert with the recommendations set out in Appendix 2 to this report. The adoption of these principles by Council gives further clarification to the rather generic development principles set out in DPO7 at point 4.

From adoption of this plan the applicant, under the DPO provisions, can go straight to the preparation of a permit application for council consideration, or present a refined Development Plan for Council adoption and then proceed to a permit application.

4.2 Marlo Road Arrival (Pts 1 & 3 Council Resolution)

The arrival along Marlo Road rises from the lowlands of the Snowy flood plain to a gentle crest where the 80 km. sign signals arrival at the outskirts of the township.

Buildings are set back, and the planting is random, giving way to a short length of service road. In passing 10 Marlo Road there is a ‘hit & miss’ plantation of trees & shrubs in front of what is proposed to be a metal fence. These plants give character to the road and partly mask what lies behind but not entirely.

In the current DPO submission plan for the site the entry road off Marlo Road is, in the first leg, short & the likely view ahead will be 2-3 houses, with double garages facing the street.

For many this has the portents of arrival at a gated community of clear suburban style.

The residents and the applicants are united in their opinion that the fence in the format proposed and subject to a Section 173 agreement is unnecessary.

While some still want to see a service road, it is expensive, land consumptive, has overhead power lines to contend with and may affect the current plantation along the edge of Marlo Road that contributes to the sense of arriving at a coastal village.

Managing the place of housing on this road frontage needs careful design and attention to fencing. The 5m ‘no build’ area at the rear of any proposed lots required by the CFA should be included in the eventual subdivision approval. The colour of any shedding kept consistent and preferably dark to make them read as submissive in the landscape.

The entry to the immediate north of the existing home appears to still have sightlines that are safe for exit and entry.

Removal of the play lot (Reserve 5) allows the 2 trees mid-point on the site to become a focus of first entry to the development. They can be beneficially retained.

As an alternative to the service road extension the following is recommended,

- removal of the metal fence,
- reorientation of lots where possible and a softer but consistent fence detail employed that is CFA compliant,
- generous infilling of the gaps in the roadside plantations to a depth of 10m from the road shoulder leaving the footpath in place,
- prevention of vehicle access directly to Marlo Road,
- combined with an entry road that is immediately north of the existing dwelling and tree lined,
- focussing on the retained trees some 100m ahead.

These design techniques will establish the all-important first sense of arrival that reflects the 'seaside village character' of Marlo.

It is a solution agreed to by residents, in some cases reluctantly, as part of a package of refinements that are discussed in the remainder of this report. It is also the preference of the proponent and his advisers.

My reading of the CFA referral response in relation to the metal fence in this location is that it is not required while a building prohibition in the first 5m is required.

Similarly, the road access point needs to comply with the DOT requirements. An indicative cross section at **Figure 1** illustrates the design response to be adopted in relation to the Marlo Road interface.

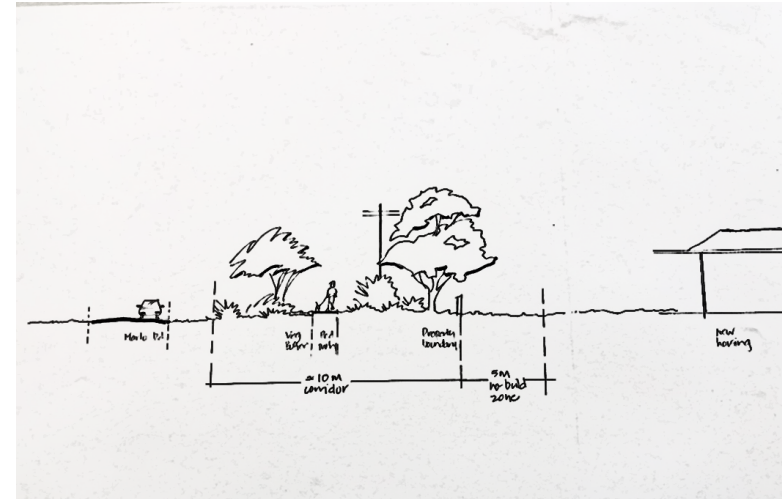


Figure 1 Cross-section

Recommendation 2 : Marlo Road Arrival

The recommendation to Council is that the 'arrival' design response set out below be adopted as the design framework along Marlo Road to include;

- removal of the metal fence,
- reorientation of lots where possible and a softer but consistent fence detail employed that is CFA compliant,
- generous infilling of the gaps in the roadside plantations to a depth of 10m from the road shoulder leaving the footpath in place,
- prevention of vehicle access directly to Marlo Road,
- combined with an entry road that is immediately north of the existing dwelling and tree lined, focussing on the retained trees some 100m ahead.

4.3 Open Space (Pts 2 & 5 Council Resolution)

The open space network is an important way to capture the 'feeling' of seaside character.

Indigenous trees retained and planted in open space combined with street tree planting between groups of buildings is a simple but effective technique in achieving this aspiration.

In the CFA fire buffer on the east side this is not possible, but its open character still serves as a forecourt to the forest beyond which makes a clear presence on the character and place of the proposed development.

In discussions with the proponent's surveyor, it was suggested that the small playlot (Reserve No 5) be moved east adjoining the fire buffer reserve and road reserves created to allow generous street tree planting.

In Appendix 1 this relocated space to the east is nominated as a potential boat/ caravan storage area for residents of the estate. While this is a prohibited use in the zone it maybe a matter Council would consider and rezone this portion of the site for that purpose. Alternatively, it could be left as residential and used for housing which the parties would accept.

Most importantly, removing the play lot facilitates moving the point of entry off Marlo Road which is the primary quest.

In discussions with residents the idea of a ribbon of open space running from Wards Rd to the northeast, connecting to the Forest reserve and potentially a new open space from a proposed subdivision adjacent to the 10 Marlo Road site, would set up an enjoyable walking loop connecting from north to south. This was agreed with residents.

The civil engineer acting for the proponent, confirmed that a linear open space down the drainage swale running to the SE from the centre of the site, could beneficially incorporate water sensitive design that would have habitat, amenity, and drainage benefits.

There were strong and extensive submissions made by residents on the issue of drainage. In discussions with the proponents consulting engineer, it was acknowledged that drainage in Marlo is compromised largely because of the nature of the existing network. The design prepared for the DPO submission plans is deemed 'compliant' in the Engineers opinion. However, the linear open space does provide for refinements to the DPO submission drainage plans that could further assist in retarding stormwater on site. This was seen as beneficial by the residents but did not negate the need for the network to be improved external to the site.

The proposed linear space connecting from Ward St to the NE of the site is shown in the Design Response plan at Appendix 1.

The proponent's surveyor notes that open space should benefit from passive surveillance by using a combination of orienting houses to face the open space and /or having vehicular carriage ways abutting the space.

The linear POS through the site is an important 'trade off' for the residents to relinquishing the service road connection. It also potentially helps in the retardation of storm water and provides space to retain trees where they would otherwise be removed. It is an integrated design solution.

The linear open space is critical to the residents and is part of the 'package' to accept no service road extension and potential use of Lot A for holiday cabins or the like as discussed later in this report.

The proponent's surveyor questions this POS link.

The proponents have not confirmed absolutely that it is acceptable to them.

Finally, in the DPO submission plans there is also a 5m wide reserve that protects the trees on the north side of Wards Rd that also is a beneficial contribution to the landscape character of the area and should be retained



The replanning of the public open space has a flow on effect to road layout and the nature of subdivision lots.

Recommendation 3 : Open Space

The recommendation to Council is to adopt the POS indicative layout shown in Appendix 1 as the preferred POS layout for the site.

4.4 Lot Size & Density (Pt 7 Council Resolution)

The call for larger lots than those contained in the current plan is a 'two-edged sword'. It needs careful management for these reasons.

- Planning policy, the DPO and the zone seek development that makes best use of the land. It is a resource that should not be squandered.
- By contrast its location and sense of place needs to be honoured in any future development. It should not simply become a residential subdivision that could be found in virtually any suburban settlement.
- If lots are made too large, they are candidates for further subdivision in often piecemeal fragmentation over time, slowly eroding the quality of the original design.
- If they are too small, they crowd together, with small garden spaces, double garages dominate the streetscape with houses that simply do not fit their context
- When residents were shown examples of small lot subdivision, carefully curated with attention to house siting, access, visitor parking and garden areas it was received positively.

All parties accept that there is a demand by some for small lots, preferably near services, while others want space for a family home in which to raise children and store a boat or caravan

This led to agreement that small lots should be located near the village heart, close to services and the larger lots in the other parts of the site.

While there is a concern by all parties about the number of lots. Residents want less and the applicant wants to retain 'yield', there is a consensus that a mix of lot sizes is important.

The diagram at **Figure 2** illustrates how the lots can be distributed across the site and integrated with the open space network.

The term 'larger lots' has been characterized as being between 700 and 1000m² while the 'smaller lots' as between 450 to 550 m² for the purposes of discussion with the parties.

The key to accommodating houses on smaller lots is to ensure care is taken in the subdivision design to site and design houses that work successfully on a tighter site.

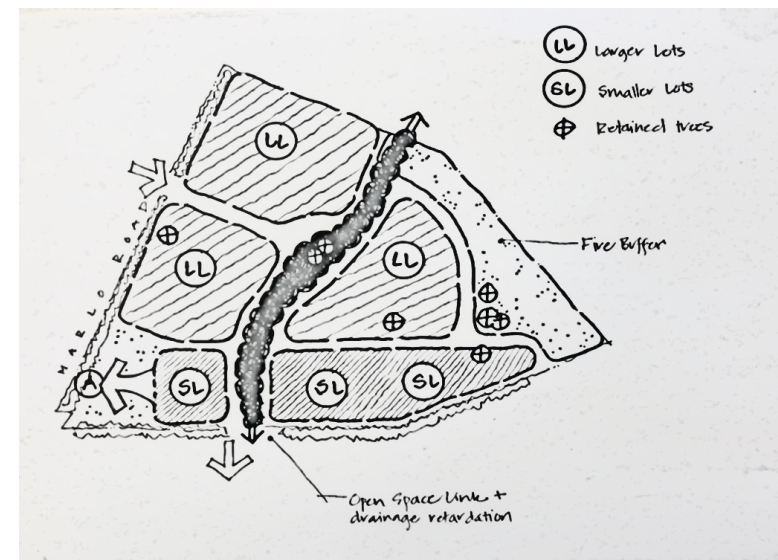


Figure 2 Development Framework

They are usually better designed as a group where access serves the group and gardens relate to one another often sharing their amenity contributions to the place they are in. The **Figure 3** illustration is an example where access is provided over a small private accessway, shared between residents. Bins are placed in an enclosure on the main street for Council collection so that the accessway can function without a large turning circle. Visitor parking is accommodated on the accessway.

On the 'larger lots' land size may be more than 1000m² as the DPO submission plans include, but the essential issue is that they are not all one size at the bottom or top end of the scale. There needs to be a range. This will in part be a market driven decision given the nature of the zone.

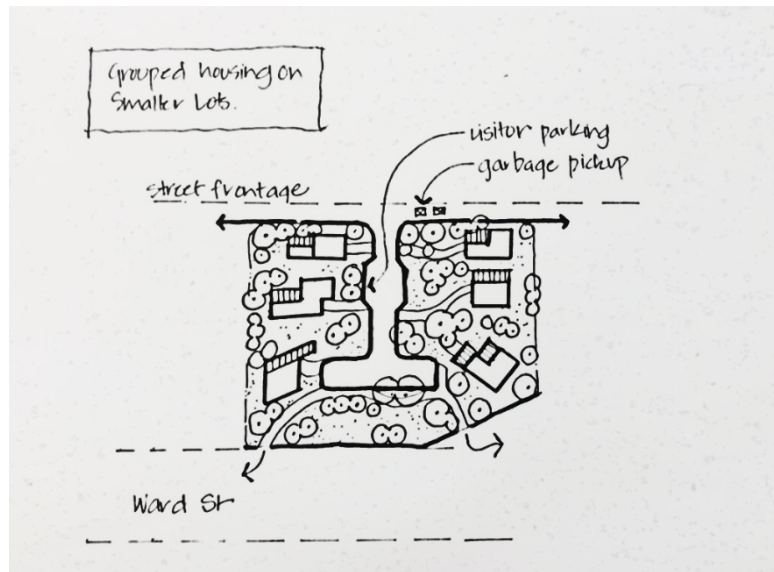


Figure 3 Grouped housing

Recommendation 4 : Lot Size & Density

The recommendation to Council is to adopt the residential density and general disposition of lot sizes shown in Appendix 1 as the preferred subdivision mix.

4.5 Lot 'A' Proposed Pos (Pt 6 Council Resolution)

In discussions with residents and the applicant there was recognition of the desire by some, for this lot to be used as open space. Equally, however, it was acknowledged that this site, close to the village centre could beneficially accommodate small holiday cabins, developed as an integrated design, that are sited amongst the trees in a way that is largely unfenced, with pathways that allow some public carriageway.

It may also be used for housing in smaller buildings suited to retirees.

This is an option that most residents would accept if the ribbon of open space through the site is included in the final plan. The proponents and their surveyor consider it a sensible use of this site.

Recommendation 5 : Lot 'A'

The recommendation to Council is to acknowledge that Lot A may be used for small dwellings/Cabins serving tourist and or retirement needs in a grouped and integrated design.

5 Concluding Discussion

In conducting this consultation/mediation the process has been made difficult by the changing restrictions placed on congregation by COVID.

While Zoom helped keep the process moving it is not always as helpful as face-to-face interaction. In some cases, residents were located in places where face to face discussion was impossible, and if unable to use Zoom was handled in a phone call. The proponents were in another State and could not travel to Victoria.

Successful mediation requires the respectful application of patience and tolerance. In an age of easy access to social media this can sometimes be lost in that simple action of pressing 'send' or 'post' when a pause would have been the more constructive option. It becomes unhelpful to mediation especially in a small community.

Turning then to Council's quest to find consensus to the future development of this site, the foregoing has sought to better clarify the way in which this important site in Marlo takes its place in a manner that respects and reinforces local character. 'Sense of place' can be an overworked cliché. Easy to say, difficult to achieve.

In the combination of planning controls operating on this site there are the tools to ensure this development contributes to Marlo in a manner where residents and visitors value and celebrate a distinctive capturing of the 'sense of place' of this village by the coast.

The stewardship of this achievement lies in the hands of all the parties to this mediation.

The residents need to be respectfully heard. They live here and their articulation of what concerns them has been intelligently made. Many have professional skills steeped in planning, design, construction, and land conservation issues.

The owners have a right to expect their application to be processed diligently and their advisers' technical skills heard in the same manner as the residents.

Council have an obligation to administer its statutory responsibility judiciously and effectively especially in relation to the requirements of statutory authorities.

The recommendations in this report seek to facilitate a design that delivers on these sometimes-competing aspirations and obligations.

It is a way forward for a task not yet finished. It does not end here but there is more clarity for all parties because of the consultation and mediation.

Finally, the DPO7 at point 4 sets out Development principles that are reflected in the plan and recommendations at Appendices 1 and 2. They are set out below.

Development principles:

Measures to implement the following development principles:

- A subdivision layout which responds to the features of the land, such as inundation and bushfire, as identified in the Site Analysis Plan.
- A subdivision layout which is sympathetic to remnant native vegetation, particularly mature indigenous trees and vegetation.
- The provision of useable open space.
- That new development incorporates water sensitive urban design principles for appropriate drainage solutions.
- That indigenous plant species should be used for landscaping of public open space reserves and for revegetation in accordance with the Department of Environment, Land, Water and Planning's background document Revegetation Planting Standards.
- That the subdivision layout is designed to facilitate the provision of efficient and effective pedestrian, bicycle and vehicle movements, and to ensure connectivity with the existing public transport network (if present).
- The subdivision layout provides appropriate linkages to adjoining land.



Recommendation 6 : Landscape Architecture

As part of the package of approval at permit application stage, a qualified landscape architect with experience in subdivision design in sensitive landscape settings should be engaged by the proponents to work in concert with their surveyor and civil engineers and prepare;

- A series of plans showing road cross sections and the way street planting will be installed throughout the project.
- Landscape plans for all open space including the Marlo Road interface.
- Details of fencing for private property that can be installed as CFA compliant
- Design Guidelines for siting dwellings with planting recommendations for garden areas responsive to the local context.

Finally

My thanks to all those who have given up their time to write, talk, attend meetings, and offer constructive criticism and to Elizabeth Heath who has assisted in managing the administrative consequences of a COVID influenced set of communications.

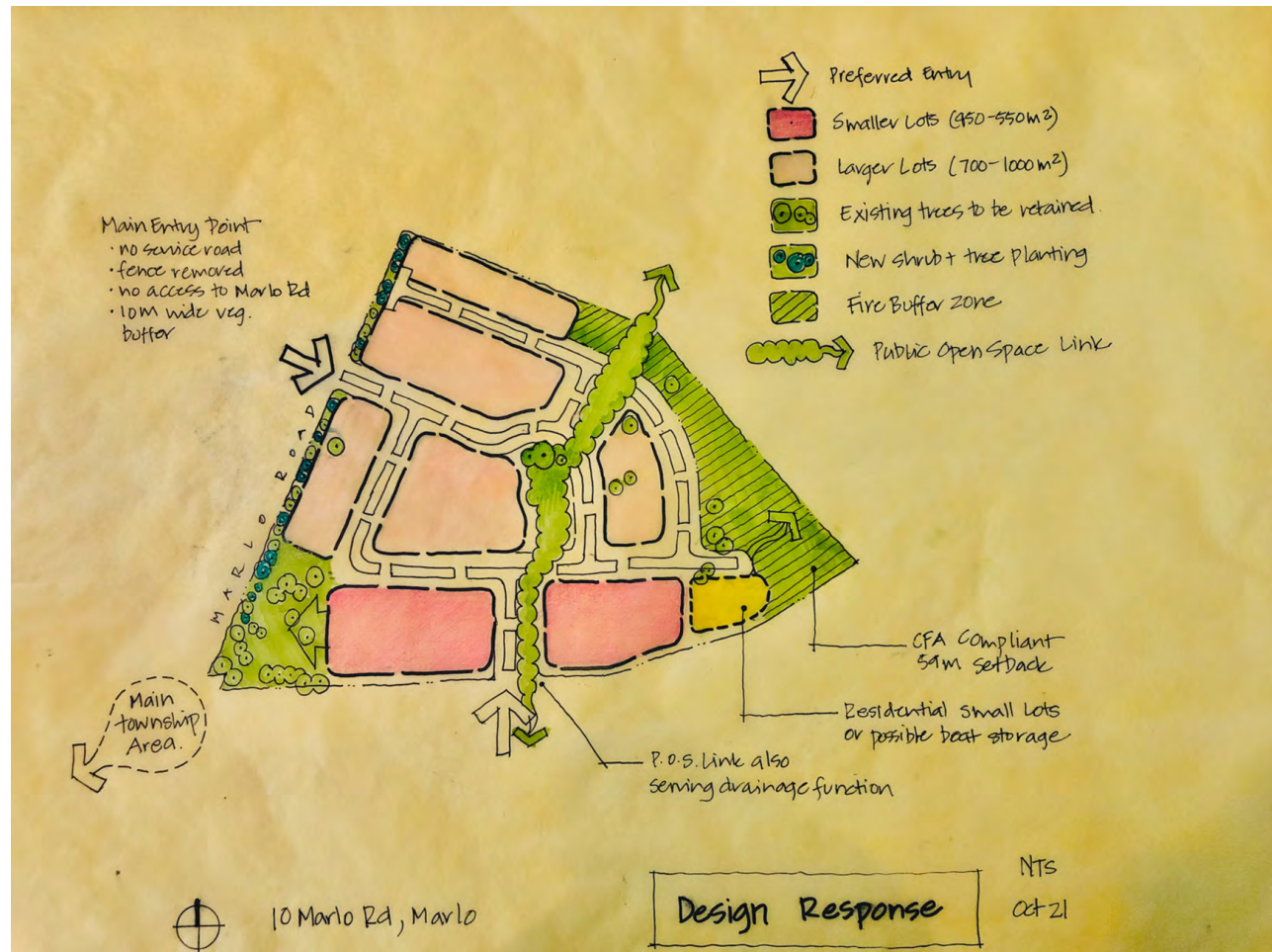
Timothy Biles

Ratio Consultants

22.10.21



Appendix 1



Appendix 2

Recommendation 1

The primary recommendation to Council is that the 'Design response' or Development Principles (DP's) be adopted in an indicative plan which is shown at Appendix 1. It is to work in concert with the recommendations set out in Appendix 2 to this report. The adoption of these principles by Council gives further clarification to the rather generic development principles set out in DPO7 at point 4.

From adoption of this plan the applicant, under the DPO provisions, can go straight to the preparation of a permit application for council consideration, or present a refined Development Plan for Council.

Recommendation 2 : Arrival

The recommendation to Council is that the 'arrival' design response set out in the preceding narrative be adopted as the design principle framework along Marlo Road and includes;

- removal of the metal fence,
- reorientation of lots where possible and a softer but consistent fence detail employed that is CFA compliant,
- generous infilling of the gaps in the roadside plantations to a depth of 10m from the road shoulder leaving the footpath in place,
- prevention of vehicle access directly to Marlo Road,
- combined with an entry road that is immediately north of the existing dwelling and tree lined, focussing on the retained trees some 100m ahead.

Recommendation 3 : Open Space

The recommendation to Council is to adopt the POS indicative layout shown in Appendix 1 as the preferred POS layout for the site.

Recommendation 4 : Lot Size & Density

The recommendation to Council is to adopt the residential density and general disposition of lot sizes shown in Appendix 1 as the preferred subdivision mix.

Recommendation 5 : 'Lot A'

The recommendation to Council is to acknowledge that Lot A may be used for small dwellings/Cabins serving tourist and or retirement needs in a grouped and integrated design.

Recommendation 6 : Landscape Architecture

As part of the package of approval at permit application stage, a qualified landscape architect with experience in subdivision design in sensitive landscape settings should be engaged by the proponents to work in concert with their surveyor and civil engineers and prepare;

- A series of plans showing road cross sections and the way street planting will be installed throughout the project.
- Landscape plans for all open space including the Marlo Road interface.
- Details of fencing for private property that can be installed as CFA compliant.

Design Guidelines for siting dwellings with planting recommendations for garden areas responsive to the local context.



Response to Alternative Plan

Dear Councillors,

The effort and cost Council has expended in facilitating the Mediation process has been invaluable in improving the outcomes for Marlo. We thank all councillors.

The Marlo Ratepayers and Residents' Association (MRRA) acknowledges and welcomes the significant improvements in the new plan prepared by Mr Michael Sadler.

These include:

1. Reduction in number of lots from 104 to 87.
2. Increase in Open Space provision.

This open space substantially improves the subdivision by:

- Providing open space in the middle of the plan
 - Facilitating connecting links walking tracks to State Forest walking tracks.
 - Retaining significant large mahogany tree – biodiversity habitat.
3. Widened road reserves from 17 m to 22 metres
 - Will reduce congestion
 - Allows tree planting landscaping within the site
 4. Closer alignment with the Marlo UDF in retention of “seaside village character.”

Issues unresolved:

1. Protection and enhancement of the Gateway -Marlo Road

- The service road was reluctantly conceded in exchange for a 10 m wide landscaped planting and Tim Biles' open space corridor though the site to also serve drainage purpose. We have ended up with a 5 m planting which will be insufficient for effective gateway screening and not the other side of the bargain.
- MRRA believes it is vital a 10 m landscaping buffer be provided on site. Is there to be a fence? If so what type and where? MRRA believes this planting is a vital element in improving the gateway amenity and warrants an upfront landscaping plan.
- Uniform fencing specification required- Tim Biles in Mediation proposed Knotwood with vegetation cover.

2. Mandate a landscape plan prior to approval and construction.

The landscaping requirement outlined in Council Motion has not been met. Landscape plan incorporating open spaces, parks, Marlo Road, the road reserves, the planting schedule, and the width of the road pavement, parking indents is integral to the landscape plan before a permit application is made to ensure environmental requirements are met.

3. Incorporate and retain mature trees within site and along Ward Street.

The Plan removes 22 mature trees. Offers no offsets. This is contrary to Planning Scheme. Clause 52.02.1S and Schedule 7 Development Plan Overlay “A subdivision layout which is sympathetic to remnant native vegetation, particularly mature indigenous trees and vegetation.”

- UDF p 51 “A large number of indigenous trees from the former forest and woodlands (notably Southern Mahogany, *Eucalyptus botryoides*, have been retained in pastures and in road reserves, and within the town. These have very high landscape values, as well as fauna habitat values and efforts should be made to retain and protect these trees within an urban context via the appropriate planning controls.”

(I recently spotted a Ground Parrot in Marlo - listed as vulnerable in Victoria- retaining native vegetation protects biodiversity and ensures habitat for endangered and vulnerable species.)

4. Drainage

MRRA believes the environmentally unfriendly and old fashioned piped drainage system with problematic retention pits as proposed, should be replaced with an open vegetated water retaining and cleansing drainage line such as Tim Biles suggested.

The poor state of Marlo’s drainage infrastructure draining into the River mouth necessitates the demonstration of the ability to implement an effective and environmentally friendly drainage system for the development.

While the current drainage plan for the site may be acceptable in an engineering sense it is largely set underground, The MRRA believed it would be serving a greater purpose if it was more extensively based on water sensitive design principles that also contribute to habitat and amenity considerations. As required by Schedule 7 PDO “That new development incorporates water sensitive urban design principles for appropriate drainage solutions.”

5. Lot A as public space

Residents conceded this on the provision that the ribbon of public space linking water features be incorporated.

- Proposed use must be outlined, as required by the Planning Scheme, prior to the Development Plan approval.

6. Profitability/Yield/Feasibility

The proponent has made many comments re the need for profitability in developing and taking the risks involved. We acknowledge that a viable financial reward is required to undergo such development, however the likely yield of this site is substantial and the consequent future costs to the community and the East Gippsland Shire need to be mitigated.

The site was purchased in December 2014 for \$485,000.

The two most recent sales of blocks in Marlo were \$330,000 and \$320,000.

Development costs estimated at \$80,000 per block (Quoted by developer)

87 lots @ \$300,000 = \$26,100,000	87 lots@ \$250,000 = \$21,750,000
Costs 87 x \$80,000 = \$6,960,000	Costs 87 x \$80,000 = \$6,960,000
Purchase cost = \$485,000	Purchase cost = \$485,000
Overall profit = \$18,655,000	Overall profit = \$14,305,000

This is a range of potential profits, but very reasonable calculations given the development costs at \$80,000 is at the high end of development costs for such developments.

The diversity of lot sizes will allow a range of prices but the two averages given are very reasonable and achievable. It could be more.¹

Council has a commitment to facing the challenge of climate change. Requiring new developments to mitigate impacts by sustainable design incorporating sensitive urban water design and environmentally responsible designs for public and private places is inherent in what we have been endeavouring to achieve in calling for a development at 10 Marlo Road that responds to and enhances the environmental and neighbourhood character of Marlo.

We sincerely thank all councillors for your consideration and the extensive time and effort you have given to this important issue. We acknowledge the improvements made in the new plan and raise these issues to be resolved in a mutually beneficial way rather than as prescriptive non-negotiable demands.

Yours sincerely

Shayne Boyd
President
MRRA



¹ Latest land sales in
Marlo 65 Jorgensen St 1011m - \$330,000
47 Old Marlo Road 1006 m – \$320,000
For Sale
1 Harding Ct 912m - \$320,000
33 Saleni Drive 1792 – \$290,000¹

4 Councillor and Delegate Reports

5 Officer Reports

5.1 Assets and Environment

5.1.1 CON2021 1433 Soldiers Road Hillside Road Widening

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, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

A Request for Tender was advertised seeking appropriately qualified contractors to carry out the widening of Soldiers Road, Hillside. Soldiers Road runs north from the Bairnsdale Dargo Road for 3.85 km to Settlement Road. Located approximately halfway between Bairnsdale and Lindenow, Soldiers Road services adjacent agricultural land and market gardens.

This area currently has insufficient road width, resulting in a road that does not provide a suitable level of service. The objective of the road widening project is to increase the width of the road to a minimum of 6.0m, accommodating two passing vehicles on the sealed surface.

The need for these works was priorities by the Gippsland Safe Freight Network in a collaborative process that identified several roads in the Lindenow area that required upgrade works to support the safe movement of freight. This is the last of the roads identified by this group to be upgraded.

This road widening works will better accommodate the heavy vehicle requirements of local market garden farmers, improve service levels for the local community and reduce the demand for ongoing maintenance.

The project was successful in attracting funding through the Australian Government AgriLinks Program that is delivered via the State government. The support and prioritisation of these works by the Gippsland Safe Freight Network was one of the reasons for this successful funding.

As a result of the tender process, Council is now in a position to award a contract. A Tender Evaluation Report detailing the Tender Evaluation Panels assessment and recommendation is provided as **Confidential Attachment 1**.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. accepts the tender submitted by _____ for CON2022 1433 Soldiers Road, Hillside Road Widening for the contract amount of _____ exclusive of GST;***
- 3. authorises the signing and sealing of the contract in the form proposed; and***
- 4. resolves that the attachments to this report and all discussions in relation to these attachments remain confidential.***

Background

Soldiers Road is located approximately halfway between Bairnsdale and Lindenow. At 3.85km in length, Soldiers Road connects Bairnsdale Dargo Road with Settlement Road, providing important access to adjacent agricultural land and market gardens. The importance of this road link has been recognised at a regional level by the Gippsland Safe Freight Network.

Soldiers Road currently has a varying and generally insufficient sealed road width. This provides a low level of service and required frequent maintenance. The objective of the road widening project is to increase the width of the road to a minimum of 6.0 metres, accommodating two passing vehicles on the sealed surface. These improvements will result in an improved level of service and a reduction in maintenance costs associated with frequent repair of unsealed shoulders.

Due to the benefits of the project for heavy vehicle requirements and adjacent agricultural uses, the project was successful in attracting significant funding through the Australian Government AgriLinks Program, totalling \$702,700.

Specific works include the widening, pavement stabilising and sealing of the road and shoulders over the 3.85km length of Soldiers Road, achieving a two-lane sealed road width, along with upgrades to the existing drainage and line marking.

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*.

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

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

Collaborative Procurement

As this tender relates to a single project related to an East Gippsland Shire Council managed road, it has not been prepared in collaboration with other agencies.

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.

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

Council Policy

Procurement has been undertaken in accordance with the East Gippsland Shire Council Procurement Policy (2021).

Options

The design aligns with other roads recently reconstructed in East Gippsland Shire and is considered the best option for a range of reasons including, effectiveness, cost, ability to be maintained.

The options before Council are to either award or not award CON2021 1433.

Resourcing

Financial

The project has attracted funding from the Australian Government – Agri Links Program totalling \$702,700. The funding provided for the project through this program is on 3:1 basis. Supplementary project funding is provided as part of Councils adopted capital works budget. A detailed budget analysis is provided within the Tender Evaluation Report provided as **Confidential Attachment 1**.

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 will be managed through various Project Management Plans, including safety, quality and environmental. The residual risk is considered low.

Economic

Economic benefit generated by the project include 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.

The upgrade to Soldiers Road is to ensure that Council infrastructure provides a suitable level of service to meet the growing demands of the local farming businesses. The project will also improve road conditions and safety for the community and reduce ongoing maintenance requirements for both freight companies and general users.

Social

The completion of this project will improve road conditions and safety for the community and reduce ongoing maintenance requirements.

Environmental

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.

Engagement

The need for these improvement works were firstly identified through collaborative engagement with relevant stakeholders including the Gippsland Safe Freight Network and the agricultural sector.

A communications and engagement plan will be implemented prior to works commencement, ensuring all stakeholders needs are best accommodated throughout the project.

Attachments

1. CONFIDENTIAL - CON2022 1433 Soldiers Road, Hillside Road Widening - TEP Report [5.1.1.1 - 6 pages]

Conflict of Interest

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

Executive Summary

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

The Jarrahmond Road bridge is located on Spring Creek Jarrahmond and provides access for residents, primary producers and school buses. The current timber structure has been strengthened several times over the past 30 years. This has included steel bracing attached to several of the timber components, which has allowed the bridge to remain in place without the need for load limiting.

During recent inspections it was noted that the most cost-effective solution to the bridge's failing components would be to replace the entire structure rather than continue a costly maintenance regime. This has led to the consequent tendering of the replacement of the Jarrahmond Road bridge.

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 of the Tender Evaluation Panel 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 Contract CON2021 1442 Jarrahmond Road Bridge Replacement for the contract amount of _____ exclusive of GST;***
- 3. authorises signing and sealing of the contracts in the form presented; and***
- 4. resolves that the attachments to this report and all discussions in relation to these attachments remain confidential.***

Background

The Jarrahmond Road bridge is located on Spring Creek Jarrahmond and provides access for residents, primary producers, forestry harvest machinery and school buses. The current timber structure has been strengthened several times over the past 30 years, but now requires replacement to ensure that a safe, non-load restricted bridge is provided on this school bus route.

The replacement bridge has been designed to current bridge loading standards, and comprises of steel reinforced piles, steel reinforced beams, and cast in situ deck. The Request for Tender was advertised through the Bairnsdale Advertiser, Lakes Post, Snowy River Mail and online through TenderLink.

Legislation

On 24 March 2020 the Government passed the *Local Government Act 2020* (the new Act). Provisions from the new Act 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 commenced on 1 July 2021. The *Local Government Act 1989* applies in circumstances where the new Act has not commenced.

This report has been prepared in accordance with *Local Government Act 2020* sections 66(2)(2) and 77(2)(c).

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

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

Collaboration

Given the contractual nature of this report, this report has not been prepared in collaboration with another local government or agency.

Council Plan

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

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

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

Resourcing

Financial

The project is being funded predominantly by the Federal Government's Roads to Recovery Program. Council is providing approximately 10% of the funding for the project to meet costs not able to be claimed through the funding program.

Further detailed financial information is contained in **Confidential Attachment 1**.

Human Resources

The Project Supervisor for this contract will be Council's Project Supervisor Bridges. No additional resources are required to manage this project's delivery.

Risk

The risks of this proposal have been considered and are minimal, due to the simplicity of the design and previous experience of the contractor in constructing this type of bridge. The risk of inclement weather affecting the project has been reduced by programming the onsite construction works to be completed in the dryer months of the year.

This project addresses the significant risk of escalating maintenance costs through the replacement of an aging structure. The new bridge has a 100-year design life.

Economic

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

Social

The surrounding community will directly benefit from this project once completed. The new bridge will increase safety, and ensure unrestricted access is maintained for the next 100 years. The renewal of the road pavement on the approaches to the bridge will provide a safer surface for drivers.

Environmental

In designing the project, consideration was given to landscaping and tree planting, which will provide a higher level of amenity in the area and ensure ongoing canopy cover, reducing heat.

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

Climate change

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

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts. In this instance that design response has included tree planting to provide canopy and reduce heat.

Engagement

The Project Supervisor for the works has been responsible for providing initial engagement with the local community and this relationship will continue throughout the duration of the project.

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

Attachments

1. CONFIDENTIAL REDACTED - CON2021 1442 - Bridge Replacement Jarrahmond Road, Jarrahmond - TEP Report [5.1.2.1 - 7 pages]

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 to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The purpose of this report is to provide Council with an overview of the tender process and seek approval to appoint a Principal Contractor for *CON2022 1459 East Gippsland Gymnastics Centre* which comprises the construction of a new purpose-built gymnastics building at the Lucknow Recreation Reserve.

Gymnastics has long been a very popular sport in East Gippsland in much need of an appropriate home. The facilities used by the gymnastics club are not available for use on weekends and are not designed for gymnastics – making the continual expansion of the club and the ability to host competitions challenging.

The Bairnsdale Sporting Facilities Plan adopted by Council in 2018 recognised the need for a purpose-built gymnastics centre as part of the Lucknow Recreation Reserve was a high priority for the region. This recognition led to the development of detailed designs and costings for such a facility.

Acknowledging the benefits of this project, the Victorian State Government, as represented by the Department of Jobs, Precincts and Regions has contributed \$800,000 from the *Local Sport Infrastructure 2020-21 – Strategic Facilities fund*. This funding contribution is being administered through Sport and Recreation Victoria.

The East Gippsland Gymnastics Centre development comprises of two stages. This contract is for a suitable contractor to deliver Stage 1 only with Stage 2 being tendered separately in early 2022. Stage 1 includes the construction of a new building and associated infrastructure at the Lucknow Recreation Reserve, formation of a temporary crossover, driveway and a crushed rock hardstand area.

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 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 1459 East Gippsland Gymnastics Centre 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

The East Gippsland Gymnastics Club is the primary provider of gymnastics programs and services in the East Gippsland Shire. Over the past 10 years, the Club has seen major growth in its membership, from just 97 members in 2012 to 485 members in 2019. The Club consistently has a waiting list of over 50 children, however, at times it has been more than 150. Growth in gymnastics participation in East Gippsland is currently limited by the lack of a fit-for-purpose gymnastics facility that can cater for increasing demand.

The East Gippsland Gymnastics Club currently operates from an industrial building located beyond the Bairnsdale town boundary. The building is leased from a third party on a month-by-month basis which gives no security in tenure. With this arrangement comes limitations in access on Friday and Saturday evenings during the traditional sport playing times of the week. There are also several safety, security and access issues with the current facility.

The need for improved gymnastics facilities was recognised by the Bairnsdale Sporting Facilities Plan (2018) as a high priority. This plan was adopted by the previous Council and led to the development of detailed design work to support the project's genesis.

This project will greatly improve gymnastics participation in East Gippsland by constructing a new fit-for-purpose gymnastics facility at the Lucknow Recreation Reserve. The new building will be located adjacent to the existing Bairnsdale Squash and Table Tennis Centre as well as near the Lucknow Football and Netball Club, including recently completed clubrooms. This will create a sporting precinct within one of the highest residential growth areas of Bairnsdale.

The new East Gippsland Gymnastics Centre has been keenly anticipated by the Gymnastics Club and the broader community. It has been designed in close consultation with the Club and adopts best practice in terms of sustainable and universally accessible building design. It will be well received when complete. It is anticipated that construction works under this contract will be implemented between January and October 2022.

Legislation

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

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

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

Collaborative Procurement

Procurement collaboration has not been possible for this contract as it relates to lump-sum works solely for the construction of a new East Gippsland Shire Council owned facility. The project has been funded collaboratively by the Victoria State Government, the East Gippsland Gymnastics Club and East Gippsland Shire Council.

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 processes associated with contract have been undertaken in accordance with the East Gippsland Shire Council Procurement Policy 2021.

This project also assists to deliver a high priority within the Council adopted Bairnsdale Sporting Facilities Plan (2018).

Options

When developing the design for the new East Gippsland Gymnastics Centre, a range of options were considered and discussed with stakeholders to ensure that the new facility is fit-for-purpose and can meet the current and future needs of the community. This included considerations with respect to the siting, layout, accessibility, safety and operation of the new facility. Based on feedback received, several major design changes were made including the orientation and placement of the building on the site, the internal layout for efficient use of space as well as the provision of amenities that prioritise child safety and accessibility.

Resourcing

Financial

\$800,000 has been provided for the project from the Victorian State Government through Sports and Recreation Victoria, Local Sport Infrastructure 2020-21 – Strategic Facilities fund.

Further funding is provided by Council through the capital works program.

A detailed budget and cost summary for the overall project is provided in **Confidential Attachment 1**.

Plant and equipment

Plant and equipment used to deliver the works will be provided by the successful tenderer, as detailed in their tender submission.

Human Resources

This project will be supervised by a Project Supervisor from Council's Assets and Projects unit. No additional human resources are required to manage this project.

Risk

The risks of this proposal have been considered and tenderers were requested to develop a construction methodology that minimises risks identified with respect to timing, public safety, traffic management, works near residential areas and other key issues associated with the Contract.

Economic

Although the East Gippsland Gymnastics Club operates as a community-based not for profit organisation, the new facility will have economic benefits across many areas of the local economy. During construction, immediate economic benefit will result from the procurement of goods and services predominantly through local businesses. When the new facility is operational, several new volunteer and paid employment opportunities will become available as local participation in gymnastics increases to meet current demand.

The tender evaluation process used for this tender included a 5% weighting for local contribution, with a preference given to Contractors who employ locally and procure goods and any subcontracted services locally.

Social

The social impact of this project is substantial in terms of its direct health and wellbeing benefits to the wider community. The new facility will enable increased participation in sporting activities for females, who are under-represented in the organised sport. This will result in better health outcomes. In addition, the new facility will enable the East Gippsland Gymnastics Club to diversify their product and service offering in order to target a broader cross-section of the community, with a focus on inclusivity and accessibility across different age groups and socio-economic categories.

Environmental

The design of the new Gymnastics Centre has adopted best practice in terms of energy efficiency, utilities usage, transport and waste. The tender evaluation process included a 5% weighting towards environmental and sustainability aspects, with preference given to Tenderers who can demonstrate environmentally friendly work practices and who adopt sustainability principles within their workplaces.

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

This project builds on the extensive community engagement undertaken to develop the Bairnsdale Sporting Facilities Plan (2018).

Since then Council Officers have undertaken extensive community engagement during the planning phase of this project and have worked in close consultation with the East Gippsland Gymnastics Club committee throughout the design phase. The Project Supervisor will continue to engage with these stakeholders and foster positive ongoing relationships by providing regular updates throughout the project delivery phase. Engagement activities promoting the project to the broader community and advising of potential impacts throughout its implementation will be initiated following award of the construction contract and the commencement date being known.

Attachments

1. CONFIDENTIAL - CON2022 1459 East Gippsland Gymnastics Building - TEP Report [5.1.3.1 - 8 pages]

5.1.4 Additions and Deletions of Roads to Council's Register of Public Roads

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 considers the inclusion of additional roads to East Gippsland Shire Council Register of Public Roads (ROPR), as part of Council's responsibilities under the *Road Management Act 2004 (the Act)*. As well as the removal of one council managed road from the Register of Public Roads.

The Act establishes a statutory requirement for road authorities to maintain a ROPR. Road authorities have a duty to inspect, maintain and repair roads that have been determined as public roads. The East Gippsland Shire Council Road Management Plan establishes the standards that shall be met when discharging these duties to inspect, maintain and repair public roads.

Council staff have received a number of requests from members of the community seeking maintenance on roads that are not currently included on the ROPR and consequently, are not currently inspected, repaired or maintained by Council, in addition to identifying omissions through internal review.

The roads considered for inclusion to the Register of Public roads in this report include:

- Ramsdell Court, Nowa Nowa (0.26km)

The road considered for removal from the Register of Public Roads and closed in this report include:

- Laneway (Main to Macleod Street) Bairnsdale (0.106km)

Officer Recommendation

That Council:

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

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Ramsdell Court	Nowa Nowa	Road reserve	3	0.26km	Urban Access

- 3. declares the section of road listed below as no longer a Public Road and be removed to Council's Register of Public Roads under the classifications shown and the road be closed;***

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Laneway (Main Street to Macleod Street) B Asset Number 103064	Bairnsdale	Road reserve	0	0.106km	Urban Limited Access

- 4. authorises that the register of Public Roads be updated to include the additional 0.26km of Ramsdell Court as required by the Road Management Act 2004 and detailed in this report;***
- 5. approves advertisement of the intent to remove the 0.106km of Laneway 103064 between Main Street and Macleod Street from the Public Road Register and close the laneway; and***
- 6. authorises that notice be placed in the Victorian Government Gazette relating to the discontinuation of the laneway listed above between Main Street and Macleod Street Bairnsdale once all necessary advertising has been finalised.***

Background

Council Officers periodically receive requests to add roads to the ROPR. In accordance with the *Act*, Council can make alterations to its ROPR to include any new roads it considers to be public roads.

Council must record on its ROPR, any road in respect of which it is the responsible authority and where it has made a decision that the road is reasonably required for general public use, in accordance with Section 17(3) of the *Act*.

While there is no statutory definition for what circumstances constitute reasonably required for general public use, the following is guiding criteria has been used historically by East Gippsland Shire Council when assessing whether a road fits this definition and therefore should be added to the ROPR:

- The road provides access to a principal place of residence (PPR).
- The road in question provides a single closest point of access to a rateable property holding,
- The road is located on suitable land, in a road reserve or Crown land where the Council has relevant authority to lawfully have a road.
- The road is not maintained by another authority

The road also needs to be of an appropriately constructed standard, with only nominal works required to bring them up to an acceptable standard that can be maintained through routine operational activities.

The guiding principles outlined above aim to provide a property access service level whereby private land that has been developed to include a principal place of residence, adjacent to a connected network of roads, has an access point to a roadway listed on the Public Road Register which is inspected, repaired and maintained by Council.

Unused road reserves requiring full construction of a physical road to provide access to properties are not usually considered under this process. Such works would have to be undertaken by the landholder(s) to a satisfactory standard before consideration of their addition to the register would occur.

This report considers the suggested classifications of the roads following road to be Urban and Access. These road hierarchy classifications require annual hazard inspections and regular maintenance throughout the year.

The road that is recommended for addition – Ramsdell Court, Nowa Nowa is 0.26 kilometers in length and have been nominated for inclusion in the Register of Public Roads. A map of each of the roads addressed in this report is provided in **Attachment 1**.

The removal and discontinuation of the Laneway identified between Main Street and Macleod Street provides limited access to the current owner/occupiers of the properties by way of access to a rear mechanical workshop. There is currently a planning permit process running concurrently to purchase the abutting properties of 259 Main Street, 48 Pyke Street and 124 MacLeod Street to create a retail store complex and associated parking facilities. As a part of this process the proponent has requested that the laneway be discontinued as a public road and arrangements be made to purchase the parcel of land.

Precedent has been set with the sale of other intersecting parts of this laneway network, that reduce the significance and functionality of this laneway.

As this current laneway provides only single lane width limited access and there is functional access to all land holders that abut the lane way from existing council managed roads. It is recommended that Council discontinues this laneway and removes it from the Register of Public Roads. Council provided opportunity for community objections or feedback relating to the proposed removal and closure of the road via local media advertisement and council's website, no objections or feedback was received.

Addition

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Proposed Classification
Ramsdell Court	Nowa Nowa	Road reserve	3	0.26km	Urban Access

Removal/Discontinuation

Road Name	Locality	Land Tenure	Principle Places of Residence	Approx. length	Classification
Laneway (Main Street to Macleod Street) B Asset Number 103064	Bairnsdale	Road reserve	0	0.106km	Urban Limited Access

The road nominated in this report all provide access to dwellings located on private property which are understood to contain a minimum of one principal place of residence.

The roads considered generally have alignments within road reserves.

Legislation

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

The procedures and recommended actions within this report are consistent with the requirements of the *Road Management Act 2004* and Council's own Road Management Plan (2021).

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

Pursuant of section 109(2) of the *Local Government Act 2020* this report has not been prepared in collaboration other councils or agencies as the report relates directly to Council's individual road management responsibilities.

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.

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

Council Policy

This report is prepared in accordance with the East Gippsland Shire Council Road Management Plan (2021).

Options

Council has the option of accepting or proposing an alternative to the recommendations made in this report.

Resourcing

Roads that are added to the ROPR as a result of this report will be maintained utilising the resources currently available through Council's two road maintenance contracts.

Financial

It is estimated that the annual routine maintenance costs for the recommended road would be \$2,500. This cost will be offset with a reduction in road maintenance generated by the removal of the Bairnsdale Laneway from the register of roads Council maintains.

Plant and equipment

Not applicable

Human Resources

Not applicable

Risk

The risks of this proposal have been considered and adding this road to the register of public roads and maintenance will not pose any further risk to Council. Removal of the recommended road does not pose any further risk to Council.

Economic

The removal of the Bairnsdale Laneway from the ROPR will facilitate its ability to be sold to neighbouring landholders to facilitate future development infill in the Bairnsdale CBD

Social

Addition of Ramsdell Court in Nowa Nowa to the register will enhance drivability conditions and safety for residents.

Environmental

There are no environmental impacts.

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

Community engagement is primarily through receipt of customer or resident requests that the proposed roads be added to the register of public roads.

The proposed closure of the Bairnsdale Laneway and removal from the ROPR has been through a formal advertising and notification process. No objections or submissions were received during this process. A further 28 day advertising period for the closure of the laneway will be undertaken before the close and removal from the ROPR is undertaken.

Attachments

1. Register of Public Roads [5.1.4.1 - 2 pages]

Attachment 1

Ramsdell Court, Nowa Nowa
0.26 km



Road for removal from the Register of Public Roads and discontinuation.
Laneway Main Street to Macleod Street, Bairnsdale
0.106km



5.2 Place and Community

5.2.1 Planning Permit Application - 345/2021/P for Refusal - 10 Conran Court Marlo - Three lot subdivision and removal of Native Vegetation

Authorised by Acting 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 Council a recommendation for refusal of Planning Permit Application 345/2021/P. The application (**Attachment 1**) seeks approval for a Three Lot Subdivision and removal of Native Vegetation in accordance with the subdivision provisions of the Low Density Residential Zone, Bushfire Management Overlay, and Design and Development Overlay (Schedule 11), and the native vegetation particular provision, of the East Gippsland Planning Scheme.

The application proposes subdivision of the existing 6,283 square metre site into three parcels with each lot to be subdivided into 2,000sqm. A 283sqm common property area is proposed to serve as accessway to the lots along the north east boundary. Further, the removal of native vegetation consisting of 10 scattered trees is proposed.

The application was referred to relevant referral authorities, all of whom raised no objection whilst providing responses (**Attachment 2**) with conditions to be added onto the permit if issued.

The application was subject to notice in the form of letters to adjoining landowners and a sign was placed on site in accordance with Section 52 of the *Planning and Environment Act 1987*. Consequently, six objections have been received at the time of writing this report (**Attachment 3**). Ten Letters of support were also provided through the permit applicant, which are provided at **Attachment 4**.

A Mediation Meeting was conducted on 27 October 2021 where all six objectors and the applicant attended and spoke, with the objectors expressing their concerns mostly relating to neighbourhood character and loss of vegetation. Following the mediation, officers queried whether the applicant would be inclined to reduce the number of lots to two, which would allow for retention of more of the trees. The Applicant was unwilling to negotiate the reduction of allotments on the subject land.

Officers' position is that without the reduction of the number of lots as suggested, the proposed subdivision creates an outcome which is inconsistent with the character of the surrounding area where lot sizes are in the approximate range of 4,000-6,000 square metres. The subdivision of three 2,000 square metre lots on the subject land is an undesirable planning outcome, which is likely to result in amenity issues for adjoining landowners and that may set a precedent for smaller lots in Conran Court, with a further impact on the character of the street.

The proposed subdivision is inconsistent with the subdivision decision guidelines of Clause 32.03 relating to the protection and enhancement of the natural environment and character of the area including the retention of vegetation and fauna habitat.

The officer's recommendation is to issue a Notice of Refusal to Grant a planning permit on the grounds of refusal outlined.

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 345/2021/P at 10 Conran Court Marlo is inconsistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Refuse to Grant a Permit in accordance with the following grounds of refusal:***
 - a) The proposed subdivision is inconsistent with, and does not adequately respond to the key relevant decision guidelines and purpose of the Low Density Residential Zone.***
 - b) The proposed subdivision will result in the creation of three allotments of 2,000sqm each, which will have detrimental impacts on the surrounding amenity of the street, which currently has lot sizes in the range of approximately 4,000 to 6,000sqm.***
 - c) The proposal will have detrimental impacts on native vegetation with the removal of 10 scattered trees on the site.***
 - d) The proposed subdivision is inconsistent with the planning policy framework relating to protection and conservation of Victoria's biodiversity at Clause 12.01-1S.***
 - e) The proposed subdivision is inconsistent with the planning policy framework relating to protecting of neighbourhood character, cultural identity, and sense of place at Clause 15.01-5S.***
 - f) The proposed subdivision is inconsistent with the local planning policy framework at Clause 21.04-2, Objective 1.1 and Strategy 1.1.***
- 3. The proposed subdivision is inconsistent with proper and orderly planning for the area.***

Background

The subject site and surrounding context

The subject site is currently vacant, located within the Marlo township.

The site is situated to the south of Conran Court and irregular in shape with a site area of 6,283 square metres.

The land is relatively flat with scattered vegetation comprised of 10 medium sized trees.

Conran Road is a fully constructed sealed road with rollover kerb and channel drainage. There is no direct vehicular access to the site, however a gravel driveway is intended within the common property along the north east boundary.

The site is approximately 3 km north east from the centre of the Marlo Township.

The immediate area surrounding the subject site consists of similar low density residential properties of similar size. To the far south and west is the Public Conservation Recreation Zone – Marlo State Forest and William Hunter Flora Reserve.

The allotment pattern surrounding the land is illustrated in the extract of the aerial photography shown below **Figure 1**, has similar allotment sizes and contains residential properties with established dwellings.

The proposal

The proposal seeks approval for the subdivision of the existing land into three parcels. Each lot is to be subdivided into 2,000sqm. Lot 1 is sited to the front on Conran Court, Lot 2 is sited in the middle and Lot 3 is to the rear as a battle axe shaped allotment. A 283sqm common property area is proposed to serve as accessway to each lot and would run along the entirety of the north east boundary. The removal of native vegetation consists of 10 scattered trees.



Figure 1 – Locality Plan – Immediate Surrounds

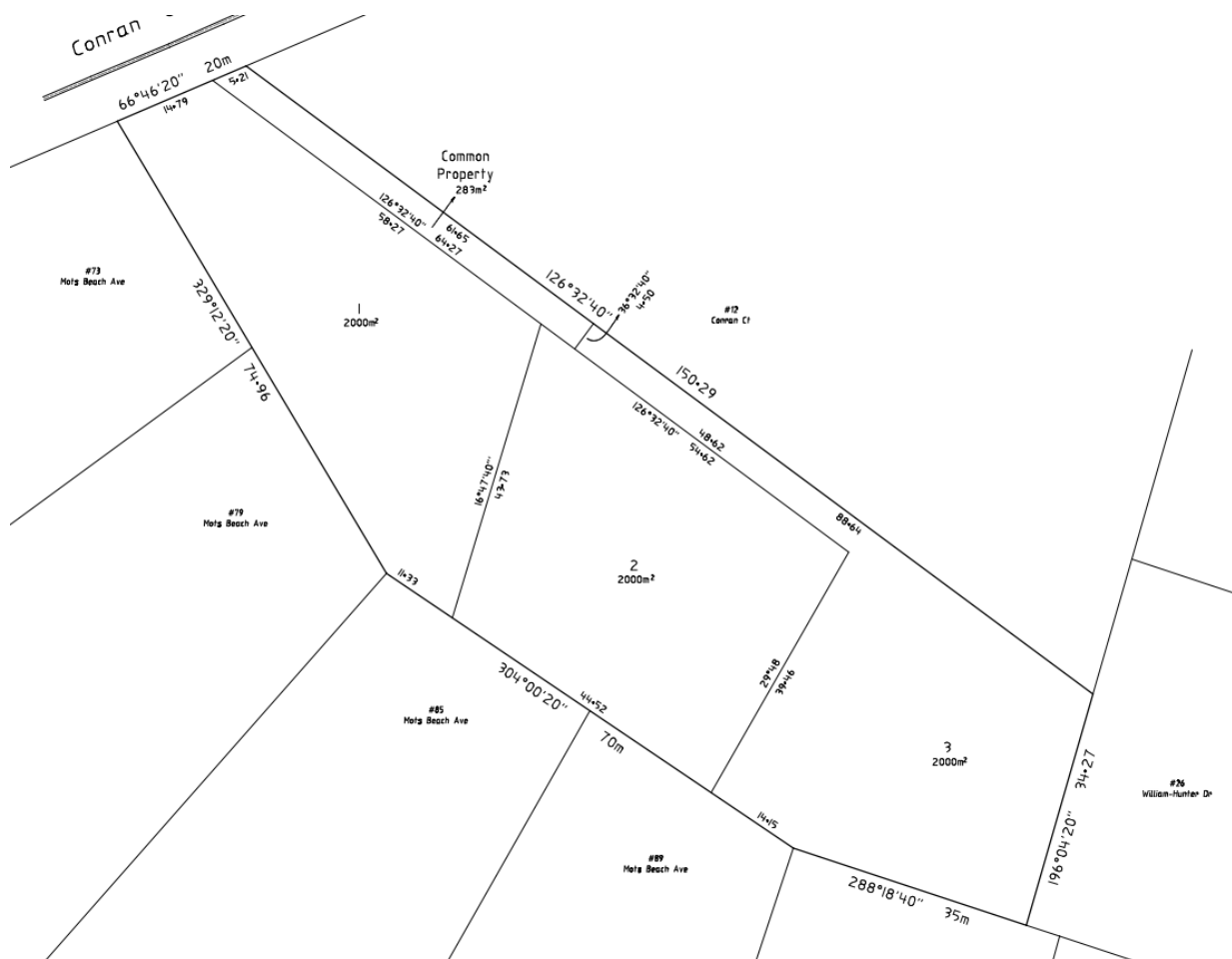


Figure 2 – Proposed Plan of Subdivision

The planning merits

The key planning merits of the proposal are as follows:

The application is able to be made on the basis of the provisions of the Low Density Residential Zone:

A permit is required to subdivide land.

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

The specified minimum for this land is 0.2 hectares. The subject land is 6,283sqm and the proposal includes the subdivision into three lots each with 2,000sqm with a common property of 283sqm. The proposal may meet the area specified but it is considered to be inconsistent with the purposes of the planning policy.

The development of the land for additional lots will result in an increased demand for residential infrastructure and services and the removal of native vegetation will diminish the existing habitat of local flora and fauna. The applicant's avoid and minimise statement is premised on any development on the land requiring clearing and the supporting documents outline vegetation which is of value which should be retained. It is contended that the scattered nature of the trees would provide adequate management and protection through the development of a single dwelling on the land.

The proposal does not effectively meet the requirement to avoid or minimise. Avoidance measures include retaining the current lot size, where a single dwelling on the lot will not likely necessitate removal of all of the vegetation.

Clause 65 of the Planning Scheme provides decision guidelines for consideration of an application or plan, and for a proposed subdivision of land. It is considered that the proposal fails a number of key decision guidelines, including:

- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

Legislation

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

The application has been assessed against the East Gippsland Planning Scheme in accordance with the *Planning and Environment Act 1987*.

The planning scheme

The subject land is zoned Low Density Residential Zone (LDRZ) and is affected by the Bushfire Management Overlay (BMO) and the Design and Development Overlay, Schedule 11 (DDO11).

A planning permit to subdivide land is required under the LDRZ, BMO, and DDO11. A minimum lot size is specified under the LDRZ:

- 0.4 hectare for each lot where reticulated sewerage is not connected.
- 0.2 hectare for each lot with connected reticulated sewerage.

For land subdivided in the BMO, consideration of an appropriate bushfire response is an application requirement. A mandatory condition would apply to any permit granted, providing for future dwelling development to avoid further planning consideration for bushfire if the endorse bushfire management plan and construction requirements are followed.

The extract from the planning scheme mapping below **Figures 3-5**, illustrates the zoning and overlays within the area.



Figure 3 – Zone Map

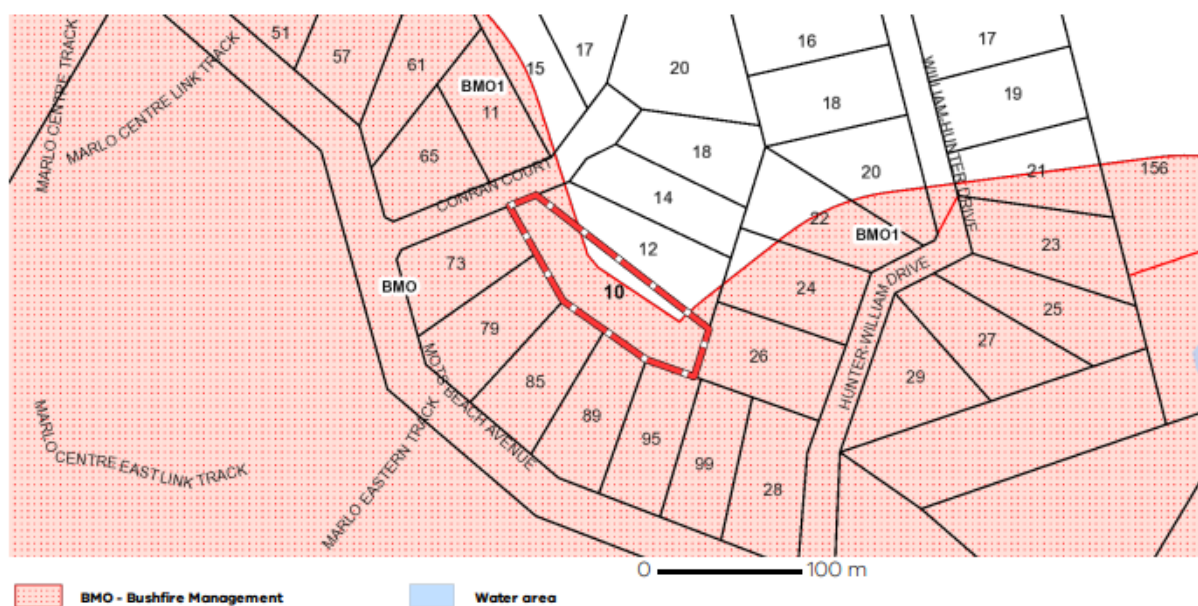


Figure 4 – Bushfire Management Overlay Map

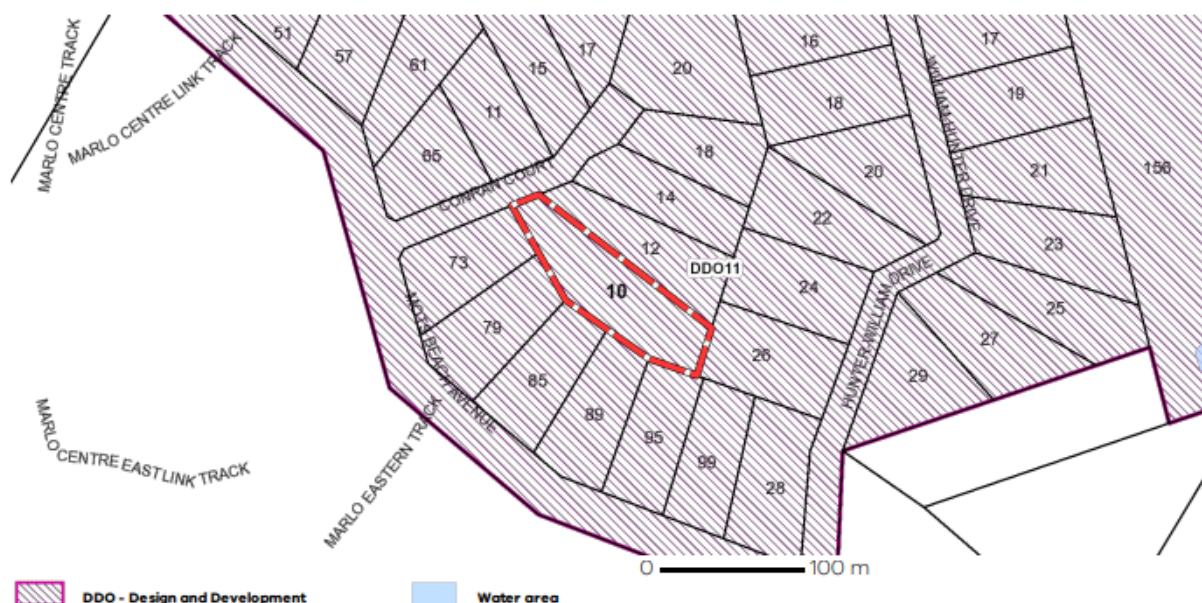


Figure 5 – Design and Development Overlay Map

A planning permit is also required to remove native vegetation where the resulting lot(s) in the subdivision will be less than 0.4 hectares. This is either considered to be “consequential” loss, in that the resulting lot size will be under 0.4 hectares on an urban zoned lot and will meet the exemption for site area, or will be actual removal. In this application, the vegetation is proposed to be removed.

The planning scheme at Clause 12.01-1S ‘Protection of biodiversity’ aims to ensure that key habitat species and communities are protected and conserved in important areas of biodiversity. One of the strategies include avoiding impacts of land use and development on important areas of biodiversity. As such, considering impacts of any change in land use or development that may affect the biodiversity value of sites and be able to identify, protect and manage important areas of vegetation and biodiversity.

The planning scheme at Clause 15.01-5S ‘Neighbourhood character’ seeks an overall aim of recognising, supporting and protecting neighbourhood character, cultural identity, and sense of place. Specific strategies include supporting developments that respect the existing neighbourhood character or contribute to a preferred neighbourhood character. It is equally important that the development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the pattern of local urban structure and subdivision, underlying natural landscape and significant vegetation, and neighbourhood character values and built form that reflect community identity.

The planning scheme at Clause 21.04-2 ‘Landscape’ aims to enhance the aesthetic quality of built environment and by ensuring the character of the area is recognised and protected. It is also essential to ensure that the 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.

Clause 21.12-4 of the East Gippsland Planning Scheme acknowledges Marlo as a small coastal town. The Marlo Strategy Plan (**Figure 6**) and Marlo Urban Design Framework have clear intentions to retain the existing township style development

Marlo Strategy Plan

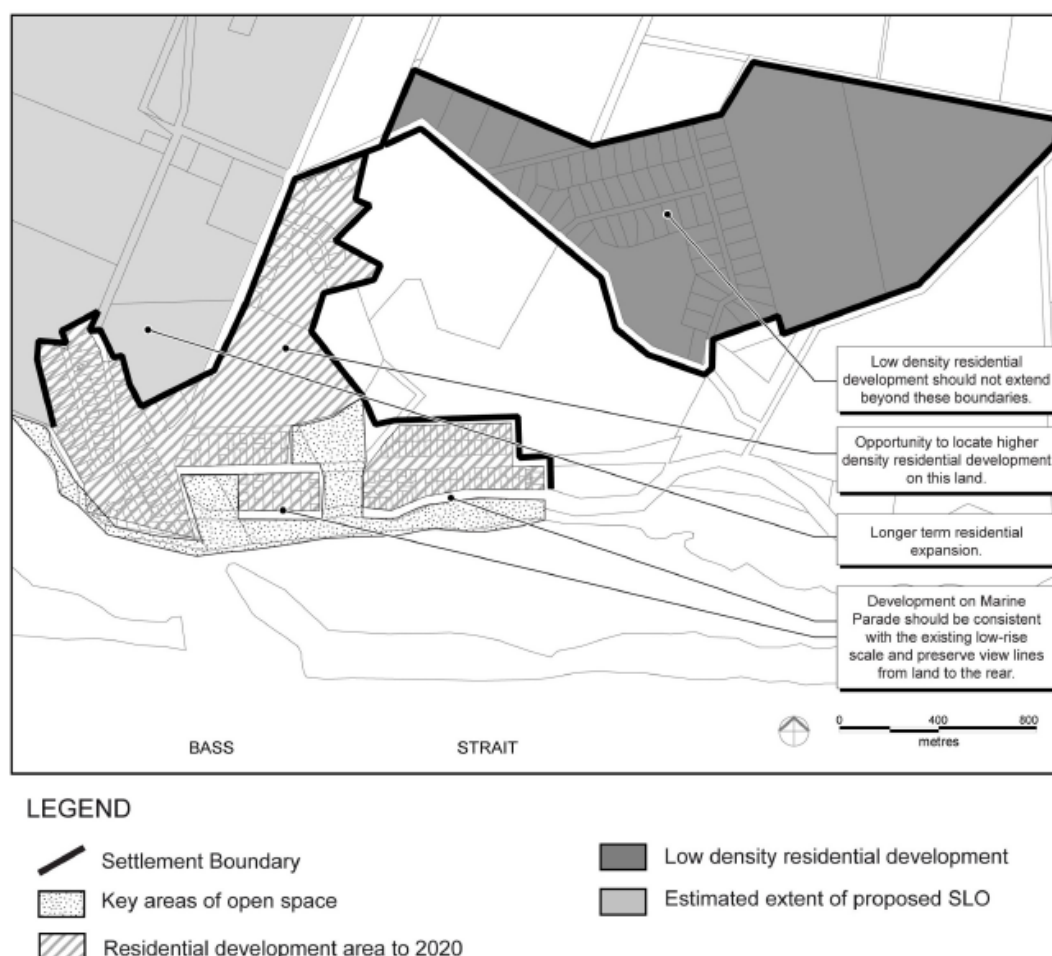


Figure 6 – Marlo Strategy Plan

Zone

The land is zoned Low Density Residential Zone (LDRZ). The purpose of the zone is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The Decision Guidelines pertaining to the LDRZ further detail how the proposed subdivision needs to demonstrate how it enhances the natural environment and character of the area by including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries. It is also important whether the proposed subdivision can demonstrate the availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

Decision guidelines for subdivision contained within the LDRZ include:

<p>The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.</p>	<p>The site has 10 scattered trees which are proposed for removal. In terms of impact on fauna, the planning application included an arborist report which recommended to retain two trees that were identified as high retention value.</p> <p>The Applicant has submitted an indicative building envelope plan illustrating a building envelope and driveway to each site. Unfortunately, the proposed subdivision has not been designed to minimise vegetation loss across the site.</p>
<p>The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.</p>	<p>The site and surrounding area are connected to all services and infrastructure, other than gas.</p>
<p>In the absence of reticulated sewerage:</p> <ul style="list-style-type: none"> – The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the <i>Environment Protection Act 2017</i>. – The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment. 	<p>As the site and surrounding area is connected to reticulated sewerage, this requirement does not apply.</p>
<p>The relevant standards of Clauses 56.07-1 to 56.07-4.</p>	<p>The proposal meets the relevant standards of Clauses 56.07-1 to 56.07-4 by virtue that the site is currently connected to the reticulated water supply network, reticulated water supply system, reticulated sewerage network and effective management of stormwater runoff. The proposed vacant lots will also be able to be connected to all the networks and each lot can incorporate a water tank for water saving measures.</p>

Overlays

Design and Development Overlay, Schedule 11 (DDO11) – Clause 43.02

Pursuant to Clause 43.02-3, a permit is required to subdivide land. The decision guidelines require the consideration of whether the removal of vegetation and whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings and the streetscape or the area. Some key points of consideration outlined within Schedule 11 for Marlo include:

- 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 limited fencing and maintaining indigenous and native vegetation.
- The provision for water sensitive urban design.
- 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.

As mentioned earlier, the proposed subdivision has not been designed to minimise vegetation loss across the site. All 10 scattered trees on the subject site are proposed for removal. The Applicant submitted an arborist report (Preliminary Tree Assessment, prepared by Liam Ainsworth, dated 25 March 2021), that has identified the following two species amongst the 10 trees; 6 trees as Messmate Stringybark (*Eucalyptus obliqua* - Indigenous) and 4 trees as Southern Mahogany (*Eucalyptus botryoides* - Native).

Two trees have a 'High' retention value, two trees have a "Medium" retention value and six trees have a 'Low' retention value. The arborist report goes on to say that all efforts should be made to incorporate the two trees identified as high retention value into future development/design. The two trees identified as medium retention value can be replaced with plantings on site in order to compensate for the removal. The low retention trees have no worth of being incorporated into any future development/design.

The subject site is located within an established residential area surrounded with public land featuring significant areas of existing vegetation. It is considered that any loss of vegetation is likely to diminish the wildlife and vegetation value of the area.

Bushfire Management Overlay (BMO) – Clause 44.06

Pursuant to Clause 44.06-2, a permit is required to subdivide land.

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay. A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02. There is no schedule applicable to the subject site.

The Applicant has provided a Bushfire Planning Report (prepared by Euca Planning, dated 25/06/2021) including the Bushfire Management Statement (part of **Attachment 1**) that address the requirements of Clause 53.02 of the East Gippsland Planning Scheme. The report considers the landscape risk and whether Clause 53.02 modelled fire assumptions are adequate and considers localised hazards, defendable space and the bushfire attack level. A bushfire attack level of 12.5 has been determined for this site and each of the vacant allotments.

The proposed subdivision will create three residential allotments that can adequately support the future development of a dwelling that can meet the bushfire requirements. The Bushfire Management Plan will be registered on the title of the allotments by way of a Section 173 Agreement.

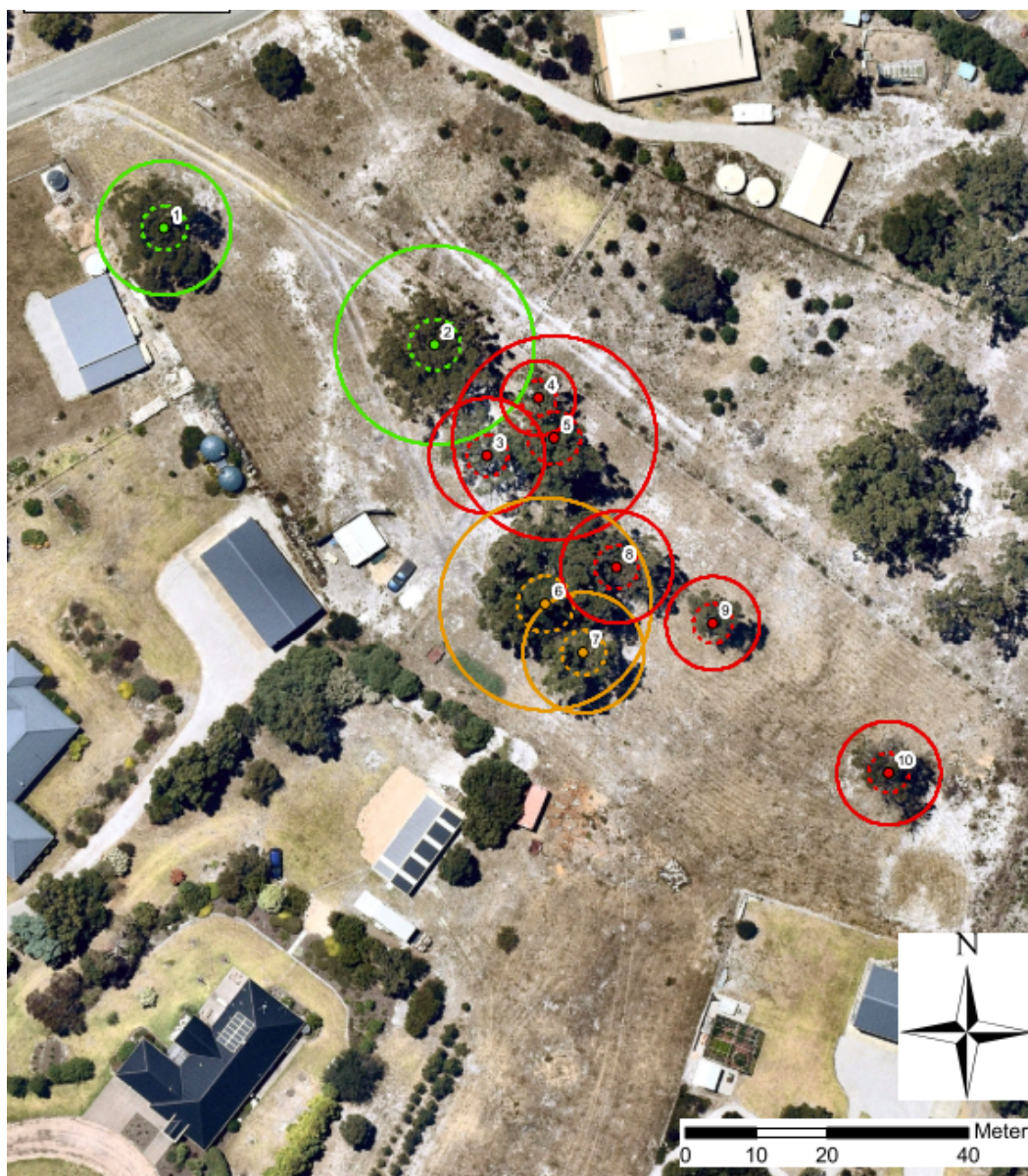
The application was referred to the CFA whom have raised no objections to the proposal subject to conditions.

Native Vegetation - Clause 52.17

A planning permit is required to remove native vegetation for a site over 0.4 hectares. The subdivision is proposing to remove 10 scattered trees on the subject site (refer to **Figure 7**). In addition to a permit being required and submission of appropriate information for assessment, the application must provide an appropriate “avoid and minimise” statement, outlining why there is no suitable alternative to the requirement for vegetation removal.

DELWP was not required to be referred a referral authority as the application is an intermediate assessment pathway, and DELWP only are referred Detailed Assessment Pathway applications or any application on land managed by the responsible authority (Council).

The Applicant submitted a Native Vegetation removal report which identified a minimum strategic biodiversity value score of 0.578, with the extent of native vegetation removal of 0.308 hectares for 1 large scattered tree and 9 small scattered trees.



Preliminary Assessment of Trees at 10 Conran Court, Marlo

Legend

Trees - Retention Value	TPZ	SRZ
● High	High	High
● Medium	Medium	Medium
● Low	Low	Low

TPZ	SRZ
High	High
Medium	Medium
Low	Low

Base information
supplied by: Nearmap
2021
Plotted: LHA
Coordinate System:
GDA 1994 MGA Zone 55
Date: 22/03/2021

HOMWOOD
Unit 10 / 350 Settlement Rd
Thomastown VIC 3074
Ph: 1300 404 558
ABN: 39 531 880 706

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Figure 7 – Site plan of identified trees

The applicant further provided the following avoid and minimise statement

The proposal seeks approval for the subdivision on the land. Any development on the land would require significant vegetation removal due to the location of the trees, the size of the trees and the bushfire risk both to the subject site and surrounding land. Future development will be designed to retain any vegetation if possible. An arborists report is provided which has detailed the health of the trees and identifies the best trees to be retained.

Collaborative Procurement

Not Applicable.

Council Plan

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

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

Council Policy

This application has been processed in accordance with Council's *Planning Permit Delegations Policy 2018*. A planning mediation session was held due to the number of objections, and the report with an officer recommendation for refusal is presented for Council consideration.

Options

Following careful consideration and assessment it is the view of Council officers that Council has the following options:

Option 1 (which is the recommendation) is to issue a Notice of Refusal to grant a permit containing grounds in relation to the failure of the proposal to achieve a sound planning outcome having regard for the purpose and decision guidelines of the Low Density Residential Zone, Design and Development Overlay (Schedule 11) and Clause 52.17, the adverse impact to the surrounding area and the removal of viable native vegetation.

Option 2 is to issue a notice of decision to grant a planning permit, subject to standard conditions. This option would require input from officers regarding a suitable set of conditions to impose.

Option 3 is to correspond with the permit applicant again regarding the proposal being amended to a two-lot subdivision, which is a more amenable outcome. It is noted that the Applicant and landowner have communicated that they are unwilling to reduce the number of proposed allotments or retain any of the trees on the site, and the objectors may also maintain objections to a two-lot subdivision.

Resourcing

Financial

The application has been processed and assessed using operational budget.

Plant and equipment

There are no plant and equipment requirements.

Human Resources

The application has been processed and assessed by Council officers. No additional resources are required.

Risk

The risks of this proposal have been considered. It is considered that there are significant risks involved in approval of the permit, even with conditions as discussed in the options, in relation to land use conflicts.

Economic

The proposal does not represent a significant economic benefit to the community.

Social

The proposal does not trigger assessment under the Social Impact Assessment Guidelines for Development in accordance with the incorporated policy of the East Gippsland Planning Scheme.

Environmental

There are concerns in relation to the effect that this proposal would have on surrounding properties and the environment. The removal of native vegetation on the site will have detrimental impact on the existing environment of local habitat communities.

Climate change

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

Engagement

Consultation has been undertaken in the following manner:

Referrals	<p>East Gippsland Water Response The application was referred to the EGW as a Section 55 determining authority under Clause 66.01. The EGW responded with no objections to the proposal subject to conditions and notes. It is intended that the conditions will be added onto the permit if issued.</p> <p>AusNet Response The application was referred to AusNet as a Section 55 determining authority under Clause 66.01. AusNet responded with no objections to the proposal subject to conditions. It is intended that the conditions will be added onto the permit if issued.</p> <p>Country Fire Authority Response The application was referred to the CFA as a Section 55 determining authority under Clauses 44.06-6 and 66.03. The CFA responded with no objections to the proposal subject to conditions. It is intended that the conditions will be added onto the permit if issued.</p> <p>Council's Technical Officer Response The application was referred to Council's Senior Technical Officer - Development who raised no objections to the proposal subject to conditions. It is intended that the conditions will be added onto the permit if issued.</p>
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Notification	<p>The application was subject to notification in accordance with Section 52 of the <i>Planning and Environment Act 1987</i>.</p> <p>Letters were sent by the Applicant to adjacent owners and occupiers of land. The Applicant has completed a statutory declaration, which declares that the notices indicated that the Responsible Authority would not determine the application prior to 3 September 2021.</p>
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Objections

Six objections were lodged in relation to the application (**Attachment 3**).

The two key issues raised by objectors relate to neighbourhood character and loss of native vegetation. It is considered that there is no position to negotiate by the objectors and applicant, therefore none of the concerns of the objectors could be successfully resolved.

Officers share the grounds of objection to the proposal as expressed by the objectors, and the recommendation is based on the failure of the proposal to meet key state and local planning policy, zone and overlay provisions, particular provisions, and general decision guidelines.

Letters of Support

Ten letters of support (**Attachment 4**) were provided to Council on the 26 and 27 October, just prior to the mediation session. The supporters were contacted and invited to attend the mediation but did not attend.

The letters of support detail, generally:

- That new, affordable residential land is required in the Marlo community.
- That the proposed lot sizes are suitable for development of single dwellings given the presence of reticulated services.
- That the proposal should be supported by Council.

The letters have merit in that it is recognised that residential land supply is limited in Marlo. There are, however, alternative land supply proposals which are under dispute in the community. It is not disputed that 2000 square metres is suitable for development of a dwelling. Instead the position taken is that the lot size and loss of vegetation combined when considering biodiversity loss and neighbourhood character is inappropriate.

Attachments

1. Application Documents Link [**5.2.1.1** - 1 page]
2. Referral Responses [**5.2.1.2** - 9 pages]
3. Objections [**5.2.1.3** - 14 pages]
4. Letters of support [**5.2.1.4** - 10 pages]

For application documentation, refer to the advertised copy of the application listed on Council's website:

[345/2021/P - Advertised Application](#)



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/21/45692

27 August 2021

East Gippsland Shire Council
(planning@egipps.vic.gov.au)

Attention: Kerry Stow,

EGSC REFERENCE NUMBER(S): 345/2021/P
FOR: SUBDIVISION OF LAND INTO 3 LOTS
LOCATION: 10 CONRAN COURT MARLO LOT 69 PS 529312
APPLICANT: CROWTHER & SADLER PTY LTD

In response to your Email of 16 August 2021, regarding the above Planning Permit application, East Gippsland Water does not object provided the permit is subject to the following conditions:

1. Sewer reticulation infrastructure (including 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).
2. Water meters for each lot must be manifolded and located within common property within 1 meter of the street boundary to the satisfaction of East Gippsland Water.
3. 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. Design drawings to be sent to developerworks@egwater.vic.gov.au.
4. 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) Should East Gippsland Water determine that a gravity sewerage service is not feasible, a Pressure Pump system may be approved by East Gippsland Water. Where approved, payment by the Applicant/Developer to East Gippsland Water for an on-site Pressure Pump System for each Lot is required, at the rate applicable at the time of payment – contact East Gippsland Water for current price (excluding installation). East Gippsland Water will require on-going legal and physical (vehicle) access to each on-site Pressure Pump at any time to execute all its operational and maintenance obligations and requirements.





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

Further enquiries may be directed to Rod Poynton (5150 4476) at our Bairnsdale Office.

Yours faithfully,

A handwritten signature in black ink, appearing to read "L. Caplygin", with a stylized flourish at the end.

LARA CAPLYGIN
EXECUTIVE MANAGER STRATEGY & ASSETS

Cc: Crowther & Sadler Pty Ltd 152 Macleod St Bairnsdale 3875
(contact@crowthersadler.com.au)



From: Subdivisions [Subdivisions@ausnetservices.com.au]

Sent: Monday, 16 August 2021 3:33:21 PM

To: Planning Unit Administration

Subject: RE: 345/2021/P - 10 Conran Court MARLO - Three lot subdivision and the removal of native vegetation

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Our Ref 75076580

Good afternoon

Please find below AusNet's conditions for the planning referral.

AUSNET SERVICES:

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 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 into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.

Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

END OF CONDITIONS

It is recommended that, at an early date the applicant commences negotiations with AusNet Services 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 please email: subdivisions@ausnetservices.com.au

Yours sincerely,

Daryl Kelly

Customer Connect

From: Planning Unit Administration <Planning@egipps.vic.gov.au>

Sent: Monday, 16 August 2021 12:38 PM

To: firesafetyreferrals (firesafetyreferrals@cfa.vic.gov.au) <firesafetyreferrals@cfa.vic.gov.au>; Subdivisions <Subdivisions@ausnetservices.com.au>; Planning <Planning@egwater.vic.gov.au>

Subject: 345/2021/P - 10 Conran Court MARLO - Three lot subdivision and the removal of native vegetation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Could you please review planning permit application [345/2021/P](#) (this link will expire 16 September 2021) and provide comments to planning@egipps.vic.gov.au

Kind regards,



Kerry Stow ■ *Land Use Administration Officer* ■ East Gippsland Shire Council

■ **P:** 03 5153 9500 ■ **F:** 03 5153 9576 ■ PO Box 1618, Bairnsdale, Vic 3875



Please consider the environment before printing this e-mail.



East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel 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, their Elders past and present.

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Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Community Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 11000-73971-112267
Council Ref: 345/2021/P

8 September 2021

Emine Mestan
East Gippsland Shire Council
PO BOX 1618
BAIRNSDALE VIC 3875

Dear Emine,

CONDITIONAL CONSENT TO THE GRANT OF A PERMIT

Application No: 345/2021/P
Site Address: 10 Conran Court Marlo
Proposal: Three lot subdivision

I refer to correspondence received on 16 August 2021 seeking comments on the above application.

CFA acting as a Referral Authority pursuant to section 55 of the *Planning and Environment Act, 1987 (Act)* has considered and does not object to the grant of a permit for the above proposal subject to –

- Any mandatory conditions specified within the planning scheme; and
- The following conditions being included on any planning permit that may be issued.

– Start of Conditions –

1. Endorsement of Bushfire Management Plan

Before the development starts, the Bushfire Management Plan prepared by Euca Planning (Pages 1 & 2, Version 1, dated 25/06/2021) must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority

2. Section173 Agreement

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:

- Incorporate the Bushfire Management Plans approved under this permit.
- State that it has been prepared for the purpose to give effect to the bushfire mitigation measures set out in the approved Bushfire Management Plan.

- The occupation of a dwelling or dependent person's unit must not start on any lot until all of the bushfire mitigation measures specified on the Bushfire Management Plan endorsed under this permit have been implemented on the relevant lot to the satisfaction of the Responsible Authority.
- The bushfire mitigation measures which form part of the Section 173 Agreement and the planning permit and endorsed plans, including those relating to construction standards (BAL), defensible space, water supply and access must be maintained to the satisfaction of the Responsible Authority.

3. Maintenance of defensible space

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.

– End of Conditions –

Certification and Statement of Compliance

CFA does NOT consent to the Certification of the Plan of Subdivision under Section 9 of the *Subdivision Act 1988*. CFA does want the Plan of Subdivision for this planning permit application referred under Section 8 of the *Subdivision Act 1988*.

CFA does NOT consent to the Statement of Compliance for Subdivision.

If you wish to discuss this matter in more detail, please do not hesitate to contact Peter Rogasch on 0437 012 114.

Yours sincerely



Justin Meli
Bushfire Planning Coordinator
Community Preparedness

cc: Development Solutions Victoria
admin@devsolvic.com.au

ENGINEERING REFERRAL COMMENTS

Application No. 345/2021/P

Applicant: B J Young and E M Young

Development: Three lot subdivision and the removal of native vegetation

Location: 10 Conran Court MARLO

Lot 69 PS 529312

Planning Officer: Emine Mestan

INSPECTION COMMENTS

The flow of storm water to the south across 6-7 Properties will be a potential problem. Therefore, on-site detention and the domestic use of storm water to flush toilets and for the garden must be used. Refer to the 173 Agreement condition.

RECOMMENDED CONDITIONS

1. The subdivision as shown on the endorsed plan(s) must not be altered without the prior written consent of the Responsible Authority.
2. Before any works associated with the subdivision start, a detailed drainage management plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
 - a) Drainage infrastructure (where required and as appropriate to the site), including swale drains and culverts, piping/drains and pits.
 - b) Any modification to the terrain, such as filling and excavation.
 - c) Easements and legal points of discharge.
 - d) Methods of on-site detention, including the provision of sediment traps, wetlands, rock beach outlets, detention basins and gross pollutant traps.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.
3. 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.
4. Before the issue of a Statement of Compliance the areas set aside for parked vehicles and access lanes within common property as shown on the endorsed plans must be constructed to the satisfaction of the Responsible Authority.

5. 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.
6. Before 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.
7. 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.
8. **Time Limit condition**
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.
9. **AusNet conditions**
Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
10. Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

11. 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) Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 5,000 litres; and
 - b) The rainwater tank must collect rainwater runoff from the roof of the dwelling; and
 - c) The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation.

The owner must pay the costs of the preparing, lodging and registering the agreement and any subsequent amendment, removal or other dealing associated with the agreement. The agreement must be registered on the certificate of title for the land.

12. 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.
13. Before the issue of Statement of Compliance, a Residential concrete crossover and a concrete, asphalt or sealed Common Property Driveway, a minimum of 3.5m width must be constructed to the road to suit the proposed driveway, to the satisfaction of the Responsible Authority.

Note;

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.

17-Aug-2021

9/3/2021

dwa97CA.htm

From: Trevor Jennings
Sent: Thursday, 2 September 2021 1:18:30 PM
To: Feedback Address For Web Page
Subject: Objection to planning permit application 345/2021/P

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

Please see attached Objection to Planning Permit Application and letter to support objection.

Regards

Trevor Jennings

Marlo

East Gippsland Shire Council

273 Main Street (PO Box 1618)
Bairnsdale Vic 3875
Website www.eastgippsland.vic.gov.au
Email feedback@egipps.vic.gov.au
Follow us on Twitter @egsc



Telephone: (03) 5153 9500
Fax: (03) 5153 9576
National Relay Service: 133 677
Residents' Information Line: 1300 555 886
ABN: 81 957 967 765

Objection to Planning Permit Application

Planning and Environment Act 1987

There are some hard words in this form. The hard words are in blue. You can read what they mean on page 3.

Your Details:

Name: <u>Trevor Jennings</u>	
Postal address: <u>Marlo Vic</u>	
Phone number: Home:	Wor
Email address	
Postcode <u>3888</u>	

Permit Details:

Planning permit number: <u>345/2021/P</u>
What has been proposed? <u>Three lot subdivision and removal of native vegetation.</u>
What is the address to be used or developed? <u>10 Conran Court Marlo</u>
Who has applied for the permit? <u>B. J. and E. M. Young</u>

Objection Details: See attached letter for details -

What are the reasons for your objection? <u>Inconsistent with intent of original subdivision, sold as large lifestyle blocks.</u>
<u>- Sets a precedent for further subdivision applications</u>
<u>- Increase in living density will adversely impact peace + tranquility</u>
<u>- Removal of habitat trees, no need for this if no subdivision or building allowed -</u>
<u>- loss of habitat if mature trees removed having collateral impact after significant loss of habitat following 2020/19 fires -</u>
<u>- Adjoining land owner not notified of proposed development.</u>

Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property. When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au

JUL15

East Gippsland Shire Council

273 Main Street (PO Box 1618)
Bairnsdale Vic 3875
Website www.eastgippsland.vic.gov.au
Email feedback@egipps.vic.gov.au
Follow us on Twitter @egsc



Telephone: (03) 5153 9500
Fax: (03) 5153 9576
National Relay Service: 133 677
Residents' Information Line: 1300 555 886
ABN: 81 957 967 765

How would you be affected by the granting of this permit? Loss of peace and tranquillity
with increased density of housing -
Loss of habitat will reduce native fauna in the
area decimated by 19/20 bushfires.

Please see attached letter that details my
concerns -

If you need more sheets, please attach additional sheets.

Signature: _____

Name: Trevor Jennings Date: 02/09/2021

Office Use Only:

Objection Received by: _____ Date Received: ____/____/____

Planning officer responsible: _____ Date Received: ____/____/____

Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property. When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au

JUL15

Trevor Jennings

Marlo Vic 3888

Mr Emine Mester
Land Use Planner
East Gippsland Shire Council

2 September 2021

Dear Mr Mester

Application Number: 345/2021/P

Address: 10 Conran Court MARLO Lot 69 PS 529312

Description: Three lot subdivision and the removal of native vegetation

I would like to register my strong objection to the Planning Permit on the following grounds:

Subdivision

- The subdivision of the allotment is inconsistent with the intent of the original subdivision that was developed and sold as large lifestyle blocks.
- If the application was granted a precedent for further subdivision for similar sized blocks would likely follow as the lure of profit over amenity may be hard to resist for a few.
- An increase in living density will significantly adversely impact the peace and tranquillity of the Banksia Woodland environs adjoining William Hunter Reserve and the Marlo State Forest.
- Marlo township environs already caters for higher density of living. EGSC should be focused on the facilitation of increased density in the immediate township and not on Marlo's peripheral.

Removal of mature habitat trees

- To allow the removal of large mature habitat trees would be totally irresponsible of EGSC. They are an asset to the area providing nesting sites for birds in hollows, suitable habitat for native bee hives and bats along with a myriad of other fauna.
- The surrounding Banksia Woodland is struggling to recover from the decimation of the 19/20 Black Summer Fires where hectares of habitat were lost. Millions of dollars are being invested into East Gippsland to repair habitat and support the recovery of flora and fauna. It is counterintuitive for EGSC to be supporting further decimation of these old, irreplaceable remnant trees.
- Many of the estates current land owners have made a choice to live in the semi bushland setting for various reasons including being register Land for Wildlife properties and BirdLife Australia members. EGSC promotes the natural environment and clean lifestyle in their various planning documents. As a resident I expect to EGSC to act as an example to enforce protections from such irresponsible developments.

Notification of Planning Permit

- The intent of the mandatory notification in writing of immediate neighbours to a significant development has been breached. My property, 99 Mots Beach Avenue Marlo, is less than 5 metres from the subdivision boundary, I was not informed in writing by the applicant.
- Given my proximity this failure to notify could be construed as evasive tactics by the applicant to avoid potential planning permit objections.

Regards
Trevor Jennings

9/3/2021

dwa5CD8.htm

From: Sheryl Mehlert
Sent: Wednesday, 1 September 2021 12:22:03 PM
To: Feedback Address For Web Page
Subject: 10 Conran Crt objection

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Brian & Sheryl Mehlert

Marlo

Marlo 3888

Mr Emine Mester
Land Use Planner
East Gippsland Shire Council

Dear Mr Mester

Application Number 345/2021/P
Address: 10 Conran Court Marlo
Lot 69 PS 529312

Re - 3 Lot Subdivision/Removal of Native Vegetation

We would like to register our objection to the following purposed subdivision as we back onto 10 Conran Crt the subdivision in question.

Our Objections are as follows;

LIFESTYLE BLOCKS - We purchased our block 10 years ago with the understanding that the estate blocks were all 4,000 sq mtrs and upwards. Our decision to purchase was purely on the basis that we would have space around us with a lifestyle we longed for.

SUBDIVISION - This purposed 3 Lot subdivision will mean these blocks will be half the size of the smallest blocks within this estate as there is not one property under the size of 4,000 sq mtrs.

SETTING A PRECEDENT - We believe that if this 3 Lot subdivision goes ahead it will set a precedent with other land owners of vacant blocks to do the same and that's not what the residents of this estate purchased their properties for.

OVER DEVELOPMENT - We believe that the subdivision of 10 Conran court is over development of this estate and would impact on surrounding properties with noise pollution and have detrimental effects on wildlife.

DRAINAGE SYSTEM - As we back onto the purposed subdivision we have major concerns with the drainage system of the rear block. The natural fall of land of this block is towards our block and is lower than the Conran court frontage. We fear that after the purposed 10,000 ltr rainwater tank is filled to capacity the excess water will drain away via the natural slope of the land through our block causing problems for us.

LOW DENSITY RESIDENTIAL ZONE - As the estate we live in is zoned Low Density Residential we believe that by dividing 10 Conran Crt into 3 blocks this goes against the zoning.

REMOVAL OF VEGETATION - The purposed removal of all vegetation from 10 Conran Court will impact on wildlife and birdlife. These trees are mature habitat trees and house some wonderful birdlife. At the present time there are magpies, rosellas and other birdlife nesting in the natural hollows of these trees. Birdlife is encouraged by property owners within this estate and this is evident by the many bird nesting boxes erected in the trees within the land owners properties. wildlife is abundant within this estate due to it not being over developed.

9/3/2021

dwa5CD8.htm

OBJECTION CLOSING - Please consider the effect this 3 Lot subdivision at 10 Conran court Marlo will have on other residents of this estate, speaking for ourselves and other property owners we all purchased our lifestyle blocks on size of property, vicinity of bushland, privacy of neighbours and freedom of space.
We are surrounded by bushland reserves and enjoy the peaceful surrounds of not being over developed.
We purchased our block knowing that at some stage we would have a house at the rear of us but are very disappointed to find out that there will be 3 houses on small blocks if this proposal goes ahead. We feel that this subdivision is definitely not in keeping with its surrounds of this estate.

Thankyou for your consideration of our objections

Yours Truly
Brian & Sheryl Mehlert

9/3/2021

dwa8D6D.htm

From: Sue Hogeboom
Sent: Monday, 30 August 2021 2:32:59 PM
To: Feedback Address For Web Page
Subject: Objection to Planning Permit application 345/2021/P

EXTERNAL EMAIL: This email has originated from outside of the East Gippsland Shire Council network. Do not click links or open attachments unless you recognise the sender and know the content is safe. Contact ICT ServiceDesk if you are unsure.

My Details.

Name J and S Hogeboom

Email address.

Postal Address. Marlo Vic 3888

Mobile phone number

Permit Details.

Permit Planning Number. 345/2021/P

What has been proposed. Three lot subdivision and the removal of native vegetation.

What is the address to be developed. 10 Conran Court Marlo Vic 3888. Lot 69 PS529312.

Who has applied for the permit. B J and E M Young.

Objection Details.

What are the reasons for my objection?

The three lot subdivision with 2000sq m blocks is totally out of character with the rest of the estate with all 15 existing surrounding blocks being in excess of 4000sq m.

This low density residential plan of the estate was the main reason we purchased our property here last year, now to hear the council is considering changing the rules is most concerning.

This together with the proposal of removing ALL of the existing old growth Eucalyptus trees to allow access to these blocks is even more concerning.

By their own admission the applicants have stated that they have no intention of any additional planting of vegetation because the allotments are too small.

How would we be affected by the granting of this permit?

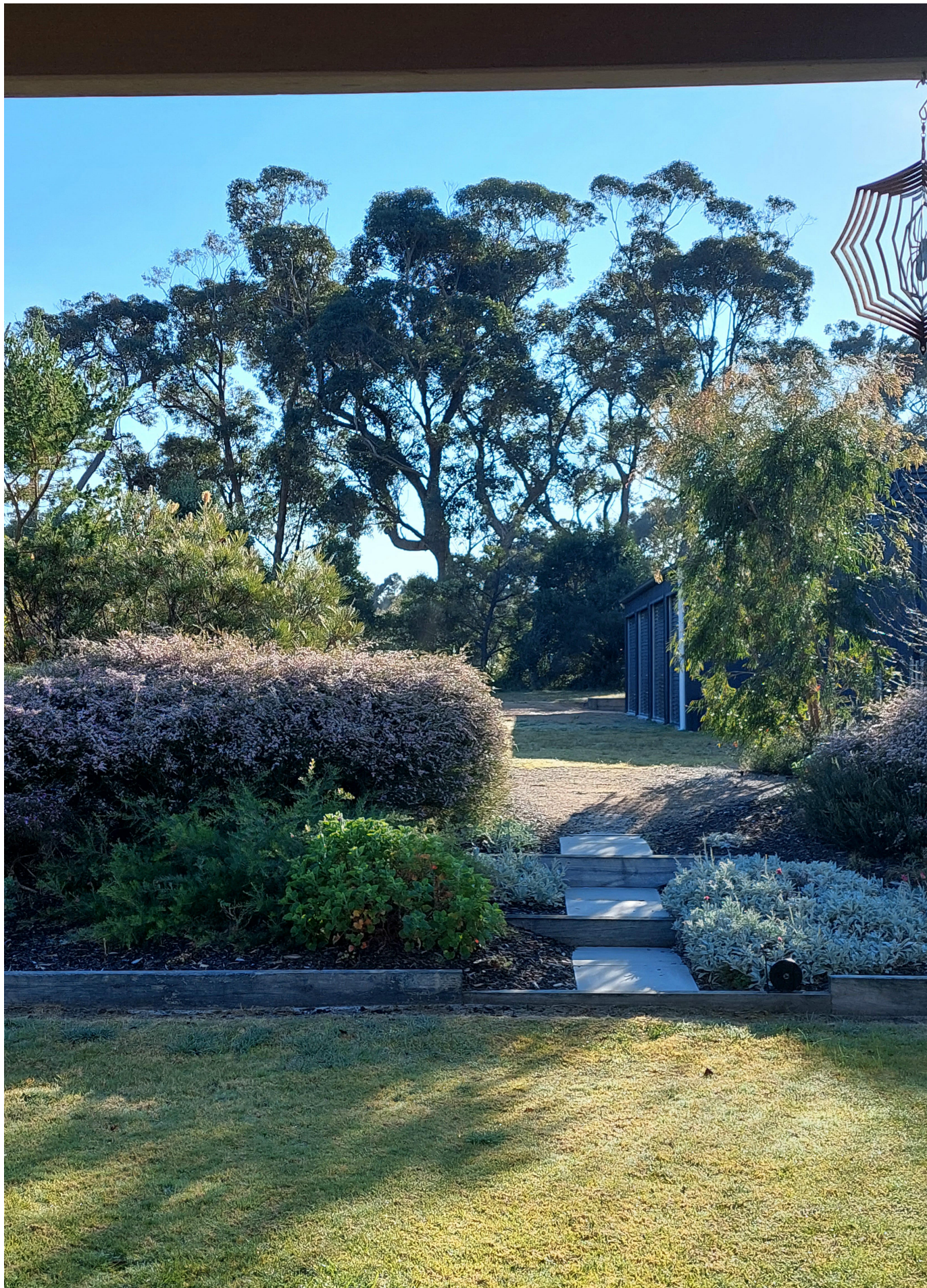
With 2 of the 3 irregular narrow style blocks being directly on our boundary it effectively allows triple the number of residences with associated noise and vehicle traffic to an area where it would reasonably be assumed to have one residence.

By removing all 10 of the large gum trees as proposed it would be extremely detrimental to the overall appearance of the whole area but particularly

our property as 6 of these trees are directly behind our residence and provide habitat for multiple species of birds and wildlife.

Attached is a photo taken from our back door featuring the trees in the proposal, it is obvious what a barren landscape it would be with all of them removed, greatly reducing the aesthetic appeal and liveability of the whole surrounding area.

J & S Hogeboom



EGSC

30 AUG 2021

1/2
TO THE RESPONSIBLE AUTHORITY INFORMATION MANAGER 24/8/2021

RE: 3 LOT SUBDIVISION AT 10 CONRAN COURT MARLO

LOT 69 PS. 529312 REF. 345/2021/P.

DEAR SIR - WHEN MY WIFE AND I PURCHASED 14 CONRAN CRT MARLO IT WAS WITH THE UNDERSTANDING THAT THEY WERE SO CALLED. LIFE STYLE BLOCKS AND COULD NOT BE SUBDIVIDED, BUT POSSIBLY BE BUILT ON FOR A DWELLING AND FLAT, THAT IS ONE REASON FOR MOVING INTO 14 CONRAN CRT, AS COMING FROM A BUSY AREA IN NSW WE WERE LOOKING FOR THE PEACE AND QUIET OF AN AREA THAT WE COULD RETIRE TO, IF WE HAD KNOWN OF ANY POSSIBLE FURTHER SUBDIVISION OF THESE BLOCKS IN THIS ESTATE WE MOST LIKELY HAVE MOVED TO ANOTHER AREA THAT DID NOT HAVE THE THREAT OF SUBDIVIDING THESE MAGNIFICENT BLOCKS INTO SMALLER BLOCKS.

THE REMOVAL OF THE OLD TREES ON THE BLOCK OF 10 CONRAN CRT WILL HAVE A DEVASTATING EFFECT ON THE WILDLIFE AND BIRDS ON THAT BLOCK, AS WE HAVE PLANTED OVER 500 TREES AND SHRUBS ON OUR BLOCK WE REALIZE THAT WE ARE DOING THE RIGHT THING FOR THE BIRDS AND WILDLIFE. IN THIS AREA, OUR PROPERTY IS ALSO REGISTERED AS LAND FOR WILDLIFE.

IN THIS SITUATION I WOULD ASK THE NEW OWNER OF THE PROPOSED SUBDIVISION WHO ALSO LIVES IN CONRAN CRT WHY DID HE MOVE HERE.

REASONS WE TOTALLY OBJECT TO THE PROPOSED SUBDIVISION OF 10 CONRAN CRT ON THE

GROUNDS THAT REMOVAL OF OLD TREES WILL CAUSE BOTH ENVIRONMENTAL DAMAGE AND DAMAGE TO WILD LIFE.

AFFECTS WE ALSO OBJECT TO SAID SUBDIVISION OF 10 CONRAN CRT FOR REASONS OF POTENTIAL NOISE POLLUTION FROM TOO MANY DWELLINGS, AND ALSO LIGHT POLLUTION FROM BRIGHT LIGHTS FROM TOO MANY DWELLINGS ON THIS BLOCK, AS I AM AWARE OF THE OWNERS FUTURE PLANS TO BUILD SEVERAL HOUSES ON THIS BLOCK.

IF THIS COMES ABOUT AND THAT SUBDIVISION IS APPROVED, WE WILL HAVE NO ALTERNATIVE THAN TO MOVE FROM THIS AREA AND MOST LIKELY TO ANOTHER SHIRE, WE ALSO UNDERSTAND THAT THE EAST GIPPSLAND SHIRE HAS A DUTY OF CARE FOR THE RESIDENTS AND RATEPAYERS OF SUCH SHIRE, WE RESPECT THAT THE EAST GIPPSLAND SHIRE WILL UPHOLD THAT DUTY OF CARE AND LEAVE CONRAN CRT TO BE A HAPPY AND PEACEFUL PLACE TO RESIDE IN, THAT THIS ESTATE WAS FIRST DESIGNED TO BRING TO ALL THE RESIDENTS.

YOURS SINCERELY
LEN LISTER
MARLO

9/3/2021

dwa2040.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]
Sent: Friday, 27 August 2021 6:37:03 PM
To: Planning Unit Administration
Subject: Objection to a Planning Permit Application

Objection to a Planning Permit Application

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Name: Lenore and Peter Ryan

Email address:

Postal address Marlo 3888

Mobile phone numbe

Home phone number

Planning permit number: 345/2021/P

What has been proposed?: Subdivision of 10 Conrad Court Marlo into 3 lot subdivision and removal of vegetation

What is the address to be used or developed?: 10 Conran court Marlo 3888 Lot 69 PS 529312

Who has applied for the permit?: B J Young and E M Young

What are the reasons for your objection?: The proposed subdivision runs along the rear boundary of our property our objection is to the subdivision as we moved to the estate because of the lifestyle of this area being on large acreage blocks and this subdivision will cause a precedence for possible future subdivision in this estate to smaller blocks, the trees on the block have significant birds nesting on which is an important part of the area , with the removal of trees this would be a great loss to the bird nesting area of Marlo and a significant loss for future breeding.

How would you be affected by the granting of this permit?: Conran court is very small and with the proposed development, this would cause extra traffic, also with the building of 2 houses now & a 3rd in the future, on the back of existing property's causing noise, which was not the intention of the developer, as people bought blocks to have some space and privacy, not for high density living, this will set a precedent for future land holders to subdivide, causing the estate to lose its appeal as country living and space. Also with the other vacant blocks on Conran court , they could be subdivided with the possibility of 6 new blocks being available as the precedent would have been set to develop smaller holdings as per 10 Conran court

Privacy Statement: Yes

9/3/2021

dwa16FA.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]
Sent: Tuesday, 24 August 2021 6:29:43 PM
To: Planning Unit Administration
Subject: Objection to a Planning Permit Application

Objection to a Planning Permit Application

An 'Objection to a Planning Permit Application' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Name: Neil and Carolyn Richards

Email address: nr123db@gmail.com

Postal address : 10 Howey Rd, Pakenham, Vic, 3810

Mobile phone number: 0427662347

Home phone number: 0427662347

Work phone number: 0427662347

Planning permit number: 345/2021/p

What has been proposed?: Three lot subdivision and the removal of native vegetation

What is the address to be used or developed?: 10 Conran Court, Marlo - Lot 69 PS 529312

Who has applied for the permit?: B J Young and E M Young

What are the reasons for your objection?: I have attached a word document outlining our objections and how we would be affected by this proposal. as the neighboring property owners we particularly object to the subdivision for the added light, dust and noise pollution that this would bring and it is highly out of keeping with the surrounding neighborhood. please refer to the attached document for our full commentary.

How would you be affected by the granting of this permit?: We would be affected in many ways as would the local wildlife from the killing of the large trees on the property that many wildlife call home. Please refer to our attached notes for the many reasons this proposal simply should not be allowed in any context.

Attach any further information: [N and C Richards 10 Marlo Rd Proposal Rejection.docx](#)

Privacy Statement: Yes

Please find below all of the comments we would like to state as our reasoning for the complete objection of the proposed 3 Lot subdivision at 10 Conran Court.

Highlighted in **Yellow** are sections out of the application and our comments are below each of these and are the not highlighted text.

- Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment

The large nature of the blocks around this area and the whole reason we purchased ours was for the natural open feel and environment surrounding them. This plan removes all-natural trees and vegetation from the block and this will greatly impact the natural aesthetics of the block and surrounding areas. It will also be detrimental to the bird and animal life that reside in the trees that are suggested to be removed.

- Reflect the particular characteristics and cultural identity of the community
- The proposed density of the subdivision is not out of character for the area

We do not feel this is at all in the keeping of the community and would be the only subdivision we are aware of in the court. I think it would be more than fair to suggest that everyone in this court and the streets and courts that surround it, have purchased these blocks because they don't want to live in a built up area, next door to multiple houses and this subdivision would change the characteristics of the open space plans currently there. I would also ask the owners of this block, who live just several doors away why they bought a block here and built, if not for the peace and quiet and feel of the area.

- The subject site is located within a relatively short distance to a range of facilities and services offered by the commercial centre of Marlo.

No Public transport is in this locality so 3 subdivision development would realistically mean 3 times the number of vehicles entering and leaving the property at all hours of the day significantly.

- Creating one allotment facing the street will ensure the existing streetscape character of the area is not detrimentally affected by additional residential development at a slightly higher density

While the street view may not be detrimentally affected this current property has 7 adjoining neighbours that will be greatly affected by the increase in noise and light pollution from this proposed subdivision once dwellings are built there.

- The proposed subdivision does create a common property area to enable access to all three lots. This is located along the north eastern boundary. The proposed subdivision has been designed to enable a suitable level of privacy and to ensure that the neighbourhood character of the area is not detrimentally affected.

The proposed drive on the north of the property means all 3 properties will access them via this one driveway which runs the entire length of our property. We will essentially have a 150 metre driveway running the entire length of our boundary bringing dust, noise and light pollution upon every vehicle entry

- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

I have real fears that due to the one driveway access in the case of a bushfire if one property owner is within the confines of the driveway access is blocked to both emergency

services entering the property and any other leaving it. Also of concern is the limited room and ability for emergency vehicles to turn around or reverse out if required.

- There are several wildlife corridors in surrounding areas that will not be detrimentally impacted by the loss of vegetation on this parcel.

The loss of the large trees on this property would be a great loss to the wildlife in this area and the wildlife corridors currently around the area would be impacted by the loss of open space and higher density housing as well as the use of extra internal fencing which would be an additional hazard to the local wildlife

- Given this is only a three lot subdivision no open space areas are proposed and therefore this is not applicable in this instance. Given the bushfire risk to this site, the protection of vegetation is unachievable.

Many other properties have sustainable amounts of native and planted vegetation on them which is in keeping with the surroundings. Given the added density and fuel 3 dwellings, with the addition of motor vehicles, possible shedding and other equipment that would bring and clearly no open areas I think the fire risk is greater in this proposal than if 1 dwelling with suitable surroundings was allowed as with the keeping of the surrounding blocks

- The lot has existed for many years and is part of an estate with many lots containing established dwellings
The lot has been there for a long time and many of the existing properties all have a large open area and one dwelling and this proposal is not in keeping with the surroundings
- There is limited ability to undertake additional planting due to the fire risk

Given there is no intention in this proposal to plant any extra trees, I see no ability for this subdivision to prevent excess noise, dust or light pollution due to the 1 long access driveway along our boundary by native tree planting. We therefore request if this subdivision goes ahead and we sincerely hope it does not, there is a provision made to reduce the dust, noise and light pollution to our property in the form of a 7ft fence made of solid timber construction entirely at the developers expense to block this proposed blight on our landscape.

Allowing this development to go ahead would set a precedent that could very well see a beautiful, quiet court with spacious blocks cut up and turned into an unattractive, unwanted suburban development. We believe that if this subdivision goes ahead it would also dramatically affect the resale of our property as we would then border 3 properties rather than 1 on the southern side of us. This could also be true for all of the other 6 properties that border this property currently and adjoining neighbours to them.

We strongly object to this proposed development being allowed to go ahead and hope that common sense will prevail and this court will be left to stay as it was intended. As the owner currently resides within Conran Court we see no reason for this subdivision proposal other than purely for financial gain and this proposal is certainly not in keeping with the surroundings.

Luke Priestley
Priestley Design and Build
Healeys Road
Marlo Vic 3888

20 October 2021

Robert Pringle
East Gippsland Shire Council
PO Box 1618
Bairnsdale Vic 3875

Dear Robert,

I follow with interest the application for planning permit for 10 Conran Court, Marlo for a 3 Lot Subdivision (Planning Permit Application No: 345/2021/P).

I am a local builder in Marlo and would recommend that the East Gippsland Shire Council consider favourably on this application.

The proposed lots are an appropriate size for a lifestyle allotment that is desired by many people. Both older and retired couples as well as young families are seeking the low density lifestyle, but also require a manageable area.

This type of subdivision should be allowed to encourage people to move to Marlo. With the increased fire risk on the outer areas, it would seem a more appropriate solution to allow additional residential development within the existing town boundaries. There is limited developable land left in Marlo and therefore this is a suitable option, particularly given the services available. Council may need to consider rezoning land to rural residential to cater for the larger lifestyle allotments.

Please approve this application.

Regards

Luke Priestley



10 CONRAN COURT, MARLO

*Ward Street,
Marlo, VIC, 3888.
22/10/2021*

To whom it may concern,

I am writing to express my support for the subdivision of 10 Conran Court, Marlo. I have been living in Marlo for several years and have been struggling to find both rental properties and land for sale within the area. I believe it is in the best interest of the entire community of Marlo if the subdivision goes ahead to allow young, emerging locals to purchase land in order to promote growth in our coastal town.

With a current population of around 600 people year-round, in contrast with several thousand over the summer, new development in the town (such as 10 Conran Court), will be a catalyst for future infrastructure improvements, and further progression for our community. Considering the proposed block sizes in this subdivision, this will endorse locals to buy and build forever homes, helping to increase the demand for local trades and businesses, consequently providing more jobs for people lacking employment.

The current price of a 1000m² block of land in the township of Marlo is around \$360,000. As the demand for property in the area is increasing, the housing market is at capacity, and thus becoming unaffordable for young, local families who have been born and raised in this community. With the help of this subdivision, it will expand the market and give people the capacity to purchase land in East Gippsland, maintaining their Regional Victorian lifestyle.

Please consider this letter as my complete support for the subdivision of 10 Conran Court. If I can provide any further information, please don't hesitate to contact me.

Kind regards,

Jordyn Chodziesner

Unofficial

25/10/21

Elizabeth & Matthew Barnes

Saleni Drive, Marlo Vic 3888

East Gippsland Shire Council

To whom it may concern,

In support of the subdivision of 10 Conran Court Marlo.

We write this letter in support of the subdivision of 10 Conran Court Marlo.

It is well known Marlo has limited land and lack of housing available to purchase, many people would love the opportunity to relocate and own land in Marlo, as it is a beautiful area for all ages to live in. Unfortunately, due to the increase in demand and affordability this is not possible for many people. Creating more subdivisions would allow for more people to relocate or to stay in holiday homes in Marlo which would improve tourism, improving economy in the area and increasing our employment opportunities as well as providing lovely spacious land opportunities to build their dream homes.

As a registered nurse with Orbost Regional Health I am aware of many health professionals who would like to either purchase land or rent homes to be able to work at our health service. However due to limited land and housing options we are without many important health professionals in our area. Many health professionals enjoy weekends full of personal space, freedom, being close to the beach, bush and beach walks. I think that this subdivision would be extremely valuable for our town, bringing many more skilled people to our area. I think with the current Coronavirus pandemic many health professionals would be willing to relocate to rural areas if appropriate land and housing was available.

We were lucky enough to purchase land in Marlo in 2015. Our current home sits on 1800sqm, which has been an ample size for our home, large 4 bay shed and spacious backyard and garden. This is a good size for single people, families or retirees with plenty of room for young kids to play, lots of room for a shed, caravan or boat which many people who relocate or holiday here like to enjoy. We have found this size works well for us with a young family and gives adequate privacy from neighbours and little surrounding noise. The subdivision plan of 2000sqm will be sufficient for owners to enjoy these spaces with their own piece of paradise without affecting the current outlay and Marlo of what current residents currently enjoy.

We believe that this current plan for subdivision suits the development for Marlo and will fit with the current lifestyle that people living in Marlo are accustomed to. Along with providing new opportunities for more people to relocate or visit and being able to enjoy what Marlo has to offer.

We would be more than happy to discuss further if required.

Yours Sincerely,

Elizabeth & Matthew Barnes

S Moynagh & P Lander
Healeys Road
Marlo
Victoria
3888

25/10/2021

To whom it may concern,

This is a letter of support for the projected subdivision of 10 Conran Court, Marlo, Victoria 3888 from myself, Shane Moynagh and my partner Philippa Lander of : Healeys road, Marlo.

Philippa and I are currently renting a property at Healeys road in Marlo. We have lived and rented in the area for some time now and integrated well into the local community. We consider Marlo our home now and are almost in a financial position to purchase our first home.

As tenants, we are acutely aware of the difficulties people are facing in regards to rentals in the area, especially due to air bnb and outsiders buying holiday homes that are largely unoccupied through the winter months. We are also very aware of the struggles first home owners face in wake of the “covid boom” with most house and land packages often being very large in Marlo and being almost completely out of reach for young people trying to get into the market.

We are in full support of Braddley Young and his proposal to subdivide 10 Conran Court. We believe that there is a need for more subdivisions in Marlo to accommodate the growing number of people that want to live here permanently. We also believe the size of the blocks proposed are slightly smaller than some of the recent subdivisions and would be more financially within reach for people like ourselves but not small enough to take away from the charm of the area like some other proposed developments we have heard about recently.


We believe that land in Marlo should remain a reasonable size with some room to move whilst being affordable and believe that the subdivision proposed fits the bill perfectly.

If you have any queries please don't hesitate to contact myself on

l

Yours sincerely,

Shane Moynagh and Philippa Lander



Brooke Davis
Perry St
Marlo, Vic, 3888

October 25, 2021

To Whom it may concern,

I am writing this letter in support of the sub-division at 10 Conran Court, Marlo, Victoria 3888.

As someone who is trying to get into the property market, it is incredibly difficult to find affordable housing and affordable land in the area. I believe that 2000m² is a significant size lifestyle block and would be thrilled to see more opportunities like this available in the area.

Warm Regards,



Brooke Davis
Marlo Resident

From: Clint Voss
Sent: Monday, 25 October 2021 1:29 PM
To:
Subject: RE: 10 Conran Crt Subdivision proposal

To whom it may concern:

We have absolutely no issues with the sub division of 10 Conran Court, Marlo going ahead and think that is actually a great idea for the area.

The size of the proposed new blocks are more than suitable for the area and won't detract from the current lifestyle design in Marlo. In fact due to current climate and availability of blocks in Marlo I think that it would a good option for those people looking for a slightly smaller block to build on. Not everyone wants 4000sq metres and 2000sq metres is more than enough to build a decent house plus still have a substantial garden / lawn area. If you have any questions or would like us to explain our views in more detail please contact Clint on 039595 1111

Yours sincerely,

Clint and Rebecca Voss
Brodrigg Drive, Marlo, Vic, 3888

Sent from my Samsung Mobile on the Telstra Mobile Network

From: Christopher Downward <christopher.downward@eastgippsland.vic.gov.au>
Date: 25 October 2021 at 6:21:58 pm AEDT
To: christopher.downward@eastgippsland.vic.gov.au
Subject: 10 Conran Court subdivision

To whom it may concern,

In the matter of the subdivision of 10 Conran Court, I am of the understanding that the block in question is approximately 6000 m², and that the proponent wishes to subdivide their block into 3 parts at approximately 2000 m².

Marlo is a quaint coastal community, which resides on the Snowy River. Its residents and visitors predominately enjoy the area for its outdoor activities, quiet/sleepy lifestyle and its close proximity to nature. The average residential property size in Marlo is roughly 1000m², with a mixture of eclectic dwellings. The proposed subdivision allotments at 2000 m² far exceed the average residential block size for Marlo. Furthermore, I believe there are a handful of mature trees which have been deemed dangerous on the property and that the proponent wishes to have them removed. If trees are a risk of causing harm to residents then they should be dealt with accordingly. However, replacement of similar genus of tree should be considered and appropriately replaced to ideal locations to maintain habitat within the estate. Roof water runoff would be easily managed on the site, with pressurised down pipes allowing water to escape to the appropriate stormwater drains at the front of the property on 10 Conran Court, or installed water tanks could catch the water and be utilised on the subdivided blocks.

In conclusion, to the statements above, as a resident close to the proposed development, I fully support the subdivision of 10 Conran Court Marlo. At 2000 m², they are significantly larger than the average block size, and in comparison to the current proposal of the subdivision of 10 Marlo road, these blocks are far more in line with what the Marlo community is. With the current push from locals for more housing opportunities, this subdivision would be a welcome addition to Marlo.

Kind regards
Chris Downward

From: "Stephen C Young" <[redacted]>
Date: 25 October 2021 at 5:01:35 pm AEDT
To: [redacted]
Subject: [redacted] Subdivision for 10 Conran Court

To whom it may concern



"As a current resident and property owner in Marlo I support the proposed subdivision for 10 Conran Court.
I believe that 2,000m² meter block's are more than adequate life style blocks and the proposed will not impact on the current design and life style of the Marlo area.

Land availability and affordable housing is a real issue within the town and the proposed fits within the current government guidelines.
East Gippsland Shire should be encouraging people to maximise opportunities like this to allow for sustainable development."

Regards

Stephen.c.Young

[redacted]

From: 
Date: 25 October 2021 at 9:54:51 pm AEDT
To: Brad Young <>
Subject: Conran Crt subdivision

Hello

I have grown up in East Gippsland and lived in Marlo for approx. 14 years. Marlo requires more land and housing to continue to develop but this must be done in such a way that it is sympathetic to the coastal village feel of the town. The proposed subdivision at Conran Crt with good sized blocks with remnant native vegetation will fit well within these requirements. I fully support this and similar proposals

Regards
Gary Young
Stewart St
Marlo
3888

Mob

From: Max Herbert <_____.>
Date: 26 October 2021 at 10:18:09 pm AEDT
To: _____
Subject: Land Subdivision Conran Ct Marlo

To Whom It May Concern

Land Subdivision Conran Ct Marlo

Date: Oct 27th 2021

I write in support of the proposed 3 lot subdivision in Conran Ct Marlo.

The locality of Marlo is in desperate need of affordable land for growth and development and to increase the rate base of the town. This is a very important aspect that should lead to an increase in services for all land owners and residents in the town. More rates generated means more \$\$ for community development and programs.

This proposed subdivision is for 3 lots of 2000sq/m. These are large blocks. With the current cost of land in Marlo if these blocks are made any larger they will be unaffordable to all except the elite. We dont need that. We need good sized blocks, where people who have not been able to afford getting into the housing market, can purchase and build on.

Economics have driven most land in this area out of the range of the average working couple. We need to have a balance of good sized, affordable land in the mix. Thats what this subdivision will provide.

At 2000sqm there is plenty of room to build a home , shedding , nice gardens and be an asset to the community. I understand that the blocks will have access to a reticulated waste water collection system which will alleviate any concerns about on-site waste disposal.

I have grown up in this area and like many I grew up with , we want to make Marlo our home. Over the last couple of years, I have been trying to purchase a building block in Marlo and the price has simply surpassed me and many others.

We need building blocks in Marlo and we need them to be sized so as they are affordable to all. Surely it cant be suggested that 2000sqm is too small to build on.

Sincerely

Max Herbert

5.2.2 Adoption of the Draft Domestic Animal Management Plan 2021-2025

Authorised by Acting General Manager Place and Community

Conflict of Interest

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

Executive Summary

Council recognises that pets play an integral part in people's lives and often positively contribute to the community's overall health and wellbeing. As part of this, Council makes every attempt to ensure the needs of the wider community are reflected through its domestic animal management strategies.

The Domestic Animals Act 1994 requires all Victorian Councils to prepare a Domestic Animal Management Plan (DAMP) at 4 yearly intervals. Council's current DAMP is at the end of its 4-year cycle and a new plan is required to be developed.

As part of the development of the Draft DAMP 2021-2025, consultation was undertaken with both the community and other stakeholders. This consultation included a four-week public survey, which received 207 responses.

Feedback from this survey identified the following key trends:

- A consensus to maintain the 24/7 cat restriction rules across the municipality
- To implement more media and educational campaigns about responsible pet ownership
- To expand on Council's current availability for public to access cat traps
- Review of current dog poo bag dispenser locations, but promotion of responsible pet ownership and the need to supply your own dog poo bags
- To continue with the public education relating to dog off leash rules
- To look at funding options to reduce the cost of animal desexing.

The key themes and trends arising from the consultation have been incorporated into the draft DAMP actions as shown in **Attachment 1**.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report, and***
- 2. adopts the Draft Domestic Animal Management Plan 2021-2025 as shown in Attachment 1, and***
- 3. approves for Council Officers to submit the adopted Domestic Animal Management Plan 2021-2025 to Agriculture Victoria in accordance with legislation.***

Background

The East Gippsland Shire Council's Draft DAMP 2021-2025 was prepared in response to the Domestic Animals Act 1994 and aims to contribute to the development of strong, vibrant and safe communities.

The draft DAMP caters for the needs of pets and their owners whilst achieving a balance with the needs of others in the community. In developing the plan, input was sought from the community and identified stake holders. This has ensured that the actions outlined are representative of our community's expectations. The primary objective is to develop a strategic plan to assist Council in providing a professional, consistent and proactive approach to domestic animal management services within the community which includes education and promotion of responsible pet ownership.

Legislation

The Domestic Animals Act 1994 requires all Victorian Councils to prepare, a Domestic Animal Management Plan (DAMP) at 4 yearly intervals.

The Act also identifies the structure and format of the DAMP, including eight key strategic directions which Council must develop actions around. These strategic directions include:

- Training of Authorised Officers
- Registration and Identification of Domestic Animals
- Nuisance
- Dog Attacks
- Dangerous, Menacing and Restricted Breed Dogs
- Domestic Animal Businesses
- Over Population and High Euthanasia Rates
- Other Animal Management Matters.

In addition to the above considerations, under the Act Council must also:

- Review its DAMP annually, and if appropriate, amend the plan
- Provide the Secretary of the Department with a copy of the plan and any amendments to the plan; and
- Publish an evaluation of its implementation of the plan in its annual report.

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

Council Plan

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

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

Council Policy

Nil

Options

Council may adopt the draft DAMP, with or without amendments, or Council may determine not to adopt the draft DAMP. This could lead to Council being in breach of its legislative responsibilities under the Domestic Animals Act 1994.

Resourcing

Financial

The adoption of this plan will not require additional financial resources. New initiatives proposed in the plan are subject to sourcing external funding.

Plant and equipment

No additional plant or equipment is required to implement this plan.

Human Resources

The delivery of the plan and its activities can be achieved within the existing staff structure.

Risk

The risks of this proposal have been considered low.

Economic

There are no direct economic impacts on the community as a result of adopting this plan.

Social

Council recognises that pets are an integral part of people's health and wellbeing and actively seeks innovative ways to support pet owners. Council makes every attempt to ensure the needs of the wider community are reflected through Council's domestic animal management strategies.

Environmental

Through the continual promotion and education of responsible pet ownership activities the overall negative impact domestic animals have on public amenity and the environment will be reduced.

Climate change

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

Engagement

Council officers sought feedback from the public regarding this trial by means of a survey through Survey Monkey. This survey ran for a period of 4 weeks. Below is a summary of the results from this survey.

207 members of the public took the time to complete the survey.

- 55% were dog owners
- 4% were cat owners
- 15% were both cat and dog owners
- 74% lived in East Gippsland
- 37% of people who responded had positive experiences with other people's pets in public with only 7% responding very negative.

Feedback from this survey identified the following key trends:

- A consensus was to maintain the 24/7 cat restriction rules across the municipality
- To implement more media and educational campaigns about responsible pet ownership
- To expand on Council's current availability for public to access cat traps
- Review of current dog poo bag dispenser locations, but promotion of responsible pet ownership and the need to supply your own dog poo bags
- To continue with the public education relating to off leash rules
- To look at funding options to reduce the cost of animal desexing.

Attachments

1. DRAFT Domestic Animal Management Plan 2021 25 v2 [5.2.2.1 - 36 pages]



Draft Domestic Animal Management Plan 2021-2025

Date published: December 2021

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1. Introduction

East Gippsland Shire Council recognises that pets are an integral part of people's health and wellbeing and actively seeks innovative ways to support pet owners. Council makes every attempt to ensure the needs of the wider community are reflected through Council's domestic animal management strategies. Council must consider both animal owners and non-animal owners and their rights to use open spaces. The issue of balancing pet ownership and the rights of individuals to enjoy the environment can be challenging.

The Domestic Animal Management Plan 2021-25 (the Plan) has been prepared in accordance with the requirements of the Domestic Animals Act 1994 (the Act).

1.1 Purpose and Primary Objective of the Domestic Animal Management Plan

The primary objective is to develop a strategic plan assist Council in providing a professional, consistent and proactive approach to domestic animal management services.

In accordance with Section 68A of the Act, the plan explores and sets strategies to:

- identify methods for evaluating animal control services;
- promote and encourage responsible pet ownership;
- ensure compliance with the *Domestic Animals Act* 1994;
- minimise the risk of dog attacks;
- address over-population and euthanasia rates for dogs and cats;
- encourage registration and identification of dogs and cats;
- minimise the potential for nuisance animals;
- identify dangerous, menacing and restricted breed dogs;
- identify programs for training of authorised animal management officers; and
- ensure regulatory compliance by all registered domestic animal businesses.
- deliver an education and enforcement campaign to promote:
 - effective control in off-leash areas;
 - compliance with leash and no dog requirements in other public places;
 - removal of dog faeces in public places.

1.2 Process Applied in Developing the Plan

In determining the key issues for this Plan, the following items were considered:

- Evaluate effectiveness of plan using available data
- recommendations made by the Department of Jobs, Precincts and Regions, Agriculture Victoria, and Animal Welfare Victoria
- statistics on service requests made by residents of East Gippsland Shire;
- submissions made by the East Gippsland community

Key issues identified are:

- training of authorised officers;
- registration and identification of animals;
- nuisance;
- dog attacks;
- dangerous, menacing and restricted breed dogs;
- domestic animal businesses;
- overpopulation and high euthanasia rates; and
- other matters.

1.3 Demographic Snapshot of East Gippsland

East Gippsland Shire's geography, community profile and organisational resources need to be considered in order to develop effective animal control strategies.

East Gippsland Shire was created in 1994 from five previous municipalities and features:

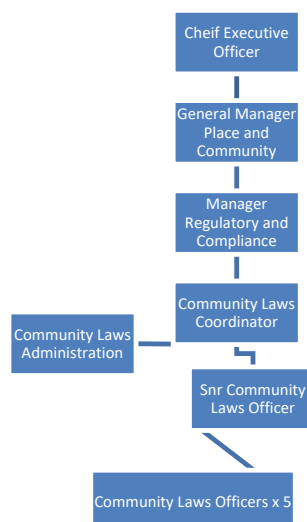
- a resident population estimation in 2020 of 47,725 persons in an area of 21,000 square kilometres;
- a substantial coastal frontage between Paynesville and Mallacoota including coastal reserves and marine parks of national significance;
- forty communities ranging from the major towns of Bairnsdale, Paynesville and Lakes Entrance to the hinterland towns of Omeo, Bruthen and Orbost and the coastal towns of Mallacoota, Lake Tyers Beach and Marlo;
- an age profile with over 60% of the East Gippsland's population is aged over 35 years, and 24% aged over 60. With an elderly population comes a huge dependency on animals for companionship;
- a large proportion of absentee landholders; and
- an annual Council budget of approximately \$100 million.

1.4 Domestic Animals Statistics and Data

East Gippsland Shire Council Key Statistics – 2020/21	
Population	47,725
Number of animal control authorised officers	6
Hours training per officer annually	30
Number of EFT animal control officers	3
Number of registered dogs	8,247
Number of registered cats	2,433
Number of registered declared dogs	2
Number of impoundments (dogs)	191
Number of dogs returned to owners	102
Number of dogs re-housed	53
Number of impounded dogs euthanised	17
Number of impoundments (cats)	334
Number of cats returned to owners	20
Number of cats re-housed	150
Number of impounded cats euthanised	75
Number of excess animal permits (Local Laws)	142
Number of restricted breed premises	0

During the financial year (2020-2021) Council registered 8,247 dogs, 2,433 cats and impounded 191 dogs and 334 cats. In addition to this, Council investigated numerous animal control and noise complaints.

1.5 Council's Animal Management Staffing and Operational Structure



1.6 Current Programs and Service Levels

Council's Community Laws team administers and provides a broad range of services to ensure Council meets its legislative responsibilities in the management of domestic animals.

These services include:

- providing advice on domestic animal matters;
- complaints educating residents and promoting responsible pet ownership;
- investigating customer requests;
- management of Council's domestic animal pound service contract;
- maintaining a domestic animal register;
- impounding of wandering, unwanted/surrendered and /or feral dogs and cats;
- undertaking registration door knocks;
- administration and control of dangerous and restricted breed dogs;
- investigation of dog attacks;
- prosecution of offences under the Domestic Animals Act and other relevant regulations;
- providing a 24-hour a day emergency callout service;
- inspection and registration of domestic animal businesses; and
- developing and maintaining partnerships with organisations such as veterinary clinics, animal welfare groups and other stakeholders.

Current Program and Service	Service Level
Wandering Dogs Dog Attacks	Collected within 2 hours if restrained. Attendance within 2 hours if emergency still exists.
Council Pound Facility	East Gippsland Shire Council's domestic animal pound facility is in Giles Street, Bairnsdale. The pound is managed by Victorian Animal Aid Trust under contract to East Gippsland Shire Council.
Dangerous Dogs/Restricted Breeds Complaints	These complaints have a high priority and are investigated depending on nature or severity of complaint, usually resulting in immediate action. 2 day maximum response period. Council officers manage Dangerous and Menacing dogs in accordance with the Act.
Domestic Animal Complaints	Dependent on the nature and urgency of the complaint. Response can range from immediate action to three days, in line with Council's customer service request notification system.
Identification and Registration	Council annually produces and mails out registration renewal notices. Any renewals not received by the due date are followed up with a reminder notice advising of penalties for failing to register a dog or cat. Registration renewal forms are also used as a tool to advertise current legislative changes, e.g. requirement to register dog/cat by age three months and compulsory micro-chipping for all new dog/cat registrations. The registration renewal notice is also utilised to incorporate inserts such as the Micro-chipping Day Flyer. New registration applications are available at Council's Customer Service Centres and on Council's website.
Pound Opening Hours	Council's Domestic Animal Pound is open to the public from 11.00am to 3.00pm Monday to Friday. Weekends and Public Holidays 10.30am to 12.30pm
Community Information	Council publishes and distributes press releases on various animal topics including notification of animal registration, micro-chipping requirements, and advertises and targets other locally identified "hot topics" as the need arises.
Registration of Domestic Animal Businesses	East Gippsland Shire Council currently has twelve registered businesses, posts out registration renewal notices each year for these businesses and conducts annual inspections in relation to Codes of Practice. New registration applications are received and processed in line with the Code of Practice.

Routine Street Patrols	Street patrols are conducted and are dependent on advice in relation to wandering animals.
Responsible Dog Association/Obedience Club	The RDO conducts these sessions. Council staff attend the courses and advise dog owners of their obligation at law.

2. Statement of Purpose

The core purpose of the East Gippsland Shire Council animal management services is to:

- create an environment where people and pets can peacefully coexist within the community;
- minimise any adverse impacts of domestic pets on the farming sector and the natural environment;
- inform and educate the community about the needs of companion animals and promote responsible pet ownership;
- ensure that the needs of the wider community are reflected through Council's domestic animal management policies;
- provide a response service to deal with wandering, aggressive or nuisance animals;
- ensure that impounded animals are cared for in a humane manner in a hygienic and safe environment;
- endeavour to reunite impounded pets with their owners;
- promote the re-housing of suitable pets with a suitable new owner;
- provide specialist advice to Council in animal management matters; and
- regulate and support domestic animal businesses.

3. Strategic Directions for Domestic Animal Management

The following table shows the mandatory requirements of the Council and its Local Laws Officers for the period of this Domestic Animal Management Plan as required under the Domestic Animals Act 1994 and the corresponding actions in this plan.

Specific Act Requirements		3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.8	4.0	4.1	4.2
S68A (2)(a)	Method of monitoring performance and evaluating the effectiveness of services									√	√	
S68A (2)(b)	Training of Authorised Officers	√										
S68A (2)(c)(i)	Promote and encourage responsible pet ownership		√	√	√	√	√	√	√			
S68A (2)(c)(ii)	Ensure compliance with Acts and Regulations	√	√	√	√	√	√	√	√			
S68A (2)(c)(iii)	Minimise risk of dog attacks	√	√	√	√		√	√	√			
S68A (2)(c)(iv)	Over-population and high euthanasia rates	√	√	√		√		√	√			
S68A (2)(c)(v)	Encourage registration and identification for dogs and cats	√	√	√	√	√	√	√	√			
S68A (2)(c)(vi)	Minimise potential for nuisance	√	√	√	√			√	√			
S68A (2)(c)(vii)	Dangerous, menacing and restricted breed dogs	√	√	√		√						
S68A (2)(d)	Review of Orders and Local Laws	√	√	√	√	√	√	√	√			
S68A (2)(e)	Any other matters	√	√	√	√	√	√	√	√			
S68A (2)(f)	Periodic evaluation of programs, services and strategies	√	√	√	√	√	√	√	√	√		
S68A (3)(a)	Review of Domestic Animal Management Plan											√

3.1 Training of Authorised Officers

Council's objective is to ensure that all staff involved in animal management have the knowledge and skills necessary to pro-actively, consistently and professionally carry out their work. Council employs 5, full time, Community Laws Officers with 1 Senior Community Laws Officer and a Community Laws Coordinator.

Current and Planned Training

Council recognises the importance of skilled and qualified staff in delivering successful animal management programs. As part of its annual staff workplan process, a plan is developed with each staff member, to ensure they receive appropriate skills development throughout the year.

Regular in-house training sessions including investigations, animal control/welfare, use of animal equipment and vehicles are conducted, including;

- Animal Welfare Victoria and RSPCA Training Days
- Mentoring from experienced senior staff
- Occupational Health and Safety training and basic first aid training

Planned Programs and Initiatives:

- Attendance at Animal Welfare Victoria regional training seminar
- Closer liaison with surrounding municipalities to target regional domestic animal management needs and issues
- All officers provided with latest handheld computer/other devices that can provide owner details from Council's database by entering microchip number or tag number

Authorised Officer Training	2021	Planned
Certificate IV in Animal Control and Regulation		
Officer 1	Completed	2008
Officer 2	Completed	2008
Officer 3	Completed	2015
Officer 4	Completed	2016
Officer 5	Started October 2021	2021
Certificate IV in Animal Welfare (Regulation)	N/A	Not planned as officers not authorised under POCTA.
Microchip implantation training	N/A	No requirement
Industry training – animal handling, animal assessment, statement taking, prosecution, computer	Annual refresher when available	Annual refresher when available
OH&S training – dealing with difficult customers and situations	Completed	2022
Customer service training – conflict resolution, telephone manner, communication and de-escalation tactics	Corporate training available	Annually
Animal Welfare Victoria training days	All officers to attend when notified and available	All officers to attend when notified and available

Induction program for new staff	As per Corporate policy	As per Corporate policy
Other	Further training to be identified and an individual plan developed	Annual review of training requirements
Prosecutions training	Officer 1 Completed Officer 2 Not started Officer 3 Not started Officer 4 Not started Officer 5 Not started	2020 2022 2022 2022 2022

OUR PLANS

Objective 1: Develop and maintain a training calendar for individual Authorised Officers detailing completed and proposed training as part of annual performance planning process.

Activity	When	Evaluation
Complete individual development plan annually, identifying training needs	Annually	Completion of staff development plan

Objective 2: Annual review of internal processes with staff, to ensure consistent application of investigation processes.

Activity	When	Evaluation
Review processes in line with legal updates/changes. Ensure a consistent approach by Authorised Officers	Annually	Annually – update procedures

3.2 Registration and Animal Identification

Current situation

Domestic animal registrations and registration renewals are conducted by Council in accordance with Part 2 of the Domestic Animals Act 1994.

Our current data:

- 2020/2021 period 8247 dogs and 2433 cats currently registered with Council
- 2020/2021 period 191 dogs and 334 cats were impounded
- 1 dog was seized

Council's objective is to maximise the number of registered and identifiable dogs and cats. Council's current identification and registration activities include:

- issuing of identification tags and registration renewal notices;
- door knock problem areas or areas where complaints have been received in relation to registration matters; and
- animal control information in local newspapers and on radio

Our Current Orders, Local Laws, Council Policies and Procedures

Local Laws

- Restriction on the number of animals to be kept at any property.

Current Orders

- Requiring dogs and cats to be micro chipped at the time of registration.
- Micro chipping exemption for working dogs implemented 10 April 2012.
- Requiring dogs and cats over 3 months of age to be registered.
- Reduced animal registration fee for members of an applicable organisation 2013.
- A 24 hour per day, cat containment order was adopted by Council on 23 October 2002.
- Two new off leash parks (Bosworth Road, Bairnsdale and Palmers Road, Lakes Entrance) Resolved under Section 26 of the Act, 2 October 2018
- Dogs in Public Places order for off leash areas within the Municipality

Policy and Procedures

- Procedure for refusal of registration/renewal of registration of dangerous and restricted breed dogs.
- Procedure in dealing with a suspected restricted breed dog.
- Policy and procedure with seizure and impounding of unregistered and/or unidentifiable dogs and cats.
- Application process for registration and renewal of registration of dogs and cats.
- Procedure for appointment of agents for registration.
- Enforcement protocols for issuing notices to comply and infringements.
- Notices and filing charges for prosecution regarding breaches of the Act.
- Process regarding seizure of documents.
- Process regarding attendance at Victorian Civil Administrative Tribunal to hear appeals from dog and/or cat owners.

Our Current Education/Promotion Activities

- Community events and stalls held throughout the Shire.
- Council website providing information on responsible pet ownership.
- Council animal lost and found page on website.
- Ability to pay animal registration online with a range of payment methods.
- Council's new registration forms include a restricted breed declaration.
- Annual renewal notices sent out prior to renewal date of 10 April
- Registration options for email reply
- Lifetime animal registration tags 2017.
- Advice and pamphlets provided at responsible dog ownership days.
- Weekly pound information in local newspapers.
- Promote the benefits of registration and identification; being able to reunite a lost animal with its owner.
- Installation of signage, media and Council's website to provide information to residents on registration renewal period.
- Keep records of animals found injured or dead and notify owners of identifiable animals to enable them to seek veterinary treatment for injured animals and help provide closure to owners of animals that have died. Retain dead animals for a period to enable owners to collect them or return them home.
- Free ride home incentive for registered pets

Our Current Compliance Activities

- Random door knocks in high complaint areas, new estates and known problem areas.
- All impounded animals are identified as required by law and are registered and micro chipped before returning to owner or adopted.
- Identified unregistered dog/cats receive a reminder notice
- Penalty notices issued for failing to comply with legislation.
- Sale of animals notification received by Council is investigated for registration identification.
- Officers follow up on status to ensure unregistered dogs/cats are registered or change of status has been entered on animal database.

Registration Offences

2018/19	311
2020/21	126
2021/22	96

Summary

- Council's objectives are to maximise the number of registered and identifiable dogs and cats.
- Council actively promotes and enforces this legislation.
- Council understands that the community must have access to the animal register for the purpose of returning/reuniting lost animals with their owners. A 24-hour website has been established for this purpose.

OUR PLANS

Objective 1: Increase dog and cat registration numbers each year

Activity	When	Evaluation
Ensure responsible pet ownership brochures are distributed within the community and promotion of registration requirements are increased in local media	February/ March each year	Review annual increase in registration numbers
Follow up on current registrations after the issue of identification tags with renewal notices	May 2021 onwards	Review of statistics monthly

Conduct random door knocking within the Shire to ensure compliance with animal registration	Ongoing	Review of statistics monthly
Display signage in public places to advertise registration renewal date	Annually in April	Review annual increase in registration numbers
Promote registration and identification to new tenants/property owners via real estate agents	Ongoing	Assess the response
Provide resources to puppy school/dog obedience trainers to promote registration and identification	Twice yearly	Review of statistics quarterly
Ensure that information of sold/rehoused animals from Domestic Animal Businesses is followed up for registration	Annually	Review annual increase
Online registration form is maintained and allows the owner to make payment at the time of application	Ongoing	Review the number of customers utilising this service

Objective 2: Identify animal owners who are at high risk of non-compliance of registering their animals

Activity	When	Evaluation
Use of Council records to identify the offenders and take enforcement action.	Quarterly	Review Records Quarterly
Ensure all animals that leave the pound are micro chipped and registered	Ongoing	Review of records monthly
Ensure that all animals identified from a complaint are registered	Ongoing	Review of records monthly
Access microchips database and cross reference with Council's database to determine unregistered animals then ensure these animals are registered	Ongoing	Review statistics annually

3.3 Nuisance

Current Situation

Our current data

Between 1 July 2020 and 30 June 2021, the following number of complaints were lodged with Council:

Complaint Type	Total
Barking dogs	169
General dog inquiries	275
Dogs to collect	208
Dogs wandering	216
Stray cats to collect	148
General cat inquiries	132
Cat trap requests	38

Our Current Orders, Local Laws, Council Policies and Procedures

Orders

- A 24 hour per day, cat containment requirement was adopted by Council on 23 October 2002
- Dogs not permitted to remain in a public reserve area or bathe or swim in the water adjoining a public reserve area as defined in Schedule 6 of the Local Law between 1 November and 30 April in each year
- Dogs in Public Places order for off leash areas within the Municipality

Local Laws Provisions

- Restrictions on the number of animals to be kept at any property.
- Restrictions on dogs being on prescribed beaches from November to April each year.
- Requirement on dog owners to remove and dispose of faeces deposited by their dog in a public place.

Policies and Procedures

- Reduced registration fees for de sexed animals.
- Shire website register for lost and found animals, complete with photos of impounded animals.
- Policy and procedure for impounding dogs and cats found at large.
- Policy for surrender of dogs/cats by owners.

Our Current Education/Promotion Activities

- Council officers provide an information pack to dog owners to assist in reducing the dog barking on every barking dog complaint received.
- Barking dog nuisance courtesy letter available on Council's website to deliver to neighbour.
- Dog faeces bag dispensers are provided by Council and are in high population dog walking areas.
- "Who's for Cats?" booklet is supplied to new cat owners by Council and animal shelter staff upon registration.
- Website link provided on Council's website for responsible pet ownership.
- Responsible dog ownership courses provided to the residents and community groups.
- Information provided to cat owners about responsibilities of pet owners and cat enclosures.
- Encouragement of de-sexing of animals to reduce roaming by providing reduced registration fees.
- Periodical media releases to public promoting responsible pet ownership.
- Provide information to vets, pet shops, breeders, shelters, etc. to display and/or hand out about nuisance issues.

Our Current Compliance Activities

- Regular patrols in high complaint areas by Authorised Officers.
- Cat-trap service provided by Council for nuisance/trespass complaints.
- Signage erected throughout the Shire advising dog owners of their responsibilities.
- Enforcement activities conducted for breaches of Council signage.
- Compliance door knocks conducted.
- "Notice to Comply" and Infringements issued for noncompliance
- Nuisance complaints are actioned within Council response policy guidelines.
- Enforcement of cat restriction legislation.
- Impoundment of all cats and dogs found at large.

SUMMARY

Council's Authorised Officers attend to a wide range of nuisance complaints ranging from barking dog issues to wandering animals by:

- Provide information packs to animal owners to assist in reducing further nuisance complaints.
- Conduct follow up visits by authorised officers to check compliance.
- Make available relevant information material for the community to access.
- Authorised officers patrol relevant areas on a daily basis to assist in reducing nuisance complaints.
- Authorised officers aim to educate the community before enforcement action takes place.
- Officers are given regular training in relation to animal behaviour, complaint investigation and resolution, dispute settlement and customer service

Registered, microchipped cats and dogs found at large by Council officers are returned home where possible.

OUR PLANS

Objective 1: Ensure on Council's website is relevant and up to date.

Activity	When	Evaluation
All officers' review stored content for validity and accuracy. Officers are then required to report to the Coordinator with any findings.	Monthly	Reviewed monthly

Objective 2: Actively reduce the number of nuisance complaint and evaluate the processes for managing nuisance complaints

Activity	When	Evaluation
Provide responsible pet ownership literature and relevant information packs on nuisance	Ongoing as complaints arise	Review annually
Seek customer feedback and work in consultation with the public to address any nuisance matters that arise	Ongoing	Review annually
Actively thank those in the community that are complying with requirements i.e. walking dog on lead, collecting dog litter, registering animal etc.	Ongoing	Increase in compliance

Review enforcement policies and procedures	2022	Review date supplied
Report outcomes of all prosecutions to raise awareness in the community of the benefits of preventing dog and cat nuisance	Yearly as part of the LGPRF reporting	Increase in number of outcomes reported
Use Animal Welfare Victoria/Maddocks Investigation Manual to assist in investigations of complaints	As required	Increase compliance
Identify properties that exceed the limit of animals allowed and ensure appropriate permit is obtained	As Identified	Increase compliance
Regular patrols of Council's reserves etc. to ensure dog owners are compliant with legislation	Ongoing	Increase compliance
Attempt to trap feral cats in response to complaints	Ongoing as priority areas are identified	Increase in number of trapped cats
Work collaboratively with other public land managers to identify and implement strategies to address feral cat over population	Quarterly	Review annually
Investigate advances in technology to assist in reducing barking dog complaints	6 Monthly	Identification of any new product
84Y agreements with local vets to accept stray animals	Existing 84Y agreements reviewed in July each year. New agreements entered into as needed	Review annually
Increasing the availability of cat traps for the public to reduce the number of stray and unwanted cats.	Initial review undertaken by June 2022	Review annually

In conjunction with the Community Facilities and Open Space unit review the provision of dog poo bag dispensers across the Municipality	Ongoing review based on demand	Review Annually
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3.4 Dog Attacks

Current situation

Our current data

- 103 dog attacks were reported to Council 2020/2021 financial year
- New estates being developed which cause significant increase in population and pet owners
- A reporting process is in place with local vets advising Council of any dog attacks

Our Current Orders, Local Laws, Council Policies and Procedures

State Legislation

- Domestic Animals Act 1994 Part 3 Control of Dogs and Cats
- Summary Offences Act 1966 Section 8 (e)

Local Laws

- Restriction on number of animals to be kept at any property.

Policy and Procedures

- Procedure relating to seizing dogs found at large/not confined to owner's property.
- Procedure associated in destruction of unclaimed dogs guilty of attack.
- Enforcement strategy in issuance of Notice to Comply and infringements for non-compliance.
- Procedure for prosecution action relating to dog attacks.
- Procedure for authorised officers to assist Victoria Police in investigation involving a dog attack to a person resulting in death (Sec319 (b) Crimes Act).
- Authorised Officers utilise the Animal Welfare Victoria website for guidance.

Our Current Education/Promotion Activities

- Responsible pet ownership days.
- Public presentations at various community events, field days, school visits, and dog obedience clubs.
- Council website to assist dog owners on reporting, complaints and owner's obligations.

- Advisory signs located in high dog walking areas advising of owner's responsibilities.
- Reduced registration fees for de-sexed dog/cats to assist in reducing the numbers of aggressive/straying animals.
- Promote the 'Dangerous Dogs Hotline' 1300 101 080.
- Responsible pet ownership information on hand at local pound for new owners of adopted animals.
- Animal Welfare booklet provided to dog owners "Are you a dog owner?"
- Provide information to assist in selecting an appropriate breed of dog
- Promote regular exercise of dogs

Our current Compliance Activities

- Regular patrols of the municipality by authorised officers. High risk/complaint areas receive extra patrols.
- A 24-hour emergency response provided by Authorised Officers.
- Immediate response to any reported dog attacks.
- Dogs involved in attacks of a serious nature are declared dangerous dogs pursuant to the Act.
- All dogs prior to adoption through the animal shelter must pass relevant temperament testing.
- Prosecute owners for breaches of legislation.

SUMMARY

East Gippsland Shire Council is committed to reducing the number of dog attacks within the municipality by:

- Providing Authorised Officers with the appropriate training to assist with education and enforcement activities.
- Authorised Officers working actively with community, community groups and all other relevant stakeholders with education programs to assist in reducing dog attacks.
- Continuing to prosecute serious dog attacks at the Magistrates Court.
- Council believes that not all dog attacks are reported. This identified issue will be addressed by appropriate community education in reporting attacks.

OUR PLANS

Objective 1: To reduce the amount of dog attacks within the Shire

Activity	When	Evaluation
Council to run education awareness days in all major townships highlighting responsible dog ownership	Annually, aligned to key events within each township	Compare statistics prior to activity
Council's Authorised Officers to enforce offence of dogs at large within the municipality	Ongoing	Evaluate by comparing dog attacks reported with dogs at large impounded or penalised
Prosecute dog attacks in accordance with legislation	As required	Successful prosecutions

Objective 2: To advise the public and dog owners of their responsibilities to aim in reducing dog attacks

Activity	When	Evaluation
Promote responsible dog ownership	Ongoing	Reports reviewed six monthly
Provide education in preventing dog attacks in the community	Ongoing	Increased compliance
Provide information on preventing dog attacks in the home	Ongoing	Increased compliance
Promote the importance of appropriate breed selection	Ongoing	Increased compliance
Promote dog training through website and local media	Annually	Increased compliance

3.5 Dangerous, menacing and restricted breed dogs

Current situation

Declared Dogs in the East Gippsland Shire 2020-2021

Classification

Restricted breed	0
Dangerous dogs	1
Menacing dogs	2

The following dog breeds are restricted within the State of Victoria:



Japanese Toso



Fila Brasileiro



Perro De Presa Canario



American Pitbull Terrier



Dogo Argentino

Only the American Pit Bull Terrier (or Pit Bull Terrier) and Dogo Argentino are known to be in Victoria.

Our Orders, Local Laws, Council policies and procedures

- Local Law permit required for the keeping of more than two dogs.
- All provisions of the Act are enforced where appropriate.
- Enforcement protocol associated with issuing notices to comply, infringement notices and filing charges for prosecution regarding dangerous, menacing and restricted breed dogs.
- Compliance and law enforcement policy

Our current education/promotion activities

- Auditing properties identified as housing these animals and education of owners of their obligations under the legislation
- Checking industrial areas for presence of guard dogs
- Community education on reporting of dog rushes and minor issues
- Promotion of the dangerous dog hotline

Our current compliance activities

- Enforcement protocols
- Inspections/audit of compliance
- Microchip register – breed of dog check
- Check of industrial areas
- Use of the Victorian Dangerous Dog Register updates

SUMMARY

Restricted breed, menacing and declared dangerous dogs are not a significant problem within the East Gippsland Shire. Low numbers of these animals mean inspections for compliance can be done routinely.

OUR PLAN

Objective 1: Enforce compliance with the legislation

Activity	When	Evaluation
Identify properties currently housing or using guard dogs	Annually	Audited by inspecting Officer
Inspect properties housing declared dogs for compliance	Annually	Audited by inspecting Officer
Educate the community on Declared Dogs	Update information on website	Revised annually
Prosecute breaches of legislation when necessary	As required	Successful prosecutions

3.6 Domestic Animal Businesses (DAB)

Current situation

Council Pound Management

Animal Aid is responsible for the appropriate care and maintenance of dogs and cats under the current “Provision Animal Pound and Shelter Service Contract” (806/078).

The Contract requires that best practice standards are implemented and that dogs and cats under their care are treated humanely with the health and welfare of the animal considered as the utmost importance.

The overriding guidelines for the management of pound facilities are the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds.

Animal Aid is subject to annual audits by Council and/or Animal Welfare Victoria

Our current data 2020/2021

There are currently 13 registered Domestic Animal Businesses in East Gippsland including:

- 3 breeding establishment
- 1 pound/shelter
- 2 pet shops
- 5 boarding kennels
- 2 catteries

No prosecutions have been conducted and only minor breaches have been identified and compliance with the code has been met.

Our current Orders, Local Laws, Council Policies and Procedures

State Legislation

- Domestic Animals Act 1994 Part 4

Local Laws

- Limits the number of animals to be kept, i.e.
 - Residential area 2 dogs and 2 cats
 - Rural area 6 dogs and 6 cats
- A permit is required by Council to exceed this amount.

Policies and Procedures

- All DAB's are required to be registered with Council.
- All DAB's to be audited annually.
- Process for completing audit.
- Process for managing major and minor non-compliance.
- Each registration to be individually considered on the need for specific conditions.
- Process for serious and continuous failure to comply and consideration of refusal to issue permit.
- Enforcement protocol for issuing notices to comply, infringements or prosecuting.
- Standard record/audit sheets on database of registered DABs.
- Compliance and law enforcement policy

Our Current Education/Promotion Activities

- Specialist advice provided for compliance with the Code of Practice to businesses.
- Information on Council's website to assist businesses and new applicants.
- Council's Authorised Officers work in partnership with establishments to ensure compliance.
- Promotion of the Animal Welfare Victoria website for guidance for businesses.

Our Current Compliance Activities

- Annual audits of DABs, both scheduled and non-scheduled to ensure compliance with the Code of Practice.
- Act on complaints and investigate non-compliance issues.
- Follow up on non-compliance issues.
- "Notice to Comply" issued to any business in breach of the code of practice.

- Authorised Officers assist businesses for non-compliance items to ensure compliance.
- Investigate reports of unregistered or previously unknown DABs.

SUMMARY

- East Gippsland Shire Council currently has 13 registered domestic animal businesses.
- Council conducts both scheduled and non-scheduled audits to ensure compliance with the code of practice.
- New applications are processed, and officers inspect before a permit is granted to ensure requirements under the code of practice have been met.
- Apart from minor findings in audits, no enforcement action has taken place.
- Authorised officers are always on the lookout for any illegal businesses and treat any complaint seriously and investigate and action accordingly.

OUR PLANS

Objective 1: Ensure all domestic animal businesses are audited annually to meet the requirements set out in the code of practice

Activity	When	Evaluation
Annual Domestic Animal Businesses audit.	Annually	All DAB's audited

Objective 2: Authorised Officers to be trained and fully aware of any changes in legislation and code of practice

Activity	When	Evaluation
All Authorised Officers to receive any changes in legislation/Codes of Practice that have been identified	As required	Regular meetings to discuss
Ensure Authorised Officers are able to access and understand Animal Welfare Victoria website for reference	Ongoing	Individual training with officers

Objective 3: Actively search for unregistered/illegal domestic animal businesses within the municipality

Activity	When	Evaluation
Act on customer complaints/tip offs regarding illegal enterprises	As required	Reports by investigating officer
Authorised officers to incorporate identifying illegal enterprises during normal patrols	Ongoing	Reports by investigating officer

3.7 Overpopulation and High Euthanasia Rates

Current situation

The contract for the pound facility was awarded to Victorian Animal Aid Trust in 2007. Animal Aid only rehouse animals that are suitably fit, in terms of temperament and health.

Our current data

- 191 dog impounds/surrenders for 2020/21 financial year with 17 dogs euthanised.
- 334 cat impounds/surrenders for 2020/21 financial year with 75 cats euthanised.

Our Current Orders, Local Laws, Council Policies and Procedures

Orders

- New registered animals must be de-sexed when rehoused from the pound facility.
- Reduced registration fees for de-sexed dogs/cats.

Local Laws

- Restriction on number of animals to be kept at any property.

Policies and Procedures

- Policy associated with the seizure and impoundment of any dogs and cats found at large.
- All processes are compliant with the Act.

Our Current Education/Promotion Activities

- Cat traps supplied to customers free of charge.
- Public awareness days and events conducted.
- Council promotes the “Who’s for Cats?” initiative.

- Compulsory micro chipping of animal prior to registration.
- Community information is available on Council and Animal Welfare Victoria website.
- Distribution of de sexing, overpopulation and high euthanasia rate brochures, fact sheets and other material as required
- Promote appropriate pet selection to avoid animals being surrendered
- Provide information on locating a lost pet on Council's website

Our Current Compliance Activities

- Random door knocking inspections to check numbers and registration status of animals.
- Investigation of complaints lodged with Council.
- Regular inspections of known hoarding properties for excessive animals.
- Enforcement of the cat restriction rules.

SUMMARY

- Council encourages owners of dogs/cats to keep their animals on their property.
- Owners are encouraged to make contact with Council if their pet goes missing to enable officers to locate and return their animal home.
- Council's website advertises all animals currently in the pound facility in the hope that the animals will be either claimed or re-homed to avoid unnecessary euthanasia.
- Since Animal Aid commenced operating the pound facility there has been a significant drop in euthanasia, mainly due to their wide network and alternatives offered by the organisation.
- All animals re-homed from the pound are de-sexed prior to release.
- This policy appears to have had a significant impact as excess animal population is not an issue at present.

OUR PLANS

Objective 1: Raise community awareness of animal population issues

Activity	When	Evaluation
Actively promote “Who’s for Cats?” education program	Annually	Monitor cats surrender to pound
Educate public in benefits of de-sexing and identifying ownership of an animal	Ongoing	Review reports annually
Actively pursue external funding to support the implementation of an animal desexing initiative	2022	Review after six months.
Promote the adoption of desexed animals from the pound	Ongoing	Increased percentage of animals rehomed

Objective 2: Reduce cat overpopulation within East Gippsland

Activity	When	Evaluation
Targeting the stray and feral cat population with new programs that are acceptable to the community and effective in reducing overall numbers	Ongoing	Review pound reports quarterly
Work collaboratively with other public land managers to implement feral cat control programs on public land	Twice yearly	Programs reviewed annually
Continuing existing trapping programs with stray and feral cats	Ongoing	Review pound reports quarterly
Continuing to encourage the identification of cats through micro chipping.	Ongoing	Annual review

3.8 Other Matters

Current situation

Encouraging Responsible Pet Ownership – Community Education

Council’s education activities and programs promoting responsible pet ownership include:

- Responsible pet ownership education in press releases and advertisements.
- In conjunction with the Lake Tyers Aboriginal Trust, conduct responsible pet ownership education to Indigenous communities

- Provision of sponsorship and endorsements for dog obedience clubs to promote the responsible pet ownership message.
- Completed investigations into dog off leash areas

Our Current Orders, Local Laws, Council Policies and Procedures

All processes/procedures required under the Act are complied with.

Council's General Local Law 2017 provisions relating to domestic animals are:

KEEPING OF ANIMALS

An owner or occupier of a Property must not, without a Permit, keep or allow to be kept more than: -

- two dogs.
- two cats

90 EXCREMENT

(1) A person in charge of an Animal must not allow any part of the Animal's excrement to remain on any Road, nature strip, or Council Land or any Property on which he or she does not normally reside.

(2) The owner or person in charge of an Animal must carry a receptacle, dispenser, bag or other similar device in which to place the excrement of the Animal when the Animal is on any Road, nature strip or Council Land or any Property on which he or she does not normally reside.

Our Current Compliance Activities

Objective is to maximise compliance with both state and local domestic animal laws.

Council's current enforcement activities include:

- Enforcement of the cat restriction provisions.
- Issuing Penalty Infringement Notices for all offences where considered necessary.
- Impoundment of wandering dogs and cats.
- Serving a notice of compliance for minor breaches of the law.
- Investigating all complaints in a timely manner.
- Investigation of any concerns relating to dogs/cats creating a nuisance.

SUMMARY

Council's objective is to encourage dog and cat owners to manage their pets in a way that protects the health and welfare of the animal, maximizes the companion benefits of their pet and minimises potential for nuisance or harm to others and to comply with legislative requirements.

OUR PLANS

Objective 1: Encouraging responsible pet ownership

Activity	When	Evaluation
Actively promote responsible pet ownership in schools	Annual Basis	Review annually
Educate parents to minimise the risk of dog attack in the home and wider community	Ongoing	Review statistics annually
Council Officer to attend dog obedience clubs and educate participants in responsible pet ownership	As required depending on program schedule	Review statistics annually
New registrations will receive a responsible pet ownership documentation.	Implemented during 2022	Review statistics annually

4. Performance Monitoring, Evaluation and Annual Reporting

4.1 Key Performance Indicators and the Local Government Reporting Framework

The strategic development of the Community Laws Unit is evaluated through a process of continuous improvement and benchmarking with comparisons against similar organisations.

Our performance in the following criteria relating to animal management is reported on annually as part of the Local Government Performance Reporting Framework:

- Time taken to action animal management requests
- Animals reclaimed from council
- Animals rehome or adopted from council
- Cost of animal management service delivery per population
- Successful animal management prosecutions

The public is able to view our performance in these areas by visiting www.knowyourcouncil.vic.gov.au

In addition to the performance measured as part of the Local Government Performance Reporting Framework, the following Key Performance Indicators will also be utilised to measure the overall success of Council's animal management activities.

KPI	Target	Current
Dog Registration rate: (% Dogs registered of estimated dog population)	65%	50%
Cat Registration rate: (% Cats registered of estimated dog population)	35%	20%
Declared dog Compliance Rates: (Number declared/number compliant/number of audits)	100%	100%
Domestic Animal Business Compliance Rated: (Number registered/number compliant/number of audits)	100%	100%
Cat Euthanasia Rate: (%total cats euthanized/total cats impounded)	20%	22%
Dog Euthanasia Rate (%total dogs euthanized/total dogs impounded)	5%	9%

4.2 Annual Review of the Plan and Annual Reporting

In accordance with section 68A (3) of the Domestic Animals Act, Council will ensure that on an annual basis:

- The Domestic Animal Management Plan is reviewed, and if required, updated or amended;
- Provide the Secretary of the Department of Jobs, Precincts and Regions with a copy of the Plan, including any amendments; and
- Information is included in the Annual Report evaluating the implementation of the Plan.

This annual review and reporting process will ensure that the implementation of each objective and activity is monitored throughout the life of the Plan.

Contact us

Telephone

Residents' Information Line: 1300 555 886 (business hours)

Citizen Service Centre: (03) 5153 9500 (business hours)

National Relay Service: 133 677

Post

East Gippsland Shire Council, PO Box 1618

Bairnsdale 3875 Australia

Fax (03) 5153 9576

Web www.eastgippsland.vic.gov.au

Email feedback@egipps.vic.gov.au

In person

Bairnsdale: 273 Main Street

Lakes Entrance: 18 Mechanics Street

Mallacoota: 70 Maurice Avenue

Omeo: 179 Day Avenue

Orbost: 1 Ruskin Street

Paynesville: 55 The Esplanade

Outreach Centres

Bendoc Outreach Centre -

18 Dowling Street

Buchan Resource Centre -

6 Centre Road

Cann River Community Centre -

Princes Highway

5.2.3 Endorsement of the East Gippsland Shire Council Municipal Public Health and Wellbeing Plan (Framework and Municipal Scan)

Authorised by Acting General Manager Place and Community

Conflict of Interest

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

Executive Summary

This report provides a recommendation for Council endorsement of the new Framework and Municipal Scan components of the East Gippsland Shire Council Municipal Public Health and Wellbeing Plan, thereafter known as the *Well Placed for Wellbeing Plan 2021-2025*.

Work already undertaken has delivered Stage One in the three stage process.

Stage One:	Review and Development of Strategic Framework <ul style="list-style-type: none">– The review of the current Well-placed for Wellbeing Plan 2017-2021– The development of a draft Strategic Framework for Health and Wellbeing specifically for the East Gippsland context– The provision of a municipal scan of the current health and wellbeing evidence and data of the population of East Gippsland	May – October 2021
Stage Two:	Development and compilation of the Well Placed for Wellbeing Plan 2021-2025	Nov – February 2022
Stage Three:	Development of the Implementation Plans 2021-2025	Nov-May 2022

The approach was developed in response to the limited timeframes for the development of the plan, the need to engage meaningfully with both community and partner agencies at a pace that would not place undue pressure on people's wellbeing and ensure the basic requirements under the legislation would be met.

This report provides an outline of Stage One, including information regarding the outcomes of the community and stakeholder engagement program (public exhibition) of the Framework and health priorities that occurred over the month of September.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. receives and notes the Municipal Scan and Framework for the Well Placed for Wellbeing Plan 2021-2025 as provided in Attachments 1 and 2; and***
- 3. endorses the Framework, the Municipal Scan Summary and the implementation process for Stages 2 and 3 of the development of the Well Placed for Wellbeing Plan 2021-2025.***

Background

The requirement for a Municipal Health and Wellbeing Plan

The Victorian Public Health and Wellbeing Act 2008 requires that Council develop a document that addresses the health and wellbeing matters of the municipal population every four years and within 12-months of the Council being elected. It also recommends that the document be:

- consistent with the Council Plan prepared under section 90 of the Local Government Act 2020 (previously section 125 of the Local Government Act 1989) and the Municipal Strategic Statement,
- presented to the Department of Health by October 2021.

The approach to developing East Gippsland's Municipal Health and Wellbeing Plan

This plan will look different from the previous plans and those of other Gippsland municipalities given the current health of our communities and the trauma and impact experienced by many over the last two years through drought, bushfires and constant shutdowns for the COVID 19 pandemic.

The new *Well Placed for Wellbeing Plan 2021-2025* is currently being developed using a three staged approach, which was presented to Council on 24 August 2021. The draft strategic framework and a plan for stakeholder and community engagement was also presented.

The approach was developed in consultation with health and community service partners and is reflective of unique health and wellbeing needs and recovery efforts in East Gippsland. The Department of Health is a working group member and provided in principal support to the approach and assurance to compliance with departmental guidelines to the development of health and wellbeing plans in July and August 2021.

The Strategic Framework identifies outcomes, priorities, and an action framework that informs our practice and process for the implementation of preventative health strategies over the four years of the plan and beyond.

The health priorities identified in this plan draw on the existing health data, experience of our health and community agencies and research from experts in the field of trauma and natural disaster recovery who tell us we need to change the way we work with our community.

The plan strategically aligns with the Victorian Government's Public Health and Wellbeing Outcomes Framework and uses the five domains for a healthy life:

- Liveable
- Healthy and well
- Safe and secure
- Connected to culture and community
- Able to participate.

Each domain has an identified community outcome for East Gippsland and aligns with the strategic objectives of the Council plan and vision. Specific health priorities have been listed under each of the domains and include:

- The health priorities required by the Victorian Government for inclusion
- Health prevention interventions already being implemented in the municipality by our partners
- Interventions identified through the Bushfire recovery work
- Actions identified in community conversations and engagement
- New interventions that respond to the evidence and data.

Specific information is provided on:

- The Well Placed for Wellbeing 2021-2025 Framework (final) - See **Attachment 1**
- Well Placed for Wellbeing 2021-2025 Municipal Scan (Summary) - See **Attachment 2**
- Outcomes of the Community Engagement Report - See **Attachment 3**
- Engagement Appendix Report – See **Attachment 4**
- Detailed Implementation strategy risk and limitations
- Next steps and timeframes

The Well-placed for Wellbeing Plan 2021-2025 - Framework

A comprehensive strategic framework has been developed with partner agencies. The framework identifies East Gippsland's health and wellbeing outcomes, priority health areas, an approach to implementation and the partner agencies who will lead the delivery of health and wellbeing services across the municipality.

The proposed final *Well Placed for Wellbeing 2021-2025 Framework* outlined in **Attachment 1** has been endorsed by working group members from East Gippsland Shire Council, East Gippsland Primary Care Partnership, Department of Health, Gippsland Primary Health Network and Gippsland Women's Health Network.

Implementation Strategy risk and limitations

Since the last update to Council in August 2021, several factors have impacted our ability to complete Stage One.

The COVID 19 shutdown of the state during our primary engagement period with the community significantly impacted our ability to reach our target audience. The timeframe for engagement was therefore extended from mid-September to the end of September and showed a marked increase in the engagement by community once people were able to move around again. Responses to the survey through the library system account for almost half of the total received.

Given that many of our partner agencies are in the provision of health and community services, the shutdown also reduced the capacity to engage with our partner network, who were busy implementing their Covid-19 work, rather than engaging in this strategic planning activity.

This means that Council will be providing the department with our framework and municipal scan later than originally scheduled. The department has been informed of this change to the timeframe. The Public Health and Wellbeing Act 2008 doesn't provide any mechanisms for the Department to provide extensions in relation to Municipal Public Health and Wellbeing Plans, nor does it contain any penalties for a plan not being in place within 12 months of a general council election.

The level of engagement achieved through extending the community consultation allowed more extensive feedback and involvement than would have been achieved if the original timeframe was adhered to.

The next and second stage in the plan's development will involve the writing and compilation of the *Well Placed for Wellbeing Plan 2021-2025*, which will include the Framework and key evidence from the Municipal scan along with other contextual information.

The final and third stage will involve the development of implementation plans under each of the five Outcome areas. This will be a considerable piece of work, partnering with our existing agencies to identify work currently occurring within the outcome area and where new work or initiatives are required.

Legislation

This report has been prepared in accordance with *Local Government Act 2020* and *Public Health and Wellbeing Act 2008*.

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 critical legislation relating to the development of the *Well Placed for Wellbeing Plan 2021-2025* is:

- The Local Government Act 2020 establishes the legislative framework for Victorian councils, guided by five primary principles including community engagement, strategic planning, financial management, public transparency and service performance.
- The Public Health and Wellbeing Act is explicit that the plan must include an examination of data about health status and health determinants in the municipal district. The development of the Municipal Scan addresses this requirement.
- Section 26(3) of the Public Health and Wellbeing Act requires councils to have regard to the State public health and wellbeing plan in developing their municipal public health and wellbeing plan. The Victorian public health and wellbeing plan 2019–2023 is the overarching policy framework for improving public health and wellbeing in Victoria.
- Section 26 (2)(ba) of the Public Health and Wellbeing Act requires councils to specify (in their municipal public health and wellbeing plan) measures to prevent family violence and respond to the needs of victims of family violence in the local community.
- Section 9 of the Gender Equality Act requires councils employing 50 or more staff to undertake a Gender Impact Assessment when developing or reviewing any policy, program or service that has a direct and significant impact on the public.
- Section 17 of the Climate Change Act requires councils to have regard to climate change in preparation of their municipal public health and wellbeing plans.

This legislation has been referenced in the development of the Strategic Framework. More specific work will be undertaken to ensure that a climate change, gender equity and social equity lens is used in the development of the final plan in Stage Two and implementation plans in Stage Three. A Gender Impact Assessment has been tested and completed in Stage One of this plan.

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has been prepared in collaboration with key agencies and partners in the health and wellbeing sector and has referenced previous consultations with communities across the municipality and strategic documents.

Council Plan

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

Strategic Objective 1: An inclusive and caring community that respects and celebrates diversity.

Strategies:

- 1.1 Council strives to provide equitable access to their services, support and facilities.
- 1.3 Community groups and volunteers are acknowledged, promoted and supported.
- 1.4 Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience.
- 1.5 Strong working relationships are further developed with Aboriginal people and organisations.
- 1.6 Council is culturally and linguistically inclusive and celebrates diversity.

Council Policy

Work on the *Well Placed for Wellbeing Plan 2021-2025* has been undertaken in accordance with Council's Community Engagement Policy.

Options

The key milestone of Stage 1 is the submission of the Strategic Framework and Municipal Scan to the Department of Health. The recent lockdown and availability of resources internal and external to Council has impacted the capacity to meet the deadline of 31 October 2021. Extension of times are not provided under the Act. The Department of Health representative has been notified of the new timeframe for completion.

- Option 1: Endorse the East Gippsland *Well Placed for Wellbeing 2021-2025* Framework and Municipal Scan, and the proposed implementation process for Stages 2 and 3.
- Option 2: Not endorse the Framework and Municipal Scan and seek further work before moving to Stage 2.

Option 1 is recommended to ensure that the commitment to completion of the Plan can be met and to move on to further engagement with the key stakeholders and agencies.

Resourcing

Financial

The development of the *Well Placed for Wellbeing 2021-2025* has been undertaken using internal financial resources. Further stages will be funded using current budgeted resources or reallocations.

Plant and equipment

Not applicable

Human Resources

Completion of future stages of the Plan will be undertaken using internal staff resources and budgets in collaboration with external agencies.

Risk

The development of the *Well-placed for Wellbeing Plan 2021-2025* has been on the premise that effective improvement to health and wellbeing outcomes requires a multi-disciplinary and partnership approach with Council assigned a statutory obligation to provide leadership, coordination and delivery of actions and services within its responsibilities.

The following risks have been identified to the continued development and implementation of the plan.

- The feedback received in the review of the previous plan is that agencies are looking for Council to provide greater leadership in the coordination and implementation of the Plan.
- The East Gippsland Primary Care Partnership (EGPCP) took a leading role in the development of the previous Plan, along with agency coordination and implementation. The EGPCP has recently advised of upcoming structural and reporting changes which will impact capacity to fulfil this role into the future.
- There has been a change of staff resources at DHS requesting an acceleration in the delivery of the plan. This is outside the previous agreement reached in July and August 2021.
- The implementation of Stage 3 which focuses on development of the implementation plans will require coordination of Council and external agency resources.

Each of these risks will be addressed in a review of resource availability to ensure that the ensuing stages of the Plan can be completed.

Economic

Delivery of the *Well Placed for Wellbeing Plan 2021-2025* will provide economic benefits to the community and assist in the avoidance of negative economic impacts arising from public health and wellbeing issues.

Social

The *Well Placed for Wellbeing Plan 2021-2025* is the primary legislative requirement of Council to ensure the social wellbeing of our community. The new plan enables Council to work in a holistic way to connect the needs of the community at a municipal level with the needs identified through district level community plans. It also uses an evidence base from current data available via the Municipal scan summary.

Environmental

This framework enables integration of the environmental, social and economic outcomes and priorities that are central to the achievement of better health and wellbeing outcomes of our community, in particular those who are impacted by health inequality.

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.

The need to work with community to build their resilience and skills to adapt to climate change has been identified under the Connected to Culture and Community outcome. This work will align with and complement the pending Environmental Sustainability Strategy.

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

Climate change has also been identified specifically under the Liveable outcome of the framework, with the priority of using 'Environmentally sustainable principles to enable us to mitigate and adapt to a change climate.' Again, work will be undertaken in developing the further stages of the Plan that aligns with and complements other key Council strategies.

Engagement

Council approved the public exhibition of the five priority health and wellbeing areas that were identified following analysis of municipal health data by the Well Placed for Wellbeing working groups. These are:

- Liveable
- Healthy and well
- Safe and secure
- Connected to culture and community
- Able to participate

The public exhibition program ran from 6-30 September 2021.

The engagement program included online and targeted workshop consultation utilising visual storyboards, posters, presentations and a series of short videos which included the Mayor.

<https://www.youtube.com/watch?v=k-JrkjBBe2g>

Approximately 250 residents/stakeholders formally provided feedback during the consultation period.

Further details provided in **Attachment 3**: Community and Stakeholder Engagement Report and **Attachment 4**: Engagement Report Appendix.

Attachments

1. EGSC MPHWP Framework V 5 (004) updated vision [**5.2.3.1** - 3 pages]
2. EG Municipal Scan Summary v2 0 [**5.2.3.2** - 16 pages]
3. EGSC MPHWP Engagement Report 20211005 [**5.2.3.3** - 13 pages]
4. EGSC MPHWP Engagement Appendix Report 20211005 [**5.2.3.4** - 12 pages]



well placed for WELLBEING 2021-2025



The East Gippsland Framework to guide
the development of the Municipal Health
and Wellbeing Plan



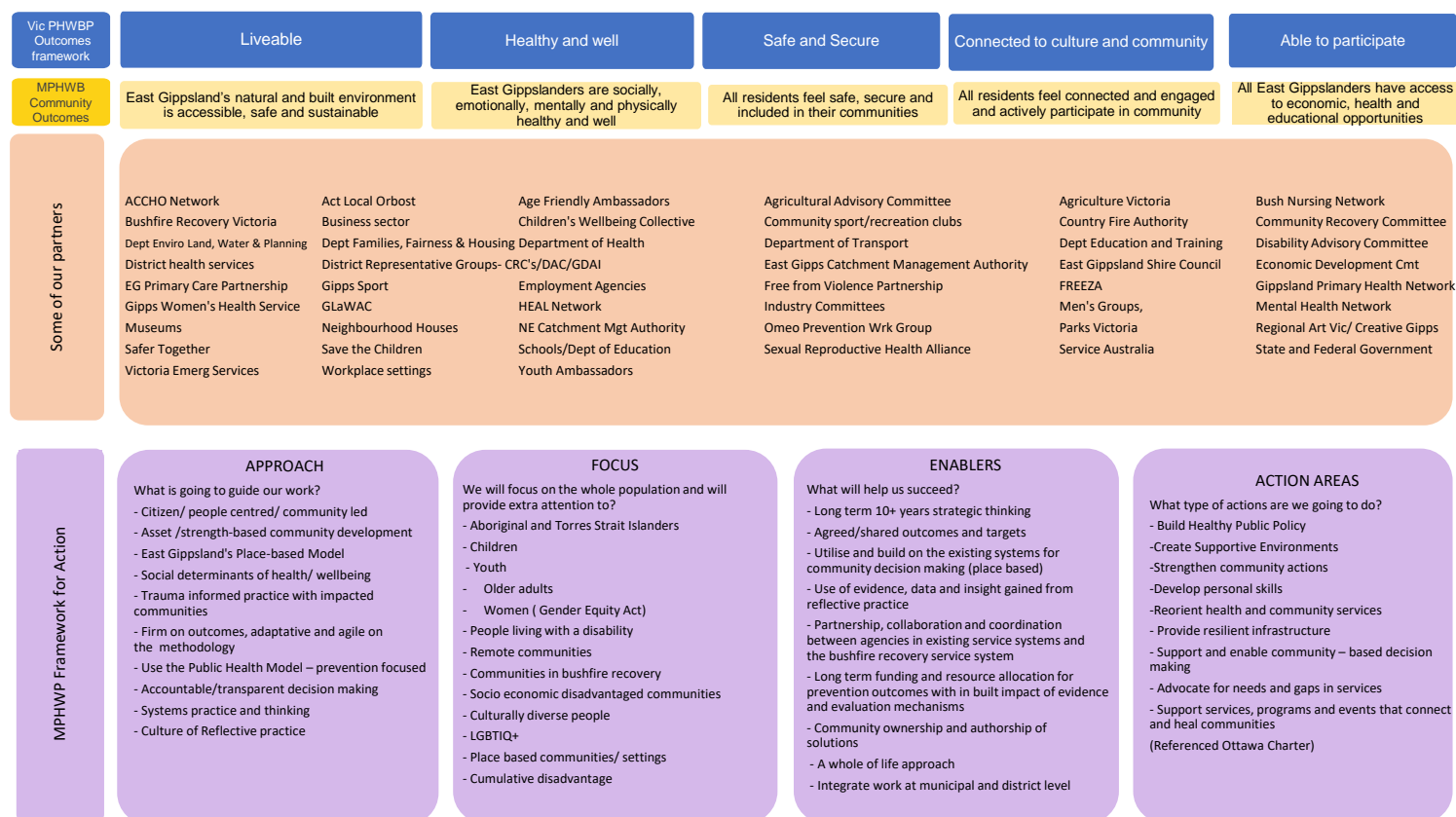
Version 5.0 17 Nov 2021

EG Framework for Well Placed for Wellbeing 2021 - 2025 (Outcomes and health priorities)

In 2040 our people, place, environment, and economy will be connected, in balance and resilient. Our unique and diverse communities will be accessible, inclusive, well connected and safe. We will value and care for each other and our natural environment. Our economy will support existing and emerging industries by being agile, innovative, and sustainable.							
Community Vision	Liveable		Healthy and well	Safe and Secure	Connected to culture and community	Able to participate	
MPHWB Community Outcomes	East Gippsland's natural and built environment is accessible, safe and sustainable	East Gippslanders are socially, emotionally, mentally and physically healthy and well	All residents feel safe, secure and included in their communities	All residents feel connected and engaged and actively participate in community	All East Gippslanders have access to economic, health and educational opportunities		
Our health priority areas that will help us achieve our vision	We will do this by: Tackling climate change and its impacts on health by using environmentally sustainable principles and advocating for change Reconnecting our communities with their natural environments (post bushfires) Supporting active travel (walking, cycling, scooting) to and from the places where people live, work and play Providing and maintaining community infrastructure and facilities that supports residents to participate and be healthy and well through all stages of life Increasing access to and encouraging use of - Paths/tracks/trails /roads/rail - Public open space/civic spaces - Sport/recreation facilities - Community facilities, public halls - Arts/cultural facilities - National parks and waterways - Telecommunications/ power/water Ensuring appropriate land management practice that includes: - Spiritual health and healing - Cultural knowledge, engagement and education - Strengthening relationships between land managers and traditional owners - Protecting significant cultural heritage, places and objects - Prioritizing the use of the natural environment, resources and its biodiversity to support community health and wellbeing Protecting public health through: - Regulatory compliance (waste/environmental health) - Strategic and statutory planning and decision making - Strategic land use planning and policy	We will do this by: Empowering placed based and community led recovery following disaster events Supporting residents and communities to be resilient, reducing their vulnerability to compounding trauma and the impact of disasters Increasing active living by encouraging more physical activity* Encouraging healthy eating* including improving access to affordable fresh food, fruit and vegetables Improving mental health and wellbeing Reducing harm from smoking*, alcohol and other drugs Improving Sexual and Reproductive Health (SRH) Improving health status through population wide initiatives such as: - Childhood Immunisation - COVID immunisation - Fluoridation of the mains water supply Developing a health and wellbeing workforce that are professional and appropriately trained that supports the health and wellbeing needs of our community now and into the future Ensuring East Gippslanders can access the health services and support they need including: - After hours crisis support - Specialised services including mental health - Place based services and early intervention *Denotes Victorian Health Priorities	We will do this by: Increasing personal safety and preventing all forms of violence including: - violence against women and children - family violence - other violence and crime Promoting gender equality and respectful relationships - Gender Equality Act:2020 - Free from violence Increasing community safety - Supporting the development of community-based emergency management planning systems - Enhancing the resilience and skills in communities around preparedness to adapt to a changing climate/disasters - Improving safety in: road safety/use, public open spaces by using Safer by Design principles Ensuring all people have access to stable, affordable and suitable housing including - Diverse housing options including social housing - Provision of short-term modular housing to support individuals/families to remain in their communities (bushfire recovery) Supporting and celebrating Aboriginal cultural safety and awareness in our communities	We will do this by: Building a proud and inclusive community that values - Aboriginal and Torres Strait Islanders - Cultural diversity - Women (Gender Equity Act) - People with a disability - LGBTQI+ community - People of all ages (children, young people, older adults) Empowering citizens in decision making affecting them (Democratic representation) including: - Place based representative groups including community recovery committees - Age/issue/cultural specific advocacy groups Building community skills and resilience for a changing climate * Connecting our communities through diverse social, arts and cultural activities, celebrations and events - Municipal civic celebrations/events - Place/community/cultural celebration & events - Community led activities that benefit and connect local communities and members Encouraging community participation and connection through groups, clubs and organisations and volunteer services Facilitating cultural knowledge of traditional owners in East Gippsland Accelerating community and social connection following bushfires and COVID	We will do this by: Creating positive and age friendly communities Encouraging local economy investment and jobs Supporting the development of education and employment pathways in community, industry, Council and partner agencies Planning for, delivering and facilitating early years learning and development Creating opportunities for children and young people to contribute and have a voice in decision making Supporting communities to prosper through economic initiatives including strengthening workforce participation, inclusive and diverse employment opportunities Supporting Aboriginal people to work on country Developing a life long learning culture by providing access to training and educational opportunities - all ages/cultures/abilities Drought/bushfire and COVID recovery responses support sustainable employment Provide equity of access to health services Advocating for improved public transport services and access		
	Links to strategies & programs	Example Municipal Environmental Sustainability Strategy Municipal Asset Management Strategy	Example Achievement program in key EG/community settings including educational settings, workplaces, hospitals and health service providers	Example Emergency Management Plans, local/neighbourhood/district Plans- EGSC Respectful Relationships program- DET, Gender Equality Act	Example Municipal Volunteer Recognition Awards- EGSC NAIDOC Week Celebrations Whole of Country Plans, Reconciliation Action Plans	Example 3 Facilitators employed to oversee Drought resilience work across EG : EG CMA/AG Vic Economic Development Strategy	

DRAFT V4 – proposed as final to ELT

EG Framework for Well Placed for Wellbeing 2021 - 2025 (Our partnership and how we will work together)



Summary of East Gippsland health and wellbeing data

Well placed for Wellbeing 2021-2025
November 2021



Aboriginal People and Communities

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 their Elders past, present, and future.

Summary of East Gippsland health and wellbeing data – November 2021

Introduction

This document provides a high level summary of the East Gippsland Municipal scan of health and wellbeing data as at November 2021. It highlights the health and wellbeing measures in which East Gippsland's performance is better or worse than the state average and provides an understanding of the health and wellbeing status of our communities.

A municipal scan is a key requirement in the development of the four year municipal health and wellbeing plan, which is a statutory requirement under the Public Health and Wellbeing Act 2008. The municipal scan has provided an evidence based approach to the identification of health priorities and outcomes. These priorities are:

- **Liveable** – East Gippsland's natural and built environment is accessible, safe and sustainable
- **Healthy and well** – East Gippslanders are socially, emotionally, mentally and physically health and well
- **Safe and Secure** – All residents feel safe, secure and included in their communities
- **Connected to culture and community** - All residents feel connected and engaged and actively participate in community
- **Able to participate** All East Gippslanders have access to economic, health and educational opportunities -

How this document will be used

The municipal scan will be used by Council officers, its partners and the community to further understand the health and wellbeing priorities for the Municipal Public Health and Wellbeing Plan 2021 – 2025 and how we are best to focus our limited resources and energy for the best health outcomes.

I.d (Informed Decisions), Council's demographic data provider, provided a detailed Municipal scan of the shire's health and wellbeing status. This document provides an abbreviated version of the full scan as well as the findings of the 10-year research in the Black Saturday communities recovering from bushfires and other data sources that were relevant to the outcome area.

How to read this document

This summary document includes the following:

- Profiling East Gippsland communities and understanding their health and wellbeing status
- What we know about the leading causes of poor health and injury in East Gippsland Shire
- Health determinants
 - Priority groups and their health behaviours
 - The social determinants of health

For further information please read the full Municipal Scan report which is available by contacting East Gippsland Shire Council.

Understanding the health and wellbeing status of East Gippsland communities

East Gippsland is Victoria's second largest municipality representing 10% of the state's land mass. It is defined by its topography, its significant natural assets and its people.

Key facts about East Gippsland:

Place and land

- Located at the most eastern end of the region of Gippsland, the municipality of East Gippsland is both geographically and socially diverse.
- Has Victorian land mass, with 20,940 km2
- 80% area is crown land

Settlements

- 171 localities
- 12 distinct districts
- Higher portion of couples without children or lone person households than Regional Victoria and Victoria

Diversity

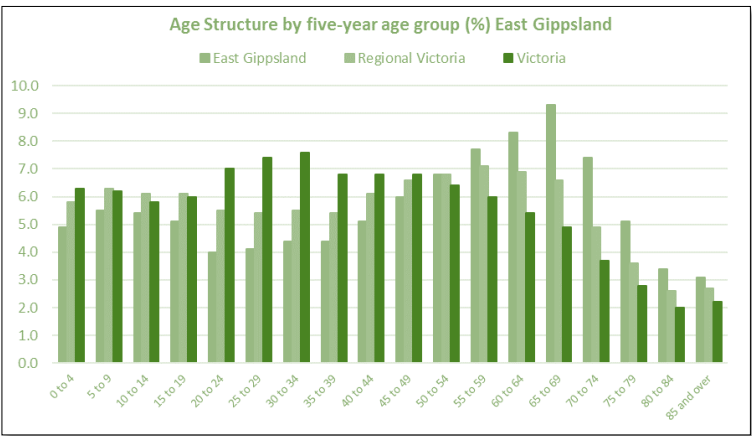
- Second largest aboriginal population representing 3.5% of population (0.9% state average)
- 3.3% of residents speak English and another language at home (5.2% state average)
- 10.8 per cent of the East Gippsland population (16-64 years) receive the disability support pension; compared to Gippsland (8.8 per cent) and double the Victorian rate (5.3 per cent).

Population and growth

- Population of 47,725 (2020)
- Estimated 20 year population growth rate of 1.2% (57,799 in 2040). Below state average and annual growth in 2020 lowest in 13 years

Our people

- Second largest aboriginal population representing 3.5% of population (0.8% state average)
- Older >65 years = 28%
- Under 19 years = 21%
- Aged over 50 years = 41.1%
- 15-64 years = 64%
- Higher portion of residents believe that climate change is causing heatwaves, coastal erosion and changes to sea level than Victorian residents



Impacts over last five years that influence health and wellbeing:

- **Drought** – drying landscape, below average rainfall
- **Black Summer Bushfires: November 2019 – February 2020- Change this**
 - o 51% area flame impacted during tourism season
 - o 3 people died
 - o A total of 1264 private assets were impacted, comprising 837 sheds/outbuildings and 427 dwellings. Displacement of over 500 people.
 - o 56% of national parks, 12% conservation reserves, 11% state forests and 67% other public lands impacted
- **Major timber industry transition**
 - o 20 year economic transition of the timber industry

- COVID 19: March 2020- ongoing
 - o Extended lockdowns and restrictions, border closures, businesses closed

What we know about the leading causes of poor health and injury in East Gippsland Shire

	East Gippsland Shire	Gippsland	Victoria	LGA rank out of 79	Who is most at risk? (Known inequalities) For Victorian Adults
Life expectancy					
Female	85.2	84.4	85.6		
Male	79.8	79.8	81.9		
Avoidable deaths among people under 75 per 100,000 population					
Cancer	36.6	35.4	28.3		
Heart diseases, per 100,000 population	23.1	25.3	20.1		
Respiratory diseases	9.5	12.5	9.1		
Suicide	22.6	14.6	12.7		Men and youth The suicide rate is higher in regional Victoria
Transport accidents	12.7	9.9	4.3		
Injuries treated in hospital per 1,000 population					
Unintentional injuries	101	97.9	61.0		
Intentional self-harm injuries -females	151	130			Above the national average of 141
Intentional self-harm injuries - males	68	78			Above the national average of 84
Violence					
Family incidents (per 100,000 pop)	3166.1		1389.1	3rd	
Total violent offences (per 100,000 pop)	2446		1240	4th	
People reporting					
Asthma	17.1		20		
Type 2 diabetes	4.6	5.9	5.5		
Heart disease	5.6	6.5	6.7		
High blood pressure	23.9		25.4		
Osteoporosis	8.2		5.7		Prevalence is higher in women Women over 55 Women with lower incomes
Arthritis	30.4		20.5		
Dementia (estimated per 1000 population)	24.9	20.5	16.8		
Poor dental health	28.3	25.6	24.4		
Obesity	20.9	22.7	19.3		38.9% pre-obese adults (above state average 31.5%)
Cancer incidence					
per 100,000 people	503	485			
Notifications of chlamydia					
Females per 10,000 population	13.8	15.8	18.5		
Cancer Screening Participation					
Breast 50-74 years	57.5	56.7	53.6		A significantly higher proportion of women who had not had a mammogram in the previous two years were unemployed
Cervical 25-74 years	44.5	43.5	46.2		
Bowel 50-74 years	54.4	51.0	46.3		

Sources: Gippsland PHN Population Health Planning Data July 2021

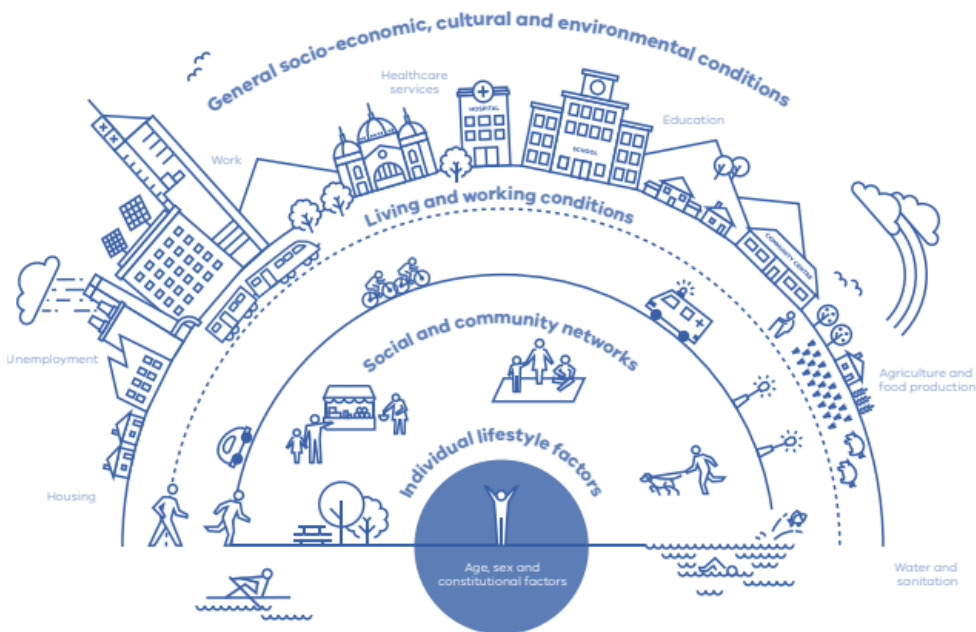
East Gippsland worse than State average	East Gippsland on par with State average	East Gippsland performing better than State average
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Health determinants

Evidence shows that the conditions in which we live, learn, work and play and our life experiences have an enormous impact on our health.

Our health status is reliant on a number of factors often described as the determinants of health. These include our genes, health behaviours, the social determinants of health and healthcare.

While people have a personal responsibility to take care of themselves and their health, the social determinants make the largest impact on our health and it is these social determinants of health that contribute most to inequalities in health (DHHS 2017).



Source: Adapted from Dahlgren & Whitehead 1991

Why is it important to understand the social determinants of health in East Gippsland?

With many different environmental, societal and individual factors influencing a community’s health and wellbeing, it is important to recognise that not all East Gippsland communities and residents have the same opportunities, knowledge, skills and resources to achieve and maintain good health and wellbeing.

Addressing these health inequalities requires an understanding of who in East Gippsland communities needs extra support to achieve the same level of health and wellbeing and when to provide that support (ie key life stages, transition phases).

Priority Groups and their health behaviours

There are a number of known health risk factors that contribute to poor health outcomes. An analysis of Victorian Population Health Data, Gippsland PHN Population Health Planning Data and Australian Bureau of Statistics provides insight into health behaviours of the East Gippsland community.

Summary of health behaviours in all East Gippsland adults

Self-reported health status and satisfaction with life

- The proportion of East Gippsland residents whose self-reported health status was “Excellent/Very Good” decreased over time whereas the proportion with a “Good” health status increased, opposite to the trends for Victoria overall
- The proportion of East Gippsland residents with one or more chronic diseases increased from 43.8% of the adult population in 2014, to 64% in 2017.

Healthy eating and diet

- 42.5% of East Gippsland adults eat the recommended amounts of fruit and vegetables (2017), ranking East Gippsland 14/79 LGAs
- A higher proportion of East Gippsland residents ate take-away meals or snacks more than one times a week in 2017 than in 2014, which also occurred in Victoria. (East Gippsland 2014: 12.9% and 2017: 19.5% - Ranking 3/79)
- 7.4% of East Gippslanders ran out of food and could not afford to buy more in the last 12 months

Sugary drinks

- A much lower proportion of East Gippsland residents consumed sugar-sweetened drinks in 2017 than in 2014 (9.4% in 2017 compared to 19% in 2014).
- In 2017, Victoria had a higher proportion of residents who consumed sugar-sweetened drinks. Ranking 12 of 79 LGAs

Physical activity

- A lower proportion of East Gippsland’s female population were in the “Normal” BMI category than males (21.2% compared to 27.8%) and a higher proportion of males were in the “pre-obese” category
- A higher proportion of females in East Gippsland met physical activity guidelines. Female 52.4% / Men 46%
- A higher proportion of East Gippsland females than males were in the “obese” BMI category
- The proportion of East Gippsland’s adult population that was sedentary decreased slightly over time but the proportion who met physical activity guidelines also decreased, opposite to the trend in Victoria where more adults met guidelines
- In 2017, a lower proportion of East Gippsland residents spent eight or more hours per weekday sitting, than in 2014
- The proportion of adults who spent eight or more hours sitting on an average weekend day, however, increased in East Gippsland between 2014 and 2017, which was also the trend in Victoria.

Smoking

- A lower proportion of East Gippsland’s adult population are current smokers, compared to Victoria and a higher proportion are ex-smokers
- A lower proportion of East Gippsland’s adult population are non-smokers who never smoked, compared to Victoria
- East Gippsland has a slightly higher proportion of adult smokers that smoke daily and a lower proportion of occasional smokers, compared to Victoria

Drugs and Alcohol

- East Gippsland also has a higher proportion of adults who exceed 2 drinks per day on 5-7 days per week compared to Victoria
- East Gippsland has a higher proportion of adults who exceed 4 drinks on a single occasion, 5-7 days per week, compared to Victoria and a higher proportion of single-occasion alcohol-related harm

- Over time, the proportion of East Gippsland residents who are abstainers/no longer drink alcohol increased. While this figure also increased in Victoria and remains higher for the State, the increase over time was higher in East Gippsland
- A higher proportion of females than males in East Gippsland were abstainers or no longer drink alcohol
- A higher proportion of males in East Gippsland have an increased lifetime risk of alcohol related harm, than females
- Lifetime risk of alcohol related harm increased in East Gippsland over time and is now notably higher than Victoria

Mental health

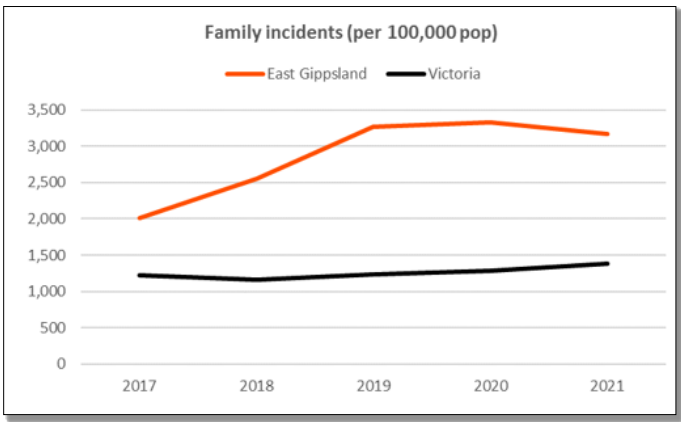
- Proportion of adults ever diagnosed with an Anxiety or Depression increase from 23.6 % in 2014 to 33.8% in 2017, taking us to a Ranking of eight in East Gippsland out of 79 in Victoria
- A higher proportion of East Gippsland residents sought professional help for a mental health problem in the previous year, compared to Victoria
- East Gippsland also had a much higher proportion of residents who felt that life was not worthwhile, compared to Victoria
- East Gippsland had a notably higher proportion of children at school with emotional or behavioural difficulties, almost twice that of Victoria
- East Gippsland also had a higher rate of suicide and self-inflicted injuries than Victoria, 17.8% compared to Victoria's 10.1%
- The proportion of children at school with emotional or behavioural difficulties has steadily increased over time in East Gippsland, with the proportion more than doubling between 2015 and 2019. Victoria's percentage also increased during this period, though not as much as East Gippsland's.

Family violence

Overall rate of total violence was higher in East Gippsland than Victoria.

Total Violent offences (per 100,000 pop)

Measure	East Gippsland	Victoria	Rank (Out of 79)
Family incidents (per 100,000 pop)	3166.1	1389.1	3rd
Total violent offences (per 100,000 pop)	2446	1240	4 th
Rate of homicide, assault and related offences	15	3	4 th
Abduction & related offences	17	11	n/a
Dangerous & negligent acts endangering people	169	90	n/a
Assault & related offences	1373	681	n/a



It is estimated that Victorian Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women.

Diverse communities

Aboriginal and Torres Strait Islanders

East Gippsland has a significant indigenous population, with Aboriginal and Torres Strait Islander people representing 3.5% of its populations. This is higher than the Gippsland regional population of 1.8% and the Victoria's population of 0.9%.

In East Gippsland, the median age of Aboriginal and/or Torres Strait Islander peoples was 25 years. Of the Aboriginal and/or Torres Strait Islander people 33.2% were children aged 0 to 14 years and 8.0% were people aged 65 years and over.

Indigenous communities experience significant disparities in health and wellbeing, with life expectancy for Aboriginal Victorians generally seven years lower than non-Aboriginal Victorians

A lower proportion of East Gippsland's indigenous community is employed 80.7% compared to East Gippsland's total population of 93.6%.

It is estimated that Victorian Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women. Aboriginal women are 25 times more likely to be killed or injured as a result of family violence in Victoria than non-Aboriginal women and 88% of Aboriginal children in out-of-home care in Victoria have experienced family violence. Family violence is one of the key drivers of Aboriginal women's homelessness in Victoria.

Self-determination and cultural identity are the enabler to achieving positive health and wellbeing outcomes for Aboriginal people. Working with, learning from and supporting Traditional Owners and groups to provide health, wellbeing, culture and economic outcomes across East Gippsland is required to address inherent health inequalities.

Older people and people with disabilities

41.1% of East Gippsland's population is aged 50 years and older. As people age their reliance on and need to access health care increases. With this cohort of the population growing, demand pressures on the local health network will increase over time.

Over time, the proportion of adults diagnosed with diabetes, heart disease and stroke in East Gippsland decreased but the rate of cancer, osteoporosis, arthritis and anxiety and depression increased.

A higher proportion of East Gippsland residents have one or more chronic diseases than Victorian residents overall. The proportion of East Gippsland residents with one or more chronic diseases increased from 43.8% of the adult population in 2014, to 64% in 2017. In the same period, Victoria's adult population with one or more chronic diseases increased from 47.2% to 57.8%.

Anecdotal feedback highlights timely access to GPs is strained within East Gippsland and the out of pocket expense to visit a GP (\$21) is above the national rate of \$20.

People living with disability experience much poorer health outcomes than the general community and may require additional supports to move around their community, access information, interact with other community members and participate in community life.

- In East Gippsland shire, 6.8% of the total population reported needing help in their day to day lives due to disability. ABS 2015 - 3,054 of a total 45,426
- 10.8 per cent of the East Gippsland population (16-64 years) receive the disability support pension; compared to Gippsland (8.8 per cent) and double the Victorian rate (5.3 per cent).
- People aged between 15 and 64 years with disability have both lower participation (53%) and higher unemployment rates (9.4%) than people without disability (83% and 4.9% respectively).
- The likelihood of living with disability increases with age. 2 in 5 people with disability are 65 years or older. In East Gippsland there were 4,845 carers providing unpaid assistance to a person with a disability, long term illness or old age in 2016.

Early years and children

A healthy start to life is a key factor for ongoing wellbeing and investing in the early years is the most effective way to give children the best opportunity for a healthy future.

The Australian Immunization Register confirms vaccination rates above the state average for children aged 1, 2 and 5 years.

- 95.8% of children aged 1 year are fully immunized (95.1% state average)
- 96.3% of children aged 2 years are fully immunized (93.2% state average)
- 98.1% of children aged 5 years are fully immunized (96.1% state average)
- 96.1% of boys and 91.7% girls aged 15 years are fully immunized against HPV
- Vaccination rates in indigenous children are around 90% which is close to the state average

Preventable hospitalisations due to dental conditions for children aged 0-9 years (per 1,000 population) is 8.9, 2.9 above the state average of 6.0.

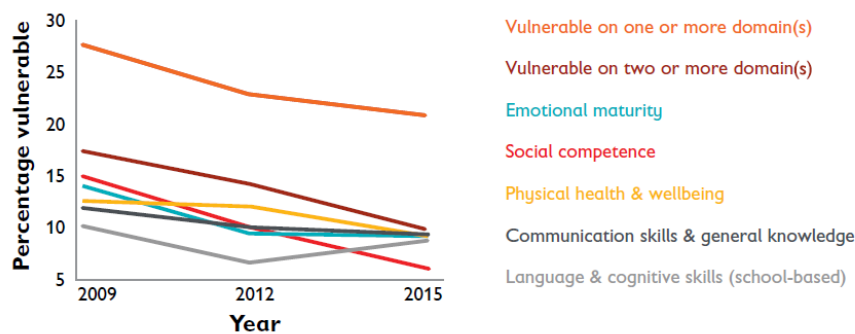
In East Gippsland a higher proportion of children in Year 5 & 6 experience bullying, compared to Victoria. An even higher proportion of children in Years 7-9 experience bullying, compared to Victoria.

The proportion of children who experienced family violence is also higher than the state average in East Gippsland. Crime where the victim was a child or your person aged 0-17 years was 18.4 nearly double the Victorian rate of 9.6.

The proportion of children at school with emotional or behavioural difficulties has steadily increased over time in East Gippsland, with the proportion more than doubling between 2015 and 2019. Victoria's percentage also increased during this period, though not as much as East Gippsland's

The table below shows there has been a significant decrease (from 13.6% to 10.1%) from 2012 to 2015 in the percentage of children who are developmentally vulnerable on two or more domains. There has been a slight reduction in the percentage of children who are vulnerable on one or more domains from 23.3% to 21.2%. Overall, this tells us that there are improvements, but there are still over 30% of children that are vulnerable on one, two or more domains and this impacts on how they will do at school (Source: AEDC, Department of Education, 2016).

Emerging trends in developmental vulnerability for East Gippsland, showing change in percentage (2009 to 2015):



Source: AEDC, Department of Education, 2016.

AEDC DOMAIN	2012	2015	STATISTICAL SIGNIFICANCE	2015 VICTORIA	
Vulnerable on one or more domains(s)	23.3%	21.2%	↑	No significant change	19.9%
Vulnerable on two or more domains	13.6%	10.1%	↑	Significant decrease	9.9%

Young people

Supporting opportunities for children and young people to contribute to community and have a voice in decision making has been identified as important.

Youth Ambassadors are young people aged 12 and 25-years-old who are living, studying or working in East Gippsland and are passionate about creating positive change for young people.

The Youth Ambassadors Program was formed four years ago through funding from the Victorian Government's Youth Engage! initiative and is now supported by East Gippsland Shire Council. Twenty young people are involved in Youth Ambassadors from across East Gippsland, including Mallacoota, Orbost, Bairnsdale, Lakes Entrance and Paynesville.

The Youth Ambassadors Program plays an important role in advocating for the voice of young people to be included in community decision-making. Youth Ambassadors have had input into decisions about the Orbost Skate Park, supported the Colourfest event in youth week and advocated for more support for LGBTIQ+ young people. This advocacy has resulted in a weekly support group, UBU, at Headspace in Bairnsdale. Youth Ambassadors have been involved in a range of community events including NAIDOC Week, Youth Week, Children's Week and the Ice Prevention Forum. Being a Youth Ambassador also provides a significant opportunity to be involved in a range of community activities, as described by one: "...It means being seen [as] more than just a kid in the community that's going to cause trouble, it's about being heard and seen in a positive way".

A survey of young people in East Gippsland in 2015 found that 59% of young people were involved in sporting, youth or other organisations. The data from small sample groups in 2010 and 2015 indicates a small trending decrease in this type of participation (Source: East Gippsland Youth Strategy 2010, East Gippsland Youth Survey 2015).

Data from the 2016 ABS Census also shows that there is a considerable number of young people who volunteer. Around 18% of young people aged 15 to 24-years-old volunteer their time with an organisation.

East Gippsland’s social determinants of health

The 2016 Census, 2014 Victorian Population Health Data, 2015 Local Government Area (LGA) Statistical Profiles and Community Indicators Victoria tell us about the social determinants of adults living in East Gippsland Shire.

Socio economic status

The Socio-Economic Index for Areas (SEIFA) broadly defines relative socio-economic advantage and disadvantage in terms of people’s access to material and social resources, and their ability to participate in society.

Across Australia’s local government areas Socio- Economic Index for Areas (SEIFA) scores range from 188 (most disadvantaged) to 1186 (least disadvantaged). SEIFA indexes provide a general view of the relative level of disadvantage in one area compared to others, but it is important to also look at these underlying characteristics as they can differ markedly between areas with similar SEIFA scores and shed light on the type of disadvantage being experienced.

East Gippsland’s SEIFA score in 2016 was 958.0 meaning the municipality

- ranked 209 out of 544 local government areas with SEIFA scores in Australia.
- ranked the 16th most disadvantaged out of 79 municipalities in Victoria
- the second most disadvantaged municipality in Gippsland, with Latrobe being the most socioeconomically disadvantaged in Victoria at 1/79
- has a higher level of socioeconomic disadvantage (958.0) than Victoria (1010.0).

East Gippsland has districts experiencing different levels of socioeconomic disadvantage

The real variation in disadvantage is understood when the indicator is identified at the district level across the municipality.

- Cann River, Orbost, Lakes Entrance, Buchan and Bruthen have the highest levels of socioeconomic disadvantage (i.e. the lowest SEIFA scores)
- Metung, Lindenow, Twin Rivers and Paynesville have the lowest levels of socioeconomic disadvantage (i.e. the highest SEIFA scores).

A significant short fall in the median weekly household income across all of East Gippsland when compared to the Victorian median income.

Analysis of household income levels (2016) shows that

- 7.9% of East Gippsland households earned a high income compared to 20.2% in Victoria (those earning \$2,500 per week or more)
- 26.9% of East Gippsland households earned a low income compared to 18.3% in Victoria (those earning less than \$650 per week).

At a district level:

- Buchan, Orbost, Mallacoota, Cann River and Lakes Entrance were areas with the highest proportion of low-income households.
- Conversely, Lindenow, Bruthen, Metung and Bairnsdale were areas with the lowest proportion of low-income households

East Gippslander’s have a lower total income before tax (2019/20)

East Gippsland’s total income before tax in 2019/20 was \$103,465,

- 28% lower than Victoria’s \$144,669 and
- 8% lower than Regional Victoria’s total household income before tax of \$112,603.

Employment

Unemployment in East Gippsland increased from 4.7% in 2019, to 5.2% in 2020 but remains lower than the unemployment increase rate in Victoria of +0.8%).

Unemployment rates by districts

- Cann River had the highest unemployment rate, noting it also had a very low population aged 15-64.
- Bruthen, Orbost and Mallacoota all have unemployment rates higher than 7.0%

- Omeo-Swifts Creek, Buchan, Lindenow and Paynesville had the lowest unemployment rates in East Gippsland, all below 5%.

Senior unemployment (>55 years) rate was 5.2% in 2016, 4.4% higher than that of Victoria

- Cann River and Mallacoota had the highest proportions of senior unemployment with Cann River having a small number of residents aged over 55 years.
- Lindenow, Metung, Lakes Entrance and Bairnsdale have the lowest proportions of senior unemployment in East Gippsland.

From 2019-2020, East Gippsland's labour force decreased by 3.4% and is lower than the state average.

- Some of the highest labour force participation rates are in Lindenow, Bruthen, Omeo-Swifts Creek and Buchan
- Paynesville, Mallacoota, Lakes Entrance and Orbost had some of the lowest labour force participation rates.

The proportion of 15-64 year olds who receive JobSeeker payments is notably higher than Victoria.

- At a district level, Orbost has the highest proportion of residents aged 15-64 who receive JobSeeker (14.9%).

Education

East Gippsland has lower higher education participation rate than Victoria (Comparable statistics from the 2011 and 2016 ABS data)

- A higher proportion of East Gippsland residents have no qualification when compared to the rest of Victoria.
- However a higher proportion of residents hold a trade qualification (23.5% compared to Victoria at 16.9%).
- Compared to Victoria, East Gippsland residents have half the proportion of residents with university qualifications (11.4% compared to Victoria at 24.4%).

At a district level

- Buchan and Orbost had the highest proportions of residents with no qualification,

- Metung and Omeo-Swifts Creek had the lowest proportions of residents with no qualifications.
- Mallacoota and Metung had the highest proportions of residents with university qualifications
- Cann River, Orbost and Lakes Entrance have the lowest proportions of residents with university qualifications

Digital connectivity

Overall 69.8% of East Gippsland households had an internet connection, compared with 79.6% in Victoria.

Housing

The ability for people to access affordable housing is determined by the income they have and the area that they live within East Gippsland. There was a significant shortfall of the median weekly household income across all of East Gippsland when compared to the Victorian median income.

Expenditure on housing was the largest household expenditure item in East Gippsland in 2019/2020. Miscellaneous good and services, food and transport were also significant items.

East Gippsland has a higher proportion of households experiencing mortgage stress 12.5% than Victoria, 11.0%. Mortgage stress is defined as "households in the lowest 40% of incomes who are paying more than 30% of their usual gross weekly income on home loan repayments"

East Gippsland has a higher proportion of households in rental stress than Victoria.

Rental stress is defined as households in the lowest 40% of incomes, who are paying more than 30% of their usual gross weekly income on rent

- As of 2 March 2021, there were 1,324 Victorian Housing Register (VHR) applications for public and social housing across the East Gippsland LGA (all preferences /all broadband).
- 3.5% of residents are in social housing/rented dwellings 1.1% above the state average
- In the 11 months 1 June 2020 through 5 May 2021 59 allocations were made from the VHR across the East Gippsland LGA.

Of these 59 allocations:

- 39 public housing allocations
- 20 social housing allocations
- 46 either single parents or singles aged 55+
- 48 allocated off a priority application

The 2019/2020 Black Summer bushfires in East Gippsland significantly impacted private property, causing varying degrees of damage.

A total of 1264 private assets were impacted, comprising 837 sheds/outbuildings and 427 dwellings. Displacement of over 500 people. The level of displacement varied across the districts of East Gippsland.

Transport (2016 ABS)

In EG 84.1% of the households owned at least one car, while 4.4% did not, compared with 84.2% and 7.6% respectively in Victoria.

- 31.8% of the households owned one car compared to 32.6% state average
- 34.7% owned two cars compared to 34.8% state average
- 17.5% owned three cars or more, compared to 16.8% state average

Food security

7.4% of East Gippslanders ran out of food and could not afford to buy more in the last 12 months

This is 2.8% higher than the state average ranking East Gippsland 7th worst out of 79.

Residents cited lack of healthy and affordable food is a growing issue particularly following the bushfire event in 2019/20.

Community and civic engagement

Residents in East Gippsland are community and civic minded

- 30.2% of East Gippsland adults are active volunteers. This is higher than the Gippsland and Victorian rate of 29.4% and 23.2% respectively.
- A higher proportion of East Gippsland residents than Victorian residents had 10 or more social contacts.
- 32.1% are members of a sports community group, higher than Victoria at 26.5%

- a lower proportion belong to religious community groups than the state average
- There is strong neighbourhood tenure with residents living in the same neighbourhood for
 - More than ten years being on par with the state average.
 - 1-5 years is higher than the state average

EG has notably higher level of residents with "High or very high" levels of social isolation, ranking 4th worst among local government areas in Victoria

Social and civic trust (The Victorian Child and Adolescent Monitoring System -VCAMS)

Adult residents in East Gippsland feel more valued by society than Victorians overall but a lower proportion of East Gippsland adults feel they can trust people or there are opportunities to have a real say on important matters, compared to Victoria.

- 28.7% of residents felt that there are not opportunities to have a real say on important matters compared to the state average of 24.5%.
- A notably higher proportion of residents do not think that people can be trusted with 25.4% compared to Victoria at 16.1%. EG was ranked 6th worst of the 79 LGA's on trusting people.
- A total of 57.5% in EG compared to 51.4% in Victoria said they felt valued in society.

Community and Personal Safety

Residents of East Gippsland feel safer walking along their street than residents in Victoria.

- A higher proportion definitely feel safer or sometimes feel safer than the rest of Victoria
- A lower proportion do not feel safe walking alone down their street, compared to Victoria.

Rate of crime and violence

- EG is ranked 4 out of 79 for Total violent offences per 100,000 population 2446 compared to 1240 for Victoria.
- EG is ranked 4 out of 79 for the rate of homicide, assault and related offences. 15 compared to 3 for Victoria.

Family violence is a growing issue in East Gippsland

- East Gippsland is ranked 3rd worst of 79 municipalities in the incidence of family/domestic violence.
- East Gippsland score 3166.1 compared to Victoria at 1389.1.
- In family violence incidents, a significantly higher proportion of affected family members are females, almost 75% of all reported incidents.

Healthcare

East Gippsland residents are serviced by a network of health care providers which includes Bairnsdale Regional Health Services and a network of smaller hospitals, bush nursing, GPs and community and allied health providers.

- The average GP visit per person is 5.6 below the Gippsland average 6.4 and national average of 6.3
- The median out of pocket expense is \$21 for GP attendance in East Gippsland compared with \$20 being the median national average

What does this mean for planning for our communities in East Gippsland Shire?

- *selection of priorities and strategies should address equity by removing or reducing cost of participating in activities that support health and wellbeing*
- *include strategies to address the rate of domestic violence and the total incidence of violence.*
- *Improve food security and affordable housing opportunities*

Data Sources

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Community & Stakeholder Engagement Findings

**East Gippsland Shire's 'Well placed
for wellbeing 2021 -2025'**

September 2021



Document information

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Introduction and summary of findings

This document outlines the key findings of the first stage of community consultation for the **East Gippsland's new municipal health and wellbeing plan for 2021-2025**.

The plan titled '*Well-placed for wellbeing 2021-2025*' builds on the previous 4 year plan of the same name and the extensive community led recovery works following the drought, the Black Summer bushfire event and now COVID-19 pandemic.

East Gippsland Shire Council is required under the Local Government and Public Health and Wellbeing Act to consult with key stakeholders and the community. The plan is being developed in partnership with key health and community agencies and discussions with these groups commenced in May 2021. This engagement program marks the first formal engagement program with the wider community on the project.

The purpose of the engagement program is to gather community and stakeholder views, intel and direction that will inform the development and implementation of the health and wellbeing plan. A key deliverable of the engagement feedback is to finalise to EG Strategic Framework for Well Placed for Wellbeing 2021 – 2025.

The engagement program was hosted from 7th to 30th September 2021 and included both public and targeted consultation with East Gippsland communities, stakeholders and health and community sector partners.

Summary of key findings:

- Community endorsement of the five priority health needs identified – Liveable, Healthy and Well, Safe and Secure, Connected to Culture and Community and Able to Participate
- The top 10 most important health and wellbeing priorities in the coming 12-months based on community survey (n192)

	Most important health and wellbeing priorities for East Gippsland communities in coming 12-months	Priority Area Theme
1	Build community connection and inclusion via events, special interest groups, sporting clubs, creative arts (place based and community led)	Connected to Culture and Community
2	Mental health	Healthy and Well
3	Access to safe and affordable housing	Safe and Secure
4	Infrastructure towards community and ratepayer benefits not commercial (eg: no mining in East Gippsland, responsible rate spend, core business, safe walking paths and bicycle paths)	Liveable
5	Increased local health and wellbeing service provision/place based supports	Healthy and Well
6	Environment and climate change protection	Liveable
7	Community led decision making/disaster resilience and recovery	Safe and Secure
8	Appropriate land use and planning that focusses on health and wellbeing not commercial	Liveable
9	New and maintained walking, cycling paths - off road	Liveable
10	Increase medical/health professions in the municipality - GPs, psychologists, trauma/crisis support, dentals services	Able to participate
10	Address isolation and loneliness	Connected to Culture and Community

- It was observed in reading the 192 survey responses that there are other notable recurring themes for Council's consideration. Some of which may or may not be solely linked to health and wellbeing outcomes:
 - a potential lack of clarity or understanding of the role of Council has in health and wellbeing matters by some respondents. Many of those that recorded a level of disagreement to the priorities provide commentary that they did not believe it was the role of Council for this plan or

questioning if Council was taking on more responsibilities with no budget. Similarly a number of respondents were citing the opposite and an expectation that Council itself play a bigger role advocating for more health services across the municipality. This will be particularly important when branding and communicating the release of the Municipal Health and Wellbeing Plan.

- bushfire preparedness and planning in towns – a tone that some communities are under-prepared.
- a need for better awareness and promotion of existing health and wellbeing services that are available to residents.
- a focus on community led recovery and place based solutions
- provision of community and town infrastructure and amenity must include getting more from the existing assets, better maintenance and planning consideration of future asset needs (linked to narrative around footpaths, off-road bicycle facilities, maintenance of playgrounds).
- strategic land use planning and decision making is informed by community and resident needs. A reoccurring view in survey responses is that Council prioritises decisions for commercial gain (own and others) as opposed to community/resident benefit. Examples cited included introduction of mining, environmental changes solely for the benefit of tourists, subdivisions in line with town character).
- a stronger focus and expectation on achieving social equity across the municipality (matters relating to access to services and education, disadvantage and vulnerable residents, connectivity, housing and free from violence and gender stereotypes).

Objectives of the engagement program

The East Gippsland community was a priority focus of this engagement program. There has been strong participation across the stakeholder groupings to date.

During this engagement we want to:

1. Inform key stakeholders and the wider community about the project
2. Test that the draft 5 priority areas are reflective of community and stakeholder health and wellbeing priorities
3. Better understand community and stakeholder perspectives and build 'buy-in' to health priorities and needs
4. Inform the further development and implementation of the plan
5. Develop a collaborative and partnership approach that will oversee the implementation of the plan and the achievement of health and wellbeing outcomes
6. Build on the lessons learnt from bushfire recovery and other disaster events in the region

Limitations of the engagement program

As with all public engagement there may be limitations. Potential limitations of this engagement program may include:

- Community fatigue impacts the number of people who participate. It was raised by Community Recovery Officers that there is strong evidence of community fatigue with recovery efforts and planning at present.
- Multiple engagements hosted concurrently by Council during the month of September provides confusion.
- Engagement commenced immediately following the announcement of COVID lockdown 8.0 and during one week of the September school holidays.
- Closure of customer service centres, libraries and recreational facilities may reduce awareness within community.
- Digital connectivity in remote areas may impact some cohorts of the community to conveniently respond to surveys.

Who we engaged with

A comprehensive stakeholder listing has been developed to ensure we engage with people in the community who can contribute or can influence and encourage others to participate in this important municipal plan.






Over 70 stakeholders/groups have been identified as important to this project¹. It is recognized that not all stakeholders in a particular group or sub-group will necessarily share the same concerns or have unified opinions or priorities. A process to identify stakeholders, analysis of their influence and impact, and prioritising stakeholders was undertaken referencing the IAP2 Model of Public Participation.

The East Gippsland community was a priority focus of this engagement program. There has been strong participation across the stakeholder groupings to date.

A summary of the stakeholder engagement methodology, tools of engagement and who was targeted for engagement in this program is outlined on the following page. Stakeholders highlighted in bold are confirmed as participating in this engagement program and providing feedback. Those that could not be readily identified as participating will be a focus area as the plan development progresses.

¹ Note that this number will increase as some stakeholder groupings have multiple representatives.

Stakeholder engagement matrix

	 Empower	 Collaborate	 Involve	 Consult	 Inform
Stakeholder	<ul style="list-style-type: none"> Council of East Gippsland Shire EGSC – Executive Leadership EGSC – Community Planning Coordinator 	<ul style="list-style-type: none"> Well placed for wellbeing plan working group (external membership) Well placed for wellbeing plan working group - EGSC Departments including <ul style="list-style-type: none"> Council Enterprises Communications Community Engagement Community Programs Community recovery Community facilities – library, recreation, maternal and child health Economic Development Emergency management Planning Infrastructure and engineering Environment Built environment Department of Health 	<ul style="list-style-type: none"> Anglicare Bushfire Recovery Victoria Country Fire Authority Department of Families Fairness and Housing East Gippsland Community Recovery Committees x 12 East Gippsland Primary Care Partnership Emergency Services EV GP Network EV GP Training GEGAC Gippsland East LLEN Gippsland Lakes Complete Health Gippsland Primary Health Network Gippsland Women's Health GippSport GLaWAC Health Services <ul style="list-style-type: none"> Bairnsdale Regional Health Omeo Health Service Orbost Regional Health Cann Valley Bush Nursing Centre Mallacoota District Health Headspace Gippsland Moogju Aboriginal Council Quantum Support Services Relationships Australia Save the Children 	<ul style="list-style-type: none"> Adjacent Gippsland LGAs <ul style="list-style-type: none"> Wellington Shire AFL Gippsland Agriculture Victoria Ambulance Victoria Creative Victoria DELWP Department of Education & Training Department of Transport East Gippsland Emergency Management Planning Committee East Gippsland Chambers of Commerce East Gippsland Sporting Clubs and Associations East Gippsland towns and district network East Gippsland Youth Council General Medical Practitioners Gippsland Water Rural Financial Counselling Service Special users groups: <ul style="list-style-type: none"> Disability Action Group Senior Citizen/Aged Ambassadors Youth Ambassadors Youth and children networks Recreational/environmental groups LandCare EG Farmers Network Tafe Gippsland University <ul style="list-style-type: none"> Deakin University Melbourne University Monash University Victorian Farmers Federation 	<ul style="list-style-type: none"> East Gippsland community Interested parties outside the region Local media – press and social media Local members of parliament
Stakeholder engagement goal	<ul style="list-style-type: none"> To place final decision making in the hands of the stakeholder. 	<ul style="list-style-type: none"> To partner with the stakeholders in each aspect of the plan including identification of themes and priorities. 	<ul style="list-style-type: none"> To work directly with the stakeholder throughout the process to ensure that stakeholder concerns, priorities and aspirations are consistently understood and considered. 	<ul style="list-style-type: none"> To obtain stakeholder expertise, advice, information/feedback on perspectives, requirements, analysis, alternatives and/or decisions. 	<ul style="list-style-type: none"> To provide balanced, objective, accurate and consistent information to assist stakeholders to understand the challenges & opportunity.
Promise to stakeholder	<ul style="list-style-type: none"> We will implement what you decide. 	<ul style="list-style-type: none"> We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decision to the maximum extent possible. 	<ul style="list-style-type: none"> We will work with you to ensure that your concerns and aspirations are directly reflected in the options developed and provide feedback on how stakeholder input influenced the decision. 	<ul style="list-style-type: none"> We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how stakeholder input influenced the decision. 	<ul style="list-style-type: none"> We will keep you informed.
Methods of engagement	<ul style="list-style-type: none"> Delegated decision making Council briefings and meetings EGSC ELT meeting 	<ul style="list-style-type: none"> Working Group meetings and workshops Direct communications - emails Stakeholder survey – pre-workshop Health and community partner Workshop – framework, themes & priorities 1:1 consultation and small group engagements (online and face to face) Communication – report back of consultation outcomes and milestones 	<ul style="list-style-type: none"> Direct email targeted groups and representatives Stakeholder survey – pre-workshop Health and community partner Workshop – framework, themes & priorities 1:1 and small group engagements Communication – report back of consultation outcomes and milestones Public Exhibition 	<ul style="list-style-type: none"> Communications – Council Facebook, newspaper Direct email Communication – project progress Public Exhibition 	<ul style="list-style-type: none"> Communications – Council Facebook, newspaper Direct email via Council e-newsletter (fortnightly) Public Exhibition

How we engaged with community and stakeholders (Tools of engagement)

A suite of online, face to face and hard copy engagement tools using was used to support the engagement program.

All engagement was focused on the validating the five-priority health areas identified in the 'Well-placed for Wellbeing 2021-2025 Framework' (refer Appendix 1).

A suite of visual storyboards/graphics by Debbie Wood Creative was commissioned to provide a unique way of presenting health and wellbeing priorities (refer Appendix 2). The graphics were used to develop:

- A 6-part series of short videos including an introductory video featuring Mayor Urie. These videos were hosted on East Gipps TV (YouTube: <https://www.youtube.com/watch?v=k-JrkjBB2g>)
- Posters with QR codes for direct feedback
- PowerPoint presentations for small group workshops/meetings
- Social media posts

East Gippsland Shire Council's 'Your Say' was used as the central point for data collection. Hard copy feedback/survey forms were also available as an alternative to those who experience digital connectivity or capability challenges (refer Appendix 3).

Engagement results and findings

Summary of engagement activities and results

Engagement Activities	Resulted in	Key Outcomes
<ul style="list-style-type: none"> • Your say and survey • Storyboard posters and video series • Media – press release and Council adverts in newspapers • Newsletters including 'My Community', CRC, PCP, Agribusiness etc • Direct email to networks • Facebook – EGSC & EGSC Recovery page • EGSC Roadshow • EG Well-placed for Wellbeing Working Group (external) meetings x 2 • EGSC Well-placed for Wellbeing Working Group meetings x 4 • Stakeholder Workshops/meetings x 12 • 1:1 data collection in Libraries/Service Centres • Promotion by our partners including GPCPW 	<ul style="list-style-type: none"> • 192 Your Say Survey Responses including 95 hardcopy responses from library visitors • 2 mailed feedback forms • 55 partner agency workshop attendance • > 81 attendees at various stakeholder/community workshop and meetings • 268 Facebook views • 9 direct Facebook comments • 230 East Gipps TV views • 747 My Community newsletter 'opens' • 6000 newspaper circulation • ~ 200 EGSC staff Roadshow (40%) 	<ul style="list-style-type: none"> • Endorsement of priority health areas of (>77% agreement): <ul style="list-style-type: none"> – Liveable – Healthy and well – Safe and secure – Connected to culture and community – Able to participate • Priority health needs in coming 12-months include: <ul style="list-style-type: none"> – Build community connection – Mental health – Access to safe and affordable housing – Infrastructure towards community and ratepayer benefits – Increased local health and wellbeing service provision/place based supports

Summary of engagement findings

Objective 1: Inform key stakeholders and the wider community about the project

- ***The reach of the awareness program was conservatively in excess of 7000 residents and stakeholders.***

An awareness program to advise community and stakeholders of the engagement program was implemented with the support of the East Gippsland Well-placed for Wellbeing working groups. The awareness program included direct email through established networks, hosting workshops and meetings, promotion in newsletters, social media as well as utilizing local online and print media.

Mayor Urie provided credibility to the importance of the Municipal Health and Wellbeing plan and engagement program by acting as spokesperson for media as well as participating in the video series.

A full list of communication and engagement activities is outlined in Appendix 4.

- ***220 unique page visits to East Gippsland Your Say***
- ***Approximately 250 residents/stakeholder formally provided feedback during the consultation period.***
- ***Higher survey response rate from people in the most western communities/districts of East Gippsland (for those who provide optional contact details) and those from youth, children, aged agencies and cohorts***

Specifying location and name details was optional in the survey to encourage fast and confidential feedback. It was observed for those who identified in the survey higher response rates from those in the most western communities of the municipality.

It was observed there was limited direct engagement from recovery areas/communities. Discussions with Community Recovery Teams indicated that this was to be expected due to significant recovery grant efforts were underway during the consultation period. In addition, significant previous community engagement has indicated health and wellbeing priorities of these communities.



Objective 2: Test that the draft 5 priority areas are reflective of community and stakeholder health and wellbeing priorities

Five priority health areas were identified by the working groups as important to improving health and wellbeing across East Gippsland. These are:

- Liveable
 - Healthy and Well
 - Safe and Secure
 - Connected to Culture and Community
 - Able to participate
- **Community endorsed the broad categories of the five priority areas as presented.**

There was strong agreement and endorsement of the broad five priority health areas presented to the community and stakeholders.

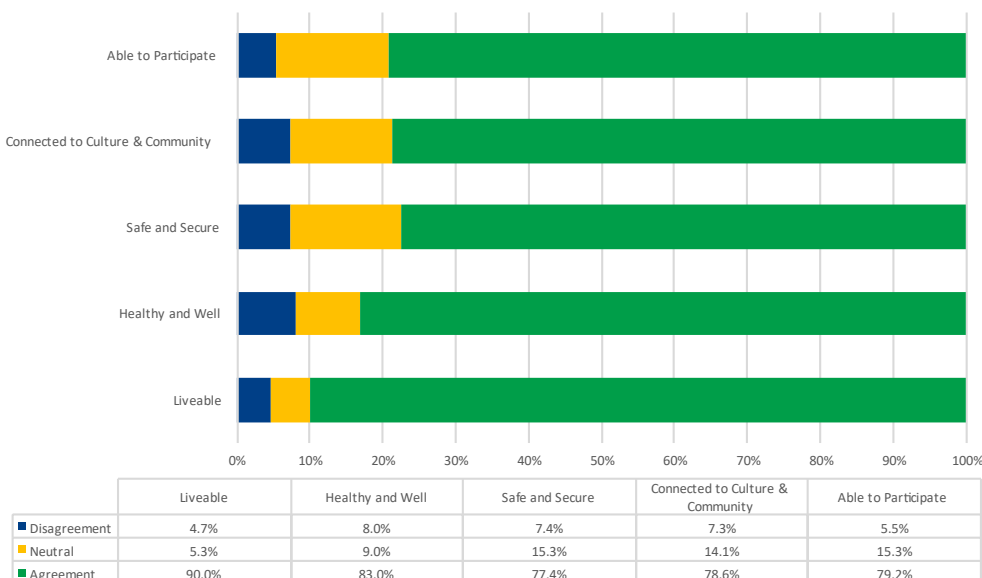
>77% community agreement that the priority health areas will improve the health and wellbeing of East Gippsland communities over the coming 4-years.

Of note a small number of respondents who disagreed or strongly disagreed cited reasons that they did not believe some of the priority areas are the responsibility of council. This highlights a need for greater clarity of responsibilities within the plan.

The highest level of agreement (90%) related to the Liveable outcome which included natural and built environments and physical and digital connectivity.

Community / Stakeholder sentiment

Do you think these priorities will improve the health and wellbeing of East Gippsland communities? (n 192)



Objective 3: Better understand community and stakeholder perspectives and build 'buy-in' to health priorities and needs

Respondents provided further comments relating to specific focus areas of each of the five outcome areas. This commentary provided further understanding to community perspectives of what is most important to them or where further clarity in the framework was required.

Respondents were asked to identify what they believe are the most important health and wellbeing priorities for East Gippsland communities in the coming 12-months. The top 10 results based on (281 suggestion) are:

Community/Stakeholder sentiment

Top 10 most important health and wellbeing priorities in coming 12months



Close to 20% of all respondents listed building community connection and inclusion as the highest priority, followed closely by mental health (13%).

	Most important health and wellbeing priorities for East Gippsland communities in coming 12-months	Priority Area Theme
1	Build community connection and inclusion via events, special interest groups, sporting clubs, creative arts (place based and community led)	Connected to Culture and Community
2	Mental health	Healthy and Well
3	Access to safe and affordable housing	Safe and Secure
4	Infrastructure towards community and ratepayer benefits not commercial (eg: no mining in East Gippsland, responsible rate spend, core business, safe walking paths and bicycle paths)	Liveable
5	Increased local health and wellbeing service provision/place based supports	Healthy and Well
6	Environment and climate change protection	Liveable
7	Community led decision making/disaster resilience and recovery	Safe and Secure

8	Appropriate land use and planning that focusses on health and wellbeing not commercial	Liveable
9	New and maintained walking, cycling paths - off road	Liveable
10	Increase medical/health professions in the municipality - GPs, psychologists, trauma/crisis support, dentals services	Able to participate
11	Address isolation and loneliness	Connected to Culture and Community
12	Physical and digital connectivity - family, work, education and recreation	Liveable
13	Safe and accessible town infrastructure and amenity (incl toilets, waste, playgrounds)	Liveable
14	Cultural inclusion, acceptance and culturally sensitive supports	Connected to Culture and Community
15	Targeted youth initiatives - health, employment, education	Able to participate
16	Improved complexity of care services in municipality (ie more maternity services)	Able to participate
17	Progress covid and bushfire recovery and resilience	Healthy and Well
18	Improved council services (libraries, recreation facilities, pools)	Liveable
19	Improve the health literacy and early intervention for vulnerable residents	Able to participate
20	Family violence and gender stereotypes	Safe and Secure
21	Preventative care strategies for vulnerable people eg: ageing initiatives that encourage staying at home longer	Connected to Culture and Community
22	Affordable access to health services	Healthy and Well
23	Equity of access to services and community activities - place based and people needs (disability, vulnerable etc)	Able to participate
24	Reduce substance abuse	Healthy and Well
25	Encourage physical activity	Healthy and Well
26	Healthy eating and food supply	Healthy and Well
27	Provide education and employment equity to all areas	Able to participate
28	Build sustainable economies that create ongoing employment (too heavy reliance on tourism which is volatile)	Able to participate
29	Skill development - digital capability	Able to participate
30	Aboriginal culture and health support	Connected to Culture and Community
31	Suicide prevention	Healthy and Well
32	Preservation and restoration of natural environment	Liveable
33	Waterway management and restoration	Liveable
34	waste reduction	Liveable
35	Crime reduction	Safe and Secure
36	Reclaiming fire donations	Able to participate
37	Delivering core council business	Liveable
38	Grow population	Liveable

Other observations and comments

It was observed in reading the 192 survey responses that there are other notable recurring themes for Council's consideration. Some of which may or may not be solely linked to health and wellbeing outcomes:

- a potential lack of clarity or understanding of the role of Council has in health and wellbeing matters by some respondents. Many of those that recorded a level of disagreement to the priorities provide commentary that they did not believe it was the role of Council for this plan or questioning if Council was taking on more responsibilities with no budget. Similarly a number of respondents were citing the opposite and an expectation that Council itself play a bigger role advocating for more health services across the municipality. This will be particularly important when branding and communicating the release of the Municipal Health and Wellbeing Plan.
- bushfire preparedness and planning in towns – a tone that some communities are un-prepared or not appropriately supported to their expectation.
- better awareness and promotion of existing health and wellbeing services available to residents.
- a focus on community led recovery and place based solutions
- provision of community and town infrastructure and amenity including getting more from the existing assets, better maintenance and planning consideration of future asset needs (linked to narrative around footpaths, off-road bicycle facilities, maintenance of playgrounds).
- strategic land use planning and decision making is informed by community and resident needs. A reoccurring view in survey responses is that Council prioritises decisions for commercial gain (own and others) as opposed to community/resident benefit. Examples cited included introduction of mining, environmental changes solely for the benefit of tourists, subdivisions in line with town character).
- a stronger focus and expectation on achieving social equity across the municipality (matters relating to access to services and education, disadvantage and vulnerable residents, connectivity, housing and free from violence and gender stereotypes).

Please read this in conjunction with document:

Appendices Report for Community and Stakeholder Engagement

Well placed for Wellbeing Plan 2021-2025



EGSC%20MPHWBP
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Appendices

Community & Stakeholder Engagement Findings

**East Gippsland Shire's 'Well placed
for wellbeing 2021 -2025'**

September 2021



Document information

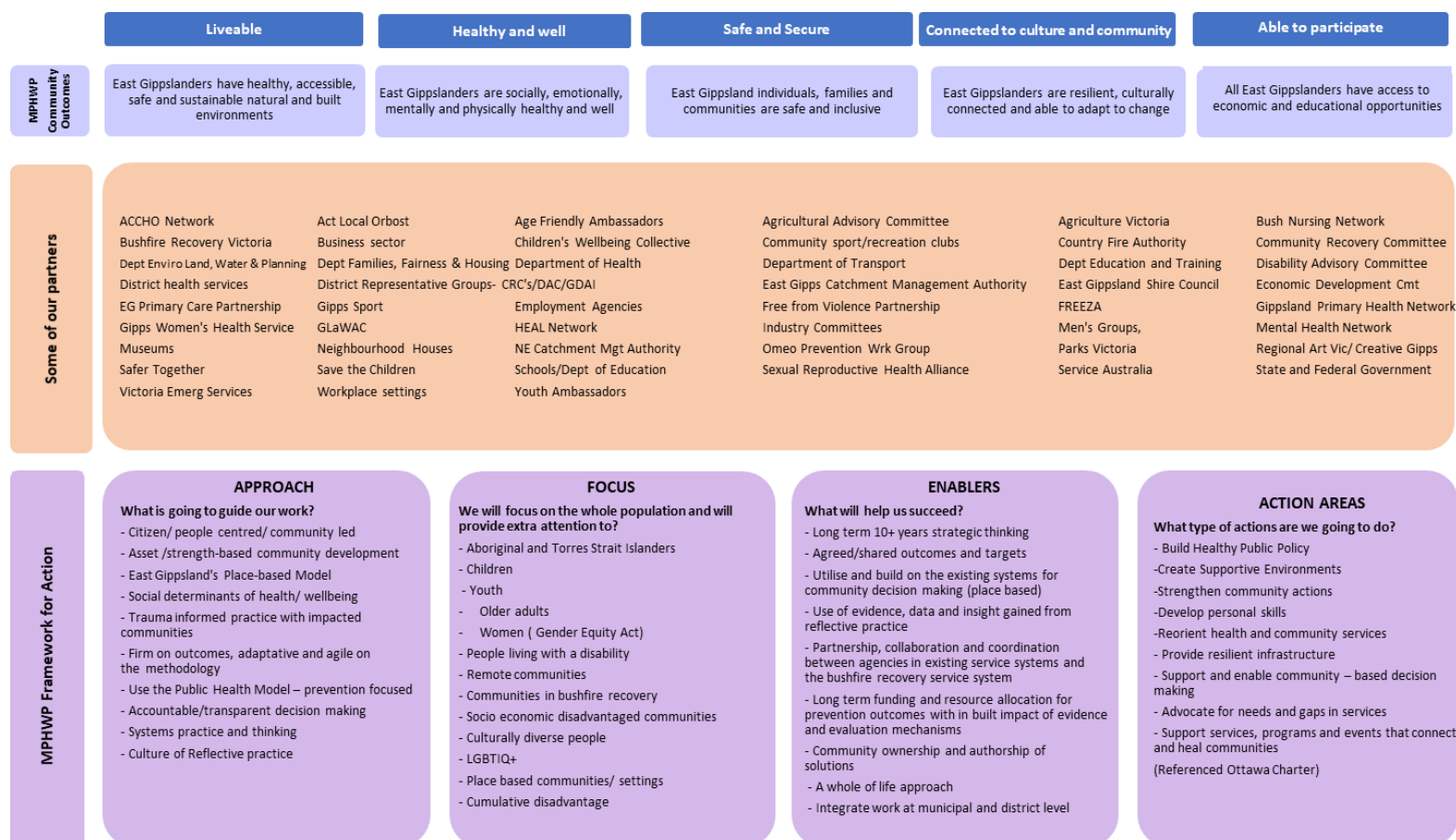
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Document ID:	
Document Title:	EGSC MPHWPB Engagement Appendix Report 20211005
Document owner:	Sueanne Claringbould, East Gippsland Shire Council
Document authors:	Jane Leslie, Aerium
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Issue date:	5 October 2021

Appendix 1: EG Strategic Framework for Well Placed for Wellbeing 2021 – 2025

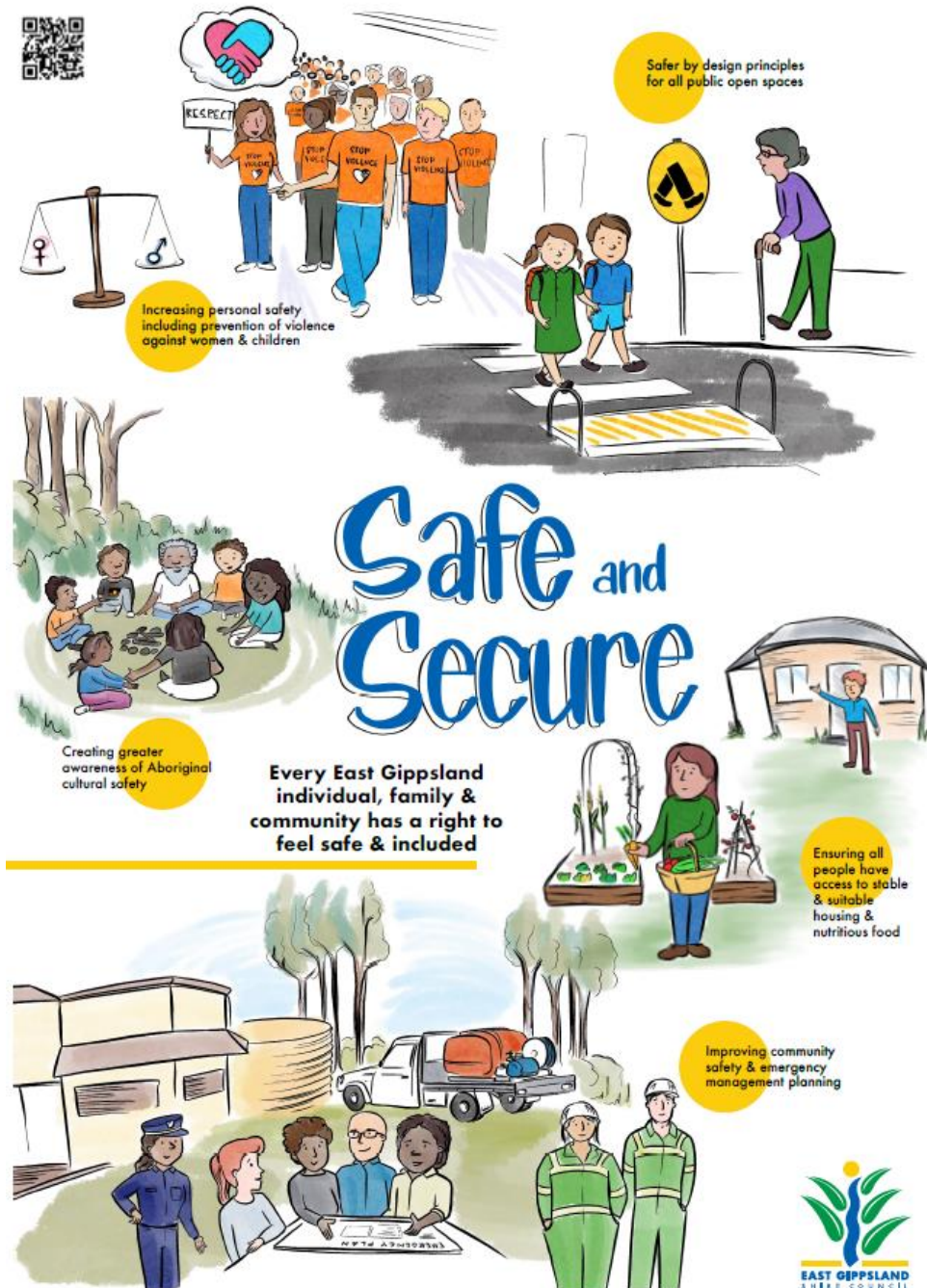
Part 1: Outcomes, priorities to actions

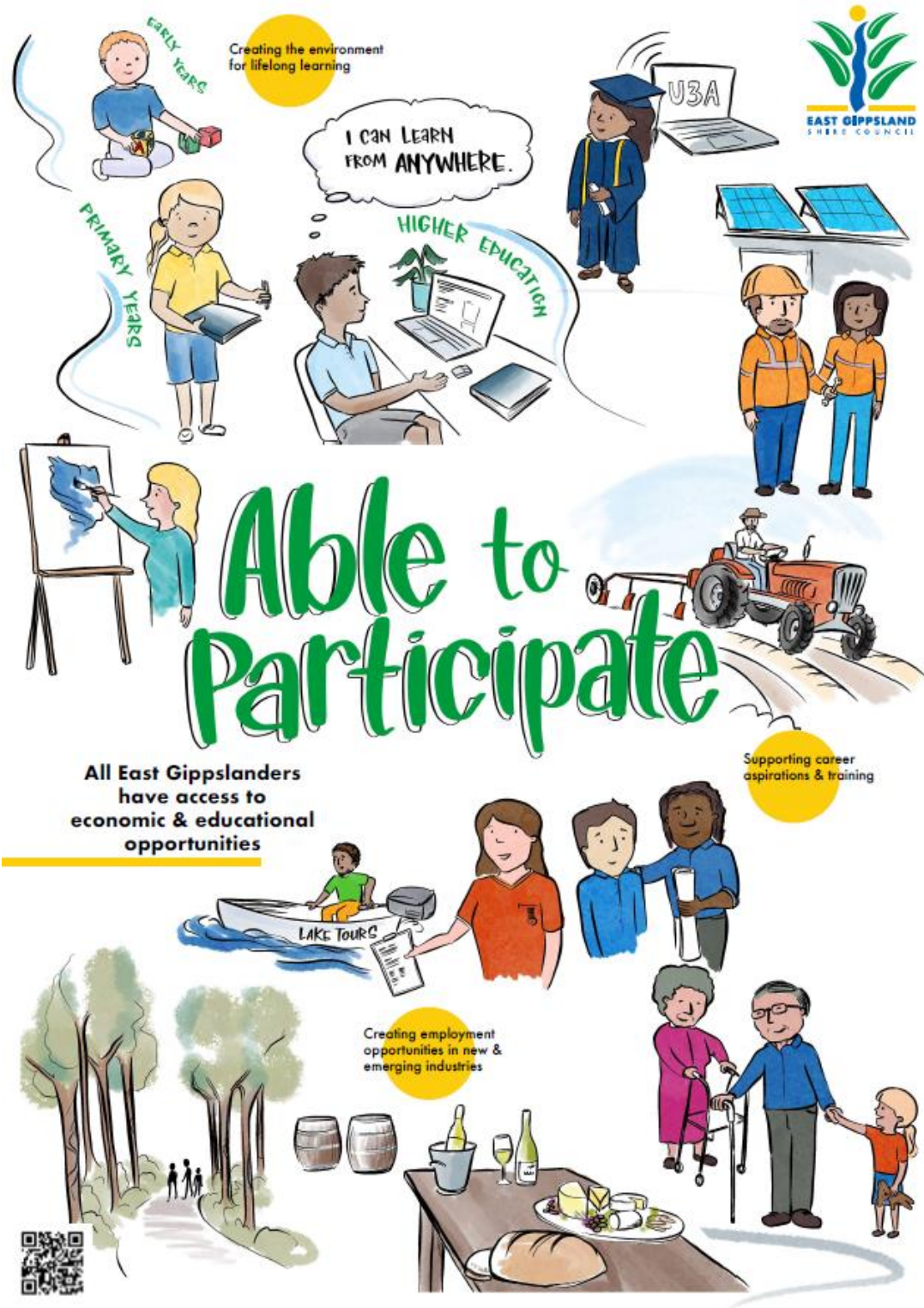
Vic PHWBP Outcomes framework	Liveable	Healthy and well	Safe and Secure	Connected to culture and community	Able to participate
EGSC Council Plan Objectives	Planning and infrastructure that enriches the environment, lifestyle/ character of our communities Natural environments that are managed/enhanced	An inclusive and caring community that respects and celebrates diversity	An inclusive and caring community that respects and celebrates diversity	An inclusive and caring community that respects and celebrates diversity	A thriving and diverse economy that attracts investment and generates inclusive local employment
MPHWP Community Outcomes	East Gippslanders have healthy, accessible, safe and sustainable natural and built environments	East Gippslanders are socially, emotionally, mentally and physically healthy and well	East Gippsland individuals, families and communities are safe and inclusive	East Gippslanders are resilient, culturally connected and able to adapt to change	All East Gippslanders have access to economic, health and educational opportunities
MPHWP Health Priority Areas	<p>Plan, provide & maintain accessible infrastructure that supports residents to be healthy and well through all stages of life</p> <ul style="list-style-type: none"> - Paths/tracks/trails/roads/rail - Public open space/civic spaces - Sport/recreation facilities - Community facilities, public halls - Arts/cultural facilities - National parks and waterways - Telecommunications/ power/water <p>Plan, protect and restore the natural environment, resources and its biodiversity prioritised to support community healthy/wellbeing</p> <p>Culturally appropriate land management practice is valued and respected that connects land, water and wildlife</p> <ul style="list-style-type: none"> - Spiritual health and healing - Cultural knowledge systems including engagement and education, land practices - Strengthening relationships between land managers and traditional owners including knowledge and skill sharing. - Ensure protection of significant cultural heritage, places and objects <p>Plan and design environments using environmentally sustainable principles that enable us to mitigate and adapt to a changing climate</p> <p>Reconnect all communities with their natural environments (post bushfires)</p> <p>Protect public health through:</p> <ul style="list-style-type: none"> - Regulatory compliance (waste/ environmental health) - Strategic and statutory planning and decision making - Strategic land use planning and policy 	<p>Promote healthy lifestyles</p> <ul style="list-style-type: none"> - Healthy eating* - Increase physical activity* - Improve access to fresh food/ fruit and vegetables <p>Promote positive mental wellbeing including social and emotional wellbeing</p> <ul style="list-style-type: none"> - Support cultural connection to country <p>Reduce vulnerability of citizens to the compounding trauma and impact of disasters</p> <p>Trauma and recovery – placed based and community led recovery</p> <p>Reduce harm from</p> <ul style="list-style-type: none"> - Tobacco* - Alcohol and misuse of drugs <p>Improved Sexual and Reproductive Health (SRH)</p> <ul style="list-style-type: none"> - Reduction in STI's and improved access to choices <p>Protect health through population wide initiatives:</p> <ul style="list-style-type: none"> - Childhood immunisation - COVID immunisation - Fluoridation of the mains water supply *Denotes Victorian Health Priorities <p>Ensuring the health and wellbeing of individuals who support communities in East Gippsland</p> <ul style="list-style-type: none"> - Long term sustainable workforce interventions building both capacity and capability and business/community continuity <p>Ensuring the fair, timely and flexible access to health services and support that East Gippslanders need</p> <ul style="list-style-type: none"> - After hours crisis support - Specialised services including mental health - Place based services and early intervention 	<p>Increase in personal safety</p> <ul style="list-style-type: none"> - Prevention of violence against women and children - Free from violence <p>Promoting gender equality and respectful relationships</p> <ul style="list-style-type: none"> - Gender Equality Act: 2020 - Free from violence <p>Increase in community safety</p> <ul style="list-style-type: none"> - Support and develop community-based emergency management planning systems - Enhance the resilience and skills in communities around preparedness to adapt to a changing climate/disasters - Improved safety in: road safety/use, public open spaces including Safer by Design principles/practice <p>All people have access to nutritious food</p> <ul style="list-style-type: none"> - Nutritious, fresh and affordable food (food security) <p>All people have access to stable, affordable and suitable housing</p> <ul style="list-style-type: none"> - Diverse housing options including social housing - Provision of short-term modular housing to support individuals/families to remain in their communities (bushfire recovery) <p>Aboriginal cultural safety and awareness is supported</p>	<p>Supporting inclusive community by valuing</p> <ul style="list-style-type: none"> - Aboriginal and Torres Strait Islanders - Cultural diversity - Women (Gender Equity Act) - People with a disability - LGBTIQ+ community - People of all ages (children, young people, older adults) <p>Support communities to be active citizens and become involved in making decision that affect them: Democratic representation</p> <ul style="list-style-type: none"> - Place based representative groups including community recovery committees - Age/issue/cultural specific advocacy groups <p>Build on the resilience and skills in communities for a changing climate *</p> <p>Promote and support diverse social, arts and cultural activities, celebrations and events</p> <ul style="list-style-type: none"> - Municipal civic celebrations/events - Place/community/cultural celebration & events - Community led activities that benefit and connect local communities and members <p>Enable the range of community groups, clubs, organisations and volunteer services to continue to provide support valuable services/support across the municipality</p> <p>Recognise and embrace the cultural knowledge of traditional owners in East Gippsland and use this to connect all East Gippslanders</p> <p>Community and social connection - reconnect all residents with their natural environments and communities (post bushfire and COVID)</p>	<p>Support early years learning and development</p> <p>Support opportunities for children and young people to contribute and have a voice in decision making</p> <p>Communities are supported to prosper through economic initiatives including strengthening workforce participation and employment opportunities</p> <ul style="list-style-type: none"> - Aboriginal people supported to work on country <p>Support positive and age friendly communities</p> <p>Aboriginal cultural safety and awareness is supported</p> <p>Access to training and educational opportunities - all ages/cultures</p> <p>Diversity in employment opportunities that are inclusive and local</p> <p>Enabling innovative investment to create new employment opportunities</p> <p>Ensure drought/bushfire and COVID recovery responses support sustainable employment</p> <p>Provide equity of access to health services</p>
Links to other strategies & programs	<p>Example</p> <p>Municipal Environmental Sustainability Strategy</p> <p>Municipal Asset Management Strategy</p>	<p>Example</p> <p>Achievement program in key EG/community settings including educational settings, workplaces, hospitals and health service providers</p>	<p>Example</p> <p>Emergency Management Plans</p> <p>Local/Neighbourhood/district Plans- EGSC</p> <p>Respectful Relationships program- DET</p> <p>Gender Equality Act</p>	<p>Example</p> <p>Municipal Volunteer Recognition Awards- EGSC</p> <p>NAIDOC Week Celebrations</p> <p>Whole of Country Plans, Reconciliation Action Plans</p>	<p>Example</p> <p>3 Facilitators employed to oversee Drought resilience work across EG: EGSC/AG Vic</p> <p>Economic Development Strategy</p>

Part 2: Our partnership and how we will work together

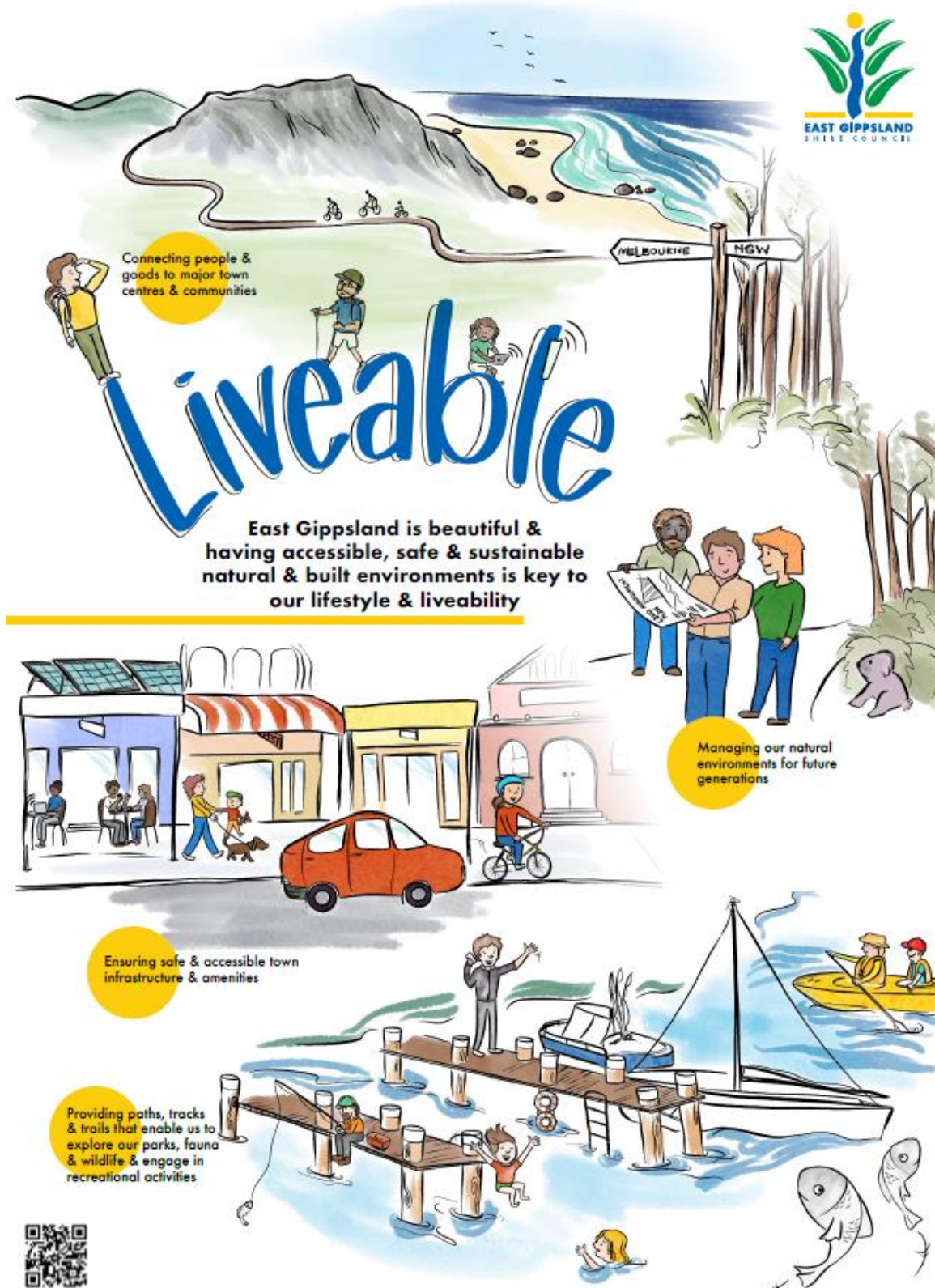


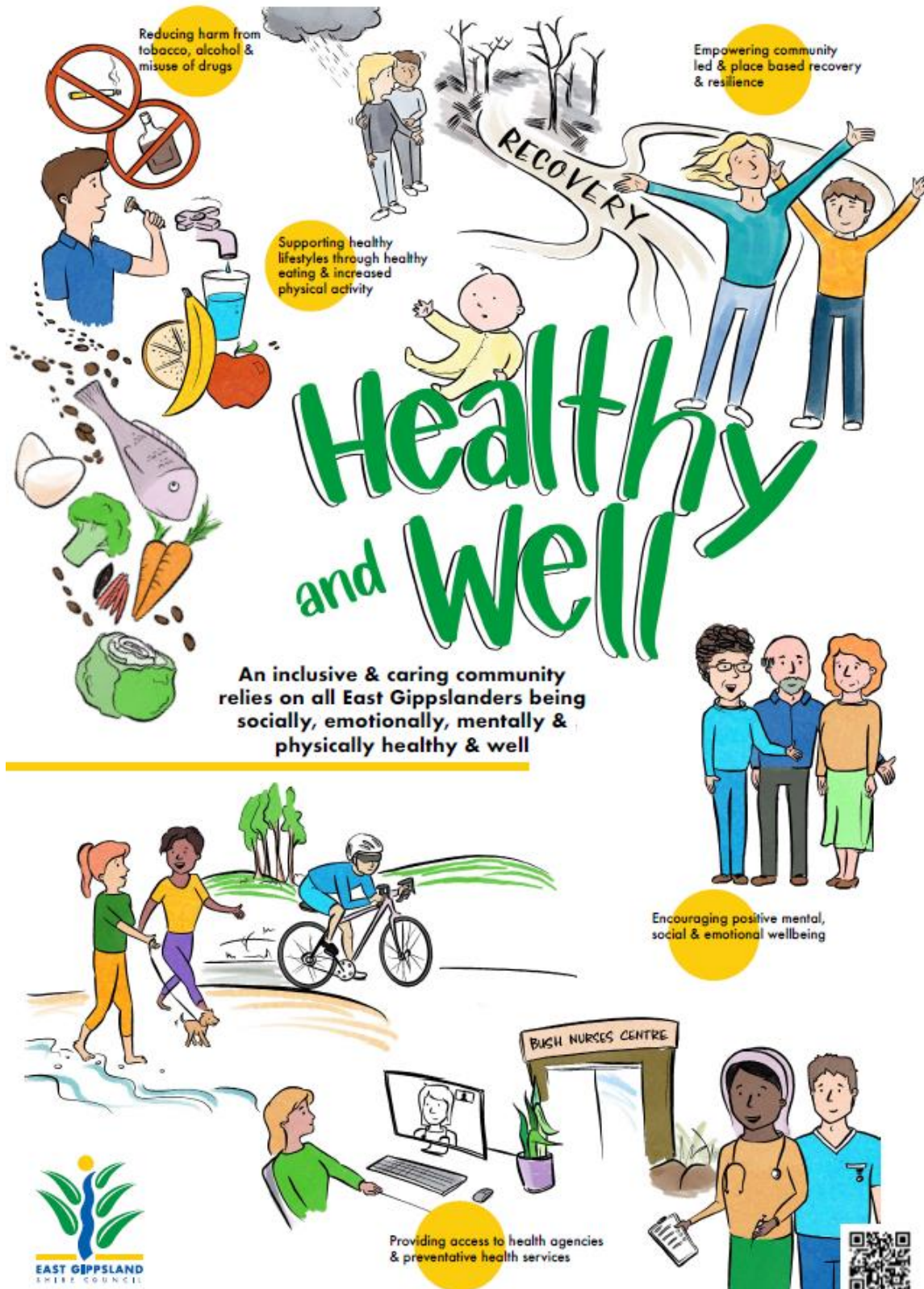
Appendix 2: Well Placed for Wellbeing 2021 – 2025 health priority posters











Appendix 3: Feedback Form



EGSC MPHWPB
Feedback Form.pdf

Appendix 4: Communication and engagement activity register**Well placed for Wellbeing 2021-2025**

List of Networks/Groups included in community engagement
Engagement period: 7th - 30th September 2021

	Best East Gippsland Contact Person	How we engaged with this group				Estimated Reach	Comments
		Direct Email	Newsletter	Online meeting	Other		
Youth forum network (all agencies with young people)	Lily Hodge						
Youth ambassadors				15-Sep		13	1 hour workshop of priorities
Youth Focus Network				29-Sep			
Early Years							
Children wellbeing collective	Rachael Dooley	23-Sep		29-Sep		28	1 hour workshop of priorities
Department of Education							
Early years services & schools	Rachael Dooley	23-Sep					
Early years networks & priority area working groups	Rachael Dooley	23-Sep		17-Sep			
Recreation							
78 committees of management (rec reserves)	Wayne Richards						
Recreation and aquatic centres	Alana						
Municipal Health							
Maternal & Child Health							
Arts and Culture							
Arts and Culture (Andrea Court) Forge Theatre							
Council Services							
Library Programs and Service Centres	Kylie Pinkerton				Direct survey	90	Direct survey/awareness of consultation on registration at libraries
Community Programs	Rebecca Pantry						
Special Interest Groups & Partners							
Disability Advisory Committee	Sueanne Claringbould/Rebecca Pantry			13-Sep		10	
Senior Citizen Clubs							
Aged Ambassadors Program							
Aboriginal - GEGAC, GLaWAC							
East Gippsland Partners in Violence Prevention Group	Rachael Dooley			22-Sep			
Small Business and Agri business							

Agrinews	Kaylene Wickham		27-Sep			
Rural Agency Network Support Service	Kaylene Wickham			27-Sep		
Health Agencies and Service Partners						
July Workshop Attendees	Jane Leslie	11-Sep		29-Jul		55
Well placed for Wellbeing external working group	Jane Leslie	11-Sep				
GP network (name to be confirmed)	Stuart McConnell/ Cr J Greacen			28-Sep		20
GPHN	Jane Leslie	11-Sep				
GPCP Network	Emily White		15-Sep			Echo Newsletter placement
GPCP Governance Group	Emily White			12-Oct		10 Workshop/presentation by Sueanne Claringbould
Environment/Sustainability						
Climate Change mail list	Wayne Burton / Bec Lamble					
Community Strengthening & Recovery						
Place managers in community	Sally McKay	16-Sep				
Community Recovery Hubs (BRV)	Sally McKay	16-Sep				
Community Recovery Committee Link up	Sally McKay/Emily White			17-Sep		
Community Recovery Unit	Suzie Healy	17-Sep				email encouraging circulation amongst networks
EGSC Internal Groups						
AXIS internal intranet						
EGSC Staff Roadshow	Kris Wain			29-Sep		200 In person and online session
Social Club						
Health and wellbeing committee	Sueanne Claringbould					
Emergency Management						
Community/Residents						
Community	Jane Leslie / Emma Langres		23-Sep		Newspaper Facebook	6100 Press Release: Bdale Advertiser 15/9, Gippsland online news 7/9 Council Advert: Bdale Advertiser, Snowy River Mail, Lakes Post, East Gippsland News. 23/9 Facebook: 20/9, 23/9, 28/9 My Community Newsletter - 23/9 (747 readers)

6 Urgent and Other Business

7 Confidential Business

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following list of items:

7.1 East Gippsland Shire Council Audit and Risk Committee appointment

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs.

7.2 Sale of Land to recover unpaid rates and charges

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs.

7.3 Apply for Letters of Administration of deceased estates

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs.

7.4 Chief Executive Officer Total Remuneration Package Review

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs.

8 Close of Meeting